ZONING BY-LAW

BY-LAW 2001-38

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1.0 GENERAL SCOPE

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1.1 TITLE OF BY-LAW

This By-law may be cited as the "Loyalist Township Zoning By-law."

1.2 DECLARATION

The Zoning Schedules contained herein are declared to form part of this By-law.

1.3 APPLICATION OF BY-LAW

The provisions of this By-law shall apply and be enforceable with respect to all lands under the jurisdiction of Loyalist Township.

1.4 INTERPRETATION

The definitions and interpretations given herein shall govern unless the context requires otherwise. For the purposes of this By-law:

1. words used in the present tense include the future;
2. words in singular number include the plural and words in the plural include the singular number;
3. the word “shall” is mandatory;
4. the word “may” is permissive;
5. the words “used” and “occupied” shall include the words “arranged” and “designed to be used or occupied”; and
6. words in the masculine gender include the feminine gender and vice versa.

1.5 ZONE PROVISIONS

The Zone Provisions applicable to a use or activity, a building, structure or excavation are to be provided within the Zone in which such use or activity or building, structure or excavation is located, unless a specific provision of this By-law provides otherwise.

1.6 HEADINGS

The headings of the Parts, Sections, Subsections and Clauses of this By-law or on the Zoning Schedules, together with the illustrations, examples and explanatory notes appearing at various places throughout this By-law, have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope or meaning of this By-law or any of its Provisions.

~~1.7 APPENDICES - MINIMUM DISTANCE SEPARATION FORMULAE~~

~~Appendix 1 and Appendix 2 to this By-law contain the Minimum Distance Separation, MDS I and MDS II, formulae of the Ministry of Agriculture Food and Rural Affairs. These formulae form the basis for the calculation of the minimum separation distance. Any future revisions or updates to these formulae shall be included and used to calculate the minimum separation requirements without need to amend this By-law.~~

1.7 TECHNICAL REVISIONS

Revisions may be made to this By-law without the need for a Zzoning By-law Aamendment in the following cases:

1. a) Ccorrection of grammar, punctuation or typographical errors or revisions to format in a manner that does not change the intent of a Pprovision;
2. b) Aadding or revising technical information on maps or schedules that does not affect the zoning of the lands including but not limited to, matters such as updating and correcting infrastructure information, legends, or title blocks; and
3. c) Cchanges to appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, historical or reference information, page numbering, cross references, footers and headers and similar items, which are editorially inserted for convenience of reference only.

2.0 COMPLIANCE

2.1 REQUIREMENTS

The Provisions of this By-law shall be held to be the minimum requirement EXCEPT where the word maximum is used, in which case the maximum requirement shall apply.

2.2 CONFORMITY WITH BY-LAW

1. Buildings, Structures, Excavations, and Uses:
   No building, structure, or excavation shall hereafter be erected, altered, used, or made nor shall the use of any land, building, structure, or excavation hereafter be changed, in whole or in part, except in conformity with the Provisions of this By-law.
2. Land Division (Lots):
   No lot shall be changed in area, depth, or width if the effect of such action is to cause the lot, or building or structure thereon, to be in contravention of this By-law.

2.3 OTHER BY-LAWS, REGULATIONS OR ACTS

1. Not to Affect Other By-laws:
   This By-law shall not be interpreted so as to reduce or mitigate any other By-law, regulation, or restriction lawfully imposed by this Corporation or any other governmental authority having jurisdiction to do so.
2. Compliance with Other By-laws:
   Nothing in this By-law shall serve to relieve any person from the obligation to comply with the requirements of any By-law of the Township in force from time to time or the obligation to obtain any licence, permit, authority, or approval required under any By-law of the Township.
3. Conflict:
   In the event of a conflict between this By-law and any ~~general or special~~ other Township By-law, ~~this By-law shall prevail.~~the more restrictive Pprovision prevails

unless applicable law requires otherwise. Where P~~p~~rovisions in this By-law conflict, the more restrictive P~~p~~rovision applies.

4. Other Jurisdictions:
   No other By-law, regulation, or Act shall be interpreted so as to reduce or mitigate any requirement of this By-law, unless, the other By-law, regulation, or Act was specifically intended to affect zoning and the governmental authority responsible for the By-law, regulation, or Act has the jurisdiction to do so.

5. Reference to Legislation:
   Where this By-law references any legislation or portion thereof, it is intended that such references should be interpreted to include any amended or subsequent legislation and regulations.

2.4 EXISTING USES CONTINUED

Nothing in the By-law shall prevent the use of any lot, building, or structure for any purpose prohibited by this By-law if such lot, building, or structure was lawfully used for such purpose on the date of passing of this By-law, so long as it continues to be used for that purpose.

2.5 ~~BUILDING PERMIT ISSUED~~ COMPLETE APPLICATIONS FOR A BUILDING PERMIT

Nothing in this By-law prevents the development or use of a lot or a building for which a building permit was issued or a complete application for a building permit was received by the Township on or prior to Zoning By-law X coming into effect, if the development or use complies with the provisions of Zoning By-law 2001-38, as amended as it read immediately prior to Zoning By-law X coming into effect, and provided that a building permit has not been revoked pursuant to the Building Code Act.

~~Nothing in this By-law shall prevent the erection or use of any building or structure for a purpose prohibited by this By-law if the plans for such building or structure were approved by the Building Official and a building permit under the *Building Code Act* has been issued prior to the date of passing of this By-law, provided:~~

~~1. When the building or structure is erected, it shall be used for the purpose for which the building permit was issued;~~

~~2. The erection of such building or structure is commenced within six (6) months of the date of passing of this By-law and provided the erection of such building or structure is completed within a reasonable time after the erection thereof is commenced; and~~

~~3. The building permit has not been revoked pursuant to the *Building Code Act*.~~

2.6 COMPLETE PLANNING ACT APPLICATIONS

Planning Act applications submitted and deemed complete on or before the day Zoning By-law X comes into effect shall be reviewed against how the Zoning By-law read immediately prior to Zoning By-law X coming into effect.

2.~~6~~7 PUBLIC ACQUISITION

No person shall be deemed to have contravened any Provision of this By-law by reason of the fact that any part or parts of any lot has or have been conveyed to, or acquired by, any Public Authority for public use.

3.0 DEFINITIONS

In this By-law, unless the context requires otherwise, the following definitions and interpretations apply:

"ACCESSORY BUILDING OR STRUCTURE" means a detached building or structure that is not used for human habitation and the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith.

“ACCESSORY USE” means a use customarily incidental and subordinate to, and exclusively devoted to the main use of the lot, building or structure and located on the same lot.

“ADVENTURE GAMES” means an active commercial recreational activity where participants pay a fee to play combat games in protective gear with paintball guns, airsoft guns or similar equipment in a designated area. Such games may occur in an indoor or outdoor venue.

“ADDITIONAL RESIDENTIAL UNIT” means a separate and self-contained dwelling unit that is attached and/or within the principal dwelling on a lot or within an accessory building on the same lot as the principal dwelling.”

“AGRICULTURAL PRODUCE WAREHOUSE” means a building or part of a building used for the storage of agricultural produce and may include facilities for wholesale distribution or an accessory retail commercial outlet for the sale of agricultural products to the public.

“AGRICULTURE-RELATED USE” mean farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations and provide direct products and/or services to farm operations as a primary activity. Examples of such uses would include abattoirs, cheese factories, grain drying and cleaning, fertilizer storage and distribution facilities and other similar uses.

“AIR TREATMENT CONTROL” means the functional use of industrial grade multi-stage carbon filtration system, or similar technology, to reduce and/or treat the emission of pollen, dust and odours expelled from a facility and sized accordingly in comparison to the facility it serves as designed by a qualified person.

"ALTER" means:

1. W~~w~~hen used in reference to a building or part thereof, means to change any one

or more of the internal or external dimensions of such building or to change the type of construction of the exterior walls or roof thereof;

~~construction of the exterior walls or roof thereof;~~

2. W~~w~~hen used in reference to a lot, means to change the area, frontage or depth thereof; to change the width, depth or area of any required yard setback, landscaped open space or parking area; or to change the location of any boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of such lot, or otherwise.

3. W~~w~~hen used in reference to a use, means the purpose for which the lot, building or structure is occupied.

The words "ALTERED" and "ALTERATION" shall have corresponding meanings.

“AMENITY AREA” means the area situated within the boundaries of any residential development site intended for recreational purposes, and may include landscaped open space, patios, private amenity areas, balconies, communal lounges, swimming pools, “children’s play areas,” and similar uses, but does not include any area occupied at grade by a building’s service areas, parking areas, parking aisles, or driveways.

“AMUSEMENT PARK” means an establishment for the commercial operation of a recreational, entertainment, or amusement complex including facilities such as miniature golf courses, driving ranges, amusement rides, water sports, and an “arcade.”

“ANCILLARY” means a use that is additional, secondary, and complimentary to a principal~~le~~ use, but is not accessory to the principal~~le~~ use.

“ANIMAL CARE ESTABLISHMENT” means an establishment for the caring, grooming and training of household pets, but does not include a kennel, animal shelter or a veterinary clinic.

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

"ANTIQUE SALES ESTABLISHMENT" means a building or part of a building or structure where antiques, arts and crafts are offered or kept for sale at retail, and may include a "craft shop."

“ARCADE” means a commercial establishment used for the provision of three or more indoor entertainment and amusement activities such as coin-operated machines or devices, and games of skill or chance, exhibits and displays, including the sale of

souvenirs, food, and beverages, but shall not include a casino and/or gaming establishment, or premises licensed under the *Liquor License Act.*

"ARENA" means a building, or part of a building, in which the principal facilities provided are for such recreational activities as curling, skating, hockey, lacrosse, broomball, or similar athletic activity, which facilities may include dressing rooms, concession booths for the provision of food and refreshments to the general public, bleachers, plant equipment for the making of artificial ice and such other facilities as are normally considered incidental and subordinate thereto.

"ART GALLERY" means a building, place or area where paintings, sculptures or other works of art are exhibited or sold.

"ARTIST STUDIO" means the workplace of an artist or craftsman, including a painter, a sculptor or a photographer, where goods including jewellery or fine art, such as paintings or sculptures, are produced in small quantity and may be provided for sale.

"ASPHALT PLANT, PORTABLE" means a facility:

1. Wwith equipment to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stock piling and storage of bulk materials used in the process;

2. Wwhich is not of permanent construction but which is to be dismantled at the completion of the construction project; and

3. Wwhich does not remain at one location for more than one year or for the duration of a specific road project, whichever is shorter.

"ASSEMBLY HALL AND/OR AUDITORIUM" means a building, or part of a building, where facilities are provided for such purposes as meetings, athletic, civic, educational, political, religious or social events and may include a gymnasium, banquet hall, private club, fraternal organization or similar use but shall not include an arena.

"ATTACHED" means a building or structure otherwise complete in itself which depends, for structural support or complete enclosure, upon a division wall or walls shared in common with adjacent building(s).

"ATTIC" - See "STOREY."

"AUCTION OUTLET" means a building or part of a building or structure in which goods, wares, merchandise, substances, articles or things are offered for sale to the general public by an auctioneer and may include a livestock auction sales barn.

"BAKERY" means the use of land, buildings or structures for producing, mixing, compounding or baking bread, biscuits, ice cream cones, cakes, pastries, pies, buns, or any other bakery product of which flour, rice or meal is the main ingredient, but does not include a restaurant or other premises where any such product is made for consumption on the premises and does not include a bake shop.

"BAKE SHOP" means a retail store where baked goods, which may be consumed on or off the premises, are offered for sale. An accessory bakery or the incidental baking of products for retail sale may be permitted in association with a bakeshop.

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

"BASEMENT" - see "STOREY."

"BASEMENT, WALKOUT" - see "STOREY."

"BATTERY ENERGY STORAGE SYSTEM" means a type of energy storage that uses a group of batteries to store electrical energy.

"BED AND BREAKFAST ESTABLISHMENT" means a single unit dwelling house that is the principal residence of the operator, in which not more than three (3) guest rooms are made available for the overnight accommodation of the travelling or vacationing public, and in which the proprietor may offer lodging and breakfast for compensation. A Bed and Breakfast Establishment shall not include a boarding or rooming house, hotel, motel, group home, eating establishment or any other establishment otherwise defined or classified herein.

"BEVERAGE ROOM" means a building or premises, other than a restaurant, which is licensed under *The Liquor License Act*.

"BICYCLE PARKING" means a facility for the parking of bicycles, including the apparatus or mechanism permitting the bicycles to be secured; and:

1. ~~a)~~ Horizontal bicycle parking shall mean bicycle parking that accommodates bicycles in a horizontal orientation, with both wheels on the ground; and

2. ~~b)~~ Vertical bicycle parking shall mean bicycle parking that accommodates bicycles in a vertical orientation, with one wheel over the other.

"BLOCK" means the smallest unit of land, the boundaries of which consist entirely of public streets, rivers, railway lines, public parks or any combination thereof or a block of land as shown in a registered plan of subdivision.

"BOARDING HOUSE" or "LODGING HOUSE" - See "DWELLING HOUSE."

“BOAT HOUSE” means a building or structure not over one storey 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 residential or commercial purposes.

“BROADCASTING AND COMMUNICATIONS ESTABLISHMENT” means a building or part of a building used for the production, reception and/or transmission of information by electronic means including radio and television studios and may include related administration and customer services.

By-law 2006-02

"BUILDING" means a structure, other than a wall or fence, having a roof, supported by columns or walls or supported directly on the foundation, and used for the shelter, accommodation or enclosure of persons, animals or goods.

"BUILDING BY-LAW" means any By-law of the Corporation passed pursuant to *The Building Code Act* and regulations passed thereunder.

“BUILDING LINE” means a line within a lot drawn parallel to a lot line and establishes the minimum distance between the lot line and the nearest point of any building or structure which may be erected.

~~"BUILDING OFFICIAL/ BUILDING INSPECTOR" means the officer or employee of the Corporation of Loyalist Township charged with the duty of:~~

~~· enforcing *The Building Code Act* and regulations; and~~

~~· enforcing the provisions of the Building By-law.~~

~~The definition shall include any inspector likewise appointed~~

“BUILDING PERMIT” means a permit issued by the Chief Building Official or designate of Loyalist Township under the Building By-law and the *Building Code Act*.

"BUILDING SUPPLY OUTLET" means a building or structure in which building or construction and home improvement materials are offered or kept for sale, and may include the fabrication of certain materials related to home improvements.

“BULK STORAGE TANK” means a tank for the bulk storage of petroleum, gasoline, diesel, oil, gas, propane or flammable liquid or fluid, or other fuels, but does not include a container for flammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.

“BUSINESS INCUBATOR” means an establishment that is dedicated to nurturing the development and commercialization of startups, early-stage companies, and established companies (enterprises) by providing incubator services such as management training, networking facilities, programming, mentorship programs, business assistance services, and office space.

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

"BY-LAW" means the Loyalist Township Zoning By-law.

~~"BY-LAW ENFORCEMENT OFFICER" means any officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.~~

“CABIN” means a building for sleeping which is not a tourist cottage, which may or may not contain facilities for the cooking or preparation of food, and, which forms part of a tourist establishment as hereinafter defined in this By-law.

“CABIN ESTABLISHMENT” means a tourist establishment comprised of two or more cabins.

“CALL CENTRE” means a building or part of building in which people are employed to provide product information, services and/or direct sales to the public by way of telephone, internet, fax, video and mail.

“CAMPING ESTABLISHMENT” means a tourist establishment consisting of at least five (5) camp sites and comprising land used or maintained as grounds for camping and may include the temporary placement of tents or the temporary parking of trailers, motorized mobile homes, truck campers or campers, but does not include a mobile home park.

“CAMPING LOT” means that part of a camping establishment that is occupied on a temporary basis only by a trailer, motorized home, truck camper, camper or tent.

“CANNABIS PRODUCTION FACILITY” means a federally licensed facility for the cultivation, processing, testing, destruction, packaging and/or shipping of cannabis and cannabis based products, and may include research and development and analytical testing facilities.”

“CARPORT” means a structure which is a roofed enclosure attached to a dwelling house and designed for the storage or parking of a motor vehicle and with at least 40 per cent of the perimeter open and unobstructed and where the perimeter includes the main wall of the dwelling house to which the carport is attached.

~~"CAR WASH" means a building or structure containing facilities for washing automobiles, either by production line methods and mechanical devices, or by a self-service operation.~~

“CASINO AND/OR GAMING ESTABLISHMENT” means a building or part of a building which is open to the public for the purpose of playing games of chance and managed and regulated by the Ontario Casino Corporation on behalf of the Government of Ontario in accordance with the *Gaming Control Act*, as amended, and which may include entertainment and liquor licensed premises.

"CELLAR" - see “STOREY.”

"CEMETERY" means a cemetery or columbarium within the meaning of ~~The Cemeteries Act~~ *Funeral, Burial and Cremation Services Act*.”

"CERTIFICATE OF OCCUPANCY" means a certificate issued by the Chief Building Official for the occupancy of any land, building, excavation or structure to the effect that the proposed use or activity complies with this By-law.

“CHIEF BUILDING OFFICIAL/BUILDING INSPECTOR” means the officer or employee of the Corporation of Loyalist Township charged with the duty of:

1. E~~e~~nforcing t~~T~~he *Building Code Act* and regulations; and
2. E~~e~~nforcing the P~~p~~rovisions of the Building By-law.

The definition shall include any inspector likewise appointed.

“CHILDREN’S PLAY AREA” means an area, at or above ground level, developed with play equipment and suitably surfaced and fenced or otherwise enclosed for play by children.

"CLINIC, MEDICAL" means a building or structure where members of the medical profession, dentists, chiropractors, osteopaths, optometrists, physicians and occupational therapists, drugless practitioners, either singularly or in union, provide diagnosis and treatment to the general public, without overnight accommodation, and include such uses as reception areas, offices for consultation, coffee shop where accessory to the principal use, X-ray and minor operating rooms, and a pharmaceutical dispensary.

"CLUB, COMMERCIAL" means an athletic, recreational or social club operated for gain or profit.

"CLUB, PRIVATE" means an athletic, recreational or social club located on private lands and used for the purposes of a non-profit, non-commercial organization. This definition may include the premises of a fraternal organization.

"COMMON ELEMENT ROAD" means a private road forming part of the Common Elements of a condominium plan pursuant to the *Condominium Act, S.O. 1998*, with a direct connection to an Improved Public Street.

"COMMUNITY CENTRE" means a tract of land, or building or buildings, or any part of any building used for community activities, whether used for commercial purposes or not, the control of which is vested in the Township, a local board or agent thereof.

"COMMUNITY GARDEN" means a communal premises open to community members and operated and maintained by a public authority, resident association, or similar organization, for the small-scale cultivation of plants including vegetables, fruits, grains, flowers, or herbs for personal use, consumption, or donation, and not for commercial purposes, and may include accessory buildings and structures.

"CONFERENCE CENTRE" means a building used for the holding of conferences, conventions, seminars, workshops or similar activities, including eating establishment and lodging facilities, as well as compatible accessory facilities.

"CONSERVATION" means the preservation, protection and improvement of the natural environment through comprehensive management and maintenance programs for both the individual and society's uses.

"CONTRACTOR'S YARD" means the yard or depot of any construction company or contractor where equipment and material are stored or where a contractor performs shop or repair work and includes facilities for the administration and management of the business, but does not include the wholesale or retail sale of construction materials, supplies, or home improvement supplies.

"CONVENIENCE STORE" means an establishment where food, tobacco, non-prescription drugs, periodicals or similar items of household necessity are kept for retail sale to residents of the immediate neighborhood or surrounding area and may include accessory convenience services such as dry cleaning and laundry depot, photo finishing, automated banking outlet, and video rental.

"CORNER LOT" - See "LOT."

"CORPORATION" means the Corporation of Loyalist Township.

“COTTAGE ESTABLISHMENT” means a tourist establishment comprised of two (2) or more cottages owned or leased by the same person.

“COTTAGE, TOURIST” means a building to accommodate one or more guests, which

contains at least two rooms, that is at least partially furnished and in which the guest is permitted to prepare and cook food.

"COUNCIL" means the Municipal Council of the Corporation of Loyalist Township.

"COUNTY" means the Corporation of the County of Lennox and Addington.

"COUNTY ROAD" means a street or road under the jurisdiction of the County.

“COURIER ESTABLISHMENT” means a private commercial parcel and mail delivery service and shall include an office and warehouse where the parcels and mail are received and sorted for distribution.

“COURT” means an open and unoccupied space from ground to sky appurtenant to a building and bounded on two or more sides by the walls of the building.

"CRAFT SHOP" means a building or part of a building where crafts, souvenirs and other similar items are offered or kept for sale at retail to the general public.

“CUSTOM WORKSHOP” means a building or part of a building used by a trade, craft or guild for the manufacture in small quantities of made to measure clothing or articles and the sale of such products. This definition includes pottery, stained or blown glass artists, upholstering, weaving, woodworking or furniture manufacture employing not more than three people.

~~"DAY NURSERY" means a day nursery operated for pre-school age children within the meaning of *The Day Nurseries Act*.~~

“DAY CARE CENTRE” means a premises licensed or required to be licensed as a child care centre under the *Child Care and Early Years Act, 2014*, as amended, providing temporary care or supervision for children.

“DECK” means an accessory attached or detached structure with no roof or wall, except for partitions or railings and/or guards, which is constructed on piers or a foundation, above finished grade and used as an outdoor living area.

“DETENTION CENTRE” means a correctional institution as defined under the *Ministry of Correctional Services Act*.

"DEVELOPMENT" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure

that has the effect of substantially increasing the size or usability of such buildings or structures, or the laying out and establishment of a commercial parking lot.

~~"DEVELOPMENT AGREEMENT" means any agreement entered into by an owner of land and the Corporation pursuant to the *Planning Act*.~~

"DONATION BOX" means any receptacle used for the purpose of collecting donated goods and items (such as apparel) from the public.

"DRUGLESS PRACTITIONER" means a person who practices or advertises or holds himself out in any way as practicing the treatment of an ailment, disease, defect or disability of the human body by manipulation, adjustment, manual or electo-therapy, or by any similar method.

"DRY CLEANER'S DISTRIBUTION STATION" means a building or part of a building used for the purpose of receiving articles or goods of fabric to be subjected elsewhere to the process of cleaning or dyeing. Such establishment may also be used for pressing and/or distributing any articles or goods which have been received therein.

"DRY CLEANING PLANT" means a building in which the business of dry cleaning, dry dyeing, cleaning, stain removal or pressing of articles or goods of fabric is carried on and in which non-combustible and non-flammable solvents are, or can be, used which are in compliance with the *Environmental Protection Act*.

"DWELLING HOUSE" means a building occupied or capable of being occupied as the home or residence of one or more persons, but shall not include a trailer, travel trailer, mobile camper trailer, motor home, or mobile home.

1. "ACCESSORY DWELLING HOUSE" means a single-unit dwelling house which is accessory to a permitted Non-Residential Use and is designed for residential occupancy, and necessary to the maintenance and operation of the Non-Residential Use to which it is related.
2. "APARTMENT DWELLING HOUSE" means the whole of a dwelling house that contains five (5) or more dwelling units which have a common entrance from street level in which the occupants have the right to use in common any corridors, stairs or elevators contained therein, and any yards appurtenant thereto.
3. "BOARDING OR LODGING HOUSE" means a dwelling house containing not more than four (4) guest rooms, in which the owner or head lessee supplies, for hire or gain, lodgings with or without meals for three to eight persons.

4. ~~"CONVERTED DWELLING HOUSE" means a single unit dwelling house which has been converted to provide therein not more than three (3) dwelling units.~~

5. "DUPLEX DWELLING HOUSE" means the whole of a dwelling house above finished grade which is divided horizontally into 2 separate dwelling units, each such dwelling unit having an independent entrance either directly from outside the building or through a common vestibule.

6. "FOURPLEX DWELLING HOUSE" means the whole of a dwelling house that is divided vertically and horizontally by common walls above finished grade into four separate dwelling units each of which has two common walls, and each dwelling unit has an independent entrance either from the outside or through a common vestibule.

7. "LOW-RISE APARTMENT DWELLING HOUSE" means the whole of a ~~two-storey dwelling house, which contains more than four dwelling units, which have a common entrance at street level and which are served by a common corridor, but shall not include any other dwelling house defined.~~dwelling house that contains more than four (4) dwelling units which have a common entrance from street level in which the occupants have the right to use in common any corridors, stairs or elevators contained therein, and any yards appurtenant thereto, and such building has a maximum height of four stories.

8. "MAISONETTE DWELLING HOUSE" means the whole of a dwelling house containing dwelling units with two separate means of access; one of the said means of access is from a common first storey corridor and the other is directly from the outside privacy yard area allocated to the said dwelling unit.

9. "ROW OR CLUSTER DWELLING HOUSE" means one of a group of three or more attached single unit dwelling houses, separated vertically by a common wall, having at least two independent entrances directly from the outside and situated on a parcel of land in such a way that individual units may or may not have legal frontage on a public street.

10. "SEMI-DETACHED DWELLING HOUSE" means the whole of a dwelling house which is divided vertically by a common wall above finished grade into 2 separate dwelling units with each such dwelling unit having an independent entrance either directly from outside the building or through a common vestibule, or where two dwelling units are connected at some point below ground level.

11. “SENIOR CITIZENS DWELLING HOUSE” means a suite of one or more rooms together with private lavatory facilities, kitchen and sleeping accommodation designed and used for the exclusive occupancy of one or more senior citizens.
12. "SINGLE-DETACHED DWELLING HOUSE" means a dwelling house containing only one dwelling unit. This definition shall not include a mobile home.
13. "STREETFRONT DWELLING HOUSE" means one of a group of three or more attached single unit dwelling houses, separated vertically by a common wall, having independent entrances at ground level directly from the outside, having a yard abutting at least the front and rear walls of each dwelling unit, and each unit having separate and distinct frontage on an improved street or road.
14. "TRIPLEX DWELLING HOUSE" means the whole of a dwelling house that is divided horizontally into three separate dwelling units each of which has an independent entrance either directly from the outside or through a common vestibule.
15. “QUAD DWELLING HOUSE” means a single structure containing four dwelling units which are divided vertically by common walls above finished grade into 4 separate dwelling units of which each unit has a separate entrance from the exterior of the structure.
16. “STACKED TOWNHOUSE” means a residential building, four storeys or less in height, containing up to ten dwelling units where one upper storey unit is stacked above another dwelling unit (maximum of two units in a stack), and in which each dwelling unit has an independent entrance to the exterior with no shared internal corridors.

"DWELLING UNIT" means a suite of two or more rooms, designed or intended for use as a single housekeeping unit, in which sanitary conveniences are provided, in which kitchen facilities are provided for cooking, in which a heating system is provided, and, which has a private entrance from outside the building or from a common hallway or stairway. For the purposes of this By-law, a dwelling unit does not include a tent, trailer, mobile home, or a room or suite of rooms in a boarding or rooming house, motel, motor hotel or tourist home.

By-law 2025-62

1. "ACCESSORY DWELLING UNIT" means a dwelling unit which is part of and accessory to a permitted Non-Residential Use other than an automobile service station or commercial garage, and which is designed for residential occupancy necessary to the maintenance and operation of the Non-Residential Use to which

it is related. Such unit shall be occupied either by the family of the owner or by the family of a person employed on the lot where such a dwelling unit is located.

2. "BACHELOR DWELLING UNIT" means a dwelling unit consisting of one bathroom and not more than two habitable rooms providing therein living, dining, sleeping and kitchen accommodation in appropriate individual or combination room or rooms.

"DWELLING UNIT AREA" means the habitable area contained within the outside walls of a dwelling unit, including a loft, a finished basement, but excluding any private garage, carport, porch, veranda, unfinished attic, unfinished basement, cellar or sun room (unless such sun room is habitable in all seasons of the year), and excluding public or common halls and stairways.

By-law 2011-76

~~"DYNAMIC BEACH" means an area of inherently unstable accumulations of shoreline sediments along the shoreline of Lake Ontario.~~

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

"EATING ESTABLISHMENT" means a building or part of a building where food is offered for sale or sold to the public for immediate consumption or for take-out and includes such uses as a restaurant, dining room, café~~e~~, cafeteria, ice cream parlor, tea or lunch room, dairy bar, coffee shop, snack bar or refreshment room or stand; but does not include a boarding or lodging home.

"EATING ESTABLISHMENT, DRIVE-THROUGH" means an eating establishment or part of an eating establishment where facilities are available for the sale of food to the general public at a drive through window.

"EATING ESTABLISHMENT, MOBILE" means a vehicle, trailer, cart or other structure not placed on a permanent foundation which is equipped for cartage, storage and the preparation of food stuffs, beverages, confections and such items are offered directly for consumption to the general public, and includes a chip wagon, a mobile canteen and other refreshment vehicles, licensed by the Corporation.

"EATING ESTABLISHMENT, TAKE-OUT" means a building or part of a building designed, intended or used for the sale of food and refreshments to the general public but which does not include provision for consumption of the food by the customer while

in his vehicle, but may include provisions for consumption of food within the building or elsewhere on the site.

"EAVE" means a roof overhang, free of enclosing walls, without supporting columns.

“EDUCATION AND TRAINING FACILITY” ~~means a place of instruction operated by a private or public authority.~~ ~~*By-law (2006-02)*~~ *means a building, structure or part thereof where instruction of a skill for a trade, or training of a permitted industrial use is permitted.*

“EQUESTRIAN CENTRE” means the use of land, buildings or structures for the boarding of horses, training of horses and riders, staging and holding of equestrian events, operation of a riding academy, but does not include the racing of horses.

“EQUIPMENT SALES AND RENTAL” means a building or part of a building or structure in which light and/or heavy machinery and equipment are offered for sale or kept for rent, lease or hire under agreement for compensation.

~~“EQUIPMENT SALES AND RENTAL, RECREATIONAL” See “VEHICLE”.~~

"ERECT" means to set-up, build, construct, reconstruct or relocate and, without limiting the generality of the word, also includes:

1. Any preliminary physical operation, such as excavating, filling or draining;
2. Altering any existing building or structure by an addition, enlargement, extension movement or other structural change; and

Any work which requires a building permit under the *Building Code Ac*t and regulations passed thereunder and/or the building By-law of the Corporation.

“ESTABLISHED BUILDING LINE, URBAN” means the average setback from the street centreline of existing buildings on one side of one block where more than one-half of the frontage of the said side of the block has been built upon.

“ESTABLISHED BUILDING LINE, RURAL” means the average setback from the street centreline of existing buildings when at least five (5) buildings have been erected on any one side of a continuous two hundred (200) metres of land with frontage on an improved public street.

"EXISTING" means existing as of the date of passing of this By-law.

"EXTERIOR SIDE LOT LINE" - See "LOT LINE."

"EXTERIOR SIDE YARD" - See "YARD."

"FAIRGROUNDS" means lands where fairs, livestock shows, horseracing, demolition derbies, other sports events, circuses, or exhibitions are held primarily outdoors, and includes any accessory and temporary buildings, which is operated by a board governed by the *Agricultural and Horticultural Organizations Act, R.S.O. 1990*., and additional uses such as craft sales, flea markets and concerts are also permitted. A community centre is also allowed."

"FARM" means ~~land used for the tillage of soil and the growing of vegetables, fruits, grains, maple syrup, and other staple crops. This includes the use of land for such activities as a nursery, pasture, raising of animals, dairying, fish farming, or woodlots.~~ land or a building used for the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; and maple syrup production; and includes any associated on-farm buildings and structures.

"FARM EXPERIENCE ACTIVITY" means an accessory activity that is directly associated with agriculture and an existing farm operation and which consists of adding a component of information, education, temporary accommodation or entertainment to an existing farm operation.

"FARM IMPLEMENT AND EQUIPMENT SALES AND SERVICE ESTABLISHMENT" means a building, structure or area where farm implements, equipment and farm supplies are kept for sale at retail and may include facilities for the servicing of such implements or equipment.

"FARM OPERATION" means an agricultural activity carried on a farm by one (1) or more farm persons in the expectation of gain and operating on one (1) or more properties, which shall be situated in the Township.

"FARM PROCESSING" means the grading, sorting, packing, drying or processing of crops produced on properties which form part of the farm operation where the facility is located.

"FARM PROCESSING – VALUE ADDED" means the processing and refining of crops and produce produced on properties which form part of the farm operation to a final retail product. The final retail product shall primarily consist of the crops and produce produced on the farm operation."

"FARM PRODUCE RETAIL OUTLET" means a food store for the retail sale of farm produce and agricultural products and includes outdoor display.

“FARM PRODUCE SALES OUTLET” means a use accessory to a farm which consists of the sale of agricultural products exclusive of meat or poultry, the majority of which must be produced on the farm where such outlet is located.

“FARMER’S MARKET” means the use of land, buildings or structures or parts thereof where groups of individual sellers offer for sale to the public such items as fresh produce, seasonal fruits, fresh flowers, arts and crafts items and baked goods.

“FILL” means earth, sand, gravel, rubble or any other material whether originating on the site or elsewhere, used or capable of being used to raise or in any way affect the contours of the ground.

“FILL LINE” means a line plotted on floodplain and/or fill line mapping, denoting steep slopes and/or erosive slopes, or the extent of a pond, swamp, marsh, or other wetland and delineating limits within which the placement of buildings or structures and the placement or removal of fill may either affect the control of flooding or the conservation of land, or result in the pollution of a watercourse.

“FILL REGULATED AREA” means the area adjacent to the floodplain which is defined by the Fill Line. In this area the placement of buildings and/or structures and/or the placement or removal of fill is controlled by the conservation authority and/or the municipality.

“FINANCE ESTABLISHMENT” means a place that provides a range of financial services and includes a bank, trust company, credit union, finance company, mortgage company, investment company, accountant’s office or other financial institution, and may include an accessory bank machine.

"FINISHED GRADE" means where the elevation of the finished surface of the ground meets the foundation of a structure of building exclusive of any embankment in lieu of steps.

“FLEA MARKET” means a building or open area in which stalls or sales areas are set aside and rented or otherwise provided, and which are intended for use by various unrelated individuals to sell articles that are either homemade, homegrown, handcrafted, old, obsolete or antique and may include the selling of goods at retail by a business or individuals who are generally engaged in retail trade.

"FLOOD LINE" means:

1. The area, usually low lands adjoining a watercourse or a waterbody, which may be subject to the 1:100 year flood, plus an allowance for water-related hazards; or

2. Along the Lake Ontario shoreline, the 1:100 year stillwater elevation plus an allowance for wave uprush and other water related hazards.

“FLOOD PLAIN" means the area, usually low lands, adjoining a waterbody or watercourse which has been or may be covered by flood water. These areas may be delineated by engineered floodlines.

"FLOOD PROOF~~FFED~~ING" 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 total floor area, as defined herein, exclusive of:

1. Any part of the building or structure below finished grade which is used ~~for heating~~ as a heating/furnace room, the storage or parking of motor vehicles, locker storage, storage of goods and personal effects, laundry facilities, children's play areas and other accessory uses, or used as living quarters by the caretaker, watchman or other supervisor of the building or structure; and
2. In the case of a dwelling house, any private garage, carport, basement, walkout basement, cellar, porch or veranda, sun-room (unless such sun-room is habitable at all seasons of the year).

"FLOOR AREA, GROSS LEASABLE" means the total floor area designated for tenant occupancy and exclusive use, including individual basement and storage areas, mezzanines and upper floors if any from the centre lines of partitions and exterior of outside walls. This does not include walkways giving public access to a permitted use.

"FLOOR AREA, GROUND" means the total ground floor area of a building measured to the outside walls, excluding, in the case of a dwelling house, any private garage, carport, porch, veranda, sun-room (unless such sun-room is habitable at all seasons of the year).

"FLOOR AREA, TOTAL" means the aggregate of the horizontal areas of each floor, whether any such floor is above or below grade, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor.

~~“FLOOR SPACE INDEX” means the ratio of gross floor area permitted within a building or structure to the net land area of the lot on which the building or structure is situated.~~

~~"FOOD MARKET" - See "SUPERMARKET".~~

“FORESTRY” means the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection of water supplies, and preservation of the recreation resource and shall include reforestation areas owned or managed by the Ministry of Natural Resources or Local Conservation Authority or under a plan approved by a Registered Professional Forester.

"FRATERNAL LODGE" means a building or part of a building used for the purposes of a club, society or association organized and operated on a non-profit basis exclusively for social welfare, civic improvement, pleasure or recreation or for any other similar purposes.

"FRONTAGE" - See "LOT FRONTAGE."

"FRONT LOT LINE" - See "LOT LINE."

"FRONT YARD" - See "YARD."

"FUEL STORAGE TANK" means a tank for the bulk storage of petroleum, gasoline, fuel oil, gas or inflammable liquid or fluid but does not include a container for inflammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.

“FUNERAL HOME” means a building designed for the purpose of furnishing funeral supplies and services to the public and includes facilities for the preparation of a dead human body for interment or cremation, and facilities for the coordination of rites and ceremonies with respect to interment or cremation.

"GARAGE, COMMERCIAL" means a building, structure or lot where commercial vehicles are stored.

"GARAGE, PRIVATE" means an accessory building or portion of a dwelling house which is fully enclosed and roofed and designed or used for the sheltering of vehicles and storage of household equipment incidental to the residential occupancy and excludes a carport or other open shelter.

"GARDEN AND NURSERY SALES AND SUPPLY ESTABLISHMENT" means a building or part of a building and land adjacent thereto for growing or displaying of flowers, fruits, vegetables, plants, shrubs, trees, or similar vegetation which is sold to the public at retail and shall also include the sale of such goods, products and equipment as are normally associated with gardening or landscaping.

“GARDEN SUITE” mean a single unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be temporary and portable.

"GASOLINE PUMP ISLAND" means a pump island for the dispensing of vehicle fuels including gasoline, diesel, propane and natural gas but does not include a kiosk or any other accessory building.

"GASOLINE RETAIL FACILITY" means a lot on which the retail sale of gasoline or other petroleum products for motor vehicles constitutes either the sole use, such as a gas bar and accessory retail facility, or as an accessory use. This definition shall not include an automobile service station.

“GENERAL INDUSTRIAL USE” means the use of land, building or structures for the manufacturing, processing, fabricating or assembly of raw materials or goods, merchandising or bulk storage of goods and related accessory uses."

"GOLF COURSE" means a public or private area operated for the purpose of playing golf, inclusive of club house facilities, and may include a driving range, a miniature golf course, or similar use.

“GOLF, DRIVING RANGE” means a public or private area operated for the purpose of developing golfing techniques, including miniature golf courses, but excluding golf courses.

"GOLF COURSE, MINIATURE" means an area designed for the purposes of a novelty golf game played with a putter on a miniature golf course having tunnels, bridges, sharp corners, or other similar obstacles.

~~"GRADE" - See "FINISHED GRADE".~~

"GREENHOUSE, COMMERCIAL" means a building or structure for the growing of flowers, fruits, vegetables, plants, shrubs, trees and similar vegetation, which are not necessarily planted outdoors on the same lot containing such greenhouse, and, which are sold directly from such lot at wholesale or retail.

“GROUP HOME” means a Single Detached Dwelling House in which three (3) to ten (10) residents, who by reason of their emotional, mental, social or physical condition, live under supervision in a home which is licensed or approved under Provincial Statute. For the purposes of this By-law “residents” shall exclude staff.

"GUEST" means a person, other than a boarder, who contracts for accommodation and includes all members of the person's party.

"GUEST ROOM" means a room or suite of rooms which contains no facilities for cooking, and which is maintained for the accommodation of individuals to whom hospitality is extended for compensation.

"HABITABLE ROOM" means a room designed for living, sleeping, eating or food preparation, and also includes a den, library, sewing room, loft, and/or enclosed sun-room where heated.

"HEIGHT AND HEIGHT OF BUILDING" means the vertical distance, measured between the finished grade and the front or rear of the building, and

~~*By-law 2011-076*~~

~~*By-law 2025-62*~~

1. In the case of a flat roof or curved roof, the highest point of the roof surface;
2. In the case of a mansard roof, the deck roof line; and
3. In the case of a gable, hip or gambrel roof, the midpoint height between the eaves and the ridge.

Building Height is exclusive of accessory structures and facilities such as chimneys, church steeples, television antennae or flagpole.

By-law 2011-076
By-law 2025-62

“HOBBY FARM” means a farm residence where a limited number of domestic animals that are kept primarily for recreational purposes, and buildings related to the hobby farm are clearly subordinate and incidental to the residential use.

"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.

"HIGHWAY" means a highway within the meaning of the *Highway Traffic Act* and the *Municipal Act*, as amended from time to time.

~~"HOME FOR THE AGED" means a home for the aged within the meaning of the *Homes for the Aged Act*.~~

“HOME BASED DAYCARE” means a home occupation where temporary care or supervision is provided within a dwelling unit, or in an accessory building, that complies with the regulations under the *Child Care and Early Years Act, 2014*, as amended.

“HOME INDUSTRY” means an industry which is clearly incidental or secondary to the Residential Use of a Single Detached Dwelling and is conducted either entirely within a Single Detached Dwelling or in an accessory building to a Single Detached Dwelling, primarily by an inhabitant thereof. Such industries include woodworking, welding, plumbing, a machine shop, or similar use.

"HOME OCCUPATION" means a use which is clearly incidental or secondary to the Residential Use of a dwelling and conducted entirely within such a dwelling or in an accessory structure where permitted by this By-law, primarily by one or more inhabitants thereof. Such uses may, among others, include an outlet or office for a real estate agent, caterer, hairdresser, dressmaker, dentist, doctor, chiropractor, physiotherapist, licensed ~~masseur or masseuse~~ massage therapist or osteopath, or other professional, making or repairing of household items, instructing in music, arts or drawing, the distribution or storage of household or personal items such as cosmetics or kitchenware, limited retail sales associated with the home occupation, home based day care, pet grooming that is limited to dogs or cats and does not include boarding, or a bed and breakfast establishment. ~~A home occupation, except for a bed and breakfast establishment, may occur in an accessory building in a Rural, Agricultural, Restricted Agricultural, Rural Residential, Hamlet, or Shoreline Residential Zone.~~

“HOSPICE” means a facility that provides palliative care and attends to the emotional and spiritual needs of terminally ill patients and their families.

“HOSPITAL” means ~~any institution, building or other premises established for the treatment of persons afflicted with or suffering from sickness, disease or injury, for the treatment of convalescent or chronically ill persons that is approved under the Public Hospitals Act as a public hospital.~~ a premise used as a private or public hospital under Province of Ontario legislation for the care or treatment of:

1. Persons afflicted with or suffering from sickness, disease or injury;
2. Convalescent or chronically ill persons;
3. Persons suffering from substance addictions; or
4. Persons suffering from emotional, or psychological disorders;

and may include ancillary uses such as an eating establishment, gift store or a hostel for the term-term accommodation of patients’ families during treatment or convalescence.

"HOTEL" means an establishment consisting of one building or one of two or more connected buildings containing therein 5 or more guest rooms which cater to the needs of the traveling public and is served by a common entrance, generally from street level.

Accessory uses may include accommodation for permanent staff, a beverage room, dining room, meeting room, banquet facilities, accessory recreational facilities, or similar use.

"IMPROVED STREET" - See "STREET."

"INDUSTRY, INFORMATION" means an operation where advanced or sophisticated devices, especially in the fields of electronics and computers are either manufactured, assembled, tested packaged, or stored; or are used to organize, process, store or disseminate large amounts of data.

~~"INSTITUTE" means a building, structure or lot used by an organized body, religious group or society for a non-profit, non-commercial purpose. This definition may include a hospital, nursing home, library, college, university, convent, monastery or similar use.~~

"INTERIOR LOT" - See "LOT."

"INTERIOR SIDE LOT LINE" - See "LOT LINE."

"INTERIOR SIDE YARD" - See "YARD."

"KENNEL" means a use where the predominant economic activity consists of the raising or boarding of dogs or cats on a commercial basis, in accordance with a license issued by the Corporation. A kennel may include the grooming of such animals where this is carried as an accessory use.

"LANDSCAPED OPEN SPACE" means the open unobstructed space, at finished grade on a lot, and which is suitable for the growth and maintenance of grass, flowers, bushes, trees and other landscaping. This definition may include any surfaced walk, patio or similar area but shall not include any driveway or ramp, whether surfaced or not, nor any curb, retaining wall, parking area or any open space beneath or within a building or structure.

"LANE" means a public thoroughfare which affords only a secondary means of access for vehicular traffic to abutting lots and which is not intended for general traffic circulation.

“LAUNDRY, COIN OPERATED” means a building where the services of coin-operated laundry machines, using only water, detergents and additives, are made available to the public for the purpose of laundry cleaning.

~~"LIBRARY" means a public library within the meaning of the *Public Library Act*.~~

"LIQUOR LICENSED PREMISES" means any building, structure or premises licensed under The Liquor License Board of Ontario.

"LIVESTOCK SALES WAREHOUSE" means a building or structure exclusively dedicated to the sale of livestock and can include an auction outlet.

"LOADING SPACE" means an off-street space on the same lot as the building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, lane or other appropriate means of access.

"LONG TERM CARE FACILITY" means a building that provides residential accommodations and a broad range of personal care, support and health services, and which is regulated under the *Fixing Long-Term Care Act, 2021*.

"LOFT" - See "STOREY."

"LOT" means a parcel of land, the fee simple title to which is capable of being lawfully conveyed without contravening the Provisions to the *Planning Act*.

"LOT, AREA" means the total horizontal area within the lot lines of a lot, excluding the horizontal area of any water body or marsh., ~~or any area within a zoned flood plain and the horizontal area between the top and toe of an embankment of 30 degrees or more from the horizontal.~~

"LOT, CORNER" means a lot situated at the intersection of two streets of which two adjacent sides that abut the intersecting streets contain an angle of not more than 135 degrees; where such adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the interior lot lines, provided that in the latter case, the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents.

"LOT, COVERAGE" means that percentage of the lot area covered by the perpendicular projections onto a horizontal plane of the area of all buildings and structures, exclusive of canopies, balconies and overhanging eaves which are not less than 2.5 metres above finished grade.

"LOT, DEPTH" means the horizontal distance between the front and rear lot lines. If the front and rear lot lines 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.

"LOT, FRONTAGE" means the horizontal distance between the side lot lines measured along the front lot lines, where the front lot line is not a straight line or where the side lot

lines are not parallel, the lot frontage is to be measured by a line parallel to the chord of the lot frontage drawn through a point therein distant from the front lot line equal to the required depth of the front yard. For the purposes of this By-law the chord of the lot frontage is a straight line joining the two points where the side lot line intersects the front lot line.

"LOT, INTERIOR" means any lot situated between adjacent lots and having access to one streetwhich has street access, other than a corner lot.

"LOT, LINE" means any boundary of a lot or the vertical projection thereof.

1. "EXTERIOR SIDE LOT LINE" means the lot line of a corner lot, other than the front lot line, which divides the lot from the street.

2. "FRONT LOT LINE" means, in the case of an interior lot, the line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting a street shall be deemed the front lot line and the longer lot line abutting a street shall be deemed an exterior side lot line. In the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line. Where a lot abuts a navigable waterway, and does not abut a street or private right-of-way, the shoreline so abutting the navigable waterway, measured at the high water mark shall be deemed to be the front lot line. Where a lot abuts a private right-of-way, and does not abut a street, the lot line abutting the private right-of-way shall be deemed to be the front lot line.

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3. "REAR LOT LINE" means, in the case of a lot having 4 or more lot lines, the lot line farthest from and opposite to the front lot line. If a lot has less than 4 lot lines, there shall be deemed to be no rear lot line.

4. "INTERIOR SIDE LOT LINE" means a lot line other than a front or rear lot line that does not abut a street.

"LOT, STANDARD WATERFRONT" means a lot which has no street access, but has water access or is shoreline only or has both a water access and/or street or right-of-way access.

"LOT, THROUGH" means any a lot bounded on two opposite sides by a street having street access on 2 or more street lines, other than a corner lot., however, if any lot qualifies as being both a corner lot and a through lot as herein defined, such lot shall be conclusively deemed to be a corner lot.

"LOW RISE APARTMENT DWELLING HOUSE" means the whole of a two storey dwelling house, which contains more than four dwelling units, which have a common

~~entrance at street level and which are served by a common corridor, but shall not include any other dwelling house defined.~~

"MANUFACTURING, LIGHT" means a plant which is wholly enclosed and the process of producing a product exhibits reasonably high performance standards and whose operations are not considered offensive because of heat, smoke, noise, dust, smell, vibration and heavy transportation.

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"MARINA" means a building, structure or place, containing docking facilities and located on a navigable water body, where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided and for the purposes of this By-law may include facilities for the operation of boat charters.

"MARINE FACILITY" means an accessory building or structure which is used to take a boat into or out of a water body, to moor, to berth or to store a boat. This definition may include a boat launching ramp, boat lift, dock, or boathouse, but shall not include any building used for human habitation or any boat service, repair or sales facility.

"MARINE SALES AND SERVICE ESTABLISHMENT" means a building or part of a building and associated lands where a franchised dealer displays new and used boats and boat accessories for sale at retail or for rental, and where marine equipment is serviced or repaired and may include boat storage facilities.

"MEDICAL OR DENTAL CLINIC" - See "CLINIC, MEDICAL."

"MICRO-BREWERY" means a building or structure, or part thereof used for the small-scale manufacturing, processing, retail sale, and distribution of beverages and alcoholic substances; which is operated in accordance with the Municipality's sewer use By-law. A microbrewery may include a brewery, cidery, distillery, meadery, or winery.

"MINERAL AGGREGATE OPERATION" means:

1. L~~L~~ands under license or permit, other than for wayside pits and quarries, issued in accordance with the *Aggregate Resources Act*; and

A~~A~~ssociated 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, but does not include an asphalt plant.

"MINERAL AGGREGATE RESOURCES" means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for the construction, industrial,

manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

"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, ~~motorized~~ motor home, travel trailer, ~~a~~ tent trailer and camper or trailer otherwise defined.

“MOBILE HOME LOT” means a parcel of land for the placement of a mobile home in a mobile home park and for the exclusive use of its occupants.

“MOBILE HOME PARK” means land which has been provided and designed for the location thereon of two (2) or more mobile homes.

“MODEL HOME” means a new uninhabited dwelling unit constructed to the requirements and the Provisions of the zone category in which the lot upon which the model home is situated or as specified by By-law and is used only for the purpose of displaying the architectural design, materials and interior design or decorating of homes, the layout and features of a draft approved or registered plan of subdivision or condominium, with or without service connections, for the purpose of selling homes to the general public. The items displayed and homes offered for sale shall be restricted to those in the draft approved or registered plan of subdivision or condominium in which the model home is located.

"MOTEL~~, MOTOR HOTEL~~" means an establishment that consists of one or more buildings containing more than one rental unit accessible from either the interior or exterior, for the purpose of catering to the traveling public, to whom the motor vehicle is the principal means of transportation, by furnishing sleeping accommodation with or without meals, may include permanent staff accommodation and may or may not be licensed under *The Liquor Licence Act*.

"MOTOR HOME" means a self-propelled vehicle capable of being used for the temporary living, sleeping or eating accommodation of persons.

“MOTOR VEHICLE” means a motor vehicle within the meaning of the *Highway Traffic Act*.

“MOTOR VEHICLE BODY SHOP” means a building or structure used for the painting or repairing of motor vehicle bodies, exterior and undercarriage, and in conjunction with which there may be a towing service and motor vehicle rentals for customers while the motor vehicle is under repair.

"MOTOR VEHICLE COMMERCIAL" means a commercial vehicle within the meaning of the *Highway Traffic Act*.

"MOTOR VEHICLE DEALERSHIP" means a building or structure where a dealer displays new motor vehicles for sale or lease or where used motor vehicles are kept for sale in conjunction with which there may be a motor vehicle repair garage, a motor vehicle service station, a motor vehicle gasoline bar, or a motor vehicle body shop.

~~"MOTOR VEHICLE DERELICT" means a motor vehicle within the meaning of the Highway Traffic Act whether or not the same is intended for use as a private passenger motor vehicle or not, which is inoperable and has no market value as a means of transportation or has a market value that is less than the cost of repairs required to render said motor vehicle operable.~~

"MOTOR VEHICLE REPAIR GARAGE" means a building or structure where the services performed or executed on motor vehicles include the installation of exhaust systems, repair of the electrical systems, transmission repair, brake repair, radiator repair, tire repair and installation, rust proofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use and in conjunction with which there may be a towing service, a motor vehicle service station, and motor vehicle rentals for the convenience of the customer while the motor vehicle is being repaired.

"MOTOR VEHICLE SALES, USED" means an establishment, with or without a building, where used motor vehicles are displayed for sale.

"MOTOR VEHICLE SERVICE STATION" means a building or structure where gasoline, diesel fuel, propane, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, spark plugs, batteries and automotive accessories for motor vehicles, or similar automotive products are stored or kept for sale to the general public, and may or may not include the sale of confectionary products and beverages to be consumed elsewhere, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, or where only minor mechanical or running repairs essential to the actual operation of motor vehicles are executed or performed.

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"MOTOR VEHICLE WASH, AUTOMATIC" means a building or structure containing facilities for washing motor vehicles for compensation either using production line methods and mechanical devices or by a self-service operation.

~~"MULTIPLE RESIDENTIAL" means a residential building or structure containing three or more dwelling units.~~

“MUNICIPAL ADMINISTRATIVE OFFICE” means a Township office used for the purposes of local government administration.

“MUNICIPAL RECREATION COMPLEX”- means a public building or buildings, structures and/or place designed and equipped with facilities such as a swimming pool, sauna, splash pad, arena, stadium, squash, pickle ball or tennis courts, gymnasia, weight-lifting and exercise rooms and used for recreational, fitness or athletic pastimes, and may include associated administrative offices, change rooms, meeting rooms, programming space, and other related uses, and also may include accessory drugless practitioner, retail commercial establishment and eating establishment uses.

“MUNICIPAL, COUNTY, PROVINCIAL, MAINTENANCE DEPOT” shall mean any land, building or structure owned by the Corporation of Loyalist Township, the County of Lennox and Addington, or the Province of Ontario used for the storage, maintenance or repair of equipment, machinery or motor vehicles used in connection with civic works and includes a public works yard.

“MUSEUM” means a premises for the storage, assembling, preservation, interpreting and exhibition of a collection of any combination of paintings, other works of art, objects of historical, cultural or natural history, mechanical, scientific or philosophical inventions, instruments, models, or designs, and may include accessory retail commercial and eating establishment uses.

"NON-COMPLYING" means a use, building or structure which is listed as a permitted use in the zone where it is located but which contravenes one or more of the Provisions of this By-law applicable to the zone in which such use, building or structure is located.

"NON-CONFORMING" means a use, building or structure which, on the date of passing of this By-law, was not listed as a permitted use for the zone in which such use, building or structure is located.

"NON-RESIDENTIAL" means a commercial or industrial business or public or institutional use, building or structure permitted by the By-law.

"NOXIOUS" means when used with reference to any use of land, building or structure, a use which, from its nature, or from the manner of carrying on same, creates or is liable to create, by reason of destructive gas or fumes, dust, objectionable odour, noise or vibration or unsightly storage of goods, wares, merchandise, salvage, junk, waste or other material, a condition which may become hazardous or injurious with regard to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use of land, building or structure as identified in the *Health Promotion and Protection Act*.

“NURSERY FARM” means an agricultural area where plants, trees or shrubs are grown for transplanting or for use of stocks for budding and grafting for sale on a wholesale basis and, further, may include greenhouses or similar facilities or uses directly incidental to the growing of such plants, trees and shrubs but shall not include a garden and nursery sales and supply establishment or any other use or establishment as may otherwise be defined herein.

~~"NURSING HOME" means a building in which the proprietor supplies for hire or gain, lodging with or without meals and, in addition, provides nursing, medical or similar care and treatment, if required, and which is licensed under *The Nursing Homes Act*.~~

“ON-FARM CRAFT BREWERY” means a small scale brewery using some farm grown ingredients dedicated to producing less than 12,500 hectolitres of beer per year for sale to a number of licensed establishments and/or liquor stores within a local distribution area. Ancillary sales and tasting of beer brewed on-site shall be permitted provide this component occupies no more than 25% of the area of the operation.

“OPEN SPACE” means land owned by or leased from the Ministry of Natural Resources or the Conservation Authority or land owned by the County or Municipality and used for a purpose permitted by this By-law or land in private ownership and used as a private park.

"~~OPEN~~OUTDOOR~~-~~ STORAGE AREA" means an accessory storage area outside the principal or main building on the lot used for the storage of equipment, goods or materials on the same lot therewith. This definition shall not include a parking area, a loading space, a salvage yard, an outside area on a permitted farm used for storage of farm equipment nor a storage use located in a building.

“OUTDOOR CAFÉ” means an outdoor area adjoining an eating establishment or liquor licensed premises consisting of outdoor tables, chairs, plantings, related decorations, and fixtures where meals or refreshments are served to the public for consumption on the premises.

"PARK" means an area, consisting largely of open space, which may include a recreational area, playground or play field, or similar use, but shall not include a mobile home park, trailer park or a camping establishment:

1. "PUBLIC PARK" means a park owned or controlled by the Corporation, the County, or by any Ministry, Board, Commission or Authority established under any statute of Ontario or Canada and may include therein neighborhood, community, regional and special parks or areas and may include one or more athletic fields, field houses, community centres, bleachers, swimming pools,

greenhouses, botanical gardens, zoological gardens, bandstands, skating rinks, tennis courts, bowling greens, boat liveries, bathing stations, curling rinks, refreshment rooms, ~~fairgrounds,~~ farmers markets, arenas, golf courses, or similar uses. As well, in public parks special events are also permitted and may include, without limiting the generality of the foregoing, social or cultural events, and the temporary display of goods, wares, merchandise, substances, foodstuffs, commodities or articles of a similar kind and temporary retail sales of goods, wares, merchandise, substances, foodstuffs, commodities or articles of a similar kind to the general public.

2. "PRIVATE PARK" means a park other than a public park which is owned, operated and maintained by other than a public body and which may include facilities listed in a public park with the exception of farmers markets.

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

"PARKING LOT" means any parking area other than a parking area accessory to a permitted use on the same lot therewith.

"PARKING SPACE" means an area exclusive of any aisles or ingress and egress lanes, usable for the temporary parking or storage of a motor vehicle, and may include a private garage.

“PASSENGER PICK-UP AND DROP-OFF FACILITY (KISS AND RIDE)” means an on-site area designated for the temporary stopping of vehicles for the purposes of picking up or dropping off passengers, which may include a circulation loop, lay-by lane, or designated stacking spaces.

"PERMITTED" means allowed by this By-law.

"PERSON" means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

“PERSON, FARM” means an individual, partnership, corporation, association, trust, unincorporated organization or any other entity or organization operating a farm or farm operation.

“PERSONAL BREWING ESTABLISHMENT” means a commercial establishment where the consumer makes beer and/or wine for personal consumption off the premises,

described by the Alcohol & Gaming Commission of Ontario a “Ferment on Premise Facility.”

"PERSONAL SERVICE SHOP" - see “SERVICE SHOP, PERSONAL.”

“PHARMACY” means a Retail Store where the primary business is the filling of medical prescriptions and the sale of drugs, medical devices and supplies, and non-prescription medicines.

“PRINCIPAL USE” means the main purpose for while land, buildings or structures are ordinarily used.

~~"PIT" means a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit.~~

"PLACE OF ENTERTAINMENT" means a motion picture or other theatre, auditorium, public hall, billiard or pool room, bowling alley, ice or roller skating rink, dance hall or music hall and similar uses; but does not include any place of entertainment or amusement otherwise defined or classified in this By-law.

"PLACE OF WORSHIP" means a building dedicated to religious worship, such as a church, synagogue, parish, mosque or any assembly hall associated with religious worship, and may include such accessory uses as a nursery school, a school of religious education, convent, monastery or parish hall.

“PORCH, ENCLOSED” means the same as an unenclosed porch, except that walls can be enclosed and an enclosed porch shall not be considered an accessory structure for lot coverage and minimum yard requirements.

“PORCH, UNENCLOSED” means an accessory attached structure, which is constructed on piers or a foundation abutting a main wall of a residential building, having a roof, but with walls and/or railing that are generally open and unenclosed.

“PROCESSING PLANT, AGGREGATE” means a building or structure and/or equipment for the crushing, screening, or washing of sand, gravel, and other aggregate materials but does not include a concrete batching plant or an asphalt plant.

“PRINCIPAL OR MAIN BUILDING” means the building or buildings where the principal use is conducted. ~~in which is carried on the principal purpose for which the building lot is used.~~

“PRINTING ESTABLISHMENT” means a building or part of a building used for printing regardless of the method, the publishing of newspapers, periodicals, books, documents, maps and similar items, the reproduction and duplication of printed material as a copying service to businesses or the public and includes the sale and servicing of printing and duplicating equipment and supplies.

“PUBLIC AUTHORITY” means Federal, Provincial, County, or Municipal government agencies, and includes any commission, board, authority, or department established by such agency.

“PUBLIC LIBRARY” means a public library within the meaning of the *Public Libraries Act*.

"PUBLIC USE" means the use of any land, building or structure for the purpose of public services supplied to or available for use or consumption by the public such as roads, water reservoir and/or tower, water mains, water pumping stations, sewers, sewage pumping stations, storm drainage facilities, any power lines, hydro substations, transformer or distribution station, any telephone, cable television or telegraph company lines, exchanges, towers, any natural gas or oil pipeline distribution system operated by a Company which possess all the necessary powers, rights, licenses and franchises, but does not include a battery energy storage system.

~~"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.~~

"REAR LOT LINE" - See "LOT LINE."

“RECREATIONAL VEHICLE” means ~~any vehicle~~a motor vehicle or trailer ~~so constructed that it is no wider than 2.5 metres and~~ that is suitable for being attached to another motor vehicle for the purposes of being drawn or is self-propelled, and is capable of being used on a short-term recreational basis for living, sleeping or eating accommodation of persons and includes a motor home, travel trailer, tent trailer or camper.

“RECREATIONAL VEHICLE AND TRAVEL TRAILER SALES AND SERVICE ESTABLISHMENT” means the sale and repair of self-propelled recreation vehicle and travel trailers which are designed, intended and used for travel recreation or vacation

and in addition, used for living and sleeping and eating on a temporary occasional basis.

“RECYCLING DEPOT” means a building or part of a building in which used material is separated and processed prior to shipment to others who will use those materials to manufacture new products. This definition does not include a salvage yard.

~~“REDEVELOPMENT” means the removal of buildings or structures from a lot and the construction of new buildings or structures on the said lot or the rehabilitation and renewal of an existing building or structure.~~

“RENOVATION” means the repair, strengthening, or restoration of a building or structure to a safe condition but shall not include its replacement.

~~“RESIDENTIAL NON-FARM” means a dwelling unit not located on the same lot as a farm.~~

“RESIDENTIAL ZONE” means the Hamlet Residential, Shoreline Residential, Rural Residential, Residential Type One, Residential Type Two, Residential Type Three, Residential Type Four, Residential Type Five and Residential Type Six zones, and all exception zones thereto.

“RESORT ESTABLISHMENT” shall mean a tourist establishment that operates throughout all or part of the year, that has facilities for serving meals and furnishes equipment, supplies or services to persons in connection with angling, hunting, camping or other similar recreational activity.

"REQUIRED YARD" - See "YARD."

"RESTAURANT" - See "EATING ESTABLISHMENT.”

“RETAIL COMMERCIAL ESTABLISHMENT” means a building or part of a building in which goods, wares, merchandise, substances, articles, or things are offered ~~of~~ or kept for sale at retail, or on a rental basis. This includes a second-hand shop, pawn shop, or similar use but does not include a supermarket.

"RETIREMENT HOME" means ~~a multiple dwelling house containing accommodation to be available only to persons who are at least 55 years of age and containing dwelling rooms with a common dining area. The dining area is for the residents of the retirement home and shall not function as a public dining facility. The accommodations shall be used as the principal residence of the occupants and shall not be provided on a transient basis.~~ means a residential complex or the part of a residential complex,

1. That is occupied primarily by persons who are 65 years of age or older.

2. That is occupied or intended to be occupied by at least the prescribed number of persons who are not related to the operator of the home, and

3. Where the operator of the home makes at least two services directly or indirectly available, to the residents;

but does not include an Alternative Health Facility or premises or parts of premises that are governed by or funded under,

1. The *Home for Special Care Act*,
2. *Fixing Long Term Care Act, 2021*,
3. The *Ministry of Community and Social Services Act*,
4. The *Private Hospitals Act*,
5. The *Services and Supports to Promote Social Inclusion of Persons with Developmental Disabilities Act, 2008*,
6. Premises at which emergency hostel services are provided under the *Ontario Works Act, 1997*,

Or other premises that are prescribed by the Provincial government.

"ROW DWELLING HOUSE" - See "DWELLING HOUSE."

“SALVAGE YARD” means an establishment where goods, wares, merchandise, articles or things are processed for further use and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open and includes a junk yard, a scrap metal yard and a motor vehicle wrecking yard or premises.

“SAW AND/OR PLANING MILL” means a building, structure, or area where timber is cut, sawed or planed, either to finished lumber, or as an intermediary step and may include facilities for the kiln drying of lumber and may or may not include the distribution of such products on a wholesale or retail basis.

“SCHOOL, COMMERCIAL” means a school conducted for profit, other than a private, public, religious or philanthropic school, and shall include the studio of a dancing teacher or a music teacher, an art school, a golf school, a school of calisthenics, a business or trade school and any other specialized school conducted for gain or profit.

"SCHOOL, PUBLIC" means a school under the jurisdiction of a Board, as defined by the Ministry of Education.

“SCHOOL, PRIVATE” means a school other than a public school or a commercial school as otherwise defined or classified in this By-law.

“SECOND HAND SHOP” means a building or part of a building in which used goods, wares, merchandise, and articles are offered or kept for sale at retail and may include such uses as a flea market, a pawn shop, an antique store, an opportunity shop or similar use but shall not include a salvage yard as defined herein.

“SELF STORAGE UNITS” means a building or part of a building or a structure in which individual units having a maximum gross floor area of 35 square metres are provided on a rental basis for the storage of business and/or personal goods and household effects, and may include administrative offices.

“SENIOR CITIZENS’ HOUSING COMPLEX” means any home for senior citizens sponsored and administered by any person, public agency or service club, church or other non-profit organization, which obtains its financing from Federal, Provincial, County, or Municipal Governments or agencies, or by public subscription or donation, or by any combination thereof, and such homes may include auxiliary uses such as club and lounge facilities usually associated with senior citizens’ development.

“SENSITIVE LAND USE” means any building or structure used as a residence, hotel, motel, ~~nursing home~~long-term care home, retirement home, hospital, school, place of worship, day care or any lands used for camp grounds or picnic areas.

“SEPTAGE FACILITY” means works, installations, equipment, operations and land used in connection with the collection, handling treatment, transportation, storage, processing and disposal of hauled sewage, as defined in the regulations under the *Building Code Act*, and as regulated under the *Environmental Protection Act*.

"SERVICE SHOP, MERCHANDISE" means an establishment wherein articles or goods such as appliances, furniture or similar items may be repaired or serviced. This definition shall not include any manufacturing operation or establishment used for the service or repair of vehicles or boats.

"SERVICE SHOP, PERSONAL" means an establishment wherein persons are employed in furnishing services and otherwise administering to the personal needs of persons. This definition may include a barber shop, a beauty salon, a dressmaking shop, a shoe repair shop, a tailor shop, a photographic studio or similar use but excluding a massage parlour or other similar services.

"SETBACK" means the least horizontal dimension between the centreline of a street allowance, measured at right angles to such centreline, and the nearest part of any building, structure, or excavation on the lot, or the nearest ~~open~~ outdoor storage use on the lot.

"SEWAGE TREATMENT FACILITY" means a building, structure, or lagoon, approved by the Ministry of the Environment, designed to treat water borne domestic, commercial, and industrial wastes collected via a system of sanitary sewers, which sewage is in accordance with the Township Sewer Use By-law.

“SEWER, SANITARY” means a system of underground conduits which carry sewage to a suitable place for treatment and which is operated and maintained in accordance with the standards of the Township and/or Ministry of Environment, Conservation and Parks.

"SEWER, STORM" means a system of conduits which carry storm surface run-off but excludes any sanitary sewer or any combination of sanitary and storm sewers.

“SHIPPING CONTAINER” means an enclosed prefabricated metal structure or other durable material designated to facilitate the transportation of goods and materials by several means of transportation, and shall include intermodal shipping containers, portable/mobile storage and moving units, transport truck trailers, and straight back truck boxes, but does not include any motor vehicle licensed under the *Highway Traffic Act*.

"SHOPPING CENTRE" means a group of commercial uses and/or building(s) which have been designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants, as distinguished from a business area comprising unrelated individual areas.

"SHORELINE" means any lot line or portion thereof which abuts a waterbody or watercourse.

SIDE LOT LINE" - See "LOT LINE."

"SIDE YARD" - See "YARD."

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

"SIGN" means a structure or advertising device having illustrations affixed thereto or displayed thereon in any manner, which is used to identify, advertise or attract attention to any object, product, place, activity, person, institution, organization, firm, group, profession, enterprise, industry or business, or which display or include any letter, work, model number, banner, flag, pennant, insignia, device or representation used as an

announcement, direction or advertisement, and which complies with any Regulation of the Corporation or the Government of Ontario or Canada.

“SITE ALTERATION” means activities such as fill, grading, and excavation, that would change the land form and natural vegetative characteristics of a site.

“SMALL ENGINE SALES AND SERVICE ESTABLISHMENT” means a building or part of a building and land adjacent thereto, where snowmobile, motorcycles, lawn mowers and small engines or parts are displayed, for sale at retail or rental, and where mechanical repairs are completed.

“STACKING SPACE” means an on-site space for a motor vehicle waiting to be serviced by a drive-through facility, car wash, or similar use.

"STOREY" means the portion of a building, other than an attic or a cellar, included between any floor level and the floor, ceiling or roof next above it.

- "ATTIC" means that portion of a building situated wholly or partly within the roof, which is not used as a habitable room, and which is not a loft, a partial storey or a one-half storey.
- "BASEMENT" means the portion of a building between the two floor levels which is partly underground and which has at least one-half of its height, from floor to finished ceiling, or underside of the floor joists of the next above storey, above the average finished grade level adjacent to the exterior walls of the building.
- “BASEMENT, WALKOUT” means a basement which has more than 50% of the floor area not greater than two (2) feet below grade, and which has an entrance and exit at grade level.
- "CELLAR" means that portion of a building which is partly or wholly underground and has more than one-half of its height, measured from finished floor to finished ceiling or the underside of the floor joists next above storey, below the average finished grade level adjacent to exterior walls of the building.
- "FIRST STOREY" means the lowest storey of a building closest to finished grade level having its ceiling 1.8 metres or more above average finished grade.
- "LOFT" means the portion of a building situated wholly within the roof, which may be used as a habitable room, where the floor level is at the line where the roof and outer wall meet, and in which there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.4 metres over a floor area equal to less than 50% of the area of the floor next below.

- "ONE-HALF STOREY" means that portion of a building situated wholly or in part within the roof and having its floor level not lower than 1.2 metres below the line where roof and outer wall meet and in which there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.4 metres over a floor area equal to at least 50% of the area of the floor next below.

"PARTIAL STOREY" means the portion of a building situated wholly or partly within the roof (exclusive of a loft), which may be used as a habitable room, having its floor level not lower than 1.2 metres below the line where the roof and outer wall meet, in which there is sufficient space to provide height between finished floor and finished ceiling of at least 2.4 metres over a floor area of less than 50% of the area of the floor next below.

"STREET OR ROAD, IMPROVED PUBLIC" means a road assumed for public use, under the jurisdiction of the Province of Ontario, the County of Lennox and Addington or Loyalist Township which is maintained so as to allow normal vehicular access to adjacent properties throughout all seasons of the year.

“STREET OR ROAD, LIMITED SERVICE” means a road under the jurisdiction of the Province of Ontario, the County of Lennox and Addington or Loyalist Township, not maintained year round and where no road related services are supplied on a year-round basis and where there is no guarantee of access for emergency vehicles.

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

"STREET LINE" means the limit of the street allowance and is the dividing line between a lot and a street.

"STRUCTURE" means anything constructed or erected, the use of which requires location on or in the ground, or attached to something having location on or in the ground. For the purposes of this definition, the following are deemed not to be structures: fences, light standards, transformers, signs, natural gas or electricity metres, air conditioning units, antennas, freestanding mailboxes, composters, electric vehicle charging stations, swimming pools, planters, barbeques, on-grade patios, retaining walls, basketball nets, laundry poles and bird houses.

“SUMMER CAMP” means a camp operated by a charitable corporation approved under the *Charitable Institution Act*, as amended, replaced or re-enacted from time to time, or a camp within the meaning of the regulations made under the *Health ~~Promotion~~ Protection and ~~Protection~~ Promotion Act*, as amended, replaced or re-enacted from time to time.

~~"SUBJECT WASTE TRANSFER FACILITY" means a facility licensed by the Ministry of the Environment & Climate Change or successor Ministry, and operated under the requirements of Ontario Regulation 347.~~

"SUPERMARKET" means a building or part of a building wherein various kinds of foodstuffs are kept for retail sale to the general public; and as an accessory use, goods or merchandise may also be kept for retail sale, including such items as hardware, patent medicines, toilet preparations, personal hygiene products, household supplies, and magazines.

"SUPPORTIVE HOUSING" means the use of a building with dwelling units, suites or bedrooms in a shared setting, that is used by people who have specific needs beyond economic needs, including but not limited to collective dining facilities, laundry facilities, counselling, education services and life skills training.

"SWIMMING POOL" means any body of water, whether located outdoors or inside a building or structure, contained by artificial means, and used and maintained for the purpose of swimming, wading, diving or bathing. For purposes of this By-law, this includes a whirlpool or hot tub.

"TANDEM PARKING" means a parking space that can only be accessed by passing through another parking space from a street or driveway.

"TAVERN" means an establishment within the meaning of and licensed under the *Liquor License Act*.

"TELECOMMUNICATION TOWER" means any structure used for transmitting or receiving radio, television, telegraph, or micro wave signals.

"TOP OF BANK" means the upslope edge or the highest part of a continuous slope or cliff measured from the edge of a waterbody.

"THROUGH LOT" - See "LOT."

"TOURIST ESTABLISHMENT" means any premises operated to provide sleeping accommodation for the traveling public or sleeping accommodation for the use of public engaging in recreational activities and includes the services and facilities in connection with which sleeping accommodation is provided, and without limiting the generality of the term, also includes a cabin establishment, a tourist cottage but does not include:

1. A camp operated by a charitable corporation approved under the *Charitable Institutions Act*;
2. A summer camp within the meaning of the regulations made under the *Health*

Protection and Promotion Act; or

3. A club owned by its own members and operated for profit or gain.

“TOWNSHIP” means the Corporation of Loyalist Township.

“TOWNSHIP ROAD” means a street or road under the jurisdiction of the Corporation of Loyalist Township.

"TRAILER" means a vehicle that is at any time drawn upon a highway by a motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway and capable of being used for the temporary living, sleeping or eating accommodation of persons, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn notwithstanding that such vehicle is jacked up or that its running gear is removed, and for the purposes of this By-law shall not include a mobile home as defined herein.

“TRAILER, ~~MOBILE~~ CAMPER OR TENT” means a trailer designed or used for living, shelter and sleeping accommodation, or any vehicle in which the assembly can be erected, while stationary, using the trailer body and related components for support and utilized for living, shelter and sleeping accommodation, without cooking facilities, which is collapsible and compact while being drawn by a motor vehicle, with or without cooking facilities, but shall not include a mobile home dwelling house.

“TRAILER PARK” means a parcel of land which is developed and managed as a unit for recreational or vacation use and designed and used for seasonal occupancy only, where camping lots are made available on a rental or lease basis for the placing of recreational trailers or motor homes, where the ownership and responsibility for the maintenance of private internal roads, services, communal areas and buildings, and garbage collection, together with general park management, rests with the owner, but where such parcel is not the subject of a Registered Plan of Subdivision defining individual lots legally capable of conveying title and shall not include a mobile home park.

"TRUCK REPAIR AND MAINTENANCE DEPOT" means the use of land, buildings or structures for the purpose of storing, servicing, repairing or loading trucks, transport trailers and/or busses, but does not include automobile service stations or transportation sales or rental outlets.

"USE" means when used as a noun, the purpose for which a lot, building or structure, or any combination thereof is designed, arranged, occupied, or maintained.

1. "USE and USES" shall have a corresponding meaning.

"USE" (when used as a verb) or "TO USE" shall also have corresponding meanings.

"VEHICLE" means an automobile, a motorcycle, motor assisted bicycle, traction engine, farm tractor, road-building machine, self-propelled implement of husbandry recreational vehicle, and any other vehicle propelled or driven other than by muscular power, but not including railroad car or other motor vehicle running only upon rails.

"VEHICLE SALES OR RENTAL ESTABLISHMENT" means an establishment having as its main use the storage of vehicles for sale or the storage of automobiles for rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles.

"VETERINARY CLINIC" means a building or part of a building in which facilities are provided for the prevention, cure and alleviation of disease and/or injury to animals, and the care of animals and birds, and in conjunction with which there may be facilities provided for the sheltering of animals during the treatment period.

"WAREHOUSE" means a building or part of a building used for the storage and distribution of goods, wares, merchandise, substances, articles, or things, and may include facilities for a wholesale or retail commercial outlet, but shall not include a truck/cartage or transport depot.

"WASTE MANAGEMENT FACILITY" means an area where solid and non-hazardous waste, exclusive of liquid industrial waste, is transferred to, transferred out, or deposited for handling, separation, storage, treatment, recycling, recovery, composting and disposal, and may include landfill operation together with such other ancillary uses and activities normally incidental thereto inclusive of administrative offices, equipment maintenance, and storage buildings, but shall not include a salvage yard and/or a sewage lagoon. The facility shall have a current Certificate of Approval issued under the *Environmental Protection Act* for use of the site as a waste management facility.

"WASTE TRANSFER STATION AND RECYCLING DEPOT" means a type of waste disposal site as defined in the *Environmental Protection Act*, for non-hazardous solid wastes and liquids, including transferring, separation, processing and recycling of such wastes.

"WATER ACCESS" means any lot having a lot line or portion thereof which is also a

shoreline of a navigable waterway.

"WATERBODY" means any bay, lake, wetland, surface stream, or river where there is an identifiable depression in the ground in which a flow or ponding of water is regular or

continuous and includes a channel for an intermittent stream and a municipal drain as defined by the *Drainage Act*, as amended.

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

"WATER BODY/WATERCOURSE SETBACK" means the straight line horizontal distance from the top of the bank or the high watermark whichever is greater to the nearest part of any excavation, building, structure, or ~~open~~ outdoor storage use on the lot.

“WATER TREATMENT PLANT” means a building or structure, operated and maintained by Loyalist Township or the Ministry of Environment, Conservation and Parks or any public utilities commission or private company where water is treated for human consumption.

“WAVE UPRUSH” means the rush of water up onto a shoreline or structure following the breaking of a wave, and the limit of wave uprush is the point of furthest landward rush of water onto the shoreline.

“WAYSIDE PIT OR QUARRY” means a temporary pit or quarry opened and used by a public authority, or their agents, for the purpose of road construction or an associated road project or contract and which is not located on the road right-of-way.

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

"WETLANDS" 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", are not considered to be wetlands in this definition.

“WHOLESALE ESTABLISHMENT” means a building or structure used for the purpose of sell or offering for sale goods, wares or merchandise on a wholesale basis and includes the storage or warehouse of those goods, wares or merchandise.

“WINERY, ESTATE” means a building or structure or part thereof, where winds are produced and may include storage, display, processing, wine tasting and retail, storage, hospitality room, administrative facilities, and outdoor patio area. On lands in the Rural

designation of the Township's *Official Plan*, in addition an on-site restaurant, dining facility, commercial kitchen, banquet hall, or other commonly commercially-zoned amenity are allowed. An Estate Winery shall not include a Farm Winery.

"WINERY, FARM" means buildings or structures or part thereof, associated with agricultural use(s) on the same farm operation, where wines are produced and may include storage, display, processing, wine tasting and retail, administrative facilities and outdoor patio area, but shall not include a restaurant, banquet facility, or on-site commercial kitchen. Wine tasting and the offering or sale of locally-grown product samples is considered part of the farm winery activity. A Farm Winery shall not include an Estate Winery as defined herein. A Farm Winery is also deemed to mean and allow a farm brewery or farm cidery."

"WORKSHOP" means a building or part of a building where fabrication or manufacturing is performed by tradesmen requiring manual or mechanical skills and may include a carpenter's shop, an upholsterer's shop, a locksmith's shop, a gunsmith's shop, a machine shop, a tinsmith's shop, a commercial welder's shop, or other similar uses and activities.

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

- "FRONT YARD" means a yard extending across the full width of the lot between the front lot line of the lot and the nearest part of any excavation or main building on the lot.
- "FRONT YARD DEPTH" means the least horizontal dimension between the front lot line of the lot and the nearest part of any building, structure or excavation on the lot, or the nearest ~~open~~ outdoor storage use on the lot.
- "EXTERIOR SIDE YARD" means a side yard immediately adjoining a street or a reserve which restricts access to a street.
- "INTERIOR SIDE YARD" means a side yard other than an exterior side yard.
- "REAR YARD" means a yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any excavation or main building on the lot. If there is no rear lot line, there shall be deemed to be no rear yard.

- "REAR YARD DEPTH" means the least horizontal dimension between the rear lot line of the lot and the nearest part of any building, structure or excavation on the lot, or the nearest ~~open~~ outdoor storage use on the lot.
- "REQUIRED YARD" means a yard with the minimum front yard depth, rear yard depth, or side yard width required by the Provisions of this By-law. A required side yard shall extend from the required front yard to the required rear yard or, in the case of a lot which has no rear lot line, the required side yard shall extend from the required front yard to the opposite required side yard.
- "SIDE YARD" means a yard extending from the front yard to the rear yard and from the side lot line of the lot to the nearest part of any excavation or main building on the lot. In the case of a lot which has no rear lot line, the side yard shall extend from the front yard to the opposite side yard.

"SIDE YARD WIDTH" means the least horizontal dimension between the side lot line of the lot and the nearest part of any building, structure or excavation on the lot, or the nearest ~~open~~ outdoor storage use on the lot.

"ZONE" means a designated area of land use shown on the Zone Schedules attached hereto and forming part of this By-law.

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

~~"ZONING ADMINISTRATOR" - See "CHIEF BUILDING OFFICIAL".~~

4.0 GENERAL PROVISIONS

4.1 ACCESSORY USES

4.1.1 Uses Permitted

Where this By-law provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or use, but shall not include any of the following uses unless specifically permitted herein:

1. Any occupation for gain or profit conducted within or accessory to a dwelling unit or on such lot associated therewith
2. Any building or portion thereof used for human habitation ~~unless in accordance with the additional residential unit provisions in Section 4.42~~
3. Any ~~open~~ outdoor storage area

Accessory buildings, structures and uses shall only be permitted once the principal use has been established.

4.1.2 Relation to Street

1. Residential Zones:

By-law 2011-76

In a Residential Zone or where Residential Uses are permitted, any accessory building or structure which is not attached to the main building shall not be erected closer to the street line than the principal or main building on the lot and shall further be erected in conformity with the yard and setback requirements of the respective Residential Zone, except as otherwise provided for herein.

a) An accessory building may be permitted closer to the street line than the principal or main building provided:
   i) the lot has frontage on an improved street~~,~~ and the lot abuts Lake Ontario; or
   ii) the lot is located in the Rural (RU) Zone or Prime Agricultural (PA) Zone and the accessory structure or building is setback a minimum of 30 metres from the front lot line and/or exterior lot line.

b) Book-sharing boxes and a partially enclosed shelter having a gross floor area less than 9.3 square metres~~m2~~ for use by students waiting for a school bus may be erected closer to the street line than the principal or main

building provided and may be within the minimum yard setbacks for the principal or main building

c) For any farm produce sales outlet having a gross floor area of less than 9.3 square metres~~m2~~.

2. Non-Residential Zones:

   No accessory building or structure shall be erected closer to the street line than the minimum required yard and setback requirements of the respective Non-Residential Zone and further, no accessory building or structure shall be erected closer than 3 metres to an interior side or rear lot line except as otherwise provided for herein.

3. Storage Tanks:

   Except as otherwise provided herein, no above ground storage tank shall be erected in any yard other than the interior side yard or rear yard.

4.1.3 Relation to Principal or Main Building

Any accessory building or structure, which is not part of the principal or main building, shall not be erected closer than 2.0 metres to the principal or main building.

4.1.4 Lot Coverage and Height

The lot coverage of all accessory buildings or structures, exclusive of swimming pools, shall not exceed ~~ten percent (~~10 %~~)~~ of the lot area, except when a lesser percentage is identified in a site specific zone.

The height of any accessory building or structure shall not exceed 4.5 metres.

Within an I~~i~~ndustrial Z~~z~~one the total lot coverage of all accessory buildings or structures shall not exceed ~~ten percent (~~10 %~~)~~ of the lot area. The height of an accessory building in an I~~i~~ndustrial Z~~z~~one shall not exceed the maximum height restriction of the respective I~~i~~ndustrial Z~~z~~one.

4.1.5 Accessory Structure Encroachments

Drop awnings, clothes poles, flag poles, garden trellises, fences, retaining walls, marine facilities, or similar accessory uses shall be permitted in any yard.

Signs are permitted in any yard subject to regulation in the Township's sign By-law.

~~4.1.67~~ 4.1.67 Boat House, Pump House and Docking Facilities

1. A boat house or pump house may be erected and used in the required setback and required yard of a lot abutting a waterbody provided such accessory building or structure is not located closer than 1.0 metre to the interior side lot line, except where a mutual boathouse is erected on the common lot line between two lots, in which case no interior side yard is required.
2. No dock shall be located within 2 metres of the side lot line or projection thereof, except where a mutual dock is erected on the common lot line between two lots, in which case no interior side yard is required.

For the purposes of this Section, the projection of the lot lines shall be made at 90° to the point at which the lot line intersects the shoreline.

4.1.7 Garages or other Accessory Buildings or Structures

By-law 2011-76

All accessory buildings or structures shall comply with the yard Provisions of the Zone in which such Accessory use is located, except that in a Residential Zone or where Residential Uses are permitted, an accessory building or structure shall comply with the following Provisions:

1. When such accessory building or structure is located in an interior side yard, it shall be no closer than 1.2 metres to the interior side lot line except where a mutual private garage is erected on the common lot line between two lots, in which case no interior side yard is required.
2. When such accessory building or structure is located in the rear yard it shall be located no closer than 1.2 metres from the interior side lot line or 1.2 metres from the rear lot line except in the case where the rear lot line is the side lot line of the adjoining lot, in which case the accessory use shall be no closer than 1.2 metres to the portion of the rear lot line which adjoins the interior side lot line of the adjoining lot.
3. When an accessory building or structure is located in a front or exterior side yard such accessory building shall not be located closer to the lot line, than the required front or exterior side yard.

4.1.~~98~~8 Railway Spur in Industrial Zone

Within an Industrial Zone a railway spur shall be permitted within any required side or rear yard, but not within a required planting strip area except as may be required for ingress and egress. Where such side or rear yard abuts a Residential Zone or where R~~r~~esidential U~~u~~ses are permitted, then such railway spur shall conform with the yard and setback requirements of the zone in which it is located.

4.2 AMENITY AREA

1. Requirements (minimum):
   The minimum amenity area requirements for each residential unit for an apartment dwelling house and low-rise apartment dwelling house are as follows:
   a) Bachelor and One-Bedroom Unit..... 10 square metres
   b) Two-Bedroom Unit..... 35 square metres
   c) Three-Bedroom Unit..... 60 square metres
   d) Four-Bedroom and Over..... 85 square metres
2. Design of Amenity Area:
   Amenity areas shall be designed and located so that the length does not exceed four (4) times the width.
3. Children's Play Area:
   Except for a senior citizen apartment dwelling or where otherwise provided herein, an apartment dwelling house containing ten (10) or more apartment dwellings, an equipped children's play area shall be provided at a rate of 2.5 square metres per residential unit. The minimum size of such equipped children's play area shall be 46 square metres, while the maximum size of such equipped children's play area shall be 140 square metres.

4.3 CONSTRUCTION USES AND TEMPORARY SALES OFFICES

By-law 2016-53

The following are permitted in all zones:

1. A building or structure incidental to construction on the lot where such building or structure is situated, but only for as long as it is necessary for the work in progress and until the work is completed or abandoned. "Abandoned" in this

Subsection means the failure to proceed expeditiously with the construction work.

2. One (1) temporary sales trailer or structure shall be permitted only on lands that are the subject of a draft plan approval or registered plan of subdivision or condominium under the Provisions of the *Planning Act*, as amended from time to time, provided that:
   a) The temporary sales trailer or structure is located in accordance with the Provisions of the Zone in which it is located.
   b) A temporary sales trailer/structure agreement has been executed with the Township and the applicant has obtained a building permit.
   c) A minimum of 1 parking space shall be provided for each 20 square metres of gross floor area of the temporary sales trailer or structure.
   d) The maximum duration for the placement of the temporary sales trailer or structure shall be five (5) years from the issuance of a building permit for the temporary sales trailer or structure, or when all lots or units within the plan of subdivision or condominium have been sold; whichever comes first.

4.4 DISTANCE SEPARATION REQUIREMENTS

1. New Non-Agricultural Uses:

   The expansion or establishment of any new non-agricultural use in the Rural (RU) Zone or Prime Agricultural (PA) Zone shall comply with the requirements of the Minimum Distance Separation Criteria (MDS I) calculation.

   The establishment of any new non-agricultural use on a lot that existed as of August 29, 2001 in the Shoreline Residential Zone on Amherst Island shall comply with the existing housing capacity Provisions of the Minimum Distance Separation Criteria (MDS1) calculation, except in lot 5, Concession 1, where 80% of the distance calculated by Minimum Distance Separation Formula 1 shall be used. If it is determined that a Single Detached Dwelling House cannot be erected on such a lot in compliance with this requirement, Section 4.4, Subsection 7.~~g)~~ shall prevail, but any Single Detached Dwelling House shall be separated as far as possible from an existing barn. Any lot that was created or rezoned after August 29, 2001 in the Shoreline Residential Zone on Amherst Island shall fully comply to the MDS 1 calculation.

2. New or Expanded Livestock Facilities:

   No livestock facility shall be erected or expanded unless it complies with the Minimum Distance Separation Criteria (MDS II) calculation.

3. Compatibility Between Industrial Facilities and Sensitive Land Uses:

   The expansion or establishment of new industrial facilities or sensitive land uses shall comply with the minimum distance separation guidelines governing the compatibility between industrial facilities and sensitive land uses.

4. Portable Asphalt Plants:

   The minimum separation distance between a portable asphalt plant and a sensitive land use shall be that distance established by an approved, and current, Certificate of Approval under the *Environmental Protection Act*.

5. Waste Disposal Industrial Area:

   a) No new ~~dwelling house~~ sensitive land use shall be permitted within 300 metres of a sewage lagoon, or within 150 metres of a sewage treatment plant.

   b) No new ~~dwelling house~~ sensitive land use shall be permitted within 500 metres of an existing or closed waste disposal site.

6. Extractive Industrial Zone:

   a) No new ~~dwelling house~~ sensitive land use shall be located within 150 metres of an area zoned Extractive Industrial ~~Pits and Quarries~~ Zone in which only removal and processing of sand and gravel are involved.

   b) No new ~~dwelling house~~ sensitive land use shall be located within 500 metres of an area zoned Extractive Industrial ~~Pits and Quarries~~ Zone in which the removal and processing of rock is involved.

7. Existing Lots of Record:

~~The minimum distance separation requirements do not apply in the case of (a) (c) (e) or (f) of this subsection where a legal lot of record existed as of the date of passing of this~~ By-law~~, and for which the proposed use is listed as a permitted use in the zone in which the existing lot is located, in which case the provisions of this section shall not serve to preclude the issuance of a building permit for the permitted use.~~

That where a legal lot of record or part of a legal lot of record existing as of the date of passing of this By-law that can accommodate the minimum distance separation requirements in the case of 1., 3., 5., 6., or 9. ~~a), c), e), f) or i)~~ of this ~~s~~Subsection, those minimum separation requirements shall be met. However, in instances where it is not possible for a legal lot of record is to comply with the minimum distance separation requirements, these do not apply in the case of 1., 3., 5., 6., or 9. ~~a), c), e), f) or i)~~ of this Ssubsection where a legal lot of record existing as of the date of passing of this By-law, and for which the proposed use is listed as a permitted use in the zone in which the existing lot is located, in

which case the Pprovisions of this Ssection shall not serve to to preclude the issuance of a building permit for the permitted use.

8. No new sensitive land use shall be located within 550 metres of a wind turbine with a nameplate capacity of greater than 3 kilowatts.

9. No new sensitive land use shall be located within 200 metrs of the Township fire training facility located at 748 County Road 6.

4.5 DWELLING UNIT LOCATION

1. Non-Residential Yard Provisions:
   Where a dwelling unit is located in a Non-Residential building, such dwelling unit shall comply with the Yard Provisions of this By-law which apply to the said Non-Residential building.

4.6 ENCLOSED OPERATIONS

By-law 2011-76

All of the operations of every “Commercial Establishment” shall be conducted within an enclosed building or premises, except for the following:

1. Parking and Loading Areas for Vehicles
2. The Operation of an Outdoor Café Restaurant
3. Marina
4. Vehicle Sales and Rrental Establishment
5. ~~Seasonal garden and nursery sales~~
6. Farm Implement and Equipment Sales and Service Establishment
7. Building Supply Outlet
8. Gasoline Retail Facility
9. Farmer’s Mmarket
10. Farm Pproduce Ssales Ooutlet
11. Farm Pproduce Rretail Ooutlet
12. Marine Ssales and Sservice Eestablishment

13. Motor V~~v~~ehicle D~~d~~ealership

14. Motor V~~v~~ehicle S~~s~~ales, used

~~8.~~15. Garden and N~~n~~ursery S~~s~~ales and S~~s~~upply E~~e~~stablishment

4.7 ESTABLISHED BUILDING LINE

Where a principal building is to be erected on a lot, and where there is an established building line extending on both sides of the lot, such permitted principal or main building may be erected closer to the street line or the centreline of the street, as the case may be, than permitted by this By-law such that the yard or setback is equal to the average setback of buildings on the same side of the street, provided further that such building is not erected closer to the street line or the centreline of the street than the established urban or rural building line existing on the date of passing of this By-law, but in no case shall the front yard be less than 3.0 metres in depth.

4.8 EXISTING BUILDINGS, STRUCTURES AND USES

1. Continuation of Existing Uses:
   The Provisions of this By-law shall not apply to prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this By-law, so long as it continues to be used for that purpose~~.~~ without interruption. Where a non-conforming use ceases for a period exceeding 36 months, it will be deemed to have been discontinued unless the owner can demonstrate a bona fide intent to continue the non-conforming use and took active steps to continue the non-conforming use.

2. Strengthening to Safe Condition:
   Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of a non-conforming building or structure legally existing at the date of adoption of this By-law provided that strengthening or repair does not increase the height, size or volume of any portion of such building or structure. ~~or change the use of such building or structure.~~

   ~~c) Interior Alteration~~

   ~~The interior of any building or structure, legally existing at the date of adoption of this By-law, may be reconstructed or structurally altered in~~

~~order to render the same more convenient or commodious provided it continues to be used for the same use as existed at the date of passing of this By-law or is used for a use permitted in this By-law.~~

3. Rebuilding or Repair: ~~*By-law- 2011-076*~~

Nothing in this By-law shall prevent the rebuilding or repair of any lawful non-conforming building or structure, existing as of the date of passing of this By-law, which is damaged or destroyed by causes beyond the control of the owner, provided that such reconstruction does not increase the height, size, or volume and which is damaged or destroyed by causes beyond the control of the owner and is proceeded with expeditiously ~~is on the same footprint as the previous building and is proceeded with expeditiously.~~ A willful demolition or destruction of a building or structure shall not constitute "damaged" or "destroyed."
The rebuilding or repair of any dwelling located within a flood plain shall require flood proofing to the satisfaction of the Conservation Authority.

4. Alterations to Non-Complying Buildings and Structures:

Nothing in this By-law shall prevent the alteration, enlargement, reconstruction, renovation, or repair of a legally existing, non-complying building or structure provided such action ~~does not further reduce any By-law provision with which the use is not in compliance.~~ :

a) D~~D~~oes not extend or increase the non-complying condition of the building or structure in any dimension or further encroach upon a setback or yard. This includes additional volume within the Z~~z~~one P~~p~~rovision that does not comply;

b) S~~S~~uch alteration, enlargement, reconstruction, renovation, or repair does not contravene any other zone regulation or requirements of this By-law;

c) S~~S~~uch alteration, enlargement, reconstruction, renovation, or repair does not enable or facilitate a change of use or an accessory use that would be contrary to a required setback from a street.

5. Private Right-of-Way and Non-Complying Buildings and Structures:

Where a building has been erected prior to the date of passing of this By-law on a lot which fronts on a private right-of-way registered on title, and providing legal ingress and egress to an improved public street, the Provisions of this By-law shall not apply to prevent the enlargement, alteration, extension, renovation or reconstruction of such a building or structure, provided this does not further reduce any By-law Provision with which the use is not in compliance.

4.9 EXISTING EASEMENTS AND RIGHT-OF-WAYS

Where there is an existing easement or right-of-way registered on the title of a property, construction of a building or structure shall be prohibited on the area of the easement or right-of-way unless authorized by an encroachment permit or written agreement by the party with rights to the easement or right-of-way.

4.10 EXISTING UNDERSIZED LOTS

1. Where a lot, having a lesser lot area and/or frontage than required herein, is held under distinct and separate ownership from an abutting lot or lots as shown by a conveyance of title in the records of the Registry or Land Titles Office on the date of passing of this By-law, or, where such a lot is created as a result of expropriation, or acquisition of land for public use, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot, provided that:
   a) All other applicable Provisions of this By-law are complied with;
   b) Existing lots to be developed on private services (wells and septics) shall have a minimum lot area of 1,400 square metres with 20 metres of frontage;
   c) Approval is obtained from the appropriate regulatory agency for proposed sewage disposal systems; and
   d) Potable water is available.

2. Where an existing lot of record in a zone that permits a farm has a lesser lot area and/or frontage than required for a farm, such smaller lot may be used for a farm, provided that:
   a) All other applicable Pprovisions of this By-law are complied with;
   b) Existing lots shall have a minimum lot area of 10 hectares and a minimum lot frontage of 150 metres.

4.11 FLOODPLAINS, WATERCOURSES/WATERBODIES AND ENVIRONMENTAL PROTECTION ZONES

1. Use of Floodplain:

   No person shall use any lot or erect, alter or use any building or structure on a flood plain, located outside the Environmental Protection Zone, for any purpose except one or more of the following uses:

   - Conservation Use

- Landscaped Open Space
- Marina Use
- Marine Facility
- Marine Sales and Service Establishment
- Outdoor Recreation
- Public or Private Park
- Public Use
- Agricultural Use Exclusive of Buildings
- Parking Facilities Incidental to a Permitted Use

No principal main building or building used for human habitation shall be permitted in the floodplain.

2. Restrictions Adjacent to Floodplain and Top of Bank and Environmental Protection Zones:

   No building or structure shall be erected or altered within 15 metres of a floodplain or the top of a bank or land zoned Environmental Protection.

   By-law 2011-76

   No building or structure shall be erected or altered within 8 metres of a floodplain or the top of a bank or land zoned Environmental Protection for the lands described as Part of Lot 9, Concession 1, Reference Plan 29R-8210 Village of bath, Phase 8, Loyalist Estates.

   By-law 2018-75

3. Restrictions Adjacent to Highwater Mark:

   Where a floodplain has not been defined, no building or structure shall be erected or altered within 30 metres of the high water mark.

   By-law 2011-76

4. Calculation of Zone Provisions:

   No part of any floodplain or land between the top of the bank and a water body or a watercourse shall be used to calculate any of the Zone Provisions required by this By-law.

5. Minimum Exterior Elevation Opening:

   Where a building or structure intended for human habitation is erected adjacent to the shoreline of Lake Ontario the minimum elevation of any exterior opening shall not be less than 76.9 metres as established by the Geodetic Survey of Canada. For the Edgewater Estates subdivision described as part of Lot 12, Concession 1, the minimum elevation of any exterior opening for a building intended for human habitation shall be 76.3 metres as established by the

Geodetic Survey of Canada.

4.12 FRONTAGE REQUIREMENTS

1. Access to Improved Public Street:

   No person shall erect any building or structure after the date of passing of this By-law unless the lot upon which such building or structure is to be erected fronts upon an improved public street or common element road and is provided with access for vehicular traffic in the form of an unobstructed driveway. For the purpose of this By-law, an "Improved Public Street" as defined in Section 3.0 does not include an unopened road allowance or an unassumed road in a Registered Plan which has been deemed not to be a Registered Plan under Section 50 of the *Planning Act*. This Provision shall not apply to a lot on a Registered Plan of Subdivision where an agreement between the owner of such subdivision and the Corporation, including Provisions for the construction of the streets shown on such subdivision, is registered in the records of the Registry or Land Titles Office.

2. Access Via Private Right-of-Way:

   Where an existing lot is accessible by means of a private road or right-of-way providing ingress and egress to an improved public street, this By-law shall not apply to prevent the use of such lot for a single unit dwelling house.

4.13 ~~FUTURE ROAD ALIGNMENT AREAS~~ RESERVED

~~No buildings shall be permitted within any future road alignment area or within a distance from any future road alignment area equal to the front building setback applicable to the zone. Future road alignment areas shall be 20 metres in width.~~

~~The following lands are future road alignment areas:~~

~~a) Lands located in Lots 6 to 19, South Shore Concession, shown as a future road alignment on Schedule 11; and~~

~~b) Lands located in Lots 3 to 8, Concession 1, shown as a future road alignment on Schedule 12.~~

"FARM EXPERIENCE ACTIVITY, FARM PROCESSING – VALUE ADDED AND FARM WINERY PROVISIONS"

1. Farm Experience Activity

Any farm experience activity use shall be subject to the following P~~p~~rovisions:

a) The farm experience activity shall be secondary to the main farm use on the subject farm property;

b) All farm experience activities shall be clearly farm-related through ongoing interaction with agricultural activities;

c) No farm experience activity shall exceed 2% of the farm property up to a maximum of area of one (1) hectare, which is deemed to be mean the acceptable land area;

d) 100% of the area needed for parking and outdoor storage for the farm experience activity use will be included in the acceptable area calculation; and

e) Where a farm experience activity use uses an existing farm laneway, or parking area, the area of the laneway or parking area will not be included in the acceptable area calculations.

2. Farm Processing – Value Added

Any farm processing-value added use shall be subject to the following P~~p~~rovisions:

a) The maximum useable floor area shall be 560 square metres;

b) The majority of the proposed processed, preserved, packaged and/or stored shall be from the farm operation;

c) The farm processing-value added shall be secondary to the main farm use on the subject lands.

3. Farm Winery

Any farm winery shall comply with the farm experience activity P~~p~~rovisions in 1.~~a)~~ above. In addition, any retail and wine tasking facilities shall not exceed 75 square metres or 25% of the floor area of all buildings or structures, whichever is less, and shall not have an occupancy exceeding 50 persons.

4.14 GARBAGE AND REFUSE STORAGE

1. No garbage or refuse shall be stored on any lot in any zone except within the principal building or an accessory building or structure on such lot or in a container in the side yard or rear yard of such lot.

2. A dumpster or garbage container shall be regulated in the same manner as an accessory building or structure in the zone in which it is located.

~~4.15 GROUP HOMES~~

~~Where a group home is a permitted use, no group home shall be located within 500 metres of another group home.~~

4.15 –HOUSEHOLD/GARAGE SALES

A household/garage sale is permitted where the following Pprovisions are met:

1. The premises has a dwelling unit;
2. The number of household/garage sales is restricted to not more than two (2) such sales per annum at any one location; and
3. No such sale shall exceed two (2) days in duration.

4.16 GUEST HOUSE

With the geographic Township of Amherst Island, as it existed as a separate Municipality on December 31st, 1997, a guest house is permitted as an accessory building to a permitted Residential Use located in a separate building provided the following Provisions are met:

1. Guest House Size (maximum) ..... 30 square metres
2. There are no facilities for the preparation of food.
3. The principal dwelling unit must be in existence on the lot prior to the construction of the guest house.

4.17 HEIGHT EXCEPTIONS

Nothing in this By-law shall apply to prevent the erection, alteration or use of the following accessory buildings or structures provided the principal use is a use permitted within the zone in which it is located, namely:

- Church Spire, Minaret or other similar religious structure
- Belfry
- Flag Pole
- Clock Tower
- Chimney

- Water Tank or Tower
- Windmill
- Radio or Television or Communication Tower or Antenna / Receiver
- Air Conditioner Equipment
- Lightning Rod
- Lighting Standard
- Grain Elevator
- Barn or Silo
- Hydro Electric Transmission Tower and Poles
- Incidental Equipment required for processing as part of an agricultural operation
- External Equipment associated with internal building equipment

Notwithstanding maximum height requirements as otherwise specified in this By-law for a permitted use, an additional three (3) metres of height shall be allowed strictly to accommodate rooftop electrical or thermal solar panel installations and associated equipment, green roofs, community gardens, and rooftop gardens.

4.18 HOLDING PROVISIONS

Pursuant to the Provisions of the *Planning Act*, Council may specify, by the use of a Holding Symbol '-H', in conjunction with the appropriate zone symbol, the eventual use to which lands buildings and structures may be put at such time in the future as the '-H' Holding Symbol is removed pursuant to Section 36 of the *Planning Act*. The Holding Symbol '-H' may be used in conjunction with any Zoning category in this By-law, in accordance with the following Provisions:

1. Lands shown to be subject to an '-H' Holding symbol may be used only for the following purposes while the '-H' Symbol is in place:
   a) Existing uses; and
   b) Other uses as specified in the By-law establishing the '-H' Holding Zone.
2. This Section shall not prevent the renovation of any building or structure provided such alteration or renovation will not increase the height, size or volume, or change the use of such building or structure. In addition, model homes shall be allowed to be constructed provided they are within the limits of a draft plan approved subdivision and satisfy the requirements of Section 4.23.
3. Once the '-H' Holding Symbol is removed the lands shall be used in accordance

with the permitted uses and regulations of the associated Zone.

4. The '-H' Holding Symbol shall be removed once the following applicable requirements have been complied with:
   a) All financial arrangements have been completed to the satisfaction of the Township;
   b) The required services are available and sufficient reserve water system capacity and reserve sewer system capacity area available or can be made available;
   c) The phasing and design of the proposed development is to the Township's satisfaction;
   d) Identified development constraints can be addressed to the satisfaction of the Township;
   e) Agreements, such as the Subdivision Agreement or Site Plan Control Agreement, have been executed; and
   ~~f)~~ The Township has given Notice pursuant to the requirements of Section 36 of the *Planning Act* of its intention to pass a By-law to remove the '-H' Holding Symbol.

~~i) The following two criteria apply to Baycreek Subdivision, Odessa Phase One, Lots 18 to 25:~~

~~a) That the developer has demonstrated to the Township's satisfaction that sufficient hydraulic capacity exists in the Bridge Street sanitary sewer line to accommodate the development; or~~

~~b) That the developer connects these lots by way of a new sewer line that connects to the Bridge Street pumping station without using the existing Bridge Street sanitary line.~~

4.19 HOME OCCUPATIONS

A Home Occupation is permitted in a zone where listed as a permitted use. Such home occupation shall conform to the following Provisions:

1. Shall be clearly secondary to the main Residential Use and shall not change the residential character of the dwelling house or dwelling unit, or create or become a public nuisance by reason of noise, dust, odour, traffic or parking of motor vehicles.
2. Shall be undertaken by a person or persons occupying the dwelling house or dwelling unit. A home occupation shall immediately cease to exist if there is not

at least one person resident in the dwelling house or dwelling unit who is engaged in the home occupation.

3. Shall not have more than two (2) persons not residing in the dwelling employed by the home occupation.
4. Shall not have external display or advertising, other than a legal sign, erected in conformity with the By-laws of the Municipality, to indicate to persons outside that any part of the dwelling house, dwelling unit or lot is being used for a purpose other than residential.
5. Not more than 30% of the dwelling unit area shall be used for the purpose of the home occupation use where such home based business is conducted within the principal residence.

~~f) May be conducted in one permitted accessory building no greater than 60 sq. metres in area, but shall not be carried on in a boathouse.~~

6. May be conducted in both the dwelling unit and one accessory building, but shall not be carried on in a boathouse or combination thereof not to exceed a combined maximum square floor area of 60 square~~.~~ metres.
7. Shall have no goods, wares, or merchandise, other than arts, crafts, antiques, household or personal items such as cosmetics or kitchen ware and the limited production of baked goods and homemade preserves produced on the premises, for sale or rent on the premises. The limited sale of items related to a personal service shop and the sale of antique items whether or not originating on the property are permitted.
8. Shall have no mechanical or other equipment used for a home occupation except that which is customarily used in a dwelling house for domestic or household purposes or for use by a professional person.
9. Shall not include a medical clinic, a private hospital, a nursing home, a restaurant or a veterinary clinic but may include an office of not more than one doctor or dentist that complies with the Provisions of this Subsection.
10. Shall not interfere with television or radio reception of others in adjacent buildings or structures.
11. Bed and breakfast ~~operations~~ establishments may be allowed as a home occupation provided the residential character of the dwelling house is retained. Up to three (3) bedrooms may be used for bed and breakfast operation even though this may exceed 30% of the dwelling unit area.

~~m) A "tea room" or similar facility offering limited refreshments as an accessory use to the principal residential use may be permitted as a home occupation.~~

12. No more than one home occupation shall be conducted in the dwelling or accessory building.

13. A home occupation shall be conducted entirely within the dwelling but may occur, except for a bed and breakfast establishment, ~~may occur~~ in an accessory building in a Rural, Prime Agricultur~~ale~~, Restricted Agricultural, Rural Residential, Hamlet, or Shoreline Residential Zone.

14. Where a home occupation is permitted in an accessory building, the accessory building shall be no greater than 60 square metres in area.

15. No home occupation shall be carried on in a boathouse.

4.20 HOME INDUSTRY

A Home Industry is permitted in a zone where listed as a permitted use. Such home industry shall conform to the following Provisions:

1. Shall be clearly secondary to the main Residential Use and shall not change the residential character of the dwelling house or dwelling unit, or create or become a public nuisance by reason of noise, dust, odour, traffic or parking of motor vehicles.

2. Shall be undertaken by a person or persons occupying the dwelling house or dwelling unit. A home industry shall immediately cease to exist if there is not at least one person resident in the dwelling house or dwelling unit who is engaged in the home industry.

3. Shall have no external display or advertising, other than a legal sign, erected in conformity with the By-laws of the Municipality, to indicate to persons outside that any part of the dwelling house, dwelling unit or lot is being used for a purpose other than residential.

4. Shall not use more than 30% of the dwelling unit area for the purpose of the home industry where such home industry is conducted within the principal residence.

5. May be conducted in a permitted accessory building no greater than 92 sq~~.~~uare metres in area.

6. Shall not interfere with television or radio reception of others in adjacent buildings or structures.
7. Shall include uses such as farm related sales, machine repairs, welding, carpentry, plumbing and electrical workshops.
8. Shall not employ more than three (3) persons not resident in the dwelling.

4.21 LANDSCAPED OPEN SPACE

1. In any zone, any portion of any front yard or exterior side yard which is not used for any other permitted purpose shall be devoted to landscaped open space.
2. Any land used for landscaped open space shall be included in the calculations for lot area, yard requirements etc.
3. Planting Strips are included as part of the landscaped open space requirement of this By-law.
4. Where landscaped open space is required as buffering, such landscaping shall be continuous except for a lane, driveway, aisle, or walkway which provide access to the lot.

4.22 LOADING SPACE REGULATIONS

1. Requirements:

   The owner or occupant of any building or a lot involving the receiving, shipping, loading or unloading of animals, goods, wares, merchandise or raw materials, exclusive of agricultural buildings and structures, shall provide and maintain at the premises, facilities comprising one or more loading spaces 9 metres long, 3.5 metres wide, and having a vertical clearance of at least 4 metres. In addition, adequate space shall be provided for the parking of vehicles awaiting access to the loading or unloading space. Loading spaces shall be provided in accordance with the following:

LOADING SPACE REQUIREMENTS	
~~Gross Floor Area of Building or Structure~~ **Use**	~~Loading Spaces Required~~**Minimum Number of Loading Spaces Required**
Residential Uses	
0-4 dwelling units	0
5-100 dwelling units	1
101 or more dwelling units	2
Commercial Uses	
Less than 300 square metres	0
300 square metres or less	1
~~Exceeding~~ Greater than 300 square metres but not more than 2,500 square metres	2
~~Exceeding~~ Greater than 2,500 square metres ~~but not 7,500 square metres~~	3
Industrial Uses	
Less than 300 square metres	0
300 square metres – 7,500 square metres	2
Greater than 7,500 square metres plus one (1) additional loading space for each additional 10,000 square metres of gross floor area or fractional part thereof in excess of 7,500 square metres	3
Exceeding 7,500 square metres plus one (1) additional loading space for each additional 10,000 square metres of gross floor area or fractional part thereof in excess of 7,500 square metres	3

2. Calculations:

The number of loading spaces required in 1. above, shall be calculated per

building and structure.

3. School Bus Loading Requirements:

Where a use requires school bus pick-up and drop-off, dedicated on-site loading areas shall be provided to accommodate the safe loading and unloading of passengers. The number, location, and design of school bus loading areas shall be determined through Site Plan Control and supported by a Transportation Impact Study or Parking Study, where required.

~~2.~~4. Access:

Access to loading spaces shall be by means of a driveway at least 6.0 metres wide contained on the lot in which the spaces are located and leading to an improved street as defined herein.

~~3.~~5. Change in Use:

The loading space requirements referred to herein shall not apply retroactively to any building or use in existence at the date of passing of this By-law so long as the gross floor area, as it existed at such a date, is not increased and so long as there is no change in use.

~~4.~~6. Loading Space Surface:

Driveways, loading spaces, and related aisles and turning areas shall be maintained with a stable surface which is treated so as to prevent the raising of dust. Such loading facilities shall, before being used, be constructed of crushed stone, gravel, asphalt, concrete or similar material and shall include provisions for drainage facilities.

~~5.~~7. Location:

The required loading space shall be located in the interior side yard or rear yard unless such space or spaces are removed from the street line a minimum distance of 15 metres.

~~6.~~8. Addition to Existing Use:

When a building or structure has insufficient loading spaces on the date of passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition. However, no addition may be built and no change of use may occur, the effect of which would be to increase that deficiency. If an addition is made to the building or structure which increases the floor area, then additional loading space shall be provided as required by paragraph 1.~~(a)~~ of this

Subsection.

4.23 MODEL HOMES

Model homes are permitted where the following requirements are met:

1. Lands have received draft plan approval and an agreement pertaining to the model home has been entered into with the Township or the lands have received final approval and registration from the Township;
2. Are constructed or located in accordance with the Zone Provisions for the lot or proposed lots;
3. ~~Do not exceed two (2) dwelling units per individual phase of the development; A~~ maximum of ~~twenty (20%) percent~~ of S~~s~~ingle D~~d~~etached M~~m~~odel D~~d~~wellings per phase of development may be constructed, except that a minimum of two (2) and no more than six (6) S~~s~~ingle D~~d~~etached M~~m~~odel D~~d~~wellings may be constructed, whichever is less; in addition, two (2) S~~s~~emi-D~~d~~etached M~~m~~odel D~~d~~wellings to a maximum of four (4) D~~d~~welling U~~u~~nits, and one (1) M~~m~~odel T~~t~~ownhome block per phase of development with no limitation for the maximum number of D~~d~~welling U~~u~~nits may be constructed; ~~and~~
4. For the purposes of establishing the location of the lot lines, where a plan of subdivision is not yet registered, the model home shall be built within the proposed lot defined by the draft approved plan of subdivision within which it is located, and as if these lots were defined by a registered plan of subdivision.

~~5.~~ Notwithstanding that a holding symbol may apply to the subject land, a permit for a model home may be issued provided clauses a), b) and d) are met and the maximum number of model homes specified for the development is not exceeded.

~~e) Notwithstanding section (a) to (d) above, for those lands zoned R3 and R4 on the date of adoption of this By-law and being part of Lots 12 and 13 of Concession 1 and Broken Front Concession on the north side of Main Street (Highway 33), a maximum of six (6) model homes may be constructed.~~

~~f) Notwithstanding Section (a) to (e) above, for those lands zoned R5-3 located in part of Lot 42, Concession 1, a maximum of eight (8) model dwelling units may be constructed.~~

~~g) Notwithstanding Section (a) to (f) above, for those lands zoned R2-11~~

~~located in part of lots 8 and 9, Concession 1, a maximum of four(4) single detached model dwelling homes may be constructed.~~

~~**h)** Notwithstanding Section (a) to (g) above, for those lands zoned Residential Type Five Exception 12 (R5-12) located in Part of lots 13 & 14 Broken Front~~

~~Concession, a maximum of four (4) model dwelling units may be constructed.~~

~~i) Notwithstanding Section (a) to (h) above for those lands zoned Residential Type Five Exception Fifteen (R5-15), a maximum of four (4) model dwelling units may be constructed per individual phase of the development.~~

~~**j)** Notwithstanding a) to i) above, for those lands in Part of Lots 35, 36 and 37,Concession 1, in Amherstview, a maximum of twenty (20) percent of single detached model dwellings per phase of development may be constructed, except that a minimum of two (2) and no more than six (6) single detached model dwellings may be constructed, whichever is less; in addition, two (2) semi-detached model dwellings to a maximum of four (4) dwelling units, and one (1) model townhome block per phase of development with no limitation for the maximum number of dwelling units may be constructed.~~

~~*By-law 2022-017*~~

4.24 MORE THAN ONE USE ON A LOT

Where any land, building or structure is used for more than one purpose, the applicable Provisions of this By-law which serve to regulate each use shall be complied with.

4.25 MORE THAN ONE ZONE ON A LOT

~~When 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 applicable zone, but this provision shall not be construed to allow more than one dwelling house on a lot.~~

Where a lot is divided into more than one zone, each portion of the lot must be used in accordance with the P~~p~~rovisions of the applicable Z~~z~~one; however, the Z~~z~~one boundary is not to be treated as a lot line. Where two or more regulations are equally applicable to a lot, the most restrictive P~~p~~rovision applies.

4.26 NOXIOUS USES

No use shall be permitted which from its nature or the materials used therein is declared by the Local Board of Health or Council of the Corporation to be a noxious trade, business or manufacturer under the *Health Protection and Promotion Act* or Regulations thereunder.

4.27 PARKING AREA REGULATIONS

Parking spaces and areas are required under this By-law in accordance with the following Provisions:

1. Minimum Off-Street Parking
   a) ~~a)~~ Requirements:

   The owner of every building or structure erected or used for any of the purposes set forth herein shall provide and maintain for the sole use of the owner, occupant, or other persons entering upon or making use of the said premises from time to time, one or more parking spaces, each such parking space having a minimum area of ~~18~~14.8 square metres and being not less than ~~3~~ 2.7metres in width and not less than 6 metres in length, in accordance with the following:

OFF-STREET PARKING REQUIREMENTS	
~~Residential~~ Use~~s~~	Minimum Off-S~~s~~treet Parking Requirement
Residential Uses	
Apartment buildings~~, Fourplex and Triplex dwelling houses~~	1.5 parking spaces for each dwelling unit plus 0.2 spaces per dwelling unit for visitor parking
Triplex, Fourplex and Quad Dwelling Houses	1.5 parking spaces for each dwelling unit
Boarding or Lodging House	1 parking space per dwelling unit plus 1 parking space per guest room

Single unit, Semi-Detached and Duplex Dwelling houses, Townhouses and Rowhouses	2 spaces per dwelling unit
~~Other Residential Uses permitted by this By-law including Additional Residential Units.~~	~~1 space per dwelling unit~~
Stacked Townhouses and Back-to-Back Townhouses	1.5 spaces per dwelling unit plus 0.2 spaces per dwelling unit for visitor parking
Mixed Use Apartment (Commercial Ground Floor)	1.5 spaces per dwelling unit plus required parking for commercial use
Other Residential Uses permitted by this By-law including Additional Residential Units	1 space per dwelling unit
Non-Residential Uses **~~Minimum Offstreet Parking Requirement~~**	
Automobile Service Garage	3 spaces per 100 square metres of gross floor area
Assembly Hall, Auditorium, Arena, Community Centre, Place of Worship, Private Club or other similar places of assembly not otherwise specified herein	The greater of: 1. 1 parking space per 5 fixed seats or 3 metres of bench seating or portion thereof; or, 2. 1 parking space per 9 square metres of gross floor area; or, 3. 1 parking space for each 4 persons that may be legally accommodated at any one time
Bed and Breakfast Establishments	1 parking space per guest room plus 2 parking spaces for single housekeeping unit

Business and/or Professional Office including Home ~~o~~Occupations and Home Industries	1 parking space for each 28 square metres of gross floor area and 1 space per each home occupation employee exceeding 1 employee not resident of the dwelling unit~~.~~
Car Washing Establishment	2 spaces, but not including spaces requires for stacking or spaces used to vacuum a vehicle
Convenience Store	4 spaces per 100 square metres of gross floor area or apportion thereof
Curling Rink	2 parking spaces for each curling sheet plus such additional parking as is required for a lounge licensed in accordance with the *Liquor Licence Act*~~.~~
Daycare Centre	3 spaces per 100 square metres of gross floor area
Dry Cleaners Establishment	1 parking space for each 9 square metres or fraction thereof of gross floor area with a minimum requirement of 4 spaces
Eating Establishment, exclusive of a take out eating establishment	The greater of: 1. 1 parking space for each 9 square metres of gross floor area; or 2. 1 parking space for each 4 persons legally accommodated at any one time within the premises. The parking space requirements shall not apply to the area associated with an outdoor café or patio where such use is ancillary to and associated with an eating establishment or liquor licensed premises
Eating Establishment- Take Out	6 parking spaces for each 100 square metres of gross floor area
General Industrial Use, Information Industry or Light Manufacturing	1 parking space per ~~75~~ 100 square metres of gross floor area or portion thereof

Golf Course	~~24 parking spaces for each 9 holes of golfing facilities~~ 1 space per golf course hole plus 3 spaces per 100 square metres of gross floor area for club house or accessory uses
Grocery Store/Food Store	5 spaces per 100 square metres of gross floor area
Health or Fitness Centre	2 spaces per 100 square metres of gross floor area
~~Home for the Aged,~~ Long Term Care Facility or Nursing Home	1 parking space for each 4 beds or fraction thereof
Hospital	1 parking space for every 2 beds or 38 square metres of gross floor area which ever is the greater
Hotel, Motel, Motor Hotel or Resort Establishment	~~1 parking space for each guest room, cottage or cabin plus such parking facilities as are required for an eating establishment or entertainment lounge licensed in accordance with the *Liquor License Act*~~ 1 space per guest room, plus 1 space for every 10 square metres of gross floor area for public use (restaurant, lounge, conference room), not including the lobby~~.~~
Marina	1 parking space for each 20 square metres of the total retail floor area plus one parking space for each boat slip provided~~.~~
Liquor Licensed Premises exclusive of an Eating Establishment but including an Entertainment Lounge, Public House or Lounge licensed in accordance with the *Liquor License Act*	1 parking space for each 4 persons that may be legally accommodated at any one time
Medical or Dental Clinic, or Offices of a Drugless Practitioner	~~5 parking spaces per 100 square metres of gross floor area~~ 4 parking spaces per 100 square metres of gross floor area

Veterinary Clinic	4 spaces per 100 square metres of gross floor area
Post Office, Museum, or Public Library	~~1 parking space for each 18.5 square metres of gross floor area~~ 3 spaces per 100 square metres of gross floor area
Personal Service Shop or Merchandise Shop	~~1 parking space per 18.5 square metres of gross floor area~~ 3 spaces per 100 square metres of gross floor area
Pharmacy/Drug Store	4 spaces per 100 square metres of gross floor area
Retail Shop	4 spaces per 100 square metres of gross floor area
Self-Storage Facilities	1 space per 250 square metres of gross floor area
Shopping Centre	~~1 parking space for each 18.5 square metres of gross floor area~~ 4 spaces per 100 square metres of gross floor area
Undertaking Establishment	~~The greater of:~~ ~~1. 10 parking spaces; or~~ ~~2.~~1. ~~5.25 parking spaces per 100 square metres of gross floor area~~ 7.5 spaces per 100 square metres of gross floor area
Warehouse or wholesale establishment	1 parking space per 150 square metres of gross floor area or portion thereof
~~Residential Uses~~	~~Minimum Offstreet Parking Requirement~~
Workshop	1 parking space per 38 square metres of gross floor area
All other commercial uses not listed in this table	3 spaces per 100 square metres of gross floor area or a portion thereof

Uses permitted in this By-law other than those listed in this table	1 parking space per 18.5 square metres of gross floor area
Schools	
Elementary Schools & Secondary Schools	~~The greater of:~~ ~~1. 1.5 parking spaces per classroom; or~~ ~~2. 1 parking space per 9 square metres of floor area in the gymnasium; or~~ ~~3.~~1. ~~1 parking space per 9 square metres of floor area in the auditorium~~ Elementary School (public or private): 1.5 parking spaces per classroom Secondary School (public or private): 2 parking spaces per classroom

b) ~~1. b)~~ The amount of required parking spaces identified in 1. a) above shall be rounded up or down to the nearest whole number.

2. Special Vehicle Parking:
In any zone, the required number of parking spaces shall include the Provision of ~~special vehicle~~ accessible parking spaces ~~for the use of physically disabled persons~~ as specified below.

a) ~~a)~~Required Off-Street Parking

Total Required Off-Street Parking Spaces	**Required Accessible Parking Spaces**
12 or less	1 space (type A)
13-100	4% of total parking spaces
101-200	1 space + 3% of total parking spaces
201-1,000	2 spaces + 3% of total parking spaces
Over 1,000	11 + 1% of total parking spaces

~~Industrial Uses:~~

Total Required Parking Spaces	Number of Required Special Vehicle Parking Spaces
20-100	2
101-200	4
201-300	6
301-400	8
401-500	10
more than 500	12

Commercial or Residential Uses:

Total Required Parking Spaces	Number of Required Special Vehicle Parking Spaces
20-50	2
51-100	4
101-150	6
151-200	8
201-250	10
251-300	12
301-400	14
more than 400	1 additional space per 100 required spaces

Institutional Uses:

Total Required Parking Spaces	Number of Required Special Vehicle Parking Spaces

~~10-20~~	~~2~~
~~21-40~~	~~4~~
~~41-60~~	~~6~~
~~61-80~~	~~8~~
~~81-100~~	~~10~~
~~101-120~~	~~12~~
~~121-140~~	~~14~~
~~141-160~~	~~16~~
~~more than 160~~	~~18~~

b) Type A parking spaces shall have a minimum width of 3.4 metres and a minimum length of 6 metres, where as Type B parking spaces may have a minimum width of 2.7 metres and length of 6 metres.

c) ~~b)~~ Notwithstanding 2. a) above, accessible parking spaces are not required for 1-~~-~~unit, 2-~~-~~unit, 3-~~-~~unit and 4-~~-~~unit residential dwellings, except condominium developments.

c) When the parking counts in 2. a) above are in relation to an off-street non-residential building, then required parking spaces may be included in the total parking count.

d) When an even number parking spaces for the use of persons with disabilities are provided, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space may be provided. Where an odd number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of this paragraph, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space.

e) The following regulations shall also apply to ~~special vehicle~~ accessible parking spaces~~.~~: Accessible parking spaces shall:

i) ~~a)~~ Be clearly identified by signage and/or pavement markings in accordance with the Highway Traffic Act and the Accessibility for Ontarians with Disabilities Act, 2005 (AODA), as amended;

ii) ~~b)~~ Be clearly signed and, where necessary, include directional signage to assist with locating accessible parking spaces;

iii) ~~c)~~ Be located as close as practicable to the principal accessible entrance (s) of a building and be directly connected to a continuous

barrier-free path of travel;

iv) ~~d)~~ Be located on the ground or main level, or in close proximity to an elevator serving an accessible entrance where provided within a multi-level parking facility;

v) ~~e)~~ Be designed and arranged to ensure unobstructed access to and from the vehicle, including sufficient clearance from adjacent features such as curbs, light standards, waste receptacle, and other physical barriers;

vi) ~~f)~~ Not obstruct or conflict with fire routes, driveways, intersections, pedestrian connections, or barrier-free paths of travel;

vii) ~~g)~~ Curb ramps, where provided, shall be provided to permit access from the parking area to the sidewalk;

viii) Provide an access aisle between accessible parking spaces. Access aisles may be shared by two accessible parking spaces when they have a minimum width of 1.5 meters and extend the full length of the parking space; and

ix) ~~h)~~ Be designed in accordance with applicable provincial accessibility standards, including O.Reg. 191/11, as amended.

~~a) The special vehicle parking spaces shall have minimum rectangular dimensions of 3.7 metres width by 6.0 metres in length, and if two adjacent spaces are designated for the disabled, then the total width of both spaces together may be 6.4 metres if a 1.5 metres wide access aisle separates the two spaces. If no access aisle separates the spaces, the total width of the two spaces shall be 7.4 metres;~~

~~b) All special vehicle parking spaces shall be signed and shall be painted blue and marked by an identifying marker consisting of the International Symbol for the disabled;~~

~~c) If accessible parking spaces for side lift vans are provided, each space shall be at least 4.9 metres wide;~~

~~d) A standard parking space parallel to the curb shall constitute an acceptable parking space provided it allows individuals to get in and out of either side of a vehicle and providing a sidewalk wheelchair ramp is located nearby;~~

~~e) A minimum vertical clearance of 2.9 metres shall be proved at accessible parking spaces, passenger loading zones, and along access routes;~~

~~f) Gradient for a special vehicle parking space shall not exceed five (5%)~~

~~percent;~~

~~g) Wheelstops shall be placed to provide a minimum 0.8 metres clear space for wheelchair access;~~

~~h) Special vehicle parking spaces shall be the spaces located closest to the nearest accessible entrance(s) of the building on an accessible route; and~~

~~i) Curb ramps, where required, shall be provided to permit access from the parking area to the sidewalk.~~

3. Ingress and Egress Regulations:
   a) Access to the required parking spaces and parking areas shall be provided by means of an unobstructed driveway or passageway at least 3 metres, but not more than 9 metres in width.
   b) The aisles between parking spaces within a parking area shall have a minimum width of 6 metres.
   c) The minimum distance between two separate driveways on one lot, measured along the street line, shall be 9 metres.
   d) A mutual driveway is permitted for Semi-Detached Dwellings, Row and Townhouse Dwellings and is not subject to the minimum distance requirement from the interior side yard requirement in P~~p~~rovision f~~v~~i) below for the side lot line that has the mutual driveway.
   ~~*By-law- 2011-076*~~
   e) The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 9 metres for all Residential Uses and 15 metres for all other Uses.
   f) The minimum distance between an interior side lot line and any driveway shall be 1.2 metres of an interior side lot line. This standard was implemented ~~so that water shut off valves could be protected.~~ for drainage, snow storage and infrastructure considerations.
   g) The minimum angle of intersection between a driveway and a street line shall be 60 degrees.
   h) Every lot shall be limited to the following number of driveways:
      ~~i) Up to the first 15 metres of frontage - not more than 1 driveway;~~
      ~~ii) Greater than 15 metres of frontage but less than 30 metres of frontage - not more than 2 driveways, with a combined width not exceeding 30% of the lot frontage;~~
      ~~iii) 1 additional driveway for each additional 30 metres of lot frontage; and~~
      i) Lots with less than 15.0 metres of frontage shall be limited to one

driveway. One additional driveway is permitted where the lot frontage is greater than 15 metres, with a maximum of two driveways permitted;

ii) Despite the driveway limits in i) above, if a lot has an entrance at the front yard and exterior side yard, one driveway is permitted from each entrance. The total driveway width requirements still apply.

~~iv)~~iii) where the standards of the road authority having jurisdiction, such as the County of Province, are more restrictive, those standards shall apply.

i) Entrances along County Roads are subject to the Provisions in County By-laws 2207/87 and 2572/95, as amended.

4. Parking Area Design Requirements:

The following parking area design requirements shall apply to all required parking areas in all zones~~, except for a permanent single dwelling house:~~

a) The minimum width of parking spaces shall be ~~3.0~~ 2.7 metres and the minimum length shall be 6 metres;

~~a)~~b) Where parking spaces are accessed by a drive aisle, the following minimum aisle widths shall apply:

Parking Configuration	Minimum Aisle Width (One-Way)	Minimum Aisle Width (Two-Way)
Parallel (0 degrees)	3.6 metres	6.0 metres
45 degrees	4.0 metres	6.0 metres
60 degrees	5.5 metres	6.0 metres
90 degrees (perpendicular)	6.0 metres	6.0 metres

~~b) Where a parking space has a parking angle of 30 degrees or less, such parking space shall be at least 7.0 metres in length where the aisle width is at least 4.0 metres;~~

~~c) Where a parking angle is less than 50 degrees, the minimum aisle width shall be at least 4.0 metres;~~

~~d) Where the parking angle is equal to or greater than 50 degrees, but less than 70 degrees, the minimum aisle width shall be at least 5.5 metres; and~~

~~e) Where the parking angle is equal to or greater than 70 degrees but less than or equal to 90 degrees, the minimum aisle width shall be at least 7.0 metres.~~

5. Addition to Existing Use:

   When a building/structure has insufficient parking on the date of passing of this By-law to conform to the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition. However, no addition may be built and no change of use may occur, the effect of which would be to increase that deficiency.

6. More than One Use on a Lot:

   When a building, structure or lot accommodates more than one type of use as set out in paragraph 1.~~(a)~~ of this Subsection, the parking space requirement for such building, structure or lot shall be the sum of the requirements for the separate uses thereof.

7. Parking Area Surface:

   Parking spaces, areas and driveways connecting the parking space or area with a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust. Such parking spaces or areas shall, before being used, be constructed of crushed stone, gravel, asphalt, concrete, paving stone or interlocking brick and shall include provisions for drainage facilities. Alternative permeable and semi-permeable surfaces such as porous paving, turf block, honeycomb block cobblestone, and pavers which allow infiltration of surface water are also acceptable.

8. Parking Area Location on Lot:

   Uncovered surface parking areas are permitted in the required yards or in the area between the street line and the required setback in accordance with the following Provisions:

Zone	Yard in Which Required Parking Area is Permitted
Residential Zones	~~Parking spaces and areas shall be permitted within a required front, interior side or rear yard provided that no part of any parking area, other than a driveway, is located closer than 3 metres to any street line or within a sight triangle. The maximum width of parking areas or driveways within the front yard shall be 7.5 metres~~ Parking spaces and areas shall be permitted within a required front, exterior side, interior side or rear yard. A parking space must be located entirely on the lot, but must also be located entirely on the lot, but may also be located on the street provided that there is no sidewalk adjacent to the street and that the parking space is behind the curb line. The maximum width of the driveway or parking area within the front yard and/or exterior side yard and the street line shall be 55% of the frontage of the lot, up to a maximum of 7.5 metres. Where there are multiple driveways, the combined width shall not exceed 55% of the lot frontage up to a maximum of 7.5 metres at the street line. The minimum of a driveway at the street line shall be 3 metres.
Environmental Protection, Rural, Prime Agricultural, Open Space, Community Facility, and all Commercial Zones	Parking spaces and areas shall be permitted in all yards provided that no part of a~~n~~ parking area, other than a driveway, is located closer than 2 metres to any street line and not less than 3.0 metres to a lot line abutting lots in a Residential Zone, or be within a sight triangle.

Zone	Yard in Which Required Parking Area is Permitted
Industrial Zones	~~Parking spaces and areas shall be located in an interior side or rear yard, except for visitor parking areas which may be located within a front or exterior side yard, provided that no part of any parking area, other than a driveway, is located closer than 3 metres to any street line or lot line abutting lots in a residential or community facility zone, or within a sight triangle.~~ Parking spaces and areas shall be permitted in all yards provided that no part of any parking area, other than a driveway, is located closer than 3 metres to any street line or lot line abutting lots in a R~~r~~esidential or C~~c~~ommunity F~~f~~acility Z~~z~~one, or within a sight triangle.
All Other Zones	No driveway or parking space shall be permitted within 3.0 metres of the boundary of a Residential Zone.

9. Use of Residential Parking Areas and Parking Spaces:
   a) Parking spaces and areas required in accordance with this By-law shall be used for the parking of operative, currently licensed vehicles only, and for vehicles used in operations incidental to the permitted uses in respect of which such parking spaces and area are required or permitted.
   b) In any Residential Zone, the owner or occupant of a dwelling unit may use a parking space for the purposes of the parking or storage of one commercial motor vehicle, provided such motor vehicle does not exceed a rated capacity of one tonne.
   c) In the Rural or ~~Agricultural~~ Prime Agriculture and Restricted Agricultural~~Zone~~Zones, a maximum of one school bus which is operative and currently licensed, may be parked or stored on any lot.

10. Abandoned Equipment:

    Unused and discarded motor vehicles or abandoned equipment shall not be located or stored, in any Zone, unless it is specifically listed as a permitted use.

11. Off Site Location:
    a) Required parking in a Residential Zone shall be provided on the same lot as the dwelling unit or units.
    b) In all other zones, parking shall be provided within 90 metres of the building or use it is intended to serve.

c) No part of any parking area required for a use other than residential shall be permitted in a Residential Zone.

d) Where required parking is not provided on the same lot, the lot or part of the lot where the parking is located shall be in the same ownership or be leased by a long-term renewable agreement and the parking spaces shall be retained for the duration of the use.

12. Where the minimum number of parking spaces, accessible parking spaces, or bicycle parking spaces are calculated on the basis of a rate or ratio, and the calculated number of required spaces results in a fraction, then the required number of spaces shall be rounded to the next higher whole number.

~~12.~~13. Requirements for Non-Residential Stacking S~~s~~paces:

a) The minimum stacking space size shall be 3 metres wide and 6 metres in length per stacking space;

b) Stacking lanes must be located entirely on the site for which the use is located and must be unobstructed and not interfere with parking, circulation or with traffic on a public street; and

c) The required number of stacking spaces for non-residential uses shall be as specified below:

Use	**Number of Stacking Spaces**
Drive-Thru Restaurant	11
Automatic Car Wash	4 spaces per washing bay
Hand Car Wash	2 spaces per washing bay
Drive-Thru Financial Institutions	4 spaces per ATM

14. Requirements for Visitor Parking Rates for Permitted Residential Uses

a) The following visitor parking rates are required for permitted residential uses:

Land Use	**Minimum Number of Visitor Parking Spaces**
Apartment Dwelling House	0.2 spaces per dwelling unit
Dwelling units in a mixed-use building	0.2 spaces per dwelling unit
Stacked Townhouse Dwelling	0.2 spaces per unit

b) The amount of visitor parking spaces are to be rounded up or down to the nearest whole number.

15. Bicycle Parking

a) Bicycle parking must be provided in all zones for the land uses described in the following table:

~~Minimum Bicycle Parking Space Requirements~~

MINIMUM BICYCLE PARKING SPACE REQUIREMENTS	
Use	**Minimum Number of Spaces Required**
Residential Uses: any type of dwelling unit where there is no associated private garage	0.5 spaces per dwelling unit
Retirement Home	0.1 per bed
School (elementary or secondary)	2 per classroom
Restaurant Library Public Use (where there is a building associated with the use) Retail Store Personal Service Shop	1 per 250 square metres of gross floor area
Hospital	0.2 per 100 square metres of gross floor area
All other N~~n~~on-R~~r~~esidential U~~u~~ses	1 per 1,500 square metres of gross floor area

b) Each bicycle parking space shall be 0.6 metres by 1.8 metres in size

c) Each bicycle lock fixture

16. Passenger Pick-Up and Drop-off Facility (Kiss and Ride)

a) A passenger pick-up and drop-off facility shall be provided for the following uses:

- Elementary School
- Secondary School

b) A passenger pick-up and drop-off facility shall be located on the same lot as the permitted use.

c) The size and configuration of the passenger pick-up and drop-off facility shall be determined through Site Plan Control and supported by a Traffic Impact Study or Parking Study where required.

4.28 ~~PITS AND QUARRIES~~ MINERAL AGGREGATE OPERATIONS

1. Establishing Mineral Aggregate Operations ~~Pits and Quarries~~:
   No ~~pit, quarry, wayside pit or wayside quarry~~ mineral aggregate operation shall be established in any area of the Corporation except in a zone where such use is included under the heading "Uses Permitted" in this By-law.
   Within a ~~Pit or Quarry~~ mineral aggregate operation no person shall use land or erect any building or structure for the purpose of processing, washing, sorting, screening, sand or gravel or operating a crushing plant or asphalt plant or concrete batching plant except as provided for in this By-law.

2. Wayside Pits and Quarries:
   Wayside pits and quarries may be established in the Rural, Prime Agricultur~~e~~al and Restricted Agricultural or Extractive Industrial Zones provided:
   a) The wayside pit or quarry is opened and operated by the Ministry of Transportation, the County or the Township or their agents for the purposes of a specific road project;
   b) Any portable crusher and/or asphalt plant used as part of a wayside pit or quarry has an applicable Certificate of Approval under the *Environmental Protection Act* and such certificate is current; and
   c) An agreement is signed with the Township that the wayside pit or quarry shall be rehabilitated upon completion of the public project.

4.29 PLANTING STRIP

1. Requirement:

Where a lot is to be used for a non-residential purpose and such lot abuts a Residential Use or undeveloped land intended for Residential Use, then a strip of land adjoining such abutting lot line, or portion thereof, shall be used for no purpose other than a planting strip in accordance with the Provisions of this Subsection and County By-law 2649/97, as amended.

2. Contents:

   Where a planting strip is required to be provided, such planting strip shall consist of a row of trees or a continuous uninterrupted hedgerow of evergreens or shrubs, not less than 1.5 metres in height, immediately adjacent to the lot line or portion thereof. The remainder of the strip shall be used for no other purpose than the planting of ornamental shrubs, flowering shrubs, flower beds or a combination thereof.

3. Driveways or Walks:

   Where ingress and egress driveways or walks extend through a planting strip, it is permissible to interrupt the strip within 3.0 metres of the edge of such driveway or within 1.5 metres of the edge of such walk.

4. Landscaped Open Space:

   A planting strip forms part of any landscaped open space required by this By-law.

5. Vegetation Height in ~~Site~~ Sight Triangle:

   Vegetation within a ~~site~~ sight triangle shall not exceed a height of 1.0 metre.

6. Width:

   Where a strip of land is required to be used for no purpose other than a planting strip, it shall have a minimum width of 3.0 metres measured perpendicularly to the lot line it adjoins.

7. Maintenance:

   Where a planting strip is required it shall be planted, nurtured and maintained by the owner or owners of the lot on which the planting strip is located.

8. Notwithstanding 1-7 above, an opaque fence, 1.8 metres in height may be erected for buffering purposes as an alternative to a planting strip.

4.30 PUBLIC USES

1. Applicable Provisions:

   Except as otherwise provided in paragraph 3.~~(c)~~ of this Subsection, the following

Provisions apply to public uses:

a) Public uses, unless otherwise specified, are allowed in all zones;
b) No goods, materials or equipment shall be stored in the open, except as permitted in such zone;
c) Zone Provisions of the Zone within which the use is located shall be complied with except as otherwise provided in paragraph (b) hereof;
d) Any above-ground non-recreational use carried on under the authority of this paragraph in any Residential Zone shall be enclosed in a building designed, located and maintained in general harmony with Residential buildings of the type permitted in such zone.

2. Streets and Installations:
   a) Nothing in this By-law shall prevent the use of land for a street or prevent the installation of a watermain, sanitary/waste water sewer main, storm sewer main, stormwater management facilities, water and/or waste water pumping station, gas main, pipeline, lighting fixtures, overhead or underground electrical facility, television, telecommunication, telephone, or other supply line or communication line or tower, or structure clearly accessory to the foregoing, provided that the location of such street, main, line, fixture or structure has been approved by the Corporation.
   b) Nothing in this By-law shall prevent the use of public land for a mail box or utility box provided that the location of such box has been approved by the Corporation.

3. Polling Stations:

   Nothing is this By-law shall apply to prevent the use of a building, or part thereof, as a temporary polling station for a federal, provincial or municipal election or referendum.

4. Exceptions:

   The following public uses shall be permitted only in the zone where they are specifically listed:
   a) Arena
   b) School
   c) ~~open~~ Ooutdoor Storage of goods and materials
   d) Sewage Lagoon or Sewage Treatment Plant
   e) Water Supply Plant
   f) Waste Disposal Site

5. Telecommunication Towers:

   No telephone, telecommunication, cable television or telegraph tower shall exceed 120 metres in height. Any towers proposed above 120 metres will require a site specific zoning.

6. Prohibitions:

   No building or structure erected in accordance with the Provisions of this Section shall be used for the purpose of an office, maintenance or works depot, or human habitation.

4.31 GASOLINE RETAIL FACILITY

No person shall use any land or erect any building or structure for the purpose of a Gasoline Retail Facility except in accordance with the following requirements:

1. Lot Area (minimum)..... 0.2 ~~ha~~hectares
2. Lot Frontage (minimum)..... 45 metres
3. Yard Dimensions (minimum)
   a) Front Yard..... 12.0 metres
   b) Exterior Side Yard..... 12.0 metres
   c) Interior Side Yard:

      6.0 metres except where the interior side lot line abuts a Residential Zone, in which case the minimum required interior side yard shall be 12 metres.

   d) Rear Yard:

      6.0 metres except where the rear lot line abuts a Residential Zone, in which case the minimum required rear yard shall be 12 metres.
4. Minimum Lot Depth..... 30 metres
5. Lot Coverage (maximum)..... 40%
6. Landscaped Open Space (minimum)..... 10%
7. Height of Buildings (maximum)..... 10 metres
8. Gasoline Pump Location:

   A gasoline pump island or gasoline pumps, as part of or as accessory to a motor vehicle dealership, a motor vehicle gasoline bar, a motor vehicle repair garage, motor vehicle service centre, or motor vehicle station, may be located within any

yard provided:

a) The minimum distance between any portion of the pump island or gasoline pumps and any street line or any rear or interior side lot line is not less than 6 metres; and

b) Where a lot is a corner lot, no portion of any pump island or gasoline pumps shall be located closer than 3 metres to a straight line between a point in the front lot line and a point in the exterior lot line, such point being distant 15 metres from the intersection of such lines.

9. Bulk Fuel and Propane Storage Tank Location:

   Bulk fuel and propane storage tanks shall be installed in accordance with the Provisions of the *Gasoline Handling Act*.

10. Entrance Regulations:

    Ingress and egress driveways shall be in accordance with the Provisions of this By-law.

4.32 SERVICING REQUIREMENTS

No person shall use any lot or erect any building or structures for any use unless:

1. Development on Private Services:

   a) Within the PA, RA, RU, ER, RR, SR, HR, CF, I, C1, C2, C3, ~~C5~~ and M2 Zones approval is received for a class 4 subsurface sewage disposal (septic) system under the *Ontario Building Code Act* and regulation or one property zoned M2 at 748 County Road 6 may connect to municipal sanitary sewer; or:

   By-law 2019-59

   b) Where approval within the zones in Section 4.30 Subsection ~~(~~a) ~~(~~i) is required under other than the *Ontario Building Code Act*, proof of such approval is provided; and

   c) There is an adequate supply of potable water.

2. Development on Municipal Water and Sanitary Sewage Collection Systems:

   a) Within the R1, R2, R3, R4, R5, R6, C2, C4, C5, M1 and M3 zones lots must be serviced by municipal water and sanitary sewers. Lots of record located in lots 31 to 35 of Broken Front Concession and Concession 1 inclusive and zoned R1 or CF and in lot 42 Broken Front Concession and Concession 1 along Coronation Boulevard or Amherst Drive and zoned R1 may be

serviced by municipal piped water supply and class 4 subsurface sewage disposal (septic system) under the *Ontario Building Code Act* and Regulation. Properties zoned M3 ~~or ,~~M3-6, M3-9 or M3-10 and found in Lots 19 to 28, Concessions 1 and Broken Front, south of the Canadian National Railway main line, may be serviced by private sewage and water services, however at such time municipal water or sanitary services become available, development shall then connect to municipal systems immediately at such time they are available.

~~*Passed 07.10.06*~~

By-law 2006-71

b) Within a CF Zone, lots located in an area serviced by piped water supply and sanitary sewage collection system shall be serviced by such municipal water supply and sanitary sewer.

c) In the case of existing unserviced industrial uses in the M3 zone they are recognized as permitted uses. Any enlargement or expansion of the industry in the unserviced area of the Township shall take place following the approval by the appropriate authorities regarding water supply and waste disposal.

d) The development of the C4 zone located on the north west corner of Coronation Boulevard and Taylor Kidd Boulevard shall occur following the approval of the appropriate authorities regarding water supply and waste disposal.

3. Change to Residential Use:
   No person shall increase the number of dwelling units or change to residential the use of any building, structure or lot within an R1, R2, R3, R4, R5 or R6 Zone unless a public water system and a sanitary sewer system are available and of sufficient capacity to service such lot, building or structure.

4.33 SETBACKS ALONG ROADS AND PIPELINES

4.33.1 Roads

The minimum setback along a road shall be determined by measuring, at right angle from the centreline of the public street abutting a yard, in the direction of the lot or parcel, a distance equal to the sum of:

1. The minimum front yard, rear yard or exterior side yard requirement in the relevant regulations, plus

2. The centreline distance to the edge of the road right of way in metres as specified in the Table (below):

CENTRELINE DISTANCE REQUIREMENTS	
County Roads	13.0 metres
County Road #6	18.0 metres
County Road #23	18.0 metres
Township Roads	10.0 metres

~~CENTRELINE DISTANCE REQUIREMENTS~~	
~~County Roads~~	~~13.0 metres~~
~~County Road #6~~	~~18.0 metres~~
~~County Road #23~~	~~18.0 metres~~
~~Township Roads~~	~~10.0 metres~~

In no case shall the minimum yard be less than the minimum front yard, rear yard, or exterior side yard requirements in the relevant regulation of this By-law. Where the County of Lennox and Addington By-law 2057/82, as amended from time to time, or Ministry of Transportation (MTO) requirements are more restrictive, the requirements of the County or Ministry will prevail.

4.33.2 Pipelines

The minimum setback along land used for gas and/or oil transmission pipelines, and/or subject to an easement for such use, shall be 10 metres for any permanent structures and excavations.

4.34 SIGHT TRIANGLES

1. Within the R1, R2, R3, R4, R5, and R6 Zones, and any exception zones thereto, a sight triangle consisting of 3 metres by 3 metres shall apply. A 9 metre by 9 metre sight triangle is required in all other zones.

2. Within any area defined as a sight triangle, the following uses shall be prohibited:

~~1.~~ a) Building, structure, sign or use which would obstruct the vision of drivers of motor vehicles;

~~2.~~ b) Fence, tree, hedge, bush, or other vegetation, the top of which exceeds 1 metre in height above the elevation of the street line measured at the top of the nearest curb or at the edge of pavement location, in the absence of a curb;

~~3.~~ c) Finished grade which exceeds the elevation of the street line by more than 0.5 metres;

~~4.~~ d) ~~Covered surface p~~Parking area; and entranceway.

4.35 SIGNS

The Provisions of this By-law shall not apply to prevent the erection, alteration, or use of any legal sign provided such sign complies with the By-laws of the Corporation and the County regulating signs.

4.36 STORAGE OF ~~SPECIAL~~ RECREATIONAL VEHICLES IN RESIDENTIAL ZONES

On a developed lot in ~~any Residential Zone~~ the R1, R2, R3, R4, R5, R6, SR, RR, HR and all exception zones thereto, the parking or storing of a boat, motor home, snowmobile or trailer is not allowed except as specified below:

1. Vehicles Permitted:
   a) One (1) boat which shall not exceed 10 metres in length;
   b) One (1) motor home which shall not exceed 10 metres in length;
   c) Two (2) snowmobiles;
   d) One (1) travel trailer or travel mobile camper or utility trailer which shall not exceed 10 metres in length, exclusive of hitch or tongue.

2. Yards Where Permitted:
   The parking or storage of a ~~boat, motor home, snowmobile, travel trailer or truck camper~~ recreational vehicle shall only be permitted in a garage, carport or other building and not in any required parking space or sight triangle. On residential lands not used for an apartment dwelling house, such boat, motor home, snowmobile, travel trailer or truck camper may be parked or stored in an interior

side yard or rear yard but no closer than 1.0 metre to any lot line.

3. Undeveloped Lots:
   The parking of vehicles on undeveloped lots is not permitted unless otherwise specified in this By-law.

4.37 SWIMMING POOLS

A swimming pool is a permitted structure in association with a permitted Residential Use. Such swimming pool, and structures required in conjunction with a swimming pool, may be erected and used in the required interior side yard or the required rear yard provided:

1. No part of such swimming pool is located closer than 1.2 metres to any rear or interior side lot line;
2. Is not located closer to the front lot line than the dwelling house;
3. No water circulating or treatment equipment such as pumps or filters shall be located closer than 2.0 metres to any interior side or rear lot line; and
4. No equipment used for the heating of water, such as a gas heater, shall be located within 2.0 metres of the interior side or rear lot line.

A swimming pool shall not be considered as part of the lot coverage provided no part of the pool, excluding its railing, protrudes more than 1.5 metres above the ground level surrounding the swimming pool.

4.38 THROUGH LOTS

In the case of a through lot, the front yard requirements of the zone or zones in which such lot is located shall apply to each yard which abuts a street.

4.39 TRUCK, BUS AND COACH BODIES

No truck, bus, coach or streetcar body, or structure of any kind, other than a dwelling unit erected and used in accordance with this By-law, the *Building Code Act*, and the regulations passed thereunder shall be used for human habitation.

4.40 YARD SETBACK AND HEIGHT ENCROACHMENTS PERMITTED

1. Ornamental Structures:

   Sills, belt course, chimneys, cornices, bay windows, eaves, gutters, parapets, pilasters or similar ornamental structures may project into any required yard a maximum distance of 0.6 metres.

2. Unenclosed Porches, Decks, Balconies and Steps: ~~*By-law 2013-022*~~*:*

   Unenclosed porches, decks, balconies, landings, walkouts steps and ramps, covered or uncovered, may project into any required front yard or required rear yard a maximum distance of 1.5 metres, provided they are no closer than 1.2 metres to any lot line but may be 0 metres when along common party walls, and comply with the Setback General Provisions regarding floodplains and high water marks.

3. Patios:

   Uncovered patios, uncovered pool aprons, and uncovered decks may project into any required rear yard or side yard provided:

   a) They are not more than 0.6 metres above finished grade; ~~and~~
   b) They are not located within any required front yard or exterior side yard~~.~~; and
   c) They are located no closer to any property line than 1.0 metre.

4. Fire Escapes:

   Unenclosed fire escapes, as permitted by the *Building Code Act* and regulations passed thereunder, may project into any required side yard or required rear yard a maximum of 1.2 metres.

   By-law 2011-76

5. Gatehouse:

   In an Industrial Zone a gate house or information kiosk or similar accessory structure shall be permitted in a front yard or side yard or in the area between the street line and the required setback.

6. Barrier-Free Access Ramps:

   By-law 2005-59

   Unenclosed Barrier-Free ramps shall be permitted within any yard or in the area between the streetline and the required setback. In addition, unenclosed barrier free ramps shall be exempted from having to comply with lot coverage requirements.

7. Air Conditioning Units and Heat Pumps:

   Air conditioning units, heat pumps or similar equipment shall not be constructed

or located within the front yard or required exterior side yard setback but may project into any required interior side yard or rear yard setback by not more than 1 metre.

4.41 RECREATIONAL VEHICLES

By-law 2013-74

Within the geographic Township of Amherst Island, as it existed as a separate Municipality on December 31st, 1997, where a recreational vehicle would be the principal use on a lot, a maximum of one recreational vehicle is permitted to be used as a recreational living space, provided the following Provisions are met:

1. The use is not as a permanent dwelling unit;
2. The use is only permitted in the RU, PA and SR zones;
3. The recreational vehicle is located on the property to provide the same minimum yard requirements that would apply to a principal Residential Use in the same zone;
4. The use complies with any requirements that may be imposed by a Trailer Licensing By-law that may be enacted from time to time by the Municipality under the authority of the *Municipal Act*.

4.4~~.~~2 ADDITIONAL RESIDENTIAL UNITS

By-law 2025-62

1. Within the R1, R2, R3, R4 and R5 Zones, and any exception zones under these zones, an additional residential unit(s) may be created and used provided the following conditions are met:
   a) In addition to the principal Dwelling Unit, up to three additional Residential Units are permitted on a lot that contains a Single Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling;
   b) Only one additional Residential Unit may be located within a detached accessory building;
   c) A parking space for an additional residential unit may be in tandem with the principal Dwelling Unit's parking space as well as any other additional Residential Unit's parking space;
   d) The lot must have frontage on an improved public road;

e) An additional Residential Unit shall have a gross floor area that is less than the principal Dwelling Unit.

f) Where the principal Dwelling was legally established on or before October 28, 2025 and does not comply with the current Zone Provisions, an additional residential unit is permitted within or attached to the principal dwelling if the principal dwelling complies with all other applicable Provisions of this By-law.

g) An additional residential unit in a detached accessory building is not subject to the Provisions under Section 4.1 Accessory Uses and shall be in accordance with a)-f)~~i) - vi)~~ above and shall comply with the following additional criteria:

i) A detached additional residential unit shall not be located in the front yard or the required exterior side yard.

ii) A detached additional residential unit shall not be located closer than 2.5 metres to the principal dwelling unit and shall not be located closer than 2 metres to any other accessory building or structure on the lot.

iii) The height of the detached additional residential unit cannot exceed 4.5 metres and cannot exceed the building height of principal dwelling.

iv) Notwithstanding iii)~~3~~. above, where the additional residential unit is located above a detached garage, the building may have a maximum building height of 6 metres.

v) The detached additional residential unit shall require a minimum 1.2 metre rear yard setback and comply with the interior side yard setback for the principal dwelling that is required under the applicable zone but shall not be less than 1.2 metres.

vi) The maximum lot coverage of the detached additional residential unit and principal dwelling combined shall not exceed 50% lot coverage.

vii) The detached additional residential unit shall be connected to municipal services.

viii) A detached garage, legally established on or before October 28, 2025, may be converted to a detached additional residential unit provided all other Provisions not related to location are met.

2. Within the RU, RR and HR Zones, and any exception zones under these zones, an additional residential unit may be created and used provided the following conditions are met:

a) Only one additional Residential Unit is permitted on a lot containing a Single Detached Dwelling;

b) The additional Residential Unit may be located within or attached to the Single Detached Dwelling or within a Detached Accessory Building;
c) The minimum lot size shall be a minimum of 0.5 hectares;
d) Sufficient water and sewage services shall be available to serve the additional residential unit along with the principal dwelling;
e) A parking space for an additional residential unit may be in tandem with the principal dwelling unit's parking space;
f) The lot must have frontage on an improved public road;
g) An additional residential unit shall have a gross floor area that is less than the principal dwelling unit.
h) An additional residential unit in a detached accessory building is not subject to the Provisions under Section 4.1 Accessory Uses and shall be in compliance with a)-g)~~i)-vii)~~ above and shall comply with the following additional criteria:
    i) The detached additional residential unit shall not be located in the front yard or the required exterior side yard.
    ii) The detached additional residential unit shall not be located closer than 2.5 metres to the principal dwelling unit and shall not be located closer than 2 metres to any other accessory building or structure on the lot.
    iii) The height of the detached additional residential unit cannot exceed 4.5 metres and cannot exceed the building height of principal dwelling.
    iv) Notwithstanding iii)~~3.~~ above, where the additional residential unit is located above a detached garage, the building may have a maximum building height of 6 metres.
    v) The detached additional residential unit shall require a minimum 7.5 metre rear yard setback and comply with the interior side yard setback for the principal dwelling unit that is required under the applicable zone but shall not be less than 1.2 metres.
    vi) The detached additional residential unit shall not exceed 40% of the footprint of the principal dwelling.
    vii) The detached additional residential unit shall comply with the maximum lot coverage of the applicable zone.
    viii) An additional residential unit in a detached accessory building must comply with the minimum distance separation formulae when located in the Rural Zone.

4.43 GARDEN SUITES

A garden suite shall only be permitted on a lot zoned for a single-detached dwelling subject to a Temporary Use By-law passed under Section 39 of the *Planning Act*, as amended, and the following:

1. A garden suite shall be a small, portable building which can be readily removed and is separate from the principal dwelling;
2. It is adequately serviced by the principal dwelling;
3. A secondary unit and a garden suite shall not be permitted on the same lot;
4. No new driveway shall be permitted;
5. The owner of the subject property shall enter into an Agreement pursuant to Section 39.1 (1) of the *Planning Act*, as amended, with and satisfactory to the Township dealing with such matters related to the temporary use of the garden suite as the Council considered necessary including:
   a) The installation, maintenance and removal of the garden suite; and
   b) The period of occupancy of the garden suite by any of the persons named in the Agreement; and
   c) The monetary or other form of security that the Council may require for actual or potential costs to the municipality related to the garden suite; and
   d) Such other requirements as may be deemed necessary through the Temporary Use By-law.

4.44 TEMPORARY CONVENTIONS AND TRADE SHOWS

Notwithstanding anything to the contrary, temporary conventions and trade shows shall be permitted in the following:

- Arena
- Assemble Hall and/or Auditorium
- Community Centre
- Education and Training Facility
- Fairgrounds
- Fraternal Lodge
- Public Library
- Municipal Administrative Office

- Municipal Recreation Complex
- Museum
- Place of Worship
- Retail Commercial Establishment
- Shopping Centre

For the purposes of this regulation, “temporary” shall mean a short period of time not exceeding twenty-one (21) consecutive days.

4.45 DONATION BOX

A donation box shall be permitted in:

1. All Commercial Zones specified in Section 5 of this By-law.
2. All Community Facility Zones specified in Section 5 of this By-law.

4.467 CANNABIS PRODUCTION FACILITY PROVISIONS

No lands, building or structure or portion thereof used for Cannabis Production Facility purposes that is not equipped with air treatment control situated in the General Industrial Zone (M3), Light Industrial Zone (M1), or Rural Industrial Zone (M2) may be located closer to any Rresidential Uuse, a Rresidential Llot of Rrecord or Ssensitive Lland Uuse than 70 metres.

No lands, building or structure or portion thereof used for Cannabis Production Facility purposes that is not equipped with air treatment control situated in the Prime Agriculture Zone (PA) or Rural Zone (RU) may be located closer to any Rresidential Uuse, a Rresidential Llot of Rrecord or Ssensitive Lland Uuse than 150 metres.

No lands, building or structure or portion thereof used for Cannabis Production Facility purposes that is not equipped with air treatment control may be located closer to any Rresidential Uuse, a Rresidential Llot of Rrecord or Ssensitive Lland Uuse than 300 meters.

An outdoor, indoor or nursery--based Cannabis Production Facility shall not become a nuisance because of odour or fumes.

4.47 SUPPORTIVE HOUSING

1. Supportive housing uses are permitted in any zone that permits a dwelling unit.

2. Supportive housing shall only occur in a housing type permitted in the applicable zone.

5.0 ZONES

5.1 ZONE CLASSIFICATION

All lands within The Corporation are divided into zones and classified as follows:

Section	Zone	Symbol
5.2	Environmental Protection	EP
5.3	Recreation / Open Space	OS
5.4	Prime Agriculture	PA
5.5	Restricted Agricultural	RA
5.6	Rural	RU
5.7	Estate Residential	ER
5.8	Rural Residential	RR
5.9	Shoreline Residential	SR
5.10	Hamlet Residential	HR
5.11	Residential Type 1	R1
5.12	Residential Type 2	R2
5.13	Residential Type 3	R3
5.14	Residential Type 4	R4
5.15	Residential Type 5	R5
5.16	Residential Type 6	R6
5.17	Community Facility	CF
5.18	Institutional	I
5.19	Hamlet Commercial	C1
5.20	Highway Commercial	C2
5.21	Rural Commercial	C3
5.22	Shopping Centre Commercial	C4
5.23	Village Commercial	C5
5.24	Recreation Commercial	C6
5.25	Light Industrial	M1
5.26	Rural Industrial	M2
5.27	General Industrial	M3
5.28	Extractive Industrial	M4
5.29	Waste Management	M5
5.30	Future Development	D

5.2 ENVIRONMENTAL PROTECTION (EP) ZONE

No person shall within any Environmental Protection (EP) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.2.1 Uses Permitted

1. Residential Uses
   - Prohibited
2. Non-Residential Uses
   - Farm, exclusive of any permanent building
   - Conservation Use
   - Forestry Use
   - Public Park, exclusive of any permanent building
   - Public Use in accordance with the General Provisions of this By-law
   - Structures for flood or erosion control
3. Accessory Uses
   - Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law

5.2.2 Zone Provisions

1. Yards (minimum)
   a) Front Yard……..……... 30 metres
   b) Exterior Side Yard……..……. 30 metres
   c) Interior Side Yard……..…….. 30 metres
   d) Rear Yard……..……..…….. 30 metres
2. Lot Coverage (maximum)……..……..…… 10%
3. Height of Buildings (maximum)……..…… 10 metres

5.2.3 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.2.4 Exception Zone Provisions – Environmental Protection (EP) Zone

5.2.4.1 Environmental Protection Exception One (EP-1) Zone

Notwithstanding Section 4.11, on the lands described as Part of Lots 13 & 14, Broken Front Concession, former Village of Bath, now Loyalist Township (Parts 1-5, Plan 29R-10238) zoned EP-1 Zone, no building or structure should be erected or altered within the floodplain or within 10 metres of the floodplain.

All other Provisions of the Environmental Protection (EP) Zone apply.

5. 2.4.2 Environmental Protection Exception Two (EP-2) Zone

By-law 2017-78

For the property consisting of 0. 17 hectares described as Part of Lot 28, Concession 3, Part 2.

on Reference Plan 29R-9204 located at 774 Lucas Road, the following Provisions apply to the EP-2 Zone:

1. A maximum 37. 5 square metre storage shed is a permitted use.
2. Yards (minimum)
   a) Front Yard……..……. 5 metres
   b) Interior Side Yard……...……. 5 metres
   c) Rear Yard…….…… 5 metres
   d) Setback from Centreline of Lucas Road……..…... 10 metres

All other Provisions and Uses of the Environmental Protection (EP) Zone shall apply.

5.3 OPEN SPACE (OS) ZONE

No person shall within any Open Space (OS) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.3.1 Uses Permitted

1. Residential Uses
   - Accessory Single Detached Dwelling House.
2. Non-Residential Uses

- Community Garden;
- Conservation or other similar use that provides for the preservation of the Natural Environment;
- Eating Establishment, mobile;
- Fairgrounds;
- Farmer's Market;
- Forestry Use;
- Golf Course;
- Golf, Driving Range;
- Park;
- Public use in accordance with the General Provisions of this By-law;
- Water Tower; and
- Water Treatment Control Plant.

3. Accessory Uses
   - Uses, buildings, and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law.

5.3.2 Zone Provisions for Single Detached Dwellings

By-law 2011-76

1. Lot Area (minimum)…….. 0.5 ~~ha~~hectares
2. Lot Frontage (minimum)…….... 60 metres
3. Yards (minimum)
   a) Front Yard…….. 15 metres
   b) Exterior Side Yard……..……. 10 metres
   c) Interior Side Yard……..……. 5 metres
   d) Rear Yard……..……... 10 metres
4. Dwelling ~~Unit~~ Area (minimum)……..…… 96 square metres
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Number of Dwelling Houses Per Lot (maximum)……..……. 1

7. Height of Buildings (maximum)…….…… 10 metres

5.3.3 Zone Provisions for Non-Residential Uses

1. Yards (minimum)
   a) Front Yard…….. 15 metres
   b) Exterior Side Yard……..…… 7.5 metres
   c) Interior Side Yard……..……. 3 metres
   d) Rear Yard…….……..……... 15 metres
2. Lot Coverage (maximum)……..……..…… 10%
3. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
4. Landscaped Open Space (minimum)……..……...…… 60%
5. Height of Buildings (maximum)……..…… 12 metres

5.3.4 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.3.5 Exception Zone Provisions – Open Space (OS) Zone

5.3.5.1 Open Space Exception One (OS-1) Zone

By-law 2025-69

Part of Lots 8, 9 and 10, Concession 1, Bath.

On the lands zoned OS-1 the following Zone Provisions shall apply:

For the purposes of this By-law the following definitions shall apply:

Country Club: Premises operated in conjunction with a golf course for use by members, guests and visitors and may include uses, buildings and structures accessory to any permitted uses specified in the OS-1 Zone and in accordance with the General Provisions of this By-law in addition to indoor and outdoor recreational or sports activities and may include fitness/wellness services, and instructional classes.

Clubhouse: Building or structure at a golf course for use by members, guests and visitors, that includes locker rooms, change rooms, golf pro shop, restaurant, fitness

rooms or studios, general purpose rooms, banquet hall, indoor swimming pool, and similar recreational facilities.

Notwithstanding Section 5.3.1., Subsection 2.~~b)~~, the following Non-Residential Uses shall also be permitted:

- Country Club
- Clubhouse

Within the OS-1 Zone, the following Provisions apply:

1. Minimum Distance from any Buildings or Structures to:
   a) A Residential Zone…… 10.0 metres
2. Minimum Distance of Outdoor Amenity Areas or Patios to:
   a) A Residential Zone…… 10.0 metres
3. Minimum Aisle Width for Parking Area……..…….. 6.5 metres

All other Provisions of the OS Zone apply.

5.3.5.2 Open Space Exception Two (OS-2) Zone

By-law 2011-76

Within the OS-2 Zone, the following Provisions apply:

1. Front Yard (minimum)……..…… 9 metres
2. Exterior Side Yard (minimum)……..…… 6 metres
3. Lot Coverage (maximum)……..……..…..……... 60%
4. Landscaped Open Space (minimum)……..……... 20%
5. Setback from Street Centreline……..……..……. 16 metres

5.3.5.3 Open Space Exception Three (0S-3) Zone

Part of Lot 1, North Shore Concession; Amherst Island (Stella).

Within the OS-3 zone the uses permitted include a farmer’s market.

5.3.5.4 Open Space Exception Four (0S-4) Zone

By-law 2013-24

1. Uses Permitted

   No person shall within any OS-4 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following OS-~~X~~4 uses, namely:

   a) Residential Uses

   - Prohibited

   b) Non-Residential Uses

   - A Breakwater

2. Zone Provisions

   No person shall within any OS-4 Zone use any lot or erect, alter or use any building or structure except in accordance with the following Provisions:

   a) All Provisions N/A

5.3.5.5 Open Space Exception Five (OS-5) Zone

By-law 2013-114

In the OS-5 Z~~z~~one, the only permitted uses shall be:

- Conservation or other similar use that provides for the preservation of the natural environment
- Public park
- Public use in accordance with the General Provisions of this By-law

5.3.5.6 Open Space Exception Six (OS-6) Zone

By-law 2017-71

On the lands described as Part of Lots 13 & 14 Broken Front Concession former Village of Bath, now Loyalist Township (Parts 1-5, Plan 29R-10238) zoned 0~~5~~S-6 Zone, the permitted uses within the 150m buffer of the Bath Sewage Treatment Plant located at 50 Sir John Johnson Drive shall apply:

5.3.5.6.1 ~~Permitted~~ Uses Permitted

1. Non-Residential Uses
   - Conservation Use
   - Parking

- Public Use

2. Lot Area (minimum)…… 1000 square metres
3. Lot Frontage (minimum)…… 30.0 metres
4. Yards (minimum)
   a) Front Yard…… 4.0 metres
   b) Exterior Side Yard…….. 3.0 metres
   c) Interior Side Yard…… 1.2 metres
   d) Rear Yard…… 7.5 metres

All other Provisions of the Open Space (OS) Zone apply.

5.3.5.7 Open Space Exception Seven (OS-7) Zone

By-law 2023-78

For lands zoned OS-7, the following Uses and Provisions apply:

1. Non-Residential Uses
   a) Private Park limited to the following:
      - Landscaped open space
      - Gazebo
      - Water Fountain
      - Benches
2. Residential Uses
   - Prohibited
3. Provisions
   Rear Yard (minimum)…… 3 metres

All other Provisions of the OS Zone shall apply.

5.4 PRIME AGRICULTURE ZONE (PA) ZONE

No person shall within any Prime Agricultural (PA) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.4.1 Uses Permitted

1. Residential Uses
    - Single Detached Dwelling House
    - Existing Converted Dwelling House
    - Group Home
    - Home Occupation or Home Industry
2. Non-Residential Uses
    - Asphalt Plant, portable
    - Cannabis Production Facility, provided the maximum area of buildings and structures devoted to the use shall not exceed 600 square metres
    - Conservation
    - Equestrian Centre
    - Farm
    - Farm E~~e~~xperience A~~a~~ctivity
    - Farm processing as an A~~a~~ccessory U~~u~~se to a F~~f~~arm
    - Farm processing – V~~v~~alue A~~a~~dded
    - Farm Produce Sales Outlet
    - An Existing Cemetery
    - Forestry
    - Kennel
    - Nursery Farm
    - Public Park
    - Public use or utility in accordance with the General Provisions of this By-law
    - Wayside pit or quarry, and a portable asphalt plant as an Accessory Use to a permitted wayside pit or quarry
    - Winery, farm
3. Accessory Uses
    - Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law.

5.4.2 Provisions for Residential Uses

By-law 2011-76

1. Lot Area (minimum)…….. 0.5 ~~ha~~hectares
2. Lot Frontage (minimum)……..……... 60 metres
3. Yards (minimum)
   a) Front Yard…….. 10 metres
   b) Exterior Side Yard……..…… 10 metres
   c) Interior Side Yard……..…… 5 metres
   d) Rear Yard……..……... 10 metres
4. Dwelling Unit Area (minimum)……..…… 96 square metres
5. Lot Coverage (maximum)……..……...…… 10%
   On existing lots of record with an area of less than 0.2 hectares, the maximum lot coverage may be increased to……..…… 15%
6. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
7. Number of Dwelling Houses Per Lot (maximum)……..……..…… 1
8. Height of Buildings (maximum)……..…… 10 metres
9. Distance Separation Requirements:
   In accordance with the General Provisions of this By-law.

5.4.3 Provisions for Non-Residential Uses

1. Lot Area (minimum)……..……..…….. 40 hectares
2. Lot Frontage (minimum)……..…… 200 metres
3. Yards (minimum)
   a) Front Yard…….. 30 metres
   b) Exterior Side Yard……..…….. 30 metres
   c) Interior Side Yard……..…….. 15 metres
   d) Rear Yard……..…….. 30 metres
4. Lot Coverage (maximum)……..……..…… 10%
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.

6. Height of Buildings (maximum)…….…… 12 metres
7. Distance Separation Requirements:
   In accordance with the General Provisions of this By-law.

5.4.4 Provisions for Kennels

No Kennel shall be erected within 60 metres of the lot line of adjacent lands which are held under distinct and separate ownership. Where a kennel existed as of the date of passing of this By-law which does not comply with the 60-metre setback, such kennel shall not be extended, enlarged, reconstructed or altered if the effect is to reduce or encroach on the setback.

5.4.5 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.4.6 Exception Zone Provisions – Prime Agricultural (PA) Zone

5.4.6.1 Prime Agriculture Exception One (PA-1) Zone

By-law 2006-49

For property described as part of Lot 10, Concession 3, 1867 McIntyre Road, this area is zoned Prime Agriculture Exception One (PA-1) and the following Provisions apply:

1. Only Residential Uses Permitted:
   Apartment dwelling house but restricted to no more than four (4) dwelling units.
2. The maximum floor area of the apartment dwelling house shall not exceed 340 square metres.
3. The minimum floor area of dwelling units be as follows
   a) One-Bedroom Dwelling Unit……. 56 square metres
   b) Two-Bedroom Dwelling Unit……. 70 square metres
   c) Three-Bedroom Dwelling Unit……. 80 square metres

All other Provisions of the Prime Agriculture (PA) apply.

5.4.6.2 Prime Agriculture Exception Two (PA-2) Zone

For the property described as Part of Lot 8, Concession 3, and addressed as 2030 Withers Road, the following Provision applies:

1. Lot Area – Residential Uses Only (minimum)……..…….. 0.5 hectares

All other Provisions of the Prime Agriculture (PA) Zone apply.

5.4.6.3 Prime Agriculture Exception Three (PA-3) Zone

By-law 2009-37

For the property described as Part of Lot 5, Concession 2, 2123 County Road 22, the following Provisions apply:

On the lands zoned PA-3 a Duplex or Semi-Detached Dwelling House is permitted.

All other Provisions and Uses of the Prime Agriculture (PA) Zone apply.

5.4.6.4 Prime Agriculture Exception Four (PA-4) Zone

By-law 2012-087
By-law 2019-001

Within the PA-4 Zone, the following Non-Residential Permitted Use is added:

- On-Farm Craft Brewery
- Assembly Hall which shall not exceed the maximum occupancy of 100 persons, such use may occur inside and/or outside with no limitation on occupancy for outside events only
- A Retail Establishment, associated with the on-farm craft brewery, shall be permitted to a maximum of 186 square metres
- Farmer's Market which shall not exceed 12 vendors at any one time and shall not exceed operations of 2 times per month

All other Provisions and Uses of the Prime Agriculture (PA) Zone apply.

5.4.6.5 Prime Agriculture Exception Five (PA-5) Zone

By-law 2012-109

Within the PA-45 Zone, the following are the only Non-Residential Permitted Uses allowed:

- Conservation

- Farm provided the maximum amount of livestock is five (5) horses or the equivalent amount of nutrient units, as defined under the *Nutrient Management Act*
- Forestry
- Public Park
- Public use or utility in accordance with the General Provisions of this By-law

5.4.6.6 Prime Agricultural Exception Six (PA-6) Zone

By-law 2016-96

For the property described as Part of Lots 11 & 12, Concession 2, save and except Part 7of Reference Plan 29R-6599 located at 1742 McIntyre Road.

Within the PA-6 Zone, the following zone Provision shall apply:

1. No Residential Uses are permitted.

All other Provisions and Uses of the Prime Agriculture (PA) Zone apply.

5.4.6.7 Reserved

5.4.6.8 Prime Agricultural Exception Eight (PA-8) Zone

By-law 2019-77

For the property described as Part of Lots 19, 20, 21 Concession 2, being Part 2 on 29R-4843 located at 533 County Road 4. The following Provisions shall apply:

1. Southerly Side Lot Line Setback for a Kennel ……..……. 22 metres
2. Rear Lot Line Setback for a Kennel…….....17 metres
3. Minimum Lot Area for a Kennel……. 3.3 hectares
4. Minimum Lot Frontage for a Kennel……..…… 152 metres

All other Provisions of the Prime Agriculture (PA) Zone shall apply.

5.4.6.9 Prime Agricultural Exception Nine (PA-9) Zone

By-law 2025-45

For the lands zoned PA-9, applicable to the retained portion of the subject land municipally known as 1829 County Road 5, the following Zone Provisions shall apply:

1. Residential Uses are prohibited.
2. Lot Area (minimum)…….. 22 hectares
   ~~The minimum lot area is 22 hectares~~
3. Lot Frontage (minimum)…….. 125 metres
   ~~The minimum lot frontage is 125 metres~~

All other Uses and Provisions of the PR Zone shall apply.

5.5 RESTRICTED AGRICULTURAL (RA) ZONE

No person within any Restricted Agricultural (RA) Zone shall use any lot or erect, alter, or use any building or structure except as specified hereunder.

5.5.1 Uses Permitted

1. Residential Uses
   - Single Detached Dwelling House
   - Existing Converted Dwelling House
   - Group Home
   - Home Occupation or Home Industry
2. Non-Residential Uses
   - Cemetery ~~(existing)~~
   - Community Ggarden
   - Conservation
   - Existing Farm
   - Farm Produce Sales Outlet
   - Forestry
   - Nursery Farm
   - Public Park
   - Place of Worship
   - School, Public or Private
   - Public Use in accordance with the General Provisions of this By-law
3. Accessory Uses

- Uses, buildings, and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law

5.5.2 Provisions for Residential Uses

By-law 2011-76

1. Lot Area (minimum)…….. 0.5 hectares
2. Lot Frontage (minimum)…….. 60 metres
3. Yards (minimum)
   a) Front Yard…….. 15 metres
   b) Exterior Side Yard……. 10 metres
   c) Interior Side Yard……. 5 metres
   d) Rear Yard…… 10 metres
4. Dwelling Unit Area (minimum)…… 96 square metres
5. Landscaped Open Space (minimum)…… 30%
6. Lot Coverage (maximum)…… 10%
   On existing lots of record with an area of less than 0.2 hectares, the maximum lot coverage may be increased to…….. 15%
7. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
8. Number of Dwelling Houses per Lot (maximum)…….. 1.0
9. Height of Building (maximum)…… 10 metres
10. Distance Separation Requirements:
    In accordance with the General Provisions of this By-law.

5.5.3 Provisions for Non-Residential Uses

1. Lot Area~~s~~ (minimum)…… 5 hectares
2. Lot Frontage (minimum)…… 100 metres
3. Yards (minimum)
   a) Front Yard…….. 15 metres
   b) Exterior Side Yard……. 15 metres

c) Interior Side Yard……..…….. 10 metres
d) Rear Yard……..……... 15 metres

4. Lot Coverage (maximum)……..……..…… 10%
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Height of Building……..……..…….. 12 metres
7. Distance Separation Requirements:
   In accordance with the General Provisions of this By-law.

5.5.4~~5~~ General Provisions

In accordance with Section 4, General Provisions of this By-law.

5.5.5~~6~~ Exception Provisions – Restricted Agricultural (RA) Zone

5.6 RURAL ZONE (RU) ZONE

No person shall within any Rural (RU) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.6.1 Uses Permitted

1. Residential Uses
   - Single Detached Dwelling House
   - Existing Converted Dwelling House
   - Group Home
   - Home Occupation or Home Industry
2. Non-Residential Uses
   - Asphalt Plant; Portable
   - ~~An existing~~ Cemetery
   - Cannabis P~~p~~roduction F~~f~~acility, provided the maximum area of buildings and structures devoted to the use shall not exceed 600 square metres

- Community garden
- Conservation and Forestry Uses
- Equestrian Centre
- Farm
- Farm Eexperience Aactivity
- Farm processing as an Aaccessory Uuse to a Ffarm
- Farm processing – Vvalue Aadded
- Farm Produce Sales Outlet
- Kennel
- Nursery Farm
- Place of Worship
- Public Park
- Public Use or Utility in accordance with the General Provisions of this By-law and
- Wayside Pit or Quarry and a Portable Asphalt Plant as an Accessory Use to a permitted Wayside Pit or Quarry
- Winery, Ffarm

3. Accessory Uses
   - Uses, buildings, and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law

5.6.2 Provisions for Residential Uses

By-law 2011-76

1. Lot Area (minimum)…….…….…….…….…….…. 0.5 hectares
2. Lot Frontage (minimum)…….…….…….…….…... 60 metres
3. Yards (minimum)
   a) Front Yard…….…….…….…….…….…….…….. 10 metres
   b) Exterior Side Yard…….…….…….…….…….…. 10 metres
   c) Interior Side Yard…….…….…….…….…….…. 5 metres
   d) Rear Yard…….…….…….…….…….…….…... 10 metres
4. Dwelling Unit Area (minimum)…….…….…….…….…. 96 square metres
5. Lot Coverage (maximum)…….…….…….…….…….…. 30%

6. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
7. Number of Dwelling houses per Lot (maximum)…….…… 1
8. Height of Buildings (maximum)……..…… 10 metres
9. Distance Separation Requirements:
   In accordance with the General Provisions of this By-law.

5.6.3 Provisions for Non-Residential Uses

1. Lot Area (minimum)……..…….…….. 10 hectares
2. Lot Frontage (minimum)……..……. 150 metres
3. Yards (minimum)
   a) Front Yard…….. 30 metres
   b) Exterior Side Yard……..……. 30 metres
   c) Interior Side Yard……..…….. 15 metres
   d) Rear Yard……..……... 30 metres
4. Lot Coverage (maximum)……. 10%
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Height of Buildings (maximum)……..… 12 metres
7. Distance Separation Requirements:
   In accordance with the General Provisions of this By-law.
8. Notwithstanding the minimum lot area requirements for N~~n~~on-R~~r~~esidential U~~u~~ses in the Rural Z~~z~~one, existing lots of record between 4 and 10 hectares may have a hobby farm provided all other P~~p~~rovisions of the Rural Z~~z~~one are met. A legal lot of record must have existed as of the date of the passing of this By-law.

5.6.4 Provisions for Kennels

No Kennel shall be erected within 60 metres of the lot line of adjacent lands which are held under distinct and separate ownership. Where a kennel existed as of the date of passing of this By-law which does not comply with the 60-metre setback, such kennel

shall not be extended, enlarged, reconstructed or altered if the effect is to reduce or encroach on the setback.

5.6.5 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.6.6 Exception Zone Provisions – Rural (RU) Zone

5.6.6.1 Rural Exception One (RU-1) Zone

Part of Lots 30 and 31, Concession 6.

On the lands zoned RU-1 the following Zone Provisions shall apply:

1. Lot Frontage (minimum)……..……..……. 168.5 metres
2. Interior Side Yard (minimum) for Existing Barn……..…….. 34.3 metres
3. The keeping of livestock is prohibited in the existing barn.

5.6.6.2 Rural Exception Two (RU-2) Zone

Part of Lot 24, Concession 3, Part 1, Plan 29R-311, and Parts 1 and 2 Plan 29R-5890.

On the lands zoned RU-2 the following Zone Provisions shall apply:

1. Separation Distance - Barns
    a) No stable, barn, shelter, pen, cage, kennel or other farm building or structure shall be erected or used on the lands zoned RU-2 except in accordance with the following Provisions:
        i) 72 metres from a dwelling addressed as 1003 Lucas Road.
        ii) 105 metres from a dwelling addressed as 1011 Lucas Road.
        iii) The requirements of the Minimum Distance Separation Calculations I and II from all other dwellings.

5.6.6.3 Rural Exception Three (RU-3) Zone

Part of Lots 18 and 19, Concession 6; being parts 1 and 2 on Plan of Survey 29R-8057.

Within the RU-3 Zone the minimum required side yard from the most easterly lot line shall be 365 metres.

5.6.6.4 Rural Exception Four (RU-4) Zone

Part of Lot 19, Concession 2; being parts 1 and 2 on Plan of Survey 29R-7954.

Within the RU-4 Zone the uses permitted include an apartment ~~building~~dwelling house, or a boarding or ~~rooming~~ lodging house in accordance with the following Provisions:

1. Floor Area (maximum)……..…….... 344 square metres
2. Dwelling (Apartment) Unit (maximum)……..…..…… 3
3. Dwelling (Apartment) Unit Floor Area (minimum)……..…….... 79 square metres
4. Boarding or ~~rooming~~ L~~l~~odging House
   a) Floor Area (minimum)……..…… 162 square metres
   b) Guest Rooms (maximum)……..……..…….. 4
   c) Guest Room Floor Area (minimum)……..…..……. 23 square metres
   d) Floor Area of Proprietor's Unit (minimum)..…...…… 79 square metres

5.6.6.5 Rural Exception Five (RU-5) Zone

Part of Lot 23, Concession 7.

Within the RU-5 Zone the following is also permitted:

1. One (1) ~~attached single housekeeping~~additional residential unit in addition to a Single Detached Dwelling House;
2. Floor Area of Attached Housekeeping Unit (maximum)……. 180 square metres

5.6.6.6 Rural Exception Six (RU-6) Zone

By-law 2002-95
By-law 2004-30
By-law 2011-76

On the lands zoned RU-6, in addition to the existing permitted Residential Uses, either a S~~s~~ingle D~~d~~etached D~~d~~welling H~~h~~ouse or a S~~s~~emi-D~~d~~etached D~~d~~welling H~~h~~ouse are permitted uses. ~~A two-unit dwelling house is allowed instead of a single unit dwelling house.~~ A maximum of two Dwelling Units are permitted on the property. The minimum

Dwelling Unit Area shall be 84 square metres.

Notwithstanding the minimum Lot Frontage, Front Yard and Interior Side Yard Provisions of the Rural (RU) Zone, the following Provisions apply:

1. ~~Minimum~~ Interior Side Yard (minimum) (For 6995 County Road 2) for most easterly lot line..... ~~–~~ 0.84 metres~~.~~
2. ~~Minimum~~ Front Yard (minimum) (For 6995 County Road 2)..... – 3.37 metres~~.~~
3. ~~Minimum~~ Lot Frontage (minimum)..... – 59.9 metres~~.~~

All other Provisions of the RU Zone apply.

5.6.6.7 Rural Exception Seven (RU-7) Zone

By-law 2004-49

On the lands zoned RU-7, the following are the only permitted Residential Uses:

Residential Uses

- An Existing Triplex Dwelling House
- Single Detached Dwelling House

All other Provisions of the RU Zone pertain.

5.6.6.8 Rural Exception Eight (RU-8) Zone

By-law 2004-85

On the lands zoned RU-8, in addition to the existing permitted Residential Uses, a secondary dwelling house is allowed. A maximum of two dwellings are permitted on the property. The minimum area of the secondary dwelling shall be 70 square metres, with a maximum floor area of 165 square metres.

5.6.6.9 Rural Exception Nine (RU-9) Zone

By-law 2006-88

For the property described as Part of Lot 42, Concession 5, designated as Part 1 on Reference Plan 29R-2592, and addressed as 19 Mud Lake Road North, the following Provision applies:

1. All Residential and Non-Residential Uses are prohibited within 120 metres of the

Millhaven Creek Wetland, except a farm and conservation and forestry uses. Regarding the farm use, no farm related buildings or structures shall be allowed on land zoned RU-9.

All other Provisions of the Rural (RU) Zone apply.

5.6.6.10 Rural Exception Ten (RU-10) Zone

For the property described as Part of Lot 22, Concession 2, designated as Part 1 on Reference Plan 29R-7078 and addressed as 1122 Millhaven Road, the following Provision applies:

Minimum Lot Area for Non-Residential Use…….…….. 9.3 acres

Number of permitted nutrient units allowed (maximum)…… 3 nutrient units

For the purpose of determining nutrient units, the *Nutrient Management Act, 2002* applies:

All other Provisions of the Rural (RU) Zone apply.

5.6.6.11 Rural Exception Eleven (RU-11) Zone

For the property described as Lot 35 and 36, Concession 2, County Road 6, the following Provisions apply:

The following Provisions apply to the RU-11 Zone:

1. Lot Area (maximum)……..……. 1.6 hectares
2. Lot Frontage (maximum)…….…… 125 metres
3. Additional permitted Non-Residential Use:
   Garden and Nursery Sales and Supply Establishment.
4. Vehicles incidental to the business are permitted.

All other Provisions and Uses of the Rural (RU) Zone apply.

5.6.6.12 Rural Exception Twelve (RU-12) zone

For the property described as Lot 8, Concession 6, 2014 – 2056 Switzerville Road the

following Provisions apply to the RU-12 Zone:

1. Lot Area (maximum)…….…….. 2.0 hectares
2. Lot Frontage (maximum)…….……...…… 100 metres
3. Additional permitted Non-Residential Use:
   Club, Commercial for athletic fitness and recreational purposes.
4. Parking Spaces (minimum)…..……. 12 spaces
5. Maximum Occupancy Other than Employees..……..…….. 12 persons
6. Maximum Total Floor Area for Commercial Club Use..……..….... 280 square metres

All other Provisions and uses of the Rural (RU) Zone apply.

5.6.6.13 Rural Exception Thirteen Zone (RU-13)

By-law 2009-24

For the property described as part of Lots 31 and 32, Concession 1, Parts 1, 2, 3, 4 and 5 on Plan 29R-9569, the following Provisions apply to the RU-13 zone:

1. Additional permitted Non-Residential Use:
   - Park for soccer, rugby, touch football and ultimate frisbee sports fields.
2. Notwithstanding Section 4.12 of this By-law, non-residential buildings or structures may be built on this property, but shall be accessory to the park for soccer, rugby, touch football and ultimate frisbee sport fields and be limited to accessory storage buildings, one canteen, washrooms including ancillary private sewage treatment facilities, one field house with a maximum gross floor area of 140 square metres and bleachers. No sports field shall be enclosed in a building or structure.
3. All other Provisions of the Rural Zone apply.

5.6.6.14 Rural Exception Fourteen Zone (RU-14) Zone

By-law 2019-63

For lands zoned RU-14, the following are the only permitted Residential Uses:

1. Residential Uses
   - Single Detached Dwelling House
   - Semi-Detached Dwelling House

- Triple Dwelling House
- Home Occupation

2. Lot Coverage (maximum)…….……..…… 50%
3. Lot Frontage (minimum)……..…….. 25 metres

5.6.6.15 Rural Exception Fifteen (RU-15) Zone Reserved

5.6.6.16 Rural Exception Sixteen (RU-16) Zone

By-law 2023-47

For lands zoned RU-16, a maximum of one secondary unit in a detached accessory building or structure is a permitted Residential Use secondary to the existing primary residence.

Notwithstanding Section 4.1.4, the maximum permitted height of the secondary unit in a detached accessory building or structure is:

1. Height (maximum)……..…… 6.1 metres

5.6.6.17 Rural Exception Seventeen (RU-17) Zone

By-law 2023-58

In addition to the permitted Uses and Provisions of the Rural (RU) Zone, the following Uses and Provisions are permitted in the RU-17 Zone:

- A maximum of one secondary dwelling unit on the second floor of a detached accessory building
- Maximum height of an accessory building with a secondary dwelling unit…... 7.93 metres

All other Uses and Provisions of the RU Zone shall apply.

5.6.6.18 Rural Exception Eighteen (RU-18) Zone

By-law 2024-36

The RU-18 Zone will be limited to the following uses:

1. Residential Uses
    - Single Detached Dwelling House

- Group Home
- Home Occupation and Home Industry

2. Non-Residential Uses
   - Kennel
   - Hobby Farm
   - Conservation and Forestry Uses
   - Public Uses or Utility in accordance with the General Provisions of the Township's Comprehensive Zoning By-law

3. Accessory Uses
   - Uses, buildings, and structures accessory to any of the permitted uses in accordance with the General Provisions of the Township's Comprehensive Zoning By-law

Definitions:

Hobby Farm – For the purposes of the RU-18 Zone, a Hobby Farm is defined as a farm residence where horses are boarded and kept in a farm building capable of holding a maximum of 5 nutrient units as defined, under the *Nutrient Management Act, 2002*. All buildings related to the hobby farm are to be clearly subordinate and incidental to the Residential Use.

Provisions for Non-Residential Uses:

1. Lot Area (mMinimum)…… 6 hectares

All other requirements of the Rural (RU) Zone shall apply.

5.7 ESTATE RESIDENTIAL ZONE (ER) ZONE RESERVED

No person shall within any Estate Residential (ER) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.7.1 USES PERMITTED

a) Residential Uses

· Single Detached dwelling house;

· Group Home; and

- Home Occupation.

b) Non-residential Uses

- Public Park; and
- Public use or utility in accordance with the general provisions of this By-law.

c) Accessory Uses

Uses, buildings, and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law.

5.7.2 ZONE PROVISIONS

a) Lot Area (minimum) ..... 0.8 ha

b) Lot Frontage (minimum) ..... 60 metres

c) Yards (minimum):

i) Front Yard ..... 15 metres

ii) Exterior Side Yard ..... 10 metres

iii) Interior Side Yard ..... 5 metres

iv) Rear Yard ..... 15 metres

d) Dwelling Unit Area (minimum) ..... 130 square metres

e) Lot Coverage (maximum) ..... 20 percent

f) Setback from Street Centreline:

In accordance with the General Provisions of this By-law.

g) Number of Dwelling Houses Per Lot (maximum) 1

h) Height of Buildings (maximum) ..... 10 metres

i) Separation Requirements:

In accordance with the General Provisions of this By-law.

5.7.3 GENERAL ZONE PROVISIONS

~~In accordance with Section 4, General Provisions of this By-law.~~

~~5.7.4 EXCEPTION ZONE PROVISIONS - ESTATE RESIDENTIAL (ER) ZONE~~

5.8 RURAL RESIDENTIAL (RR) ZONE

No person shall within any Rural Residential (RR) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.8.1 Uses Permitted

1. Residential Uses
   - Single Detached Dwelling House
   - Group Home
   - Home Occupation
2. Non-Residential Uses
   - Community Garden
   - Public Park
   - Public Use or Utility in accordance with the General Provisions of this By-law
3. Accessory Uses
   - Uses, buildings, and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law

5.8.2 Zone Provisions for Residential Uses

By-law 2011-76

1. Lot Area (minimum)…….. 0.5 hectares
2. Lot Frontage (minimum)…….... 60 metres
3. Yards (minimum)
   a) Front Yard…….. 15 metres
   b) Exterior Side Yard…….. 10 metres
   c) Interior Side Yard…….. 5 metres
   d) Rear Yard…….... 10 metres

4. Dwelling Unit Area (minimum)…….…… 96 square metres
5. Lot Coverage (maximum)……..……...…… 30%
6. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
7. Number of Dwelling Houses Per Lot (maximum)…… 1
8. Height of Buildings (maximum)…….…… 10 metres
9. Distance Separation Requirements:
   In accordance with the General Provisions of this By-law.

5.8.3 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.8.4 Exception Provisions – Rural Residential (RR) Zone

5.8.4.1 Rural Residential Exception One (RR-1) Zone

Part of Lot 24, Concession 3, Part 1, Plan 29R-311, and Parts 1 and 2 Plan 29R-5890.

On the lands zoned RR-1 the following Zone Provision shall apply:

1. Front Yard Setback (minimum)……..…… 22.5 metres

5.8.4.2 Rural Residential Exception Two (RR-2) Zone

5818 County Road #2.

On the lands zoned RR-2 a maximum of one single attached dwelling unit shall be allowed in addition to a Single Detached Dwelling House. The single attached Dwelling Unit shall have a maximum gross floor area of 98 square metres.

5.8.4.3 Rural Residential Exception Three (RR-3) Zone

Part of Lots 42 and 43, Concession 6; Being part 6 of Plan of Survey 29R-793.

Within the RR-3 Zone the following applies:

1. Rear Yard (minimum)……..……... 8.5 metres

5.8.4.4 Rural Residential Exception Four (RR-4) Zone

By-law 2008-34
By-law 2013-73

For the property described as PLAN 13A, Lot 5, 6, 7, Part 1 on Reference Plan 29R-3070, and a portion of Part 1 of Plan 29R-4753, totaling approximately 1 acre, and addressed 466 Absalom Street, the following Provisions apply:

On the lands zoned RR-4 a Triplex, Duplex or Semi-Detached Dwelling House is permitted.

All other Provisions and Uses of the Rural Residential (RR) Zone apply.

5.9 SHORELINE RESIDENTIAL (SR) ZONE

No person shall within any Shoreline Residential (SR) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.9.1 Uses Permitted

1. Residential Uses
   - Single Detached Dwelling House
   - Group Home
   - Home Occupation
2. Non-Residential Uses
   - Community Garden
   - Public Park
   - Public Use or Utility in accordance with the General Provisions of this By-law
3. Accessory Uses
   - Uses, buildings, and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law

5.9.2 Zone Provisions for Residential Uses

By-law 2011-76

1. Lot Area (minimum)…….. 0.5 hectares
2. Lot Frontage (minimum)…….... 60 metres
3. Yards (minimum)
   a) Front Yard…….. 10 metres
   b) Exterior Side Yard…….. 10 metres
   c) Interior Side Yard…….. 5 metres
   d) Rear Yard…….... 10 metres
4. Dwelling Unit Area (minimum)…….. 96 square metres
5. Lot Coverage (maximum)…….. 30%
6. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
7. Number of Dwelling Houses Per Lot (maximum)…….. 1
8. Height of Buildings (maximum)…….. 10 metres
9. Distance Separation Requirements:
   In accordance with the General Provisions of this By-law.

5.9.3 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.9.4 Exception Zone Provisions – Shoreline Residential (SR) Zone

5.9.4.1 Shoreline Residential Exception One (SR-1) Zone

Part of lot 5, North Shore Concession, Amherst Island.

On the lands zoned SR-1 the following Zone Provisions shall apply:

1. Setback from Highwater Mark (minimum)…….. 20 metres
2. The keeping of livestock is prohibited in the existing barn.

5.9.4.2 Shoreline Residential Exception Two (SR-2) Zone

On the lands zoned SR-2 a farm is a permitted use, and livestock facilities are a permitted Accessory Use in accordance with the General Provisions of this By-law.

5.9.4.3 Shoreline Residential Exception Three (SR-3) Zone

On the lands zoned SR-3 a home industry and a farm are permitted uses.

5.9.4.4 Shoreline Residential Exception Four (SR-4) Zone

Within the SR-4 uses permitted include a home industry and a motor vehicle body shop provided the motor vehicle body shop is carried on within the existing buildings.

5.9.4.5 Shoreline Residential Exception Five (SR-5) Zone

On the lands zoned SR-5, one residential lot is permitted to have lot frontage on a private right-of-way instead of an improved public street.

All other provisions of the SR and SR-2 zones apply.

5.9.4.6 Shoreline Residential Exception Six (SR-6) Zone

By-law 2004-10

On the lands zoned SR-6; an accessory building with an area no greater than 100 square foot~~ft²~~ use is allowed prior to establishment of the permitted main use or building. All other requirements of the SR zone remain in force.

5.9.4.7 Shoreline Residential Exception Seven (SR-7) Zone

By-law 2004-49

On the lands zoned SR-7, the minimum interior side yard shall be 2.0 metres. All other Provisions of the SR Zone apply.

5.9.4.8 Shoreline Residential Exception Eight (SR-8) Zone

By-law 2005-60

On the lands zoned SR-8, all Zoning Provisions of the SR and SR-2 Zone apply. In addition, notwithstanding Section 4.16 of the General Provisions Section of By-law 2001-38, a single guesthouse shall be allowed with a maximum total floor area of 121 square metres. The guesthouse shall not contain any facilities for the preparation of food other than a small counter and sink.

5.9.4.9 Shoreline Residential Exception Nine (SR-9) Zone

By-law 2005-72
By-law 2009-24

On the lands zoned SR-9; an accessory building with an area no greater than 100 square foot~~ft²~~ use is allowed prior to the establishment of the permitted main use or building. All other requirements of the SR zone remain in force.

5.9.4.10 Shoreline Residential Exception Eleven (SR-11) Zone

By-law 2025-35

For lands zoned SR-11, one secondary unit in a detached accessory building or structure is a permitted Residential Use secondary to the principal dwelling.

Notwithstanding any Provisions of this By-law to the contrary, the maximum total floor area of the secondary unit in a detached accessory building or structure shall be 372 square metres and shall be less than the total floor area of the principal dwelling.

Notwithstanding Section 4.1.4, the maximum permitted height of the secondary unit in a detached accessory building or structure is:

1. Height (maximum)…….…… 6.1 metres

Notwithstanding any Provision of this By-law to the contrary, this property shall be subject to a natural vegetative buffer strip extending up to 15 metres back from the water's edge which shall generally be maintained with no clear cutting of trees permitted. A shoreline access path for each dwelling through this area is permitted.

5.10 HAMLET RESIDENTIAL (HR) ZONE

No person shall within any Hamlet Residential (HR) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.10.1 Uses Permitted

1. Residential Uses
   - Single Detached Dwelling House
   - Group Home
   - Home Occupation
2. Non-Residential Uses
   - Community Garden
   - Public Park
   - Public Use or Utility in accordance with the General Provisions of this By-law
3. Accessory Uses
   - Uses, buildings, and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law

5.10.2 Zone Provisions for Single Detached Dwellings

By-law 2011-076

1. Lot Area (minimum)…….. 0.5 hectares
2. Lot Frontage (minimum)……... 45 metres
3. Yards (minimum)
   a) Front Yard……. 7.5 metres
   b) Exterior Side Yard…… 6 metres
   c) Interior Side Yard
      i) 4 metres on one side, and
      ii) 1.5 metres on the narrow (other) side, plus 0.6 metres on the narrow side for each additional or partial storey above the first.
   d) Rear Yard…… 7.5 metres
4. Dwelling Unit Area (minimum)…… 96 square metres
5. Lot Coverage (maximum)…… 30%
6. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
7. Number of Dwelling Houses Per Lot (maximum)…… 1
8. Height of Buildings (maximum)…… 10 metres

9. Distance Separation Requirement:
   In accordance with the General Provisions of this By-law.

5.10.3 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.10.4 Exception Provisions – Hamlet Residential (HR) Zone

5.10.4.1 Hamlet Residential Exception One (HR-1) Zone

On the lands zoned HR-1, in part of lots 18 and 19 in the hamlet of Millhaven, a mobile home ~~trailer~~ park is the only permitted use.

5.10.4.2 Hamlet Residential Exception Two (HR-2) Zone

Stella, Amherst Island.

On the lands zoned HR-2, a home industry and a contractor's yard are permitted.

5.10.4.3 Hamlet Residential Exception Three (HR-3) Zone

By-law 2005-61

Stella, Amherst Island.

On the lands zoned HR-3, a second hand shop, guest room accommodation, a private club and a commercial school are permitted within the existing building.

5.10.4.4 Hamlet Residential Exception Four (HR-4) Zone

Stella, Amherst Island.

On the lands zoned HR-4 a custom workshop is permitted.

5.10.4.5 Hamlet Residential Exception Five (HR-5) Zone

By-law 2006-87

Part of Lot 38, Concession 6, Wilton, 309 Simmons Road.

Part of Lot 1, North Shore Concession, Amherst Island, 5605 Front Road, Stella.

On the lands zoned HR-5 a Duplex or Semi-Detached Dwelling House is permitted.

5.10.4.6 Hamlet Residential Exception Six (HR-6) Zone

By-law 2011-076

Part of Lot 14, Concession 5 in the Hamlet of Violet.

Within the land zoned HR-6, the following Provisions apply:

1. Lot Frontage (minimum)…….…… 25 metres
2. Lot Area (minimum):
   2200 square metres, however, some of the lot area may be within the Environmental Protection (EP) Zone.

5.10.4.7 Hamlet Residential Exception Seven (HR-7) Zone

Stella, Amherst Island.

On the lands zoned HR-7 the uses permitted include:

- Use of the existing buildings for meeting functions and/or social functions such as dances, concerts
- Uses normally considered subordinate and incidental thereto

5.10.4.8 Hamlet Residential Exception Eight (HR-8) Zone

By-law 2004-9

On the lands zoned HR-8, in addition to the existing permitted Residential Uses, a single bedroom apartment dwelling unit shall be permitted in a dwelling house provided the minimum dwelling unit area is 56 square metres.

5.10.4.9 Hamlet Residential Exception Nine (HR-9) Zone

By-law 2011-42

Within the HR-9 Zone the following Provisions apply:

1. Notwithstanding Section 4.11, an accessory deck and stairs as shown in the rezoning application are permitted to be installed on an existing boat port at 5660 Highway 33 and no further development or expansion o the boat port, deck or

stairs shall be permitted.

5.11 RESIDENTIAL TYPE ONE (R1) ZONE

No person shall within any Residential Type One (R1) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

Duplexes, Semi-Detached Dwellings, Triplexes, Fourplexes and Low-Rise Apartments are permitted in all Residential Zones subject to meeting minimum lot size and road location criteria, as well as the remaining Provisions outlined in each Zone.

In R1, R2, R3, and R4, all Residential Uses other than a Single Detached Dwelling must be located on an urban collector or urban arterial road.

5.11.1 Uses Permitted

1. Residential Uses
    - Single Detached Dwelling House
    - Duplexes and Semi-Detached Dwellings
    - Triplexes
    - Fourplexes
    - Low-Rise Apartment Building
    - Existing Converted Dwelling House
    - Group Home
    - Home Occupation
2. Non-Residential Uses
    - Community Garden
    - Public Park
    - Public Use or Utility in accordance with the General Provisions of this By-law
    - Public School
3. Accessory Uses
    - Uses, buildings, and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law

5.11.2 Zone Provisions for Single Detached Dwellings

By-law 2011-76

1. Lot Area (minimum)
   a) Lot Serviced by Municipal Water and Sewer…….…… 550 square metres
   b) Lot Serviced by Municipal Water and Private Waste Disposal System…….. 0.2 hectares

2. Lot Frontage (minimum)
   a) Lot Serviced by Municipal Water and Sewer……..…….... 15 meters
   b) Lot Serviced by Municipal Water and Private Waste Disposal System……..…… 30 metres

3. Yards (minimum)
   a) Front Yard
      i) Lot Serviced by Municipal Water and Sewer…..…….…. 7.5 metres
      ii) Lot Services by Municipal Water and Private Waste Disposal System……..…… 7.5 metres
   b) Exterior Side Yard
      i) Lot Serviced by Municipal Water and Sewer……..…… 6 metres
      ii) Lot Serviceds by Municipal Water and Private Waste Disposal System…..……..…….. 6 metres
   c) Interior Side Yard:

      3 metres on one side, 1.2 metres on the other side, plus 0.6 metres on the narrow side for each additional or partial storey above the first., provided, thatNothwithstanding the above, where a garage or carport is attached to or is within the main building, or the lot is a corner lot, the minimum width on of the both interior side yards shall be 1.2 metres plus 0.6 metres for each additional or partial storey above the first. The increased side yard requirement does not apply to an attic or loft.
   d) Rear Yard (minimum)……..……... 7.5 metres

4. Dwelling Unit Area (minimum)……..…… 96 square metres

5. Lot Coverage (maximum)……..……..…… 30%

6. Setback from Street Centreline:

   In accordance with the General Provisions of this By-law.

7. Number of Dwelling Houses Per Lot (maximum)……..…… 1

8. Height of Buildings (maximum)……..…… 10 metres

9. Garage Setback from Front Lot Line (minimum)…….…… 6 metres

In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

5.11.3 Zone Provisions for Duplex and Semi-Detached Dwellings

1. Lot Area (minimum)
   a) Semi-Detached Dwelling House……..…….…… 500 square metres
   b) Semi-Detached Dwelling Unit…..……..…… 240 square metres
   c) Duplex Dwelling House…..……..…….. 480 square metres
2. Lot Frontage (minimum)
   a) Semi-Detached Dwelling House……..…….. 15 metres
   b) Semi-Detached Dwelling Unit……...…….. 7.5 metres
   c) Duplex Dwelling House……..……. 15 metres
3. Yards
   a) Front Yard (minimum)……..…….. 4.0 metres
   b) Exterior Side Yard (minimum)……..……. 3.0 metres
   c) Interior Side Yard:
      i) Semi-Detached Dwelling House:

         3 metres on one side, with a minimum aggregate of 4.2 metres for both interior side yards, except where a garage or carport is attached to the main building, the minimum shall be 1.2 metres; and where a common party wall is located a long lot line shall be 0 metres.

      ii) Duplex Dwelling House:

         3 metres on one side, with a minimum aggregate of 4.2 metres for both interior side yards, except where a garage or carport is attached to the main building, the minimum shall be 1.2 metres.

   d) Rear Yard (minimum)……..…….. 6.0 metres
4. Dwelling Unit Area (minimum)…….... 84 square metres per dwelling unit
5. Lot Coverage (maximum):

   45% plus an additional 5% for accessory structures and buildings.
6. Setback from Street Centreline:

   In accordance with the General Provisions of this By-law.
7. Height of Buildings (maximum)……..…… 11 metres

8. Garage Setback from Front Lot Line (minimum)…….…… 6 metres
   In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

5.11.4 Triplex Dwelling House

1. Lot Area (minimum)…….…… 700 square metres
2. Lot Frontage (minimum)…….... 16 metres
3. Yards
   a) Front Yard (minimum)……. 6.0 metres
   b) Exterior Side Yard (minimum)……... 4.0 metres
   c) Interior Side Yard……. 2.0 meters
   d) Rear Yard (minimum)……. 5.0 metres
4. Lot Coverage (maximum)…….. 45%
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Number of Dwelling Houses per Lot (maximum)…… 1
7. Number of Dwelling Units per Lot (maximum)…… 3
8. Height of Buildings (maximum)…….. 11 metres
9. Garage Setback from Front Lot Line (minimum)……... 6 metres
   In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

5.11.5 Fourplex Dwelling House

1. Lot Area (minimum)…….. 800 square metres
2. Lot Frontage (minimum)…….. 16 metres
3. Yards (minimum)
   a) Front Yard……. 6.0 metres
   b) Exterior Side Yard……... 4.0 metres
   c) Interior Side Yard…… 2.0 metres
   d) Rear Yard……. 5.0 metres
4. Dwelling Unit Area (minimum)

a) Bachelor Dwelling Unit..... 37 square metres
b) One-Bedroom Dwelling Unit..... 56 square metres
c) Two-Bedroom Dwelling Unit..... 70 square metres
d) Three-Bedroom Dwelling Unit..... 80 square metres
e) More than three bedrooms:
80 square metres plus 9 square metres per bedroom in excess of three.

5. Lot Coverage (maximum)..... 45%

6. Setback from Street Centreline:
In accordance with the General Provisions of this By-law.

7. Number of Dwelling Houses per Lot (maximum)..... 1

8. Number of Dwelling Units per Lot (maximum)..... 4

9. Height of Buildings (maximum)..... 11 metres

10. Garage Setback from Front Lot Line (minimum)..... 4 metres
In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

5.11.6 Low-Rise Apartment Dwelling House

1. Lot Area (minimum)..... 850 square metres

2. Lot Frontage (minimum)..... 20 metres

3. Yards (minimum)
a) Front Yard..... ..6.0 metres
b) Exterior Side Yard..... 6.0 metres
c) Interior Side Yard..... 6.0 metres
d) Rear Yard..... 6.0 metres

4. Gross Floor Area per Dwelling Unit (minimum)
a) One-Bedroom Dwelling Unit..... 56 square metres
b) Two-Bedroom Dwelling Unit..... 70 square metres
c) Three-Bedroom Dwelling Unit..... 84 square metres
d) More than Three-Bedroom Dwelling Unit:
84 square metres plus 9 square metres for each bedroom in excess of three.

5. Lot Coverage (maximum)..... 50%

All buildings and structures

6. Landscaped Open Space (minimum)…….…….…. 25%
7. Number of Apartment Units per Lot (maximum)…….…. 50 units per net hectare
8. Height of Buildings (maximum)…….…… 12 metres
9. Planting Strip Requirement:
   Where the interior or exterior side lot line or rear lot line of a low-rise apartment building in any zone abuts another Residential Use of lower density, an area adjoining such abutting lot line shall be used for no other purpose than a planting strip in accordance with the General Provisions of this By-law.

5.11.73 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.11.84 Exception Provisions – Residential Type One (R1) Zone

5.11.84.1 Residential Type One Exception One (R1-1) Zone

Part of Lot 37, Broken Front Concession.

On the lands zoned (R1-1) an additional residential unit ~~single one bedroom basement apartment~~ with a minimum floor area of 56 square metres shall be permitted as a second dwelling unit.

5.11.84.2 Residential Type One Exception Two (R1-2) Zone

On the lands zoned ~~(~~R1-2~~)~~ the following Zone Provisions shall apply:

1. Rear Yard Setback (minimum)…….…….…… 4.5 metres

5.11.84.3 Residential Type One Exception Three (R1-3) Zone

On the lands zoned ~~(~~R1-3~~)~~ the following Zone Provisions shall apply:

1. Rear Yard Setback (minimum)…….…….…… 2.5 metres
2. Interior Yard Setback (minimum):

Minimum width shall be 7.5 metres on one side, plus 1.2 metres on the other side plus 0.6 metres on the narrow side for each additional storey or partial storey above the first.

5.11.84.4 Residential Type One Exception Four (R1-4) Zone

Within the R1-4 Zone the following Provisions shall apply

1. Front Yard: (minimum)…….…… 3.5 metres
   (maximum)……..…….... 8 metres
2. Exterior Side Yard (minimum)……..……..…….. 3.5 metres
3. Lot Frontage:
   The minimum lot frontage requirements shall be calculated at the minimum front yard depth of 6 metres.

5.11.84.5 Residential Type One Exception Five (R1-5) Zone

By-law 2005-16

Within the R1-5 zone, the garage setback shall read:

Garage Setback from Front Lot Line (minimum)……..…… 6 metres

Lot Coverage (maximum) for a Dwelling…….……..……..……. 35%

Lot Coverage (maximum) for all Buildings and Structures..……..…… 41%

5.11.84.6 Residential Type One Exception Five (R1-6) Zone

By-law *2002-59*

Within the R1-6 Zone the following Provisions shall apply:

Part of Lot 11, Concession 1, Part 1, Reference Plan 29R-7333, Village of Bath.

1. On lands zoned R1-6, no building or structure shall be built below the 76.8 metre geodetic contour.
2. Notwithstanding Section 4.11b) of Zoning By-law 2001-38, no building or structure shall be erected within 1.2 metres of the 1:100 year floodplain of Muddy Creek.

5.11.84.7 Residential Type One Exception Seven (R1-7) Zone

By-law 2002-91

On the lands zoned ~~(~~R1-7~~)~~ the following Zone Provisions shall apply:

Notwithstanding the maximum Lot Coverage Provision of the Residential Type One (R1) Zone, the following Provisions apply:

1. Lot Coverage (maximum) for a Dwelling……... 35%
2. Lot Coverage (maximum) for all Buildings and Structures……..…….. 40%

All other Provisions of the R1 Zone shall apply.

5.11.84.8 Residential Type One Exception Eight (R1-8) Zone

By-law 2003-47

Additional Permitted Residential Use:

- A converted single unit dwelling house containing a maximum of two residential units.

All other Provisions of the R1 Zone apply.

5.11.84.9 Residential Type One Exception Nine (R1-9) Zone

By-law 2004-29

On the lands zoned ~~(~~R1-9~~)~~ the following Zone Provisions shall apply,

Notwithstanding the Provisions of Section 4.1 of Zoning By-law 2001-38, as amended, a garage, with a maximum building area of 62.8 square metres ~~m²~~(676 square feet~~ft²~~), may be constructed prior to the establishment of a principal use. Such a garage shall be used for residential purposes only and shall not be used for a home occupation until a dwelling house is built.

5.11.84.10 Residential Type One Exception Ten (R1-10) Zone

By-law 2004-49

On the lands zoned ~~(~~R1-10~~)~~ the following Zone Provisions shall apply:~~,~~

East half of Lot 76, Registered Plan 91, Village of Odessa.

1. Additional Permitted Non-Residential Use:
   A parking lot associated with an adjacent funeral home property.

2. Planting Strip Requirement:
   Shall be required along the length of the southerly interior lot line where it abuts a Residential Zone and shall be installed in accordance with the General Provisions of this By-law.

All other Provisions of the R1 Zone remain in effect for this property.

5.11.84.11 Residential Type One Exception Eleven (R1-11) Zone

By-law 2007-37

On the lands Zoned R1-11 the following Provisions apply:

1. Front Yard (minimum)..... 4.0 metres
2. Rear Yard (minimum)..... 6.0 metres
3. Garage Setback from Front Lot Line (minimum)..... 6.0 metres

All other Provisions of the R1 Zone apply.

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5.11.84.12 Residential Type One Exception Twelve (R1-12) Zone

By-law 2007-27

Within the R1-12 Zone the following Provisions shall apply:

1. Lot Coverage (maximum):
   35% plus an additional 5% for accessory building and structures for a single storey Single Detached Dwelling House.
2. Lot Coverage (maximum):
   30% for a Single Detached Dwelling House greater than a single storey in height.
3. For the purposes of determining the meaning of single storey a basement or walkout basement shall not be considered a storey.
4. All other Provisions of the R1 Zone pertain.

5.11.84.13 Residential Type One Exception Thirteen (R1-13) Zone

By-law 2012-68

Within the R1-13 Zone an existing seasonal cottage is permitted but at such time the cottage is converted into or replaced by a Single Detached Dwelling House, such

dwelling house shall be serviced by municipal water and sanitary sewers in accordance with Section 4.32, Subsection 2.~~(b)~~.

5.11.~~8~~4.14 Residential Type One Exception Fourteen (R1-14) Zone

By-law 2014-50

Properties within the R1-14 Zone, the following Provisions shall apply:

1. Permitted Residential Uses:
   - Single Detached Dwelling House
   - Home Occupation
   - Public park
2. Special Provisions:
   Maximum height of one detached garage shall be 6.0 metres, all other accessory buildings and structures shall comply with Section 4.1 of this By-law.
3. Connection to Municipal Services:
   Notwithstanding Section 4.32 of this By-law, an existing dwelling may be serviced by a private water system and a private sewage disposal system, but if the existing dwelling is expanded, renovated, or demolished in full or in part and then replaced, the dwelling shall be connected to municipal piped water and municipal piped sewage in accordance with Section 4.32.
4. Notwithstanding Section 4.11 of this By-law, the minimum setback from the Lake Ontario 1:100 year floodline shall be 5 metres.
5. Minimum Lot Frontage:
   a) On Private Water and Private Sewer…….…….. 20 metres
   b) On Municipal Water and Municipal Sewer…….…….. 15 metres

All other Provisions of the Residential Type One (R1) Zone apply.

5.12 RESIDENTIAL TYPE TWO (R2) ZONE

No person shall within any Residential Type Two (R2) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

Duplexes, Semi-Detached Dwellings, Triplexes, Fourplexes and Low-Rise Apartments are permitted in all Residential Zones subject to meeting minimum lot size and road location criteria, as well as the remaining Provisions outlined in each Zone.

In R1, R2, R3, and R4, all Residential Uses other than a Single Detached Dwelling must be located on an urban collector or urban arterial road.

5.12.1 Uses Permitted

1. Residential Uses
   - Single Detached Dwelling House
   - Duplex and Semi-Detached Dwelling
   - Triplex
   - Fourplex
   - Low-Rise Apartment Building
   - Existing Converted Dwelling House
   - Group Home
   - Home Occupation
   - Public School
   - Community Garden
2. Non-Residential Uses
   - Public Park
   - Public Use or Utility in accordance with the General Provisions of this By-law
3. Accessory Uses
   - Uses, buildings, and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law

5.12.2 Zone Provisions for Single Detached Dwellings

By-law 2011-76

1. Lot Area (minimum)…… 460 square metres
2. Lot Frontage (minimum)…….... 15 metres
3. Yards
   a) Front Yard (minimum)…….. 7.5 metres

b) Exterior Side Yard (minimum)…….…… 6 metres

c) Interior Side Yard:

3 m~~M~~etres on one side, 1.2 metres on the other side, plus 0.6 metres on the narrow side for each additional or partial storey above the first, provided, that where a garage or carport is attached to or is within the main building, or the lot is a corner lot, the minimum width of the interior side yard shall be 1.2 metres plus 0.6 metres for each additional or partial storey above the first. The increased side yard requirement does not apply to an attic or loft.

d) Rear Yard (minimum)……..…... 7.5 metres

4. Dwelling Unit Area (minimum)……..…… 96 square metres
5. Lot Coverage (maximum)……...…… 35%
6. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
7. Number of Dwelling Houses Per Lot (maximum)……..…… 1
8. Height of Buildings (maximum)……..…… 10 metres
9. Garage Setback from Front Lot Line (minimum)……..…… 6 metres
   In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

5.12.3 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.12.4 Zone Provisions for Duplex and Semi-Detached Dwellings

1. Lot Area (minimum)
   a) Semi-Detached Dwelling House……..…….. 500 square metres
   b) Semi-Detached Dwelling Unit……..……... 240 square metres
   c) Duplex Dwelling House……..…… 480 square metres
2. Lot Frontage (minimum)
   a) Semi-Detached Dwelling House……..…….. 15 metres
   b) Semi-Detached Dwelling Unit……..…… 7.5 metres
   c) Duplex Dwelling House……..…… 15 metres

3. Yards

a) Front Yard (minimum)..... 4.0 metres

b) Exterior Side Yard (minimum)..... 3.0 metres

c) Interior Side Yard:

i) Semi-Detached Dwelling House:

3 metres on one side, with a minimum aggregate of 4.2 metres for both interior side yards, except where a garage or carport is attached to the main building, the minimum shall be 1.2 metres; and where a common party wall is located a long lot line shall be 0 metres.

ii) Duplex Dwelling House:

3 metres on one side, with a minimum aggregate of 4.2 metres for both interior side yards, except where a garage or carport is attached to the main building, the minimum shall be 1.2 metres.

d) Rear Yard (minimum)..... 6.0 metres

4. Lot Coverage (maximum):

45% plus an additional 5% for accessory structures and buildings.

5. Setback from Street Centreline:

In accordance with the General Provisions of this By-law.

6. Height of Buildings (maximum)..... 11 metres

7. Garage Setback from Front Lot Line (minimum)..... 6 metres

In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

5.12.5 Triplex Dwelling House

1. Lot Area (minimum)..... 700 square metres

2. Lot Frontage (minimum)..... 16 metres

3. Yards

a) Front Yard (minimum)..... 6.0 metres

b) Exterior Side Yard (minimum)..... 4.0 metres

c) Interior Side Yard..... 2.0 meters

d) Rear Yard (minimum)..... 5.0 metres

4. Lot Coverage (maximum)..... 45%

5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.

6. Number of Dwelling Houses Per Lot (maximum)..... 1

7. Number of Dwelling Units Per Lot (maximum)..... 3

8. Height of Buildings (maximum)..... 11 metres

9. Garage Setback from Front Lot Line (minimum)..... 6 metres
   In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

5.12.6 Fourplex Dwelling House

1. Lot Area (minimum)..... 800 square metres

2. Lot Frontage (minimum)..... 16 metres

3. Yards (minimum)
   a) Front Yard..... 6.0 metres
   b) Exterior Side Yard..... 4.0 metres
   c) Interior Side Yard..... 2.0 metres
   d) Rear Yard..... 5.0 metres

4. Dwelling Unit Area (minimum)
   a) Bachelor Dwelling Unit..... 37 square metres
   b) One-Bedroom Dwelling Unit..... 56 square metres
   c) Two-Bedroom Dwelling Unit..... 70 square metres
   d) Three-Bedroom Dwelling Unit..... 80 square metres
   e) More than Three-Bedrooms:
      80 square metres plus 9 square metres per bedroom in excess of three.

5. Lot Coverage (maximum)..... 45%

6. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.

7. Number of Dwelling Houses Per Lot (maximum)..... 1

8. Number of Dwelling Units Per Lot (maximum)..... 4

9. Height of Buildings (maximum)..... 11 metres

10. Garage Setback from Front Lot Line (minimum)..... 4 metres

In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

5.12.7 Low-Rise Apartment Dwelling House

1. Lot Area (minimum)..... 850 square metres
2. Lot Frontage (minimum)..... 20 metres
3. Yards (minimum)
   a) Front Yard..... 6.0 metres
   b) Exterior Side Yard..... 6.0 metres
   c) Interior Side Yard..... 6.0 metres
   d) Rear Yard..... 6.0 metres
4. Gross Floor Area per dwelling Unit (minimum)
   a) One-Bedroom Dwelling Unit..... 56 square metres
   b) Two-Bedroom Dwelling Unit..... 70 square metres
   c) Three-Bedroom Dwelling Unit..... 84 square metres
   d) More than Three-Bedroom Dwelling Unit:
      84 square metres plus 9 square metres for each bedroom in excess of three.
5. Lot Coverage (maximum)..... 50%

   All buildings and structures.
6. Landscaped Open Space (minimum)..... 25%
7. Number of Apartment Units per Lot (maximum)..... 50 units per net hectare
8. Height of Buildings (maximum)..... 12 metres
9. Planting Strip Requirement:

   Where the interior or exterior side lot line or rear lot line of a low-rise apartment building in any zone abuts another Residential Use of lower density, an area adjoining such abutting lot line shall be used for no other purpose than a planting strip in accordance with the General Provisions of this By-law.

5.12.84 Exception Provisions – Residential Type Two (R2) Zone

5.12.84.1 Residential Type Two Exception One (R2-1) Zone

Part of Lot 12, Broken Front Concession, Village of Bath.

On the lands zoned R2-1 the following Zone Provisions shall apply:

1. Lot Area (minimum)……. 420 square metres
2. Lot Coverage (maximum):
   40% plus an additional 5% for accessory buildings and structures for a single storey Single Detached Dwelling House.
3. Lot Coverage (maximum):
   35% for a Single Detached Dwelling House greater than a single storey in height.
4. For the purposes of determining a single storey, a basement or walkout basement shall not be considered in determining a storey.

5.12.84.2 Residential Type Two Exception Two (R2-2) Zone

By-law 2005-16

Part of Lot 9, Concession 1, Village of Bath.

On the lands zoned R2-2 the following Zone Provisions shall apply:

1. Exterior Side Yard (minimum)…… 3 metres
2. Garage Setback from Front Lot Line (minimum)…….. 6 metres
3. Lot Coverage (maximum) for a Dwelling…….. 35%
4. Lot Coverage (maximum) for all Buildings and Structures……. 41%

5.12.84.3 Residential Type Two Exception Three (R2-3) Zone

Part of Lots 8, 9 and 10, Concession 1, Village of Bath.

On the lands zoned R2-3 the following Zone Provisions shall apply:

1. Lot Frontage (minimum)…… 16.7 metres
2. Exterior Side Yard (minimum)…… 3 metres

5.12.84.4 Residential Two Exception Four (R2-4) Zone

Part of Lots 8, 9 and 10, Concession 1, Village of Bath.

On the lands zoned R2-4 the following Zone Provisions shall apply:

1. Lot Frontage (minimum)…….……... 19 metres
2. Exterior Side Yard (minimum)……..…… 3 metres

5.12.84.5 Residential Type Two Exception Five (R2-5) Zone

Within the R2-5 Zone the following Provisions shall apply:

1. Front Yard: (minimum)……...……...…… 3.5 metres
   (maximum)……... 8 metres
2. Exterior Side Yard (minimum)……..……..…….. 3.5 metres
3. Lot Frontage:
   The minimum lot frontage requirement shall be calculated at the minimum front yard depth of 6 metres.

5.12.84.6 Residential Type Two Exception Six (R2-6) Zone

By-law 2002-72
By-law 2002-28

1. Lot Coverage (maximum)……..……...…… 40%

Within the R2-6 Zone the following Provision should apply:
Lots 6, 12 and 23, Registered Plan 1193, Village of Bath.

Notwithstanding the maximum Lot Coverage Provision of the Residential Type Two (R2) Zone, the following Provision applies:

1. Lot Coverage (maximum) for a Dwelling……..…… 41%
2. Lot Coverage (maximum) for all Buildings and Structures……..……... 46%

For the purposes of determining the exterior side yard and garage setback requirements, the R2-2 Zone applies. All other zoning requirements are governed by the R2 Zone and Section 4.0 General Provisions.

5.12.84.7 Residential Type Two Exception Seven (R2-7) Zone

By-law 2002-72

Within the R2-7 Zone the following Provision should apply:

Lots 1-5, 7-11, 13-22, 24-48, Registered Plan 1193, Village of Bath.

Notwithstanding the maximum Lot Coverage Provision of the Residential Type Two (R-2) Zone, the following Provisions apply:

1. Lot Coverage (maximum) for a Dwelling……..….. 35%
2. Lot Coverage (maximum) for all Buildings and Structures…..……... 40%

For the purposes of determining exterior side yard and garage setback requirements, the R2-2 Zone applies. All other requirements are governed by the R2 Zone and Section 4.0 General Provisions.

5.12.84.8 Residential Type Two Exception Eight (R2-8) Zone

By-law 2003-28

Notwithstanding the maximum Lot Coverage, minimum Front Yard, and maximum Garage Extension Provisions of the Residential Type Two (R2) Zone, the following Provisions applyies:

1. Lot Coverage (maximum) for a Dwelling……...…… 35%
2. Lot Coverage (maximum) for all Buildings and Structures…...…….. 41%
3. Front Yard (minimum)…… 6.0 metres
4. Garage Setback from Front Lot Line (minimum)…… 6.0 metres

For the purposes of determining all other Zone requirements the R2 Zone and Section 4.0 General Provisions govern.

5.12.84.9 Residential Type Two Exception Nine (R2-9) Zone

By-law 2004-49

Within the R2-9 Zone the following Provision should apply:

Lots 204, 205, 206, 207, 209, 210, 211, 212, 213, 214 and 217, Registered Plan 91, Village of Odessa.

1. Lot Coverage (maximum)……..…… 40%

5.12.84.10 Residential Type Two Exception Ten (R2-10) Zone

By-law 2005-73

On the lands zoned R2-10 the following Provisions shall apply:

1. Minimum Front Yard (setback)..... 4.0 metres
2. Maximum Front Yard (setback)..... 8.0 metres
3. Minimum Interior Side Yard (setback)..... 1.2 metres
4. Minimum Exterior Side Yard (setback)..... 4.0 metres
5. Maximum Lot Coverage (for all buildings):
   37.5% plus an additional 5% for accessory structures.
6. Minimum Driveway Setback to Interior Lot Line..... 0.3 metres

All other zoning requirements are governed by the Residential Type Two Zone and Section 4.0 General Provisions apply.

5.12.84.11 Residential Type Two Exception Eleven (R2-11) Zone

By-law 2008-65

Notwithstanding the maximum Lot Coverage, minimum Exterior Side Yard, minimum Front Yard and maximum Garage Extension Provisions of the Residential Type Two (R2) Zone, the following Provisions apply:

1. Lot Coverage (maximum) for a Dwelling House..... 41%
2. Lot Coverage (maximum) for all Buildings and Structures..... 46%
3. Front Yard (minimum)..... 6.0 metres
4. Garage Setback from Front Lot Line (minimum)..... 6.0 metres
5. Exterior Side Yard (minimum)..... 3.0 metres

All other requirements are governed by the R2 zone and Section 4.0 General Provisions.

5.12.84.12 Residential Type Two Exception Twelve (R2-12) Zone

By-law 2010-27

Within the R2-12 Zone, the following Provisions shall apply:

1. Lot Coverage (maximum):
   40% plus an additional 5% for accessory buildings and structures for a single storey Single Detached Dwelling House.
2. Lot Coverage (maximum):
   35% for a Single Detached Dwelling House greater than a single storey in height.
3. For the purposes of determining the meaning of single storey, a basement or walkout basement shall not be considered a storey
4. All other Provisions of the R2 Zone apply.

5.12.84.13 Residential Type Two Exception Thirteen (R2-13) Zone

By-law 2014-80

Within the R2-13 Zone, the following Provisions shall apply:

1. Yards
   a) Front Yard (minimum)..... 4.0 metres
   b) Interior Side Yard (minimum):
      1.2 metres except where there is a dwelling unit without an attached garage, then one of the interior side yards must be 3.0 metres
   c) Exterior Side Yard (minimum)..... 3.0 metres
   d) Rear Yard (minimum)..... 7.5 metres
2. Dwelling Unit Area (minimum)..... 96 square metres
3. Lot Coverage (minimum):
   40% plus an additional 5% for accessory buildings and structures.

All other Provisions of the Residential Two (R2) Zone apply.

5.12.84.14 Residential Type Two Exception Fourteen (R2-14) Zone

By-law 2017-97

Within the R2-14 Zone the following Provisions shall apply:

1. Front Yard (minimum)..... 6 metres
2. Interior Side Yard (minimum)..... 1.2 metres
3. Lot Coverage (maximum)..... 40% for a dwelling
4. Lot Coverage (maximum)..... 45% for all buildings and structures

All other Provisions of the R2 Zone apply.

5.12.84.15 Residential Type Two Exception Fifteen (R2-15) Zone

By-law 2022-16

Within the R2-15 Zone the following Provisions shall apply:

1. Lot Frontage (minimum)…….. 16.7 metres
2. Front Yard (minimum)……. 6.0 metres
3. Interior Side Yard (minimum)…….. 1.2 metres
4. Exterior Side Yard (minimum)…… 3.0 metres
5. Lot Coverage (maximum):
   41% for a detached dwelling house plus an additional 5% for accessory buildings and structures.
6. Height (maximum)…… 11 metres

All other Provisions of the R2 Zone shall apply.

5.13 RESIDENTIAL TYPE THREE (R3) ZONE

No person shall within any Residential Type Three (R3) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

Duplexes, Semi-Detached Dwellings, Triplexes, Fourplexes and Low-Rise Apartments are permitted in all Residential Zones subject to meeting minimum lot size and road location criteria, as well as the remaining Provisions outlined in each Zone.

In R1, R2, R3, and R4, all Residential Uses other than a Single Detached Dwelling must be located on an urban collector or urban arterial road.

5.13.1 Uses Permitted

1. Residential Uses
   - Single Detached Dwelling House
   - Duplex and Semi-Detached Dwelling
   - Triplex
   - Fourplex

- Low-Rise Apartment Building
- Group Home
- Home Occupation
- Public School
- Community Garden

2. Non-Residential Uses
   - Public Park
   - Public Use or Utility in accordance with the General Provisions of this By-law
3. Accessory Uses
   - Uses, buildings, and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law.

5.13.2 Zone Provisions for Single Detached Dwellings

By-law 2011-76

1. Lot Area (minimum)…… 370 square metres
2. Lot Frontage (minimum)…….... 12 metres
3. Yards
   a) Front Yard (minimum)…….. 7.5 metre
   b) Exterior Side Yard (minimum)…… 6 metres
   c) Interior Side Yard:

      3 metres on one side, 1.2 metres on the other side, plus 0.6 metres on the narrow side for each additional or partial storey above the first,

      i) Provided, that where a garage or carport is attached to or is within the main building, or the lot is a corner lot, the minimum width of the interior side yard shall be 1.2 metres plus 0.6 metres for each additional or partial storey above the first. The increased side yard requirement does not apply to an attic or loft.

   d) Rear Yard (minimum)…….. 7.5 metres
4. Dwelling Unit Area (minimum)…… 96 square metres
5. Lot Coverage (maximum)…….…… 35%
6. Setback from Street Centreline:

   In accordance with the General Provisions of this By-law.

7. Number of Dwelling Houses Per Lot (maximum)…….…… 1
8. Height of Buildings (maximum)……..…. 10 metres
9. Garage Setback from Front Lot Line (minimum)……..…. 6 metres
   In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

5.13.3 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.13.4 Zone Provisions for Duplex and Semi-Detached Dwellings

1. Lot Area (minimum)
   a) Semi-Detached Dwelling House……..…….. 500 square metres
   b) Semi-Detached Dwelling Unit……..... 240 square metres
   c) Duplex Dwelling House……..…….. 480 square metres
2. Lot Frontage (minimum)
   a) Semi-Detached Dwelling House……..…….. 15 metres
   b) Semi-Detached Dwelling Unit……..…….. 7.5 metres
   c) Duplex Dwelling House……..…….. 15 metres
3. Yards
   a) Front Yard (minimum)…….. 4.0 metres
   b) Exterior Side Yard (minimum)……... 3.0 metres
   c) Interior Side Yard:
      i) Semi-Detached Dwelling House:
         3 metres on one side, with a minimum aggregate of 4.2 metres for both interior side yards, except where a garage or carport is attached to the main building, the minimum shall be 1.2 metres; and where a common party wall is located a long lot line shall be 0 metres.
      ii) Duplex Dwelling House:
         3 metres on one side, with a minimum aggregate of 4.2 metres for both interior side yards, except where a garage or carport is attached to the main building, the minimum shall be 1.2 metres.
   d) Rear Yard (minimum)…….. 6.0 metres

4. Lot Coverage (maximum):
   45% plus an additional 5% for accessory structures and buildings.

5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law..

6. Height of Buildings (maximum)…….. 11 metres

7. Garage Setback from Front Lot Line (minimum)……... 6 metres
   In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

5.13.5 Triplex Dwelling House

1. Lot Area (minimum)…….. 700 square metres

2. Lot Frontage (minimum)…….. 16 metres

3. Yards
   a) Front Yard (minimum)…….. 6.0 metres
   b) Exterior Side Yard (minimum)……... 4.0 metres
   c) Interior Side Yard…….. 2.0 meters
   d) Rear Yard (minimum)…….. 5.0 metres

4. Lot Coverage (maximum)……..…….. 45%

5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.

6. Number of Dwelling Houses per Lot (maximum)…….. 1

7. Number of Dwelling Units per Lot (maximum)…….. 3

8. Height of Buildings (maximum)…….. 11 metres

9. Garage Setback from Front Lot Line (minimum)……... 6 metres
   In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

5.13.6 Fourplex Dwelling House

1. Lot Area (minimum)…….. 800 square metres

2. Lot Frontage (minimum)…….. 16 metres

3. Yards (minimum)
   a) Front Yard..... 6.0 metres
   b) Exterior Side Yard..... 4.0 metres
   c) Interior Side Yard..... 2.0 metres
   d) Rear Yard..... 5.0 metres

4. Dwelling Unit Area (minimum)
   a) Bachelor Dwelling Unit..... 37 square metres
   b) One-Bedroom Dwelling Unit..... 56 square metres
   c) Two-Bedroom Dwelling Unit..... 70 square metres
   d) Three-Bedroom Dwelling Unit..... 80 square metres
   e) More than Three-Bedrooms:
      80 square metres plus 9 square metres per bedroom in excess of three.

5. Lot Coverage (maximum)..... 45%

6. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.

7. Number of Dwelling Houses per Lot (maximum)..... 1

8. Number of Dwelling Units per Lot (maximum)..... 4

9. Height of Buildings (maximum)..... 11 metres

10. Garage Setback from Front Lot Line (minimum)..... 4 metres
    In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

5.13.7 Low-Rise Apartment Dwelling House

1. Lot Area (minimum)..... 850 square metres

2. Lot Frontage (minimum)..... 20 metres

3. Yards (minimum)
   a) Front Yard..... 6.0 metres
   b) Exterior Side Yard..... 6.0 metres
   c) Interior Side Yard..... 6.0 metres
   d) Rear Yard..... 6.0 metres

4. Gross Floor Area per dwelling Unit (minimum)
   a) One-Bedroom Dwelling Unit…….…….. 56 square metres
   b) Two-Bedroom Dwelling Unit…….…….. 70 square metres
   c) Three-Bedroom Dwelling Unit…….…….. 84 square metres
   d) More than Three-Bedroom Dwelling Unit:
      84 square metres plus 9 square metres for each bedroom in excess of three.

5. Lot Coverage (maximum)……..…….…… 50%
   All buildings and structures.

6. Landscaped Open Space (minimum)……..…… 25%

7. Number of Apartment Units per Lot (maximum)…… 50 units per net hectare

8. Height of Buildings (maximum)……..…… 12 metres

9. Planting Strip Requirement:
   Where the interior or exterior side lot line or rear lot line of a low-rise apartment building in any zone abuts another Residential Use of lower density, an area adjoining such abutting lot line shall be used for no other purpose than a planting strip in accordance with the General Provisions of this By-law.

5.13.84 Exception Provisions – Residential Type Three (R3) Zone

5.13.84.1 Residential Type Three Exception One (R3-1) Zone

By-law 2005-16

Part of Lots 9 and 10, Concession 1, Village of Bath.

On the lands zoned R3-1 the following Provisions shall apply:

1. Garage Setback from Front Lot Line (minimum)…….. 6 metres
2. Lot Coverage (maximum) for a Dwelling……..…….. 35%
3. Lot Coverage (maximum) for all Buildings and Structures……..…… 41%

5.13.84.2 Residential Type Three Exception Two (R3-2) Zone

1. Front Yard: (minimum)……..……..……. 3.5 metres
   (maximum)……..……..…….. 8 metres
2. Exterior Side Yard (minimum)……..……..……. 3.5 metres

3. Lot Frontage:

   The minimum lot frontage requirement shall be calculated at the minimum front yard depth of 6 metres.

5.13.84.3 Residential Type Three Exception Three (R3-3) Zone

By-law 2002-71

Part of Lot 42, Broken Front Concession in the geographic Township of Ernestown.

Within the R3-3 Zone, the following Provisions apply:

1. Lot Frontage (minimum for a corner lot)…….. 16 metres

   For purposes of calculating minimum lot frontage, the lot frontage shall be measured at 7.5 metres from the front lot line.

2. Yards
   a) Front (minimum)……..…….. 4 metres
   b) Exterior Side Yard (minimum)……..…… 3 metres
   c) Interior Side Yard (minimum)……..……. 1.2 metres
3. Front Yard for Garage (minimum)…….. 6.0 metres
4. The garage shall not extend closer than 6.0 metres to the front lot line from the principal dwelling on the lot.

5.13.84.4 Residential Type Three Exception Four (R3-4) Zone

By-law 2001-61
By-law 2002-71
By-law 2002-92

Within the R3-4 Zone, the following Provisions apply:

1. Maximum Lot Coverage…..……. 40%
2. Front Yard for Garage (minimum)……. 6.0 metres
3. The garage shall not extend closer than 6.0 metres to the front lot line from the principal dwelling on the lot.
4. Rear Yard (minimum)……..…. 15 metres

For the purposes of determining the lot frontage, front yard, exterior side yard and interior side yard, the R3-3 Zone applies. All other zoning requirements are governed by the R3 Zone and Section 4.0 General Provisions.

5.13.84.5 Residential Type Three Exception Five (R3-5) Zone

By-law 2003-2

Within the R3-5 Zone, the following Provisions apply:

Additional Permitted Residential Use:

- A single unit dwelling house with a single one--bedroom apartment.

All other Provisions of the R3-3 and R3 zone apply.

5.13.84.6 Residential Type Three Exception Six (R3-6) Zone

By-law 2003-73

Notwithstanding the maximum Lot Coverage Provision of the Residential Type Three (R3) Zone, the following Provisions applyies:

1. Lot Coverage (maximum) for all Buildings and Structures.……...… 37.5%
2. Lot Coverage (maximum) for Additional Accessory Buildings and Structures..… 5%
3. Notwithstanding 1.a) and 2.b) of this Zone, at no time shall accessory structures, buildings, and uses exceed 10% of the lot area.

~~All other provisions of the Residential Type Three Exception Three (R3-3) zone and the Residential Type Three (R-3) zone remain in force and effect for all~~

~~properties zoned R3-6.~~

For the purposes of determining the lot frontage of a corner lot, the minimum front, exterior side and interior side yards, the minimum front yard for a garage and garage extension in front of the principal dwelling on the lot, the Pprovisions of the Residential Type Three Exception (R3-3) Zzone shall apply. For the purposes of determining lot frontage on non-corner lots, lot area, minimum rear yard, dwelling unit area, setback from centreline, number of dwelling houses per lot, and height of buildings, these requirements are governed by the Residential Type Three (R3) Zone.

5.13.84.7 Residential Type Three Exception Seven (R3-7) Zone

Within the R3-7 Zone, the following Provisions apply:

Notwithstanding the minimum Rear Yard Provision of the Residential Type Three (R3) Zone, the following provision applies:

1. Yard:
   a) Rear (minimum)…….. 15 metres
   b) Front for Garage (minimum)…… 6.0 metres
2. The garage shall not extend closer than 6.0 metres to the front lot line from the principal dwelling on the lot.

For the purposes of determining the lot frontage, front yard, exterior side yard and interior side yard, the R3-3 Zone applies. All other zoning requirements are governed by the R3 Zone and Section 4.0 General Provisions.

5.13.84.8 Residential Type Three Exception Eight (R3-8) Zone

By-law 2008-111

Notwithstanding the minimum Yard and Floodline Setbacks and maximum Lot Coverage Provisions of the Residential Type Three (R3) Zone, the following Provisions apply:

1. Lot Coverage (maximum) for all Buildings and Structures…..……..……. 37.5%
2. Lot Coverage (maximum) for Additional Accessory Buildings and Structures..…. 5%
3. Notwithstanding 1.~~a)~~ and 2.~~b)~~ of this Zone, at no time shall accessory structures, buildings and uses exceed 10% of the lot area.
4. Yards
   a) Front Yard (minimum)…….. 4 metres
   b) Exterior Side Yard (minimum)……. 3 metres
   c) Interior Side Yard (minimum)……... 1.2 metres
   d) Rear Yard (minimum)…….. 15 metres
   e) Front Yard for Garage (minimum)…….. 6 metres
5. Notwithstanding floodplain setback requirements in Section 4.11, accessory structures, buildings and decks can be erected or altered within 15 metres of a flood plain provided all requirements of the applicable Conservation Authority are met.
6. For purposes of calculating minimum lot frontage, the lot frontage shall be measured 7.5 metres from the Front lot line.
7. The garage shall not extend closer than 6.0 metres to the Front lot line from the principal dwelling on the lot.

All other Provisions of the R3 Zone apply.

5.13.84.9 Residential Type Three Exception Nine (R3-9) Zone

Notwithstanding the minimum Yard and Floodplain Setbacks and maximum Lot Coverage Provisions of the Residential Type Three (R3) Zone, the following Provisions apply:

1. Lot Coverage (maximum) for all Buildings and Structures…….…… 37.5%
2. Lot Coverage (maximum) for Additional Accessory Buildings and Structures..…... 5%
3. Notwithstanding 1. and 2. of this Zone, at no time shall accessory structures, buildings and uses exceed 10% of the lot area.
4. Yards
   a) Front Yard (minimum)…….. 4 metres
   b) Exterior Side Yard (minimum)……. 3 metres
   c) Interior Side Yard (minimum)……... 1.2 metres
   d) Rear Yard (minimum)……. 12 metres
   e) Front Yard for Garage (minimum)…….. 6 metres
5. Notwithstanding floodplain setback requirements in Section 4.11, accessory structures, buildings and decks can be erected or altered within 15 metres of a floodplain provided all requirements of the applicable Conservation Authority are met.
6. For purposes of calculating minimum lot frontage, the lot frontage shall be measured 7.5 metres from the Front lot line.
7. The garage shall not extend closer than 6.0 metres to the Front lot line from the principal dwelling on the lot.

All other Provision of the R3 Zone apply.

5.13.84.10 Residential Type Three Exception Ten (R3-10) Zone

Notwithstanding the minimum Yard and minimum Lot Frontage Provisions of the Residential Type Three (R3) Zone, the following Provisions apply:

1. Lot Frontage (minimum)……. 10 metres
2. Yards

a) Interior Side Yard (minimum)..... 1.2 metres
b) Front Yard (minimum)..... 4 metres
c) Exterior Side Yard (minimum)..... 3 metres
d) Rear Yard (minimum)..... 7.5 metres
e) Front Yard for Garage (minimum)..... 6.0 metres

3. For the purposes of calculating minimum lot frontage, the lot frontage shall be measured 7.5 metres from the front lot line.

4. All other Provisions of the R3 Zone apply.

5.13.84.11 Residential Type Three Exception Eleven (R3-11) Zone

By-law 2010-27

Within the R3-11 Zone, the following Provisions shall apply:

1. Lot Coverage (maximum): 40% plus an additional 5% for accessory buildings and structures for a single storey Single Detached Dwelling House.

2. Lot Coverage (maximum): 35% for a Single Detached Dwelling House greater than a single storey in height.

3. For the purposes of determining a single storey, a basement or walkout basement shall not be considered a storey.

All other Pprovisions of the R3 Zone shall apply.

5.13.84.12 Residential Type Three Exception Twelve (R3-12) Zone

By-law 2010-106

Within the R3-12 Zone, the following Provisions shall apply:

1. Lot Coverage (maximum):
   40% plus an additional 5% for accessory building and structures.

2. Front Yard (minimum)..... 6 metres

3. Exterior Side Yard (minimum)..... 3 metres

4. Interior Side Yard (minimum):
   3 metres on one side, 1.2 metres on the other side, provided that where the garage or carport is attached to or is within the main building, or the lot is a corner lot, the minimum width of the interior side yard shall be 1.2 metres.

All other Provisions of the R3 Zone apply.

5.13.84.13 Residential Type Three Exception Thirteen (R3-13) Zone
Reserved

5.13.84.14 Residential Type Three Exception Fourteen (R3-14) Zone

By-law 2011-74

Within the R3-14 Zone, the following Provisions shall apply:

1. Lot Coverage (maximum):
   41% plus an additional 4% for accessory buildings and structures.
2. Notwithstanding a) of this zone, at no time shall accessory structures, buildings and uses exceed 10% of the lot area.
3. Lot Area (minimum)…….. 370 square metres
4. Front Yard (minimum)…… 4 metres
5. Exterior Side Yard (minimum)…….... 3 metres
6. Interior Side Yard (minimum)…… 1.2 metres
7. Front Yard for Garage (minimum)…… 6.0 metres
8. The garage shall not extend closer than 6.0 metres to the front lot line from the principal dwelling on the lot.
9. Rear Yard (minimum)…….. 7.5 metres
10. Lot Frontage (minimum)…….. 12 metres
11. Dwelling Unit Area (minimum)…….. 96 square metres
12. Number of Dwelling Houses per Lot (maximum)…… 1
13. Height of Buildings (maximum)……...10 metres
14. For the purposes of applying Section 4.40, Subsection 2.~~(b)~~ of this Zoning By-law, related to unenclosed porches, balconies, and steps (such structure including a deck), may project into the required rear yard a maximum distance of 2.4 metres. All other restrictions in Section 4.40, Subsection 2.~~(b)~~ remain in force for a front yard, distance to any lot line other than a rear lot line and Provisions related to floodplains and high water marks.

All other Provisions of the R3 Zone apply.

5.13.84.15 Residential Type Three Exception Fifteen (R3-15) Zone

By-law 2013-16

Within the R3-15 Zone, the following Provisions shall apply:

1. Lot Area (minimum)…….…. 300 square metres
2. Lot Frontage (minimum)…….. 10 metres
3. Yards
   a) Front Yard (minimum)……. 4.0 metres
   b) Interior Side Yard (minimum):
      1.2 metres except where there is a dwelling unit without an attached garage, then one of the interior side yards must be 3.0 metres.
   c) Exterior Side Yard (minimum)……... 3.0 metres
   d) Rear Yard (minimum)……. 7.5 metres
4. Dwelling Unit Area (minimum)…….. 96 square metres
5. Lot Coverage (maximum):
   40% plus an additional 5% for accessory buildings and structures.
6. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
7. Height of Buildings (maximum)…….. 10 metres
8. Number of Dwelling Houses per Lot (~~minimum~~ maximum)……..…… 1
9. Garage Setback from Front Lot Line (minimum)…….. 6.0 metres

All other Provisions of the R3 Zone apply.

5.13.84.16 Residential Type Three Exception Sixteen (R3-16) Zone

By-law 2014-79

Within the R3-16 Zone, the following Provisions shall apply:

1. Lot Area (minimum)……. 330 square metres
2. Lot Frontage (minimum):
   11 metres, except a corner lot shall be a minimum of 13.2 metres.

3. Yards
   a) Front Yard (minimum)…… 4.0 metres
   b) Interior Side Yard (minimum):
      1.2 metres except an attached garage can be 0.9 metres, and except where there is a dwelling unit without an attached garage, then one of the interior side yards must be 3.0 metres and the other 1.2 metres
   c) Exterior Side Yard (minimum)……... 3.0 metres
   d) Rear Yard (minimum)…….. 7.5 metres
   e) Dwelling Unit Area (minimum)…….. 96 square metres
   f) Lot Coverage (maximum):
      43% plus an additional 5% for accessory buildings and structures.
   g) Setback from Street Centreline:
      In accordance with the General Provisions of this By-law.
   h) Height of Buildings (maximum)…….. 10 metres
   i) Number of Dwelling Houses per Lot (minimum)…….. 1
   j) Garage Setback from Front Lot Line (minimum)…… 6.0 metres~~.~~
   k) Notwithstanding the P~~p~~rovisions of Section 4.11, Subsection 2.~~(~~2~~)~~, a building or structure may be erected or altered within 15 metres of land zoned Environmental Protection.

All other Provisions of the Residential Three (R3) Zone apply.

4. Within the R3-16 Zone the following Provisions shall apply to civic number 29:
   a) Lot Frontage (minimum)……..……..……. 10.49 metres

By-law 2021-64

All other Provisions of the R3-16 Zone apply.

5.13.84.17 Residential Type Three Exception Seventeen (R3-17) Zone

By-law 2015-80

For lands within the R3-17 Zone, the Zone Provisions of the R3-6 Zone apply except that the maximum lot coverage shown as 37.5% in Clause 1.~~a)~~ shall instead be 44% for lands zoned R3-17.

5.13.84.18 Residential Type Three Exception Eighteen (R3-18) Zone

By-law 2017-71

Within the R3-18 Zone, the following Zone Provisions shall apply:

1. Permitted Uses
   a) Residential Uses:
      - Single Detached Dwelling House
      - Group Home
      - Home Occupation
      - Accessory Uses

2. Zone Provisions

   No person shall within the R3-18 Zone use any lot or erect, after or use any building or structures except in accordance with the following Provisions:

   a) Lot Area (minimum)…….. 400 square metres
   b) Lot Frontage (minimum)……. 12.0 metres
   c) Yards
      i) Front Yard (minimum)…….. 4.0 metres
      ii) Exterior Side Yard (minimum)…….. 3.0 metres
      iii) Interior Side Yard (minimum)…….. 1.2 metres

      Where a garage or carport is not provided, the minimum interior side yard shall be 3.0 metres.

      iv) Rear Yard (minimum)…….. 7.5 metres
   d) Dwelling Unit Area (minimum)……..... 96.0 square metres
   e) Lot Coverage (maximum):

      48% plus an additional 8% for accessory structures/buildings.
   f) Height of Buildings (maximum)……..10 metres
   g) Garage Setback from Front Lot Line (minimum)……... 6.0 metres

All other Provisions of the Residential Type Three (R3) Zone apply.

5.13.84.19 Residential Type Three Exception Nineteen (R3-19) Zone

By-law 2017-97

Within the R3-19 Zone the following Provisions shall apply:

1. Front Yard (minimum)…… 6 metres
2. Interior Side Yard (minimum)…… 1.2 metres
3. Lot Coverage (maximum)…… 40% for a dwelling
4. Lot Coverage (maximum)……... 45% for all buildings and structures

All other Provisions of the R3 Zone apply.

5.13.84.20 Residential Type Three Exception Twenty (R3-20) Zone

By-law 2018-75

Within the R3-20 Zone the following Provisions shall apply:

1. Lot Frontage (minimum)…….. 11 metres
2. Front Yard (minimum)…… 6 metres
3. Interior Side Yard (minimum)…… 1.2 metres
4. Exterior Side Yard (minimum)…….... 3 metres
5. Lot Coverage (maximum)…… 40% for a dwelling
6. Lot Coverage (maximum)……... 45% for all buildings and structures

All other Provisions of the R3 Zone apply.

5.13.84.21 Residential Type Three Exception Twenty-One (R3-21) Zone

By-law 2018-75

Within the R3-21 Zone the following Provisions shall apply:

1. Lot Frontage (minimum)…….. 13.4 metres
2. Front Yard (minimum)…… 6 metres
3. Interior Side Yard (minimum)…… 1.2 metres
4. Exterior Side Yard (minimum)…….... 3 metres
5. Lot Coverage (maximum)…… 40% for a dwelling
6. Lot Coverage (maximum)……... 45% for all buildings and structures

All other Provisions of the R3 Zone apply.

5.13.84.22 Residential Type Three Exception Twenty-Two (R3-22) Zone

By-law 2017-97

Within the R3-22 Zone the following Provisions shall apply:

1. Lot Frontage (minimum)…….. 11 metres

2. Front Yard (minimum)..... 6 metres
3. Interior Side Yard (minimum)..... 1.2 metres
4. Lot Coverage (maximum)..... 40% for a dwelling
5. Lot Coverage (maximum)..... 45% for all buildings and structures

All other Provisions of the R3 Zone shall apply.

5.13.84.23 Residential Type Three Exception Twenty-Three (R3-23) Zone

By-law 2022-16

1. Lot Frontage (minimum)..... 11 metres
2. Front Yard (minimum)..... 6.0 metres
3. Interior Side Yard (minimum)..... 1.2 metres
4. Exterior Side Yard (minimum)..... 3.0 metres
5. Lot Coverage (maximum):
   45% for a single storey detached dwelling house plus an additional 4% for accessory buildings and structures.
6. Lot Coverage (maximum):
   45% for a partial or second storey detached dwelling house plus an additional 4% for accessory buildings and structures.

All other Provisions of the R3 Zone shall apply.

5.13.84.24 Residential Type Three Exception Twenty-Four (R3-24) Zone

By-law 2022-16

1. Lot Frontage (minimum)..... 13.4 metres
2. Front Yard (minimum)..... 6.0 metres
3. Interior Side Yard (minimum)..... 1.2 metres
4. Exterior Side Yard (minimum)..... 3.0 metres
5. Lot Coverage (maximum):
   45% for a single storey detached dwelling house plus an additional 4% for accessory buildings and structures.

6. Lot Coverage (maximum):
   40% for a partial or second storey detached dwelling house plus an additional 4% for accessory buildings and structures.

All other Provisions of the R3 Zone shall apply.

5.13.84.25 Residential Type Three Exception Twenty-Five (R3-25) Zone

By-law 2022-33

Within the R3-25 Zone the following Provisions shall apply:

1. Lot Area (minimum)……..…….. 320 square metres
2. Lot Frontage Other (minimum)……... 10 metres
3. Lot Frontage Corner Lot (minimum)…….. 13.2 metres
   For purposes of calculating minimum lot frontage, the lot frontage shall be measured at 7.5 metres from the front lot line.
4. Front Yard Setback (minimum)…… 4 metres
5. Rear Yard Setback (minimum)…… 6 metres
6. Interior Side Yard Setback (minimum):
   1.2 metres provided a garage or carport is provided, otherwise 3 meres on one side and 1.2 metres on the other side.
7. Exterior Side Yard Setback (minimum)……... 3 metres
8. Lot Coverage (maximum):
   48% for Single Detached House plus an additional 8% for accessory buildings and structures.
9. Permitting unenclosed porches, decks, balconies and steps into the required rear yard a maximum distance of 2.4 metres

All other Provisions of the R3 Zone shall apply.

5.13.84.26 Residential Type Three Exception Twenty-Six (R3-26) Zone

By-law 2024-98

5.13.8.26.1 Zone Provisions

1. Lot Area (minimum)…….. 330 square metres

2. Lot Frontage (minimum)…….. 10 metres
3. Yards (minimum)
   a) Front Yard……. 6 metres
   b) Interior Side Yard…….. 1.2 metres
4. Dwelling Unit Area (minimum)……... N/A
5. Lot Coverage (maximum):
   45% plus an additional 5% for accessory buildings and structures.

All other Provisions of the Residential Type Three (R3) Zone shall apply.

5.13.84.27 Residential Type Three Exception Twenty-Seven (R3-27) Zone

By-law 2024-98

5.13.8.27.1 Zone Provisions

1. Lot Area (minimum)…….. 330 square metres
2. Lot Frontage (minimum)…….. 10 metres
3. Yards (minimum)
   a) Front Yard……. 6 metres
   b) Interior Side Yard (west)…….. 1.2 metres
   c) Interior Side Yard (east)…….. 2.5 metres
4. Dwelling Unit Area (minimum)……... N/A
5. Lot Coverage (maximum):
   45% plus an additional 5% for accessory buildings and structures.

All other Provisions of the Residential Type Three (R3) Zone shall apply.

5.14 RESIDENTIAL TYPE FOUR (R4) ZONE

No person shall within any Residential Type Four (R4) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

Duplexes, Semi-Detached Dwellings, Triplexes, Fourplexes and Low-Rise Apartments are permitted in all Residential Zones subject to meeting minimum lot size and road location criteria, as well as the remaining Provisions outlined in each Zone.

In R1, R2, R3, and R4, all Residential Uses other than a Single Detached Dwelling must be located on an urban collector or urban arterial road.

5.14.1 Uses Permitted

1. Residential Uses
   - Single Detached Dwelling House
   - Semi-Detached Dwelling House
   - Duplex Dwelling House
   - Triplex Dwelling House
   - Fourplex Dwelling House
   - Low-Rise Apartment Building
   - Group Home
   - Home Occupation
   - Public School
   - Community Garden
2. Non-Residential Uses
   - Public Park
   - Public Use or Utility in accordance with the General Provisions of this By-law
3. Accessory Uses
   - Uses, buildings and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law.

5.14.2 Provisions for Single Detached Dwellings

1. Lot Area (minimum)…… ..... 370 square metres
2. Lot Frontage (minimum)…….. 12 metres
3. Yards
   a) Front Yard (minimum)……. 7.5 metres
   b) Exterior Side Yard (minimum)……... 6.0 metres
   c) Interior Side Yard:

      3 metres on one side, 1.2 metres on the other side, plus 0.6 metres on the narrow side for each additional or partial storey above the first, provided, that where a garage or carport is attached to or is within the main building, or the

lot is a corner lot, the minimum width of the interior side yard shall be 1.2 metres plus 0.6 metres for each additional or partial storey above the first. The increased side yard requirement does not apply to an attic or a loft.

d) Rear Yyard (minimum) ……..……..…….. 7.5 metres

4. Garage Setback from Front Lot Line (minimum)…….. 6 metres
   In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

5. Building Hheight (maximum)……..……..……..10 metres

6. Lot Ccoverage (maximum)……..……..40%

7. Dwelling Uunit Aarea (minimum)……..……..84 square metres

5.14.3 Zone Provisions for Duplex and Semi-Detached Dwellings

1. Lot Area (minimum)
   a) Semi-Detached Dwelling House…… 500 square metres
   b) Semi-Detached Dwelling Unit……... 240 square metres
   c) Duplex Dwelling House…….…… 480 square metres

2. Lot Frontage (minimum)
   a) Semi-Detached Dwelling House……..…….. 15 metres
   b) Semi-Detached Dwelling Unit……..…….. 7.5 metres
   c) Duplex Dwelling House……..…… 15 metres

3. Yards
   a) Front Yard (minimum)…… 4.0 metres
   b) Exterior Side Yard (minimum)……... 3.0 metres
   c) Interior Side Yard
      i) Semi-Detached Dwelling House:
      3 metres on one side, with a minimum aggregate of 4.2 metres for both interior side yards, except where a garage or carport is attached to the main building, the minimum shall be 1.2 metres; and where a common party wall is located a long lot line shall be 0 metres.

ii) Duplex Dwelling House:

3 metres on one side, with a minimum aggregate of 4.2 metres for both interior side yards, except where a garage or carport is attached to the main building, the minimum shall be 1.2 metres.

d) Rear Yard (minimum)..... 6.0 metres

4. Lot Coverage (maximum):

45% plus an additional 5% for accessory structures and buildings.

5. Setback from Street Centreline:

In accordance with the General Provisions of this By-law.

6. Height of Buildings (maximum)..... 11 metres

7. Garage Setback from Front Lot Line (minimum)..... 6 metres

In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

5.14.4 Triplex Dwelling House

1. Lot Area (minimum)..... 700 square metres

2. Lot Frontage (minimum)..... 16 metres

3. Yards

a) Front Yard (minimum)..... 6.0 metres

b) Exterior Side Yard (minimum)..... 4.0 metres

c) Interior Side Yard..... 2.0 meters

d) Rear Yard (minimum)..... 5.0 metres

4. Lot Coverage (maximum)..... 45%

5. Setback from Street Centreline:

In accordance with the General Provisions of this By-law.

6. Number of Dwelling Houses Per Lot (maximum)..... 1

7. Number of Dwelling Units Per Lot (maximum)..... 3

8. Height of Buildings (maximum)..... 11 metres

9. Garage Setback from Front Lot Line (minimum)..... 6 metres

In no case shall the garage extend more than 2.0 metres closer to the front lot

line than the principal dwelling house on the lot.

5.14.5 Fourplex Dwelling House

1. Lot Area (minimum)..... 800 square metres
2. Lot Frontage (minimum)..... 16 metres
3. Yards (minimum)
   a) Front Yard..... 6.0 metres
   b) Exterior Side Yard..... 4.0 metres
   c) Interior Side Yard..... 2.0 metres
   d) Rear Yard..... 5.0 metres
4. Dwelling Unit Area (minimum)
   a) Bachelor Dwelling Unit..... 37 square metres
   b) One-Bedroom Dwelling Unit..... 56 square metres
   c) Two-Bedroom Dwelling Unit..... 70 square metres
   d) Three-Bedroom Dwelling Unit..... 80 square metres
   e) More than Three-Bedrooms:
      80 square metres plus 9 square metres per bedroom in excess of three.
5. Lot Coverage (maximum)..... 45%
6. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
7. Number of Dwelling Houses per Lot (maximum)..... 1
8. Number of Dwelling Units per Lot (maximum)..... 4
9. Height of Buildings (maximum)..... 11 metres
10. Garage Setback from Front Lot Line (minimum)..... 4 metres
    In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

5.14.6 Low-Rise Apartment Dwelling House

1. Lot Area (minimum)..... 850 square metres
2. Lot Frontage (minimum)..... 20 metres

3. Yards (minimum)
   a) Front Yard..... 6.0 metres
   b) Exterior Side Yard..... 6.0 metres
   c) Interior Side Yard..... 6.0 metres
   d) Rear Yard..... 6.0 metres

4. Gross Floor Area per Dwelling Unit (minimum)
   a) One-Bedroom Dwelling Unit..... 56 square metres
   b) Two-Bedroom Dwelling Unit..... 70 square metres
   c) Three-Bedroom Dwelling Unit..... 84 square metres
   d) More than Three-Bedroom Dwelling Unit:
      84 square metres plus 9 square metres for each bedroom in excess of three.

5. Lot Coverage (maximum)..... 50%
   All buildings and structures.

6. Landscaped Open Space (minimum)..... 25%

7. Number of Apartment Units per Lot (maximum)..... 50 units per net hectare

8. Height of Buildings (maximum)..... 12 metres

9. Planting Strip Requirement:
   Where the interior or exterior side lot line or rear lot line of a low-rise apartment building in any zone abuts another Residential Use of lower density, an area adjoining such abutting lot line shall be used for no other purpose than a planting strip in accordance with the General Provisions of this By-law.

~~5.14.3 Provisions for Semi-Detached and Duplex Dwelling~~

~~*2011-076*~~

~~1. Lot Area (minimum)~~
   ~~a) Semi-detached dwelling house ..... 550 square metres~~
   ~~Semi-detached dwelling unit..... 270 square metres~~
   ~~b) Duplex dwelling house..... 550 square metres~~

~~2. Lot Frontage (minimum)~~
   ~~a) Semi-detached dwelling house..... 18 metres~~
   ~~Semi-detached dwelling unit..... 8.8 metres~~

b) Duplex dwelling house..... 18 metres

3. Yards

a) Front Yard (minimum)..... 7.5 metres

b) Exterior Side Yard (minimum)..... 6.0 metres

c) Interior Side Yard

Semi-Detached Dwelling House

i) Metres for the side that is not attached provided that where a garage or carport is attached to or is within the main building, the minimum width of the interior side yard shall be 1.2 metres plus 0.6 metres for each additional or partial storey above the first.

ii) Where a pair of semi-detached dwelling units are only connected at some point below ground level, the minimum horizontal distance between such dwelling units shall not be less than 1.8 metres. No windows to habitable rooms shall be permitted on exterior walls facing the dwelling unit to which it is connected.

Duplex Dwelling House

i) 4 metres on one side and 1.8 metres on the other side where there is no attached private garage or carport, plus 0.6 metres on the narrow side for each additional or partial storey above the second. Where a garage or carport is attached to or is within the main building, or the lot is a corner lot, the minimum width of the interior side yard shall be 1.8 metres plus 0.6 metres for each additional or partial storey above the second.

d) Rear Yard (minimum)..... 7.5 metres

4. Dwelling Unit Area (minimum)..... 84 square metres per dwelling unit

5. Lot Coverage (maximum)..... 35 percent

6. Setback from Street Centreline:
In accordance with the General Provisions of this By-law.

7. Number of Dwelling Houses Per Lot (maximum)..... 1

8. Number of Dwelling Units Per Lot (maximum)..... 2

9. Height of Buildings (maximum)..... 10 metres

10. Garage Setback from Front Lot Line (minimum)..... 6 metres
In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principle dwelling house on the lot.

5.14.74 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.14.85 Exception Provisions – Residential Type Four (R4) Zone

5.14.85.1 Residential Type Four Exception One (R4-1) Zone

Part of Lots 36 and 37 Broken Front Concession.

On the lands zoned R4-1 the following Zone Provisions shall apply:

1. Permitted Uses
   a) Semi-Detached or Duplex Dwelling House
   b) Single Detached Dwelling House
   c) Home Occupation
2. Provisions for Semi-Detached and Duplex Dwelling Houses
   a) Lot Frontage (minimum)…….. 9 metres
   b) Interior Side Yard (minimum):
      Minimum width for the side that is not attached to the other dwelling house shall be 3.6 metres provided that where a garage or carport is attached to or within the main building the minimum width of the interior side yard shall be 1.2 metres plus 0.6 metres for each additional or partial storey above the second.
   c) Lot Coverage (maximum)…….. 50%
3. Provisions for Single Detached Dwelling Houses
   a) Lot Area (minimum)……... 275 square metres
   b) Lot Frontage (minimum)…… 9 metres
   c) Yards (minimum)
      i) Interior Side Yard…….. 3.6 metres
         Where a garage or carport is attached to or is within the main building, the minimum width of the interior side yard shall be 1.2 metres plus 0.6 metres for each additional or partial storey above the second.
      ii) Dwelling Unit Area (minimum)……. 84 square metres
      iii) Lot Coverage (maximum)…….. 50%
      iv) Setback from Street Centreline:
         In accordance with the General Provisions of this By-law.

v) Height of Buildings (maximum)..... 10 metres

All other Provisions of the R4 Zone pertain.

5.14.~~85~~.2 Residential Type Four Exception Two (R4-2) Zone

Within the R4-2 Zone the following Provisions shall apply:

1. Single Detached Dwellings
   a) Front Yard: (minimum)..... 3.5 metres
      (maximum)..... 8 metres
   b) Exterior Side Yard (minimum)..... 3.5 metres
   c) Lot Frontage:
      The minimum lot frontage requirement shall be calculated at the minimum front yard depth of 6 metres
2. Semi-Detached and Duplex Dwellings
   a) Front Yard (minimum)..... 3.5 metres
      (maximum)..... 8 metres
   b) Exterior Side Yard (minimum)..... 3.5 metres
   c) Lot Frontage:
      The minimum lot frontage requirement shall be calculated at the minimum front yard depth of 6 metres.

All other Provisions of the R4 Zone pertain.

5.14.~~85~~.3 Residential Type Four Exception Three (R4-3) Zone

By-law 2005-120
By-law 2009-14
By-law 2014-9

1. Lot Coverage (maximum):
   45% plus an additional 5% for accessory buildings and structures.
2. Front Yard (minimum)..... 3.5 metres
   (maximum)..... 8.5 metres
3. Interior Side Yard (minimum)..... 1.2 metres
4. Exterior Side Yard (minimum)..... 6.0 metres

5. Garage Setback from Front Lot Line (minimum)..... 6 metres
   In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

All other Provisions of the R4 Zone pertain.

5.14.85.4 Residential Type Four Exception Four (R4-4) Zone

By-law 2005-120

On property zoned R4-4 found on McKeown Crescent and Clifford Street, the following special interior side yard setback shall apply:

1. Interior Side Yard Setback (minimum) for a deck for a Semi-Detached Dwelling House only:
   Minimum width for the side that is attached to another Dwelling House shall be 0.3 metres and the minimum width for the side that is not attached to the other Dwelling House shall be 1.2 metres.

All other Provisions of the R4-1 Zone apply.

5.14.85.5 Residential Type Four Exception Five (R4-5) Zone

By-law 2010-106

Within the R4-5 Zone, the following Provisions shall apply:

1. Lot Coverage (maximum):
   40% plus an additional 5% for accessory buildings and structures.
2. Front Yard (minimum)..... 6 metres
3. Exterior Side Yard (minimum)..... 3 metres
4. Interior Side Yard (minimum):
   3 metres on one side, 1.2 metres on the other side, provided that where a garage or carport is attached to, or is within the main buildings, or the lot is a corner lot, the minimum width of the interior side yard shall be 1.2 metres

All other Provisions of the R4 Zone apply.

5.14.85.6 Residential Type Four Exception Six (R4-6) Zone

By-law 2013-072

For the property described as Plan 91, Lot 255, Part 2 on Reference Plan 29R-5809, the following Provisions apply:

1. Provisions for Semi-Detached Dwelling Houses:
   a) Front Lot Line:
      Notwithstanding the definition of Front Lot Line, Cross Street is deemed to be the Front Lot Line.
   b) Rear Yard (minimum)…… 4.5 metres
   c) Front Yard (minimum)…… 4.2 metres
   d) Dwelling Unit Area (minimum)…….. 72 square metres
   e) Garage Setback from Front Lot Line (minimum)……... 5 metres
   f) Section 4.33.1, centreline setback not applicable.

All other Provisions and Uses of the Residential Type Four (R4) Zone apply.

5.14.85.7 Residential Type Four Exception Seven (R4-7) Zone

By-law 2013-85

For the property described as Part of Lot 40, Concession Broken Front, Parts 8 to 11 on Reference Plan 29R-6019, the following Provisions apply:

Permitted Residential Uses

- Single Detached Dwelling House
- Semi-Detached Dwelling House
- Home Occupation
- Group Home

Non-Residential and Accessory Uses are allowed in accordance with the R4 Zone.

Number of dwelling houses on one lot: one Single Detached Dwelling House and one Semi-Detached Dwelling House (maximum of two Semi-Detached Dwelling Units).

All other Provisions of the Residential Type Four (R4) Zone apply.

5.14.85.8 Residential Type Four Exception Eight (R4-8) Zone

By-law 2014-114
By-law 2015-70

Within the R4-8 Zone, the following Provisions shall apply:

5.14.8.8.1 Uses Permitted

1. Residential Uses
   - Single Detached Dwelling House
   - Semi-Detached Dwelling House
   - Home Occupation
2. Non-Residential Uses
   - A Public Park
   - A Public Use or Utility in accordance with the General Provisions of this By-law

5.14.8.8.2 Zone Provisions

No person shall within the R4-8 Zone use any lot or erect, after or use any building or structures except in accordance with the following Provisions:

1. Lot Frontage — Corner Lot — Other Lot
   Single Detached Dwelling House…… 13.2 metres…… 10.0 metres
   Semi-Detached Dwelling House…….…….. 19.5 metres……..… 15.0 metres
   Semi-Detached Dwelling Unit……..…….. 12.0 metres…… 7.5 metres
   For the purposes of calculating minimum lot frontage, the lot frontage shall be measured 7.5 metres from the front lot line.
2. Front Yard (minimum)…….…. 4.0 metres
3. Front Yard for Garage (minimum)…….……..…. 6.0 metres
4. Exterior Side Yard (minimum)……..……..... 3.0 metres
5. Rear Yard (minimum)……..…….. 7.5 metres
6. Lot Area (minimum)
   a) Single Detached Dwelling ~~Unit~~House…….. 320 square metres
   b) Semi-Detached Dwelling House…… 480 square metres
   c) Semi-Detached Dwelling Unit…….…… 240 square metres
7. Lot Coverage (maximum)
   a) Single Detached Dwelling House:
      48% plus 8% for accessory structures and buildings.

b) Semi-Detached Dwelling House:
48% plus 7% for accessory structures and buildings.

8. Setback for garage:
In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling on the lot.

9. Interior side yard (minimum):
3 metres on one side, 1.2 metres on the other side, provided that where a garage or carport is attached to, or is within the main building, or the lot is a corner lot, the minimum width of the interior side yard shall be 1.2 metres.

10. For the purposes of Section 4.40, Subsection 2. ~~(b)~~ of this By-law, the 1.5 metre maximum Projection Provision that applies to rear and front yards shall also be deemed to apply to exterior side yards for properties zoned as Residential Type Four Exception Eight.

All other Provisions of the Residential Type Four (R4) Zone apply.

5.14.8~~5~~.9 Residential Type Four Exception Nine (R4-9) Zone

By-law 2005-120
By-law 2009-14
By-law 2013-116
By-law 2014-9

Within the R4-9 Zone the following Provisions apply:

1. Front Yard…….. 3.5 metres
2. Exterior Side Yard…….. 3.5 metres
3. Rear Yard…….. 6.0 metres
4. Setback from Centreline of Road…….. 9.5 metres total
5. Garage Setback from Front Lot Line…….. 5.7 metres
6. Parking Space Length…….. 5.7 metres

~~5.14.5.918 Residential Type Four Exception Nine (R4-9) Zone~~

~~On property zoned R4-9 found on McKeown Crescent and Clifford Street, the following special interior side yard setback shall apply:~~

~~1. Interior side yard setback (minimum) for a deck for a semi-detached dwelling house only:~~

~~Minimum width for the side that is attached to another dwelling house shall be 0.3 metres and the minimum width for the side that is not attached to the other dwelling house shall be 1.2 metres.~~

~~All other provisions of the R4 zone apply.~~

5.14.~~8~~5.10 Residential Type Four Exception Ten (R4-10) Zone

By-law 2014-79

Within the R4-10 Zone, the following Provisions shall apply:

5.14.8.10.1 Uses Permitted

1. Residential Uses
   - Single Detached Dwelling House
   - Semi-Detached Dwelling House
   - Home Occupation
2. Non-Residential Uses and Accessory Uses in accordance within the R4 Zone.

5.14.8.10.2 Zone Provisions – Semi-Detached Dwelling House

1. Lot Frontage (minimum) for a Semi-Detached Dwelling House…..…... 15.5 metres
2. Lot Frontage (minimum) for Semi-Detached Dwelling Unit:
   7.5 metres except a corner unit shall be a minimum of 12.0 metres.
3. Yards (minimum)
   a) Front Yard……..……. 4.0 metres
   b) Exterior Side Yard……..……... 3.0 metres
   c) Interior Side Yard:
      1.2 metres on one side, 0 metres on the other side, however where there is no attached garage or carport then one side shall be 3.0 metres.
   d) Rear Yard……..…….. 7.5 metres
4. Dwelling Unit Area (minimum)……...…….. 96 square metres
5. Lot Area (minimum) for a Semi-Detached Dwelling House...…... 495 square metres

6. Lot Area (minimum) for a Semi-Detached Dwelling Unit…..…... 245 square metres
7. Lot Coverage (maximum):
   43% plus an additional 5% for accessory buildings and structures.
8. Height of Buildings (maximum)……..……... 10 metres
9. Garage Setback from Front Lot Line (minimum)……...…. 6.0 metres ~~for a Semi-Detached~~

5.14.8.10.3 Zone Provisions – Single Detached Dwelling House

1. Lot Frontage (minimum):
   9.0 metres except a corner lot shall have a minimum frontage of 13.2 metres.
2. Lot Area (minimum)…….. 300 metres
3. Yards (minimum)
   a) Front Yard……..……. 4.0 metres
   b) Exterior Side Yard……..…… 3.0 metres
   c) Interior Side Yard:
      1.2 metres except where there is a dwelling unit without an attached garage, then one of the interior side yards must be 3.0 metres
   d) Rear Yard……..…….. 7.5 metres
4. Dwelling Unit Area (minimum)……...……...……... 96 square metres
5. Lot Coverage Dwelling Unit (maximum):
   43% plus an additional 5% for accessory buildings and structures.
6. Height of Buildings……..…… 10 metres
7. Garage Setback from Front Lot Line (minimum)……...…….. 6.0 metres

All other Provisions of the Residential Four (R4) Zone apply.

5.14.~~8~~5.11 Residential Type Four Exception Eleven (R4-11) Zone

By-law 2017-71

Within the R4-11 Zone, the following Zone Provisions shall apply:

5.14.8.11.1 ~~Permitted~~ Uses Permitted

1. Residential Uses
    - Semi-Detached Dwelling House
    - Group Home
    - Home Occupation
    - Accessory Uses

5.14.8.11.2 Zone Provisions for Semi-Detached Dwelling House

1. Lot Area (minimum)
    a) Semi-Detached Dwelling House..... 480 square metres
    b) Semi-Detached Dwelling Unit Area (minimum)…….. 96 square metres
    c) Lot Frontage (minimum)..... 7.5 metres
2. Yards
    a) Front Yard (minimum)..... 4.0 metres
    b) Exterior Side Yard (minimum)..... 3.0 metres
    c) Interior Side Yard (minimum)..... 1.2 metres
    d) Rear Yard (minimum)..... 7.5 metres
3. Lot Coverage (maximum):
    48% plus an additional 8% for accessory structures/buildings.
4. Height of Buildings (maximum)..... 10 metres
5. Setback for Garage:
    6.0 metres and in no case shall the garage extend more than 3.0 metres closer to the front lot line than the principal dwelling on the lot.

All other Provisions of the Residential Type Four (R4) Zone apply.

5.14.~~85~~.12 Residential Type Four Exception Twelve (R4-12) Zone

By-law 2017-97

Within the R4-12 Zone, the following Provisions apply to Semi-Detached Units:

1. Front Yard (minimum)……. 6.0 metres
2. Interior Side Yard (minimum)……. 1.2 metres
3. Lot Coverage (maximum)……. 40% for a dwelling
4. Lot Coverage (maximum)…….. 45% for all buildings and structures

All other provisions of the Residential Type Four (R4) Zone apply.

5.14.85.13 Residential Type Four Exception Thirteen (R4-13) Zone

By-law 2018-75

Within the R4-13 Zone, the following Provisions apply to Semi-Detached Units:

1. Front Yard (minimum)…… 6.0 metres
2. Interior Side Yard (minimum)…… 1.2 metres
3. Lot Coverage (maximum)…… 40% for a dwelling
4. Lot Coverage (maximum)…….. 45% for all buildings and structures

All other Provisions of the Residential Type Four (R4) Zone apply.

5.14.85.14 Residential Type Four Exception Fourteen (R4-14) Zone

By-law 2021-27

Within the R4-14 Zone the following Provisions applies:

1. Lot Frontage (minimum) for a Semi-Detached Dwelling House…….. 15.2 metres

All other Provisions of the R4-10 Zone apply.

5.14.85.15 Residential Type Four Exception Fifteen (R4-15) Zone

By-law 2024-23

Within the R4-15 Zone the following Provisions shall apply:

1. Single Detached Dwellings
   a) Front Yard (minimum)…….. 6 metres
   b) Minimum Interior Side Yard for Easterly Lot Line…… 2.2 metres
   c) Minimum Interior Side Yard for Westerly Lot Line……..1.5 metres
2. Semi Detached Dwellings
   a) Semi-Detached Dwelling House Llot Aarea (minimum)..... 541 square metres
   b) Semi-Detached Dwelling Unit Llot Aarea (minimum)…..... 256 square metres
   c) Semi-Detached Dwelling House Lot Frontage (minimum)……15 meters
   d) Semi-Detached Dwelling Unit Lot Frontage (minimum)……7.6 metres
   e) Front Yard (minimum)…….. 6 metres

f) Exterior Side Yard Setback (minimum)…….. 2.4 metres
g) Interior Side Yard Setback (minimum)……..1.4 metres
h) Lot Coverage (maximum)……..…….…….. 38.9%

3. Notwithstanding Section 3.0 Definitions, the minimum dimensions of a sight triangle are 9 metres by 5.5 metres along Ruslana Court.
4. Notwithstanding Section 4.4 Subsection 6. b)~~f)ii)~~ Extractive Industrial Zone setback be reduced to 224 metres for a dwelling house.

All other Provisions of the R4 Zone apply.

5.14.~~8~~5.16 Residential Type Four Exception Sixteen (R4-16) Zone

By-law 2025-10

Amherstview West.

Within the R4-16 Zone the following Provisions shall apply:

5.14.8.16.1 Uses Permitted

1. Residential Uses
   - Single-Detached Dwelling House
   - Semi-Detached Dwelling House
   - Duplex Dwelling House
   - Group Home
   - Home Occupation in accordance with Section 4.19 of this By-law
   - Public School
2. Non-Residential Uses
   - Bed and Breakfast Establishment in accordance with Section 4.19 of this By-law
   - ~~Day nursery~~ Day Ccare Ccentre
   - Public Park
   - Public Use or Utility in accordance with the General Provisions of this By-law
3. Accessory Uses
   - Uses, buildings and structures accessory or any of the permitted uses specified in accordance with the General Provisions of this By-law

5.14.8.16.2 Provisions for Single-Detached Dwellings

1. Lot Area (minimum)…….. 320 square metres
2. Lot Frontage (minimum)
   a) Off a minor collector……... 14 metres
   b) Off a local road…… Interior lot - 10 metres
      …… Corner lot - 12 metres
3. Yards (minimum)
   a) Front Yard……... 4 metres
   b) Exterior Side Yard……..……..……... 3 metres
   c) Interior Side Yard
      i) Interior Lot……..……..……. 1.2 metres
      Except where there is a dwelling unit without an attached garage, then one of the interior side yards must be 3 metres.
      ii) Corner Lot……..…… 1.2 metres
   d) Rear Yard…….…….. 6 metres
4. Lot Coverage (maximum):
   48% Plus an additional 8% for accessory buildings and structures.
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Height of Buildings (maximum)……. 10 metres
7. Garage Setback from the Front Lot Line (minimum):
   In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.
8. Landscaped Open Space (minimum)……..…….. 30%

Notwithstanding Section 4.27, Subsection 3. h) ~~(vii)~~ of this By-law, a driveway is not permitted off a major collector road.

5.14.8.16.3 Provisions for Semi-Detached Dwellings and Duplex Dwellings

1. Lot Area (minimum)

a) Semi-Detached Dwelling House…….. 240 square metres per Ddwelling Uunit

b) Duplex Dwelling House…….…… 480 square meters

2. Lot Frontage (minimum)

a) Semi-Detached Dwelling House off Local Road…….... 15 metres per Dwelling House

……..….. 7.5 metres per Dwelling Unit

b) Duplex Dwelling House off Local Road……..……..…15 metres

3. Yards

a) Front Yard (minimum)..... 4 metres

b) Exterior Side Yard (minimum) ..... 3 metres

c) Interior Side Yard (minimum):

i) Semi-Detached Dwelling House:

3 metres on one side, with a minimum aggregate of 4.2 metres for both interior side yards, except where a garage or carport is attached to the main building, the minimum shall be 1.2 metres. Where a common party wall is located along a lot line: shall be 0 metres.

ii) Duplex Dwelling House:

3 metres on one side, with a minimum aggregate of 4.2 metres for both interior side yards, except where a garage or carport is attached to the main building, the minimum shall be 1.2 metres.

d) Rear Yard (minimum) ..... 6 metres

4. Lot Coverage (maximum):

48% plus an additional 5% for accessory buildings and structures.

5. Setback from Street Centerline:

In accordance with the General Provisions of this By-law.

6. Number of Principal Buildings Per Lot (maximum)…… 1

7. Height of Buildings (maximum)…….. 10 metres

8. Garage Setback from Front Lot Line (minimum)…….... 6 metres

In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

9. Landscaped Open Space (minimum)……..…….. 30%

Notwithstanding Section 4.27, Subsection 3. h) ~~(vii)~~, a driveway is not permitted off a minor or major collector road.

All other Provisions of the R4 Zone shall apply.

5.14.~~8~~5.17 Residential Type Four Exception Seventeen (R4-17) Zone

By-law 2025-17

5.14.8.17.1 ~~Permitted~~ Uses Permitted~~—~~

- Single Detached Dwelling House
- Semi-Detached Dwelling House
- Home Occupation
- Public Park
- Public Use
- Public School

5.14.8.17.2 Provisions for Single Detached Dwelling Houses

1. Lot Area (minimum)…….. 300 square metres
2. Lot Frontage (minimum)…….. 10 metres
3. Front Yard Setback (minimum)…….. 4 metres
4. Exterior Side Yard Setback (minimum)…….. 3 metres
5. Interior Side Yard Setback (minimum)…….. 1.2 metres
6. Lot Coverage (maximum):
   48% plus 8% for accessory structures and buildings.

5.14.8.17.3 Provisions for Semi-Detached Dwelling Houses

1. Lot Area (minimum)
   a) Semi-Detached Dwelling House…….. 480 square metres
   b) Semi-Detached Dwelling Unit…….. 240 square metres
2. Lot Frontage (minimum)……10 metres
   a) Semi-Detached Dwelling House……..15 metres
   b) Semi-Detached Dwelling House (Corner Lot)……..16.8 metres

c) Semi-Detached Dwelling Unit (Excluding Corner Lots)…..…… 7.5 metres

3. Front Yard Setback (minimum)…….. 4 metres
4. Exterior Side Yard (minimum)…….…… 3 metres
5. Interior Side Yard Setback (minimum)…… 1.2 metres
6. Lot Coverage (maximum):
   48% plus 8% for accessory structures and buildings.
7. 4.23 Model Homes – Notwithstanding Section 4.23 1. to 10.~~a) to j)~~, for those lands in Lots 29 and 30, Concession 3 and 4 in Odessa, a maximum of ~~twenty (~~20%~~) percent~~ of single-detached model dwelling per phase of development may be constructed, except that a minimum of two (2) and no more than six (6) Single Detached Model Dwellings may be constructed, whichever is less; in addition to two (2) Semi-Detached Model Dwellings to a maximum of four (4) in Dwelling Units per phase of development.
8. 4.40 Yard Setback and Height Encroachments Permitted – For the purposes of Section 4.40, Subsection 2. ~~(b)~~ of this By-law, the 1.5 metre maximum Projection Provision that applies to rear and front yards shall also be deemed to apply to exterior side yards for properties zoned as Residential Type Four Exception (R4-17).

All other Provisions of the Residential Type Four (R4) Zone shall apply.

5.14.8.18 Residential Type Four Exception Nine (R4-9) Zone

On property zoned R4-9 found on McKeown Crescent and Clifford Street, the following special interior side yard setback shall apply:

1. Interior side yard setback (minimum) for a deck for a Semi-Detached Dwelling House only:
   Minimum width for the side that is attached to another Dwelling House shall be 0.3 metres and the minimum width for the side that is not attached to the other Dwelling House shall be 1.2 metres.

All other Provisions of the R4 Zone apply.

5.15 RESIDENTIAL TYPE FIVE (R5) ZONE

No person shall within any Residential Type Five (R5) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.15.1 Uses Permitted

1. Residential Uses
   - Boarding or Lodging House
   - Existing Converted Dwelling House
   - Triplex Dwelling House
   - Fourplex Dwelling House
   - Streetfront Dwelling House
   - Low-Rise Apartment Dwelling House
   - Row or Cluster Dwelling Houses
   - Maisonette Dwelling Houses
   - Home Occupation in a Streetfront or a Row Dwelling House
2. Non-Residential Uses
   - Public Park
   - Public Use or Utility in accordance with the General Provisions of this By-law
   - Public School
   - Community Garden
3. Accessory Uses
   - Uses, buildings and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law~~.~~

5.15.2 Zone Provisions for Duplex and Semi-Detached Dwellings

1. Lot Area (minimum)
   a) Semi-D~~d~~etached D~~d~~welling H~~h~~ouse…… ~~_____~~ …… 500 square metres
   b) Semi-D~~d~~etached D~~d~~welling U~~u~~nit…… ~~_____~~ …….. 240 square metres
   c) Duplex D~~d~~welling H~~h~~ouse…… ~~_____~~ …….. 480 square metres

2. Lot Frontage (minimum)
   a) Semi-Ddetached Ddwelling Hhouse…….…….. 15 metres
   b) Semi-Ddetached Ddwelling Uunit…….…….. 7.5 metres
   c) Duplex Ddwelling Hhouse…….…….. 15 metres

3. Yards
   a) Front Yard (minimum)…….. 4.0 metres
   b) Exterior Side Yard (minimum)…….... 3.0 metres
   c) Interior Side Yard
      i) Semi-Ddetached Ddwelling Hhouse:
         3 metres on one side, with a minimum aggregate of 4.2 metres for both interior side yards, except where a garage or carport is attached to the main building, the minimum shall be 1.2 metres; and where a common party wall is located a long lot line shall be: 0 metres.
      ii) Duplex Ddwelling Hhouse:
         3 metres on one side, with a minimum aggregate of 4.2 metres for both interior side yards, except where a garage or carport is attached to the main building, the minimum shall be 1.2 metres.
   d) Rear Yard (minimum)…….. 6.0 metres

4. Lot Coverage (maximum):
   45% plus an additional 5% for accessory structures and buildings.

5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.

6. Height of Buildings (maximum)…….. 11 metres

7. Garage Setback from Front Lot Line (minimum)…….... 6 metres
   In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

5.15.3 Triplex Dwelling House

1. Lot Area (minimum)…….. 700 square metres

2. Lot Frontage (minimum)…….. 16 metres

3. Yards
   a) Front Yard (minimum)..... 5.0 metres
   b) Exterior Side Yard (minimum)..... 4.0 metres
   c) Interior Side Yard:
      4 metres on one side, and 1.2 metres on the other side where there is not attached private garage or carport, plus 0.6 metres on the narrow side for each additional or partial storey above the second, provided that where a garage or carport is attached to or is within the main building, or the lot is a corner lot, the minimum width of the interior side yard shall be 1.8 metres plus 0.6 metres for each additional or partial storey above the second.
   d) Rear Yard (minimum)..... 5.0 metres
4. Lot Coverage (maximum)..... 45%
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Number of Dwelling Houses Per Lot (maximum)..... 1
7. Number of Dwelling Units Per Lot (maximum)..... 3
8. Height of Buildings (maximum)..... 11 metres
9. Garage Setback from Front Lot Line (minimum)..... 4 metres
   In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

5.15.4 Fourplex Dwelling House

1. Lot Area (minimum)..... 800 square metres
2. Lot Frontage (minimum)..... 16 metres
3. Yards (minimum)
   a) Front Yard..... 5.0 metres
   b) Exterior Side Yard..... 4 metres
   c) Interior Side Yard..... 2 metres
   d) Rear Yard..... 5.0 metres
4. Dwelling Unit Area (minimum)
   a) Bachelor Dwelling Unit..... 37 square metres
   b) One-Bedroom Dwelling Unit..... 56 square metres

c) Two-Bedroom Dwelling Unit..... 70 square metres
d) Three-Bedroom Dwelling Unit..... 80 square metres
e) More than Three-Bedrooms:
80 square metres plus 9 square metres per bedroom in excess of three.

5. Lot Coverage (maximum)..... 45%

6. Setback from Street Centreline:
In accordance with the General Provisions of this By-law.

7. Number of Dwelling Houses Per Lot (maximum)..... 1

8. Number of Dwelling Units Per Lot (maximum)..... 4

9. Height of Buildings (maximum)..... 11 metres

10. Garage Setback from Front Lot Line (minimum)..... 4 metres
In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

5.15.5 Low-Rise Apartment Dwelling House

1. Lot Area (minimum)..... 850 square metres

2. Lot Frontage (minimum)..... 20 metres

3. Yards (minimum)
a) Front Yard..... 6.0 metres
b) Exterior Side Yard..... 6.0 metres
c) Interior Side Yard..... 6.0 metres
d) Rear Yard..... 6.0 metres

4. Gross Floor Area per dwelling Unit (minimum)
a) One-Bedroom Dwelling Unit..... 56 square metres
b) Two-Bedroom Dwelling Unit..... 70 square metres
c) Three-Bedroom Dwelling Unit..... 84 square metres
d) More than Three-Bedroom Dwelling Unit:
84 square metres plus 9 square metres for each bedroom in excess of three.

5. Lot Coverage (maximum)..... 50%
All buildings and structures

6. Landscaped Open Space (minimum)…….…… 25%

7. Number of Apartment Units per Lot (maximum)…… 50 units per net hectare

8. Height of Buildings (maximum)……. 12 metres

9. Planting Strip Requirement:
   Where the interior or exterior side lot line or rear lot line of a low-rise apartment building in any zone abuts another Residential Use of lower density, an area adjoining such abutting lot line shall be used for no other purpose than a planting strip in accordance with the General Provisions of this By-law.

~~5.15.2 Triplex Dwelling House~~

~~*By-law-2011-076*~~

~~1. Lot Area (minimum)…….. 740 square metres~~

~~2. Lot Frontage (minimum)…….. 20 metres~~

~~3. Yards~~
   ~~a) Front Yard (minimum)…… 7.5 metres~~
   ~~b) Exterior Side Yard (minimum)…… 6 metres~~
   ~~c) Interior Side Yard:~~
      ~~5 metres on one side, and 1.8 metres on the other side where there is not attached private garage or carport, plus 0.6 metres on the narrow side for each additional or partial storey above the second, provided that where a garage or carport is attached to or is within the main building, or the lot is a corner lot, the minimum width of the interior side yard shall be 1.8 metres plus 0.6 metres for each additional or partial storey above the second.~~
   ~~d) Rear Yard (minimum)…… 10 metres~~

~~4. Dwelling Unit Area (minimum)…… 84 square metres per dwelling unit~~

~~5. Lot Coverage (maximum)…… 35 percent~~

~~6. Setback from Street Centreline:~~
   ~~In accordance with the General Provisions of this By-law.~~

~~7. Number of Dwelling Houses Per Lot (maximum)…… 1~~

~~8. Number of Dwelling Units Per Lot (maximum)…… 3~~

~~9. Height of Buildings (maximum)..... 10 metres~~

~~10. Garage Setback from Front Lot Line (minimum)..... 6 metres~~
~~In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principle dwelling house on the lot.~~

~~5.15.3 Fourplex Dwelling House~~

~~1. Lot Area (minimum)..... 930 square metres~~

~~2. Lot Frontage (minimum)..... 30 metres~~

~~3. Yards (minimum)~~
- ~~Front Yard..... 7.5 metres~~
- ~~Exterior Side Yard..... 6 metres~~
- ~~Interior Side Yard..... 3 metres~~
- ~~Rear Yard..... 10 metres~~

~~4. Dwelling Unit Area (minimum)~~
~~a) Bachelor dwelling unit..... 37 square metres~~
~~b) One bedroom dwelling unit..... 56 square metres~~
~~c) Two bedroom dwelling unit..... 70 square metres~~
~~d) Three bedroom dwelling unit..... 80 square metres~~
~~e) More than three bedrooms:~~
~~80 square metres plus 9 square metres per bedroom in excess of three~~

~~5. Lot Coverage (maximum)..... 35 percent~~

~~6. Setback from Street Centreline:~~
~~In accordance with the General Provisions of this By-law.~~

~~7. Number of Dwelling Houses Per Lot (maximum)..... 1~~

~~8. Number of Dwelling Units Per Lot (maximum)..... 4~~

~~9. Height of Buildings (maximum)..... 12 metres~~

~~10. Garage Setback from Front Lot Line (minimum)..... 6 metres~~
~~In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principle dwelling house on the lot.~~

5.15.~~6~~4 ~~—~~Boarding or Lodging House and Converted Dwelling House

1. Lot Area (minimum)..... 700 square metres

2. Lot Frontage (minimum)…….…….... 24 metres

3. Yards
   a) Front Yard (minimum)……..…….. 7.5 metres
   b) Exterior Side Yard (minimum)……..…… 6 metres
   c) Interior Side Yard:
      5 metres on one side, and 3.0 metres on the other side plus 0.6 metres on the narrow side for each additional or partial storey above the third, provided that where three garages and/or carports are attached to and/ or are within the main building or the lot is a corner lot, the minimum width of the interior side yard or yards shall be 3.0 metres plus 0.6 metres for each additional or partial storey above the third.
   d) Rear Yard (minimum)…….…… 7.5 metres

4. Dwelling Unit Area (minimum)
   a) One Guest Room…..……..…… 93 square metres
   b) Two Guest Rooms……..……..…… 116 square metres
   c) Three Guest Rooms……..……..……. 139 square metres
   d) Four Guest Rooms……..……..……... 162 square metres

5. Lot Coverage (maximum)……. 35%

6. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.

7. Number of Dwelling Houses Per Lot (maximum)…… 1

8. Number of Guest Rooms Per Lot (maximum)…… 4

9. Height of Buildings (maximum)…….. 10 metres

10. Garage Setback from Front Lot Line (minimum)……... 6 metres
    In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

5.15.75 ~~5~~ Streetfront, Row or Maisonette Dwelling Houses

By-law 2011-76

1. Lot Area (minimum)
   a) Where a Dwelling Unit has only One Wall Attached to an Adjoining Unit and the Lot is not a Corner Lot……..…. 240 square metres
   b) Where a Dwelling Unit has Two Walls Attached to Adjoining

Units……..…….... 200 square metres

c) Where the Dwelling Unit has only One Wall Attached to an Adjoining Unit and the Lot is a Corner Lot...…..……. 310 square metres

2. Lot Frontage (minimum)
   a) Row House Dwelling House……..……..…….. 10 metres
   b) Where a Streetfront Townhouse Unit has only One Wall Attached to an Adjoining Unit and the Lot is a Corner Lot……..…..……. 10 metres
   c) All Other Streetfront Townhouses……..……..…… 6 metres
3. Yards (minimum)
   a) Front Yard……. 7.5 metres
   b) Exterior Side Yard……..……..…… 6.0 metres
   c) Interior Side Yard……..…….. 2 metres
   d) Rear Yard……..……..……... 7.5 metres
4. Maximum Number of Streetfront Townhouses having Common Walls:
   Three or more dwelling units but not exceeding six dwelling units may be erected having common walls.
5. Dwelling Unit Area (minimum)……..…….. 84 square metres per Dd~~d~~welling Uu~~u~~nit
6. Lot Coverage (maximum)……..……..……..……... 40%
7. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
8. Number of Dwelling Houses per Lot……..…….. 1
9. Number of Dwelling Units per Lot
   a) For Row Housing Dwelling Houses……..…… ~~60~~ 75 per net hectare
   b) For Streetfront Townhouse Dwelling Units (maximum)……. 1 per lot
10. Height of Buildings (maximum)……..……... 10 metres
11. Garage Setback from Front Lot Line (minimum)……..…… 6 metres
    In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

~~5.15.5A Low Rise Apartment Dwelling House~~

~~*By-law 2011-076*~~

~~1. Lot Area (minimum)..... 1000 square metres~~

~~2. Lot Frontage (minimum)..... 24 metres~~

~~3. Yards (minimum)~~

~~a) Front Yard..... 7.5 metres~~
~~b) Exterior Side Yard..... 7.5 metres~~
~~c) Interior Side Yard..... 7.5 metres~~
~~d) Rear Yard..... 7.5 metres~~

~~4. Gross Floor Area per dwelling Unit (minimum)~~

~~a) One Bedroom Dwelling Unit..... 56 square metres~~
~~b) Two Bedroom Dwelling Unit..... 70 square metres~~
~~c) Three Bedroom Dwelling Unit..... 84 square metres~~
~~d) More than Three Bedroom Dwelling Unit:~~
~~84 square metres plus 9 square metres for each bedroom in excess of three~~

~~5. Lot Coverage (maximum)..... 35 percent~~
~~All buildings and structures~~

~~6. Landscaped Open Space (minimum)..... 35 percent~~

~~7. Number of Apartment Units per Lot (maximum)..... 50~~75 ~~units per net hectare~~

~~8. Height of Buildings (maximum)..... 9 metres~~

~~9. Planting Strip Requirement:~~
~~Where the interior or exterior side lot line or rear lot line of an Urban Residential Type Five (R5) zone abuts another residential zone of lower density, an area adjoining such abutting lot line shall be used for no other purpose than a planting strip in accordance with the general provisions of this By-law.~~

5.15.~~8~~6 General Zone Provisions

In accordance with Section 4, General Provisions, of this By-law.

5.15.~~9~~7 Exception Provisions – Residential Type Five (R5) Zone

5.15.~~9~~7.1 Residential Type Five Exception One (R5-1) Zone

Within the R5-1 Zone the following Provisions shall apply:

1. Triplex Dwelling House:
   a) Front Yard (minimum)……..……..……... 3.5 metres
      (maximum)……..……. 8 metres
   b) Exterior Side Yard (minimum)……..……..……. 3.5 metres
   c) Lot Frontage:
      The minimum lot frontage requirement shall be calculated at the minimum front yard depth of 6 metres.

2. Fourplex Dwelling House:
   a) Front Yard (minimum)……..……..……... 3.5 metres
      (maximum)……..……. 8 metres
   b) Exterior Side Yard (minimum)……..……..……. 3.5 metres
   c) Lot Frontage:
      The minimum lot frontage requirement shall be calculated at the minimum front yard depth of 6 metres.

3. Boarding or Lodging House and Converted Dwelling House:
   a) Front Yard (minimum)……..……..……... 3.5 metres
      (maximum)……..……..……. 8 metres
   b) Exterior Side Yard (minimum)……..……..……. 3.5 metres
   c) Lot Frontage:
      The minimum lot frontage requirement shall be calculated at the minimum front yard depth of 6 metres.

4. Streetfront, Row or Maisonette Dwelling House:
   a) Front Yard (minimum)……..……..……..……... 3.5 metres
      (maximum)……..……. 8 metres
   b) Exterior Side Yard (minimum)……..……..……. 3.5 metres
   c) Lot Frontage:
      The minimum lot frontage requirement shall be calculated at the minimum front yard depth of 6 metres.

5.15.9~~7~~.3 Residential Type Five Exception Three (R5-3) Zone

By-law 2004-90
By-law 2006-4
By-law 2006-18

On lands zoned R5-3, the minimum front yard for street-front townhouses shall be 6.0 metres.

The Lot Coverage Provisions are as follows:

1. End Dwelling Unit ~~that is~~ on a ~~Lot that is a~~ Corner Lot…..…… 42% (maximum)
2. Other End Dwelling Units……..…….. 45% (maximum)
3. Interior Dwelling Units……...…….. 50% (maximum)

The developer will be allowed to build up to six (6) model dwelling units.
For the purposes of determining railway setback the following Provision applies:

1. No building or structure shall be erected or placed closer then 30 metres from the boundary of the Canadian National Railways right-of-way.

All other Provisions of the R5 Zone apply.

5.15.9~~7~~.4 Residential Type Five Exception Four (R5-4) Zone

By-law 2024-91

Within the R5-4 Zone, the following provisions shall apply:

Provisions for Streetfront, Row or Maisonette Dwelling Houses

1. ~~a)~~ Side Yards (minimum):
   a) ~~i)~~ Interior where wall is not adjoined……..1.5 metres
   b) ~~ii)~~ Interior where end unit abuts amenity space……..……2 metres
   c) ~~iii)~~ Exterior……2.5 metres
2. ~~b)~~ Lot Coverage (maximum)……..……..55%
3. ~~c)~~ Setback from Street Centreline:
   ~~(~~minimum from Church Street/County Road 7~~)~~……..……..23 metres
4. ~~d)~~ Notwithstanding Section 4.1.4 of this By-law, the lot coverage of all accessory buildings or structures, exclusive of swimming pools, shall not exceed 5% of the lot area and shall be calculated in addition to the permitted maximum lot coverage.

5. ~~e)~~ Notwithstanding S~~ubs~~ection 4.29, Subsection 1. ~~a)~~ of this By-law, a planting strip shall be provided abutting the interior lot line of the C4-8 Zone, no less than 1.5 metres in width, 40 metres in length and approximately 286 square metres in area, in accordance with S~~ubs~~ection~~s~~ 4.29, Subsections 2., 3., 4., 5., 6., and 7. ~~b), c), d), e), f) and g)~~ of this By-law.

6. ~~f)~~ Notwithstanding S~~ubs~~ection 4.29, Subsection 1. ~~a)~~ of this By-law, planting strips shall be provided along Loyalist Boulevard and Church Street (County Road 7) street lines in accordance with S~~ubs~~ections 4.29, Subsections 2., 3., 4., 5., 6., and 7. ~~b), c), d), e), f) and g)~~ of this By-law.

7. ~~g)~~ Notwithstanding S~~ubs~~ection 4.40, Subsections 2., and 3. ~~b) & c)~~ of this By-law, patios, uncovered decks, steps, covered or uncovered, can be greater than 0.6 metres above grade and project into any required side yard provided they are no closer than 1.0 metres to any lot line.

8. ~~h)~~ Notwithstanding Section 3.0 Definitions (Street or Road, Improved Road), for the purposes of this By-law, IMPROVED PUBLIC STREET OR ROAD shall also include a private road assumed for use by prescribed parcels of tied land under the jurisdiction of a condominium corporation as established on a registered plan of common elements condominium pursuant to the Condominium Act, 1998.

All other requirements of the Residential Type Five (R5) Zone shall apply.

The 'H' Holding Symbol shall be removed in accordance with Section 4.18, Subsection 4. ~~d).~~ Prior to removal of the 'H' Holding Symbol, only uses existing as of the date of this By-law are permitted.

5.15.9~~7~~.5 Residential Type Five Exception Five (R5-5) Zone

By-law 2010-52

For lands zoned Residential Type Five Exception Five (R5-5), the following Zoning Provisions shall prevail:

1. Lot Coverage (maximum):
   40% for all buildings plus an additional 5% for accessory buildings and structures.
2. Minimum Front Yard..... 6.0 metres
3. Minimum Dwelling Unit Area for a street ~~-~~front dwelling house unit..... 71 square metres

4. The requirements of Section 4.23 apply to model homes, except that a maximum of four (4) model home units can be erected on lands zoned R5-5.
5. The requirements of Section 4.40, Subsection 2.~~(b)~~ apply, except that the Unenclosed Porches, Balconies and Step Provision shall also permit the projection of 1.5 metres into an exterior side yard for lands zoned R5-5.

All other Provisions of the Residential Type Five Zone apply.

5.15.~~9~~7.6 Residential Type Five Exception Six (R5-6) Zone

By-law 2012-37
By-law 2013-3

Within the R5-6 Zone, the following Provisions shall apply:

5.15.9.6.1 Uses Permitted

1. Residential Uses
   - Streetfront Dwelling House
   - Home Occupation
2. Non-Residential Uses
   - Public Use or Utility
   - Public Park
   - Public School
   - Community Garden
3. Accessory Uses
   - Uses, buildings and structures accessory to any permitted uses specified in accordance with the General Provisions of this By-law

5.15.9.6.2 Streetfront Dwelling House Zone Provisions

1. Lot Area (minimum)…….. 200 square metres
2. Lot Frontage (minimum)…… 6.0 metres
3. Yards (minimum)
   a) Front Yard……... 4.5 metres
   b) Exterior Side Yard…….. 3.0 metres

c) Interior Side Yard..... 1.2 metres
d) Rear Yard..... 7.5 metres

4. Maximum Number of Streetfront Townhomes having Common Walls:
   Three or more dwelling units, but not exceeding six dwelling units may be erected having common walls.
5. Dwelling Unit Area (minimum)..... 71 square metres per dwelling unit
6. Lot Coverage (Maximum):
   48% plus an additional 7% for accessory buildings and structures for a single storey street-front townhouse dwelling unit and 45% plus an additional 8% for accessory buildings and structures for a street-front townhouse dwelling unit greater than one storey in height.
7. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
8. Number of Dwelling Houses per Lot..... 1
9. Number of Dwelling Units per Lot..... 1
10. Height of Building (maximum)..... 10 metres
11. Garage Setback from Front Lot Line (minimum):..... 6 metres
    In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.

5.15.9~~7~~.7 Residential Type Five Exception Seven (R5-7) Zone

By-law 2012-37

5.15.9.7.1 Uses Permitted

1. Non-Residential Uses
   - A private club that also includes a community centre for resident members and their guests, as well as overnight accommodation for guests of members.
   - A temporary sales centre for the purposes of marketing the Lakeside Phase 7, Stage 2 development.
2. Accessory Uses
   - Uses, buildings and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law~~.~~

5.15.9.7.2 Private Club Zone Provisions

1. Lot Area (minimum)…….. 600 square metres
2. Lot Frontage (minimum)…….. 12.0 metres
3. Yards (minimum)
   a) Front Yard……... 4.5 metres
   b) Exterior Side Yard…….. 3.0 metres
   c) Interior Side Yard……... 3.0 metres
   d) Rear Yard……. 7.5 metres
4. Unit Area (minimum)…… 200 square metres
5. Lot Coverage (Maximum)……..…….. 45%
6. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
7. Height of Building (maximum)…… 10 metres
8. Parking (minimum):
   6 parking spaces with one space designed in accordance with the special vehicle parking requirements in the General Provisions of this By-law.

5.15.97.8 Residential Type Five Exception Eight (R5-8) Zone

By-law 2013-24

5.15.9.8.1 Uses Permitted

No person shall within any R5-8 Zone use any lot or erect, alter or use any building or structure for any purposes except one or more of the following R5-8 uses, namely:

1. Residential Uses
   - Single Detached Dwelling House
   - Semi-Detached Dwelling House
   - Row or Cluster Dwelling House
   - Stacked Townhouse

2. Non- Residential Uses
   - A Home Occupation

- A Public Use in accordance with the By-law

3. Accessory Uses
   - In accordance with the By-law

5.15.9.8.2 Zone Provisions

No person shall within any R5-8 Zone use any lot or erect, alter or use any building or structure except in accordance with the following Provisions:

1. Lot Frontage (minimum)
   a) Single Detached Dwelling House…….. 12.2 metres
   b) Semi-Detached Dwelling House…….. 18 metres
   c) Semi-Detached Dwelling Unit…….. 9.0 metres
   d) Row or Cluster Dwelling House…….. 6.0 metres
   e) Stacked Townhouse…….. 12.2 metres
2. Front Yard (minimum to Right-of-Way)…….. 1.0 metre
3. Setback from Floodplain (minimum):
   15 metres from the anticipated inland excursion of wave uprush, that being 4.1 metres from the top of slope of the breakwall for a total of 19.1 metres from the top ~~top~~ of slope of the breakwall. The Provisions found here in shall prevail over the Provisions found in Section 4.11.
4. Exterior Side Yard (minimum)…….. 3.0 metres
5. Interior Side Yard (minimum)…….. 1.2 metres
6. Rear Yard (minimum)…….. 7.5 metres
7. Lot Coverage (maximum)…….. N/A
8. Lot Area (minimum)…….. N/A
9. Height (maximum)…….. 10 metres
10. Notwithstanding the Provisions of Section 4.1.2 which apply to accessory buildings in relation to a public street, these Provisions shall also apply to a private right-of-way.
11. Notwithstanding the Provisions of Section 4.12, Subsection 1.~~a)~~ requiring access to an improved public street, access shall be provided via a private right of way.

12. Notwithstanding the Parking Area Location on Lot Provisions found in Section 4.27, Subsection 8. ~~(h)~~ requiring driveways and parking spaces to be at least 3 metres from the boundary of a Residential Zone, the setback shall be 0 metres.

5.15.9~~7~~.9 Residential Type Five Exception Nine (R5-9) Zone

By-law 2013-24

5.15.9.9.1 Uses Permitted

No person shall within any R5-9 Zone use any lot or erect, alter or use any building or structure for any purposes except one or more of the following R5-9 uses, namely:

1. Residential Uses
   - UNIT Apartment Dwelling House
2. Non- Residential Uses
   - A public use, including but not limited to a storm water detention pond, public open space, and public pathways
3. Accessory Uses
   - In accordance with the By-law

5.15.9.9.2 Zone Provisions

No person shall within any R5-9 Zone use any lot or erect, alter or use any building or structure except in accordance with the following Provisions:

1. Lot Frontage (minimum)…….……..…….. 30 metres
2. Front Yard (minimum)……..…….. 6.0 metres
3. Setback From Floodplain (minimum)……..……..…….. 15 metres
4. Exterior Side Yard (minimum)……... N/A
5. Interior Side Yard (minimum)……..……. 0 metres
6. Rear Yard (minimum)…….. 7.5 metres
7. Lot Coverage (maximum)…….. N/A
8. Height of Buildings (maximum)……..……... 10 metres

9. Notwithstanding the Provisions of Section 4.1.2 which apply to accessory buildings in relation to a public street, these Provisions shall also apply to a private right-of-way.

10. Notwithstanding the Provisions of Section 4.12, Subsection 1. ~~a)~~ requiring access to an improved public street, access shall be provided via a private right of way.

11. Notwithstanding the Parking Area Location on Lot Provisions found in Section 4.27, Subsection 8. ~~(h)~~ requiring driveways and parking spaces to be at least 3 metres from the boundary of a Residential Zone, the setback shall be 0 metres.

5.15.9~~7~~.10 Residential Type Five Exception Ten (R5-10) Zone

By-law 2012-114

Within the R5-10 Zone, the following Provisions shall apply:

5.15.9.10.1 Uses Permitted

1. Residential Uses
   - Semi-Detached Dwelling House
   - Row or Cluster Dwelling House
   - Streetfront Dwelling House
   - Home Occupation
2. Non-Residential Uses
   - Public Park
   - Public Use or Utility in accordance with the General Provisions of this By-law.

5.15.9.10.2 Zone Provisions

No person shall within the R5-10 Zone use any lot or erect, alter or use any building or structure except in accordance with the following Provisions:

1. Lot Frontage (minimum)	Corner Lot	Other Lot
Semi-Detached Dwelling House	19.5 metres	15.0 metres
Semi-Detached Dwelling Unit	12.0 metres	7.5 metres
Streetfront Dwelling House Unit	12.0 metres	6.0 metres
Row or Cluster Dwelling House	12.0 metres	6.0 metres

For the purpose of calculating minimum lot frontage, the lot frontage shall be measured at 7.5 metres from the front lot line.

2. Front Yard (minimum)…….…… 4.0 metres
3. Front Yard for Garage (minimum)…….. 6.0 metres
4. Exterior Side Yard (minimum)……..…… 3.0 metres
5. Rear Yard (minimum)…….. 7.5 metres
6. Interior Side Yard (minimum):

   1.2 metres for a side that is not attached to another dwelling house unit, except where there is a dwelling unit without an attached garage, then one of the side yards must be 3.0 metres.
7. The requirements of Section 4.40, Subsection 2.~~(b)~~ apply, except that the Unenclosed Porches, Decks, Balconies and Steps Provision shall also permit the projection of 1.5 metres into an exterior side yard for land zoned R5-10.
8. Lot Coverage (maximum)
   a) Semi-Detached Dwellings:

      48% plus an additional 8% for accessory structures and buildings.
   b) Streetfront Dwelling House Units, Row or Cluster Dwellings:

      48% plus an additional 8% for accessory structures and buildings.
9. Lot Area (minimum)
   a) Semi-Detached Dwelling House…… 420 square metres
   b) Semi-Detached Dwelling Unit…….…… 210 square metres
   c) Streetfront Dwelling House Dwelling Unit
      i) Where a dwelling unit has only one wall attached to an adjoining unit and the lot is not a corner lot…….…. 230 square metres

         ~~6~~
      ii) Where a dwelling unit has two walls attached to adjoining units…. 192 square metres
      iii) Where the dwelling unit has only one wall attached to an adjoining unit and the lot is a corner lot……..…. 384 square metres
10. Setback for Garage:

    In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling on the lot.

All other Provisions of the Residential Type Five (R5) Zone apply.

~~6~~

5.15.9~~7~~.11 Residential Type Five Exception Eleven (R5-11) Zone
Reserved

5.15.9~~7~~.12 Residential Type Five Exception Twelve (R5-12) Zone
Within the R5-12 Zone, the following Zone Provisions shall apply:

5.15.9.12.1 ~~Permitted~~ Uses Permitted

1. Residential Uses
   - Streetfront Dwelling House
   - Group Home
   - Home Occupation
   - Accessory Uses
2. Non-Residential Uses
   - Public Park
   - Public Use or Utility in accordance with the General Provisions of this By-law
3. Accessory Uses
   - Uses, buildings and structures accessory to any permitted uses specified in accordance with the General Provisions of this By-law~~.~~

5.15.9.12.2 Streetfront Dwelling House Zone Provisions

1. Lot Area per Unit (minimum) ..... 190 square metres
2. Lot Frontage per Unit (minimum)..... 6.0 metres
3. Yards (minimum)
   a) Front Yard..... 4.0 metres
   b) Exterior Side Yard..... 3.0 metres
   c) Interior Side Yard..... 1.2 metres
   d) Rear Yard..... 7.5 metres

4. Maximum Number of Streetfront Townhomes Having Common Walls:
   Three or more dwelling units, but not exceeding five dwelling units may be erected having common walls
5. Dwelling Unit Area (minimum)…….. 96 square metres per dwelling unit
6. Lot Coverage (maximum):
   48% for a Sstreetfront Ddwelling Hhouse Uunit plus an additional 8% for accessory buildings and structures.
7. Number of Dwelling Units per Lot……..……... 1
8. Height of Building (maximum)…….....……..……. 10 metres
   Setback for garage 6.0 metres and in no case shall the garage extend more than 3.0 metres closer to the front lot line than the principal dwelling on the lot.

All other Provisions of the Residential Type Five (R5) Zone apply.

5.15.97.13 Residential Type Five Exception Thirteen (R5-13) Zone
Within the R5-13 Zone, the following Zone Provisions shall apply:

5.15.9.13.1Permitted Uses Permitted

1. Residential Uses
   - Apartment Dwelling House
   - Streetfront Dwelling House
   - Semi-Detached Dwelling House
   - Home Occupation
2. Non-Residential Uses
   - Public Park
   - Public Use or Utility in accordance with the General Provisions of this By-law
3. Accessory Uses
   - Uses, buildings and structures accessory to any permitted uses specified in accordance with the General Provisions of this By-law.

5.15.9.13.2 Apartment Building Zone Provisions

1. Lot Area (minimum)…… 6,000 square metres
2. Lot Frontage (minimum)…… 24.0 metres
3. Yards (minimum)
   a) Front Yard…… 4.0 metres
   b) Exterior Side Yard…… 3.0 metres
   c) Interior Side Yard…… 7.5 metres
   d) Rear Yard…… 7.5 metres
4. Number of Dwelling Units per Building (maximum)…… 34
5. Height of Building (maximum)…… 12.0 metres
6. Number of Storeys (maximum)…… 4
7. Lot Coverage (maximum):
   35% plus an additional 8% for accessory buildings and structures.
8. Gross Floor Area per Dwelling Unit (minimum):
   a) One-Bedroom Dwelling Unit…… 56 square metres
   b) Two-Bedroom Dwelling Unit…… 70 square metres
   c) Three-Bedroom Dwelling Unit…… 80 square metres
9. Landscaped Open Space (minimum)…… 35%
10. Parking Space Dimensions (minimum)…… 2.7 metres by 6.0 metres
11. Parking Space Area (minimum)…… 16.2 square metres

5.15.9.13.3 Streetfront Dwelling House Zone Provisions

1. Lot Area per Dwelling Unit (minimum)…… 190 square metres
2. Lot Frontage per Dwelling Unit (minimum)…… 6.0 metres
3. Yards (minimum)
   a) Front Yard…… 4.0 metres
   b) Exterior Side Yard…… 3.0 metres
   c) Interior Side Yard…… 1.2 metres
   d) Where a Garage or Carport is not Provided…… 3.0 metres
   e) Rear Yard…… 7.5 metres

4. Dwelling Unit Area (maximum)…… 96 square metres
5. Height of Building (maximum)…….…….. 10.0 metres
6. Lot Coverage (maximum):
   48% plus an additional 8% for accessory buildings and structures.
7. Setback for Garage:
   6.0 metres and in no case shall the garage extend more than 3.0 metres closer to the front lot line than the principal dwelling on the lot.

5.15.9.13.4 Semi-Detached Dwelling House Zone Provisions

1. Lot Area per Dwelling Unit (minimum)……..… 240 square metres
2. Lot Frontage per Dwelling Unit (minimum)…… 7.5 metres
3. Yards (minimum)
   a) Front Yard……..… 4.0 metres
   b) Exterior Side Yard……..…… 3.0 metres
   c) Interior Side Yard……..…… 1.2 metres
   d) Where a Garage or Carport is not Provided……..…… 3.0 metres
   e) Rear Yard …… 7.5 metres
4. Dwelling Unit Area (maximum)…… 96 square metres
5. Height of Building (maximum)…… 10.0 metres
6. Lot Coverage (maximum):
   48% plus an additional 8% for accessory buildings and structures.
7. Setback for Garage:
   6.0 metres and in no case shall the garage extend more than 3.0 metres closer to the front lot line than the principal dwelling on the lot.

All other Provisions of the Residential Type Five (R5) Zone apply.

5.15.~~9~~7.14 Residential Type Five Exception Fourteen (R5-14) Zone

Within the R5-14 Zone the following Provisions shall apply:

5.15.9.14.1 Uses Permitted

1. Residential Uses
    - Single Detached Dwelling House
    - Semi-Detached Dwelling House
    - Streetfront Dwelling House
    - Home Occupation
2. Non-Residential Uses
    - Public Park
    - Public Use or Utility in accordance with the General Provisions of this By-law

5.15.9.14.2 Zone Provisions

1. For Single Detached and Semi-Detached Dwelling Houses, the Zone Provisions of the R4-8 Zone shall apply.
2. For Streetfront Dwelling Houses, the Zone Provisions of the R5-10 Zone shall apply, which are applicable to Streetfront Dwelling Houses and Units only.

5.15.~~9~~7.15 Residential Type Five Exception Fifteen (R5-15) Zone

No person shall within any R5-15 Zone use any lot or erect, alter or use any~~ant~~ building or structure for any purposes except one or more of the following R5-15 uses, namely:

5.15.9.15.1 Uses Permitted

1) Residential Uses
    - Quad Dwelling House
2) Non-Residential Uses
    - Public Park
    - Home Occupation
    - Public Use or Utility in accordance with the General Provisions of this By-law
3) Accessory Uses
    - Uses, buildings and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law

~~5.15.7.13 Residential Type Five Exception Thirteen (R5-13) Zone~~

~~Within~~

~~5.15.7.14 Residential Type Five Exception Fourteen (R5-14) Zone~~

~~5.15.7.15 Residential Type Five Exception Fifteen (R5-15) Zone~~

5.15.9.15.2 Zone Provisions

No person shall within any R5-15 Zone use any lot or erect, alter or use any building or structure except in accordance with the following Provisions:

1. Lot Frontage (minimum)…….…… 50.0 metres
2. Front Yard (minimum)…….. 4.5 metres
3. Exterior Side Yard (minimum)……..…….…… 4.5 metres
4. Rear Yard (minimum)……..……... 5.0 metres
5. Interior Side Yard (minimum)……..…….. 5.0 metres
6. Lot Coverage (maximum)……..……..…… 35%
7. Lot Area (minimum)……..……..…… 1.5 hectares
8. Height of Buildings (maximum)……..……..… 9.0 metres
9. Dwelling Unit Area (maximum)…….. 80 square metres per dwelling unit
10. Landscaped Open Space (minimum)……..……..…… 45%
11. For the lands zoned R5-15, the front lot line shall be considered the shortest frontage abutting a street.
12. For the purpose of Section 4.27 Parking Area Regulations, Subsection 1. ~~a)~~ Requirements, the minimum parking area for a parking space shall be 16.2 square metres and not less than 2.7 metres in width and not less than 6 metres in length.
13. For the purpose of Section 4.27 Parking Area Regulations, Subsection 1. ~~a)~~ Requirements, Residential Uses a Quad Dwelling House is to be included with

Apartment buildings, Fourplex and Triplex Dd~~d~~welling Hh~~h~~ouse. The minimum off~~-~~street parking requirement is 1.5 parking spaces for each Dd~~d~~welling Uu~~u~~nit.

14. For the purpose of Section 4.27 Parking Area Regulations, Subsection 4. ~~d)~~ 1 Parking Area Design Requirements, ~~vi)~~ the minimum width of a parking space shall be 2.7 metres and the minimum length shall be 6 metres for the Quad Dwelling House.

15. For the purpose of Section 4.27 Parking Area Regulations, Subsection 8. ~~h)~~ Parking Area Location on Lot, in a Residential Zone, parking for a Qq~~q~~uad Dd~~d~~welling Hh~~h~~ouse shall be permitted in the required exterior yard.

All other Provisions of the Residential Five (R5) Zone apply.

5.5.9.16 Residential Type Five Exception Sixteen (R5-16) Zone

RESERVED

5.15.~~7~~9.1~~5~~7 Residential Type Five Exception Seventeen (R5-17) Zone

RESERVED

~~2018-020~~

~~No person shall within any R5-17 Zone use any lot or erect, alter or use any building or structure for~~

~~any purposes except one or more of the following R5-17 uses, namely:~~

~~1) Uses Permitted~~

~~a) Residential Uses~~

~~- Stacked townhouse~~

~~- Row or Cluster Dwelling House; and~~

~~- Home Occupation.~~

~~b) Non-Residential Uses~~

~~- Public Park; and~~

~~- Public use or utility in accordance with the General Provisions of this by- law.~~

~~c) Accessory Uses:~~

~~Uses, buildings and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law.~~

~~vi. Zone Provisions~~

~~No person shall within any R5-17 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:~~

~~a) Lot Frontage (minimum)……25.0 metres~~

~~b) Front yard (minimum)……4.5 metres~~

~~c) Rear yard (minimum)……5.0 metres~~

~~d) Interior Side Yard (minimum)……1.2 metres~~

~~e) Lot Coverage……35.0 percent~~

~~f) Lot Area (minimum)……0.622 hectare~~

~~g) Height of Buildings (maximum)……9.0 metres~~

~~i) Landscaped Open Space (minimum)……45.0 percent~~

~~j) Number of Units (maximum)…… 34~~

~~k) For the lands zoned R5-17, the front lot line shall be considered the shortest frontage abutting a street.~~

~~l) Parking spaces required to be 2.7 metres by 6.0 metres~~

~~m) notwithstanding Section 4.27 Parking Area Regulations, the minimum off street parking requirement in Section 4.27 is 2.0 parking spaces for each dwelling unit.~~

5.15.~~9~~7.18 Residential Type Five Exception Eighteen (R5-18) Zone

By-law 2018-95

No person shall within any R5-18 Zone use any lot or erect, alter or use any building or structure for any purposes except one or more of the following R5-18 uses, namely:

5.15.9.18.1 Uses Permitted

1. Residential Uses

- Stacked Townhouse
- Streetfront Dwelling House
- Single Detached Dwelling House
- Semi-Detached Dwelling House
- Home Occupation

2. Non-Residential Uses
   - Public Park
   - Public Use or Utility in accordance with the General Provisions of this By-law
3. Accessory Uses
   - Uses, buildings and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law

5.15.9.18.2 Zone Provisions

No person shall within any R5-18 Zone use any lot or erect, alter or use any building or structure except in accordance with the Provisions of the R5-14 and R5-17 Zones, and all other Provisions of the R4 and R5 Zones apply.

5.15.~~9~~7.19 Residential Type Five Exception Nineteen (R5-19) Zone

By-law 2022-58

Within the R5-19 Zone the following Provisions shall apply:

1. Streetfront Dwelling House
   a) Exterior Side Yard (minimum):
      4 metres except 3.6 metres to daylight triangle.
   b) Lot Coverage (maximum)…….…….…. Interior dwelling units 46%
   c) Front Yard (minimum)…….…….…. 4.5 metres
   d) Where a Dwelling Unit has only one wall attached to an adjoining unit and the lot is not a corner lot…….…. 224 square metres
   e) Where a Dwelling Unit has two walls attached to adjoining units……..…..169 square metres
   f) Where a Dwelling Unit has only one wall attached to an adjoining unit and the lot is a corner lot……..……. 299 square metres
2. Low-Rise Apartment Dwelling House
   a) Height of Building (maximum)…….…….. 10 metres
   b) Front Yard (minimum)…….…….. 6 metres

c) Notwithstanding the Parking Area Location on Lot Provisions found in Section 4.27, Subsection 8. ~~(h)~~ requiring driveways and parking spaces to be at least 3 metres to any street line, the setback shall be 1.25 metres.

d) Notwithstanding the definition of Low-Rise Apartment Dwelling House found in Section 3.0 D~~d~~efinitions, the maximum storeys shall be three.

All other Provisions of the R5 Zone apply.

5.15.~~9~~7.20 Residential Type Five Exception Five Twenty Holding (R5-20-H) Zone

By-law 2024-42

5.15.9.20.1 ~~Permitted~~ Uses Permitted

- Stacked Row Dwelling House

5.15.9.20.2 Zone Provisions

1. Lot Area (minimum)…… 0.3 hectares
2. Lot Frontage (minimum)…… 30 metres
3. Front Yard (minimum)…… 5 metres
4. Interior Side Yard (minimum)…… 3 metres
5. Lot Coverage (maximum)…… 40%
6. Height of Buildings (maximum)…… 13 metres
7. Landscaped Open Space (minimum)…… 25%
8. Street Centreline Setback (minimum…… 18 metres
9. Parking Space Dimensions (minimum)…… 2.7 metres by 6 metres
10. Dwelling Unit Area (minimum)
    a) Two-Bedroom Dwelling Unit…… 70 square metres
    b) Three-Bedroom Dwelling Unit…… 84 square metres
11. Notwithstanding the required number of parking spaces in Section 4.27, for the property zoned R5-20, the minimum parking requirement is 1.7 parking spaces for each dwelling unit
12. Notwithstanding the required number of parking spaces in Section 4.27, for the property zoned R5-20, a minimum of 3 visitor parking spaces are required.

13. Notwithstanding the parking area regulations found in Section 4.27 of this By-law, that the minimum parking aisle width be 6.0 metres and where a driving aisle is shared with an abutting property in the C5-4 zone, that portion contained on the R5-20 zone may be less than 6.0 metres provided the combined width of the shared driving aisle is on both properties no less than 6.0 metres.

Definitions:

Stacked Row Dwelling House: For the purpose of the R5-20 Zone, means a Residential Use building of four or fewer storeys in height containing four or more principal dwelling units where the units are divided horizontally and/or vertically, and in which each dwelling unit has an independent entrance to the exterior with no shared internal corridors.

All other requirements of the Residential Type Five (R5) Zone shall apply.

5.15.~~9~~7.2~~1~~0 Residential Type Five Exception Twenty-One (R5-21) Zone

By-law 2024-88

5.15.9.21.1 Uses Permitted

- Stacked Row Dwelling House

5.15.9.21.2 Zone Provisions

1. Front Yard Setback (minimum)…… 4 metres
2. Lot Area (minimum)……..……. 7800 square metres
3. Lot Frontage (minimum)…….. 50 metres
4. Rear Yard Setback (minimum)…….……... 7 metres
5. Interior Side Yard Setback (minimum):
   10 metres from west property line 12 metres from south property line 14 metres (lands owned by MTO).
6. Landscaped Open Space (minimum)…… 27%
7. Lot Coverage (maximum)..……... 23%
8. Height of Building (maximum)…….……... 12 metres
9. Centreline Setback Distance Reduction…….… 25 metres (County Road 6)
   …….. 14.6 metres (Willliam Street)
10. Parking Space~~s~~ Dimensions (minimum)……..…..……... 2.7 metres by 6.0 metres

11. Notwithstanding Section 3.0 Definitions of this By-law, the lot line abutting County Road 6 Road is deemed to be a rear lot line.

12. Notwithstanding the Provisions of Subsection 4.27,Subsection 4. e) ~~d)v)~~, where the parking angle is equal to or greater than 70 degrees but less than or equal to 90 degrees, the minimum aisle width shall be at least 6.0 metres.~~;~~

13. Notwithstanding the Provisions of Subsection 4.1.2, Subsection 1. ~~a)~~ any accessory garbage enclosure which is not attached to the main building may be erected a maximum of 1.5 metres closer to the street line than the principal or main building on the lot.

14. Notwithstanding the Provisions of Section 4.27, Subsection 3.~~(c)~~, the maximum driveway width shall be 10 metres and the minimum distance between an interior side lot line and any driveway shall be 0 metres.

Definitions:
Stacked Row Dwelling House: For the purpose of the R5-21 Zone, means a Residential Use building of four or fewer storeys in height containing four or more principal dwelling units where the units are divided horizontally and/or vertically, and in which each dwelling unit has an independent entrance to the exterior with no shared internal corridors.
All other requirements of the Residential Type Five (R5) Zone shall apply.

5.15.9~~7~~.22 Residential Type Five Exception Twenty-Two (R5-22) Zone

By-law 2025-10

Amherstview West.

Within the R4-16 Zone the following Provisions shall apply:

5.15.9.22.1 ~~Permitted~~ Uses Permitted

1. Residential Uses
    - Boarding or Lodging Houses
    - Triplex Dwelling House
    - Fourplex Dwelling House
    - Streetfront Dwelling House
    - Low-rise Apartment Dwelling House, which means the whole of dwelling house no more than four storeys, which contains more than four dwelling units, which

have a common entrance at street level and which are served by a common corridor, but shall not include any other dwelling house defined

- Row or Cluster Dwelling Houses
- Townhouse, which means a residential building that is divided vertically into three or more separate dwelling units that are accessed separately from a street, and includes a row house and street front dwelling house
- Townhouse, Back-Back, which means a building where each dwelling unit is divided vertically by common walls, including a common rear and common side wall, and has an independent entrance to the dwelling unit from the outside accessed through the front yard, interior side yard or exterior side yard, and does not have a rear yard
- Townhouse, Stacked, which means a residential building where the dwelling units share a common side wall and have vertically stacked dwelling units
- Maisonette Dwelling House
- Home Occupation in a Streetfront or a Row Dwelling House in accordance with Section 4.19 of this By-law
- Retirement Home
- Senior Citizens Housing Complex

2. Non-Residential Uses
   - Bed and Breakfast Establishment in accordance with Section 4.19 of this By-law
   - ~~Day nursery~~Day Ccare Ccentre
   - Public Park
   - Public Use or Utility in accordance with the General Provisions of this By-law
   - Public School
3. Accessory Uses
   - Uses, buildings and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law

5.15.9.22.2 Provisions for Triplex Dwelling Houses

1. Lot Area (minimum)…….. 700 square metres
2. Lot Frontage (minimum)
   a) Interior Lot…… 20 metres

b) Corner Lot…… 30 metres

3. Yards (minimum)
   a) Front Yard…….…….. 6 metres
   b) Exterior Side Yard……. 6 metres
   c) Interior Side Yard:
      i) Interior Lot where an Attached Garage is not Provided:—
      5 metres on one side, 1.8 metres on the other side.
      ii) Interior Lot where an Attached Garage is Provided:—
      3 metres on one side, 1.8 metres on the other side plus 0.6 metres on the narrow side for each additional or partial storey above the first storey.
      iii) Corner Lot:—
      1.8 metres plus 0.6 metres for each additional or partial storey above the first storey.
   d) Rear Yard…….…….... 8 metres
4. Lot Coverage (maximum):
   35% plus an additional 5% for accessory buildings and structures.
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Number of Dwelling Houses per Lot (maximum)…….……... 1
7. Number of Dwelling Units per Lot (maximum) ……... 3
8. Height of Buildings (maximum)…….. 10 metres
9. Garage Setback from the Front Lot Line (minimum):
   In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.
10. Landscaped Open Space (minimum)……..…….. 30%
11. Notwithstanding Section 4.27, Subsection 3. h) ~~(viii)~~, a driveway is not permitted off a major collector road.

5.15.9.22.3 Provisions for Fourplex Dwelling Houses

1. Lot Area (minimum)…….. 800 square metres

2. Lot Frontage (minimum)
   a) Interior Lot..... 20 metres
   b) Corner Lot..... 30 metres
3. Yards (minimum)
   a) Front Yard..... 6 metres
   b) Exterior Side Yard..... 6 metres
   c) Interior Side Yard..... 3 metres
   d) Rear Yard..... 8 metres
4. Lot Coverage (maximum):
   35% plus an additional 5% for accessory buildings and structures.
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Number of Dwelling Houses per Lot (maximum)..... 1
7. Number of Dwelling Units per Lot (maximum)..... 4
8. Height of Buildings (maximum)..... 12 metres
9. Garage Setback from the Front Lot Line (minimum)..... 6 metres
   In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.
10. Landscaped Open Space (minimum)..... 30%
11. Notwithstanding Section 4.27, Subsection 3. h) ~~(viii)~~, a driveway is not permitted off a major collector road.

5.15.9.22.4 Provisions for Lodging House

1. Lot Area (minimum)..... 700 square metres
2. Lot Frontage (minimum)
   a) Interior Lot..... 24 metres
   b) Corner Lot..... 30 metres
3. Yards (minimum)
   a) Front Yard..... 7.5 metres
   b) Exterior Side Yard..... 6 metres

c) Interior Side Yard

i) Interior Lot where Garages or Carports are not Attached to the Main Building:—

5 metres on one side and 3.0 metres on the other side.

ii) Interior Lot where Garages are Attached to, or within the Main Building:—

5 metres on one side, and 3.0 metres on the other side plus 0.6 metres on the narrow side for each additional or partial storey above the third, provided that where three garages and/or carports are attached to and/or are within the main building.

iii) Corner Lot:—

Minimum width of the interior side yard or yards shall be 3.0 metres plus 0.6 metres for each additional or partial storey above the third.

d) Rear Yard……..……... 7.5 metres

4. Lot Coverage (maximum):
   35% plus an additional 5% for accessory buildings and structures.
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Number of Dwelling Houses per Lot (maximum)…… 1
7. Number of Dwelling Units per Lot (maximum)…… 4
8. Height of Buildings (maximum)…….. 10 metres
9. Garage Setback from the Front Lot Line (minimum)…… 6 metres
   In no case shall the garage extend more than 2.0 metres closer to the front lot line than the principal dwelling house on the lot.
10. Landscaped Open Space (minimum)……..…….. 30%
11. Notwithstanding Section 4.27, Subsection 3. h) ~~(viii)~~, a driveway is not permitted off major or minor collector road.

5.15.9.22.5 Provisions for Streetfront, Row or Maisonette Dwelling Houses

1. Lot Area (minimum)
   a) Where a Dwelling Unit has only one wall attached to an adjoining unit and the lot is not a corner lot:

230 square metres per dwelling unit.

b) Where a Dwelling Unit has two walls attached to adjoining units:
190 square metres per dwelling unit.

c) Where the Dwelling Unit has only one wall attached to an adjoining unit and the lot is a corner lot:
310 square metres per dwelling unit.

2. Lot Frontage (minimum)
   a) Row or Cluster Dwelling House unit off a local road
      i) Interior Lot…… 6 metres
      ii) Corner Lot…….. 10 metres
   b) Where a Streetfront Dwelling House Unit only has one wall attached to an adjoining unit and the lot is a corner lot off a local road:
   10 metres per dwelling unit.
   c) All other Streetfront Dwelling House Units off a local road:
   6 metres per dwelling unit.

3. Yards (minimum)
   a) Front Yard……..…….. 4 metres
   b) Exterior Side Yard…….…….. 3 metres
   c) Interior Side Yard:
   1.2 metres or 0 metres when a common party wall is located along a lot line.
   d) Rear Yard…….……... 6 metres

4. Maximum Number of Streetfront Dwelling House Units having Common Walls:
   Three or more dwelling units but not exceeding six dwelling units may be erected having common walls.

5. Lot Coverage (maximum):
   48% plus an additional 5% for accessory buildings and structures.

6. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.

7. Number of Principal Buildings per Lot (maximum)……. 1

8. Height of Buildings (maximum)…….. 10 metres

9. Garage Setback from the Front Lot Line (minimum)……..…. 6 metres
   In no case shall the garage extend more than 2.0 metres closer to the front lot line that the principal dwelling house on the lot.

10. Landscaped Open Space (minimum)…….……. 30%

11. Notwithstanding Section 4.27, Subsection 3. h) ~~(viii)~~, a driveway is not permitted off a major or minor collector road.

5.15.9.22.6 Provisions for Stacked Townhouses, and Back-to-Back Townhouses

1. Lot Area (minimum)…….. 1,000 square metres
2. Lot Frontage (minimum)…….. 6 metres per dwelling unit at grade
3. Yards (minimum)
   a) Front Yard……..…….. 6 metres
   b) Exterior Side Yard…….…….. 6 metres
   c) Interior Side Yard
      i) Corner Unit…….. 6 metres
      ii) Interior Unit……..…….. 0 metres
   d) Rear Yard
      i) Back-to-Back Townhouses……..……... 0 metres
      ii) Stacked Townhouses…… 8 metres
4. Lot Coverage (maximum)……..…… 40% for all buildings and structures
5. Setback from Street Centreline:
6. In accordance with the General Provisions of this By-law.
7. Height of Buildings (maximum)…….. 12 metres
8. Landscaped Open Space (minimum)……..…….. 20%
9. Planting Strip Requirement:
   Where the interior or exterior side lot line or rear lot line of an R5 zone abuts another Residential Zone of lower density, an area adjoining such abutting lot line shall be used for no other purpose than a planting strip in accordance with the Gg~~g~~eneral Pp~~p~~rovisions of this By-law.
10. Notwithstanding Section 4.27, Subsection 3. h) ~~(viii)~~, driveways shall only be permitted off a major collector when it is consolidated with an entrance for a use permitted in the C7 Zone or other Residential Uses that are permitted to have a consolidated entrance off a major collector in accordance with their applicable Zone.

5.15.9.22.7 Provisions for Low-Rise Apartment Dwelling House, Retirement Home and Senior Citizens Housing Complex

1. Lot Area (minimum)…….. 1,000 square metres
2. Lot Frontage (minimum)…….. 24 metres
3. Yards (minimum)
   a) Front Yard…….. 6 metres
   b) Exterior Side Yard…….. 6 metres
   c) Interior Side Yard…….. 6 metres
   d) Rear Yard…….. 10 metres
4. Gross Floor Area per Dwelling Unit (minimum)…….. N/A
5. Lot Coverage (maximum)…….. 40% for all buildings and structures
6. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
7. Number of Apartment Units per Lot (maximum)…… 75 units per net hectare
8. Height of Buildings (maximum)…….. 15 metres
9. Landscaped Open Space (minimum)…….. 35%
10. Planting Strip Requirement:
    Where the interior or exterior side lot line or rear lot line of an R5 zone abuts another Residential Zone of lower density, an area adjoining such abutting lot line shall be used for no other purpose than a planting strip in accordance with the General Provisions of this By-law.
11. Notwithstanding Section 4.27, Subsection 3. h) ~~(viii)~~, driveways shall only be permitted off a major collector when it is consolidated with an entrance for a use permitted in the C7 Zone or other Residential Uses that are permitted to have a consolidated entrance off a major collector in accordance with their applicable zone.

All other Provisions of the R5 Zone shall apply.

5.15.9.23 Residential Type Five Exception Twenty-Three (R5-23) Zone

Within the R5-23 Zone, the following provisions shall apply to streetfront dwelling houses:

1. ~~a)~~ Streetfront Dwelling Houses~~:~~
   a) ~~i.~~ Front Yard (minimum)..... ~~–~~6.0 metres to the dwelling
   b) ~~ii.~~ Exterior Side Yard (minimum)..... ~~–~~3.0 metres
   c) ~~iii.~~ Lot Coverage for dwelling (maximum)..... ~~–~~ 50~~-~~%
   d) ~~iv.~~ Lot Coverage for accessory buildings and structures..... ~~–~~ 5%
2. ~~b)~~ Notwithstanding Section 5.15.5, Subsection 3. d) ~~c) iv)~~ of Zoning By-law 2001-38, as amended, an exterior end streetfront dwelling unit abutting a golf course shall have a minimum Rear Yard Setback of 4.5 metres.
3. ~~c)~~ Notwithstanding Section 4.40, Subsection 2. ~~(b)~~ of Zoning By-law 2001-38, as amended, or to any other zoning provisions to the contrary, open-sided roofed porches, decks, balconies, steps and ramps, covered or uncovered, may project into any yard a maximum distance of 2.0 metres provided they are no closer than 4.0 metres to the front lot line or 1.2 metres to any other lot line.
4. ~~d)~~ Notwithstanding Section 4.27, Subsection 3. f)~~(c)(vi)~~ of Zoning By-law 2001-38, as amended, the minimum distance of 1.2 metres between a driveway and an interior side lot line shall not apply to individual driveways located adjacent to interior side lot lines shared by lots with a common wall.
5. ~~e)~~ All other provisions of the R5 Zone shall apply.

5.16 RESIDENTIAL TYPE SIX (R6) ZONE

No person shall within any Residential Type Six (R6) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.16.1 Uses Permitted

1. Residential Uses
   - Apartment Dwelling H~~h~~ouse
   - Retirement Home
   - Senior Citizens' Housing Complex
   - Senior Citizens' Dwelling House
2. Non-Residential Uses

- Public Park
- Public Use or Utility in accordance with the General Provisions of this By-law
- Public School
- Community Garden

3. Accessory Uses
   - Uses, buildings, and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law.

5.16.2 Apartment, Retirement Home, Senior Citizens' Housing Complex, Senior Citizens' Dwelling House ~~SENIOR CITIZENS DWELLING HOUSE~~

1. Lot Area (minimum)…….…… 85 square metres per dwelling unit
2. Lot Frontage (minimum)……... 35 metres
3. Yards (minimum)
   a) Front Yard……..…….…… 6 metres
   b) Exterior Side Yard……..…….…... 6 metres
   c) Interior Side Yard……..…… 3 metres
   d) Rear Yard……..…….…... 10 metres
4. Dwelling Unit Area (minimum)
   a) Bachelor Dwelling Unit……..……..……..…… 37 square metres
   b) One-Bedroom Dwelling Unit…..……..…… 56 square metres
   c) Two-Bedroom Dwelling Unit…..……..…… 70 square metres
   d) Three-Bedroom Dwelling Unit…..……..…… 80 square metres
   e) More than Three-Bedrooms:
      80 square metres plus 9 square metres per bedroom in excess of three.
5. Lot Coverage (maximum)……..…… 35%
6. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
7. Number of Dwelling Houses per Lot (maximum)…… 1
8. Height of Buildings (maximum)…… 20 metres

5.16.3 General Zone Provisions

In accordance with Section 4, General Provisions, of this By-law.

5.16.4 Exception Provisions – Residential Type Six (R6) Zone

5.16.4.1 Residential Type Six Exception One (R6-1) Zone

By-law 2013-16
By-law 2026-8

Within the R6-1 Zone, the following Provisions shall apply:

5.16.4.1.1 Uses Permitted

1. Residential Uses
   - Retirement Home
   - Senior Citizens' Housing Complex
2. Non-Residential Uses
   - Alternative Health Facility
3. Accessory Uses
   - Uses, buildings, and structures accessory to any of the Permitted Uses specified in accordance with the R6 Zone and General Provisions of the By-law

5.16.4.1.2 Zone Provisions

1. Lot Frontage (minimum)…….…….. 35 metres
2. Yards (minimum)
   a) Front Yard……. 15.0 metres
   b) Interior Side Yard……..…… 8.0 metres
   c) Rear Yard……..…… 8.0 metres
3. Dwelling Unit/Suite Area (minimum)……..……N/A
4. Lot Coverage (maximum)……..…….. 30%
5. Number of Dwelling Houses per~~for~~ Lot (maximum)…….. 1

6. Height of Buildings (maximum)…….…….. 13.5 metres
7. Notwithstanding the required number of parking spaces in Section 4.27, for property zoned R6-1, any building or portion thereof utilized as an Alternative Health Facility or Retirement Home shall require a minimum of 0.44 parking spaces per bed.
8. Notwithstanding Section 4.22, for a property zoned R6-1, where a building exceeds a gross floor area of 7500 square metres, but has less than 9,000 square metres, a minimum of two loading bays are required. Such loading bays shall be at least 9.0 metres long, 2.9 metres wide, and have a vertical clearance of at least 4.0 metres. Where more than one loading space is provided, the second or additional loading space(s) are permitted to serve as staging areas.
9. For the lands zoned R6-1, the front lot line shall be considered the west lot line.
10. Notwithstanding Section 4.27, for a property zoned R6-1, parking spaces shall have a minimum area of 16.20 square metres, a minimum width of 2.7 metres and a minimum length of 6.0 metres.
11. Notwithstanding Section 4.27, for a property zoned R6-1, where the parking angle is equal to or greater than 70 degrees but less than or equal to 90 degrees, the minimum aisle width shall be at least 6.0 metres.
12. Notwithstanding Section 4.29, for a property zoned R6-1, walkways are permitted to encroach up to 1.5 metres into the minimum planting strip.
13. Notwithstanding Section 4.29, for a property zoned R6-1, no planting strip shall be required along the north lot line where it abuts any undeveloped land intended for Residential Use.
14. For the lands R6-1, a dedicated area accommodating parking for a minimum of 4 bicycles shall be provided.
15. Notwithstanding, 4.27, Subsection 1.~~a)~~, a minimum of 6 special vehicle parking spaces shall be required.

Definitions:

Alternative Health Facility: For the purposes of the R6-1 Zone, means a building, or part thereof, containing interim and/or transient accommodations that provide nursing, medical care, or similar care and treatment, as well as other assistance to individuals, including senior citizens. A common dining area and other amenity areas may be provided for building occupants but shall not function as a public facility. Accessory Uses to an Alternative Health Facility such as a medical clinic, dialysis unit, and medical

offices that exclusively serve occupants of the building (but not the general public) is permitted.

All other Provisions of the Residential Six (R6) Zone apply.

5.16.4.2 Residential Type Six Exception Two (R6-2) Zone

By-law 2013-114

5.16.4.2.1 Uses Permitted

1. Residential Uses
   - Apartment Dwelling House
   - Retirement Home
   - Senior Citizens' Housing Complex
   - Senior Citizens' Dwelling House
   - Long-Term Care Home
   - ~~Nursing Home~~
2. Non-Residential Uses and Accessory Uses in accordance with the R6 Zone.

5.16.4.2.2 Zone Provisions

1. Lot Area (minimum)…….. 85 square metres per dwelling unit
2. Lot Frontage (minimum)…….. 35 metres
3. Yards (minimum)
   a) Front Yard…….. 6.0 metres
   b) Exterior Side Yard…….. 6.0 metres
   c) Interior Side Yard…….. 3.0 metres
   d) Rear Yard…….. 10.0 metres
4. Dwelling Unit Area (minimum)
   a) Bachelor Dwelling Unit……... 37 square metres
   b) One-Bedroom Dwelling Unit…….. 56 square metres
   c) Two-Bedroom Dwelling Unit…….. 70 square metres
   d) Three-Bedroom Dwelling Unit…….. 80 square metres
   e) More than Three-Bedrooms:

80 square metres plus 9 square metres per additional bedroom.

5. Lot Coverage (maximum)..... 40%
6. Number of Dwelling Houses perfor lot (maximum)..... 2
7. Height of Buildings (maximum)..... 20 metres

All other Provisions of the Residential Type Six (R6) Zone apply.

5.16.4.3 Residential Type Six Exception Three (R6-3) Zone

By-law 2025-10

Amherstview West.

5.16.4.3.1 Permitted Uses Permitted

1. Residential Uses
   - Townhouse, Back-to-Back, which means a building where each dwelling unit ist divided vertically by common walls, including a common rear wall and common side wall, and has an independent entrance to the dwelling unit from the outside accessed through the front yard, interior side yard or exterior side yard and does not have a rear yard
   - Townhouse, Stacked, which means a residential building where the dwelling units share a common side wall and have vertically stacked dwelling units
   - Apartment Dwelling House
   - Home Occupation in accordance with Section 4.19 of this By-law
   - Retirement Home
   - Senior Citizens' Housing Complex
2. Non-Residential Uses
   - Bed and Breakfast Establishment in accordance with Section 4.19 of this By-law
   - Commercial Uses located on the ground floor, provided the building fronts on Amherst Drive
   - Day nursery Ccare Ccentre
   - Public Park
   - Public Use or Utility in accordance with the General Provisions of this By-law

3. Accessory Uses
    - Uses, buildings, and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law

5.16.4.3.2 Provisions for Stacked Townhouses and Back-to-Back Townhouse

1. Lot Area (minimum)…….. 1,000 square metres
2. Lot Frontage (minimum)…….. 6 metres per dwelling unit at grade
3. Yards (minimum)
    a) Front Yard…….. 6 metres
    b) Exterior Side Yard……. 6 metres
    c) Interior Side Yard
        i) Corner Unit…..…….. 1.2 metres
        ii) Interior Unit..…….. 0 metres
    d) Rear Yard
        i) Back-to-Back Townhouses……..……... 0 metres
        ii) Stacked Townhouses…… 8 metres
4. Lot Coverage (maximum)……..…… 40% for all buildings and structures
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Height of Buildings (maximum)…….. 15 metres
7. Landscaped Open Space (minimum)……..…….. 35%
8. Planting Strip Requirement:
   Where the interior or exterior side lot line or rear lot line of an R6 Zone abuts another Residential Zone of lower density, an area adjoining such abutting lot line shall be used for no other purpose than a planting strip in accordance with the General Provisions of this By-law.
9. Notwithstanding Section 4.27, Subsection 3. h)~~(viii)~~ driveways shall only be permitted off a major collector when it is consolidated with an entrance for a use permitted in the C7 Zone or other Residential Uses that are permitted to have a consolidated entrance off a major collector in accordance with their applicable Zone.

5.16.4.3.3 Provisions for Apartment Dwelling House, Retirement Home and Senior Citizens Housing Complex

1. Lot Area (minimum)…….. 1,000 square metres
2. Lot Frontage (minimum)…….. 30 metres
3. Yards (minimum)
   a) Front Yard…….. 6 metres
   b) Exterior Side Yard…….. 6 metres
   c) Interior Side Yard…….. 6 metres
   d) Rear Yard…….. 8 metres
4. Lot Coverage (maximum)…….…. 40% for all buildings and structures
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Number of Apartment Dwelling Houses per Lot (maximum)…… 1
7. Height of Buildings (maximum)…….. 20 metres
8. Landscaped Open Space (minimum)……..…….. 30%
9. Planting Strip Requirement:
   Where the interior or exterior side lot line or rear lot line of an R6 Zone abuts another Residential Zone of lower density, an area adjoining such abutting lot line shall be used for no other purpose than a planting strip in accordance with the General Provisions of this By-law.
10. Notwithstanding Section 4.27, Subsection 3. h) ~~(viii)~~ driveways shall only be permitted off a major collector when it is consolidated with an entrance for a use permitted in the C7 Zone or other Residential Uses that are permitted to have a consolidated entrance off a major collector in accordance with their applicable Zone.

All other Provisions of the R6 Zone shall apply.

5.17 COMMUNITY FACILITY (CF) ZONE

No person shall within any Community Facility (CF) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.17.1 Uses Permitted

1. Residential Uses
    - Accessory Single Detached Dwelling House
    - Accessory Dwelling Unit
2. Non-Residential Uses
    - Ambulance Station
    - Animal Shelter
    - Arena
    - Assembly Hall and/or Auditorium
    - Cemetery
    - Community Centre
    - Community Garden
    - Convention Centre
    - ~~Day Nursery~~Day Care Centre
    - Eating Establishment; mobile
    - Fairgrounds
    - Ferry Dock
    - Fire Hall
    - Fraternal Lodge
    - Hospice
    - Hospital
    - Medical Clinic
    - Municipal Administrative Office
    - Municipal Recreation Complex~~, inclusive of administrative facilities and accessory retail such as an eating establishment and pro shop~~
    - Museum
    - ~~Nursing Home~~ Long-Term Care Home
    - Place of Worship
    - Police Station
    - Post Office
    - Private Club
    - Public Library
    - Public Park or Private Park

- Public or Private School
- Public Swimming Pool
- Public Use or Utility in accordance with the General Provisions of this By-law
- Water Tower
- Water Treatment Control Plant

3. Accessory Uses
   - Uses, buildings, and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law

5.17.2 Zone Provisions for Residential Uses

5.17.2.1 Single Detached Dwelling House

By-law 2011-76

1. Lot Area (minimum)
   a) Lot Serviced by Well and Septic System…….…….…….. 0.4 hectares
   b) Lot Serviced by Municipal Water and Sewer……..…… 465 square metres
2. Yards (minimum)
   a) Front Yard……..…….. 7.5 metres
   b) Exterior Side Yard……..…… 6 metres
   c) Interior Side Yard……..…….. 4 metres
   d) Rear Yard……...…….. 7.5 metres
3. Dwelling Unit Area (minimum)……..…… 96 square metres
4. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
5. Number of Dwelling Houses per Lot (maximum)……..……. 1
6. Height of Buildings (maximum)……..…… 10 metres
7. Distance Separation Requirements (minimum)……..… 10 metres
   (from the permitted Non-Residential Use)

5.17.2.2 Dwelling Unit in Portion of Non-Residential Building

1. Number of Dwelling Units (maximum)……..……... 1

2. Gross Floor Area per Dwelling Unit (minimum)
   a) One-Bedroom Dwelling Unit…… 56 square metres
   b) Two-Bedroom Dwelling Unit……..…… 70 square metres
   c) Three-Bedroom Dwelling Unit……..…..…….. 84 square metres
   d) Dwelling Unit Containing More than Three Bedrooms:
      84 square metres plus 9 square metres for each bedroom in excess of three.

5.17.3 Zone Provisions for Non-Residential Uses

1. Lot Area (minimum)…… 0.4 hectares
2. Lot Frontage (minimum)……..……... 45 metres
3. Yards (minimum)
   a) Front Yard…… 7.5 metres
   b) Exterior Side Yard……..…… 7.5 metres
   c) Interior Side Yard……..…… 5 metres
   d) Rear Yard……..…..……... 15 metres
4. Lot Coverage (maximum)……..……..……... 30%
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Landscaped Open Space (minimum)……..…… 30%
7. Height of Buildings (maximum)……..…… 14 metres
8. Planting Strip Requirement:
   In accordance with the General Provisions of this By-law.

5.17.4 General Zone Provisions

In accordance with Section 4, General Provisions, of this By-law.

5.17.5 Exception Zone Provisions – Community Facility (CF) Zone

5.17.5.1 Community Facility Exception One (CF-1) Zone

Part of Lot 37, Concession 1.

On the lands zoned CF-1 the following Zone Provisions shall apply:

1. Secure Custody Facility:
   Shall mean a place or facility designated for the secure containment of 12 young persons, and up to three more residents on a 24-hour emergency basis, detained pursuant to Part IV of the *Child and Family Services Act, 1984* and Section 24.1 of the *Young Offenders Act*.
2. Permitted Uses:
   - Secure Custody Facility
3. Lot Area (minimum)……. 2 hectares
4. Lot Frontage (minimum)……... 45 metres
5. Exterior Side Yard (minimum)…….. 10 metres
6. Gross Floor Area (maximum)…… 1,860 square metres
7. Parking Spaces (minimum)…….. 17

5.17.5.2 Community Facility Exception Two (CF-2) Zone

Bath firehall at Lodge and Queen Streets.

Within the CF-2 Zone a maintenance depot is permitted. Outdoor storage is also permitted if located in the rear yard and/or interior side yard provided the area(s) are screened from public view.

5.17.5.3 Community Facility Exception Three (CF-3) Zone

Bath firehall at County Road No. 7.

Within the CF-3 Zone, the maximum width for a driveway shall be 17 metres.

5.17.5.4 Community Facility Exception Four (CF-4) Zone

Odessa Roads Garage; Odessa.

Within the CF-4 Zone the uses permitted include:

1. Light manufacturing, processing, assembling or fabricating plant provided such use, from its nature or materials used therein is not considered noxious.

5.17.5.5 Community Facility Exception Five (CF-5) Zone

By-law 2017-38

Within the CF-5 Zone the following Provisions apply:

1. Lot Area (minimum)……. 0.1 hectares
2. Yards (minimum)
   a) Interior Side Yard……... 1.5 metres
   ……..…… 1.2 metres
   b) Rear Yard……..…… All other Provisions of the CF Zone apply

5.17.5.6 Community Facility Exception Six (CF-6) Zone

By-law 2024-64

For lands zoned CF-6, the following additional Uses and Provisions apply:

1. Non-Residential Uses:
   - Accessory outdoor storage.
2. Accessory Outdoor Storage is limited to the rear and interior side yards.
3. Accessory Outdoor Storage is not to be located closer than 3 metres to an interior or rear lot line.
4. Accessory Outdoor Storage shall be screened from adjacent Residential Uses by a 3 metres wide planting strip.
5. Accessory Outdoor storage shall not cover more than 5% of the total lot area.
6. Minimum Number of Parking Spaces……..……... 300
7. Minimum Special Vehicle Parking Spaces…….. 9
8. Parking Space Size……..…….. 2.7 metres wide by 6 metres in length
9. Special Vehicle Space…...……. 3.4 metres wide by 6 metres in length
10. Minimum Width for all Drive Aisles……..……...…… 6 metres

5.18 INSTITUTIONAL ZONE (I) ZONE

No person shall within any Institutional (I) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.18.1 Uses Permitted

1. Residential Uses
    - Accessory Single Detached Dwelling House
2. Non-Residential Uses
    - Federal Penitentiary
    - Public Use or Utility in accordance with the General Provisions of this By-law
3. Accessory Uses
    - Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law

5.18.2 General Zone Provisions

In accordance with Section 4, General Provisions, of this By-law.

5.18.3 Exception Zone Provisions – Institutional (I) Zone

5.19 HAMLET COMMERCIAL (C1) ZONE

No person shall within any Hamlet Commercial (C1) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.19.1 Uses Permitted

1. Residential Uses
    - ~~Accessory d~~Dwelling Unit provided the ~~N~~non-~~R~~residential ~~U~~use has been established
2. Non-Residential Uses
    - Animal C~~c~~are E~~e~~stablishment

- Antique Sales Establishment
- Art Ggallery
- Artist Studio
- Bakery or Bake Shop
- ~~Bank or f~~Financ~~ial~~e Establishment
- Business, professional or administrative office
- Convenience Store
- Custom Workshop
- Day ~~nursery~~Ccare C~~c~~entre
- Dry Cleaner's Distribution Station
- Eating Establishment
- Eating Establishment, mobile
- Fairgrounds
- Farm P~~p~~roduce R~~r~~etail O~~o~~utlet
- Fraternal Lodge
- Furniture and Appliance Dealer
- Outdoor Caf~~é~~e
- Parking Lot
- Personal Service Shop
- Public Use or Utility in accordance with the General Provisions of this By-law
- Retail C~~c~~ommercial Establishment
- Service Shop, merchandise

3. Accessory Uses
   - Uses, buildings, and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law

5.19.2 Zone Provisions for Residential Use

1. Dwelling Unit in Portion of Non-Residential Building
   a) ~~One~~ Up to three ~~D~~dwelling ~~U~~units may be permitted over a non-residential building.
   b) No dwelling unit is permitted in or over a motor vehicle repair garage, or a motor vehicle service station.

2. Gross Floor Area per Dwelling Unit (minimum)
   a) One-Bedroom Dwelling Unit……..……... 56 square metres
   b) Two-Bedroom Dwelling Unit……..……... 70 square metres
   c) Three-Bedroom Dwelling Unit……..…..…… 84 square metres
   d) Dwelling Unit Containing More than Three Bedrooms:
      84 square metres plus 9 square metres for each bedroom in excess of three.

5.19.3 Zone Provisions for Non-Residential Uses

1. Lot Area (minimum)……..……. 0.5 hectares
2. Lot Frontage (minimum)……..……... 30 metres
3. Yards (minimum)
   a) Front Yard……. 3.5 metres
   b) Exterior Side Yard……..……. 3.5 metres
   c) Interior Side Yard……..……. 6 metres
   d) Rear Yard……. 6 metres
4. Lot Coverage (maximum)……..……..……... 50%
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Landscaped Open Space (minimum)……..……..…… 10%
7. Height of Buildings (maximum)……..…… 10 metres
8. Planting Strip Requirement:
   In accordance with the General Provisions of this By-law.

5.19.4 Provisions for ~~OUTSIDE~~ OutdoorUTDOOR Display and Storage

No ~~open~~ outdoor storage of goods or materials shall be permitted.

5.19.5 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.19.6 Exception Provisions – Hamlet Commercial (C1) Zone

5.19.6.1 Hamlet Commercial Exception One (C1-1) Zone

Part of Lot 38, Concession 6 in Wilton.

Within the lands zoned C1-1, the uses permitted also include:

- Artisans' Market
- Craft Manufacturing Workshop
- Custom Workshop

5.19.6.2 Hamlet Commercial Exception Two (C1-2) Zone

By-law 2026-15

Neilson property in Stella, Amherst Island.

Within the C1-2 Zone the following uses are also permitted:

- Museum
- Community Centre
- Broadcasting and Communications Establishment

5.19.6.3 Hamlet Commercial Exception Three (C1-3) Zone

By-law 2011-76

Part of Lot 1, North Shore Concession, Amherst Island.

Within the C1-3 Zone, the uses permitted are:

- Carpentry Shop
- Craft Shop
- Outdoor Café~~e~~
- Restaurant
- Retail C~~c~~ommercial ~~store~~ E~~e~~stablishment
- Storage

The uses are permitted within any existing building.

5.19.6.4 Hamlet Commercial Exception Four (C1-4) Zone

For the property described as Lot 38 and 39, Concession 6 and addressed as 286

Simmons Road.

The following Provisions apply to the C1-4 Zone:

1. The only uses that shall apply to C1-4 Zone are:
   - Retail ~~C~~commercial Establishment
   - Convenience Store
   - Antique Sales Establishment
2. Lot Area (maximum)…….…….. 0.04 hectares
3. Lot Frontage (maximum)……..……... 9 metres
4. Lot Coverage (maximum)…… 40%
5. Rear Yard (maximum)…….. 2 metres
6. No building or structure shall be closer than 2.3 metres to the existing single unit dwelling situated immediately to the west.
7. No building or structure shall be closer than 1.8 metres to the easterly interior side lot line.

All other Provisions except uses of the Hamlet Commercial (C1) Zone apply.

5.20 HIGHWAY COMMERCIAL (C2) ZONE

No person shall within any Highway Commercial (C2) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.20.1 Uses Permitted

1. Residential Uses
   - Accessory Single Detached Dwelling House
   - ~~Accessory d~~Dwelling Unit provided the N~~n~~on-R~~r~~esidential U~~u~~se has been established
2. Non-Residential Uses

By-law 2011-76

   - Adventure G~~g~~ames occurring in an indoor facility
   - Animal S~~s~~helter
   - Antique Sales Establishment

- Building Supply Outlet
- Brewers' Retail Outlet and Liquor Control Board Outlet
- Club, commercial
- Commercial Greenhouse
- Conference Centre
- Convenience Store
- Eating Establishment
- Eating Establishment, drive-through
- Eating Establishment, mobile
- Eating Establishment, take out
- Equipment Sales and Rental
- ~~Farm implement dealer and farm equipment repairs~~Farm implement and equipment sales and service establishment
- Farm Produce ~~retail~~ sales Outlet
- Garden and Nursery Sales and Supply Establishment
- Gasoline Retail Facility
- Golf course, miniature
- Hotel
- Liquor Licensed Premises
- Livestock sales warehouse
- Marine Sales and Service Establishment
- Micro-brewery that may also include the preparation, offering for sale, and consumption of food or drinks including; entertainment and housing of events, and tours of the facility
- Motel or Motor Hotel
- Motor Vehicle Repair Garage
- Motor Vehicle Sales New and Used
- Motor Vehicle Service ~~centre~~station
- Motor Vehicle Wash, automatic
- Outdoor Café
- Place of Entertainment or Amusement
- Police Station
- Public Use or Utility in accordance with the General Provisions of this By-law
- Recreational vehicle and travel trailer sales and service establishment

- Retail Ccommercial Establishment, provided the retail use is accessory and incidental to a permitted Non-Residential Use and on the same lot
- Second-hand Sshop
- Veterinary Clinic in a wholly enclosed building
- Vehicle Sales or Rental Establishment

3. Accessory Uses
   - Uses, buildings, and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law.

5.20.2 Provisions for Residential Uses

5.20.2.1 Single Detached Dwelling House

By-law 2011-76

1. Separation Requirements (minimum):
   10 metres from the permitted Non-Residential Use.
2. Yards (minimum)
   a) Front Yard…….. 15 metres
   b) Exterior Side Yard…….. 10 metres
   c) Interior Side Yard…….. 6 metres
   d) Rear Yard…….. 15 metres
3. Dwelling Unit Area (minimum)…….. 96 square metres
4. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
5. Number of Dwelling Houses per Lot (maximum)…….. 1
6. Height of Buildings (maximum)…….. 10 metres

5.20.2.2 Dwelling Unit in Portion of Non-Residential Building

1. Dwelling Unit in Portion of Non-Residential Building:
   a) One Two Dwelling Units may be permitted over a non-residential building.
   b) A Dwelling Unit is not permitted in or over a motor vehicle repair garage, a motor vehicle service station, or a motor vehicle service centre.
2. Gross Floor Area per Dwelling Unit (minimum):

a) One-Bedroom Dwelling Unit……..…….... 56 square metres
b) Two-Bedroom Dwelling Unit……..…… 70 square metres
c) Three-Bedroom Dwelling Unit…….…….…… 84 square metres
d) Dwelling Unit Containing More than Three-Bedrooms:
84 square metres plus 9 square metres for each bedroom in excess of three.

5.20.3 Provisions for Non-Residential Uses

1. Lot Area (minimum)……..…….. 0.2 hectares
2. Lot Frontage (minimum)……..……... 30 metres
3. Yards (minimum)
   a) Front Yard…...……..…... 15 metres
   b) Exterior Side Yard……..……. 15 metres
   c) Interior Side Yard:
   6 metres except where the interior side lot line abuts a Residential Zone, in which case the minimum interior side yard shall be 12 metres.
   d) Rear Yard……..……... 12 metres
4. Lot Coverage (maximum)……..……..…... 40%
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Landscaped Open Space (minimum)…….…… 10%
7. Height of Buildings (maximum)……..…… 10 metres
8. Planting Strip Requirement:
   In accordance with the General Provisions of this By-law.

5.20.4 Provisions for Retail Gas Establishments

In accordance with the General Provisions of this By-law.

5.20.5 Provisions for Outside Display and Storage

Lands used for the outside display and sale of goods and materials shall comply with the following Provisions:

1. Not be located closer than 2 metres to the front lot line;
2. Not be located closer than 2 metres to an interior side or rear lot line where the lot line abuts a lot zoned for commercial or industrial purposes or 6 metres of an interior side or rear lot line where the lot line abuts a lot Zone for other than commercial or industrial purposes; and
3. Not exceed 30% lot coverage.

5.20.6 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.20.7 Exception Provisions – Highway Commercial (C2) Zone

5.20.7.1 Highway Commercial Exception One (C2-1) Zone

Part of 32, Concession 4, Hamlet of Odessa.

On the lands zoned C2-1 the permitted uses are restricted to lawn mower, boat and motor sales and service outlet.

5.20.7.2 Highway Commercial Exception Two (C2-2) Zone

Part of Lot 20, Concession 4.

Part of Lot 42, Concession 3.

On the lands zoned C2-2 the permitted uses are restricted to:

- Agricultural Produce ~~sales~~ Warehouse
- Flea Market
- Livestock Sales Warehouse

5.20.7.3 Highway Commercial Exception Three (C2-3) Zone

By-law 2004-36
By-law-2011-76

1. Residential Uses
    - Accessory Single Detached Dwelling House or Accessory Dwelling Unit
2. Non-Residential Uses

- Commercial Club, excluding banquet facilities
- Eating Establishment
- Eating Establishment, take out
- Farm Produce ~~sales~~ R~~r~~retail Outlet
- Miniature Golf
- Museum and Interpretive Centre
- Park
- Retail Commercial Establishment
- Tourist Office

3. Accessory Uses
   - Buildings and structures accessory to any of the permitted uses specified in accordance with the General Provisions of By-law 2001-38~~.~~

4. Single Detached Dwelling House
   a) Separation Requirements (minimum):
      10 metres from the permitted Non-Residential Use.
   b) Yards (minimum)
      i) Front Yard……..……. 15 metres
      ii) Exterior Side Yard……..……. 10 metres
      iii) Interior Side Yard……...…….. 6 metres
      iv) Rear Yard……..…….……. 15 metres
   c) Dwelling Unit Area (minimum)……..…….. 96 square metres
   d) Setback from Street Centreline:
      In accordance with the General Provisions of this By-law.
   e) Number of Dwelling Houses per Lot…….…….... 1
   f) Height of Buildings (maximum)……..…… 10 metres

5. Dwelling Unit in Non-Residential Building
   a) Dwelling Unit in Portion of Non-Residential Building:
      One Dwelling Unit may be permitted in a Non-Residential Building.
   b) Gross Floor Area per Dwelling Unit (minimum)
      i) One-Bedroom Dwelling Unit……..…….. 56 square metres
      ii) Two-Bedroom Dwelling Unit……..…….. 70 square metres
      iii) Three-Bedroom Dwelling Unit……..……..... 84 square metres
      iv) Dwelling Unit Containing More than Three-Bedrooms:

84 square metres plus 9 square metres for each bedroom in excess of three.

6. Provisions for Non-Residential Uses
   a) Lot Area (minimum)…….. 3.7 hectares
   b) Lot Frontage (minimum)……. 120 metres
   c) Yards (minimum)
      i) Front Yard ……. 25 metres
      ii) Exterior Side Yard……. 25 metres
      iii) Interior Side Yard……..... 20 metres
      iv) Rear yard…….. 70 metres
      For all buildings and any structures exceeding 2.3 metres in height, otherwise 20 metres for all other structures.
   d) Area of all Buildings (maximum)…… 800 square metres
   e) Setback from Street Centerline in Accordance with General Provisions.
   f) Landscaped Open Space (minimum)……..... 60%
   g) Height of Buildings (maximum)……..... 10.7 metres
   h) Planting Strip Requirement:
      In accordance with the General Provisions of this By-law.
   i) Setback of Private Sewage System from Top of Bank of Wilton Creek……... 50 metres

5.20.7.4 Highway Commercial Exception Four (C2-4) Zone

By-law 2022-73

For lands zoned C2-4, an additional permitted Non-Residential Use includes personal/private storage of antique vehicles and accessories.

The following Provisions apply to the C2-4 Zone:

1. Rear Yard Setback (minimum) ……..…… 6 metres
2. Flood Plain Setback (minimum)……... 6 metres
3. Parking (minimum)……... 10 parking spaces

All other requirements of the Highway Commercial (C2) Zone shall apply.

5.21 RURAL COMMERCIAL (C3) ZONE

By-law 2011-76

No person shall within any Rural Commercial (C3) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.21.1 Uses Permitted

1. Residential Uses
   - Accessory Single Detached Dwelling House
   - ~~Accessory d~~Dwelling Unit provided the ~~n~~Non-R~~r~~esidential U~~u~~se has been established
2. Non-Residential Uses
   - Antique Sales Establishment
   - Auction Outlet
   - Commercial Greenhouse
   - Fairgrounds
   - Farm P~~p~~roduce R~~r~~etail O~~o~~utlet
   - Garden and Nursery Sales and Supply Establishment
   - Gasoline Retail Facility
   - Livestock S~~s~~ales W~~w~~arehouse
   - Motor vehicle R~~r~~epair G~~g~~arage
   - Motor Vehicle Service Station
   - Propane Refill Station where ancillary to a motor vehicle gas bar, a motor vehicle repair garage or a motor vehicle service station
   - Public Use or Utility in accordance with the General Provisions of this By-law
   - Retail Commercial Establishment, provided the retail use is accessory and incidental to a permitted Non-Residential Use and on the same lot
   - Veterinary Clinic
3. Accessory Uses
   - Uses, buildings, and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law

5.21.2 Provisions for Residential Uses

5.21.2.1 Single Detached Dwelling House

By-law 2011-76

1. Separation Requirements (minimum):
   10 metres from the permitted Non-Residential Use.
2. Yards (minimum)
   a) Front Yard…….. 15 metres
   b) Exterior Side Yard…….. 15 metres
   c) Interior Side Yard…….. 6 metres
   d) Rear Yard…….. 15 metres
3. Dwelling Unit Area (minimum)…….. 96 square metres
4. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
5. Number of Dwelling Houses per Lot (maximum)…….. 1
6. Height of Buildings (maximum)…….. 10 metres

5.21.2.2 Dwelling Unit in Portion of Non-Residential Building

1. Dwelling Unit in Portion of Non-Residential Building:
   a) One Dwelling Unit may be permitted over a non-residential building.
   b) A Dwelling Unit is not permitted in or over a motor vehicle repair garage, a motor vehicle service station, or a motor vehicle service centre.
2. Gross Floor Area per Dwelling Unit (minimum):
   a) One-Bedroom Dwelling Unit…….. 56 square metres
   b) Two-Bedroom Dwelling Unit…….. 70 square metres
   c) Three-Bedroom Dwelling Unit…….. 84 square metres
   d) Dwelling Unit Containing More than Three-Bedrooms:
      84 square metres plus 9 square metres for each bedroom in excess of three.

5.21.3 Provisions for Non-Residential Uses

1. Lot Area (minimum)…….. 0.4 hectares
2. Lot Frontage (minimum)…….. 45 metres

3. Yards (minimum)
   a) Front Yard…….. 15 metres
   b) Exterior Side Yard…….. 15 metres
   c) Interior Side Yard:
      6 metres except where the interior side lot line abuts a Residential Zone, in which case the minimum interior side yard shall be 12 metres.
   d) Rear Yard…….. 12 metres
4. Lot Coverage (maximum)…….. 50%
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Landscaped Open Space (minimum)…….. 10%
7. Height of Buildings (maximum)…….. 10 metres
8. Planting Strip Requirement:
   In accordance with the General Provisions of this By-law.

5.21.4 Provisions for Retail Gas Establishments

In accordance with the General Provisions of this By-law.

5.21.5 Provisions for Outside Display and Storage

Lands used for the outside display and sale of goods and materials shall comply with the following Provisions:

1. Not be located closer than 5 metres to the front lot line;
2. Not be located closer than 2 metres to an interior side or rear lot line where the lot line abuts a lot zoned for commercial or industrial purposes or 6 metres of an interior side or rear lot line where the lot line abuts a lot Zone for other than commercial or industrial purposes; and
3. Not exceed 50% lot coverage.

5.21.6 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.21.7 Exception Provisions – Rural Commercial (C3) Zone

5.21.7.1 Rural Commercial Exception One (C3-1) Zone

By-law 2004-8

On the lands zoned C3-1; the following are the only permitted uses:

1. Residential Uses
   - Prohibited
2. Non-Residential Uses
   - Artist Studio
   - Aart Ggallery
   - Antique Sales Establishment
   - Commercial Greenhouse
   - Garden Nursery Sales and Supply Establishment including outdoor storage of landscaping products in an interior side yard and rear yard only
   - Workshop
   - Retail Commercial ~~use~~ Eestablishment excluding a Convenience Store

The principal building on the site shall not exceed 134 square metres in ground building area.

All other Provisions of the C3 Zone pertain.

5.21.7.2 Rural Commercial Exception Two (C3-2) Zone

By-law 2008-12

For the property described as Part of Lot 37, Concession 4, designated as Part 2, Plan 29R-8136 and addressed as 255 Shane Street, Odessa, the following Provisions apply to the C3-2 Zone:

1. Lot Area (maximum)…..…….....…..…… 0.2 hectares
2. Lot Frontage (maximum)……...…… 25 metres
3. That all outdoor storage of equipment and vehicles shall be screened from abutting Residential Uses and public streets by building(s) or by a fence at least 1.8 metres in height from finished grade.

All other Provisions and Uses of the Rural Commercial (C3) Zone apply.

5.22 SHOPPING CENTRE COMMERCIAL (C4) ZONE

No person shall within any Shopping Centre Commercial (C4) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.22.1 Uses Permitted

1. Residential Uses
    - Prohibited
2. Non-Residential Uses
    - Adventure Ggames occurring in an indoor facility
    - Animal Ccare Eestablishment
    - Antique Ssales Eestablishment
    - Arcade
    - Arena
    - Art Ggallery
    - Artist Sstudio
    - Bakery or Bbake Shop
    - ~~Bank or f~~Financ~~ial~~e Institution
    - Brewers' Retail Outlet
    - Business, professional or administrative office
    - Call Ccentre
    - Commercial Club
    - Commercial School
    - Conference Centre
    - Convenience Store
    - Craft Sshop
    - ~~Day Nursery~~Day Care Centre
    - Department Store
    - Drug Store
    - Dry Cleaners' Distribution Station and/or Plant and/or Coin Operated Laundry
    - Eating Establishment

- Eating Establishment, drive through
- Eating Establishment; mobile
- Eating Establishment; take out
- Equipment Sales and Rental
- Furniture and Appliance Dealer

- Liquor Control Board Outlet
- Liquor Licensed Premises
- Medical or Dental Clinic
- Micro-Bbrewery that may also include the preparation, offering for sale, and consumption of food or drinks including; entertainment and housing of events; and tours of the facility
- Motor Vehicle Service Station
- Motor Vehicle Repair Garage
- Motor Vehicle Sales New and Used
- ~~Motor vehicle service and supply centre provided such use is a planned component of the shopping centre;~~
- Outdoor Café
- Parking Lot
- Personal Bbrewing Eestablishment
- Personal Sservice Sshop
- Place of Entertainment
- Place of Worship
- Police Station
- Post Office
- Printing Establishment
- Private Club
- Public Library
- Public Use or Utility in accordance with the General Provisions of this By-law
- Retail Commercial Establishment
- Shopping Centre
- Small Appliance Service Shop
- Supermarket
- Tavern

- Veterinary Clinic in a wholly enclosed building

3. Accessory Uses
   - Uses, buildings, and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law

5.22.2 Provisions for Non-Residential Uses

1. Lot Area (minimum)…….. 0.8 hectares
2. Lot Frontage (minimum)…….. 60 metres
3. Yards (minimum)
   a) Front Yard…….. 12 metres
   b) Exterior Side Yard…….. 12 metres
   c) Interior Side Yard:
      6 metres except where the interior side lot line abuts a Residential Zone, in which case the minimum interior side yard shall be 12 metres.
   d) Rear Yard:
      6 metres except where the rear lot line abuts a Residential Zone, in which case the minimum rear yard shall be 12 metres.
4. Lot Coverage (maximum)…….. 25%
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Landscaped Open Space (minimum)…….. 10%
7. Height of Buildings (maximum)…….. 12 metres
8. Planting Strip Requirement:
   In accordance with the General Provisions of this By-law.

5.22.3 Provisions for Retail Gas Establishments

In accordance with the General Provisions of this By-law.

5.22.4 Provisions for ~~OUTSIDE~~ Outdoor~~UTDOOR~~ Display and Storage

No ~~open~~ outdoor storage of goods or materials shall be permitted.

5.22.5 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.22.6 Exception Provisions – Shopping Centre Commercial (C4) Zone

5.22.6.1 Shopping Centre Commercial Exception One (C4-1) Zone

Corner of Sherwood Avenue and Highway No. 33; Geographic Township of Ernestown.

Within the C4-1 Zone, the following Provisions apply:

1. Lot Area (minimum)…….…… 1950 square metres
2. Lot Frontage (minimum)……..……... 40 metres

5.22.6.2 Shopping Centre Commercial Exception Two (C4-2) Zone

By-law 2002-25

Within the C4-2 Zone, the following additional Non-Residential Use is allowed:

1. Motor Vehicle Wash, Automatic
   a) Permitted Residential Use
      - Two Dwelling Units provided no portion of either unit is on the middle floor
   b) Gross Floor Area per Dwelling Unit (minimum)
      i) One-Bedroom Dwelling Unit……..…… 56 square metres
      ii) Two-Bedroom Dwelling Unit…...…… 70 square metres
      iii) Three-Bedroom Dwelling Unit…...……..…… 84 square metres

All other Provisions of the C4 Zone apply.

5.22.6.3 Shopping Centre Commercial Exception Three (C4-3) Zone

By-law 2014-9
By-law 2008-2

For the property described as Part of Block B, Plan 344, designated as Part 12 on Reference Plan 29R-7675 and addressed as 242 Main Street, Bath, the following Provisions apply to the C4-3 Zone:

1. Additional Non-Residential Use is allowed:
   - Motor Vehicle Wash, automatic
2. A fence having a height of 2.1 metres (7 feet) is constructed on the northern property line.

All other Provisions of the Shopping Centre Commercial (C4) Zone apply.

5.22.6.4 Shopping Centre Commercial Exception Four (C4-4) Zone

For the property described as part of Lot 39, Broken Front Concession, fronting on the east side of Sherwood Avenue, Amherstview the following Provisions apply to the C4-4 Zone:

1. Exterior Side Yard (minimum)…….. 4.48 metres
2. Interior Side Yard (minimum)……. 3 metres
3. Rear Yard (minimum)…….. 2.7 metres
4. Lot Coverage (maximum)…….. 28%
5. Planting Strip Requirement:
   Not required provided adjacent residential properties abutting the interior lot line of this commercial property are screened by a solid fence measuring at least 2.0 metres in height.
6. Parking Space Size (minimum)…..……. 2.75 metres wide by 6.0 metres in length
7. Number of Spaces (minimum)……. 46
8. Special Vehicle Parking Spaces (minimum)…… 4
9. Angle Spaces (minimum length)……... 6 metres
10. Parking spaces shall be no closer than 1.5 metres to any street line and not less than 1.0 metre to a lot line abutting lots in a Residential Zone.
11. Accessory Building Setback to Main Building (minimum)…..…….. 0.6 metres

All other Provisions of the Shopping Centre Commercial (C4) Zone apply.

5.22.6.5 Shopping Centre Commercial Exception Five (C4-5) Zone

By-law 2012-110
By-law 2014-78
By-law 2019-38
By-law 2024-38

1. Non-Residential Uses

   For the property described as part of Lot 36, Concession 1, fronting on the west side of Speers Boulevard and the south side of Amherst Drive, Amherstview the following additional Non-Residential Uses are permitted in the C4-5 Zone:

   - Assembly Hall
   - Club, private
   - Drugless Practitioner
   - Funeral Home
   - Fraternal Lodge
   - Hotel
   - Motel
   - School, commercial
   - School, private
   - Personal Service Shop

2. Residential Uses
   - A maximum of eight dwelling units may be permitted per non-residential building except that one building may have up to 16 dwelling units. Any dwelling unit may only be permitted over a Non-Residential Use. No more than 40 dwelling units shall be allowed on the property.

3. Lot Area (minimum)…… 0.3 hectares

4. Yards
   a) Front Yard (minimum)…….. 1.0 metre
   b) Exterior Side Yard (minimum)…… 1.0 metre
   c) Interior Side Yard (minimum)……... 3.0 metres

5. Lot Coverage (maximum)……..……. 30%

6. Zone Provisions for Residential Uses
   a) Dwelling Units shall be located above the first floor
   b) Gross Floor Area Per Dwelling Unit (minimum)

i) One-Bedroom Dwelling Unit……... 56 square metres
ii) Two-Bedroom Dwelling Unit……... 70 square metres
iii) Three-Bedroom Dwelling Unit…… 84 square metres
iv) Dwelling Unit Containing more than Three ~~3~~ Bedrooms:
84 square metres plus 9 square metres for each bedroom in excess of three.

7. Building Height (maximum)…… 14.5 metres
8. Notwithstanding the parking area regulations found in Section 4.27 of this By-law, for lands zoned C4-5, the minimum parking space width shall be 2.7 metres in width, the minimum setback for a parking space to a Residential Zone shall be 0 metres, the minimum drive aisle width may be less than 6 metres when the drive aisle is shared with an abutting property provided the combined drive aisle width is a minimum of 6 metres.
9. Notwithstanding the planting strip regulations found in Section 4.29 of this By-law, for lands zoned C4-5, a planting strip will not be required for lot lines abutting the R5-20-H Zone.
10. Lot Frontage (minimum)…… 45 metres

All other Provisions of the Shopping Centre Commercial (C4) Zone shall apply.

5.22.6.6 Shopping Centre Commercial Exception Six (C4-6) Zone

By-law 2012-69
By-law 2023-10

1. Exterior Side Yard (minimum)…… 3 metres
2. If a Holding (H) symbol is applied, in addition to the requirements to remove a Holding (H) symbol as found in Section 4.18, the existing stormwater pond shall be relocated to a suitable location to the satisfaction of the Township.
3. All other Provisions of the Shopping Centre Commercial (C4) Zone apply.
4. Non-Residential Uses
   a) For the property described as Part of Lots 12 and 13, Concession Broken Front and more particularly described as Parts 4,5,6,7,14 and 15 on Plan 29R-10203, and municipally known as 216-222 Main Street, in Bath, Loyalist Township the following additional Non-Residential Uses are permitted in the C4-6 Zone:

- Broadcasting and Communications Establishment.

5.22.6.7 Shopping Centre Commercial Exception Seven (C4-7) Zone

In addition to the Non-Residential Uses permitted in the C4 Zone, the following uses are allowed:

- Drug Store
- Drugless Practitioner
- Personal Service Shop
- School, commercial
- School, private

The following Zone Provisions should apply:

1. Lot Area (minimum)…… 0.8 hectares
2. Lot Frontage (minimum)…….. 60.0 metres
3. Front Yard (minimum)…… 6.0 metres
4. Exterior Side Yard (minimum)…….. 6.0 metres
5. Interior Side Yard (minimum):
   1.0 metres except adjacent to Residential Uses, then 12.0 metres.
6. Rear Yard (minimum):
   6.0 metres except adjacent to Residential Uses, then 12.0 metres.

All other Provisions of the C4 Zone apply.

5.22.6.~~83~~ Shopping Centre Commercial Exception Three (C4-8) Zone

By-law 2024-91

Within the C4-8 Zone, the following provisions shall apply:

Non-Residential Uses Permitted

- Artist Studio
- Bakery or Bake Shop
- ~~Bank or f~~Financ~~iale institution~~Eestablishment
- Business, professional or administrative offices

- Convenience Store
- Day ~~nursery~~Ccare Ccentre
- Drug Store
- Dry Cleaners' Distribution Station
- Eating Establishment
- Eating Establishment, take out
- Liquor Licensed Premises
- Medical or Dental Clinic
- Outdoor Café
- Personal Service Shop
- Post Office
- Public Library
- Public Use or Utility in accordance with the General Provisions of the By-law
- Retail Commercial Establishment
- Shopping Centre

Provisions for Non-Residential Uses

1. ~~a)~~ Lot Area (minimum)……..……0.45 hectares

2. ~~b)~~ Yards (minimum):

   a) ~~i)~~ Interior Side Yard abutting the R5-4 Zone……10.5 metres

   b) ~~ii)~~ Rear Side Yard abutting the R5-4 Zone……8.5 metres

3. ~~c)~~ Lot Coverage (maximum)……30 %

4. ~~d)~~ Notwithstanding Section 3.0 Definitions (Front Lot Line) of this By-law, the lot line abutting Loyalist Boulevard shall be deemed the front lot line, and the lot line abutting Church Street (County Road 7) shall be deemed the exterior side lot line.

5. ~~e)~~ Notwithstanding S~~ubs~~ection 4.29, Subsection 1. ~~a)~~ of this By-law, a planting strip is not required abutting the R5-4 Zone.

6. ~~f)~~ Notwithstanding S~~ubs~~ection 4.27, Subsection 8.~~h)~~ of this By-law, parking spaces and areas within the C4-8 Zone shall be permitted in all yards provided that no part

of any parking area, other than a driveway, is located closer than 1.5 metres to any street line where 2 metres is not achievable and Nil to a lot line abutting the R5-4 Zone, or be within a sight triangle.

7. ~~g)~~ Notwithstanding Section 3.0 Definitions (Street or Road, Improved Road), for the purposes of this By-law, IMPROVED PUBLIC STREET OR ROAD shall also include a private road assumed for use by prescribed parcels of tied land under the jurisdiction of a condominium corporation as established on a registered plan of common elements condominium pursuant to the Condominium Act, 1998.

8. ~~h)~~ A planting strip with a maximum width of 1.5 metres shall be provided adjacent to Church Street.

9. ~~i)~~ A planting strip with a maximum width of 3 metres shall be provided adjacent to Loyalist Boulevard.

10. ~~j)~~ Notwithstanding Section 4.22, Subsection 1. ~~a)~~ of this By-law, the minimum number of loading spaces is 1.

All other requirements of the Shopping Centre Commercial (C4) Zone shall apply.

The 'H' Holding Symbol shall be removed in accordance with Section 4.18, Subsection 4 ~~d)~~. Prior to removal of the 'H' Holding Symbol, only uses existing as of the date of this By-law are permitted.

5.22.6.9 Shopping Centre Commercial Exception Nine (C4-9) Zone

By-law 2018-20

No person shall within any C4-9 Zone use any lot or erect, alter or use any building or structure for any purposes except one or more of the following C4-9 uses, namely:

5.22.6.9.1 Uses Permitted

~~1.~~11. Residential Uses

- A maximum of 18 Dwelling Units may be permitted over a non-residential building

~~2.~~12. Non-Residential Uses

- Antique Sales
- Ambulance Station
- Public Park

- All Non-Residential Uses in the C4 Zone are allowed except that a motor vehicle service station, motor vehicle repair garage, motor vehicle sales new and used, motor vehicle service and supply centre are prohibited

~~3.~~13. Accessory Uses

- Uses, buildings and structures accessory to any of the permitted uses specified in accordance with the General Provisions of ~~the~~ this By-law

5.22.6.9.2 Zone Provisions

No person shall within any C4-9 Zone use any lot or erect, alter or use any building or structure except in accordance with the following Provisions:

1. Lot Frontage (minimum)…… 15.0 metres
2. Rear Yard (minimum)…….…….... 5.0 metres
3. Interior Side Yard (minimum)…….……..... 3.0 metres
4. Exterior Side Yard (minimum)……..…… 3.0 metres
5. Lot Coverage (maximum)……..…… 30.0 metres
6. Lot Area (minimum)……..…… 0.40 hectares
7. Height of Buildings (maximum)……..…… 14.5 metres
8. Dwelling Unit Area (minimum):
   Dwelling units shall be located above the first floor.
9. Gross Floor Area per Dwelling (minimum)
   a) One-Bedroom Dwelling Unit……..……..…… 56 square metres
   b) Two-Bedroom Dwelling Unit……..…… 70 square metres
   c) Three-Bedroom Dwelling Unit……..……..…… 84 square metres
   d) Dwelling Unit Containing more than Three ~~3~~ Bedrooms:
      84 square metres plus 9 square metres for each bedroom in excess of three.
10. Number of Units (maximum)……..…… 18
11. Landscaped Open Space (minimum)…… 30.0 metres
12. Parking spaces required to be 2.7 metres by 6.0 metres.
13. Parking in accordance with Section 4.27 Parking Area Regulations, the minimum off-~~-~~street parking requirement is 1.5 parking spaces for each dwelling unit.

14. Setback from Street Centreline In accordance with the General Provisions of this By-law.

15. Planting Strip Requirement:
    In accordance with the General Provisions of this By-law.

All other Provisions of the C4 Zone apply.

5.23 VILLAGE COMMERCIAL (C5) ZONE

No person shall within any Village Commercial (C5) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.23.1 Uses Permitted

1. Residential Uses
    - Accessory dDwelling Unit provided the Nnon-Rresidential Uuse has been established.
2. Non-Residential Uses
    - Adventure Ggames occurring in an indoor facility
    - Animal Ccare Eestablishment
    - Antique Sales Establishment
    - Art Ggallery
    - Artist Studio
    - Bakery or Bake Shop
    - Bank or fFinancialle Establishment
    - Brewers' Retail Outlet and Liquor Control Board Outlet
    - Business, professional or administrative office
    - Call Ccentre
    - Coin Operated Laundry, coin operated
    - Commercial School
    - Convenience Store
    - Convention Centre
    - Craft Sshop
    - Custom Workshop

- Day ~~nursery~~Ccare Ccentre
- Dry Cleaner~~'~~s' Distribution Station
- Eating Establishment
- Eating Establishment, mobile
- Farm Pproduce Ooutlet
- Fraternal Lodge
- Funeral Home
- Furniture and Appliance Dealer
- Hotel
- Light Equipment Sales and Rental Establishment
- Medical or Dental Clinic
- Micro-Bbrewery that may also include the preparation, offering for sale, and consumption of food or drinks including; entertainment and housing of events; and tours of the facility
- Outdoor Café
- Parking Lot
- Pharmacy
- Place of Entertainment
- Personal Bbrewing Eestablishment
- Personal Service Shop
- Printing Establishment
- Public Use or Utility in accordance with the General Provisions of this By-law
- Retail Commercial Establishment
- Second-hand Sshop
- Service Shop, merchandise
- Small Appliance Service Shop
- Tavern
- Supermarket
- Veterinary Clinic in a wholly enclosed building

3. Accessory Uses
    - Uses, buildings, and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law~~.~~

5.23.2 Zone Provisions for Residential Uses

1. Dwelling Unit in Portion of Non-Residential Building:
   A maximum of ~~three~~ six (~~3~~6) dwelling units may be permitted over a Non-Residential Building.

2. Gross Floor Area per Dwelling Unit (minimum)
   a) One-Bedroom Dwelling Unit……..…….. 56 square metres
   b) Two-Bedroom Dwelling Unit…….. 70 square metres
   c) Three-Bedroom Dwelling Unit……..……... 84 square metres
   d) Dwelling Unit Containing More than Three-Bedrooms:
      84 square metres plus 9 square metres for each bedroom in excess of three.

5.23.3 Zone Provisions for Non-Residential Uses

1. Lot Area (minimum)…….. 456 square metres
2. Lot Frontage (minimum)…….. 15 metres
3. Yards (minimum)
   a) Front Yard…… 0 metres
   b) Exterior Side Yard…….. 0 metres
   c) Interior Side Yard…… 0 metres
      Where the interior side yard lot line abuts a Residential Zone, the minimum interior side yard shall be 6 metres.
   d) Rear Yard……. 6 metres
4. Lot Coverage (maximum)……..…….. 50%
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Landscaped Open Space (minimum)……..…….. 10%
7. Height of Buildings (maximum)…….. 10 metres
8. Planting Strip Requirement:
   In accordance with the General Provisions of this By-law.

5.23.4 Provisions for ~~OUTSIDE~~ OutdoorUTDOOR Display and Storage

No ~~open~~ outdoor storage of goods or materials shall be permitted.

5.23.5 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.23.6 Exception Provisions – Village Commercial (C5) Zone

5.23.6.1 Village Commercial Exception One (C5-1) Zone

Part of Lot 32, Concessions 3 and 4, Odessa.

On the lands zoned C5-1 the permitted uses are restricted to:

- Antique Sales Establishment
- Artist Studio
- ~~Bank or f~~Financ~~ial~~e Establishment
- Business, professional or administrative office
- Commercial School
- Custom Workshop
- Day ~~nursery~~Ccare C~~c~~entre
- Medical Clinic
- Personal Service Shop
- Printing Establishment
- Public Use or Utility in accordance with the General Provisions of this By-law
- Retail C~~c~~ommercial Establishment
- Service Shop, merchandise
- Veterinary Clinic in a wholly enclosed building

5.23.6.2 Village Commercial Exception Three (C5-2) Zone

By-law 2005-100

On property described as part of Lots 72 and 73, Registered Plan 91, 182 Main Street – Odessa, in addition to the existing permitted Non-Residential Uses, the following Uses are allowed:

- Motor Vehicle Repair Garage

- Motor Vehicle Service Station
- Motor Vehicle Sales, used, provided that no more than eight (8) vehicles offered for sale are on site at any time

Notwithstanding the minimum rear yard setback requirement of the C5 Zone, on property zoned C5-2, the minimum rear yard setback shall be 0.45 metres. All other Provisions of the C5 Zone apply.

5.23.6.3 Village Commercial Exception Three (C5-3) Zone

By-law 2005-99

On lands zoned C5-3, a planting strip is allowed to have a minimum width of 2.0 metres. In addition, the minimum setback of a parking area from a street line is allowed to be a minimum of 1.0 metre. All other requirements of the C5 Zone apply.

5.23.6.4 Village Commercial Exception Four (C5-4) Zone

By-law 2015-61

For the property described as Lot 170, Plan 91, 118 Main Street, Odessa, the following Provisions apply:

1. Additional Permitted Non-Residential Use…….…… Custom workshop for metal
2. ~~Maximum~~ Number of Permitted Employees (maximum)……..……..…….... 12
3. No Outdoor Storage Shall be Permitted.
4. ~~The Maximum~~ Number of Required Parking Spaces (maximum)..... 8
5. A planting strip is not required where the abutting residential property fronts on Main Street and other required planting strips are reduced to 1.5 metres in width.
6. The minimum width of a driveway leading to a loading space shall be 3 metres.
7. The interior side yard shall be 0 metres where the lot line abuts a Residential Zone where the properties front on Main Street.

All other Provisions and Uses of the Village Commercial (C5) Zone apply.

5.23.6.5 Village Commercial Exception Five (C5-5) Zone

By-law 2014-46

On lands zoned C5-5, the following Provisions shall apply:

1. ~~Minimum~~ Interior Yard where it abuts a Residential Zone (minimum)…….…. 5 metres
2. ~~Minimum~~ Rear Yard (minimum)…….…….. 2 metres
3. ~~Maximum~~ Height of a Detached Accessory Garage (maximum)…….…… 5.5 metres
4. Required Number of Loading Bays……..…… 0
5. Required Number of Commercial Parking Spaces…… 1
6. ~~Minimum~~ Width of Required Planting Strip (minimum)……..….. 2.0 metres

All other requirements of the C5 Zone apply.

5.24 RECREATION COMMERCIAL (C6) ZONE

No person shall within any Recreation Commercial (C6) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.24.1 Uses Permitted

1. Residential Uses
   - Accessory Single Detached Dwelling House
   - Accessory Dwelling Unit
2. Non-Residential Uses

By-law 2011-76

   - Cabin Establishment
   - Camping Establishment
   - Convenience Store where ancillary to a permitted Non-Residential Use specified herein
   - Cottage Establishment

- Cottage, t~~T~~ourist
- Eating Establishment; if ancillary to a cabin establishment, a camping establishment, a cottage establishment or a resort establishment
- Marina or Marine Sales and Service Establishment
- Miniature Golf Course
- Outdoor Caf~~e~~é
- Trailer Park
- Public Use or Utility in accordance with the General Provisions of this By-law
- Recreational vehicle and travel trailer sales and service establishment
- Resort Establishment
- Snowmobile Sales and Service Establishment
- ~~Outside~~ Outdoor Display and Sale of goods and materials ancillary to a permitted Non-Residential Use specified herein and in accordance with the General Provisions of this By-law

3. Accessory Uses
   - Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law

5.24.2 Zone Provisions for Residential Uses

5.24.2.1 Single Detached Dwelling House

By-law 2011-76

1. Separation Requirements (minimum):
   10 metres from the permitted Non-Residential Use.
2. Yard Requirements (minimum)
   a) Front Yard……. 15 metres
   b) Exterior Side Yard…… 10 metres
   c) Interior Side Yard……. 6 metres
   d) Rear Yard……... 15 metres
3. Dwelling Unit Area (minimum)…… 96 square metres
4. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
5. Dwelling Houses per Lot (maximum)…… 1

6. Height of Buildings (maximum)…….…… 10 metres

5.24.2.2 Dwelling Unit in Portion of Non-Residential Building

1. Number of Dwelling Units (maximum)……
   1
2. Gross Floor Area per Dwelling Unit (minimum)
   a) One-Bedroom Dwelling Unit……. 56 square metres
   b) Two-Bedroom Dwelling Unit…….. 70 square metres
   c) Three-Bedroom Dwelling Unit……..…… 84 square metres
   d) Dwelling Unit Containing More than Three-Bedrooms:
      84 square metres plus 9 square metres for each bedroom in excess of three.

5.24.3 Provisions for Non-Residential Uses

1. Lot Area (minimum)……..……..…… 0.8 hectares
2. Lot Frontage (minimum)…….. 60 metres
3. Yards (minimum)
   a) Front Yard……..…….. 15 metres
   b) Exterior Side Yard……..……. 15 metres
   c) Interior Side Yard:
      6 metres except where the interior side lot line abuts a Residential Zone, in which case the minimum interior side yard shall be 12 metres.
   d) Rear Yard……..……..……... 12 metres
4. Lot Coverage (maximum)……..……..……..……... 40%
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Landscaped Open Space (minimum)……..……..…. 10%
7. Height of Buildings (maximum)……..…… 10 metres
8. Planting Strip Requirement:
   In accordance with the General Provisions of this By-law.

5.24.4 Special Provisions – Cabin, Cottage or Resort Establishments

1. Lot Area (minimum)…….…… 2 hectares
2. Lot Frontage (minimum)……..……... 90 metres
3. Yards (minimum)
   a) Front Yard…….. 15 metres
   b) Exterior Side Yard……..……. 15 metres
   c) Interior Side Yard:
      6 metres except where the interior side lot line abuts a Residential Zone, in which case the minimum interior side yard shall be 12 metres.
   d) Rear Yard…….……..……... 12 metres
4. Lot Coverage (maximum)……..……..…... 40%
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Landscaped Open Space (minimum)……..……..…… 10%
7. Height of Buildings (maximum)……..…… 10 metres
8. Distance between Cabins or Cottages on the same lot (minimum)…….. 6 metres

5.24.5 Special Provisions – Camping Lots

1. Camping Lot Area (minimum)…….……..…….. 185 square metres
2. Camping Lot Frontage (minimum)…….……..…… 9 metres

5.24.6 Special Provisions – Trailer Parks

1. Lot Area (minimum)……..…….. 4 hectares
2. Lot Frontage (minimum)……..……. 100 metres
3. Yards (minimum)
   a) Front Yard…….. 15 metres
   b) Exterior Side Yard……..……. 10 metres
   c) Interior Side Yard……..……. 6 metres
   d) Rear Yard……..……... 15 metres

4. Lot Coverage (maximum)…….……..…….. 30%
5. Landscaped Open Space (minimum)……..…….……..…….. 30%
6. Recreational Trailer Site Area (minimum)…….……... 232 square metres
7. Recreational Trailer Site Frontage (minimum)……..…….. 10 metres
8. Separation Distance Between Sites (minimum)……..…….. 3 metres
9. Density of Sites (maximum):
   35 sites per hectare (exclusive of lands used for private roads providing access to sites).
10. Recreational Trailer Site Coverage (maximum)……..…….……..….. 35%
11. Recreational Trailer Dwelling Unit Area (maximum)……..…….. 44 square metres

5.24.7 Outside Display and Storage

Lands used for the outside display and sale of goods and materials shall:

1. Not be located closer than 7.5 metres to the front lot line;
2. Not be located closer than 2 metres to an interior side or rear lot line where the lot line abuts a lot zoned for commercial or industrial purposes or 6 metres of an interior side or rear lot line where the lot line abuts a lot Zone for other than commercial or industrial purposes; and
3. Not exceed 30% lot coverage.

5.24.8 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.24.9 Exception Provisions – Recreational Commercial (C6) Zone

5.24.9.1 Recreational Commercial Exception One (C6-1) Zone

By-law 2013-24

5.24.9.1.1 Uses Permitted

No person shall within any C6-1 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following C6-1 uses, namely:

1. Residential Uses
    - Accessory Single Detached Dwelling House including a secondary unit to be fully located within the ~~primary~~ principal dwelling; and
    - Accessory Dwelling Unit
2. Non-Residential Uses
    - Marina
    - Administrative Office associated with the Principal Marina Facility
    - Marina Sales and Service Establishment
    - Club, commercial
    - Convenience Store associated with the ~~Primary~~ Pprincipal Marina Facility
    - Eating Establishment
    - Outside Display and Sale of goods and materials ancillary to a permitted Non-Residential Use specified herein and in accordance with the General Provisions of this By-law
    - Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law
3. Accessory Uses
    - In accordance with the By-law

5.24.9.1.2 Zone Provisions

No person shall within any C6-1 Zone use any lot or erect, alter or use any building or structure except in accordance with the following Provisions:

1. Lot Area (minimum)…… 0.8 hectares
2. Lot Frontage (minimum)…….. 20 metres
3. Front Yard (minimum)…….. 7 metres
4. Setback to Floodplain (minimum)…….. 15 metres
5. Exterior Side Yard (minimum)…….. 3.0 metres
6. Interior Side Yard (minimum)…….. 6.0 metres (12.0 abutting Residential Zone)
7. Rear Yard (minimum)…….. 7.5 metres
8. Lot Coverage (maximum)…….. 40%
9. Height of Buildings (maximum)…….. 10 metres

10. Landscaped Open Space (minimum)..... 10%

11. Notwithstanding the Provisions of Section 4.1.2, Subsection 2. ~~(b)~~ which apply to accessory buildings the accessory garage shall be permitted to encroach within 1 metre of any lot line.

12. Notwithstanding the Parking Area Requirements for marinas found in Section 4.27, Subsection 1. ~~(a)~~ 0.5 spaces per boat will be permitted.

13. Notwithstanding the Parking Area Design Requirements found in Section 4.27, Subsection 4. e) ~~(d) v)~~ requiring a driveway width of 7.0 metres, 6.0 metres shall be provided.

14. Notwithstanding the Parking Area Location on Lot Provisions found in Section 4.27, Subsection 8. ~~(h)~~ requiring driveways and parking spaces to be at least 3 metres from the boundary of a Residential Zone, the setback shall be 0 metres.

15. The Provisions found within Section 4.29 shall not apply.

16. Notwithstanding any Provisions of the By-law found here within, pump stations and transformers may be located within 0 metres of any lot line.

5.25 LIGHT INDUSTRIAL (M1) ZONE

No person shall within any Light Industrial (M1) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.25.1 Uses Permitted

1. Residential Uses
   - Prohibited
2. Non-Residential Uses
   - Ambulance Station
   - Animal Shelter
   - Building Supply Outlet
   - Business I~~i~~ncubator
   - Business, professional or administrative office
   - Call C~~c~~entre
   - Courier Establishment

- Fire Hall
- Information Industry
- Laboratory and Research Facility
- Light M~~m~~anufacturing
- General Industrial Use, provided such use, from its nature or materials used therein is not considered noxious
- Municipal, County, Provincial Maintenance Depot
- Printing Establishment
- Public Use or Utility in accordance with the General Provisions of this By-law
- Retail Establishment, provided the retail use is accessory and incidental to a permitted Non-Residential Use specified hereunder and does not occupy more than 25% of the gross floor area of the buildings or structures
- Truck Repair and Maintenance Depot
- Warehouse
- Water Tower
- Water Treatment Plant

3. Accessory Uses
   - Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law

5.25.2 Provisions for Non-Residential Uses

1. Lot Area (minimum)…….. 0.4 hectares
2. Lot Frontage (minimum)…….. 45 metres
3. Yards (minimum)
   a) Front Yard…….. 15 metres
   b) Exterior Side Yard…….. 15 metres
   c) Interior Side Yard…….. 6 metres
      Where the interior side lot line or rear lot line abuts a Residential Zone the minimum yard requirement shall be 20 metres.
   d) Rear Yard…….. 15 metres
4. Lot Coverage (maximum)…….. 40%
5. Setback from Street Centreline:

In accordance with the General Provisions of this By-law.

6. Landscaped Open Space (minimum)…….……..…… 10%
7. Height of Buildings (maximum)……..…… 12 metres
8. Planting Strip Requirement:
   In accordance with the General Provisions of this By-law.

5.25.3 Use of Front and Exterior Side Yards

Required front and exterior side yards shall be open and unobstructed except that such yards may be used for the purpose of parking in accordance with the General Provisions of this By-law.

5.25.4 ~~OUTSIDE~~ OutdoorUTDOOR Display and Storage

~~Outside~~ Outdoor display and/or storage of goods or materials shall:

1. Be restricted to the area to the rear of the front of the principal structure and shall comply with the required front and exterior side yard and setback requirements provided that such ~~outside~~ outdoor storage is not located closer than 5 metres to an interior side lot line where the lot line abuts a lot zoned Residential.
2. Not cover more than 50% of the total lot area; and
3. Be screened from adjacent Residential Uses and public streets by buildings, or is enclosed by planting in conjunction with a planting strip or, is enclosed by a fence extending at least 1.8 metres in height above the finished grade.

5.25.5 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.25.6 Exception Provisions – Light Industrial (M1) Zone

5.25.6.1 Light Industrial Exception One (M1-1) Zone

Part of Lot 32, Concession 3, Odessa.

On the lands zoned ~~(~~M1-1~~),~~ the Permitted Uses are restricted to:

1. Residential Uses
    - Single Detached Dwelling Unit
2. Non-Residential Uses
    - Woodworking Shop located in a single building located in the rear yard behind the Single Detached Dwelling
    - Public Use
3. ~~Outside~~ Outdoor Storage
    - No ~~outside~~ Outdoor or Open Storage of goods, materials or equipment or machinery associated with the Woodworking Shop shall be permitted

5.25.6.2 Light Industrial Exception Two (M1-2) Zone

Part of Lot 13, Broken Front Concession.

Within the M1-2 Zone the Permitted Uses are restricted to a Municipal (Public Works) Yard and Public Uses.

5.25.6.3 Light Industrial Exception Three (M1-3) Zone

Part of Lot 11, Concession 1.

Within the M1-3 Zone the Permitted Uses are restricted to a Single Detached Dwelling and a Contractor's Yard.

5.25.6.4 Light Industrial Exception Four (M1-4) Zone

Part of Lot 34, Concession 1.

Within the M1-4 Zone the following additional uses are permitted:

- Motor Vehicle Dealership where no more than 10 vehicles are offered for sale at any one time
- Motor Vehicle Repair Garage
- Propane Refill Facility

5.25.6.5 Light Industrial Exception Five (M1-5) Zone

Part of Lot G, Gore Concession (Concession 8).

Within the M1-5 Zone the Uses Permitted are restricted to:

- Accessory Single Detached Dwelling Unit
- Upholstery Shop

5.25.6.6 Light Industrial Exception Six (M1-6) Zone

Part of Lot 19, Concession 1; Ernestown.

Within the M1-6 Zone, the Uses Permitted include:

- An Existing Single Unit Dwelling House
- Motor Vehicle Service Station

5.25.6.7 Light Industrial Exception Seven (M1-7) Zone

Part of Lot 35, Concession 1; Ernestown.

Within the M1-7 Zone the Uses Permitted include:

- Motor Vehicle Repair Garage

5.25.6.8 Light Industrial Exception Eight (M1-8) Zone

By-law 2004-88

Within the M1-8 Zone, the Uses Permitted include:

- Business, professional or administrative office
- Courier Establishment
- Laboratory or Research Facility
- Public Use or Utility in accordance with the General Provisions of ~~the~~ this By-law
- Retail C~~c~~ommercial Establishment, provided the retail use is accessory and incidental to a permitted Non-Residential Use specified hereunder and does not occupy more than 25% of the gross floor area of the building or structure
- Warehouse

All other Provisions of the "M1" Zone apply.

5.25.6.9 Light Industrial Exception Nine (M1-9) Zone

By-law 2004-107

On the lands zoned M1-9, the only permitted Non-Residential Uses are as follows:

- Building Supply Outlet
- Business, professional or administrative office, provided the office is accessory and incidental to a permitted Non-Residential Use specified hereunder and does not occupy more than 25% of the gross floor area of the buildings or structures
- Courier Establishment
- Light Manufacturing, provided such use, from its nature or materials used therein is not considered noxious
- Retail Ccommercial Establishment, provided the retail use is accessory and incidental to a permitted Non-Residential Use specified hereunder and does not occupy more than 25% of the gross floor area of the buildings and structures
- Warehouse

Notwithstanding Section 4.32, Subsection 2. ~~b)~~ of this By-law, one property in Lot 31, Concession 1, described as Parts 1 and 2, on Reference Plan 29R-7739, may be serviced by a private subsurface sewage disposal (septic) system and by a private well.

All other Provisions of the M1 Zone apply.

5.25.6.10 Light Industrial Exception Ten (M1-10) Zone

By-law 2005-27

On the lands zoned Light Industrial Exception Ten (M1-10) Zone, no person shall within the Light Industrial Exception Ten (M1-10) Zone use any lot or erect, alter or use any building or structure as specified hereunder:

5.25.6.10.1 Uses Permitted

1. Residential Uses
    - Prohibited
2. Non-Residential Uses
    - Business Iincubator
    - Business, professional or administrative office
    - Call Ccentre
    - Contractor's Yard provided all construction equipment and material (except

two trucks not restricted by capacity requirements and any other trucks that do not exceed a five tone rated capacity) are stored or parked inside a building

- Laboratory and Research Facility
- General Industrial Use, provided such use, from its nature or materials used therein is not considered noxious
- Municipal, County, Provincial Maintenance Depot
- Printing Establishment
- Courier Establishment
- ~~Laboratory or Research Facility~~
- Public Use or Utility in accordance with the General Provisions of ~~the~~ this By-law
- Retail C~~c~~ommercial establishment, provided the retail use is accessory and incidental to permitted Non-Residential Use specified hereunder and does not occupy more than 25% of the gross floor area of the building or structure
- Warehouse
- Water Tower
- Water Treatment Plant

3. Accessory Uses
    - Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law

5.25.6.10.2 Outside Display and Storage

Outside display and/or storage of goods or materials is prohibited.

5.25.6.10.3 Other M1 Provisions

All other Provisions of the Light Industrial (M1) Zone apply.

5.25.6.10.4 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.25.6.11 Light Industrial Exception Eleven (M1-11) Zone

By-law 2008-79

Notwithstanding the Non-Residential Uses of the Light Industrial (M1) Zone, a truck repair and maintenance depot shall not be permitted on lands zoned M1-11. All other Non-Residential Uses of the M1 Zone are allowed, plus self-storage units are permitted as an Additional Non-Residential Use.

All other provisions of the M1 Zone apply.

5.25.6.12 Light Industrial Exception Twelve (M1-12) Zone

By-law 2011-76

On the lands zoned Light Industrial Exception Twelve (M1-12) Zone, no person shall within the M1-12 Zone use any lot or erect, alter or use any building or structure as specified hereunder:

5.25.6.12.1 Uses Permitted

The Non-Residential, Residential and Accessory Uses listed in the M1 Zone are permitted plus the following Uses are allowed in the M1-12 Zone.

- Equipment Sales and Rental
- ~~small engine repair and rental~~ Ssmall Eengine Ssales and Sservice Eestablishment
- Custom Workshop
- Broadcasting/Communications Establishment
- Education and Training Facility

5.25.6.12.2 Provisions for Non-Residential Uses

1. Lot Area (minimum)…… 0.2 hectares
2. Lot Frontage (minimum)…….. 30 metres
3. Yards (minimum)
   a) Front Yard…….. 8 metres
   b) Exterior Side Yard…… 8 metres
   c) Interior Side Yard……..….. Same as M1 Zone
   d) Rear Yard……... 8 metres
4. Lot Coverage (maximum)……..…….. 50%

5. The Provisions of the M1 Zone apply for landscaped open space, height of buildings and planting strip.

5.25.6.12.3 Parking Provisions

All parking Provisions of Section 4.27 of the Zoning By-law shall apply except for the following requirements:

OFF-STREET PARKING REQUIREMENTS	
Non-Residential Uses	**Minimum Off-Street Parking Requirements**
Business/Professional Office, Education and Training Facility, Accessory Retail Showroom	1 parking space per 28 square metres of gross floor area or portion thereof
Laboratory and Research Facility, Printing Establishment, Courier Establishment, Custom Workshop	1 parking space per 38 square metres of gross floor area or portion thereof
General Industrial Use	1 parking space per 75 square metres of gross floor area or portion thereof
Warehouse	1 parking space per 150 square metres of gross floor area or portion thereof
Other Uses Not Listed	1 parking space per 100 square metres of gross floor area or portion thereof
For the purposes of the use of front and exterior side yards, outdoor display and storage, and General Zone Provisions, the M1 Zone shall apply	

~~Non-Residential Uses~~

- ~~Business/professional office education and training Facility accessory retail showroom.~~
- ~~Laboratory and research facility, printing establishment, courier establishment, custom workshop.~~

~~Minimum Off-Street Parking Requirement~~

- ~~1 parking space per 28 square metres of gross floor area or portion thereof.~~
- ~~1 parking space per 38 square metres of gross floor area or portion thereof.~~

• ~~General Industrial Use.~~	• ~~1 parking space per 75 square metres of gross floor area or portion thereof.~~
• ~~Warehouse.~~	• ~~1 parking space per 150 square metres of gross floor area or portion thereof.~~
• ~~Other Uses Not Listed.~~	• ~~1 parking space per 100 square metres of gross floor area or portion thereof.~~

• ~~For the purposes of the use of front and exterior side yards, outdoor display and storage, and General Zone Provisions, the M1 Zone shall apply.~~

5.25.6.13 Light Industrial Exception Thirteen (M1-13) Zone

5.25.6.13.1 ~~Permitted~~ Uses Permitted

1. Residential Uses
   - Prohibited
2. Non-Residential Uses ~~Permitted~~
   - Arena
   - Building Supply Outlet
   - Business Incubator
   - Broadcasting Communications Establishments
   - Business, professional or administrative office
   - Call Centre
   - Clinic, medical
   - Club, commercial
   - Club, private
   - Courier Establishment
   - Education and Training Facility
   - Laboratory and Research Facility
   - Light Manufacturing~~, processing and fabricating plant~~
   - Printing Establishment
   - Private Park
   - Public Use in accordance with the General Provisions of this By-law
   - Retail Commercial Establishment, provided the retail use is accessory and incidental to the permitted Non-Residential Use specified hereunder and

does not occupy more thant 25% ~~per cent~~ of the gross floor area of the buildings or structures

- School, commercial
- Veterinary Clinic
- Warehouse

5.25.6.13.2 Zone Provisions

No person shall within any M1-13 Zone use any lot or erect, alter or use any building or structure except in accordance with the following Provisions:

1. Lot Area (minimum)..... 0.4 hectares
2. Lot Frontage (minimum)..... 45 metres
3. Front Yard (minimum)..... 8.0 metres
4. Exterior Side Yard (minimum)..... 8.0 metres
5. Interior Side Yard (minimum):
   6.0 metres (12.5 metres adjacent to a Residential Use).
6. Rear Yard (minimum):
   6.0 metres (12.5 metres adjacent to a Residential Use).
7. Lot Coverage (maximum)..... 45%
8. Height of Building (maximum)..... 12 metres
9. Parking Provisions are regulated by the M1-12 Zone.
10. Outdoor Storage Setback (minimum):
    10 metres from a lot line abutting a Residential Use and must be screened.

~~5.25.6.13 Light Industrial Exception Thirteen (M1-13) Zone~~

5.25.6.14 Light Industrial Exception Fourteen (M1-14) Zone

aBy-law 2017-37

For the property described as Lot 4 Plan 29M-10 in the Loyalist East Business Park.

Within the M1-14 Zone, the following Additional Non-Residential Use Provision is permitted:

5.25.6.14.1 ~~Permitted~~ Uses Permitted

- Subject Waste Transfer and Processing Facility with accessory non-hazardous materials.

All other Provisions and Uses of the Light Industrial Exception Twelve (M1-12) Zone~~s~~ apply.

5.25.6.15 Light Industrial Exception Fifteen (M1-15) Zone

By-law 2018-2

Within any M1-15 Zone, a motor vehicle repair garage is an additional allowed Non-Residential Use.

All other Provisions of the M1-12 and M1 Zone apply.

5.25.6.16 Light Industrial Exception Sixteen (M1-16) Zone

By-law 2018-73

For lands zoned M1-16, an additional permitted Non-Residential Use includes an eating establishment. The number of easting establishments shall be limited to 1 and shall occupy a gross floor area of no more than 135 square metres and having a maximum servicing capacity of 30 customers.

All other requirements of the M1-12 and M1 Zones shall apply.

5.26.6.17 Light Industrial Exception Seventeen (M1-17) Zone

Reserve

5.25.6.18 Light Industrial Exception Eighteen (M1-18) Zone

By-law 2020-39

For lands zoned M1-18, an additional permitted Non-Residential Use includes a Marine and Sales and Service Establishment. All other requirements of the M1-12 and M1 Zones shall apply.

5.25.6.19 Light Industrial Exception Nineteen (M1-19) Zone

By-law 2020-41

For lands zoned M1-19, an additional permitted Non-Residential Use includes a Commercial Club not exceeding 520 square metres of gross floor area with accessory retail facilities being limited to 25% of the total gross floor area of the building.

All other requirements of the M1-12 and M1 Zones shall apply.

5.25.6.20 Light Industrial Exception Twenty (M1-20) Zone

By-law 2022-44

For lands zoned M1-20, an additional permitted Non-Residential Use includes a contractor's yard. All other requirements of the M1-12 and M1 Zones shall apply.

5.25.6.21 Light Industrial Exception Twenty-One (M1-21) Zone

By-law 2022-45

For lands zoned M1-21, an additional permitted Non-Residential Use includes a "Commercial Club."

Notwithstanding Section 4.27, Subsection 8.~~(h)~~ of this By-law, non-visitor parking may be located within a front yard.

All other Uses and Provisions of the M1-12 and M1 Zones shall apply.

5.25.6.22 Light Industrial Exception Twenty-Two (M1-22) Zone

By-law 2022-68

Notwithstanding the Provisions of Section 4 and 5 hereof to the contrary, the following Provisions shall apply:

1. Residential Uses
   - Prohibited
2. Non-Residential Uses

   The only permitted Non-Residential Uses are as follows:
   - Business, professional or administrative office
   - Custom Workshop
   - Custom Metal Workshop
   - Public Use or Utility in accordance with the General Provisions of this By-law

- Retail Establishment, provided the retail use is accessory and incidental to permitted Non-Residential Uses specified hereunder and does not occupy more than 25% of the gross floor area of the building or structure
- Warehouse

3. Outside Display and Storage:
   - Outside Display and/or Storage of goods and materials is prohibited.
4. Minimum Lot Area…….. 0.23 hectares
5. Minimum Front Yard Setback (Centre Street)…… 4.4 metres
6. Minimum Interior Side Yard Abutting a Residential Lot Line Setback……..…… 16.8 metres
7. Loading Spaces……..…… Permitted within a building
8. Distance from a Driveway to an Interior Side Lot Line…..…… 0 metres
9. Setbacks Along Roads and Pipelines:
   The centreline distance requirement shall be 6.1 metres.
10. Parking Area Design Requirements (minimum width)…….. 2.7 metres

All other Provisions of the M1 Zone shall apply.

5.25.6.23 Light Industrial Exception Twenty-Three (M1-23) Zone

By-law 2022-104

For lands zoned M1-23, an additional permitted Non-Residential Use includes “Self-Storage units.”

1. Notwithstanding Section 4.27, Subsection 8.~~(h)~~ of this By-law, non-visitor parking may be located within a front yard.
2. Parking Spaces (minimum)…….…… 18 parking spaces

All other Uses and Provisions of the M1-12 and M1 Zones shall apply.

5.26 RURAL INDUSTRIAL (M2) ZONE

No person shall within any Rural Industrial (M2) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.26.1 Uses Permitted

1. Residential Uses
    - Accessory Single Detached Dwelling
    - Home Occupation
2. Non-Residential Uses
    - ~~Abattoir~~
    - Agricultural Produce Warehouse
    - Agriculture-R~~r~~elated U~~u~~se
    - Ambulance Station
    - Animal S~~s~~helter
    - Business or Professional Office provided such use is accessory to a permitted Non-Residential Use specified herein
    - Building Supply Outlet
    - Cannabis Production Facility, provided the maximum area of buildings and structures devoted to the use shall not exceed 600 square meters
    - ~~Cheese Factory~~
    - Farm Implement and Equipment Sales and Service Establishment
    - ~~Feed Mill~~
    - Fire Hall
    - ~~Grain drying and cleaning operations~~
    - Municipal, County or Provincial Maintenance Depot
    - Woodworking Shop
    - Public Use or Utility in accordance with the General Provisions of this By-law
    - Retail ~~sales outlet~~ C~~c~~ommercial E~~e~~stablishment where such use is accessory to a permitted Non-Residential Use specified herein
    - Saw and/or Planing Mill
    - Small Engine Sales and Service Establishment
    - Truck Repair and Maintenance Depot
    - Veterinary Clinic
    - Workshop
    - Municipal, County, Provincial Maintenance Depot.
3. Accessory Uses

- Uses, buildings, and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law

5.26.2 Provisions for Residential Uses

By-law 2011-76

5.26.2.1 Single Detached Dwelling House

1. Separation (minimum)……..…10 metres from the permitted Non-Residential Use
2. Yards (minimum)
   a) Front Yard…….. 15 metres
   b) Exterior Side Yard……. 15 metres
   c) Interior Side Yard……. 6 metres
      The minimum interior side yard where there is an attached garage or carport with no habitable rooms above the garage or carport shall be 1.2 metres on the side where the garage or carport is located.
   d) Rear Yard……... 15 metres
3. Dwelling Unit Area (minimum)…… 96 square metres
4. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
5. Number of Dwelling Houses per Lot (maximum)…… 1
6. Height of Buildings (maximum)…… 10 metres

5.26.3 Provisions for Non-Residential Uses

1. Lot Area (minimum)…… 0.8 hectares
2. Lot Frontage (minimum)…….... 60 metres
3. Yards (minimum)
   a) Front Yard…….. 15 metres
   b) Exterior Side Yard……. 20 metres
   c) Interior Side Yard…….. 10 metres
      Where the interior side lot line abuts a Residential Zone the minimum yard requirement shall be 20 metres.
   d) Rear Yard……... 15 metres

Where the rear lot line abuts a Residential Zone the minimum yard requirements shall be 20 metres.

4. Lot Coverage (maximum)…….……...……... 40%
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Landscaped Open Space (minimum)……..……..…… 10%
7. Height of Buildings (maximum)……..…… 12 metres
8. Planting Strip Requirement:
   In accordance with the General Provisions of this By-law.

5.26.4 Use of Front and Exterior Side Yards

Required front and exterior side yards shall be open and unobstructed except that such yards may be used for parking in accordance with the General Provisions of this By-law.

5.26.5 ~~OUTSIDE~~ OutdoorUTDOOR Display and Storage

Lands used for the ~~outside~~ outdoor display and storage of goods and materials shall:

1. Be restricted to the area to the rear of the front of the principal building and comply with the required front and exterior side yard requirements provided ~~outside~~ outdoor storage is not located closer than 5 metres to an interior side lot line when the lot abuts a Rural or Industrial Zone or 10 metres or a rear lot line or interior side lot line of a lot zoned other than Rural or Industrial. A farm implement and equipment sales and service establishment is allowed to have the outdoor display of goods and materials in front of the principal building and in the front and exterior yards which is not required to be screen, provided sight triangle requirements of Section 4.34 are met.
2. Not cover more than 50% of the total lot area.
3. Be screened from abutting Residential Uses and public streets by building(s) or is enclosed by unpierced shrub planting, or is enclosed by a fence at least 1.8 metres in height from finished grade.

5.26.6 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.26.7 Exception Provisions – Rural Industrial (M2) Zone

5.26.7.1 Rural Industrial Exception One (M2-1) Zone

Part of Lot 42, Concession 1; 935 Coronation Blvd.

Within the M2-1 Zone the following Zone Provisions shall apply:

1. The Use is restricted to:
   - An Existing Residential Use
   - A School Bus Terminal
2. Front Yard (minimum)……..…….... 21 metres
3. Interior Side Yard (minimum)……..……. 9 metres

5.26.7.2 Rural Industrial Exception Two (M2-2) Zone

By-law 2011-76

Part of Lot 42, Concession 3; Ernestown.

Within the M2-2 Zone the following Zone Provisions shall apply:

1. Permitted Non-Residential Uses are restricted to:
   - A Welding, Metal Fabrication and Repair Shop with accessory retail sales within the same building
   - Veterinary Clinic
   - Kennel
   - Public Uses
2. ~~Outside~~ Outdoor Storage
   No ~~outside~~ Ooutdoor or Open Storage of goods, materials, equipment or machinery associated with the above noted uses shall be permitted.
3. Front Yard (minimum)…….. 45 metres

5.26.7.3 Rural Industrial Exception Three (M2-3) Zone

Part of Lot 42, Concession 7; 72 County Road 20 (Harrowsmith Rd).

Within the M2-3 Zone the uses permitted are restricted to:

- Uses Listed in Section 5.26.1, Subsection 1.~~(a)~~
- ~~motor vehicle repairs;~~ Mmotor Vvehicle Rrepair Ggarage
- ~~motor vehicle sales; and~~ Mmotor Vvehicle Ssales, new and used
- ~~small engine repairs.~~ Small Eengine Ssales and Sservice Eestablishment

5.26.7.3.1 Provisions

1. Front Yard (minimum)..... 8 metres
2. Setback from Centerline of County Road..... 22 metres

5.26.7.4 Rural Industrial Exception Four (M2-4) Zone

By-law 2004-105

On the lands zoned M2-4, the following are the only permitted Non-Residential Uses:

- Agricultural Produce Warehouse
- Business, professional or administrative office provided such use is accessory to a Non-Residential Use specified herein
- Building Supply Outlet
- Farm Implement and Equipment Sales and Service Establishment
- ~~Light manufacturing and fabricating plant;~~ Light Mmanufacturing
- Retail Ccommercial Establishment where such use is accessory and incidental to a permitted Non-Residential Use otherwise specified herein and does not exceed 25% of the gross floor area of all buildings and structures
- Veterinary Clinic
- Workshop

Notwithstanding minimum interior side yard requirements of the M2 Zone, the minimum interior side yard for the northerly side lot line shall be a minimum of 70 metres. All other Provisions of the M2 Zone apply.

5.27 GENERAL INDUSTRIAL (M3) ZONE

No person shall within any General Industrial (M3) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.27.1 Uses Permitted

By-law 2011-76

1. Residential Uses
   - Prohibited
2. Non-Residential Uses
   - ~~Abattoir~~
   - Agricultural Produce Warehouse
   - Agricultural-R~~r~~elated U~~u~~se
   - Ambulance Station
   - Animal Shelter
   - Business, professional or administrative office provided such use is accessory to a permitted Non-Residential Use specified herein
   - Bulk Storage Tanks and Related Facilities
   - Cannabis P~~p~~roduction F~~f~~acility
   - Contractor's Yard
   - Custom Workshop
   - Equipment Sales and Rental
   - Facility for the Generation of Electrical Power
   - Farm Implement and Equipment Sales and Service Establishment
   - Feed Mill or Seed Cleaning Plant
   - Fire Hall
   - Garden and Nursery Sales and Supply Establishment
   - Greenhouse, commercial
   - Information Industry
   - ~~Light manufacturing plant;~~ Light M~~m~~anufacturing
   - Saw and/or Planing Mill
   - General Industrial Use
   - Motor Vehicle Body Shop
   - Motor Vehicle Repair Garage

- Municipal, County or Provincial Maintenance Depot
- Public Utility Use in accordance with the General Provisions of this By-law
- Recycling Depot
- Research Facilities
- Retail Ccommercial Establishment where such use is accessory and incidental to a permitted Non-Residential Use otherwise specified herein and does not exceed 25% of the gross floor area of all buildings and structures
- Small Engine Sales and Service Establishment
- Sewage Treatment Facility
- Truck Repair and Maintenance Depot
- Warehouse
- Waste Ttransfer Sstation and Rrecycling Ddepot
- Water Tower
- Water Treatment Plant
- Wholesale Establishment
- Workshop

3. Accessory Uses
   - Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law

5.27.2 Provisions for Non-Residential Uses

1. Lot Area (minimum)…….. 0.8 hectares
2. Lot Frontage (minimum)…….... 60 metres
3. Yards (minimum)
   a) Front Yard…….. 20 metres
   b) Exterior Side Yard…….. 20 metres
   c) Interior Side Yard…….. 10 metres

      Where the interior side lot line abuts a Residential Zone the minimum yard shall be 20 metres.
   d) Rear Yard…….... 20 metres
4. Lot Coverage (maximum)…….... 50%
5. Setback from Street Centreline:

Buildings and structures associated with new industrial development along Highway #33 (Loyalist Parkway) are required to be setback ~~100~~ 25 metres from the northern limit of the road allowance.

6. Landscaped Open Space (minimum)…….....…… 10%
7. Planting Strip Requirement:
   In accordance with the General Provisions of this By-law.
8. Notwithstanding the minimum Yard Provisions of the M3 Zone and Accessory Uses Section in Part 4 of this By-law, a conveyor system accessory to a permitted Non-Residential Use is allowed to have a 0 metre yard for all required yards for all properties zoned in M3, found in Lots 19 to 28, Concessions 1 and Broken Front.

By-law 2006-71

5.27.3 ~~OUTSIDE~~ OutdoorUTDOOR Display and Storage

~~Outside~~ Outdoor display and/or storage of goods or materials shall:

1. Be restricted to the area to the rear of the front of the principal structure and shall comply with the required front and exterior side yard and setback requirements. ~~Outside~~ Outdoor storage is not to be located closer than 5 metres to an interior side lot line where the lot line abuts a lot zoned Rural or Residential.
2. Not cover more than 50% of the total lot area; and
3. Be screened from adjacent Residential Uses and public streets adjoining the lot by buildings, or be enclosed by a planting strip, or be enclosed by a fence extending at least 1.8 metres in height from the finished grade.

5.27.4 Use of Front and Exterior Side Yards

Front and exterior side yards shall be open and unobstructed except that such yards may be used for the purpose of parking in accordance with the General Provisions ~~in~~ of this By-law.

5.27.5 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.27.6 Exception Provisions – General Industrial (M3) Zone

5.27.6.1 General Industrial Exception One (M3-1) Zone

Part of Lot 32, Concession 4.

Within the M3-1 Zone a boat manufacturing operation with ~~open~~ outdoor storage is the only permitted use.

5.27.6.2 General Industrial Exception Two (M3-2) Zone

Part of Lot 38, Concession 3.

Part of Lot 41, Concession 3.

Part of Lot 7, Concession 4.

Part of Lot 32, Concession 4.

Within the M3-2 Zone the Permitted Uses are restricted to a Contractor's Yard.

5.27.6.3 General Industrial Exception Three (M3-3) Zone

By-law 2014-93

Part of Lot 38, Concession 3. .

Within the M3-3 Zone the Permitted Uses shall be restricted to the following:

1. Residential Uses
    - Single Detached Dwelling Unit provided such dwelling is accessory to a permitted Non-Residential Use and is occupied by the owner, caretaker, watchman or other similar person, and family, and is employed on the lot on which the dwelling is located
    - Home Occupation
2. Non-Residential Uses
    - Contractor's Yard
    - Workshop
    - Self Storage Units
    - Warehouse
    - Equipment and Machinery Repair where such use is accessory to the

Warehouse Uses

3. Except for the existing Single Detached Dwelling House and two car garage, all buildings shall have a minimum front yard of 40 metres.

5.27.6.4 General Industrial Exception Four (M3-4) Zone

Part of Lots 41 and 42, Concession 3.

Part of Lot27, Concession 4.

Within the M3-4 Zone the Permitted Uses shall be restricted to a Truck Terminal or Yard, Motor Vehicle Repair Garage or a Bus Terminal. The Motor Vehicle Repair Garage shall be limited to work on vehicles normally stored on the property.

5.27.6.5 General Industrial Exception Five (M3-5) Zone

By-law 2004-3
By-law 2008-85

Part of Lot 21, Concession 6; 1593 County Road 4.

Within the M3-5 Zone the following Zone Provisions shall apply:

~~a) Permitted Uses are restricted to:~~

- ~~A motor vehicle service station;~~
- ~~A motor vehicle auto body shop; and~~

1. Permitted Residential Uses
   - Accessory Residential Unit
2. Non-Residential Uses
   - Antique Sales Establishment
   - Artist Studio
   - Workshop
   - Woodworking Shop
   - Veterinary Clinic wholly enclosed in a building excluding outdoor kennel facilities
   - Garden & Nursery Sales and Supply Establishment
   - Farm Produce ~~retail~~ Ssales Outlet
   - Small Engine Sales and Service Eestablishment

- Retail Commercial Establishment provided the retail use is accessory and incidental to a permitted Non-Residential Use and on the same lot
- Motor V~~v~~ehicle S~~s~~ervice S~~s~~tation
- Motor V~~v~~ehicle B~~b~~ody S~~s~~hop
- Marine Sales and Services Establishment
- Motor Vehicles Sales, used

3. Lot Area (minimum)……...……...… 1,900 square metres
4. Lot Frontage (minimum)……..…….. 45 metres
5. Setback from Centreline of Road……..……... 20 metres

5.27.6.5.1 Dwelling Unit Portion of Non-Residential Building

1. Dwelling Unit in Portion of Non-Residential Building
   a) One Dwelling Unit may be permitted over or adjacent to a Non-Residential Use.
   b) A Dwelling Unit is not permitted in or over a motor vehicle service station or a motor vehicle auto body shop.
2. Gross Floor Area Per Dwelling Unit (minimum)
   a) One-Bedroom Dwelling Unit……...……. 56 square metres
   b) Two-Bedroom Dwelling Unit……...……. 70 square metres
   c) Three-Bedroom Dwelling Unit……...…….. 84 square metres

5.27.6.6 General Industrial Exception Six (M3-6) Zone

By-law 2006-71

Part of Lots 21, 22 and 23, Broken Front Concession; Ernestown.

Within the M3-6 Zone the following Zone Provisions shall apply:

1. Permitted Uses are restricted to:
   - A Public or Private Park
   - Industrial Docking Facilities
   - Pump House
   - Public Use
2. Building Size (maximum)……..……...200 square metres

3. Building Height (maximum)…….…….. 12 metres
4. Lot Coverage (maximum)…….…… 20%
5. For the purposes of interpreting the minimum Yard Provision for conveyor systems, Section 5.27.2, Subsection 8. ~~(h)~~ shall apply to the M3-6 Zone.

5.27.6.7 General Industrial Exception Seven (M3-7) Zone

Part of Lot 23, Concession 1; Ernestown.

Within the M3-7 Zone in addition to the permitted uses in the M3 Zone, the following Zone Provisions shall apply:

1. Non-Residential Uses Permitted
   - A Co-Generation Plant and associated buildings, structures, machinery and equipment used for the purposes of producing and supplying electricity, steam, heating services, chilled or heated thermal transfer fluid, compressed air, inert gas, chilled water or hot water
2. Parking Spaces (minimum)…….…….... 29

5.27.6.8 General Industrial Exception Eight (M3-8) Zone

Part of Lot 23, Concession 1; Ernestown.

Within the M3-8 Zone the uses permitted include:

- Eating Establishment
- Business, professional or administrative office
- Retail C~~c~~ommercial Establishment
- Antique Sales Establishment
- Veterinary Clinic

5.27.6.9 General Industrial Exception Nine (M3-9) Zone

By-law 2002-66

Within the M3-9 Zone, the following additional Non-Residential Use is allowed:

- Business, professional or administrative offices as a principal Non-Residential Use

5.27.6.10 General Industrial Exception Ten (M3-10) Zone

By-law 2012-2

Within the M3-10 Zone, the following Provisions shall apply:

1. Outdoor storage shall not cover more than 65% of the total lot area. All other outdoor storage requirements of the M3 Zone shall apply.
2. An additional Non-Residential Use called “Marine Service and Storage Establishment” is permitted, which is defined as “a building or part of a building and associated lands where marine equipment, including boats, is services or repaired and shall include an outdoor boat storage facility.”
3. Notwithstanding the municipal servicing requirements in Section 4.32 of this By-law, property zoned as M3-10 may be serviced by a Class 4 subsurface sewage disposal system and by a well with an adequate supply of potable water.
4. All other Provisions of the General Industrial (M3) Zone apply.

5.27.6.11 General Industrial Exception Eleven (M3-11) Zone

By-law 2019-30

Within the M3-11 Zone, the following Provisions apply:

1. Additional Permitted Non-Residential Uses
   - Asphalt Plant
   - Business, professional or administrative offices
2. Lot Frontage (minimum)…….…… 30 metres
3. Ingress and Egress Regulations:
   Access to the property may have a maximum width of 12 metres.
4. Front Yard Parking shall be allowed provided it is 3.0 metres or more from any street line.

All other Provisions of the M3 Zone apply.

5.27.6.12 General Industrial Exception Twelve (M3-12) Zone

By-law 2024-5

For lands zoned M3-12, the following additional Uses are permitted:

1. Non-Residential Uses
   - Self--Storage Units

- Accessory Outdoor Storage

2. Residential Uses
   - Existing Accessory Single Detached Dwelling Unit
   - Home Occupation

For lands zoned M3-12 the following Provisions apply:

1. Front Yard Setback (minimum)……. 10 metres
2. Rear Yard Setback (minimum)……... 5 metres
3. Interior Side Yard Setback (minimum)……... 5 metres
4. Outdoor Storage shall be permitted in front of a principal building if screened from Taylor Kidd Boulevard by a planting strip a minimum of 3.0 metres wide;
5. There shall be no minimum setback requirement applicable to Outdoor Storage associated with the self storage units, with the exception of a minimum setback requirement of 20 metres from Taylor Kidd Boulevard;
6. Notwithstanding 2.~~(ii)~~ and 3.~~(iii)~~ above, three buildings no larger than 30 square metres each to be used as storage units can be setback a minimum of 1.5 metres from the rear lot line or interior side lot line;
7. Notwithstanding Section 3.0 Definitions of this By-law, the definition of Front Lot Line, Taylor Kidd Boulevard is deemed to be the Front Lot line;
8. Notwithstanding Section 3.0 Definitions of this By-law, the definition of lot lines adjacent to Van Winkle Road are deemed to be Interior Side Lot lines.
9. Notwithstanding Section 4.27 Parking Area Regulations of this By-law, required parking is calculated at a parking rate of 1 space per 760 square metres of gross floor area for a self storage unit;
10. Notwithstanding Section 3.0 Definitions of this By-law for the definition of self storage unit there shall be no maximum gross floor area of an individual self storage unit
11. Notwithstanding Section 4.14 Garbage and Refuse Storage of this By-law, a garbage enclosure is permitted to be setback 1.5 metres from the interior side lot line;
12. Notwithstanding Section 4.1.8~~7~~ Garages and other Accessory Buildings or Structures, one structure no larger than 30 square metres which is accessory to a

permitted Non-Residential Use is allowed to be setback 1.5 metres from the rear lot line or interior side lot line;

13. Notwithstanding Section 4.38, Through Lots, this Section does not apply to the subject lands.

All other Provisions of the M3 Zone shall apply.

5.28 EXTRACTIVE INDUSTRIAL (M4) ZONE

No person shall within any Extractive Industrial (M4) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.28.1 Uses Permitted

1. Residential Uses
   - Prohibited
2. Non-Residential Uses
   - ~~Agriculture;~~
   - ~~Aggregate processing plant;~~
   - ~~Aggregate stockpiling;~~
   - Asphalt Plant, portable
   - Concrete B~~b~~atching P~~p~~lant
   - Conservation, forestry and reforestation
   - ~~Outside storage;~~
   - ~~Sand and gravel pit;~~
   - Farm
   - Mineral A~~a~~ggregate O~~o~~peration
   - Public Use or Utility in accordance with the General Provisions of this By-law
   - ~~Processing plant for the crushing, screening and primary processing of aggregate materials;~~
   - ~~Quarry;~~
   - Wayside Pit
   - Wayside Quarry
3. Accessory Uses

- Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law

5.28.2 Regulatory Provisions

1. Yards (minimum)
   a) Front Yard…….. 30 metres
   b) Exterior Side Yard…….. 30 metres
   c) Interior Side Yard…….. 15 metres
   d) Rear Yard…….. 15 metres
2. Yard and Setback Provisions - ~~Pits and Quarries~~ Mineral Aggregate Operation
   a) No building or plant, including an aggregate screening or washing plant, a crushing plant, or a portable processing plant, or any stockpiling operation associated therewith, shall be located on the ~~pit or quarry~~ mineral aggregate operation property within 30 metres of the boundary of the pit or quarry property or within 100 metres of a dwelling house or dwelling unit or area zoned for residential purposes where such lands are held under distinct and separate ownership.
   b) Extraction of sand and gravel shall be prohibited within 100 metres of a dwelling house or dwelling unit or area zoned for residential purposes where such lands are held under distinct ownership.
   c) A new ~~extractive operation~~ mineral aggregate operation involving the blasting of consolidated rock or the processing of quarry stone shall be prohibited within 300 metres of a dwelling house or dwelling unit or area zoned for residential purposes where such lands are held under distinct and separate ownership.
3. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
4. Planting Strip Requirement:
   In accordance with the General Provisions of this By-law.
5. Fencing:
   In accordance with the Site Plan under the *Aggregate Resources Act*.

5.28.3 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.28.4 Exception Provisions – Extractive Industrial – ~~PITS AND QUARRIES~~ Mineral Aggregate Operation~~INERAL AGGREGATE OPERATION~~ (M4) Zone

5.28.4.1 Extractive Industrial Exception One (M4-1) Zone

Part of Lot 3, Broken Front Concession.

Within the M4-1 Zone an industrial docking facility shall be the only permitted use.

5.28.4.2 Extractive Industrial Exception Two (M4-2) Zone

Part of Lots 1 to 8, Broken Front Concession and Concession 1; Ernestown and Bath.

Within the M4-2 Zone the uses permitted include a cement plant.

5.28.4.3 Extractive Industrial Exception Three (M4-3) Zone

For the property described as part of Lot 25, Concession 1, in addition to the permitted Non-Residential Uses of the M4 Zone, a permanent asphalt plant is permitted on lands zoned M4-3.

All other Provisions of the Extractive Industrial (M4) Zone a~~A~~pply.

5.29 WASTE MANAGEMENT (M5) ZONE

No person shall within any Waste Management (M5) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.29.1 Uses Permitted

1. Residential Uses
    - Prohibited
2. Non-Residential Uses
    - Public Use or Utility in accordance with the General Provisions of this By-law

- Waste Management Facility
- Salvage Yard
- Septage Facility
- Sewage Treatment Facility
- Recycling Dedepot

3. Accessory Uses
   - Uses, buildings, and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law

5.29.2 Regulatory Provisions

1. Yards (minimum)
   a) Front Yard…… 100 metres
   b) Exterior Side Yard……..……... 100 metres
   c) Interior Side Yard……..…… 100 metres
   d) Rear Yard……..……. 100 metres
2. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
3. Building and Structure Setbacks
   a) Yards (minimum)
      i) Front Yard……..……. 30 metres
      ii) Exterior Side Yard……..……. 30 metres
      iii) Interior Side Yard……..…….. 15 metres
      iv) Rear Yard……..……..…….. 15 metres
   b) Lot Coverage (maximum)……..…….. 20%
   c) Height of Buildings (maximum)……..... 12 metres
4. Septage Lagoon - Special Yard and Setback Provisions:
   A septage lagoon is prohibited within 330 metres of any sensitive land use.
5. Landscaped Open Space (minimum)……..……..……. 20%
6. Planting Strip Requirement:
   In accordance with the General Provisions of this By-law and the Certificate of Approval under the *Environmental Protection Act*.

7. Fencing:

   In accordance with the municipal By-law and Certificate of Approval under the *Environmental Protection Act*.

5.29.3 Salvage Yard Provisions

A salvage yard is governed by the following additional Provisions:

1. ~~Outside~~ Outdoor Storage:
   a) Is restricted to the rear of the front wall of the principal structure on the lot.
   b) Shall comply with the front, side and rear yard requirements of the Restricted Industrial (M3) Zone.
   c) Shall not exceed 80% of the total lot area.
2. Buffer Planting and Screening:

   Where a salvage yard or area zoned for such purposes abuts a street or area within a Residential, Community Facility or Open Space Zone, a planting strip of a minimum width of 3 metres shall be provided within the front, side or rear yards, adjoining such abutting lot line or portion thereof.
3. Fencing:

   A salvage yard shall be fenced as provided for in the Corporation's Fence By-law. Such fence shall:
   a) Have a height of at least 1.8 metres, and
   b) Follow the contours of the surface of the ground along the perimeter of the lot or portion thereof to be used for a salvage yard.
4. Licensing:

   A salvage yard is prohibited unless it is licensed in accordance with the regulatory and licensing By-law of the Township as enacted pursuant to the *Municipal Act*.

5.29.4 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.29.5 Exception Provisions – Waste Management (M5) Zone

5.29.5.1 Waste Management Exception One (M5-1) Zone

Part of Lot 39, Concession 7.

Within the M5-1 Zone the only permitted use shall be a disposal area for waste wash water from the Wilton Cheese Factory.

5.30 FUTURE DEVELOPMENT (D) ZONE

By-law 2011-76

No person shall within any Future Development (D) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.30.1 Uses Permitted

1. Residential Uses
    - Existing Single Detached Dwelling House
    - Home Occupation
2. Non-Residential Uses
    - Conservation Use
    - Existing Farm
    - Forestry Use
    - Public Park, exclusive of any permanent buildings or structures
    - Public Use or Utility in accordance with the General Provisions of this By-law
    - Growing of Crops

By-law 2025-10

3. Accessory Uses
    - Uses, buildings, and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law

5.30.2 Provisions for Permitted Uses

The above uses are permitted only on lots which existed on the date of passing of this By-law.

5.30.3 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.30.4 Exception Provisions – Development (D) Zone

5.31 MIXED USE COMMERCIAL (C7) ZONE

No personal shall within any Mixed Use Commercial (C7) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.31.1 Uses Permitted

1. Residential Uses
    - A Dwelling Unit or Units in the upper storey of a non-residential building
    - A Dwelling Unit or Dwelling Units occupying a portion of, and located at the rear or the side, of the ground floor of a non-residential building with no wall of the dwelling unit facing a public street

2. Non-Residential Uses
    - Antique Sales Establishment
    - Artist Studio
    - Artisans Market
    - Bakery or Bake Shop
    - ~~Bank or f~~Financ~~ial~~e Establishment
    - Business, professional or administrative office
    - Beverage Room
    - Club, commercial
    - Convenience Store
    - Craft Shop
    - Custom Workshop
    - Day ~~nursery~~Ccare C~~c~~entre
    - Dry Cleaner~~'~~s' Distribution Station
    - Eating Establishment
    - Eating Establishment; mobile

- Eating Establishment; take out
- Flea Market
- Food Market
- Furniture and Appliance Dealer
- Hotel
- Laundry, coin operated
- Library
- Liquor Licensed Premises
- Medical or Dental Clinic
- Museum
- Outdoor Café
- Parking Lot
- Place of Entertainment
- Printing Establishment
- Public Use or Utility in accordance with the General Provisions of this By-law
- Retail Establishment
- School, commercial
- Second-hand Shop
- Service Shop, merchandise
- Service Shop, personal
- Shopping Centre
- Supermarket
- Tavern
- Veterinary Clinic in a wholly enclosed building

3. Accessory Uses
    - Uses, buildings, and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law

5.31.2 Provisions for Non-Residential Uses / Combined Non-Residential and Residential Uses

1. Lot Area (minimum)..... N/A
2. Lot Frontage (minimum)..... N/A

3. Yards (minimum)
   a) Front Yard..... 6 metres
   b) Exterior Side Yard..... 3 metres
   c) Interior Side Yard..... 0 metres
   d) Rear Yard:
      None, except where the yard abuts a lot in a Residential Zone, the minimum yard shall be 1.5 metres
4. Lot Coverage (maximum)..... N/A
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Landscaped Open Space (minimum)
   a) Non-Residential Uses..... 15%
   b) Residential Uses..... 15 square metres per dwelling unit
7. Height of Buildings
   a) Minimum..... 7 metres
   b) Maximum..... 13 metres
8. Planting Strip Requirement:
   In accordance with the General Provisions of this By-law.
9. Notwithstanding Section 4.27, Subsection 3. h) ~~(viii)~~ driveways shall only be permitted off a major collector when it is consolidated with an entrance for other uses permitted in the C7 Zone or other Residential Uses that are permitted to have a consolidated entrance off a major collector in accordance with their applicable Zone.

5.31.3 Provisions for Development Along Amherst Drive

Despite the Zone Provisions for Non-Residential and Combined Residential and Non-Residential Uses in this Zone, a minimum front yard of 1.5 metres shall be required for lots fronting on Amherst Drive, west of County Road 6.

5.31.4 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

5.32 GENERAL COMMERCIAL (C8) ZONE

No personal shall within any General Commercial (C8) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.32.1 Uses Permitted

1. Residential Uses
    - None
2. Non-Residential Uses
    - Arcade
    - Bakery Shop
    - ~~Bank or f~~Financ~~ial~~e ~~institution~~ Eestablishment
    - Brewers' Retail Outlet
    - Business, professional or administrative office
    - Commercial Club
    - Commercial School
    - Convenience Store
    - Day ~~Nursery~~Ccare Ccentre
    - Department Store
    - Drug Store
    - Dry Cleaners' Distribution Station and/or Plant and/or Coin Operated Laundry
    - Eating Establishment
    - Eating Establishment, mobile
    - Eating Establishment, take out
    - Furniture and Appliance Dealer
    - Hotel
    - Liquor Control Board Outlet
    - Liquor Licensed Premises
    - Medical or Dental Clinic
    - Outdoor Café
    - Parking Lot
    - Place of Entertainment

- Post Office
- Printing Establishment
- Private Club
- Public Use or Utility in accordance with the General Provisions of this By-law
- Retail Commercial Establishment
- Shopping Centre
- Small Appliance Service Shop
- Supermarket
- Veterinary Clinic in a wholly enclosed building

3. Accessory Uses
   - Uses, buildings, and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law

5.32.2 Provisions for Non-Residential Uses

1. Lot Area (minimum)…… 0.8 hectares
2. Lot Frontage (minimum)…….. 30 metres
3. Yards (minimum)
   a) Front Yard…… 8 metres
   b) Exterior Side Yard…….. 8 metres
   c) Interior Side Yard:
      6 metres, except where the yard abuts a lot in a Residential Zone, the minimum yard shall be 10 metres.
   d) Rear Yard:
      6 metres, except where the yard abuts a lot in a Residential Zone, the minimum yard shall be 10 metres.
4. Lot Coverage (maximum)……..…….. 40%
5. Setback from Street Centreline:
   In accordance with the General Provisions of this By-law.
6. Landscaped Open Space (minimum)……..….. 15%
7. Maximum Height of Buildings…… 15 metres
8. Planting Strip Requirement:

In accordance with the General Provisions of this By-law.

5.32.3 General Zone Provisions

In accordance with Section 4, General Provisions of this By-law.

6.0 ADMINISTRATION

6.1 ZONING ADMINISTRATION

This By-law shall be administered and enforced by the Chief Building Official or such other person as may be appointed by the council of the Corporation of Loyalist Township.

6.2 ISSUANCE OF BUILDING PERMITS

1. No building permit shall be issued where the proposed building, structure, excavation, use or activity would be in violation of the Provisions of this By-law.
2. Where the approval of another agent or authority is required, this shall mean that the written approval of such agent or authority shall be obtained by the applicant and submitted to the Chief Building Official at such time as an application is made for a building permit.
3. Every application for a building permit on lands considered in the flood plain shall be accompanied by a plan(s) drawn to the appropriate scale showing the following:
   a) The location and use of all existing and proposed buildings and structures;
   b) Existing and final contours at 0.3 metre intervals;
   c) Erosion and siltation control procedures;
   d) The location of the floodline; and
   e) Flood proofing measures.

6.3 BUILDING OR STRUCTURES TO BE MOVED

No building or structure requiring a building permit for construction, shall be moved within the area affected by this By-law without a permit from the Chief Building Official.

6.4 REQUESTS FOR AMENDMENTS

Request for an amendment to this By-law shall be accompanied by the Corporation’s “APPLICATION FOR ZONE CHANGE.”

6.5 ENFORCEMENT

6.5.1 Previous Violations Continued

Any building or structure illegally altered, enlarged, erected or renovated, any use illegally established, or any lot illegally created prior to the date of passing of this By-law shall not become legal solely by reason of the passing of this By-law. Where any such building, structure, use or lot is in conflict with one or more of the Provisions of this By-law, such building, structure, use or lot will remain illegal and shall not be deemed to be legal in the By-law, except where specifically allowed by law.

6.5.2 Remedial Action

Where any matter or thing is required to be done by a person or corporation under the Provisions of this By-law, Council may direct that in default of it being done by said person or corporation, such matter or thing may be done by the Township at the sole expense of the person or corporation and the expenses thereof with interest may be recovered by the Township in accordance with the Provisions of the *Municipal Act*.

6.5.3 Violation and Penalties

Any person or corporation who uses any lot or erects or alters a building or structure in a manner in contravention of this By-law is guilty of an offence, and upon conviction, is liable for the penalties as herein outlined:

1. Person:
    a) Any person convicted of, by a Court of competent jurisdiction, a breach of this By-law shall forfeit and pay at the discretion of the convicting Justice, a penalty not exceeding the sum of Twenty-Five Thousand ($25,000.00) Dollars (exclusive of costs) for the first offence; and
    b) For a subsequent offence, a penalty not exceeding the sum of Ten Thousand ($10,000.00) Dollars (exclusive of costs) for each day or part thereof upon which the contravention has continued after the date of the first conviction.
2. Corporation:
    a) Any Corporation convicted of, by a Court of competent jurisdiction, a breach of this By-law shall forfeit and pay at the discretion of the convicting Justice, a penalty not exceeding the sum of Fifty Thousand ($50,000.00) Dollars (exclusive of costs) for the first offence; and

b) For a subsequent offence, a penalty not exceeding the sum of Twenty-Five Thousand ($25,000.00) Dollars (exclusive of costs) for each day or part thereof upon which the contravention has continued after the date of the first conviction.

3. Continuation of Offence:
   a) Upon a conviction being entered under the Provisions of Subsection 1.~~(a)~~ or 2.~~(b)~~ of this Section, the Court in which the conviction was entered and any Court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed in this By-law, make an Order prohibiting the continuation or repetition of the offence by the person or Corporation convicted.

6.6 OCCUPANCY

1. Certificate of Occupancy:
   No change shall be made in the use of any land, building, structure or excavation until a Certificate of Occupancy has been issued by the Chief Building Official, to the effect that the proposed use conforms to this By-law.

2. Occupancy of Uncompleted Dwelling Houses:
   No dwelling house shall be used for human habitation until the *Building Code Act* and the regulations thereunder have been complied with and, in any event, not before the main side walls and roof have been erected; the external siding and roofing completed; and kitchen, heating and sanitary conveniences have been installed and rendered usable, safe and fit for human habitation.

6.7 INSPECTION

The Chief Building Official, Building Inspector or any other officer or employee of the Corporation, acting under the direction of the Council, in accordance with applicable law, is hereby authorized to enter, at all reasonable hours, upon any property or premises in which there is reason to believe that the Provisions of this By-law are not being obeyed, for the purpose of carrying out the duties under this By-law.

The Chief Building Official, Building Inspector or other employee of the Corporation shall not enter any room or place actually being used as a dwelling without the consent of the occupier, except under the authority of a search warrant issued under the *Provincial Offences Act*.

6.8 REMEDIES

Where any building or structure is to be erected, altered, reconstructed, extended or part thereof is to be used, or any lot is to be used, in contravention of any requirements of this By-law, such contravention may be restrained by action at the instance of any ratepayer or the Corporation pursuant to the Provisions of the *Planning Act* or the *Municipal Act*.

6.9 VALIDITY

If any Section, Clause or Provisions of this By-law, including anything contained on the Key Map and Schedules attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the Section, Clause or Provision so declared to be invalid and it is hereby declared to be the intention that all the remaining Sections, Clauses or Provisions of this By-law shall remain in full force and effect until repealed.

6.10 ZONE BOUNDARIES

Where any uncertainty exists as to the location of the boundary of any of the Zones as shown on the Zoning Schedules, the following rules apply:

1. Where Zone boundaries are indicated as approximately following lot lines, such lot lines shall be deemed to be the said boundaries.
2. Where Zone boundaries are indicated as approximately parallel to any street and the distance from such street is not indicated, such Zone boundaries shall be construed as being parallel to such street and the distance therefrom shall be determined by the use of the scale of the said Zoning Schedules at the original scale.
3. Unless otherwise indicated on the Zoning Schedules, streets, lanes or right-of-way, such as for railroads or electrical transmission lines, shall be deemed to be in the same Zone as the adjacent lands and where such streets, lanes or right-of-way separate different Zones, unless otherwise indicated on the Zoning Schedules, the centrelines of these shall constitute the boundary between Zones.
4. Where any uncertainty still exists as to the Zone location of such streets, lanes or right-of-way, they shall be assumed to be within the Open Space (OS) Zone.

5. Where a Zone boundary is indicated as passing through undeveloped land, then the location of such boundary shall be determined in accordance with the scale of said Zoning Schedule(s) at the original scale.
6. Where a Zone boundary is indicated as following the corporate limits of the Corporation of Loyalist Township, then such limits shall be the Zone boundary.
7. Where a Zone boundary is indicated as following a shoreline, then such Zone boundary shall follow the shoreline, and, in the event of change in the boundary of the shoreline, the Zone boundary shall be construed as moving with the actual shoreline.

6.11 ZONE PROVISIONS

The uses permitted, the minimum size and dimensions of lots, the minimum size of yards, the minimum setback, the maximum lot coverage, the minimum landscaped open space, the maximum height of buildings, and other Zone Provisions are set out in Section 5 for the respective Zones.

6.11.1 Uses Permitted

Uses specifically named as permitted uses in a particular Zone and classified under the headings “Residential Uses” or “Non-Residential Uses” are the only uses permitted in the particular Zone in which they are named and classified.

6.11.2 Reference to Permitted Uses

For the purpose of reference, all uses and related buildings, and structures named as permitted uses and classified under the headings “Residential Uses” or “Non-Residential Uses” may be referred to as Residential or Non-Residential Uses, buildings, or structures respectively.

6.12 ZONE REPRESENTATION

1. Zone Symbols:

   The Zone symbols listed in Section ~~6~~5.1, and outlined on the Zoning Schedules, refer to the use of land, buildings and structures and excavations permitted by this By-law in the said Zone categories. Whenever in this By-law the word “Zone” is used, preceded or followed by any of the symbols, such Zone reference

shall mean any area within the Corporation delineated on the Zoning Schedules and designated thereon by the symbol.

2. Special Zones and Provisions:
   Where the Zone Symbol designating certain lands, as shown on the Zoning Schedules, is followed by a dash and a number, for example R1-11, then Special Zone Provisions apply to such lands. Such Special Provisions are found by reference to the Subsection of the Zone Provisions of each Zone classification entitled "EXCEPTION ZONE PROVISIONS." Lands zoned in this manner shall be subject to all the restrictions of the Zone, except as otherwise provided by the Special Zone Provisions.

6.13 EXISTING BY-LAWS REPEALED

All Zoning By-laws which serve to regulate the use of land and the character, location and use of buildings and structures within the Corporation of Loyalist Township are hereby repealed in their entirety and the Provisions of this By-law shall hereafter govern.

6.14 MINOR VARIANCES

All minor variances applied for prior to the enactment of this By-law and approved pursuant to Section 45 of the *Planning Act, R.S.O. 1990, cP.13*, as amended, or its predecessor continue to apply and remain in force as if they were minor variances to this By-law.

6.15 COMPLETE APPLICATIONS

The *Loyalist Township Official Plan* shall be referred to with respect to studies that may be required as part of development applications, including Zoning By-law Amendment applications. Pursuant to Section 10.1 and 10.2 of the *Planning Act, R.S.O. 1990, c.P.13*, as amended, until the Township has received the information and material required under these Ssubsections, the Township may refuse to accept or further consider the application for a zoning amendment to this By-law.

7.0 SCHEDULES FOLLOWING PAGE

KEY MAP TO ZONING SCHEDULES X6-7

1. SCHEDULE ‘1' X6-7
2. SCHEDULE ‘2' X6-7
3. SCHEDULE ‘3' X6-7
4. SCHEDULE ‘4' X6-7
5. SCHEDULE ‘5' X6-7
6. SCHEDULE ‘6'.....X6-7
7. SCHEDULE ‘7'..... X6-7
8. SCHEDULE ‘8'..... X6-7
9. SCHEDULE ‘9'..... X6-7
10. SCHEDULE ‘10'..... X6-7
11. SCHEDULE ‘11'..... X6-7
12. SCHEDULE ‘12'..... X6-7