

CORPORATION OF THE  
TOWNSHIP OF WILBERFORCE

**ZONING BY-LAW**

◆ *Document as Passed on April 21, 1997* ◆

**Consolidated: September 30<sup>th</sup> 2020**

TOWNSHIP OF WILBERFORCE

**NOTICE OF THE PASSING OF A COMPREHENSIVE ZONING BY-LAW**

**TAKE NOTICE** that the Council of the Corporation of the Township of Wilberforce passed By-law #04-97 on the 21<sup>st</sup> day of April 1997 under Section 34 of the Planning Act.

**AND TAKE NOTICE** that any person or public body may appeal in writing to the Ontario Municipal Board in respect of the By-law by filing with the Clerk of the Corporation of the Township of Wilberforce, not later than the 20<sup>th</sup> day of May 1997, a notice of appeal which must set out the reasons for the appeal. The Notice of Appeal must be accompanied by the fee required by the Ontario Municipal Board (\$125.00, payable to the Minister of Finance). **ONLY INDIVIDUALS**, corporations and public bodies may appeal a zoning by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

An explanation of the purpose and effect of the by-law is included with this notice. A key map has not been provided as the By-law applies to the entire Township.

**Purpose and Effect:** The purpose of this comprehensive Zoning By-law is to regulate the use of lands, the character, location and use of buildings and structures in the Township of Wilberforce.

The effects of this new Zoning By-law will be to permit certain uses set out in the text of the By-law, in categories such as residential, commercial, industrial, agricultural, community facility, environmental protection, resource protection and accessory uses; to prohibit any use of land, or the construction or use of any building, not authorized by the provisions of the By-law; and to replace the Township's current zoning by-laws through a repeal clause in the new Zoning By-law.

The Official Plan, which was adopted on May 3, 1993, is the overall guide for development in the Township. The new Zoning By-law will implement the Official Plan by establishing land use regulations and standards to which sites and developments must adhere. The authority for the provisions of the Zoning By-law is contained in Section 34 of the Planning Act.

Usually, the Zoning By-law will place each land use into a zone category that recognizes the existing use of the property. Where the zoning is proposed to show the desired future use of land and not the existing use, the Zoning By-law will not have a retroactive effect that would force existing property and structures to meet the requirements. New development that would not meet the requirements of the By-law, however, will not be permitted unless Council amends the Zoning By-law.

The following is a brief summary of the contents of the new Comprehensive Zoning By-law.

Section 1: Explains how all uses hereafter must conform; describes administrative procedures including penalties and requirements for plans to accompany building permit applications, explains the interpretation of the zoning map.

Section 2: Defines the words and terms that are used throughout the By-law. The meanings set out in the document must be considered in order to understand, interpret and administer the Zoning By-law properly.

Section 3: Establishes the general provisions that apply to more than one of the Zones in the Zoning By-law. These provisions apply to such matters as accessory uses; service stations and garages; dwellings per lot; permitted encroachments onto required yards; home or farm industry and home occupations; requirements for lots to front on streets; non-conforming situations including lots with less area and/or frontage than required, additions to undersized lots, repair of existing buildings; open storage; parking and loading spaces; separation distances between potentially incompatible uses and setbacks from roads and water.

Section 4: Lists the zones and classifications and their symbols, which are used on the Schedules (Zoning Maps).

Sections 5 to 18: Set out the details of the specific land use zones, which have the following basic functions:

- R1 - to recognize and regulate land limited to use for single detached dwellings, including some lands within hamlets.
- LSR - to recognize and regulate dwellings on private roads and to protect the Municipality's servicing position.
- GC - to recognize and regulate commercial uses that could be related to highway corridors or the needs of rural residents.
- HD - to recognize and regulate a mix of commercial and institutional uses that are appropriate for hamlets.
- RC - to recognize and regulate commercial uses and development that are based on outdoor recreation.
- DM - to recognize and regulate disposal industrial uses: salvage yards and waste disposal sites.

- EM - to recognize and regulate the extraction of mineral aggregates (sand, gravel, etc.) and the associated manufacturing and processing uses.
- RP - to preserve mineral aggregate resource deposits and lands designated for forestry until such time as specific aggregate extraction or development proposals are accepted.
- GM - to recognize and regulate general industrial uses: body shops, manufacturing plants, warehouses, etc.
- A - to recognize and protect farms, and to limit development in areas that are considered to have a high capability for agriculture.
- RU - to recognize and regulate a mixture of land uses that are appropriate in rural areas where the soils are considered to have a mixture of capabilities for agriculture.
- EP - to regulate development in areas that are subject to natural hazards and/or that have environments sensitive to development; for example, flood plains, steep slopes, unstable slopes, wetlands.
- OS - to recognize and regulate open space uses including outdoor recreation, and/or areas where development is generally undesirable.
- CF - to recognize public uses that are provided to the community in various facilities: churches, schools, community centres, etc.

For each zone there are lists of permitted uses and corresponding standards or requirements which include minimum lot size, minimum lot frontage, minimum depths and widths of yards, and maximum lot coverage.

When a new use is proposed by a land owner and the new use is not presently permitted by this Zoning By-law, Council may consider an amendment to the Zoning By-law to permit the proposed use provided that the proposal conforms to the policies of the Official Plan.

The complete By-law is available for inspection in my office during regular office hours.

DATED at the Township of Wilberforce this 29<sup>th</sup> day of April 29<sup>th</sup> 1997.

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Mrs. Marilyn Schruder  
Clerk-Treasurer  
Township of Wilberforce  
RR#1 Eganville, Ont.  
K0J 1T0

## TABLE OF CONTENTS

<b>SECTION 1 – AUTHORIZATION AND USAGE</b> .....	2
TITLE.....	2
SCOPE .....	2
ADMINISTRATION .....	3
VALIDATION.....	5
INTERPRETATION.....	5
 <b>SECTION 2 – DEFINITIONS</b> .....	 8
 <b>SECTION 3 – GENERAL PROVISIONS</b> .....	 41
APPLICATION.....	41
ACCESS .....	41
ACCESSORY USES, BUILDINGS AND STRUCTURES.....	41
ATTACHED GARAGE SIDE YARD .....	43
AUTOMOTIVE – SERVICE STATIONS, – GASOLINE BARS AND – COMMERCIAL GARAGES.....	43
BUILDINGS TO BE MOVED .....	43
CROWN LANDS .....	44
DWELLINGS PER LOT .....	44
ENCROACHMENTS ON REQUIRED YARDS.....	44
EXCEPTIONS TO HEIGHT LIMITATIONS.....	45
GRAVEL PITS, QUARRIES, WAYSIDE PITS AND QUARRIES AND PORTABLE ASPHALT PLANTS.....	45
GROUP HOMES .....	45
HOME OR FARM INDUSTRY.....	46
HOME OCCUPATIONS.....	47
LOTS TO FRONT ON STREETS.....	48
MOBILE HOMES .....	48
NON-CONFORMING AND NON-COMPLYING USES.....	49
NOXIOUS USES.....	51
OCCUPANCY OF INCOMPLETE BUILDINGS .....	51
OCCUPANCY OF VEHICLES.....	51
OPEN STORAGE.....	51
PARKING AND LOADING SPACE REQUIREMENTS .....	52
PUBLIC USES OF LAND.....	57
SEPARATION DISTANCES.....	57
SETBACKS .....	60
STORAGE OF LIQUID MANURE, SEPTAGE OR SEWAGE SLUDGE.....	61
TEMPORARY CONSTRUCTION USES PERMITTED .....	62
THROUGH LOTS .....	62
VISIBILITY ON CORNER LOTS/INTERSECTIONS .....	62

<b>SECTION 4 – ZONE CLASSIFICATIONS, EXCEPTION ZONE PROVISIONS .....</b>	<b>64</b>
<b>SECTION 5 – REQUIREMENTS FOR RESIDENTIAL ONE (R1) ZONES.....</b>	<b>67</b>
<b>SECTION 6 – REQUIREMENTS FOR LIMITED SERVICE RESIDENTIAL (LSR) ZONES .....</b>	<b>72</b>
<b>SECTION 7 – REQUIREMENTS FOR GENERAL COMMERCIAL (GC) ZONES ....</b>	<b>76</b>
<b>SECTION 8 – REQUIREMENTS FOR HAMLET DEVELOPMENT (HD) ZONES....</b>	<b>81</b>
<b>SECTION 9 – REQUIREMENTS FOR RECREATION COMMERCIAL (RC) ZONES .....</b>	<b>83</b>
<b>SECTION 10 – REQUIREMENTS FOR DISPOSAL INDUSTRIAL (DM) ZONES.....</b>	<b>92</b>
<b>SECTION 11– REQUIREMENTS FOR EXTRACTIVE INDUSTRIAL (EM) ZONES</b>	<b>94</b>
<b>SECTION 12 – REQUIREMENTS FOR GENERAL INDUSTRIAL (GM) ZONES .....</b>	<b>97</b>
<b>SECTION 13 – REQUIREMENTS FOR RESOURCE PROTECTION (RP) ZONES</b>	<b>100</b>
<b>SECTION 14 – REQUIREMENTS FOR AGRICULTURE (A) ZONES.....</b>	<b>102</b>
<b>SECTION 15 – REQUIREMENTS FOR RURAL (RU) ZONES.....</b>	<b>105</b>
<b>SECTION 16 – REQUIREMENTS FOR ENVIRONMENTAL PROTECTION (EP) ZONES .....</b>	<b>115</b>
<b>SECTION 17 – REQUIREMENTS FOR OPEN SPACE (OS) ZONES .....</b>	<b>117</b>
<b>SECTION 18 – REQUIREMENTS FOR COMMUNITY FACILITY (CF) ZONES ...</b>	<b>118</b>
<b>SECTION 19 – ENACTMENT .....</b>	<b>121</b>





THE CORPORATION OF THE TOWNSHIP OF WILBERFORCE

BY-LAW NUMBER 04-97

Being a By-law to regulate the use of lands and the character, location and use of buildings and structures within the Township of Wilberforce pursuant to Section 34 of the Planning Act.

PREAMBLE

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

AND WHEREAS the Council of The Corporation of the Township of Wilberforce recommended that such a by-law be enacted in order to implement the policies and designations contained within the updated Official Plan for the Township of Wilberforce adopted by Council on May 3, 1993, and to ensure proper and orderly development within the corporate limits of the Township of Wilberforce.

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

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

**SECTION 1. – AUTHORIZATION AND USAGE**1.1 **TITLE**

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

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

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

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

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

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

No person shall change the purpose of which any lot, building or structure is used, or erect any new building or structure or alter any existing building, structure or lot, or sever any lands from any existing lot, if the effect of such action is to create a situation where any original, adjoining, remaining or new building, structure or lot contravenes any of the applicable provisions of this By-law.

(d) **Violations of Previous Zoning By-laws**

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

(e) **Other Restrictions**

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

(f) Permits and Licences

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

1.3 ADMINISTRATION

(a) Administrator

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

(b) Inspection

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

(c) Certificate of Occupancy

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

(d) Violations and Penalties

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

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

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

- (iii) on a first conviction to a fine of not more than \$50,000.00 and
- (iv) on a subsequent conviction a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.
- (v) every such penalty described herein is subject to the provisions of Section 67 of the Planning Act, and will change from time to time in accordance with the said Act.

(e) Remedies

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

(f) Plans to Accompany Applications

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

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

1.4 **VALIDATION**

(a) Effective Date

This By-law shall come into effect from the date of its passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

(b) Repeal of Existing By-laws

From the coming into force of this By-law all previous By-laws passed under Section 34 of the Planning Act, or a predecessor thereof, shall be deemed to have been repealed except to the extent that any of the said By-laws prohibits the use of any land, building or structure for a purpose that is also prohibited by this By-law.

(c) Provisions Validity Separable

A decision of a competent court that one or more of the provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or part of provisions of this By-law.

(d) Schedules to By-law

The zones set out in this By-law and the boundaries of such zones are set out in the maps that are attached hereto and marked as Schedules. The Schedules are hereby made a part of this By-law as fully and to all intents and purposes as though recited in full herein.

1.5 **INTERPRETATION**

(a) For the purposes of this By-law, words used in the present tense include the future; words in the singular number include the plural and words in the plural include the singular number; the word “shall” is mandatory; the word “used” shall also mean “designed to be used”; and the word “occupied” shall also mean “designed to be occupied”.

(b) Schedules to By-law

The zones set out in this By-law and the boundaries of such zones are set out in the maps that are attached hereto and marked as Schedules. The Schedules are hereby made a part of this By-law as fully and to all intents and purposes as though recited in full herein.

(c) Boundaries of Zones

Where uncertainty exists with respect to the boundaries of the various zones as shown on the Schedules (zoning maps) attached to this By-law the following rules shall apply,

(i) Centreline Limits

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

(ii) Lot Lines

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

(iii) Closed Road, Right-of-Way

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

(iv) Shoreline

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

(v) Other Boundaries

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

(d) Measurements

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

(e) Lots With More Than One Zone

(i) Where a lot is divided into two or more zones, each such portion of the lot shall be used in accordance with the Zone Provisions of this By-law for the applicable Zones established hereunder.

(ii) Notwithstanding anything to the contrary in paragraph i) of this subsection, where part of a lot is within the Environmental Protection (EP) Zone, such lands zoned EP may be used in the calculation of lot frontage, lot area, required yards, and lot coverage provided that the maximum for lot area, lot frontage and area of the required front yard within the EP Zone is 50 per cent.

(f) Lots Containing More Than One Use

Notwithstanding any other provisions of this By-law, where any land, building or structure is used for more than one purpose (exclusive of accessory uses), all provisions of this By-law shall be complied with for each use, except in the case of lot area, lot frontage, lot coverage and minimum yard requirements in which case the most restrictive or stringent requirement shall apply. However, this shall not be construed as permitting a smaller lot area than that which the Renfrew County and District Health Unit may require for a private waste disposal system(s) for such multiple uses.

(g) Statute References

References to Statutes imply the most recent statutes, as amended (e.g. Planning Act: Planning Act, R.S.O., 1990 c.P. 13, as amended). Therefore, this By-law need not be amended to maintain the applicability of such references.

**SECTION 2. - DEFINITIONS**

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

- 2.1 ABANDONED means the failure, in the opinion of the Zoning Administrator, to proceed expeditiously with construction work during any continuous 12 month period.
- 2.2 ABATTOIR means a building, structure or lot or part thereof used for the slaughter of livestock or other animals for the purpose of processing or rendering.
- 2.3 ACCESSORY when used to describe a use, building or structure, means a use, or a detached building or structure, that is naturally and normally incidental, subordinate and exclusively devoted to supporting the principle use, building or structure and located on the same lot therewith. This does not include an accessory residence unless otherwise specified.
- 2.4 AGGREGATE means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite and rock other than metallic ores, and any other material prescribed under the Aggregate Resources Act.
- 2.5 AGRICULTURAL COMMERCIAL ESTABLISHMENT means the use of land, buildings or structures for the wholesale or retail sales of goods that are necessary to support agricultural uses and for the processing and sale of products derived from farm uses. Without limiting the generality of the foregoing, these include such goods as farm machinery and equipment, products used for the housing and husbandry of livestock, poultry and fur bearing animals, and materials and equipment for sub-surface drainage and such services as the selling, processing, storage and transportation of seed, feed, crops, milk and eggs and livestock, and the selling of fertilizer and chemical products.
- 2.6 AIRFIELD, PRIVATE means land used for the purpose of the landing, storing, taxiing or taking-off of private aircraft and uses, buildings and structures accessory thereto, but not an airport under the regulation of Transport Canada.
- 2.7 AIRPORT means the use of land licensed by Transport Canada for the landing and take-off of commercial and/or private aircraft and shall include any buildings or structures accessory thereto.
- 2.8 ALTER means any alteration in a bearing wall or partition or column, beam, girder or other supporting member of a building or structure or any increase in area or volume of a building or structure. When used in reference to a lot, the word alter



means to decrease the width, depth or area of any required yard, setback, landscaped open space or parking area, or to change the location of any boundary of such lot with respect to a street or lane. The words “altered” and “alteration” shall have a corresponding meaning.

- 2.9 **AMUSEMENT ARCADE** means any premises or part thereof containing four or more electronic, mechanical pinball or amusement machines operated for gain and made available for the entertainment or amusement of the general public. This definition shall not include establishments which sell such devices, provided that such devices are not made available on the premises for use on a commercial basis by the public.
- 2.10 **ANIMAL HOSPITAL** means a building or structure where domestic animals, birds or other livestock are treated and where domestic animals or birds are kept for treatment only and shall include the clinic of a registered veterinarian.
- 2.11 **ASPHALT PLANT** means an industrial facility with equipment designed to heat and dry aggregate, and to mix aggregate with bituminous asphalt to produce asphalt paving or sealing materials. Accessory uses would include the stockpiling and storage of bulk materials used in the process. An **ASPHALT PLANT** may be further described as **TEMPORARY** or **PORTABLE** which means that the facility is not of permanent construction but is designed to be dismantled and moved to another location.
- 2.12 **ASSEMBLY HALL** means a building or part of a building in which facilities are provided for such purposes as meetings of civic, education, political, religious or social purposes, and shall include a banquet hall.
- 2.13 **ATTACHED** means a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with adjacent building or buildings.
- 2.14 **AUTOMOTIVE – BODY SHOP** means a building or structure used for the painting or repairing of vehicle bodies or fenders, but shall not include a salvage yard.
- 2.15 **AUTOMOTIVE – CAR WASH** shall mean a building or structure containing facilities for washing vehicles, either by production line methods and mechanical services or by a self-service operation.

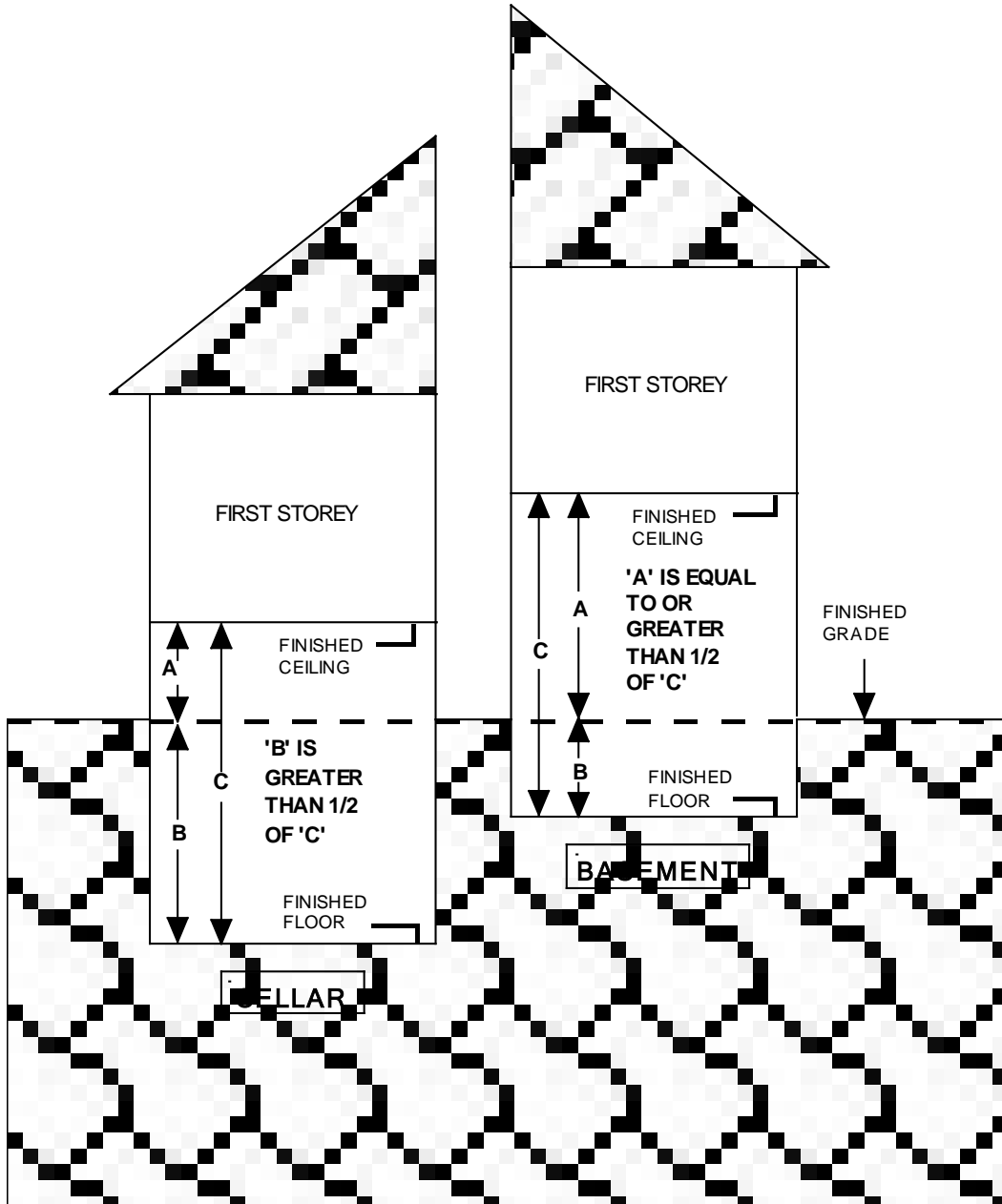
- 2.16 AUTOMOTIVE – COMMERCIAL GARAGE means a building where all functions of an automotive service station may be carried out and where major repairs of vehicles may be performed, including body work and welding but shall not include dismantling of motor vehicles for scrap or the storage of motor vehicles awaiting scrapping.
- 2.17 AUTOMOTIVE – GASOLINE BAR means one or more pump islands, each consisting of one or more gasoline pumps, and shelter having a floor area of not more than 10 square metres, excluding washrooms, which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles and shall not be used for repairs, oil changes or greasing.
- \*(By-law 2015-19)\***
- \*2.18 AUTOMOTIVE REPAIR TRAINING FACILITY means a building or place where the primary function is to train students of an automotive repair trade, and may include the temporary storage of motor vehicles used for such purposes, subject to the open storage provisions of this By-law.\*
- 2.19 AUTOMOTIVE – SERVICE STATION means a building or place where gasoline, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries changed, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed.
- 2.20 AUTOMOTIVE – STORE means an establishment primarily engaged in the retail sale of vehicle parts, accessories and tools. Accessory uses may include service bays for performing maintenance repair operations on motor vehicles.
- 2.21 AUTOMOTIVE – VEHICLE SALES OR RENTAL ESTABLISHMENT means an establishment having as its main use the storage of vehicles for sale or the storage of vehicles for rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles.
- 2.22 BASEMENT means that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above adjacent finished grade as approved.

- 2.23 **BED AND BREAKFAST ESTABLISHMENT** means an owner-occupied single-detached dwelling in which there are up to two rooms for rent as short-term accommodation, and may include the provision of meals to those persons residing temporarily at the establishment. The Bed and Breakfast use shall remain subordinate to the primary use of the building as a single-detached dwelling. This definition does not include any other establishment defined in this By-law.
- 2.24 **BERM** means a landscaped mound of earth.
- 2.25 **BOARDING HOUSE** means a dwelling in which the proprietor resides and supplies for gain, more than three bedrooms for boarders and may include the provision of meals. Rooming house shall have a corresponding meaning.
- 2.26 **BOARDING STABLE** means a building, structure or premises used for the feeding, housing and exercising of horses for gain or profit.
- 2.27 **BUFFER STRIP** means an area to be used only for the purpose of screening land, buildings or other structures by the planting and maintenance of trees or shrubs or the construction and maintenance of a berm.
- 2.28 **BUILDING** means any structure used or designed to be used for shelter, accommodation or enclosure of persons, animals or chattels.
- 2.29 **BUILDING ENVELOPE** means the buildable area on a lot, defined by the minimum front yard depth, rear yard depth and side yard width requirements and maximum height requirements, within which a building can be erected.
- 2.30 **BUILDING SUPPLY STORE** means an establishment engaged in the selling of building supplies including lumber, mill work, siding, roofing, electrical, heating, air conditioning and plumbing equipment and materials and similar items.
- 2.31 **CAMP, RECREATION** means an establishment operated, on a not for profit basis, by a private or public organization where children and/or adults are temporarily accommodated in tents, cabins, cottages and/or lodge houses and shall include a church camp, a day camp or a scout camp but does not include any tourist establishment or mobile home park.

- 2.32 **CAMPGROUND** means an area of land, managed as a unit, used or maintained for people who provide their own sleeping facilities such as tents and recreational vehicles for a short term length of stay. Accessory uses could include an administration office, clubhouse, snack bar, laundry, convenience store, swimming pool, washrooms, showers and recreational facilities. No direct connections to individual on-site or communal sewage systems are provided.
- 2.33 **CAMP SITE** means a single unit or space in a campground or recreational vehicle park where the accommodations and vehicles are to be placed.
- 2.34 **CELLAR** means the portion of a building between two floor levels, which is partly underground and which has more than one-half of its height from finished floor to finished ceiling, below adjacent finished grade.
- 2.35 **CEMETERY** means a cemetery, columbarium or mausoleum within the meaning of the Cemetery Act of Ontario.
- 2.36 **CHURCH** means a building commonly used for public worship by any religious organization, as defined in the Religious Organizations Land Act, and may include a rectory or manse, church hall, auditorium, day nursery or religious school associated with, or accessory thereto.
- 2.37 **CLINIC** means a building or part thereof, used exclusively by physicians, dentists, their staff, and their patients for the purpose of consultation, diagnosis and office treatment. Without limiting the generality of the foregoing, a clinic may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies and dispensaries directly associated with the clinic, but shall not include accommodation for in-patient care or operating rooms.
- 2.38 **COMMUNITY CENTRE** means any tract of land or buildings or any part of any buildings used for community activities whether used for commercial purposes or not, and the control of which is vested in the municipality, a local board or agent thereof.
- 2.39 **CONCRETE MANUFACTURING PLANT** means an industrial facility used for the production of concrete for immediate use in the construction of buildings, structures, roads or driveways. This definition also means the manufacturing of finished concrete products and may include the retail sale of such products.

- 2.40 **CONTRACTOR’S YARD OR SHOP** means an area of land of a contractor of any building trade where equipment and materials are stored, or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.
- 2.41 **CONVENIENCE STORE** means a retail commercial establishment supplying groceries, sundries and other daily household necessities to the immediate surrounding area.
- 2.42 **CORPORATION** means the corporation of the Township of Wilberforce.
- 2.43 **COTTAGE** means a building to accommodate one or more guests for temporary occupancy,
- i) that contains at least two rooms;
  - ii) that is at least partially furnished; and
  - iii) in which the guest may be permitted to prepare and cook food.
- 2.44 **COTTAGE ESTABLISHMENT** means a tourist establishment comprising of two or more cottages owned or leased by the same person. Cabin establishment shall have a corresponding meaning.
- 2.45 **DAY NURSERY** means a building or part thereof duly licensed by the Province of Ontario for use as a facility for the day-time care of children.
- 2.46 **DEVELOPMENT** means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act; but does not include activities that create or maintain infrastructure authorized under an environmental assessment process; or works subject to the Drainage Act.
- 2.47 **DRIVEWAY** means a vehicle access provided between a street or lane and a parking area or a loading space, or between two parking areas, but does not include a parking aisle.
- 2.48 **DWELLING** means a building or part of a building containing one or more dwelling units.
- 2.49 **DWELLING, SINGLE DETACHED** means a single dwelling unit which is freestanding, separate and detached from other main buildings or main structures and includes a prefabricated single dwelling unit but does not include a mobile home.
- 2.50 **DWELLING, SEMI-DETACHED** means a building that is divided vertically into two separate dwelling units each of which has an independent entrance either directly from the outside or from a common vestibule.

- 2.51 DWELLING, DUPLEX means a building that is divided horizontally into two separate dwelling units each of which has an independent entrance either directly from outside or through a common vestibule.
- 2.52 DWELLING, TRIPLEX means a building that is divided horizontally into three separate dwelling units each of which has an independent entrance either directly from outside or through a common vestibule.
- 2.53 DWELLING, ROW HOUSE means a building that is divided vertically into three or more dwelling units, each of which has a separate and independent entrance at finished grade and separated from the adjoining unit or units by a common unpierced wall with no interior access between each dwelling unit. Townhouse shall have a corresponding meaning.
- 2.54 DWELLING, APARTMENT means the whole of a building not otherwise defined herein, which contains four (4) or more dwelling unit served by a common entrance or by an independent entrance directly from the outside in which the occupants have the right to use in common any corridors, stairs or elevators contained therein, and the yards appurtenant thereto.



**ILLUSTRATION OF CELLAR AND BASEMENT DEFINITIONS**

2.55 DWELLING, LIMITED SERVICE means a single-detached dwelling that:

- i) has no frontage on a municipally maintained street, and
- ii) does not receive municipal street services, such as snow clearing and road maintenance, and
- iii) has a means of access to the lot that is not part of the municipal street network

2.56 DWELLING, VACATION means a single dwelling unit that is used occasionally for recreation, rest or relaxation but not occupied continuously nor used as a year round permanent dwelling.

2.57 DWELLING, LIMITED SERVICE VACATION means a vacation dwelling that:

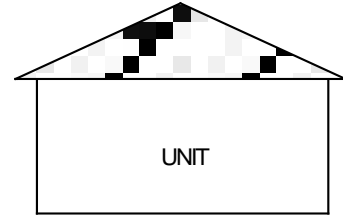
- i) has no frontage on a municipally maintained street, and
- ii) does not receive municipal street services, such as snow clearing and road maintenance, and
- iii) has a means of access to the lot that is not part of the municipal street network.



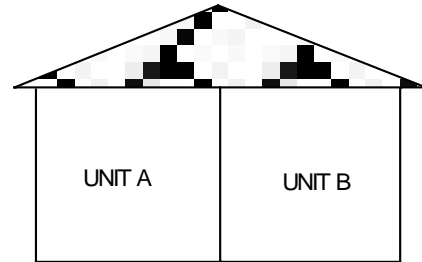
### ILLUSTRATIONS OF DWELLING TYPES

***DETACHED***

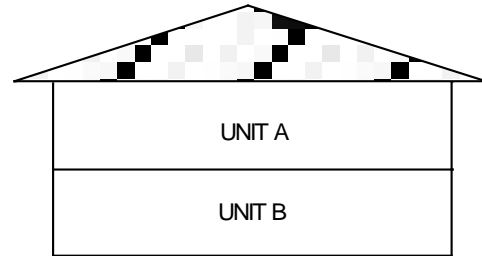
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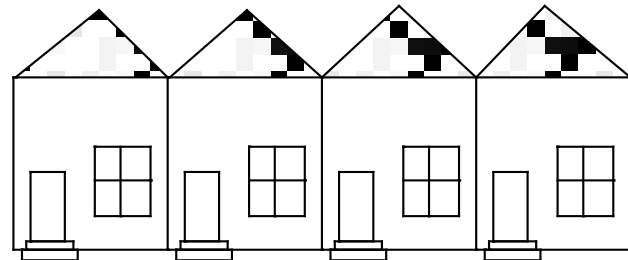
***SEMI-DETACHED***



***DUPLEX***



***ROW***



Note: The above illustrations are for clarification purposes only.

- 2.58 DWELLING UNIT means a suite of habitable rooms which:
- a) is located in a building;
  - b) is used or intended to be used in common by one or more persons as a single, independent and separate housekeeping establishment;
  - c) contains food preparation and sanitary facilities provided for the exclusive common use of the occupants thereof; and
  - d) has a private entrance directly from outside the building or from a common hallway or stairway inside the building.
- 2.59 DWELLING UNIT, ACCESSORY means a dwelling unit accessory to a permitted non-residential use.
- 2.60 DWELLING UNIT AREA means the aggregate of the floor area of all habitable rooms, hallways and lobbies within a dwelling unit, excluding the thickness of any exterior walls.
- 2.61 EATING ESTABLISHMENT means a building or part of a building where food is offered for sale or sold to the public for immediate consumption therein and includes a restaurant, cafe, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar, refreshment room or stand or a mobile food vehicle, but does not include a boarding house.
- 2.62 EATING ESTABLISHMENT, DRIVE-IN means a premises consisting of a building or structure, together with a parking lot, from which food, refreshments, dairy products or beverages are offered for sale or sold to the public for consumption either in automobiles parked on the parking lot or for consumption elsewhere on the premises, but not necessarily within such building or structure, and does not include any other use defined in this By-law.
- 2.63 EATING ESTABLISHMENT, FULL SERVICE means a building or part thereof where food is prepared and offered for retail sale to the public for immediate consumption either on or off the premises.
- 2.64 EATING ESTABLISHMENT, TAKE-OUT means a building or structure used for the sale of food to the general public and from which food is made available to the customer from within the building. No provision is made for consumption of the food within the customer's car, within the building or elsewhere on the site.

- 2.65 ERECT means build, construct, reconstruct, alter, enlarge or relocate and without limiting the generality of the foregoing, shall include any preliminary physical operations such as cutting, grading, excavating, berming, piling, cribbing, filling or drainage, or any altering of any existing building by an addition, deletion, enlargement, extension or other structural change.
- 2.66 ESTABLISHED BUILDING LINE means the average distance from the street line to existing buildings on the same side of a street within 150 metres of a lot, where a minimum of 3 dwellings have been built within this area prior to the date of passing of this By-law.
- 2.67 EXISTING means existing as of the date of final passing of this By-law.
- 2.68 EXTRACTIVE INDUSTRIAL FACILITY means a building, structure or facility used for processing aggregate and includes the screening, sorting, washing, crushing, storing and other similar operations allied to an extractive industrial operation, but shall not include an asphalt plant or a concrete batching plant.
- 2.69 FACTORY OUTLET means a building accessory to a permitted industrial use where the products manufactured by that industry are kept and offered for wholesale or retail sale.
- 2.70 FARM means land used for the tillage of soil; the growing and harvesting of field crops, vegetables, fruits, horticultural crops and trees; the grazing, breeding, raising, boarding or training of livestock and horses; dairying; beekeeping; fish farming; any other operation that is normal farming practice; and includes one farm dwelling as well as barns, sheds and other accessory structures.
- 2.71 FARM BUSINESS see HOME or FARM INDUSTRY
- 2.72 FARM, LIMITED means land use for growing and harvesting of field, bush, vine, forest or tree crops, grazing and trapping and does not include a farm dwelling and accessory buildings and uses.
- 2.73 FARM PRODUCE SALES OUTLET means a fruit, vegetable, flower or farm produce stand set up as an accessory use on a farm, used for the sale or produce from that same agricultural use.
- 2.74 FLOOD means a temporary rise in the water level resulting in the inundation of areas that are adjacent to a water course and not ordinarily covered by water.
- 2.75 FLOOD FRINGE means those lands that are part of the flood plain between the floodway elevation and the flood plain design elevation.

- 2.76 FLOOD PLAIN means the area of land within a watershed which is subject to inundation during a flooding event. This area shall be calculated as being the area that would be flooded with an expected average frequency of once in a hundred years. Lands subject to flooding shall have a corresponding meaning.
- 2.77 FLOOD PLAIN DESIGN ELEVATION means the elevation established under this by-law below which all buildings must be flood proofed. This elevation shall be calculated based on the flood plain determined for a watershed.
- 2.78 FLOOD PLAIN, ONE-ZONE CONCEPT means a flood plain that is treated as one unit, and all development is prohibited or restricted.
- 2.79 FLOOD PLAIN, TWO-ZONE CONCEPT means a flood plain that is considered to have a less hazardous portion and is therefore treated as two units: the flood fringe where development is conditional on flood proofing; and the floodway where development is prohibited or restricted.
- 2.80 FLOOD PROOFED means the measures taken to ensure that a structure or building is safe from the effects of flooding and shall include the following: no building openings of any kind including windows, doors, vents, etc. should be permitted below the flood plain design elevation; incoming power service metering equipment, electrical appliances, etc., should not be erected below the flood design elevation but this restriction does not apply to electrical wall outlets equipped with ground fault plugs; design of heating, air conditioning, ventilation, plumbing, sanitary and water systems to consider flood vulnerability; sanitary sewer and storm drainage systems having openings below the flood plain should be provided with automatic backflow preventers; water supply systems should be designed to prevent possible contamination from flood water; gas or oil fired furnaces should be provided with float operated automatic control valves to shut off fuel in the event of flooding; sanitary sewer or septic systems should be designed to prevent sewage discharge and resulting health hazards; Where necessary, basements shall be reinforced in accordance with CMHC guidelines to prevent cracking or caving in from outside water pressure; access roads, driveways and parking areas shall be raised to within 0.6 metres of the Flood Plain Design Elevation.
- 2.81 FLOODWAY means the channel of a watercourse and the portion of the flood plain adjacent to the watercourse where flood depths and velocities are more severe than in the Flood Fringe. These flood depths and velocities are considered to have the potential to threaten lives and/or damage property.
- 2.82 FLOOR AREA GROSS means, for a dwelling, the total area of the storeys exclusive of basements, cellars, attic, garages, sunrooms, unenclosed verandas or porches; and for a building other than a dwelling, the total area of all the floors contained within the outside walls of the building. Only that floor area having a clear height to the ceiling of at least two and one-quarter metres (2.25 metres) may be used to calculate floor area.

- 2.83 FLOOR AREA, GROSS LEASABLE means the total floor area of a building including basements, mezzanines and upper floors, minus common areas including public walkways, malls, public toilets, truck and service facilities, joint service facilities, elevator shafts and lobbies, boiler rooms, maintenance rooms, mechanical or electrical or utility rooms and any parking for autos within the building.
- 2.84 FLOOR AREA, NET means only the habitable or useable floor space in a building exclusive of any foyer, hallways, stairwell, closet, washroom or toilet room and shall be measured from the inside walls.
- 2.85 FRONTAGE see LOT FRONTAGE.
- 2.86 FORESTRY means the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection and production of water supplies, and preservation of the recreation resources.
- 2.87 FUEL STORAGE TANK means a tank for the bulk storage of petroleum gasoline, fuel oil, gas or inflammable liquid or fluid but does not include a container for inflammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.
- 2.88 FURNITURE SHOWROOM AND WORKSHOP means a retail establishment in which antique furniture, hand-crafted furniture or cabinets are sold, stored and displayed, and in which less than 50 percent of the gross leasable floor area may be devoted to the manufacturing, finishing, refinishing or restoration of such furniture.
- 2.89 FUNERAL HOME means any premises where preparation of a human body for interment or cremation is undertaken.
- 2.90 GARAGE, PRIVATE means an enclosed or partially enclosed structure in which no business, occupation or service is conducted for profit, and which structure is used primarily for the storage of one or more vehicles and storage of household equipment incidental to the residential occupancy. Carport shall have a corresponding meaning.
- 2.91 GARAGE, PUBLIC means a municipal or provincial facility used for the storage and servicing of road construction and maintenance equipment and materials.
- 2.92 GARDEN CENTRE means an establishment primarily used for the retail sale of gardening equipment, products and planting materials, including greenhouses for the cultivation of such materials.
- 2.93 GENERAL STORE means a retail commercial establishment which functions as a

- convenience store but also provides a broader range of goods such as clothing, dry goods and hardware merchandise.
- 2.94 GOLF COURSE means a public or private area operated for the purpose of playing golf and includes a par 3 golf course, an accessory club house and an accessory driving range.
- 2.95 GRAVEL PIT means any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral in order to supply material for construction, manufacturing or industrial purposes.
- 2.96 GROUP HOME means a single housekeeping unit in a residential dwelling in which residents live together under responsible supervision consistent with their requirements and the home is licensed or approved for such purpose under provincial statute.
- 2.97 HEIGHT means, when used with reference to a building the vertical distance between the average elevation of the finished surface of the ground at the front of the building and,
- a) in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greater;
  - b) in the case of a mansard roof, the deck roof line; and
  - c) in the case of a gable, hip or gambrel roof, the mean height between the eaves and the ridge.
- 2.98 HIGH WATER MARK means the mark made by the action of water under natural conditions on the shore or bank of lakes or rivers, 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. (This does not necessarily match the original high water mark of the survey of the Township.)
- 2.99 HOME DISPLAY AND SALES OUTLET means an establishment or premises where prefabricated dwellings including cottages and mobile homes are erected or located for display purposes only and from which orders can be placed for the purchase and delivery of such dwellings or parts and accessories associated therewith.
- 2.100 HOME FOR THE AGED means a "home for the aged" as defined under the Homes for the Aged and Rest Homes Act.
- 2.101 HOME OR FARM INDUSTRY means a gainful occupation, trade or service carried on within a residential lot or farm, and for which purpose an accessory building or structure

may be used. Without limiting the generality of the foregoing, a Home or Farm Industry would include a day nursery; a shop for carpentry, electric equipment repair, woodworking, window framing, welding, plumbing, machine or auto repair; riding stables; a kennel with a maximum of four outdoor runs; a service shop; a blacksmith; and a storage building for vehicles, equipment or commodities.

- 2.102 HOME OCCUPATION means any occupation for gain or support which is carried on as an accessory use within a dwelling unit and operated by a member or members of the one family residing in the dwelling unit. Such home occupation uses shall not include a clinic, a hospital, a nursing home, an eating establishment, a kennel, a small internal combustion engine repair shop, a retail store and any other use that is not naturally and normally subordinate to the residential use.
- 2.103 HOSPITAL means a hospital as defined under in the Private Hospitals Act, a sanitarium as defined by the Private Sanitarium Act, or a hospital as defined by the Public Hospital Act.
- 2.104 HOTEL means a tourist establishment that consists of 1) one or more that one building containing four or more accommodation units grouped under one roof and accessible from the interior or partially from the exterior, and 2) may or may not have facilities for serving meals.
- 2.105 HUNTING & FISHING CAMP means a building or structure intended to provide basic shelter and accommodation on an occasional basis for a person or group of persons engaged in hunting or fishing activities. Such structure may be described as being of light frame construction without any interior finish on its walls and ceiling.
- 2.106 KENNEL means an establishment in which dogs or other domesticated animals are housed, groomed, boarded, bred or trained for gain or profit.
- 2.107 LANDFILLING SITE means a site for the disposal of waste by deposit, under controlled conditions, and includes the compaction of the waste into a cell and covering the waste with cover materials at regular intervals. LANDFILL SITE shall have a corresponding meaning.
- 2.108 LANDSCAPED OPEN SPACE means open space comprised of lawn and/or ornamental shrubs, flowers and trees and may include space occupied by paths, walks, courts and patios, but shall not include parking areas, traffic aisles, driveways, ramps or storage of equipment, vehicles or other materials.
- 2.109 LANE means a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.

- 2.110 LIVESTOCK means chickens, turkeys, cattle, hogs, mink, rabbits, sheep, goats or any other domestic animal used for consumption.
- 2.111 LODGE HOUSE means a building in which bedrooms, common areas, dining areas, games areas and meals are available for the guests of an establishment.
- 2.112 LOGGING HAULER means an area of land and/or building of a logging contractor where equipment and materials are stored and may include repairs to logging equipment belonging to the logging contractor.
- 2.113 LOT means a parcel or tract of land:
- a) which is a whole lot as shown on a Registered Plan of Subdivision, but a Registered Plan of Subdivision for the purposes of this paragraph does not include a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a By-law passed pursuant to Section 50 of The Planning Act.
  - b) which is a separate parcel of land the owner of which does not retain the fee or equity of redemption in, or a power or right to grant, assign, or exercise a power of appointment with respect to any abutting land, or
  - c) the description of which is the same as in a deed which has been given consent pursuant to The Planning Act.
- 2.114 LOT AREA means the total horizontal area within the lot lines of a lot. In the case of a corner lot having street lines rounding at the corner with a radius of six (6) metres, or less, the lot area of such land shall be calculated as if the lot lines were produced to their point of intersection.
- 2.115 LOT, CORNER means a lot situated at the intersection of two streets, of which two adjacent sides that abut the intersecting streets contain an angle of not more than 135 degrees; where such adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the interior lot lines, provided that, in the latter case, the corner of the lot shall be deemed to be that point on the street lines nearest to the point of intersection of the said tangents.
- 2.116 LOT COVERAGE means the percentage of the lot area covered by buildings, including accessory buildings.



- 2.117 LOT FRONTAGE means the horizontal distance between the side lot lines measured along the street line. Where the street line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured along a line seven and one-half (7.5) metres back from and parallel to the straight line joining the two points where the side lot lines intersect the street line.
- 2.118 LOT FRONTAGE, SHORELINE means the straight line horizontal distance measured between the side lot lines at their point of intersection with the high water mark or the shoreline road allowance, as the case may be.
- 2.119 LOT, INTERIOR means a lot situated between adjacent lots and having access to one street.
- 2.120 LOT LINE means any boundary of a lot or a vertical projection thereof.
- 2.121 LOT LINE, FRONT means the lot line that divides the lot from the street or street allowance or private road with the following clarifications:
- a) in the case of a corner lot, the shorter lot line that abuts the street shall be deemed the front lot line and the longer lot line that abuts the street shall be deemed the side lot line;
  - b) in the case of a corner lot with two street lines of equal lengths, the lot line that abuts the wider street or abuts a Provincial Highway or abuts a County Road shall be deemed to be the front lot line, and in the case of both streets being under the same jurisdiction, or of the same width, the lot line where the principal access to the lot is approved shall be deemed to be the front lot line;
  - c) in the case of a corner lot abutting a .3 metre reserve the lot line so abutting the .3 metre reserve shall be deemed an exterior side lot line and the other line abutting the street shall be deemed the front lot line;
  - d) in the case of a through lot, the longer boundary dividing the lot from the street shall be deemed to be the front line and opposite shorter boundary shall be deemed to be the rear lot line. In case each of such lot lines should be of equal length the lot line where the principal access to the lot is approved shall be deemed to be the front lot line.
  - e) in the case of a lot in the Limited Service Residential (LSR) Zone the lot line adjacent to the private road shall be deemed to be the front lot line.
  - f) in all other cases, the lot line where the principal access to the lot is approved shall be deemed to be the front lot line.

- 2.122 LOT LINE, REAR means the lot line opposite the front lot line.
- 2.123 LOT LINE, SIDE means a lot line other than a front or rear lot line.
- 2.124 LOT, THROUGH means a lot bounded on two opposite sides by a street. If any lot qualifies as being both a "Lot, Corner" and a "Lot, Through" as hereinbefore defined, such lot shall be deemed a "Lot, Corner" for the purpose of this By-law.
- 2.125 MAIN BUILDING means a building in which the principal use is conducted on the lot on which the building is located. In the residential zone the dwelling is the main building.
- 2.126 MANUFACTURING PLANT means a building or structure in which a product is fabricated and from which such product is shipped to a wholesale or retail outlet.
- 2.127 MANUFACTURING PLANT, LIGHT means a building or structure in which component parts are manufactured, assembled or processed to produce finished products suitable for the retail trade but does not include any industry involving stamping presses, furnaces or other machinery that emits dirt, dust or noxious fumes into the air or that results in noise or vibration beyond the property in excess of Ministry of the Environment guidelines.
- 2.128 MARINA means a building, structure or place, containing docking facilities and located on a waterbody, where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided.
- 2.129 MINE means any opening or excavation in, or working of the ground for the purpose of opening up or proving any mineral or mineral-bearing substance, and any ore body, mineral deposit, stratum, rock, earth, clay, sand or gravel, or place where mining is or may be carried on, and all ways, works, machinery, plant, buildings and premises below or above ground belonging to or used in connection with the mine, and also any quarry, excavation or opening of the ground made for the purpose of searching for or removal of mineral rock, stratum, earth, clay, sand or gravel and any roasting or smelting furnace, concentrator mill, work or place used for in connection with washing, crushing, sifting, reducing, leaching, roasting, smelting, refining, treatment or research on any of such substance.
- 2.130 MINERAL PROVING means work necessary to determine the presence of a mineral deposit and/or the economic potential for a mine. This work may include running, geophysical surveys, drilling, sinking of a test shaft or a decline, piling excavated overburden or rock, and removing from the site quantities of mineral-bearing substance sufficient for testing purposes only.
- 2.131 MINERAL EXPLORATION means work necessary to determine the presence of a mineral deposit. This work may include running geophysical surveys and drilling.

- 2.132 **MINIATURE GOLF CENTRE** means an area containing structures and facilities for miniature golf and similar compact recreational activities, such as cages for practice batting, operated for commercial purposes and may include an eating establishment for take-out service only.
- 2.133 **MINING** means any mode or method of working whereby the earth or any rock, stratum, stone or mineral-bearing substance may be disturbed, removed, washed, sifted, leached, roasted, smelted, refined, crushed or dealt with for the purpose of obtaining any mineral therefrom, whether it has been previously disturbed or not.
- 2.134 **MINI STORAGE ESTABLISHMENT** means one or more than one building containing separate spaces of varying sizes that are offered by lease or rent to persons for the storage of chattels. **SELF-SERVICE STORAGE BUILDING** shall have a corresponding meaning.
- 2.135 **MOBILE HOME** means any dwelling that is designed to be made mobile and constructed or manufactured to be used in like manner as a single detached dwelling for the permanent accommodation of one or more persons, notwithstanding that the running gear is or may be removed, or that such dwelling is or may be fixed on a finished and permanent foundation or has become in any other manner so adapted and affixed to the land upon which it is situated that it is, or has become, an immobile and permanent structure. This definition does not include a tent or travel trailer or a park model trailer, as defined in this By-law. A mobile home is deemed to be a building or structure as authorized by Section 34(4) of the Planning Act.
- 2.136 **MOBILE HOME PARK** means a lot containing two or more mobile home sites and which is under single management and ownership, used for the siting of mobile homes together with commercial-recreational and service uses for Mobile Home Park residents, including any building, structure or enclosure forming a part of such a mobile home park.
- 2.137 **MOBILE HOME SITE** means a parcel of land within a mobile home park occupied by or intended for occupancy by one mobile home together with all yards and open space required by this By-law.
- 2.138 **MOTEL** means a tourist establishment that consists of 1) one or more than one building containing four or more attached accommodation units accessible from the exterior only, 2) may or may not have facilities for serving meals, and 3) is designed to accommodate the public for whom the automobile is the principal means of transportation.
- 2.139 **MOTOR HOTEL** means a tourist establishment that consists of one 1) one or more than one building containing four or more accommodation units grouped under one roof and accessible from the interior or partially from the exterior, 2) may or may not have facilities for serving meals, and 3) is designed to accommodate the travelling public for whom the automobile is the principle means of transportation.

- 2.140 MUSEUM OR INTERPRETIVE CENTRE means a building or buildings used, or to be used, for the preservation of a collection of paintings and/or other works of art, and/or of objects of natural history, and/or of mechanical, scientific and/or philosophical inventions, instruments, models and/or designs and dedicated or to be dedicated to the recreation of the public, together with any libraries, reading rooms, laboratories and/or other offices and premises used or to be used in connection therewith.
- 2.141 MUTUAL DRIVEWAY means an ingress or egress that is common to two or more owners of abutting lands as a right-of-way registered against the title of the lands.
- 2.142 NATURAL AREA means an undeveloped open space area which has severe physical limitations for development because of characteristics such as steep slopes, susceptibility to flooding or erosion, or organic soils; and/or which forms a unique natural feature such as a rare forest stand, fish or wildlife habitat, or highly scenic landscape that should be preserved in the public interest.
- 2.143 NAVIGABLE WATERWAY means a navigable body of water or stream as deemed under the Navigable Waters Protection Act.
- 2.144 NON-COMPLYING means a lot, building or structure that does not fulfill the requirements of the zone provisions for the zone in which the lot, building or structure is located.
- 2.145 NON-CONFORMING means that which does not observe or agree with the permitted uses of this Bylaw for the applicable zone.
- 2.146 NURSERY See GARDEN CENTRE.
- 2.147 NURSING HOME means a nursing home as defined under the Nursing Home Act.
- 2.148 OFFICE, BUSINESS means an office where one or more persons are employed in the management, direction or conducting of any agency, business, brokerage, labour or fraternal organization.
- 2.149 OFFICE, PROFESSIONAL means any office where professionally qualified persons, technical assistants and clerical staff are employed and where clients or patients seek advice, consultation, or treatment. Notwithstanding the foregoing, said office shall not be a hospital or any other use defined herein.
- 2.150 OPEN SPACE means a parcel or area of land essentially unimproved or unoccupied by any building, structure or driveway.

- 2.151 OPEN STORAGE means the storage of goods, merchandise or equipment in the open air and in unenclosed portions of buildings which are open to air on the side.
- 2.152 PARK means a recreational area that consists largely of open space and which may include a picnic area, swimming pool or area, playground, playfield or similar use, but shall not include a mobile home park or recreational vehicle park.
- 2.153 PARK, PRIVATE means a park other than a public park.
- 2.154 PARK, PUBLIC means a park owned or controlled by the Corporation or by any Ministry, Board, Commission or Authority established under any statute of Ontario or Canada.
- 2.155 PARKING AREA means an area provided for the parking of motor vehicles and encompassing at least the required number of parking spaces and all driveways, aisles, manoeuvring areas, entrances, exists and similar areas for access to parking spaces, but shall not include any part of a street or private road.
- 2.156 PARKING SPACE means an area of not less than fifteen (15) square metres measuring (2.7) metres by (5.5) metres, exclusive of driveways or aisles, for the temporary parking or storage of motor vehicles.
- 2.157 PERMITTED means permitted by this By-law.
- 2.158 PERSON means an individual, an association, a chartered organization, a firm, a partnership or a corporation.
- 2.159 PLACE OF ENTERTAINMENT means an athletic, recreational or social club operated for gain or profit as well as a motion picture or other theatre, auditorium, billiard or pool room, bowling alley, ice or roller skating rink, curling rink, or dance hall, but does not include any place of entertainment or recreation otherwise defined or classified in this By-law.
- 2.160 PRIVATE ROAD means a registered right-of-way or existing legal access, not dedicated and accepted as, or otherwise deemed at law to be, a public highway, that serves as a privately maintained motor vehicle access-route to one or more abutting, legally conveyable parcels of land.
- 2.161 PRIVATE CLUB means a building and facilities owned or operated by a corporation, association, person or persons as a meeting, social or recreational place exclusively for members and their guests, but not primarily for profit or for rendering a service which is customarily carried on as a business.

- 2.162 PUBLIC AUTHORITY means the Council and any School Board, Public Utility Commission, Transportation Commission, Public Library Board, Board of Parks Management, Board of Health, Planning Committee or other board or commission or committee of the Township of Wilberforce established or exercising any power or authority under any general or special statutes of Ontario or Canada with respect to any of the affairs or purposes of the Municipality or a portion thereof, and includes any committee or local authority established by By-law of the Municipality.
- 2.163 PUBLIC BUILDING means any building or structure owned or leased by a municipal corporation, the County of Renfrew, Province of Ontario or the Government of Canada and in which government activities are carried out.
- 2.164 PUBLIC UTILITY means a waterworks, a water supply system, sewage works, electrical power or energy generating, transmission or distribution system, street lighting system, natural or artificial gas works or supply system or a telephone system, and includes any lands, buildings or equipment required for the administration or operation of any such system.
- 2.165 QUARRY means any open excavation made for the removal of any consolidated rock or mineral including limestone, sandstone or shale, in order to supply material for construction, industrial or manufacturing purposes, but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation or an excavation incidental to the construction of any public works.
- 2.166 RECREATION, ACTIVE means the use of land, water and/or building for the purpose of organized active leisure activities and shall include an arena, a golf course, a sports field, and motorized vehicle trails.
- 2.167 RECREATION, PASSIVE means the use of land and/or water for the purpose of passive leisure activity and shall include a park, a garden, a picnic area and the like, equestrian and hiking trails, as well as a playlot with activity equipment for children.
- 2.168 RECREATIONAL VEHICLE means a structure or vehicle designed, intended and used as accommodation exclusively for travel, recreation and/or vacation, which either is capable of being drawn by a passenger vehicle or is self-propelled, and shall include travel trailers, tent trailers, park model trailers, vans, motor homes, and similar transportable accommodation excepting a mobile home.

- 2.169 **RECREATIONAL VEHICLE PARK** means a parcel or area of land under single ownership which is used and maintained to provide destination accommodation in or for recreational vehicles, often on a seasonal basis. Accessory uses could include an administration office, clubhouse, snack bar, laundry, convenience store, swimming pool, washrooms, showers and recreational facilities. Direct connections to individual on-site or communal sewage systems can be provided (assuming the appropriate environmental approvals are obtained).
- 2.170 **RECREATIONAL VEHICLE SITE** a single unit or space in a recreational vehicle park where the accommodations and vehicles are to be placed.
- 2.171 **RELIGIOUS EDUCATION FACILITY** means an establishment used by religious groups for study, relaxation, meditation and similar activities, including dining and lodging facilities, accommodation for staff and compatible accessory uses.
- 2.172 **REQUIRED** means required by this By-law. **REQUIREMENT** shall have a corresponding meaning.
- 2.173 **RESORT** means a tourist establishment catering to the vacationing public, designed as a destination-oriented operation and/or being within an area recognized as a destination for vacations, and providing meals and sleeping accommodations that may consist of lodge houses, guest rooms or cottages, but shall not include any other use defined herein.
- 2.174 **RESTAURANT** see **EATING ESTABLISHMENT**.
- 2.175 **RETAIL STORE** means a building or part of a building in which goods, wares, merchandise, substance, articles or things are offered or kept for sale at retail, but does not include any establishment otherwise defined herein or specifically named elsewhere in this By-law.
- 2.176 **RIDING STABLES** means an establishment where horses are kept and where, for a fee, horses are hired out to the general public for riding.
- 2.177 **ROAD** see **STREET**.
- 2.178 **ROOM, HABITABLE** means a room which:
- a) is located within a dwelling unit;
  - b) is designed for living, sleeping or eating or for sanitary purposes;
  - c) can be used at all times throughout the year; and
  - d) is not located within a cellar.

- 2.179 **ROOM, NON-HABITABLE** means any room located within a dwelling unit that is not a habitable room, including, but not so as to limit the generality of the foregoing, a laundry room, a pantry, a lobby, a stairway, a closet, a verandah, a recreation room, a porch, a balcony, a private garage, an unfinished attic, a cellar, a boiler room and any space used for the service and maintenance of such dwelling or for vertical travel between storeys.
- 2.180 **RURAL RESIDENTIAL CLUSTER** means four or more adjacent residential lots not zoned in a residential category, generally 1 hectare or less in size, sharing a common boundary. Lots located directly across a road from one another shall be considered as having a common boundary.
- 2.181 **SALVAGE YARD** means a lot and/or premises for the storage and/or handling and/or sale of scrap or used materials, which without limiting the generality of the foregoing, shall include waste paper, rags, wood, bottles, bicycles, vehicles, tires, metal and/or other scrap material and salvage includes a junk yard, scrap metal yard and a wrecking yard, including ancillary automotive sales and service establishment and premises.
- 2.182 **SAWMILL** means a building, structure or area where timber is cut, processed and/or stored, as rough lumber, finished lumber, or firewood. Bulk sales are permitted but no other use associated with a building supply store is permitted.
- 2.183 **SCHOOL** means a school under the jurisdiction of a Public, Separate or High School Board, a college or a university or any other school established and maintained either wholly or partially at public or private expense whether or not the same is also a boarding school, and includes any dormitory building accessory to a school.
- 2.184 **SENIOR CITIZENS' HOME** means any home for senior citizens sponsored and administered by any public agency or any service club, church or other profit or non-profit organization, either of which obtains its financing from Federal, Provincial or Municipal Governments or agencies, or by public subscription donation or residents payments, or by any combination thereof, and such homes shall include auxiliary uses such as club, kitchen, dining and/or lounge facilities, usually associated with Senior Citizens development.
- 2.185 **SEPARATION DISTANCE** means the horizontal distance between buildings or structures or physical features measured from the closest point of the exterior wall of such building or structure, or from the closest point of such physical feature.



- 2.186 SEPTAGE means untreated sanitary waste from a septic tank, privy or holding tank.
- 2.187 SERVICE SHOP, GENERAL means a building or part of a building used for the servicing or repairing of articles, goods or materials, and in which no product is manufactured and includes radio, television and appliance repair shops, a laundromat, but does not include any automotive uses as defined by this By-law.
- 2.188 SERVICE SHOP, PERSONAL means a building or part thereof in which services are provided and administered to the individual and personal needs of persons, and without limiting the generality of the foregoing, includes barber shops, hairdressing establishments and workrooms for shoe repair and shoe shining shops, tailor shops, bakery shops and photographic studios.
- 2.189 SHOPPING CENTRE means a group of commercial and service establishments related in size and type, primarily to the specific commodity needs of the community and designed, developed and managed as a unit whether by a single owner, a group of owners or tenants acting in collaboration and shall include as a primary establishment a department store. Generally, but not prerequisite, the public access to individual functions within a Shopping Centre will be from an enclosed common mall area.
- 2.190 SHOPPING PLAZA means a group of commercial and service establishments or uses, related in size and type, primarily to the day to day needs of a residential area and designed, developed and managed as a unit, whether by a single owner, a group of owners or tenants in collaboration. Access to individual functions generally may be from an open mall area.
- 2.191 SITE ALTERATION means activities, such as fill, grading, and excavation, that would change the landform and natural vegetative characteristics of a site.
- 2.192 STOCK REMOVAL OPERATION means the use of land, or building or structure for a factory to receive and process dead livestock.
- 2.193 STREET means a public highway or public road under the jurisdiction of either the Corporation, the County of Renfrew or the Province of Ontario, and includes any highway as defined in the Municipal Act, but does not include a lane, a driveway or a private road.
- 2.194 STREET ALLOWANCE means land held under public ownership for the purpose of providing a street.
- 2.195 STREET, IMPROVED means a public road which is constructed and maintained for year-round use.
- 2.196 STREET LINE means the limit of the road or street allowance and is the dividing line between a lot and a street.

- 2.197 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. Without limiting the generality of the foregoing, a structure includes a septic system.
- 2.198 TAILINGS AND SLAG PILES means waste material or residue resulting from the reduction of metals from their ores.
- 2.199 TAVERN OR PUBLIC HOUSE means an establishment that is licenced to sell liquor for consumption on the premises, but does not include any premises for which a special occasion permit is issued.
- 2.200 TOURIST ESTABLISHMENT means a commercial building, structure or area of land designed for the accommodation of travelling or vacationing public.
- 2.201 TOWNSHIP means the Corporation of the Township of Wilberforce, or land included within the Township of Wilberforce, as appropriate.
- 2.202 TRAILER means any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, even if the vehicle is jacked up or its running gear is removed, but Atrailer≠ does not include a mobile home or a farm implement. A trailer designed for the living, sleeping or eating accommodation of persons is deemed to be a building or structure for the purposes of this by-law, as authorized by Section 34(4) of the Planning Act.
- 2.203 TRAILER, PARK MODEL means a trailer constructed to CSA Z-241 standard that is built on a single chassis mounted on wheels, designed for relocation from time to time, designed as living quarters for seasonal camping with the possibility for connection to services. A park model trailer is deemed to be a building or structure for the purposes of this by-law, as authorized by Section 34(4) of the Planning Act.
- 2.204 TRAILER, TENT OR TRAVEL means any trailer not otherwise defined in this By-law capable of being used for the temporary living, sleeping or eating accommodation of persons. A tent or travel trailer is deemed to be a building or structure for the purposes of this by-law, as authorized by Section 34(4) of the Planning Act.
- 2.205 TRAILER PARK see RECREATIONAL VEHICLE CAMPGROUND.
- 2.206 TRANSFER STATION means a waste disposal site used for the purpose of transferring waste from one vehicle to another for transportation to another waste disposal site.

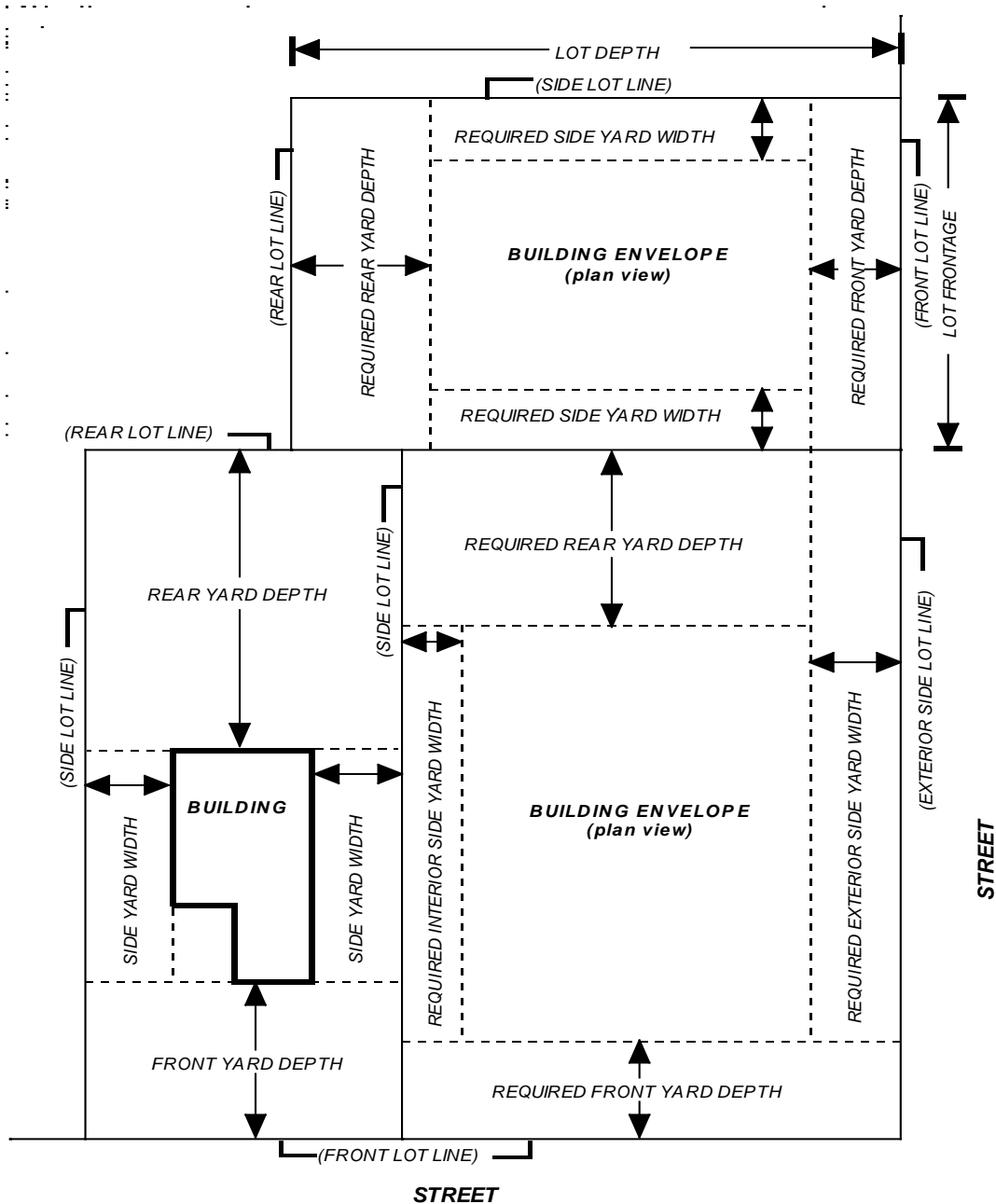
- 2.207 TRUCK OR BUS TERMINAL means a building, structure or place where buses, trucks or transports are rented, leased, kept for hire, or stand or park for remuneration, or from which buses, trucks or transports stored or parked on the property are dispatched for hire as common carriers, or where goods are stored temporarily for further shipment.
- 2.208 VEHICLE means a passenger automobile or other motor vehicle, a boat, a farm implement, a commercial motor vehicle, a recreational vehicle, a snowmobile, a trailer and any other device that is capable of being propelled or driven by any kind of power but not any other device powered solely by human effort except a boat.
- 2.209 WAREHOUSE means a building or part of a building used primarily for the operation of general merchandise warehousing, cold storage and other storage facilities and also includes a centre for the distribution of wholesale goods and commodities for resale to retailers; to industrial, commercial, institutional, or professional users; to the wholesalers.
- 2.210 WASTE DISPOSAL SITE means any land approved by the Ministry of the Environment and by Council upon, into or in which waste may be deposited or processed. A Waste Disposal site may be further classified according to the type of waste and/or the treatment of the waste, for example see Landfilling Site, Transfer Station.
- 2.211 WASTE DISPOSAL SITE - COMPOSTING means a site approved by the Ministry of the Environment and Energy for the treatment of waste by aerobic decomposition of organic matter by bacterial action for the production of stabilized humus.
- 2.212 WASTE DISPOSAL SITE - PROCESSING means a lot and premises approved by the Ministry of the Environment for that purpose where scrap or used materials are handled, dismantled, refurbished or temporarily stored for the purposes of resale or further disposal, and scrap or used materials shall include waste paper, rags, wood, bottles, metal, bicycles, vehicles and tires.
- 2.213 WAREHOUSE means a building or part of a building used primarily for the operation of general merchandise warehousing, cold storage and other storage facilities and also includes a centre for the distribution of wholesale goods and commodities for resale to retailers; to industrial, commercial, institutional, or professional users; to the wholesalers.
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- 2.226 WASTE, HAZARDOUS means hazardous waste as defined by the Environmental Protection Act or Regulation "General - Waste Management" thereunder.
- 2.227 WASTE MANAGEMENT SYSTEM means all facilities, equipment and operations for the complete management of waste, including the collection, handling, transportation, storage, processing and disposal thereof, and may include one or more waste disposal sites.
- 2.228 WATER SETBACK means the straight line horizontal distance from the high water mark of a watercourse, bay or lake to the nearest part of any excavation, building, structure or open storage use on the lot.
- 2.229 WATER SYSTEM, COMMUNAL means a private water distribution supply system in which water is piped to more than one dwelling or business operation.
- 2.230 WAYSIDE PIT, QUARRY means a temporary gravel pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.
- 2.231 WETLANDS mean lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils (soils in which there is an abundance of moisture) and has favoured the dominance of either plants that commonly grow in water or in water logged soil, or water tolerant plants. The four major categories of wetland are swamps, marshes, bogs and fens.
- 2.232 WELDING SHOP means a building or structure or part thereof where metal products are joined, repaired or shaped by welding but no mass productions shall be involved.
- 2.233 YARD means an open space on the same lot with a building or structure or excavation, unoccupied and unobstructed except as for such accessory buildings, structures or uses specifically permitted in this By-law.

- 2.234 YARD, FRONT means a yard extending across the full width of a lot between the front lot line and the nearest part of any building, structure or excavation on the lot; FRONT YARD DEPTH means the shortest horizontal distance between the front lot line of the lot and the nearest part of any building, structure or excavation on the lot.
- 2.235 YARD, REAR means a yard extending across the full width of a lot, or in the case of a corner lot from the interior side lot line to the exterior side yard, between the rear lot line and the nearest part of any building, structure or excavation on the lot; REAR YARD DEPTH means the shortest horizontal distance between the rear lot line of the lot and the nearest part of any building, structure or excavation on the lot.
- 2.236 YARD, SIDE means a yard extending along a side lot line from the front yard, or from the front lot line if no front yard is required, to the rear yard, or to the rear lot line in the case of an Exterior Side Yard or where no rear yard is required, and from the side lot line to the nearest part of any main building, structure or excavation on the lot. SIDE YARD WIDTH means the shortest horizontal distance between a side lot line and the nearest part of any building, structure or excavation on the lot.
- 2.237 YARD, EXTERIOR SIDE means a side yard immediately adjoining a street or abutting a reserve on the opposite side of which is located a street.
- 2.238 YARD, INTERIOR SIDE means a side yard other than an exterior side yard.

**ILLUSTRATION OF YARDS, REQUIRED YARDS AND RELATED TERMINOLOGY**



Note: The above illustration is for clarification purposes only.

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



**SECTION 3 - GENERAL PROVISIONS****3.1 APPLICATION**

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

**3.2 ACCESS** see Subsection 3.15 Lots to Front on a Street.**3.3 ACCESSORY USES, BUILDINGS AND STRUCTURES**

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

- (a) No accessory building or structure shall be used for human habitation except where a dwelling is a permitted accessory use.
- (b) The accessory building, structure or use shall meet the General Provisions of this By-law for Setbacks.
- (c) The accessory building or structure or use shall not be located within any front yard in a Residential Zone, within any required front yard in a non-Residential Zone, or within any required exterior side yard. This provision shall not apply to,
  - i) a partially enclosed shelter for use by children waiting for a school bus in any Agriculture (A) or Rural (RU) Zone;
  - ii) any farm produce sales outlet having less than 9.3 sq.m. gross floor area, if such use is in the Agriculture (A) or Rural (RU) Zone;
  - iii) any lot abutting a high water mark or shore road allowance to the extent that the front yard may be used so long as the accessory building structure or use complies with the Zone Provision for Front Yard Depth.
- (d) An accessory building or structure or use may be located within a required interior side yard or within a required rear yard but shall be no closer than three (3.0) metres or 2 the height of the accessory building to any lot line except:
  - i) that common semi-detached garages may be centred on the mutual side lot line; and
  - ii) that boat houses and boat docks may be built to the lot line where such line corresponds to the high water mark.

- (e) Certain uses and structures may be permitted other exemptions from the required minimum yards in accordance with the provisions of this By-law for Encroachments on required yards, and with the Parking Requirements of this By-law.
- (f) Accessory buildings and structures shall not exceed five (5.0) metres in height in any Residential or Commercial Zone, or 7.5 metres in any Industrial Zone.
- (g) The coverage of the lot by accessory buildings and structures shall not exceed ten (10.0) percent of the total lot area, but a private garage, carport or swimming pool shall be excluded from this calculation.
- (h) Buildings and structures shall not be considered accessory if attached to the main building in any way.
- (i) Accessory buildings and structures shall not be constructed on lands subject to slope failure or to flooding, with the exception of docks, boat houses, and those buildings and structures otherwise specifically permitted on such lands by this By-law.
- (j) Notwithstanding paragraphs (c), (d) and (e) preceding, where an accessory structure is a satellite dish or similar device designed to receive communication signals from a satellite,
  - i) in any Residential Zone, no part of such structure shall be located in the front yard or in the required side yard and such structure shall not exceed the height of the main building by more than two (2.0) metres;
  - ii) in any other Zone, such structure shall be permitted in all yards provided that the support pole shall not be located closer than two (2.0) metres to any lot line and no height restrictions shall apply.

**\*(By-law 2006-06)\***

- \*(k) Notwithstanding any other provision of this By-law to the contrary, no accessory use, building or structure shall be built on a lot until the principal or main use, building or structure has been built on the lot.

Notwithstanding the aforesaid, an accessory use, building or structure may be permitted on a lot in a Residential One (R1), Limited Service Residential (LSR) or Rural (RU) Zone before the principal or main use, building or structure has been built on the lot provided a site plan for the future development of the property (showing, for example, the location of a septic system and setbacks) is approved by the Municipality.\*

### 3.4 **ATTACHED GARAGE SIDE YARD**

Notwithstanding any provision of this By-law to the contrary, in any Residential Zone where a private garage is attached to a single detached dwelling,

- i) The required side yard width shall be one (1.0) metre on the garage side if it is an interior yard,
- ii) In other situations the normal yard requirements apply.

### 3.5 **AUTOMOTIVE - SERVICE STATIONS, - GASOLINE BARS AND - COMMERCIAL GARAGES**

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

- (a) No portion of any pump island shall be located closer than six (6) metres from the street line of any street.
- (b) The minimum distance from the intersection of two street lines or from straight line projections of such, to the nearest ingress or egress ramp shall be not less than ten (10.0) metres (ie. entrance or exit point).
- (c) The maximum width of a ramp at the street line shall be not more than ten (10.0) metres and the minimum width not less than seven and one-half (7.5) metres.
- (d) The minimum distance between ramps shall be not less than nine (9.0) metres.
- (e) The minimum interior angle of a ramp to a street line shall be forty-five (45.0) degrees and the maximum interior angle of a ramp to the street line shall be ninety (90.0) degrees.
- (f) The minimum distance between any side lot line of the property at the street line and the nearest ramp shall be three (3.0) metres.
- (g) The area included between ramps, or between ramps and a street line or a property line, as required by this by-law, shall be used for landscaped open space only, to a minimum width of one (1.0) metre.

### 3.6 **BUILDINGS TO BE MOVED**

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

### 3.7 **CROWN LANDS**

The use of Crown lands will be in accordance with the management policies, plans and strategies prepared or approved by the Ministry of Natural Resources, which are represented by the Resource Protection (RP) and Environmental Protection (EP) zoning on Schedule "A".

### 3.8 **DWELLINGS PER LOT**

- (a) No more than one (1) building used as a dwelling, containing one or more dwelling units shall be erected on any lot except,
- i) in an Agriculture Zone, where accessory single detached dwellings or accessory mobile homes may be erected in accordance with the provisions of that Zone;
  - ii) in a Recreation Commercial Zone, where cottage establishments and tourist establishments may be erected in accordance with the provisions of that Zone.
- (b) Where an accessory dwelling unit is a permitted use, no more than one accessory dwelling unit shall be permitted on any lot.

### 3.9 **ENCROACHMENTS ON REQUIRED YARDS**

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

<u>Structure</u>	<u>Yards in Which Encroachment is Permitted</u>	<u>Maximum Projection Permitted into Minimum Required Yard</u>
(a) Sills, belt courses, eaves, gutters, chimneys, bay windows, solar collectors, heat pumps, ventilators, shutters, cornices, parapets, pilasters or other ornamental structures.	All	0.50 metres
(b) Fire escapes exterior stair cases	Side and Rear only	1.5 metres

(c) Balconies, steps, unenclosed porches, sundecks, attached solarium	Front and Rear only	2 metres
(d) Uncovered paved patios	All	2.5 metres front yard; other yards unlimited
(e) Railway Spur	All	Unlimited
(f) Gate House in any Industrial Zone	Front and Side only	Unlimited
(g) Fences, Hedges, Shrubs, Trees, Freestanding Walls, Flagpoles, Light Standards, Garden Trellises, Clothes Poles and similar structures and appurtenances	All	Unlimited

### 3.10 **EXCEPTIONS TO HEIGHT LIMITATIONS**

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

### 3.11 **GRAVEL PITS, QUARRIES, WAYSIDE PITS AND QUARRIES AND PORTABLE ASPHALT PLANTS**

A gravel pit or quarry, with the exception of a wayside pit or quarry shall be prohibited in all zones, except in an Extractive Industrial (EM) Zone. Wayside pits and portable asphalt plants shall be permitted in all zones except in a Residential Zone, a Hamlet Development Zone or an Environmental Protection Zone.

Asphalt plants must comply with the separation distances of this By-law and those of the Ministry of the Environment and Energy (MOEE), and must obtain a certificate of approval from the MOEE.

### 3.12 **GROUP HOMES**

Group Homes are considered to be residential uses. A provincially licensed and approved group home may be permitted in any permitted single dwelling provided that:

- (a) There is no group home or similar facility within 8.0 kilometres of the proposed facility, whether in the Municipality or in an adjacent municipality; and

- (b) There is a minimum rear yard area of 18 square metres per resident.

### 3.13 **HOME OR FARM INDUSTRY**

A Home or Farm Industry shall be a permitted accessory use in the Rural (RU) and Agriculture (A) Zones provided that,

- (a) The scale of the Home or Farm Industry shall not exceed the capabilities of the family residing on the premises plus five (5) other people to operate it;
- (b) There shall be no external display or advertising other than a non-illuminated sign not more than one-half (0.5) square metres in area;
- (c) The Home or Farm Industry shall not be a hazardous or obnoxious trade, business of manufacture, and shall not create or become a public nuisance;
- (d) The Home or Farm Industry shall be clearly secondary to the main use and does not change the residential character of any dwelling, or the agricultural character of any farm unit;
- (e) The parking requirements of this By-law shall be met;
- (f) No goods, wares or merchandise shall be offered or exposed for sale or rent on the premises unless such goods, wares and merchandise are either,
  - i) incidental to the Home or Farm Industry;
  - ii) arts and crafts produced on the premises;
  - iii) field crops, vegetables, fruits or horticultural crops produced on the lot; or
  - iv) sample articles not for direct purchase, but this shall not be construed to mean a model home or other building;
- (g) Accessory buildings may be erected, altered or used for the purpose of the home industry provided that not more than fifty (50.0) square metres of the gross floor area of all accessory buildings shall be used for the purpose of the home industry;
- (h) Not more than (10.0) percent of the gross floor area of the dwelling unit shall be dedicated to the home industry.

**3.14 HOME OCCUPATIONS**

Nothing in this By-law shall prevent the use of a dwelling unit in any zone for a home occupation provided that,

- (a) The scale of the Home Occupation shall not exceed the capabilities of the family residing on the premises plus two (2) other people to operate it;
- (b) The use shall be conducted entirely within the dwelling unit;
- (c) There shall be no external display or advertising other than a non-illuminated sign not more than three-tenths (.3) of a square metre in area, to indicate to persons outside that any part of the dwelling unit or lot is being used for a purpose other than residential;
- (d) Not more than twenty-five percent (25%) of the dwelling unit area shall be used for the purpose of home occupation uses;
- (e) Such home occupation shall be clearly secondary to the main residential use and there shall be no change to the outside appearance of the dwelling unit or premises or any visible evidence of the conduct of a home occupation;
- (f) There shall be no storage of equipment, vehicles, or supplies associated with the home occupation outside the dwelling;
- (g) Sufficient off-street parking spaces shall be available for clients or customers visiting the premises;
- (h) The use shall not generate additional pedestrian or vehicular traffic beyond that normal to the neighbourhood in which it is located;
- (i) There shall be no manufacturing, fabricating or assembly process taking place on the premises;
- (j) No equipment or process shall be used in a home occupation which creates excessive noise, vibration, glare, fumes, or odour detrimental to the health, safety, and general welfare of persons residing in the neighbourhood; and
- (k) No goods, wares or merchandise shall be offered or exposed for sale or rent on the premises unless such goods, wares and merchandise are either,

- i) incidental to the home occupation; or
- ii) arts and crafts produced on the premises; or
- iii) sample articles not for direct purchase.

### 3.15 **LOTS TO FRONT ON STREETS**

(a) No person shall erect or use any building or structure on a lot in any zone unless the lot fronts on and has direct access to an improved street being a Provincial Highway, County Road or Township Road.

(b) **Exceptions**

i) Limited Service Residential (LSR) Zone

Notwithstanding the provisions of paragraph (a) of this subsection, a limited service vacation dwelling may be erected or used on a lot in a Limited Service Residential (LSR) Zone provided that such lot has frontage on a private road. Also, an existing limited service dwelling may be repaired, altered or enlarged, and buildings accessory thereto may be erected, provided any alteration or enlargement complies with all other provisions of this By-law.

ii) Hunting and Fishing Camp

A hunting and fishing camp shall not be required to meet the provisions of paragraph (a) of this subsection.

iii) Resource Land Uses

Notwithstanding the provisions of paragraph (a) of this subsection, a building or structure accessory to a permitted forestry, farm or mineral exploration use may be erected or used on a lot that has frontage on a seasonally maintained street; this provisions shall not be construed so as to permit any type of dwelling.

### 3.16 **MOBILE HOMES**

Mobile homes shall be permitted in any zone that permits a single detached dwelling except for the Residential One (R1) Zone where mobile homes are prohibited.



**3.17 NON-CONFORMING AND NON-COMPLYING USES****(a) Accessory Buildings**

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

**(b) Continuation of Existing Uses**

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

**(c) Repair of Existing Buildings**

Nothing in this By-law shall prevent the strengthening or alteration to a safe condition of all or part of a building or structure that is a non-conforming use provided that,

- i) the repair or alteration will not increase the height, size or volume of the building or structure; and
- ii) if a non-conforming building or structure should be damaged by fire, flood, wind or earthquake, the reconstruction or restoration is commenced within twelve months and completed within twenty-four months of the date on which the damage took place.

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

An undersized lot that was held in separate ownership from adjoining parcels on the date of passage of this By-law, or that was created by expropriation subsequent to the passage of this By-law, may be enlarged even if such enlargement does not result in a lot which complies with the minimum lot area and/or minimum lot frontage otherwise required by this By-law. Nothing in this By-law shall prevent such a lot from being used for a purpose permitted in the zone in which the lot is located provided that:

- i) where the development is on private services, the lot is of an adequate size for water supply and sewage disposal systems approved by the Ministry of the Environment and/or its agents; and
- ii) all other applicable provisions of this by-law are complied with.

(e) Existing Buildings with Inadequate Lot or Yard Size

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

- i) for any existing yard that has less than the minimum depth or width required by this By-law, the enlargement, reconstruction, repair or renovation does not further reduce the front or rear yard depth or side yard width, as the case may be;
- ii) for any enlargement that would redefine a yard (i.e. nearest wall of the main building or structure closer to a lot line), such enlargement shall comply with the requirements of this By-law for front yard depth, side yard width and/or rear yard depth; and
- iii) all other applicable provisions of this By-law are complied with.

(f) Less than Required Floor Area

Nothing in this By-law shall prevent an extension or addition being made to a permitted dwelling which existed at the time of passing of this By-law but which has a floor area or dwelling unit area less than that required by this By-law, provided such extension or addition does not contravene any other provisions of this By-law.

(g) Undersized Vacant Lots

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

- i) all other applicable provisions of this by-law are complied with; and
- ii) written approvals for the water supply and sewage disposal systems are obtained from the Ministry of the Environment and/or the Renfrew County and District Health Unit.

(h) Prior Building Permits

Nothing in this By-law shall prohibit the erection of a building or structure for which a building permit has been issued prior to the date of passing of the By-law provided that the building permit has not been revoked under the Building Code Act.

3.18 NOXIOUS USES

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

3.19 OCCUPANCY OF INCOMPLETE BUILDINGS

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

3.20 OCCUPANCY OF VEHICLES

No truck, bus, coach, vehicle, recreational vehicle or trailer shall be used as a primary residence for permanent human habitation within the Municipality whether or not the same is mounted on wheels. This shall not operate to prevent a recreational vehicle from being used for temporary accommodation in a Recreation Commercial Zone, in accordance with the requirements of that zone.

3.21 OPEN STORAGE

Except as otherwise specifically provided in this By-law, no portion of a lot shall be used for the storage of goods or materials unless such storage is within a building, or unless the following provisions are complied with, in the event of open storage:

- (a) The open storage shall be accessory to a permitted or existing use on the same lot.
- (b) No open storage shall be permitted within any required minimum front yard or required exterior side yard, except in the case of an agricultural use.
- (c) No open storage shall be permitted within any required minimum side or rear yard where the side or rear lot lines abut any Residential Zone or Community Facility Zone. However, where the storage is clearly accessory to a main building or use that is permitted in a Residential Zone, or where the lot in question is located in the

same zone as the abutting lot, the provisions of this By-law for yard requirements for accessory uses shall apply to the open storage.

- (d) There shall be no uninterrupted view of any open storage area from any street, or from any adjacent lot where such adjacent lot is in a Zone other than a Commercial or an Industrial Zone. Wherever visual screening is necessary to achieve the foregoing, a buffer strip, fencing or other opaque barrier to a minimum height of 1.5 metres shall be used. Exceptions to this provision are for open storage accessory to an agricultural use or to a residential use, and for the outdoor display of merchandise in conjunction with a permitted commercial use.
- (e) A strip of landscaped open space with a minimum width of 3 metres shall be maintained around all open storage areas.
- (f) Any open storage area shall be maintained as landscaped open space, or surfaced and maintained with stable materials to prevent the raising of dust and particles, and properly drained. However, this provision shall not apply where the main use is an agricultural use.
- (g) No parking spaces or loading spaces required by this By-law shall be used for open storage purposes.

**3.22 PARKING AND LOADING SPACE REQUIREMENTS**

(a) Parking Requirements

i) Number of Spaces

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

<u>Type of Use</u>	<u>Minimum Parking Required</u>
i. Dwelling, Single Detached, Semi Detached and Duplex:	1.0 parking space per dwelling unit
ii. Dwelling, Triplex, Rowhouse and Apartment:	1.5 parking spaces per dwelling unit
iii. Group Home or approved capacity	1.0 parking space per each 3 persons licensed

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iv.	Boarding House	1.0 parking space plus 1.0 parking space per every three (3) beds
v.	Bank or Trust Company	5.9 spaces per 100 square metres gross leasable area
vi.	Bed and Breakfast	1.0 parking space per dwelling unit and 1.0 parking space for each room rented
vii.	Tavern, Public House	1.0 parking space per 4 persons design capacity
viii.	Church, Assembly Hall,	The greater of 1.0 parking space per 10 square metres of gross floor area or per every four fixed seats or per every 2.5 metres of bench space
ix.	Place of Entertainment/ recreation facility including arena, auditorium, recreation centre, theatre, tennis club, stadium, racquet club, cinema, fitness club, fairgrounds	1.0 parking space per 6 seat capacity
x.	Hospital, Nursing Home Home for the Aged, Senior Citizens Home	1.0 parking space per each 2 beds
xi.	Hotel, Motor Hotel	1.0 space per bedroom plus 1.0 space per 10 square metres of public use area
xii.	Industrial Establishment	1.0 parking space per each one hundred (100) square metres of gross floor area
xiii.	Clinic	6.0 spaces per practitioner for the first 5 practitioners, 4.0 spaces per each practitioner after 5
xiv.	Motel	1.0 space per bedroom
xv.	Office (Business/Professional)	3.5 spaces per 100 square metres of gross leasable area

xvi.	Eating Establishment, Drive-In	The greater of 3.0 spaces or 29.0 spaces per 100 square metres of gross leasable area
xvii.	Eating Establishment, Full Service	The greater of 3.0 spaces or 22.0 spaces per 100 square metres of gross leasable area
xviii.	Eating Establishment, Take Out	The greater of 3.0 spaces or 7.0 spaces per 100 square metres of gross leasable area
xix.	Retail, General including Convenience Store and Personal Service Shop	5.4 spaces per 100 sq. metres of gross leasable area
xx.	School	The greater of:  1.5 parking spaces per classroom, or 1.0 parking space per 3.0 square metres of floor area in the gymnasium, or  1.0 parking area per 3.0 square metres of floor area in the auditorium
xxi.	Shopping Centre	5.4 spaces per 100 sq. m of gross leasable area
xxii.	Shopping Plaza	4.9 spaces per 100 square metres of gross leasable area
xxiii.	Campground	1.25 spaces per campsite
xxiv.	Recreational Vehicle Park	2.0 spaces per recreational vehicle site
xxv.	Other Non-Residential Uses	1 parking space per 30 square metres of gross floor area

ii) Calculation of Spaces

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

iii) Location of Parking Areas

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

iv) Yard Where Permitted

Notwithstanding the yard and setback provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted in the required yards or in the area between the street line and the required setback in accordance with the following:

	<u>Zone</u>	<u>Required Yards in which Required Parking Area Permitted</u>
i.	Rural, Residential	All yards provided that no part of any parking area, other than a driveway, is located closer than 1.0 metre to any street line.
ii.	General Industrial	All yards provided that no part of any parking area, other than a driveway is located closer than 1.0 metre to any street line and further provided that where the Industrial zone abuts a Residential Zone, the parking area shall be set back 3.0 metres from the lot line.
iii.	Disposal Industrial, Extractive Industrial	No yards except for the driveway portion of a parking area
iv.	Other Zones	All yards provided that no part of any parking area, other than a driveway is located closer than 1.0 metre to any street line. Where the subject zone abuts a Residential zone, the parking area shall be set back 3.0 metres from the lot line.

v) Surface and Drainage

- i. The parking area and approaches shall be surfaced with concrete, asphalt, crushed stone, gravel or a combination thereof with a stable surface.
- ii. Where more than four (4.0) parking spaces are required, the surface treatment shall prevent the raising of dust or loose particles.
- iii. Provision for drainage facilities shall be made in compliance with the requirements of the Municipality.

- vi) Access to Parking Spaces and Parking Areas
  - i. Every parking space shall be provided with unobstructed access to a street by a driveway aisle or lane, except where such spaces are provided for the use of occupants of a single detached or semi-detached dwelling.
  - ii. Access to parking areas for commercial or industrial uses shall not pass through a Residential Zone.

- vii) Dimensions of Parking Spaces

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

- (b) Loading Requirements

- i) Uses Where Applicable

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

- ii) Dimensions of Loading Spaces

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

- iii) Minimum Number of Loading Spaces

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

- iv) Location

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

- v) Surfacing



The loading space and approaches shall be surfaced with concrete, asphalt, crushed stone or gravel, with treatment to prevent the raising of dust.

### 3.23 **PUBLIC USES OF LAND**

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

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

### 3.24 **SEPARATION DISTANCES**

- (a) **Dwellings**
  - i) No dwelling shall be erected unless it complies with the minimum distance separation requirements of the Provincial Policy Statement or unless such residential building is located on the same lot as the farm.
  - ii) No dwelling other than a permitted accessory dwelling in the same Zone, shall be erected within sixty (60) metres of any Industrial Zone, except as further provided below for Extractive Industrial Zones and waste disposal sites.
  - iii) No dwelling shall be erected within thirty (30) metres of land zoned Extractive Industrial (EM) or Resource Protection (RP) and where a street allowance intervenes, the 30 metres shall be measured from the street line bordering the land zoned EM or RP.
  - iv) No dwelling shall be erected within sixty (60) metres of any animal hospital or kennel if such has more than four outdoor runs or more than thirty (30) square metres of total area of outdoor facilities for animals.

- v) No dwelling shall be erected within 500 metres of the boundary of a landfilling site except in accordance with a study that has identified the contaminant attenuation zone, provided that such attenuation zone is recognized in the certificate of approval for the site. The implementation of remedial measures acceptable to the Ministry of the Environment and Energy to deal with contaminant discharges may be justification for a variance to this provision.

(b) Gravel Pits, Quarries and Associated Extractive Manufacturing Plants and Facilities

- i) No gravel pit or quarry, including a wayside pit or quarry, shall be excavated within,
  - i. thirty (30) metres of the boundary of the property being used where such boundary abuts any of the following: a street, land in use for residential purposes<sup>†</sup>, or for schools or for institutions with residential components, or land restricted to residential use by this By-law;
  - ii. fifteen (15) metres of the boundary of the property being used where clause i. does not apply; and
  - iii. fifteen (15) metres of a high water mark..
- ii) No extractive industrial facility or aggregate stockpile (excludes a sand or gravel pile totally enclosed in a building and/or on municipal property) shall be located within,
  - i. ninety (90) metres of the boundary of the property being used where such boundary abuts any of the following: land in use for residential purposes<sup>†</sup>, or for schools or for institutions with residential components, or land restricted to residential use by this By-law;
  - ii. thirty (30) metres of the boundary of the property being used where clause i. does not apply; and
  - iii. thirty (30) metres of a high water mark.
- iii) No concrete or asphalt manufacturing plant shall be located within
  - i. three hundred (300) metres of land in use for residential purposes<sup>†</sup>, or for schools or for institutions with residential components, or land restricted to residential use by this By-law; and
  - ii. fifty (50) metres of a high water mark.

<sup>†</sup> “land in use for residential purposes” includes a rural residential cluster, an individual lot less than 2 hectares in size, or the land encompassing the dwelling on a parcel of 2 hectares

or greater which land would meet all minimum yard, lot frontage and lot area requirements of the applicable zone.

(c) Farm Uses

No livestock buildings, structures, manure storage area or intensive farm use shall be located within the minimum distance from other uses required by the minimum distance separation formula under the Provincial Policy Statement.

(d) Animal Hospital, Kennel

i. No animal hospital and no kennel shall be located within sixty (60) metres of any Residential Zone or any dwelling on another lot if such animal hospital or kennel has more than four outdoor runs or more than thirty (30) square metres of total area of outdoor facilities for animals.

(e) Septage Disposal Site

No septage disposal site shall be located within:

- i) Two hundred (200) metres of any isolated dwelling on another lot;
- ii) Seven hundred fifty (750) metres of any subdivision, rural residential cluster or land zoned for residential development;
- iii) One hundred fifty (150) metres of any uncased well;
- iv) Seventy-five (75) metres of any well with a minimum casing depth of six (6.0) metres.
- v) One hundred eighty (180) metres of any permanent surface water;
- vi) Thirty (30) metres of the right-of-way of any low volume road;
- vii) Ninety (90) metres of the right-of-way of any road;
- viii) Sixty (60) metres of any land used for livestock pasturing;

(f) Wells

No person shall establish a water well within,

- i) 75 metres of land zoned for septage disposal;

- ii) within the minimum distance from any waste disposal site as required by the Environmental Protection Act and Regulations thereunder, as amended, and/or by the guidelines of the Ministry of Environment and Energy.

### 3.25 **SETBACKS**

Except where the provisions of Section 3.24 Separation Distances apply, no person shall erect any building or structure in any Zone unless such building or structure conforms to the following setback requirements from road centrelines, or from high water marks.

(a) Provincial Highway

The setback requirement shall be 18 metres plus the minimum front yard depth required for such use in the Zone where it is located, but any greater restrictions of the Ministry of Transportation shall take precedence.

(b) County Road

i) The setback requirement where the County Road is (26) metres or less in width shall be 13 metres from the centreline plus the minimum front yard depth required for such use in the Zone where it is located.

ii) The setback requirement where the County Road is greater than Twenty-six (26) metres wide shall be the minimum front yard depth required for such use in the zone where it is located measured from the street line.

(c) Other Road

The setback requirement shall be 10 metres plus the minimum front yard depth required for such use in the Zone where it is located.

(d) Water Setback

A minimum water setback of thirty (30) metres shall be provided. Notwithstanding the foregoing, the following exceptions will be permitted:

i) Accessory boat dock and boat launching facilities, dams and other water control structures, and erosion control structures shall not be required to meet the water setback.

ii) In the case of an existing lot of record considered as infilling between two existing dwellings, the water setback will be permitted to be reduced to the established building line extending on both sides of the lot providing the water setback is not less than (15) metres.

- iii) In the case of an existing lot which has less than forty-six (46) metres in depth, the minimum water setback shall be fifteen (15) metres.
  - iv) For lands abutting the Bonnechere River and Wilber Lake within the (1-in 100 year) flood plain, the water setback requirement shall be in accordance with the limits of the flood plain, but shall be no less than thirty (30) metres except as provided for by clauses ii) and iii) preceding. Where the possibility of such flooding hazard exists, the extent of the flood plain and the location of the required water setback will be determined by engineering studies and elevation surveys at the expense of the applicant.
- (e) Established Building Line in Built-Up Areas

Notwithstanding the yard and setback provisions of this By-law, where there is an established building line extending on both sides of the lot, a permitted building or structure may be erected closer to the street line and street centre line than required by the yard and setback provisions, provided that such permitted building or structure is not erected closer to the street line than the established building line on the date of passing of this By-law.

### 3.26 STORAGE OF LIQUID MANURE, SEPTAGE OR SEWAGE SLUDGE

No facility for the storage of liquid manure, septage or sewage sludge shall be erected, used or altered except in accordance with the following provisions:

- (a) The storage facility shall be constructed of materials that are durable and stable and that do not afford passage of the contents;
- (b) The storage facility shall have,
  - i) walls that extend two (2.0) metres or more above the surrounding grade level, or
  - ii) walls that extend 0.3 metres above the surrounding grade level and have a solid cover, or a minimum 0.7 metre extension of the walls, that completely seals the facility from human entry; or
  - iii) be an in ground facility that is situated below and totally enclosed by a livestock barn;
- (c) Notwithstanding item (b), preceding, a lagoon may be used for the storage of liquid manure, septage or sewage sludge provided that,
  - i) it is approved under all appropriate provincial legislation and regulations; and

- ii) it is designed, constructed and maintained in accordance with all governing by-laws of the Municipality.

### 3.27 **TEMPORARY CONSTRUCTION USES PERMITTED**

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

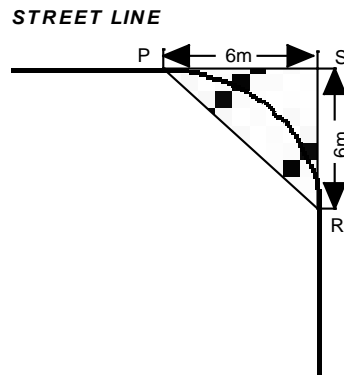
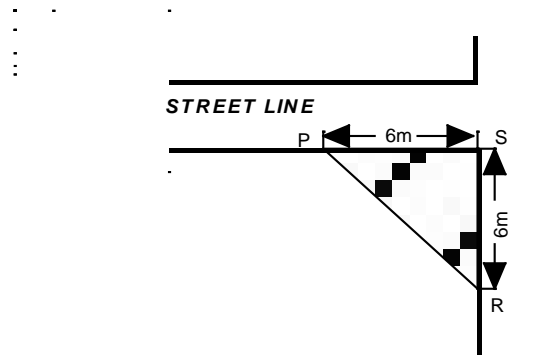
### 3.28 **THROUGH LOTS**

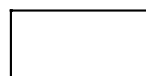
Where a lot which is not a corner lot has frontage on more than one street, the requirements for front yards contained in the By-law shall apply to each yard abutting the street.

### 3.29 **VISIBILITY ON CORNER LOTS/INTERSECTIONS**

- (a) On any corner lot, no obstruction to motor vehicle driver views shall be placed within the triangular area bounded by the street lines and a line joining points on the street lines a distance of 6.0 metres from the point of intersection. Any opaque structure, object or vegetation between the elevations from 0.75 m to 3.0 m above grade of the centre lines of the streets that abut the lot shall be considered an obstruction to motor vehicle driver views.
- (b) At the intersection of a street and a railway right-of-way, the vision of the operator of a motor vehicle shall be unimpeded in accordance with the requirements of the railway authority.

### VISIBILITY ON CORNER LOTS



 No obstruction permitted

Note: The above illustrations are for clarification purposes only.

**SECTION 4 - ZONE CLASSIFICATIONS, EXCEPTION ZONE PROVISIONS**

4.1 **ZONE CLASSIFICATIONS**

For the purpose of this By-law, the following zones are established as shown on the Schedule(s) (Zoning Maps).

<u>Zones</u>	<u>Zone Symbol</u>	<u>Purpose</u>
(a) Residential Zones:	R1 -	to recognize and regulate land and buildings restricted to being used for single detached dwellings, including some lands within hamlets.
	LSR -	to recognize and regulate dwellings on private roads and to protect the Municipality's servicing position.
(b) Commercial Zones:	GC -	to recognize and regulate commercial uses that could be related to highway corridors or the needs of rural residents.
	RC -	to recognize and regulate commercial uses and development that are based on outdoor recreation.
(c) Industrial Zones:	DM -	to recognize and regulate disposal industrial uses: salvage yards and waste disposal sites.
	EM -	to recognize and regulate the extraction of mineral aggregates (sand, gravel, etc.) and the associated manufacturing and processing uses.
	GM -	to recognize and regulate general industrial uses: body shops, manufacturing plants, warehouses, etc.



- (d) Additional Zones:
- RP- to preserve mineral aggregate resource deposits and lands designated for forestry until such time as specific aggregate extraction or development proposals are accepted.
  - A - to recognize farms and limit development in areas that are considered to have a high capability for agriculture.
  - RU - to recognize and regulate a mixture of land uses that are appropriate in rural areas, including residential uses, where the soils are considered to have a mixture of capabilities for agriculture.
  - EP - to regulate development in areas that are subject to natural hazards and/or that have environments sensitive to development, for example, floodplains, steep slopes, unstable slopes, wetlands.
  - OS - to recognize and regulate open spaces uses including outdoor recreation, and/or areas where development is generally undesirable.
  - CF - to recognize public uses that are provided to the community in various facilities: churches, schools, community centres, etc.
  - HD - to recognize and regulate a mix of commercial and institutional uses that are appropriate for hamlets.

#### 4.2 **EXCEPTION ZONES**

Where a zone classification is followed by the numbered suffix "-Exception One", this denotes the further classification as an Exception Zone. The corresponding zone symbol suffix is "-E1". Additional Exception Zones within the same zone classification are numbered consecutively (i.e. Highway Commercial - Exception One (HC-E1), etc., or Residential One - Exception One (R1-E1), Residential One - Exception Two (R1-E2) etc.

Exception Zone provisions are listed separately under the applicable zone classification requirements sections in the text of this By-law. All provisions of this By-law will apply equally to the respective Exception Zone classification, except as otherwise specified by the Exception Zone provisions.

For the purpose of this By-law, Exception Zones are established as shown on the Schedule(s) (Zoning Maps).

## SECTION 5 - REQUIREMENTS FOR RESIDENTIAL ONE (R1) ZONES

### 5.1 PERMITTED USES

No person shall use land or erect or use a building or structure in any R1 Zone except for:

(a) Residential Uses

- single detached dwelling
- duplex dwelling
- semi-detached dwelling
- group home in accordance with the provisions for Group Homes in Section 3 - General Provisions of this By-law.

(b) Non-Residential Uses

- public park
- private park
- see also Section 3.14 Home Occupations

### 5.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in any R1 Zone except in accordance with the following provisions:

(a) Lot Area (minimum):

- |      |   |                     |
|------|---|---------------------|
| i)   | single detached dwelling                                  | 2025 m <sup>2</sup> |
| ii)  | duplex dwelling   | 3065 m <sup>2</sup> |
| iii) | semi-detached dwelling                                    | 3065 m <sup>2</sup> |
| iv)  | semi-detached dwelling unit (each unit on a separate lot) | 1532 m <sup>2</sup> |

(b) Lot Frontage (minimum):

- |      |   |           |
|------|---|-----------|
| i)   | single detached dwelling                                  | 30 metres |
| ii)  | duplex dwelling   | 35 metres |
| iii) | semi-detached dwelling                                    | 40 metres |
| iv)  | semi-detached dwelling unit (each unit on a separate lot) | 20 metres |

(c) Front Yard Depth (minimum) 7.5 metres

(d) Exterior Side Yard Width (minimum) 7.5 metres

(e)	Interior Side Yard Width (minimum)	3.0 metres or 2 the height of the building whichever is greater; but for a semi-detached dwelling unit on a separate lot, a side yard is required on one side only.
(f)	Rear Yard Depth (minimum)	7.5 metres
(g)	Dwelling Unit Area	55 m <sup>2</sup>
(h)	Lot Coverage (maximum)	33%
(i)	Building Height	10.5 metres
(j)	Open Storage:	In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.
(k)	Parking and Loading:	In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.
(l)	Separation Distance:	In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
(m)	Setbacks:	In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
(n)	Accessory Uses, Buildings and Structures:	Notwithstanding any Zone Provisions of this zone to the contrary, Uses, Buildings and Structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

### 5.3 **EXCEPTION ZONES**

(a) **Residential One - Exception One (R1-E1) Zone:**

Notwithstanding any provisions of this By-law to the contrary, for the lands located with the R1-E1 Zone, in Part of Lots 17 & 18, Con. XVII, a lot line that abuts an improved street and/or a .3 metre reserve bordering on an improved street shall be deemed to be the lot line front. Further, a building or structure may be erected or used on a lot that fronts on the improved street and/or the .3 metre reserve bordering County Road 30. Furthermore, the following provisions shall apply:

i)	Lot Frontage (minimum)	45 metres
----	------------------------	-----------

- |      |                         |                          |
|------|-------------------------|--------------------------|
| ii)  | Lot Area (minimum)      | 8500 metres <sup>2</sup> |
| iii) | Water Setback (minimum) | 30 metres                |

(b) Residential One-Exception Two (R1-E2) Zone:

Notwithstanding any other provision of this By-law to the contrary, for the lands in the R1-E2 Zone situated in Lot 11, Concession XVIII, the following exception to the Residential One zone provisions shall apply:

- |    |                        |             |
|----|------------------------|-------------|
| i) | Lot Frontage (minimum) | 17.5 metres |
|----|------------------------|-------------|

(c) Residential One-Exception Three (R1-E3) Zone:

Notwithstanding any other provision of this By-law to the contrary, for the lands in the R1-E3 Zone situated in Lot 11, Concession XVIII, no person shall use land except for purposes of open space unless the lot has a minimum shoreline lot frontage of twenty-two (22) metres in which case the required minimum lot frontage shall be twenty-three (23) metres and all other provisions of the Residential One (R1) Zone shall apply.

(d) Residential One-Exception Four (R1-E4) Zone:

Notwithstanding any provisions of this By-law to the contrary, for the lands located within the R1-E4 Zone, in Lot 18, Concession XVII, Township of Wilberforce, as shown on Schedule A to this By-law the following provisions shall apply:

- |      |                                    |                     |
|------|------------------------------------|---------------------|
| i)   | Lot Frontage (minimum):            |                     |
|      | for Lots 2, 3, 4, 5, 9, 10, 14, 15 | 21.5 metres         |
|      | for all other lots                 | 35.0 metres         |
| ii)  | Lot Area (minimum)                 | 3000 m <sup>2</sup> |
| iii) | Water Setback (minimum)            | 30 metres           |

(e) Residential One-Exception Five (R1-E5) Zone:

Notwithstanding any provisions of this By-law to the contrary, for the lands located within the R1-E5 Zone, in Lot 18, Concession XVII, Township of Wilberforce as shown on Schedule A to this By-law the only permitted use shall be a park and the following provisions shall apply:

- |    |                         |           |
|----|-------------------------|-----------|
| i) | Water Setback (minimum) | 30 metres |
|----|-------------------------|-----------|

(f) Residential One-Exception Six (R1-E6) Zone

Notwithstanding any provisions of this By-law to the contrary, for the lands located in the R1-E6 Zone in Lot 5, Concession XXIII, the following provision shall apply:

- |    |                        |           |
|----|------------------------|-----------|
| i) | Lot Frontage (minimum) | 11 metres |
|----|------------------------|-----------|

(g) Residential One-Exception Seven (R1-E7) Zone

Notwithstanding any provision of this By-law to the contrary, for the lands located in the R1-E7 Zone situated in Lot 11, Concession XVIII, the following exceptions to the Residential One (R1) Zone Provisions shall apply:

- |     |                        |                    |
|-----|------------------------|--------------------|
| i)  | Lot Area (minimum)     | 1800 square metres |
| ii) | Lot Frontage (minimum) | 22.5 metres        |

**\*(By-law 2007-33)\***\*(i) Residential One-Exception Nine (R1-E9) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the Residential One – Exception Nine (R1-E9) Zone in Part Lot 11, Concession 18, geographic Township of Wilberforce, the following provisions shall apply:

- |     |                        |                      |
|-----|------------------------|----------------------|
| i)  | Lot Frontage (minimum) | 21 metres            |
| ii) | Lot Area (minimum)     | 1800 square metres.* |

**\*(By-law 2014-37)\*****\*(j) Residential One-Exception Ten (R1-E10) Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands located at 7 Bulger Road within Part of Lot 1, Concession 9, geographic Township of Wilberforce, now in North Algona Wilberforce Township and zoned Residential One – Exception Ten (R1-E10) on Schedule “A” to this by-law. The following provisions shall apply:

- i) minimum lot frontage: 24 metres.\*

**\*(By-law 2016-18)\*****\*(k) Residential One-Exception Ten (R1-E10)**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the R1-E10 Zone, known as 1075B Lake Dore Road, being Part of Lots 17 & 18, Concession 17, in the geographic Township of Wilberforce, the following provision shall apply:

- i) Lot Area (minimum) 4000 square metres.\*

**\*(By-law 2017-19)\*****\*(l) Residential One-Exception Eleven (R1-E11)**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the R1-E11 Zone, located in Part of Lot 6, Concession 24, in the geographic Township of Wilberforce, a food service truck shall be an additional permitted use.

All buildings associated with the food service truck shall be located in accordance with the zone provisions of the General Commercial Zone (GC) under section 7.2 of the by-law.

Parking shall be provided in accordance with Section 3.22 of the General Provisions.\*

**\*(By-law 2020-72)\*****\*(m) Residential One-Exception Twelve (R1-E12)**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the R1-E12 Zone, located in Part of Lot 5, Concession 24, in the geographic Township of Wilberforce, a commercial garage, which includes small engines, trucks and heavy equipment, shall be an additional permitted use.\*

## SECTION 6 - REQUIREMENTS FOR LIMITED SERVICE RESIDENTIAL (LSR) ZONES

### 6.1 PERMITTED USES

No person shall use any land or erect or use any building or structure in any LSR Zone except for:

(a) Residential Uses

- existing limited service dwelling
- limited service vacation dwelling

(b) Non-Residential Uses

- public park
- private park
- see also section 3.14 Home Occupations

### 6.2 ZONE PROVISIONS

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

(a)	Lot Area (minimum)	2025 m <sup>2</sup>
(b)	Lot Frontage (minimum)	30 metres
(c)	Lot Frontage, Shoreline (minimum)	30 metres
(d)	Front Yard Depth (minimum)	7.5 metres
(e)	Side Yard Width (minimum)	3 metres
(f)	Rear Yard Depth (minimum)	7.5 metres
(g)	Dwelling Unit Area (minimum)	55 m <sup>2</sup>
(h)	Lot Coverage (maximum)	33%
(i)	Building Height (maximum)	10.5 metres



- (j) Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provision of this By-law.
- (k) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.
- (l) Separation Distance: In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
- (m) Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- (n) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

### 6.3 **EXCEPTION ZONES**

- (a) Limited Service Residential-Exception One (LSR-E1) Zone:

Notwithstanding any provisions of this By-law to the contrary, for the lands located within the Limited Service Residential-Exception One (LSR-E1) Zone in Lot 5, Concession VII, permanent residential development on a 20 metre private right-of-way shall be permitted.

- (b) Limited Service Residential-Exception Two (LSR-E2) Zone:

Notwithstanding any other provision of this By-law to the contrary, for the lands located within the Limited Service Residential -Exception Two (LSR-E2) Zone in Lot 3, Concession VII, all existing setbacks on site shall constitute the minimum setback requirements and the minimum lot frontage shall be twenty-one (21) metres.

- (c) Limited Service Residential-Exception Three (LSR-E3) Zone:

Notwithstanding any other provision of this By-law to the contrary, for the lands located in the LSR-E3 Zone in Lot 8, Concession X, the minimum required side yard for a private garage shall be 0.9 metres.

(d) Limited Service Residential-Exception Four (LSR-E4) Zone:

Notwithstanding any provisions of this By-law to the contrary, for the lands located in the LSR-E4 Zone in Lot 6, Concession VII, the minimum required side yard for a limited service dwelling with an attached garage shall be .9 metres on the garage side.

**\*(By-law 19-98)\***

\*(e) Limited Service Residential - Exception Five (LSR-E5) Zone:

Notwithstanding the Water Setback provisions of this By-law to the contrary, for the lands in the LSR-E5 Zone in Lot 30, Concession XII, the minimum water setback shall be 15 metres except as provided in Section 3.25(d)i) for accessory boat dock, etc.\*

**\*(By-law 2001-12)\***

\*(f) Limited Service Residential – Exception Six (LSR-E6) Zone:

Notwithstanding any other provisions of this By-law to the contrary, for the lands located within the Limited Service Residential – Exception Six (LSR-E6) Zone in part of Lot 1, Concession B and part of the road allowance along Mink Lake, in the geographic Township of Wilberforce, the following provisions shall apply:

- |     |                              |                      |
|-----|------------------------------|----------------------|
| i)  | Lot Area (minimum)           | 1600 m <sup>2</sup>  |
| ii) | Dwelling Unit Area (maximum) | 200 m <sup>2</sup> * |

**\*(By-law 2002-10)\***

\*(g) Limited Service Residential – Exception Seven (LSR-E7) Zone:

Notwithstanding any other provisions of this By-law to the contrary, for the lands located within the Limited Service Residential – Exception Seven (LSR-E7) Zone in part of Lots 6 and 7, Concession 7, in the geographic Township of Wilberforce, and more particularly described as Parts 4, 6, 9, 12, 13 and 14 on Reference Plan 49R-14938, The following provision shall apply:

- |    |                        |           |
|----|------------------------|-----------|
| i) | Lot Frontage (minimum) | 9 metres* |
|----|------------------------|-----------|

**\*(By-law 2007-35)\*****\*(h) Limited Service Residential – Exception Eight (LSR-E8) Zone:**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the Limited Service Residential – Exception Eight (LSR-E8) Zone in Part Lot 20, Concession 9, geographic Township of Wilberforce, the following provisions shall apply:

- i) Water Setback (minimum) 45 metres.\*

**\*(By-law 2010-38)\*****\*(i) Limited Service Residential – Exception Nine (LSR-E9) Zone**

Notwithstanding any other provision of this By-law to the contrary, for the lands in the LSR-E9 Zone within Part of Lot 9, Concession 8, geographic Township of Wilberforce, now in North Algona Wilberforce Township, and designated Part 1 on Reference Plan 49R-1581 and Part 10 on Reference Plan 49R-8435, an accessory building is permitted to be built on the lot before the principal or main use, building or structure has been built on the lot and the following provision shall apply:

- i) Side Yard Width (minimum) 1.5 metres\*

**\*(By-law 2011-30)\***

- \*ii) Water Setback – limited service dwelling (minimum) 22 metres\*

**\*(By-law 2016-18)\*****\*(j) Limited Service Residential – Exception Eleven (LSR-E11)**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located with the LSR-E11 Zone, in Part of Lots 17 & 18, Concession 17, in the geographic Township of Wilberforce, the following provision shall apply:

- ii) Lot Area (minimum) 2.3 hectares.\*

## SECTION 7 - REQUIREMENTS FOR GENERAL COMMERCIAL (GC) ZONES

### 7.1 PERMITTED USES

No person shall use any land or erect or use any building or structure in any GC Zone except for:

(a) Residential Uses

- an accessory dwelling unit, EXCEPT, in the case of an automobile service station or commercial garage where the accessory dwelling unit shall be a single detached dwelling.

(b) Non-Residential Uses

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>- animal hospital</li> <li>- automotive-car wash</li> <li>- automotive</li> <li>- commercial garage</li> <li>- automotive-gasoline bar</li> <li>- automotive-service station</li> <li>- automotive-store</li> <li>- automotive-vehicle sales or rental establishment</li> <li>- building supply store</li> <li>- business office</li> <li>- clinic</li> <li>- convenience store</li> <li>- day nursery</li> </ul> | <ul style="list-style-type: none"> <li>- furniture showroom and workshop</li> <li>- funeral home</li> <li>- garden centre</li> <li>- general service shop</li> <li>- home display and sales outlet</li> <li>- hotel</li> <li>- kennel</li> <li>- mini-storage establishment</li> <li>- motel</li> <li>- motor hotel</li> <li>- park</li> <li>- personal service shop</li> <li>- place of entertainment</li> <li>- post office</li> <li>- professional office</li> <li>- retail store including one in which the products are manufactured on the premises, provided that the space devoted to such manufacturing does not exceed 50% of the gross leasable floor area.</li> </ul> |
|--|---|

**\*(By-law 2001-16)\***

- \*eating establishment\*
- eating establishment, drive-in
- eating establishment, full service
- eating establishment, take out

## 7.2 **ZONE PROVISIONS**

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

- (a) Lot Area (minimum):
- |     |                             |  |
|-----|-----------------------------|--|
| i)  | hotel, motel or motor hotel | 2750 m <sup>2</sup> plus an additional 185 m <sup>2</sup> for each guest room in excess of four guest rooms. |
| ii) | other uses                  | 2025 m <sup>2</sup>  |
- (b) Lot Frontage (minimum):
- |      |  |           |
|------|--|-----------|
| i)   | automotive-gas bar,<br>automotive-service station,<br>automotive-commercial garage |           |
|      | - interior lot   | 35 metres |
|      | - corner lot   | 40 metres |
| ii)  | hotel, motel or motor hotel  | 46 metres |
| iii) | other uses   | 30 metres |
- (c) Lot Depth (minimum):
- |    |  |           |
|----|--|-----------|
| i) | automotive-gas bar,<br>automotive-service station,<br>automotive-commercial garage | 40 metres |
|----|--|-----------|
- (d) Front Yard Depth (minimum)  
and Exterior Side Yard Width (minimum):
- |     |   |            |
|-----|---|------------|
| i)  | hotel, motel, motor hotel<br>automotive-commercial garage,<br>automotive- vehicle sales or<br>rental establishment,<br>automotive-service station | 12 metres  |
| ii) | all other permitted uses  | 7.5 metres |

- (e) Interior Side Yard Width (minimum) 6 metres provided that where the side lot line abuts any Residential Zone, the minimum side yard width shall be 9.0 metres.
- (f) Rear Yard Depth (minimum) 7.5 metres provided that where the rear lot line abuts any Residential Zone, the minimum rear yard depth shall be 10.5 metres.
- (g) Lot Coverage (maximum) 33%
- (h) Building Height (maximum): 10.5 metres
- (i) Dwelling Unit Area (minimum):
- i) accessory single detached dwelling 55 m<sup>2</sup>
  - ii) other accessory dwelling unit 51 m<sup>2</sup>
- (j) Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.
- (k) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.
- (l) Separation Distance: In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
- (m) Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- (n) Additional Zone Provisions: In accordance with the provisions for Automotive Uses, Automotive-Commercial Garage, Gasoline Bar, Service Station in Section 3 - General Provisions of this By-law.
- (o) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

### 7.3 EXCEPTION ZONES

#### **\*(By-law 2000-12)\***

##### **\*(a) General Commercial - Exception One (GC-E1) Zone**

Notwithstanding the provisions of this By-law to the contrary, for the lands in the GC-E1 Zone in Lot 1, Lake Dore Range, a contractor's yard or shop shall be an additional permitted use in compliance with the requirements of the Zoning By-law, except as follows:

##### i) Applicable Provisions

A contractor's yard or shop shall comply with the Zone Provisions of the GC Zone that apply to an automotive-commercial garage.

##### ii) Buffer Strip

No person shall use land within the required yard for an automotive-commercial garage and a contractor's yard or shop for any purpose except a buffer strip and a driveway.\*

#### **\*(By-law 2001-16)\***

##### **\*(b) General Commercial – Exception Two (GC-E2) Zone**

Notwithstanding anything in this By-law to the contrary, on those lands described as part of Lot 19, Concession 9, geographic Township of Wilberforce and delineated as General Commercial – Exception Two (GC-E2) on Schedule “A” to this By-law, the following exception provision shall apply:

Dwelling Unit Area (minimum):

other accessory dwelling unit	45 m <sup>2</sup> *
-------------------------------	---------------------

#### **\*(By-law 2015-19)\***

##### **\*(c) General Commercial – Exception Three (GC-E3) Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands located at 263 Royal Pines Road, being described as part of Lot 27, Concession 13, geographic Township of Wilberforce, now in North Algona Wilberforce Township, and zoned General Commercial – Exception Three (CG-E3) on Schedule ‘A’ to this By-law, the following provisions shall apply:

##### i) The following uses shall be permitted in addition to the permitted uses of the General Commercial (GC) zone:

- warehouse for the storage and wholesale of automotive repair products, limited in scale to the gross floor area of the existing commercial structure within the zone
- automotive – body shop
- automotive repair training facility.\*



**SECTION 8 - REQUIREMENTS FOR HAMLET DEVELOPMENT (HD)  
ZONES****8.1 PERMITTED USES**

No person shall use any lot or erect, alter or use any building or structure in any HD Zone except for:

**(a) Residential Uses**

- accessory dwelling unit

**(b) Non-Residential Uses**

- artisan shop
- automotive - vehicle sales or rental establishment
- business office
- clinic
- convenience store
- day nursery
- eating establishment full service
- furniture showroom and workshop
- museum
- park
- post office
- professional office
- service shop, general
- service shop, personal
- place of entertainment
- eating establishment take-out

**8.2 ZONE PROVISIONS**

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

- |     |  |                 |
|-----|--|-----------------|
| (a) | Lot Area (minimum)   | 2025 sq. metres |
| (b) | Lot Frontage (minimum)   | 30 metres       |
| (c) | Front Yard Depth (minimum)<br>and Exterior Side Yard Width (minimum) | 7.5 metres      |
| (d) | Interior Side Yard Width (minimum)                                   | 6 metres        |

- 
- |     |   |  |
|-----|---|--|
| (e) | Rear Yard Depth (minimum)                 | 9 metres   |
| (f) | Lot Coverage (maximum)                    | 33%  |
| (g) | Building Height (maximum)                 | 10.5 metres  |
| (h) | Dwelling Unit Area (minimum):             |  |
|     | i) accessory single detached dwelling     | 55 square metres   |
|     | ii) other accessory dwelling unit         | 51 square metres   |
| (i) | Open Storage:                             | In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.   |
| (j) | Parking and Loading:                      | In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.  |
| (k) | Separation Distance:                      | In accordance with the provisions for Separation Distances in Section 3 - General Provisions of this By-law.   |
| (l) | Setbacks:                                 | In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.   |
| (m) | Accessory Uses, Buildings and Structures: | Notwithstanding any Zone provision of this zone to the contrary, uses buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law. |

**SECTION 9 - REQUIREMENTS FOR RECREATION COMMERCIAL (RC) ZONES****9.1 PERMITTED USES**

No person shall use any lot or erect, alter or use any building or structure in any RC Zone except for:

**(a) Residential Uses**

- accessory dwelling unit.

**(b) Non-Residential Uses**

- active recreation
- automotive - gas bar
- campground
- convenience store
- cottage establishment
- full service eating establishment
- golf course
- hotel
- marina
- miniature golf centre
- motel
- passive recreation
- place of entertainment
- private park
- public park
- recreational vehicle park
- resort
- riding stables
- take out eating establishment

**9.2 ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure

**(a) Lot Area (minimum):**

- |     |                           |              |
|-----|---------------------------|--------------|
| i)  | camping establishment     | 1.5 hectares |
| ii) | recreational vehicle park | 5 hectares   |

iii)	cottage establishment, hotel, motel, resort	2750 m <sup>2</sup> plus an additional 185 m <sup>2</sup> for each guest room or cottage in excess of 4
iv)	all other permitted uses	2750 m <sup>2</sup>
(b)	Lot Frontage (minimum)	46 metres
(c)	Front Yard Depth (minimum) and Exterior Side Yard Width (minimum)	12 metres
(d)	Interior Side Yard Width (minimum):	6 metres provided that where the side lot line abuts a Residential Zone, the minimum side yard width shall be 9 metres
(e)	Rear Yard Depth (minimum):	7.5 metres provided that where the rear lot line abuts a zone other than a Commercial Zone, the minimum rear yard depth shall be 10.5 metres.
(f)	Accessory Dwelling Unit Area (minimum)	55 m <sup>2</sup>
(g)	Building Height (maximum)	10.5 metres
(h)	Lot Coverage (maximum)	40%
(i)	Camp Site Density	50 per hectare based on the area of the entire campground
(j)	Recreational Vehicle Site Density	
i)	connected to individual on-site sewage system (maximum)	4 per hectare based on the area of the entire park provided that 2025 m <sup>2</sup> is deducted from the total area if an accessory dwelling unit is used or erected
ii)	connected to communal sewage system or not connected to any sewage system (maximum)	20 per hectare based on the area of the entire park

- (k) Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.
- (l) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.
- (m) Separation Distance: In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
- (n) Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- (o) Additional Zone Provisions: In accordance with the provisions for Automotive Uses in Section 3 - General Provisions of this By-law.
- (p) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

**\*(By-law 2001-14)\***

**\*9.3 EXCEPTION ZONES**

9.3.1 Recreation Commercial – Exception One (RC-E1) Zone:

Notwithstanding any provisions of this By-law to the contrary, for the lands located in the RC-E1 Zone within Lot 5 and Lot 6, Concession 6, and Lot 5, Concession 7, geographic Township of Wilberforce, the following uses shall be the only permitted uses:

- full service eating establishment
- golf course
- miniature golf center
- passive recreation
- private park
- public park
- take out eating establishment

Accessory uses, buildings and structures to the foregoing.\*

**\*(By-law 2003-01)\*****\*9.3.2 Recreation Commercial – Exception Two (RC-E2) Zone:**

Notwithstanding any provisions of this By-law to the contrary, for the lands located in the RC-E2 Zone within Lots 3 and 4, Concession 7, geographic Township of Wilberforce, the only permitted use shall be a golf course.\*

**\*(By-law 17-98)\*****\*9.3.3 Recreation Commercial – Exception Three (RC-E3) Zone:**

Notwithstanding the permitted uses of Section 9.1(b), certain provisions of Section 9.2 or any other provision of this By-law to the contrary, for the lands located within the RC-E3 Zone in Lot 5, Concession II, Township of Wilberforce, permitted uses shall be limited to the following:

## i) Permitted Non-Residential Uses

- active recreation
- campground
- cabin establishment
- convenience store
- full service eating establishment
- golf course
- miniature golf centre
- passive recreation
- private park
- public park
- recreational vehicle park
- riding stables
- take out eating establishment

provided that a full service eating establishment and a convenience store shall only be permitted as accessory uses to a recreational vehicle park or campground.

- ii) a) Number of Recreational Vehicle Sites and/or Camp Sites (maximum): Total of 75 sites
- b) Number and Size of Cabins (maximum): 2 cabins having a cabin dwelling unit area of 40 square metres per cabin
- iii) Designated Yard, Setback and Buffer Strip (minimum):

- a) Within the RC-E3 Zone, no person shall erect any building or structure, including accessory buildings and structures, within 30 metres of the Fourth Chute Road right-of-way limit or within 30 metres of the lot line of the lot described as Part 1 Plan 49R-9417. No land within this setback area shall be used for any purpose other than a buffer strip, except as required for ingress and egress driveways and except for a parking area within 80 metres of the easterly property line and having a minimum setback of 15 metres from the Fourth Chute Road right-of-way limit.

For the portion of the lands situated within 15 metres of the Fourth Chute Road right-of-way limit and between the lot line of the lot described as Part 1 on Plan 49R-9417 and the easterly property line, the buffer strip shall be landscaped with coniferous planting having a minimum height of 1 metre so as to provide a continuous opaque buffer strip, interrupted only by perpendicular driveways and/or walkways. Alternatively, a berm having a minimum height of 1 metre and planted with coniferous seedlings may be substituted for the said 1 metre high coniferous planting.

- b) A 1.2 metre high page wire fence shall be provided along the lot line of the lot described as Part 1 on Plan 49R-9417, such fencing to be constructed so as to minimize disturbance to existing vegetation and to include signs, spaced a maximum of 15 metres apart, indicating that the said lot is private property and that no trespassing is permitted.
- c) A buffer strip of coniferous seedlings shall be provided along the portion of the easterly property line which lies within 200 metres of Fourth Chute Road right-of-way limit.
- iv) Provisions for Special Recreational Events
- i. Special Recreational Event, in this section, means the temporary use of land or recreation facilities for purposes of active or passive recreation that are not normally incidental to or associated with the main use because the target market is broader than the clientele of the main use. A special recreational event is limited to one or more of the following: an exhibition, a fair, a music festival or other festival of the performing arts and a athletic competition. For purposes of this definition, “temporary” shall mean that the combined total duration of all special

recreational events shall not exceed seven days in a calendar year.

- ii. Parking (minimum): No person shall use any land or structure for a special recreational event unless a parking area or land suitable for temporary parking is designated for that purpose on a site plan pursuant to Section 41 of the *Planning Act* as follows:

The greater of 1 hectare or 1000 m<sup>2</sup> per 100 patrons.

Land suitable for temporary parking would not be required to be surfaced.\*

**\*(By-law 2003-15)\***

**\*9.3.4 Recreation Commercial – Exception Four (RC-E4) Zone:**

Notwithstanding any other provision of this By-law to the contrary, for the lands located within the RC-E4 Zone in Lot 5, Concession 1, geographic Township of Wilberforce, the permitted uses shall be limited to the following:

- i) Permitted Non-Residential Uses
- cabin establishment not exceeding 3 cabins
  - beach house
  - passive recreation
  - accessory uses, buildings and structures, including a maintenance building provided that a beach house and passive recreation uses shall only be permitted as accessory uses to a recreational vehicle park, campground or cabin establishment situated in the RC-E3 or RC-E4 zone.
- ii) Additional Zone Provisions
- cabin dwelling unit area (maximum) 40 square metres
  - beach house means a building or structure comprising change rooms, washrooms and showers, and which may also include a concession stall for the sale of convenience foods. A beach house shall not include any other use defined herein and, without limiting the generality of the foregoing, shall not include a full service or drive-in eating establishment.
  - The number of buildings on the site shall not exceed the following:
    - 3 cabins



- 1 beach house not exceeding 82 square metres in gross floor area
- 1 maintenance building not exceeding 30 square metres in gross floor space.
- Notwithstanding any provisions of the Zoning By-law to the contrary, the following provisions shall prevail:
  - Minimum Front (Fourth Chute Road) Yard: 15 metres, which shall be comprised of a continuous opaque vegetative buffer strip, interrupted only by driveways and/or walkways, and consisting of existing vegetation supplemented with additional coniferous planting having a minimum height of 1 metre.
  - Minimum Side Yards: 9 metres, which shall be comprised of continuous opaque vegetative buffer strips consisting of existing vegetation supplemented with additional coniferous planting having a minimum height of 1 metre.
  - Fencing: 1.2 metre high page wire fences shall be provided along both side lot lines, such fencing to be constructed so as to minimize disturbance to existing vegetation and to include signs, spaced a maximum of 15 metres apart, indicating that the abutting properties are private property and that no trespassing is permitted.\*

**\*(By-law 17-98)\***

**\*9.4 INTERIM USES AND STANDARDS (HOLDING)**

(a) RC-E3-h Lot 5, Concession II

Until such time that the holding symbol is removed from any of the land in this location zoned RC-E3-h, in accordance with the conditions set forth herein, no person shall use land or erect or use a building or structure except in accordance with the following:

(1) Permitted Uses

- existing uses in existing locations
- open space
- passive recreation that does not require a building

(2) Provisions for Permitted Uses

- |    |          |                   |
|----|----------|-------------------|
| i) | Lot Area | Existing Lot Area |
|----|----------|-------------------|

(3) Conditions for removal of Holding Symbol (h)

These conditions will be addressed in the approximate order as stated and all conditions must be satisfied prior to the passing of a by-law to remove the holding symbol:

- i) A site plan pursuant to Section 41 of the *Planning Act* for the development permitted under the RC-E3 Zone is submitted to the Municipality.
- ii) The proponent demonstrates, to Council's satisfaction, that the servicing systems (sewage and water systems) shown on the site plan meet the requirements of the approval authority.
- iii) Access to the development, including entrance location and design, meets engineering requirements to Council's satisfaction.
- iv) When all initial site plan matters are addressed to Council's satisfaction, the Municipality circulates a notice of submission of a site plan to every owner of property within 120 metres of the subject land indicating how and when the public will be given the opportunity to provide comments on the site plan.
- v) Council holds a public meeting to seek public input on the site plan.
- vi) Council determines what changes, if any, it requires to the site plan and advises the proponent accordingly.
- vii) Council gives final approval to the site plan whereupon a site plan agreement under Section 41 of the *Planning Act* is executed and registered on title.\*

**\*(By-law 2003-15)\*****\*(b) RC-E4-h Lot 5, Concession I**

Until such time that the holding symbol is removed from any of the land in this location zoned RC-E4-h, in accordance with the conditions set forth herein, no person shall use land or erect or use a building or structure except in accordance with the following:

(1) Permitted Uses

- existing uses in existing locations

- open space
- passive recreation that does not require a building

(2) Conditions for removal of Holding Symbol (h)

These conditions will be addressed in the approximate order as stated and all conditions must be satisfied prior to the passing of a by-law to remove the holding symbol:

- i) A site plan pursuant to Section 41 of the Planning Act for the development permitted under the RC-E4 Zone is submitted to the Municipality.
- ii) The proponent demonstrates, to Council's satisfaction, that the servicing systems (sewage and water systems) shown on the site plan meet the requirements of the approval authority.
- iii) Access to the development, including entrance location and design, meets engineering requirements to Council's satisfaction.
- iv) When all initial site plan matters are addressed to Council's satisfaction, the Municipality circulates a notice of submission of a site plan to every owner of property within 120 metres of the subject land indicating how and when the public will be given the opportunity to provide comments on the site plan.
- v) Council holds a public meeting to seek public input on the site plan.
- vi) Council determines what changes, if any, it requires to the site plan and advises the proponent accordingly.
- vii) Council gives final approval to the site plan whereupon a site plan agreement under Section 41 of the Planning Act is executed and registered on title.\*

**SECTION 10 - REQUIREMENTS FOR DISPOSAL INDUSTRIAL (DM) ZONES**

10.1 **PERMITTED USES**

No person shall use land or erect or use a building or structure in any DM Zone except for:

(a) Residential Uses

- prohibited

(b) Non-Residential Uses

- landfilling site
- transfer station including a transfer station as part of a hauled liquid and hazardous waste collection system.
- waste disposal site - composting
- waste disposal site - processing
- wrecking yard

10.2 **ZONE PROVISIONS**

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

(a) Yards (minimum):

	<u>Abutting Industrial Zone</u>	<u>Abutting Other Zone</u>
i) Front Yard Depth	22 metres	30 metres
ii) Interior Side Yard Width	15 metres	30 metres
iii) Rear Yard Depth	15 metres	30 metres
iv) Exterior Side Yard Width	22 metres	30 metres

(b) Buffer Strip:

No land in any DM Zone shall be used for any other purpose than a buffer strip within,

- i) three hundred (300 metres) of any Zone other than an industrial zone; and
- ii) twenty-two (22) metres of any street line.

- (c) Abandoned or Rehabilitated: No building shall be erected or constructed in a waste disposal site that has been abandoned or rehabilitated.
  
- (d) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this zone to the contrary, Uses, Buildings and Structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

**SECTION 11 - REQUIREMENTS FOR EXTRACTIVE INDUSTRIAL (EM) ZONES****11.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any EM Zone except for:

(a) Residential Uses

- prohibited

(b) Non-Residential Uses

- concrete manufacturing plant
- extractive industrial facility
- forestry
- limited farm

(c) Other Permitted Uses

- gravel pit
- quarry

**11.2 ZONE PROVISIONS**

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

(a) Lot Frontage 30 metres

(b) Yards (minimum): As required by the General Provisions of this By-law for Separation Distances (Section 3.24(b))

(c) Buffer Strip:

No land in any EM Zone shall be used for any other purpose than a buffer strip within a required yard.

(d) Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.

(e) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.

- (f) Separation Distance: In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
- (g) Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- (h) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this zone to the contrary, Uses, buildings and structure that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

**\*(By-law 2005-09)\***

**\*11.3 EXCEPTION ZONES**

- (a) Extractive Industrial – Exception One (EM-E1) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the Extractive Industrial – Exception One (EM-E1) Zone in part of Lot 12, Concession 25, geographic Township of Wilberforce, no extraction shall occur within 1 metre of the water table. All of the other provisions of the Extractive Industrial (EM) Zone continue to apply.

**11.4 INTERIM USES AND STANDARDS (Holding)**

- (a) Part of Lot 11, Concession 25, Geographic Township of Wilberforce

Until such time that the holding symbol is removed from the lands zoned EM-h in part of Lot 11, Concession 25, geographic Township of Wilberforce, in accordance with the criteria below, no person shall use land or erect or use a building or structure except in accordance with these provisions.

- i) Permitted Uses
- existing uses in existing location
  - farm, limited
  - forestry
  - hunting and fishing camp
  - mineral exploration
  - park
  - parking area for an existing use

ii) Criteria for the Removal of the Holding Symbol:

- i. Further hydrogeological investigation of the impact of excavation on groundwater flows.

(b) Part of Lot 12, Concession 25, Geographic Township of Wilberforce

Until such time that the holding symbol is removed from the lands zoned EM-E1-h in part of Lot 12, Concession 25, geographic Township of Wilberforce, in accordance with the criteria below, no person shall use land or erect or use a building or structure except in accordance with these provisions:

i) Permitted Uses

- existing uses in existing locations
- farm, limited
- forestry
- hunting and fishing camp
- mineral exploration
- park
- parking area for an existing use

ii) Criteria for the Removal of the Holding Symbol:

- i. The existing residential use ceases to exist.\*



**SECTION 12 - REQUIREMENTS FOR GENERAL INDUSTRIAL (GM) ZONES****12.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any GM Zone except for:

(a) Residential Uses

- accessory single detached dwelling

(b) Non-Residential Uses

- abattoir
- accessory business office
- automotive-body shop
- automotive-commercial garage
- concrete manufacturing plant
- contractor's yard or shop
- factory outlet
- fuel storage tank
- logging hauler
- manufacturing plant
- public garage
- sawmill
- stock removal operation
- transfer station
- truck or bus terminal
- warehouse
- waste disposal site - composting
- waste disposal site - processing
- welding shop
- any use permitted in the General Commercial (GC) Zone

**12.2 ZONE PROVISIONS**

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

- |     |                        |                     |
|-----|------------------------|---------------------|
| (a) | Lot Area (minimum)     | 4000 m <sup>2</sup> |
| (b) | Lot Frontage (minimum) | 30 metres           |
| (c) | Yards (minimum):       |                     |

	<u>Abutting an Industrial Zone</u>	<u>Abutting Other Zone</u>
i) Front Yard Depth	15 metres	22 metres
ii) Interior Side Yard Width	3 metres	22 metres
iii) Rear Yard Depth	9 metres	22 metres
iv) Exterior Side Yard Width	15 metres	22 metres

Provided that no side or rear yard is required along any portion of a lot line which abuts a railroad right-of-way.

- (d) Lot Coverage (maximum) 50%
- (e) Dwelling Unit Area (minimum) 55 m<sup>2</sup>
- (f) Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.
- (g) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.
- (h) Separation Distance: In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
- (i) Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- (j) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.
- (k) Additional Zone Provisions for Automotive Uses: In accordance with the provisions of the GC Zone for Automotive Uses and with Section 3 - General Provisions of this By-law.

**\*(By-law 2010-14)\***

**\*12.3 EXCEPTIONS**

(a) General Industrial-Exception One (GM-E1) Zone

Notwithstanding any other provision of this By-law to the contrary, for the lands in the GM-E1 Zone within part of Lot 15, Concession 8, geographic Township of Wilberforce, now in North Algona Wilberforce Township, and known as 8030 Highway 60, the following provision shall apply:

- i) Rear Yard Depth for existing buildings (minimum) 16 metres\*

**SECTION 13 - REQUIREMENTS FOR RESOURCE PROTECTION (RP) ZONES**

13.1 **PERMITTED USES**

No person shall use land or erect or use a building or structure in any RP except for:

(a) Residential Uses

- existing dwellings

(b) Non-Residential Uses

- accessory business office
- existing uses in existing locations
- farm produce sales outlet
- forestry
- limited farm
- passive recreation
- see also Section 3.14 Home Occupations

13.2 **ZONE PROVISIONS**

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

(a) Lot area (minimum):

- |     |                      |                   |
|-----|----------------------|-------------------|
| i)  | residential uses     | existing lot area |
| ii) | non-residential uses | 4 hectares        |

(b) Lot Frontage (minimum):

- |     |                      |                       |
|-----|----------------------|-----------------------|
| i)  | residential uses     | existing lot frontage |
| ii) | non-residential uses | 100 metres            |

(c) Front Yard Depth (minimum)  
and Exterior Side Yard Width (minimum) 10.5 metres

(d) Interior Side Yard Width (minimum) 3 metres

(e) Rear Yard Depth (minimum) 15 metres

(f) Building Height (maximum) 10.5 metres

- (g) Lot Coverage (maximum)
  - i) residential uses 33%
  - ii) non-residential uses 125% of existing lot coverage
- (h) Dwelling Unit Area (maximum) 125% of existing dwelling unit area
- (i) Gross Floor Area for non-residential 10 m<sup>2</sup> uses, and for accessory buildings and structures (maximum)
- (j) Setbacks: In accordance with the provisions for setbacks in Section 3 - General Provisions of this By-law.
- (k) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this zone to the contrary, Uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

**\*(By-law 2011-40)\***

**\*13.3 EXCEPTIONS**

(a) Resource Protection-Exception One (RP-E1)

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RP-E1 Zone within Part of Lot 14, Concession 20, in the geographic Township of Wilberforce, now in North Algona Wilberforce Township, and known as 672 Reiche Road, the following provision shall apply:

- i) Lot frontage (minimum) 10 metres

(b) Resource Protection-Exception Two (RP-E2)

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RP-E2 Zone within Part of Lot 14, Concession 20, in the geographic Township of Wilberforce, now in North Algona Wilberforce Township, and known as 672 Reiche Road, the following provisions shall apply:

- i) Lot area (minimum) 1 hectare
- ii) Lot frontage (minimum) 45 metre

<b>SECTION 14 - REQUIREMENTS FOR AGRICULTURE (A) ZONES</b>
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**14.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any A Zone except for:

**(a) Residential Uses**

- one dwelling unit accessory to a farm and such dwelling may be a mobile home
- single detached dwelling on an existing lot, or on a lot legally created
- group home in existing dwelling in accordance with the provisions for Group Homes in Section 3.0 - General Provisions of this By-law

**(b) Non-Residential Uses**

- bed and breakfast accessory to a farm
- existing private airfield
- farm
- farm, limited
- farm produce sales outlet
- forestry
- see also Section 3.13 Home or Farm Industry and Section 3.14 Home Occupations

**14.2 ZONE PROVISIONS**

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

**(a) Lot Area (minimum):**

- |     |                          |                     |
|-----|--------------------------|---------------------|
| i)  | single detached dwelling | 2025 m <sup>2</sup> |
| ii) | other permitted uses     | 20 hectares         |

**(b) Lot Frontage (minimum):**

- |     |                          |            |
|-----|--------------------------|------------|
| i)  | single detached dwelling | 30 metres  |
| ii) | other permitted uses     | 150 metres |

- (c) Front Yard Depth and Exterior Side Yard Width (minimum):
- |     |                               |            |
|-----|-------------------------------|------------|
| i)  | farm buildings and structures | 12 metres  |
| ii) | other permitted uses          | 7.5 metres |
- (d) Interior Side Yard Width:
- |     |                               |          |
|-----|-------------------------------|----------|
| i)  | farm buildings and structures | 9 metres |
| ii) | other permitted uses          | 3 metres |
- (e) Rear Yard Depth:
- |     |                               |            |
|-----|-------------------------------|------------|
| i)  | farm buildings and structures | 15 metres  |
| ii) | other permitted uses          | 7.5 metres |
- (f) Lot Coverage (maximum):
- |     |                               |     |
|-----|-------------------------------|-----|
| i)  | farm buildings and structures | 20% |
| ii) | other permitted uses          | 33% |
- (g) Dwelling Unit Area (minimum) 55 m<sup>2</sup>
- (h) Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.
- (i) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.
- (j) Separation Distance: In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
- (k) Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- (l) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

**\*(By-law 2004-05)\***

**\*14.3 EXCEPTION ZONES**

(a) Agriculture – Exception One (A-E1) Zone:

Notwithstanding the provisions of Subsection 3.24(a)(i) to the contrary, for the lands located in the Agriculture-Exception One (A-E1) Zone in part of Lot 1, Concession 23, geographic Township of Wilberforce, a single detached dwelling is permitted. All of the other provisions of the Agriculture (A) Zone continue to apply.\*



<b>SECTION 15 - REQUIREMENTS FOR RURAL (RU) ZONES</b>
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**15.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any RU Zone except for:

**(a) Residential Uses**

- single detached dwelling
- semi-detached dwelling
- duplex dwelling
- vacation dwelling
- group home in accordance with the provisions for Group Homes in Section 3 - General Provisions of this By-law.

**(b) Non-Residential Uses**

- boarding stable
- existing private airfield
- farm
- farm, limited
- farm produce sales outlet
- forestry
- hunting and fishing camp
- logging hauler
- mineral exploration
- private club
- private park
- public park
- transmitter tower
- see also Section 3.13 Home or Farm Industry and Section 3.14 Home Occupations

**15.2 ZONE PROVISIONS**

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

**(a) Lot Area (minimum):**

- |      |                          |                     |
|------|--------------------------|---------------------|
| i)   | single detached dwelling | 2025 m <sup>2</sup> |
| ii)  | duplex dwelling          | 3065 m <sup>2</sup> |
| iii) | semi-detached dwelling   | 3065 m <sup>2</sup> |

iv)	semi-detached dwelling unit (each unit on a separate lot)	1532 m <sup>2</sup>
v)	other permitted uses	2 hectares
(b)	Lot Frontage (minimum)	
i)	single detached dwelling	30 m
ii)	duplex dwelling	35 m
iii)	semi-detached dwelling	40 m
iv)	semi-detached dwelling unit (each unit on a separate lot)	20 m
v)	other permitted uses	50 m
(c)	Lot Frontage, Shoreline (minimum)	30 metres
(d)	Front Yard Depth (minimum)	15 metres
(e)	Interior Side Yard Width (minimum):	
i)	farm buildings and structures, logging hauler	9 metres
ii)	other permitted uses	3 metres
(f)	Exterior Side Yard Width (minimum)	15 metres
(g)	Rear Yard Depth (minimum):	
i)	farm buildings and structures	15 metres
ii)	other permitted uses	7.5 metres
(h)	Dwelling Unit Area (minimum)	55 m <sup>2</sup>
(i)	Gross Floor Area (maximum) for Mineral Exploration	9.3 m <sup>2</sup>
(j)	Lot Coverage (maximum):	
i)	farm buildings and structures	20%
ii)	other permitted uses	33%
(k)	Buffer Strip:	

No land on the lot of a logging hauler use shall be used for any other purpose than for a buffer strip within,

- nine (9.0) metres of a lot in any zone other than an Industrial Zones
- fifteen (15.0) metres of any street line

- (l) Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.
- (m) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.
- (n) Separation Distance: In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
- (o) Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- (p) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

### 15.3 **EXCEPTIONS**

(a) Rural - Exception One (RU-E1) Zone:

Notwithstanding any provisions of this By-law to the contrary, for the lands located within the RU-E1 Zone adjacent to the Lake Dore wetland, and adjacent to the Wilber Lake (Mud Lake) Wetland the only permitted uses shall be,

- i) existing farms, provided that no new building is constructed;
- ii) other existing uses in their existing locations, provided that no new building is constructed but existing buildings or structures may be repaired, renovated or altered if there is no increase in lot coverage;
- iii) passive recreation.

(b) Rural - Exception Two (RU-E2) Zone:

Notwithstanding any other provisions of this by-law to the contrary, for the lands located in the RU-E2 Zone within Part of Lot 9, Concession XVIII, a seasonal dwelling and two existing cabins shall be a permitted use. Cabin shall be defined as follows:

- i) Cabin: means a building to accommodate one or more guests that does not contain sanitary sewage system facilities.

(c) Rural - Exception Three (RU-E3) Zone:

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the Rural - Exception Three (RU-E3) Zone in parts of Lots 5, 7, 8, 9 and 10, Lake Dore Range and parts of Lots 16 & 17, Concession XIII, and the shore allowance fronting said lots, the parcels of land created by the closure and disposition of shore road allowance, and the uses thereof, shall be deemed not in contravention of the By-law for the purposes of the disposition only. Further, the following provisions shall apply once the disposition is complete:

- i) Permitted Uses: Seasonal Dwelling and uses accessory thereto.
- ii) Undersized Lots: Where the parcel of land created by the closure and disposition of shore road allowance, and the buildings and structures thereon, have less than the lot area, lot frontage, yard depth or width, or setbacks required by the By-law, a seasonal dwelling existing when the application for the closure of the shore road allowance was made may be used, renovated, repaired, replaced or improved, and uses, buildings or structures accessory thereto established provided that:
  - i. there is not any change in the use;
  - ii. any alteration does not increase the area of land covered by the said building, and does not increase the net floor area;
  - iii. there is not any new or increased encroachment on any required yard or setback, but any new septic tank and tile field, excavation or other accessory structure shall be required to meet the water setback of fifteen (15) metres.

(d) Rural - Exception Four (RU-E4) Zone:

Notwithstanding any provision of this By-law to the contrary, for the lands located in the RU-E4 Zone in Lot 19, Con. X, the minimum required rear yard depth for a dwelling shall be 5.75 metres.

(e) Rural - Exception Five (RU-E5) Zone:

Notwithstanding any provisions of this by-law to the contrary, for the lands located in the Rural-Exception Five (RU-E5) Zone, within Lot 14, Concession VIII, Township of Wilberforce, a lumber yard which will include a business office, dry kiln, and warehouse for the storage of lumber shall be permitted but shall not include a building supply store as defined elsewhere in this by-law.

**\*(By-law 99-04)\*****\*(f) Rural - Exception Six (RU-E6) Zone:**

Notwithstanding the permitted uses of Section 15.1 or any other provisions of this By-law to the contrary, for the lands in the RU-E6 Zone in Lot 6, Concession XXII, an automotive - vehicle sales or rental establishment shall be an additional permitted use. The automotive - vehicle sales or rental establishment may be used on the same lot as a permitted residential use and the following exception provisions shall apply for the automotive - vehicle sales or rental establishment:

- |     |                                    |        |
|-----|------------------------------------|--------|
| i)  | Front Yard Depth (minimum)         | 7.5 m  |
| ii) | Interior Side Yard Width (minimum) | 6.0 m* |

**\*(By-law 2009-36)\*****\*(f) Rural - Exception Six (RU-E6) Zone**

Notwithstanding any other provisions of this By-law to the contrary, for the lands in the Rural- Exception Six (RU-E6) Zone in Lot 6, Concession XXII, and known municipally as 38247 Highway 41, upholstery shop and a woodworking shop shall be additional permitted uses and the following exception provision shall apply:

- |    |  |
|----|--|
| i) | Interior Side Yard Width for existing buildings (minimum): 1.5 metres* |
|----|--|

**\*(By-law 99-20)\*****\*(g) Rural - Exception Seven (RU-E7) Zone:**

Notwithstanding the provisions of Section 3.8 and the permitted uses of Section 15.1, or any other provisions of this By-law to the contrary, for the lands in the RU-E7 Zone in Lot 4, Lake Dore Range, one further dwelling unit shall be permitted in addition to a permitted semi-detached or duplex dwelling, and the following exception provisions shall apply:

- |      |   |   |
|------|---|---|
| i)   | Dwelling Units Per Lot (maximum)          | 3   |
| ii)  | Lot Area (minimum) X three dwelling units | 4046 m <sup>2</sup>   |
| iii) | Dwellings Per Lot:                        | Not more than two buildings used as dwellings shall be erected or used on this lot* |

**\*(By-law 2000-13)\*****\*(h) Rural - Exception Eight Zone (RU-E8)**

Notwithstanding the provisions of Subsection 15.2(b) of this By-law to the contrary, for the lands in the RU-E8 Zone in Lot 17, Concession XIII, Geographic Township of Wilberforce, the required minimum lot frontage for a single detached dwelling shall be 15 metres.\*

**\*(By-law 2001-15)\*****\*(i) Rural – Exception Nine (RU-E9) Zone:**

Notwithstanding anything in this By-law to the contrary, on those lands described as part of Lot 5, Concession 22, geographic Township of Wilberforce and delineated as Rural – Exception Nine (RU-E9) on Schedule “A” to this By-law, two single detached dwellings shall be permitted on one lot.\*

**\*(By-law 2003-16)\*****\*(j) Rural – Exception Ten (RU-E10) Zone:**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the Rural – Exception Ten (RU-E10) Zone in part of Lot 15, Concession 18, geographic Township of Wilberforce, and more particularly described as Parts 11 & 12 on Reference Plan 49R-10562, the land created by the closure and disposition of shore road allowance, and the uses thereof, shall be deemed not in contravention of the By-law. In the RU-E10 Zone, the only permitted uses shall be existing buildings in existing locations, and open space. Enlargement of the existing buildings is prohibited.\*

**\*(By-law 2003-18)\*****\*(k) Rural – Exception Eleven (RU-E11) Zone:**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the Rural – Exception Eleven (RU-E11) Zone in part of Lots 28 and 29, Concession 12, geographic Township of Wilberforce, the selling of books in the existing private garage shall be permitted.\*

**\*(By-law 2005-04)\*****\*(l) Rural – Exception Twelve (RU-E12) Zone:**

Notwithstanding subsection 3.24(a)(iii) or any other provisions of this By-law to the contrary, for the lands located in the Rural – Exception Twelve (RU-E12) Zone in part of Lot 13, Concession 24, geographic Township of Wilberforce, a single detached dwelling is permitted. All of the other provisions of the Rural (RU) Zone continue to apply.\*

**\*(By-law 2006-29)\*****\*(m) Rural – Exception Thirteen (RU-E13) Zone:**

Notwithstanding Section 15.2(b)(i) of this By-law to the contrary, for the lands located in the Rural-Exception Thirteen (RU-E13) Zone in part of Lot 23, Concession 15, geographic Township of Wilberforce, the minimum required lot frontage for a single detached dwelling shall be 19.0 metres.\*

**\*(By-law 2006-40)\*****\*(n) Rural – Exception Fourteen (RU-E14) Zone:**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the Rural-Exception Fourteen (RU-E14) Zone in part of Lot 16, Concession 11, geographic Township of Wilberforce, a sawmill and lumberyard, which may include a business office, dry kiln and warehouse for storage of lumber, shall be permitted but shall not include a building supply store as defined elsewhere in this by-law.\*

**\*(By-law 2007-14)\*****\*(o) Rural – Exception Fifteen (RU-E15) Zone:**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the Rural – Exception Fifteen (RU-E15) Zone in West Half Lot 17, Concession 18, geographic Township of Wilberforce, a bed and breakfast establishment shall be permitted. For the purpose of the RU-E15 zone, a bed and breakfast establishment may contain up to 3 rooms for rent as short term accommodations.\*

**\*(By-law 2007-35)\*****\*(p) Rural – Exception Sixteen (RU-E16) Zone:**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the Rural – Exception Sixteen (RU-E16) Zone in Part Lot 20, Concession 9, geographic Township of Wilberforce, the following provisions shall apply:

- i) Water Setback (minimum) 45 metres.\*

**\*(By-law 2007-45)\*****\*(q) Rural – Exception Seventeen (RU-E17) Zone:**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E17 Zone in part of Lot 11, Concession 21, geographic Township of Wilberforce, residential uses shall not be permitted. Any future application for a zoning by-law amendment to permit a residential use will

require a planning justification study in accordance with Section 14.3(6) of the County of Renfrew Official Plan.\*

**\*(By-law 2009-31)\***

**\*(r) Rural – Exception Eighteen (RU-E18)**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E18 Zone within part of Lot 11, Concession 22, geographic Township of Wilberforce, now in the Township of North Algona Wilberforce, known municipally as 892 Green Lake Road and delineated as Rural-Exception Eighteen (RU-E18) on Schedule “A” to this By-law, a single detached dwelling is permitted to be build within 30 metres of land zoned Extractive Industrial (EM) or Resource Protection (RP).\*

**\*(By-law 2010-36)\***

**\*(s) Rural – Exception Nineteen (RU-E19)**

Notwithstanding any other provision of this By-law to the contrary, for the lands in the RU-E19 Zone within Part of Lot 21, Concession 18, geographic Township of Wilberforce, now in North Algona Wilberforce Township, and known as 1340 Lake Dore Road, a single detached dwelling may be erected within 75 metres of land zoned Environmental Protection (EP).\*

**\*(By-law 2011-39)\***

**\*(t) Rural – Exception Twenty (RU-E20)**

Notwithstanding any other provisions of the By-law to the contrary, for the lands located in the RU-E20 Zone within Part of Lot 11, Concession 22, in the geographic Township of Wilberforce, and known as 892 Green Lake Road, a dwelling is exempt from the minimum required separation distance from lands zone Extractive Industrial (EM) and Resource Protection (RP).\*

**\*(By-law 2012-04)\***

**\*(u) Rural – Exception Twenty One (RU-E21)**

Notwithstanding any other provisions of the By-law to the contrary, for the lands located in the RU-E21 Zone within Part of Lot 13, Concession 6, in the geographic Township of Wilberforce, now in North Algona Wilberforce Township, and known as 1206 Grist Mill Road, no dwellings are permitted.\*



**\*(By-law 2012-14)\*****\*(v) Rural – Exception Twenty Two (RU-E22)**

Notwithstanding any other provisions of the By-law to the contrary, for the lands located in the RU-E22 Zone within Part of Lot 1, Concession 1, in the geographic Township of Wilberforce, now in North Algona Wilberforce Township, a dwelling is exempt from the minimum required separation distance from lands zoned Extractive Industrial (EM) and Resource Protection (RP).\*

**\*(By-law 2016-61)\*****\*(w) Rural – Exception Twenty Three (RU-E23)**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E23 Zone, located in Lot 36, Concession 18, in the geographic Township of Wilberforce, the following exception provision shall apply:

- i) Lot Frontage (minimum) 0 metres.\*

**\*(By-law 2018-05)\*****\*(x) Rural – Exception Twenty Four (RU-E24)**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E24 Zone, located in Part of Lot 5, Concession 22, in the geographic Township of Wilberforce, a granny suite shall be permitted in a mobile home as an accessory use to the existing dwelling.\*

(y)

**\*(By-law 2015-48)\*****\*(z) Rural – Exception Twenty Six (RU-E26)**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E26 Zone, known as 48 Gurlitz Road, being part of Lot 5, Concession 2, in the geographic Township of Wilberforce, in addition to the existing buildings and structures, a single detached dwelling, and all the other uses in the Rural (RU) Zone, are also permitted.\*

**15.4 INTERIM USES AND STANDARDS (Holding)****(a) Lots 11 to 14, Concession XXV**

Until such time that the holding symbol is removed from any lands in lots zoned RU-h, in accordance with the criteria below, no person shall use land or erect or use a building or structure except in accordance with these provisions:

- 
- i) Lot Area (minimum): Existing Lot Area
- ii) Permitted Uses:
- existing uses in existing locations
  - farm, limited
  - forestry
  - hunting and fishing camp
  - mineral exploration
  - park
  - parking area for an existing use
  - transmitter tower
- iii) Criteria For The Removal Of The Holding Symbol:
- i. Council's acceptance, after consulting the Township of Alice and Fraser and the Ministry of the Environment and Energy, of ground water monitoring studies and other appropriate technical studies that show how the development is acceptable in relation to the potential presence of leachate from the landfilling site in Alice Township.
  - ii. Council's acceptance of the site plans and drawings required under the Township's Site Plan Control By-law;
  - iii. the finalization of a site plan agreement; and
  - iv. the fulfilment of any financial requirements by the developer, as required by the site plan agreement.

<b>SECTION 16 - REQUIREMENTS FOR ENVIRONMENTAL PROTECTION (EP) ZONES</b>
--

**16.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any EP Zone except for:

**(a) Residential Uses**

- existing dwelling

**(b) Non-Residential Uses**

- dam or other water control structure
- erosion control structure
- existing farm
- forestry
- landscaped open space
- limited farm
- parking area
- passive recreation
- private park
- public park

**16.2 ZONE PROVISIONS**

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

- |     |  |             |
|-----|--|-------------|
| (a) | Front Yard Depth (minimum)   | 10.5 metres |
| (b) | Side Yard Width (minimum)  | 5 metres    |
| (c) | Rear Yard Depth (minimum)  | 15 metres   |
| (d) | Lot Coverage (maximum)   | 1%          |
| (e) | Building Height (maximum)  | 5 metres    |
| (f) | Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section |             |

3.0 General Provisions of this By-law provided that the gross floor area of such accessory buildings and structures shall not exceed (9.0) m<sup>2</sup>.

### 16.3 **EXCEPTION ZONES**

(a) Environmental Protection - Exception One (EP-E1) Zone:

Notwithstanding any provisions of this By-law to the contrary, for the lands located within the EP-E1 Zone, being the Shaw Woods Located mainly in Lots A & 1, Lake Dore Range, Lots 5 & 6 Concession XVII, Lot 5, Concession XVI, Lots 4 & 5, Concession XV, the only permitted uses shall be,

- natural area
- recreation, passive.

(b) Environmental Protection - Exception Two (EP-E2) Zone:

Notwithstanding any provisions of this By-law to the contrary, for the lands located within the EP-E2 Zone, being the Bonnechere Caves landform in Lot 6, Concession II, the only permitted uses shall be,

- guided tours
- natural area
- recreation, passive
- uses and accessory structures necessary for the preservation or interpretation of the landform.

<b>SECTION 17 - REQUIREMENTS FOR OPEN SPACE (OS) ZONES</b>
--

**17.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any OS Zone except for:

(a) Residential Uses

- prohibited

(b) Non-Residential Uses

- buffer strip
- golf course
- landscaped open space
- natural area
- passive recreation
- private park
- public park

**17.2 ZONE PROVISIONS**

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

- |     |   |          |
|-----|---|----------|
| (a) | Lot Area (minimum)  | NIL      |
| (b) | Front Yard Depth (minimum)  | NIL      |
| (c) | Side Yard Width (minimum)   | NIL      |
| (d) | Rear Yard Depth (minimum)   | NIL      |
| (e) | Building Height (maximum)   | 5 metres |
| (f) | Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law. |          |

<b>SECTION 18 - REQUIREMENTS FOR COMMUNITY FACILITY (CF) ZONES</b>
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**18.1 PERMITTED USES**

No person shall use land, or erect or use a building or structure in any CF Zone except for:

**(a) Residential Uses**

- accessory single detached dwelling
- home for the aged
- nursing home
- senior citizens home

**(b) Non-Residential Uses**

- assembly hall
- camp, recreation
- cemetery
- church
- clinic
- community centre
- day nursery
- park
- private club
- public building
- public garage
- religious education facility
- school
- transfer station

**18.2 ZONE PROVISIONS**

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

- |     |                            |                     |
|-----|----------------------------|---------------------|
| (a) | Lot Area (minimum)         | 2025 m <sup>2</sup> |
| (b) | Lot Frontage (minimum)     | 30 metres           |
| (c) | Front Yard Depth (minimum) | 10.5 metres         |

- (d) Interior Side Yard Width (minimum) 5 metres or 2 the height of the building, whichever is greater
- (e) Exterior Side Yard Width (minimum) 10.5 metres
- (f) Rear Yard Depth (minimum) 15 metres
- (g) Dwelling Unit Area (minimum) 65 m<sup>2</sup>
- (h) Lot Coverage (maximum) 40%
- (i) Building Height (maximum) 10.5 metres
- (j) Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.
- (k) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.
- (l) Separation Distance: In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
- (m) Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.

### 18.3 **EXCEPTION ZONES**

#### (a) Community Facility - Exception One

Notwithstanding any other provisions of this By-law to the contrary, for the lands located within the Community Facility - Exception One Zone in Lot 35, Con. XIII and XIV, all land uses shall be restricted only to those permitted uses which are associated with a recreation camp.

#### **\*(By-law 2001-04)\***

#### **\*(b) Community Facility – Exception Two (CF-E2) Zone**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located within the Community Facility – Exception Two (CF-E2) Zone in part of Lot 35, Concession XIII and XIV, geographic Township of Wilberforce, all land uses shall be restricted only to those permitted uses which are associated with a recreation camp.

One of the following uses is also permitted:

- i) a mobile home as a second dwelling unit on the property;  
or
- ii) a mobile home for the temporary accommodation of guests;  
or
- iii) a single detached dwelling as a second dwelling unit on the property.\*



**SECTION 19 - ENACTMENT**

This by-law shall become effective on the date of passing by Council.

This by-law read a FIRST and SECOND time this \_\_\_\_\_ day of  
\_\_\_\_\_ 19\_\_\_\_\_.

This by-law read a THIRD time and finally passed this \_\_\_\_\_ day of  
\_\_\_\_\_ 19\_\_\_\_\_.

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
CLERK

## METRIC CONVERSION

### NOTES ON METRIC MEASURES

This By-law is written wholly using metric measures. In compliance with standards of the Metric Commission, all metric units are written in international abbreviations, SI (Systems International). The symbols to this By-law are as follows:

m	-	metre or metres
m <sup>2</sup>	-	square metre or square metres
ha	-	hectare or hectares

A conversion table for the metric measures used in this By-law is provided below, showing their imperial equivalents.

#### LINEAR MEASURES:

General conversion factors:	feet	=	metres ÷ 0.3048
	or		
	feet	=	metres x 3.2808
	metres	=	feet x 0.3048

#### AREA MEASURES:

General conversion factors:	Square feet	=	square metres ÷ 0.0929
	or		
	Square feet	=	square metres x 10.7643
	acres	=	hectares ÷ .4047
	or		
	acres	=	hectares x 2.471
	hectares	=	acres x 0.4047

#### DENSITY MEASURES

General Conversion Factors:

Units/hectare	=	units per acre x 2.471
Units/acre	=	units per hectare ÷ 2.471

#### EQUIVALENTS

1 hectare	=	10,000 square metres
1 acre	=	43,560 square feet

## NOTES ON METRIC MEASURES CON'T

### SPECIFIC LINEAR CONVERSIONS

EXACT			APPROXIMATE				
0.3 m	=	0.98 ft.	1 ft.	15.0 m	=	49.21 ft.	50 ft.
0.5 m	=	1.64 ft.	20 inches	18.0 m	=	59.06 ft.	60 ft.
0.6 m	=	1.97 ft.	2 ft.	22.0 m	=	72.18 ft.	72 ft.
0.7 m	=	2.30 ft.	28 inches	30.0 m	=	98.43 ft.	100 ft.
0.9 m	=	2.95 ft.	3 ft.	35.0 m	=	114.83 ft.	115 ft.
1.0 m	=	3.28 ft.	39 inches	38.0 m	=	124.67 ft.	125 ft.
1.5 m	=	4.92 ft.	5 ft.	40.0 m	=	131.23 ft.	133 ft.
2.0 m	=	6.56 ft.	6.5 ft.	46.0 m	=	150.92 ft.	150 ft.
2.5 m	=	8.20 ft.	8 ft.	50.0 m	=	164.04 ft.	165 ft.
2.7 m	=	8.86 ft.	9 ft.	53.0 m	=	173.88 ft.	175 ft.
3.0 m	=	9.84 ft.	10 ft.	60.0 m	=	196.85 ft.	200 ft.
4.0 m	=	13.12 ft.	13 ft.	75.0 m	=	246.06 ft.	250 ft.
5.5 m	=	18.04 ft.	18 ft.	90.0 m	=	295.28 ft.	300 ft.
6.0 m	=	19.69 ft.	20 ft.	100.0 m	=	328.08 ft.	330 ft.
7.5 m	=	24.61 ft.	25 ft.	120.0 m	=	393.70 ft.	400 ft.
9.0 m	=	29.53 ft.	30 ft.	150.0 m	=	492.13 ft.	500 ft.
10.0 m	=	32.81 ft.	33 ft.	180.0 m	=	590.55 ft.	600 ft.
10.5 m	=	34.45 ft.	35 ft.	200.0 m	=	656.17 ft.	660 ft.
12.0 m	=	39.37 ft.	40 ft.	750.0 m	=	2460.63 ft.	2500 ft.

## SPECIFIC AREA CONVERSIONS

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