

TOWNSHIP OF ATHENS
ZONING BY-LAW NO. 2013-10

AUGUST 2016 OFFICE CONSOLIDATION

As Adopted by Council on September 3, 2013

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IMPORTANT NOTICE

This document is an office consolidation of the Township's Comprehensive Zoning By-law No. 2013-10, as amended, and has been prepared for ease of reference. While every attempt has been made to ensure the accuracy of this consolidation, in the event of a discrepancy between it and Zoning By-law No. 2013-10, and amendments thereto, the original by-laws shall prevail.

THE CORPORATION OF

TOWNSHIP OF ATHENS

BY-LAW NO. 2013-10

**A by-law to regulate the use of lands and the character,
location and the use of buildings and structures in Township of Athens**

WHEREAS the *Planning Act, R.S.O., 1990, Chapter P.13*, as amended, provides that the council of a municipal corporation may pass by-laws to regulate the use of land and the character, location, density, size and use of buildings and structures;

NOW THEREFORE, the Council of the Corporation of Township of Athens enacts as follows:

THE CORPORATION OF

TOWNSHIP OF ATHENS

BY-LAW NO. 2013-10

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SECTION 1 – APPLICATION AND INTERPRETATION**1.1 Title of By-law**

This By-law may be cited as the “Zoning By-law” of the Township of Athens.

1.2 Scope of By-law

1. The provisions of this By-law shall apply to all lands within the geographic limits of the Corporation of Township of Athens, as shown on Schedule A attached hereto. This By-law shall also apply to any lands not shown on the Schedule created through the filling of water bodies, alteration of shorelines or other means, as well as to any portion of the bed of any water body where a license of occupation or lease has been issued by a relevant approval authority. Such areas shall not be used for any purpose other than a conservation use unless the Corporation has zoned such areas through an amendment to this By-law, regardless of whether or not required approvals from the relevant approval authorities have been obtained.
2. No building or structure shall hereafter be erected, altered or enlarged, nor shall the use of any building, structure or lot hereafter be changed, in whole or in part, except in conformity with the provisions of this By-law.
3. Nothing in this By-law shall prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this By-law, provided that it continues to be used for such purpose.
4. Nothing in this By-law shall prevent the erection of any building or structure for a purpose prohibited by this By-law if the building permit for such building or structure was issued by the Chief Building Official prior to the date of passing of this By-law, provided that:
 - When the building or structure is erected, it continues to be used for the purpose for which the building permit was issued; and
 - Provided that the building permit has not been revoked.
5. This By-law shall not be effective to reduce or mitigate any restrictions imposed by a governmental authority having jurisdiction to make such restrictions and, without limiting the generality of the foregoing, shall include conservation authorities.
6. All references to Provincial Acts or Regulations shall refer to the current Act or Regulation. All references to the *Planning Act* shall refer to the *Planning Act, R.S.O., 1990, Chapter P.13*, as amended.

1.3 Interpretation of By-law

1. In this By-law, unless the context requires otherwise, words used in the singular shall include the plural and words used in the plural shall include the singular.
2. In this By-law, the word “shall” is mandatory and “may” is permissive.
3. In this By-law, unless the context requires otherwise, the word “used” shall include “designed to be used” and “arranged to be used”, and the word “occupied” shall include “designed to be occupied” and “arranged to be occupied”.

1.4 Schedules to By-law

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

- Schedule A

1.5 Zoning Administrator

This By-law shall be administered by the Zoning Administrator.

1.6 Issuance of Building Permits, Certificates and Licenses

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

1.7 Certificate of Occupancy

No change shall be made in the type of use of land, buildings or structures within any zone without first obtaining a Certificate of Occupancy from the Corporation, pursuant to any Township Occupancy Permit By-law that may be enacted.

1.8 Request for Amendment to Zoning By-law

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

1.9 Inspection

The Zoning Administrator, the Chief Building Official or any other officer or employee of the Corporation acting under the direction of Council is hereby authorized to enter at all reasonable hours upon any property or premises for the purpose of carrying out his duties under this By-law. Notwithstanding the foregoing, a dwelling unit shall not be entered without the consent of the occupant except under the authority of a search warrant.

1.10 Violations and Penalties

Any person convicted of a breach of any of the provisions of this By-law shall be liable to a fine in accordance with the provisions of the *Planning Act* and every penalty shall be recoverable under the *Provincial Offences Act*.

1.11 Remedies

Where any building or structure is to be erected or altered, or any part thereof is to be used, or any

lot is to be used, in contravention of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation pursuant to the provisions of the *Planning Act* or the *Municipal Act*.

1.12 Validity

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

1.13 Typographical and Formatting Modifications

No amendment to this By-law shall be required in order for the Corporation to make:

- Typographical or formatting modifications such as spelling, grammar, punctuation and section numbering changes where, in the opinion of the Corporation, such modifications do not affect the intent of the By-law;
- Deletions, additions or revisions to technical information on Schedule A that do not affect the intent with respect to the zoning of lands.

1.14 Existing By-laws

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

- Comprehensive Zoning By-law No. 89-6 of the former Village of Athens;
- Comprehensive Zoning By-law No. 92-7 of the former Township of Rear of Yonge and Escott;
- All by-laws which amend the foregoing by-laws.

SECTION 2 - DEFINITIONS

For the purpose of this by-law, the definitions and interpretations in this section shall govern.

ACCESSORY shall mean a use, building or structure which is incidental, subordinate and exclusively devoted to a main use and located on the same lot therewith.

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

AGGREGATE PROCESSING OPERATION shall mean a facility that processes material derived from a pit or quarry and shall include activities such as screening, washing, crushing and associated storage of raw or processed material, as well as the recycling of construction products such as asphalt and concrete that are manufactured using aggregates.

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

AGRICULTURAL USE shall mean the use of land, buildings or structures for:

- Growing crops, including all related activities such as fertilizing, planting, spraying, irrigating harvesting and the storage and sale of crops produced;
- Raising, breeding, boarding, training, keeping and/or sale of livestock, including the raising and sale of fish;
- Collection, production, storage and sale of animal products such as milk, eggs, wool, fur or honey;
- Greenhouse or nursery garden, including storage and sale of products produced;
- Planting, harvesting and sale of forest products, including maple syrup;
- Use and storage of all equipment related to the foregoing activities, including the occasional use of a portable sawmill.

Agricultural use shall not include commercial or industrial activities such as abattoirs, tanneries, kennels or manufacturing activities involving crops, animal products, lumber or wood products.

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

ANIMAL HOSPITAL – see **Veterinary Clinic**

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

ASPHALT PLANT shall mean a facility designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process.

- **PORTABLE ASPHALT PLANT** shall mean an asphalt plant which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

ATTACHED, when used in reference to the relationship of a deck, porch or stairs to a main building or structure shall include any deck, porch, or stairs that is unattached but is situated within 1 m of the main building or structure.

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

AUTOMOBILE SERVICE STATION shall mean a building or place where automotive fuels, lubricants or parts are kept for sale and/or where mechanical repairs to vehicles are performed and/or where vehicles are washed or cleaned, but it shall not include a salvage yard or automobile body shop as defined herein.

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

BASEMENT shall mean that portion of the building between two floor levels which is partly underground but, which has at least one-half (1/2) of its height from finished floor to finished ceiling above adjacent finished grade.

BED AND BREAKFAST shall mean a business conducted in a single dwelling in which the resident owner supplies for financial gain a maximum of three (3) guest bedrooms with or without meals for the purpose of providing temporary lodging on a daily basis to the travelling public.

BOARDING HOUSE shall mean a single dwelling in which the proprietor supplies for financial gain, lodging with or without meals to a maximum of three (3) boarders, but it does not include a bed and breakfast, hotel, hospital, foster home, home for the aged or other establishment otherwise classified or defined in this By-law.

BOATHOUSE shall mean an accessory building or structure that is intended to shelter, house or protect a boat or other watercraft and which is located such that more than 50% of the building or structure is beyond the high water mark over the bed of the water body.

BUILDING shall mean any structure consisting of walls or columns and a roof which is used for the shelter, accommodation or enclosure of persons, animals, goods or chattels.

- **ACCESSORY BUILDING** shall mean a building customarily incidental and subordinate to the main building and located on the same lot with such main building and not used for human habitation.
- **MAIN BUILDING** shall mean a building serving the principal or primary uses for which the lot was purchased, leased or rented.
- **TEMPORARY BUILDING** shall mean a building or structure intended for removal or demolition within a prescribed time as set out in a building permit.

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

BUILDING SUPPLY CENTRE shall mean an establishment engaged in the selling or installing of building supplies including lumber, millwork, siding, roofing, flooring, windows, doors, plumbing, electrical, heating, air conditioning and similar items.

CABIN – See **Lodging Establishment**

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

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

CELLAR shall mean that portion of a building between two floor levels, which is partly underground and which has more than one-half (1/2) of its height from finished floor to finished ceiling below finished grade.

CEMETERY shall mean land used as a place of interment for human remains within the meaning of the *Funeral, Burial and Cremation Services Act*.

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

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

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

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

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

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

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

CONSERVATION USE shall mean research, observation, education, preservation, improvement and enhancement with respect to natural resources or the natural environment, as well as passive outdoor recreation activities such as hiking that do not involve alteration to the landform or natural vegetative characteristics of the land.

CONTRACTOR'S YARD shall mean a yard, including any accessory buildings or structures, where

materials, equipment and vehicles are stored in association with any building trade or contractor such as excavators, road builders, roofers, landscapers, snow removal and similar contractors, but shall not include a salvage yard.

CORPORATION shall mean the Corporation of the Township of Athens.

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

COUNCIL shall mean the Council of the Corporation of Township of Athens.

COUNTY shall mean the United Counties of Leeds and Grenville.

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

DAY CARE shall mean a day care facility licensed under the *Day Nurseries Act* and which provides care for six (6) or more children.

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

- **ACCESSORY DWELLING** shall mean a single dwelling which is accessory to a permitted non-residential building which is located on the same lot therewith and is occupied either by the family of the owner or by the family of a person employed on the lot where such dwelling is located.
- **APARTMENT DWELLING** shall mean a dwelling, other than a converted dwelling or row dwelling, containing three or more dwelling units.
- **CONVERTED DWELLING** shall mean a dwelling originally constructed as a single dwelling that has been altered or converted into not more than four dwelling units.
- **DUPLEX DWELLING** shall mean a dwelling which is divided horizontally into two dwelling units.
- **ROW DWELLING** shall mean a dwelling which is divided vertically into three or more dwelling units,
- **SEMI-DETACHED DWELLING** shall mean a dwelling which is divided vertically into two dwelling units.
- **SINGLE DWELLING** shall mean a dwelling which contains only one dwelling unit.

DWELLING UNIT shall mean one or more habitable rooms designed for use and occupied by persons in which separate kitchen and sanitary facilities are provided for the exclusive use of such persons with an independent entrance from outside the building or from a common hallway or stairway inside the building.

- **ACCESSORY DWELLING UNIT** shall mean a dwelling unit which is part of, and accessory to, a permitted non-residential building and which is occupied by the family of the owner of such non-residential building or by the family of a person employed on the lot where such dwelling unit is located.

ENVIRONMENTAL IMPACT STUDY shall mean an environmental impact assessment completed in accordance with the provisions of the Official Plan.

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

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

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

FLEA MARKET – See **Open Market**

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

FLOOD PLAIN shall mean the area adjoining a water body or watercourse that has been or may be subject to flooding hazards, such hazards having been determined on the basis of the 1:100 year flood level, plus an allowance for wave uprush and other water-related hazards, as applicable.

FLOOR AREA shall mean:

- For a dwelling or dwelling unit, the total area of the storeys contained within the exterior walls of the dwelling or dwelling unit, exclusive of any garage, carport, unenclosed porch or deck, unfinished attic, unfinished basement or unfinished cellar where such basement or cellar has a height of less than 2.1 metres measures between its floor surface and the underside of the joists of the storey above it;
- For a building other than a dwelling or dwelling unit, the total area of all floors contained within the exterior walls of the building.

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

FORESTRY USE – See **Agricultural Use**

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

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

GARDEN CENTRE shall mean an establishment primarily used for the retail sale of gardening equipment, products and planting materials, including greenhouses for the cultivation of such materials.

GARDEN SUITE shall mean a single dwelling that is designed to be portable for the use of a elderly members of the family occupying a single dwelling on the same lot and for which a temporary use by-law has been adopted, pursuant to the provisions of the *Planning Act*.

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

GRADE shall mean the median elevation between the highest and lowest points of the finished surface of the ground (measured at the base of the building or structure), but exclusive of any embankment in lieu of steps.

GROUP HOME shall mean a single dwelling which is occupied by three (3) to ten (10) unrelated residents who, by reason of their emotional, mental, social or physical condition or legal status, require a supervised family living arrangement for their well-being. A group home may be occupied as the residence by the staff or receiving family. A group home does not include foster homes, boarding houses, a secure custody group home, or other uses defined herein.

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

HEIGHT, when used with reference to a building, shall mean the vertical distance between grade and:

- The highest point of the roof surface on a flat roof;
- The deck line on a mansard roof;
- The mean level between the eaves and ridge of a gable, hip or gambrel roof.

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

HOME FOR THE AGED – See **Public Use**

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

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

HOTEL – See **Lodging Establishment**

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

dwelling unit as defined in this By-law.

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

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

KENNEL shall mean a building or structure where animals other than livestock, such as dogs or cats, are bred, boarded or trained for financial compensation. Grooming may be conducted as an accessory use.

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

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

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

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

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

- **SEASONAL CAMP** shall mean an establishment which provides meals, sleeping accommodation and recreational opportunities to individuals and groups who are under the supervision of camp staff and shall include children's camps, church camps, scouting movement camps, YM/YWCA camps and other similar uses.
- **CABIN** shall mean an establishment designed to accommodate one or more persons in a detached or semi-detached building
- **HOTEL** shall mean an establishment containing four or more guest rooms served by a common entrance. Accessory uses may include accommodation for staff, dining rooms, meeting rooms, recreational amenities and similar uses.
- **MOTEL** shall mean an establishment containing four or more guest rooms each of which has a separate entrance directly from outside the building. Accessory uses may include dining rooms, meeting rooms, recreational amenities and similar uses.

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

- **CORNER LOT** shall mean a lot 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.
- **INTERIOR LOT** shall mean a lot situated between adjacent lots and which has frontage on one

street.

- **ISLAND LOT** shall mean a waterfront lot that consists of an island or part of an island.
- **THROUGH LOT** shall mean a lot, other than a corner lot as defined herein, with frontage on more than one street.
- **WATERFRONT LOT** shall mean a lot which abuts a shoreline but which does not abut an improved street or a street which will become an improved street pursuant to provisions in, and financial security associated with, a subdivision agreement registered on the title to the lot.

LOT AREA shall mean the total horizontal area within the lot lines of a lot, excluding any lands below the high water mark on a waterfront lot.

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

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

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

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

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

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

MOBILE HOME shall mean a prefabricated building which bears a CSA Z240 approval and which is designed to be towed on its own chassis (notwithstanding that its running gear is or may be removed), designed and equipped for year round occupancy and containing therein facilities for cooking or for the installation of cooking equipment, as well as sanitary facilities including a flush toilet and shower or

bathtub. This definition shall not include a travel trailer or tent trailer or trailer otherwise defined in this By-law.

MOBILE HOME PARK shall mean land which has been provided and designed for the location of two or more occupied mobile homes.

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

MOTEL – See **Lodging Establishment**

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

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

NURSING HOME – See **Public Use**

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

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

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

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

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

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

PARKING AREA shall mean a lot or lots or portions thereof required in accordance with the provisions of this by-law for the temporary parking of motor vehicles and includes any related aisles, parking spaces, entrance and exit lanes, but, it shall not include any part of a public street.

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

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

corporation.

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

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

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

- **CLASS B PIT** shall mean a pit with a licence pursuant to the *Aggregate Resources Act, R.S.O., 1990, as amended*, to remove 20,000 tonnes or less annually.
- **WAYSIDE PIT** shall mean a temporary pit opened and used by or for a public road authority solely for the purpose of a particular project or contract of road construction.

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

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

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

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

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

PROFESSIONAL OR BUSINESS OFFICE shall mean a building or part of a building in which any business is conducted or profession is practiced, but which does not include any establishment otherwise defined herein.

PUBLIC USE shall mean the use of land, buildings or structures for the supply of public services by the Corporation, the United Counties of Leeds and Grenville, the Governments of Ontario or Canada, any agencies, boards commissions or authorities thereof, and any company providing electricity, natural gas, wired or wireless communications or rail transportation. Without limiting the generality of the foregoing, among other uses, this shall include correctional institutions, hospitals, homes for the aged, and nursing homes.

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

- **WAYSIDE QUARRY** shall mean a temporary quarry opened and used by or for a public road

authority solely for the purpose of a particular project or contract of road construction.

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

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

RESTAURANT shall mean a building or part of a building where food and beverages are sold to the public for immediate consumption on or off the premises.

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

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

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

SELF-STORAGE FACILITY shall mean a building which is divided into spaces which may be rented for the purpose of storing goods, wares, merchandise, equipment or materials.

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

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

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

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

SITE ALTERATION shall mean site grading, excavation and the placement of fill.

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

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

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

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

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

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

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

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

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

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

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

USE, when used as a noun, means the purpose for which a parcel of land, lot, building or structure or any combination thereof is designed, arranged, occupied or maintained and "uses" shall have a corresponding meaning. "Use" when used as a verb, or "to use" shall also have a corresponding meaning.

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

VEHICLE SALES OR RENTAL ESTABLISHMENT shall mean an establishment having as its main use the sale, rent, or leasing of vehicles. Accessory uses may include the repair and maintenance of such vehicles.

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

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

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

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

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

WATER BODY shall mean any bay, lake, river, watercourse, canal or municipal drain pursuant to the *Drainage Act*, but excluding a drainage or irrigation channel.

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

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

WATERCOURSE shall mean a natural drainage channel that contains water either permanently or intermittently, including creeks and streams.

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

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

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

ZONE shall mean:

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

ZONING shall mean the demarcation of an area into zones and the establishment of regulations to govern

the use of the land within these zones and the location, bulk, height, shape, use and coverage of structures within each zone. The terms “zone provisions” and “zone requirements” shall have a corresponding meaning.

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

SECTION 3 - GENERAL PROVISIONS

3.1 Accessory Uses

Except as otherwise set out in this section, accessory uses, buildings or structures shall be permitted in any zone, provided that:

1. Accessory buildings or structures shall not be used for human habitation, except as specifically permitted elsewhere in this By-law.
2. Accessory buildings shall be included for the purposes of compliance with maximum lot coverage provisions.
3. There shall be no minimum yard or water setback provisions applicable to a marine facility, except that the minimum side yard shall be 4.5 m.
4. The minimum separation distance between a detached accessory building and any other building shall be 1 m.
5. Any building or structure that is attached to the main building shall not be considered as accessory.
6. Buildings or structures accessory to a residential use shall be subject to the following provisions:
 1. In a Residential zone:
 - The lot coverage of all accessory buildings or structures shall not exceed 10%.
 - The maximum height of an accessory building or structure shall be 5 m and shall not contain more than 1 storey.
 2. In a Residential, Rural, Agriculture or Local Commercial zone:

Notwithstanding the yard provisions of this By-law to the contrary, an accessory building or structure may be located in a required interior side or rear yard, provided that the minimum yard shall be:

• Lots in Settlement Area in Official Plan	1 m
• All other lots	3 m
7. Except as otherwise provided in this section, accessory buildings and structures shall conform to the zone provisions applicable to main buildings.

3.2 Existing Undersized Non-Complying Lots

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

2. Notwithstanding Subsection 3.2.1 above, an agricultural use that includes the keeping of livestock shall not be permitted on a lot of less than 2 ha in lot area.

3.3 Front Yard Reduction Within a Settlement Area

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

3.4 Frontage on an Improved Street

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

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

3.5 Group Homes

Group homes shall be permitted in the Residential First Density, Residential Second Density, Local Commercial, Rural and Institutional zones, provided that the minimum separation distance between two group homes shall be 300 m.

3.6 Height Exceptions

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

- Air conditioning, heating or similar mechanical equipment
- Antenna
- Barn
- Belfry, spire or dome associated with a place of worship
- Chimney
- Clock tower
- Communications Tower
- Electrical supply structure
- Elevator or mechanical penthouse
- Farm implement storage building
- Flag pole
- Grain elevator
- Lightning rod
- Silo
- Solar collector
- Water tower
- Wind turbine

3.7 Home-Based Businesses

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

1. No more than 25% or 40 m² of the floor area of the dwelling unit, whichever is lesser, shall be used for the home-based business.
2. There shall be no visible indication from the exterior of the building of the presence of the home-based business other than one non-illuminated sign not larger than 1 m².
3. There shall be no open storage of inoperative or unlicensed motor vehicles or other materials, or outdoor animal enclosures.
4. There shall be no storage of hazardous materials such as paint or other flammable, corrosive or explosive substances.
5. There shall be no direct retail sale of goods other than those produced on the premises or those which are clearly incidental to a personal service or service outlet home-based business.
6. Where instruction, respite care or day care is provided, there will be no more than six persons, other than the instructor or caregiver, in attendance at any one time. In the case of all other home-based businesses, not more than one individual client or customer shall be served at any one time.
7. A maximum of one person in addition to the dwelling occupant(s) may be employed in the home-based business, provided that the maximum number of persons employed in the home-based business shall not exceed three. For the purposes of this subsection, the number of persons shall be calculated on the basis of full-time equivalence.
8. Except in the case of lots designated Settlement Area in the Official Plan, up to 40 m² of floor area within an accessory building may be used for the home-based business, provided that:
 1. The accessory building shall be located a minimum of 15 m from the closest dwelling on another lot.
 2. The combined total floor area used for the home-based business within the accessory building and dwelling unit shall not exceed 40 m².
9. Not more than one commercial vehicle related to the home based-business shall be kept on the premises.
10. The home-based business shall not, in the opinion of the Township, change the predominantly residential character of the property or create or become a public nuisance with regard to noise, odours, vibration, heat, traffic, lighting or other annoyance.

3.8 Loading Space Requirements

1. Number of Loading Spaces Required

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

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

2. Loading Space Size

A required loading space shall be a minimum of 9 m long, 3.5 m wide, have vertical clearance of at least 4.5 m and driveway access that is a minimum of 3.5 m in width.

3. Loading Area Surface

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

4. Cumulative Loading Requirements

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

3.9 Lots Containing More Than One Use

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

3.10 Lots Divided For Freehold Unit Ownership

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

3.11 Lots Divided Into More Than One Zone

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

3.12 Moving of Buildings

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

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

1. Buildings Accessory to Non-Conforming Uses

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

2. Change of Non-Conforming Use

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

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

A legal non-conforming or non-complying use, building or structure shall only be repaired, restored or reconstructed in accordance with the rights conveyed to legal non-conforming uses pursuant to the applicable provisions of the *Planning Act*, provided that the height, size and volume of the building or structure shall not be increased except in accordance with Sections 3.13.5 and 3.13.6 below, as applicable.

4. Replacement of Non-Complying Sewage Disposal Systems

Notwithstanding any provision of this By-law to the contrary, a sewage disposal system which was legally constructed under the regulations governing sewage disposal systems that were in force and effect at the time of such construction but that is non-complying with respect to the water setback provisions, shall be replaced such that the minimum water setback is the setback of the existing sewage disposal system or as set out in the *Ontario Building Code*, whichever is greater.

5. Enlargements of Non-Conforming Uses

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

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

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

3.14 Occupancy Restrictions

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

1. Any truck, bus, coach, railway or streetcar body;
2. Any marine facility or building or structure accessory to a residential use;
3. Any recreational vehicle, travel trailer or tent trailer, except in a tourist campground or as a

temporary use in accordance with Section 3.24 of this By-law.

4. Any dwelling unit the entirety of which is located in a cellar.

3.15 Open Storage

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

1. No part of an open storage area shall be located within a front yard or any minimum side or rear yard or water setback required by this By-law;
2. Open storage shall not occupy any driveway or parking or loading area required by this By-law;
3. Where open storage that is not accessory to an agricultural use is situated less than 30 m from a Residential zone, a street or a dwelling on another lot, a continuous buffer strip consisting of a berm, fence or landscaping having a minimum combined height of 1.5 m shall be provided so as to screen the open storage area from the street or dwelling. Such buffer strip shall be broken only by a driveway or walkway from the street.

3.16 Parking Requirements

1. Number of Parking Spaces Required

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

<u>Type of Use</u>	<u>Number of Parking Spaces Required</u>
Apartment Dwelling	1.25 parking spaces per dwelling unit
All other Dwellings	1 parking space per dwelling unit
Mobile home park or Campground	1 parking space per site
Group home	1 parking space in addition to the applicable dwelling requirement
Boarding house, Residential care home	1 parking space, plus 1 parking space per 3 rooming units
Home-based business	1 parking space in addition to the applicable dwelling requirement
Bed and breakfast	1 parking space per guest room in addition to the applicable dwelling requirement
Lodging Establishment	1 parking space per guest room or cabin plus 1 parking space per 20 m ² of floor area devoted to

	dining or meeting uses
Restaurant, banquet hall	1 parking space per 12 m ² of floor area
Place of worship or assembly	1 parking space per 12 m ² of floor area devoted to public assembly
Recreational use, Instructional Facility	1 parking space per 4 persons design capacity or 1 parking space per 20 m ² of floor area, whichever is greater
Retail store, personal service, merchandise service outlet	1 parking space per 20 m ² of floor area
Clinic	1 parking space per 20 m ² of floor area
Marina	1 parking space for each boat docking space, plus 1 parking space for every 25 m ² of marina floor area. Where individual boat docking spaces are not clearly identifiable, the length of a space shall be deemed to be 8 m.
Commercial use not defined	1 parking space per 20 m ² of floor area
Professional or business office	1 parking space per 25 m ² of floor area
School - elementary	1.5 parking spaces per classroom
School - secondary	4 parking spaces per classroom
Institutional or public use	1 parking space per 40 m ² of floor area
Industrial, warehouse or storage use	1 parking space per 70 m ² of floor area

2. More than One Use on a Lot

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

3. Parking Space Size and Access

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

4. Parking for the Physically-Disabled

Where a required parking area contains 10 or more parking spaces, parking spaces for the exclusive use of physically-disabled persons shall be provided at the rate of 1 parking space for the physically-disabled per 30 required parking spaces or fraction thereof, subject to the provision of a minimum of 1 parking space for the physically-disabled.

5. Driveway Access to Parking Areas

The maximum width of any driveway shall be 9 m, measured at the street line.

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

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

6. Parking Area Surface

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

7. Parking Area Location

All required parking shall be provided on the same lot as the use.

8. Parking Requirements for Additions to Existing Buildings

1. Where an existing building or structure has insufficient parking spaces to comply with the provisions of this By-law, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition, provided that no addition may be built and no change of use may occur within the existing building or structure, the effect of which would be to increase the extent of such deficiency.
2. Notwithstanding any provision of this By-law to the contrary, within any lands designated Settlement Area in the Official Plan, an existing building the use of which is being changed to a new use with a greater parking space requirement than the previous use shall not be required to provide any additional parking, provided that any parking deficiency shall not be increased by more than 10 parking spaces.

3.17 Public Uses

1. Except in the case of lands zoned Environmental Protection – A (EP-A), any land may be used and any building or structure erected or used for the purpose of a public use, provided that lot coverage, setback and yard requirements of the zone in which such land, building or structure is located shall be complied with, except in the case of towers, poles, lines and transmission facilities for natural gas, electricity, cable, water, storm and sanitary sewage and wired and wireless communications.
2. Where a public use is to be located in the Environmental Protection – B (EP-B) zone, Section 13.2.3.2 shall apply.

3. Where a public use is to be located in the Flood Plain (FP) zone, Section 14.1.2 shall apply and, further, no public use that includes institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances shall be permitted.

3.18 Residential Separation Distances from Other Land Uses

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

- From a Class B pit with no excavation below the water table 150 m
- From any other pit or concrete plant 300 m
- From a quarry or asphalt plant 500 m
- From land zoned Salvage Yard Industrial 300 m
- From land zoned Disposal Industrial 500 m
- From livestock facilities As per the Minimum Distance Separation I (MDS I) formula, as issued by the Ontario Ministry of Agriculture, Food and Rural Affairs, except that MDS 1 shall not apply to new non-agricultural uses to be located on an existing lot of less than 2 ha in lot area.
- From a rail line right-of-way 30 m

3.19 Setbacks from Environmental Protection (EP-A and EP-B) Zones and Natural Heritage Designations in the Official Plan

Notwithstanding any other provisions of this By-law, the minimum setback of any building or structure from lands zoned Environmental Protection in this By-law or designated Natural Heritage in the Official Plan shall be as follows:

- From the Environmental Protection - A (EP-A) zone or Natural Heritage A designation in the Official Plan 120 m
- From the Environmental Protection - B (EP-B) zone or Natural Heritage B designation in the Official Plan 50 m

or such lesser setback as recommended in an Environmental Impact Study undertaken to the satisfaction of the Township and which demonstrates no negative impacts on natural features or their ecological functions.

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

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

3.21 Sight Triangles

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

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

- A parking or loading area.

3.22 Shoreline Area Occupancy

Notwithstanding any provisions of this By-law to the contrary, on any lot abutting a water body and used for purposes other than a marina, a maximum of 20% or 15 m of the shoreline area, whichever is lesser, shall be occupied by marine facilities, pump houses, stairs, decks, patios, gazebos and all other accessory buildings and structures. For the purposes of this section, the shoreline area shall include that portion of the lot lying within 3 m of the high water mark.

3.23 Street Setbacks

The following setbacks shall be required:

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

3.24 Temporary Uses

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

- Construction facilities such as sheds, scaffolds and other structures incidental to the construction on the premises for so long as the work is in progress;
- A temporary real estate sales and/rental office;
- A travel trailer, tent trailer or recreational vehicle occupied on a temporary basis during the course of construction of a dwelling on the same lot, provided that:
 - Temporary connection to an approved on-site sewage disposal system is provided;
 - A building permit for a dwelling has been issued and remains in force;
 - The trailer or recreational vehicle is located in accordance with the required yards and water setbacks applicable to a dwelling;
 - In no event shall the trailer or recreational vehicle be located on the lot for a period exceeding two years from the date of issuance of the building permit.

3.25 Through Lots

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

3.26 Water Frontage and Water Setbacks

1. Except as otherwise provided by Section 3.2, the minimum water frontage for any lot abutting a water body shall be 60 m.
2. Except as otherwise permitted by Sections 3.1, 3.13, 3.22 and 3.28 of this By-law, the minimum water setback shall be 30 m for all buildings and structures, including sewage

disposal systems but excluding the following:

- Decks, hot tubs and gazebos which are unattached to a main building;
- Marinas, pump houses, stairs, marine facilities and roof decks situated on marine facilities.

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

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

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

3.28 Yard and Water Setback Encroachments

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

- Sills, belt courses, chimneys, cornices, eaves, gutters, parapets, bay windows and other ornamental features may project into any required yard or water setback by not more than 0.6 m, provided that they shall not be located closer than 0.4 m to any lot line;
- Attached unenclosed porches, open patios, decks, balconies, exterior stairs and landings may project from the main building into any minimum required yard or water setback by not more than 3 m, except that where an existing main building is non-complying in relation to the required water setback, an open and unroofed porch, deck, exterior stairs or landing may project into the existing water setback by a maximum of 1.5 m;
- Open at-grade patios, awnings, clothes poles, flag poles, garden trellises, fences, plant materials, handicapped ramps and similar accessory structures shall be permitted in any required yard or water setback;
- Swimming pools, including all related equipment, shall be permitted in any required yard, except for a required front or exterior side yard, and shall not be located closer than 1.5 m to any lot line or encroach into the required 30 m water setback.

SECTION 4 - ZONES

4.1 General

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

4.2 Zones and Zone Symbols

<u>Zone Name</u>	<u>Symbol</u>
Residential Zones	
• Residential First Density	R1
• Residential Second Density	R2
• Residential Limited Services	RLS
• Mobile Home Park Residential	RMH
Commercial Zones	
• Core Commercial	CC
• General Commercial	CG
• Local Commercial	CL
• Tourist Commercial	CT
Industrial Zones	
• General Industrial	MG
• Salvage Yard Industrial	MS
• Disposal Industrial	MD
Institutional Zones	
• Institutional	I
Open Space Zones	
• Open Space	OS
Rural Zones	
• Rural	RU
Agriculture Zones	
• Agriculture	A
Mineral Resource Zones	
• Mineral Aggregate Extraction	EX
Natural Heritage Zones	
• Environmental Protection - A	EP-A
• Environmental Protection - B	EP-B
Natural Hazard Zones	
• Flood Plain	FP

4.3 Boundaries of Zones

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

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

4.4 Holding Zones

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

4.5 Special Zones

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

4.6 Temporary Zones

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

Temporary zones in force and effect are as follows:

1. RU-T1 (*Part of Lots 8 and 9, Concession 11, Geographic Township of Rear of Yonge*)

- Notwithstanding the provisions of Section 10.1.1 to the contrary, a second dwelling shall be an additional permitted use from October 7th, 2013 until October 6th, 2016, as provided by the provisions of Section 39 of the *Planning Act*, R.S.O., 1990. Upon expiry of said period, this subsection and the associated RU-T1 zoning on Schedule ‘A’ are repealed.

SECTION 5 - RESIDENTIAL ZONES

5.1 Residential First Density (R1)

1. Permitted Uses

single dwelling
bed and breakfast

2. Zone Provisions

- | | |
|---|-------------------|
| • Lot Area (minimum) | 0.4 ha |
| • Lot Frontage (minimum) | |
| • Lots designated Settlement Area in Official Plan | 40 m |
| • All other lots | 45 m |
| • Yards (minimum) | |
| • Front | |
| • Lots designated Settlement Area in Official Plan | 6 m |
| • All other lots | 10 m |
| • Exterior Side | 6 m |
| • Interior Side | |
| • Lots designated Settlement Area in Official Plan | 3 m |
| • All other lots | 6 m |
| • Rear | 7.5 m |
| • Dwelling Unit Floor Area (minimum) | 75 m ² |
| • Building Height (maximum) | 10 m |
| • Lot Coverage (maximum) | 20% |
| • Dwellings per Lot (maximum) | 1 |

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Special Exception Zones

1. **R1-1** (*Part of Lots 13, 18, 19, 24 and 25 Brannon Block, Plan 141, Village of Athens*)

Notwithstanding the provisions of Section 5.1.1 to the contrary, on the lands zoned R1-1, the following additional use shall be permitted:

- seasonally-operated mobile canteen/chip wagon

2. **R1-2** (*Part of Lot 7, Block B, Plan 141, Village of Athens*)

Notwithstanding the provisions of Section 5.1.1 to the contrary, on the lands zoned R1-2, the following additional uses shall be permitted:

- clinic
- accessory dwelling unit

3. **R1-3** (*Lots 1-3 and 6-8, Plan 103, Village of Charleston*)

Notwithstanding the provisions of Section 5.1.2 to the contrary, on the lands zoned R1-3, the two existing single dwellings shall be permitted.

5.2 Residential Second Density (R2)

1. Permitted Uses

converted dwelling
duplex dwelling
semi-detached dwelling
single dwelling

2. Zone Provisions

• Lot Area (minimum)	0.4 ha
• Lot Frontage (minimum)	
• Lots designated Settlement Area in Official Plan	40 m
• All other lots	45 m
• Yards (minimum)	
• Front	
• Lots designated Settlement Area in Official Plan	6 m
• All other lots	10 m
• Exterior Side	6 m
• Interior Side	
• Lots designated Settlement Area in Official Plan	3 m
• All other lots	6 m
• Rear	7.5 m
• Dwelling Unit Floor Area (minimum)	75 m ²
• Building Height (maximum)	10 m
• Lot Coverage (maximum)	20%
• Dwellings per Lot (maximum)	1
• Density (maximum)	10 units per ha

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Special Exception Zones

1. R2-1 (*Part of Lot 14, Concession 8*)

Notwithstanding the provisions of Section 5.2.1 to the contrary, on the lands zoned R2-1, the following additional use shall be permitted:

- row dwelling.

5.3 Limited Services Residential (RLS)

1. Permitted Uses

single dwelling

2. Zone Provisions

- Lot Area (minimum)
 - Island lot 1.0 ha
 - All other lots 0.4 ha
- Lot Frontage (minimum) 45 m
- Yards (minimum)
 - Front 7.5 m
 - Exterior Side 7.5 m
 - Interior Side
 - Lots designated **Settlement Area** in Official Plan 3 m
 - All other lots 6 m
 - Rear 7.5 m
- Dwelling Unit Floor Area (minimum) 75 m²
- Building Height (maximum) 10 m
- Lot Coverage (maximum)
 - Island lot 5%
 - All other lots 10%
- Floor Space Index (maximum) 10%
- Dwellings per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Special Exception Zones

(reserved)

5.4 Mobile Home Park Residential (RMH)

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 mobile home
 mobile home park
 mobile home park management office
 recreational facilities accessory to a mobile home park

2. Zone Provisions

1. Mobile Home Park

• Lot Area (minimum)	4 ha
• Lot Frontage (minimum)	45 m
• Yards (minimum)	
• Front	15 m
• Exterior Side	10 m
• Interior Side	10 m
• Rear	15 m
• Dwelling Unit Floor Area (minimum)	75 m ²
• Building Height (maximum)	10 m
• Lot Coverage (maximum)	20%
• Accessory Dwellings or Dwelling Units per Lot, excluding mobile homes (maximum)	1

2. Mobile Home Site

• Site Area (minimum)	700 m ²
• Site Frontage (minimum)	20 m
• Site Yards (minimum)	
• Front	6.0 m
• Exterior Side	6.0 m
• Interior Side	3.0 m
• Rear	6.0 m
• Site Coverage (maximum)	30%
• Mobile Homes per Site (maximum)	1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Special Exception Zones

(reserved)

SECTION 6 - COMMERCIAL ZONES

6.1 Core Commercial (CC) Zone

1. Permitted Uses

accessory dwelling unit
 automobile service station
 bank
 clinic
 commercial parking lot
 community service
 custom workshop
 funeral home
 hotel
 instructional facility
 motel
 open market
 personal service
 place of assembly
 professional or business office
 recreational establishment
 retail store
 restaurant
 service outlet
 vehicle sales or rental establishment
 veterinary clinic

2. Zone Provisions

- | | |
|--|-------------------|
| • Lot Area (minimum) | 0.2 ha |
| • Lot Frontage (minimum) | 30 m |
| • Yards (minimum) | |
| • Lots located between Elgin and Victoria/Henry Streets with front lot line on Main Street | |
| • Front | 0 m |
| • Exterior Side | 4.5 m |
| • Interior Side | 0 m |
| • Rear | 6 m |
| • All Other Lots | |
| • Front | 6 m |
| • Exterior Side | 6 m |
| • Interior Side | 3 m |
| • Rear | 6 m |
| • Dwelling Unit Floor Area (minimum) | 65 m ² |
| • Building Height (maximum) | 10 m |
| • Lot Coverage (maximum) | 50% |
| • Dwelling Units per Lot (maximum) | 2 |

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Automobile Service Station Pump Islands and Canopies

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

4. Special Exception Zones

(reserved)

6.2 General Commercial (CG) Zone

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 automobile service station
 bank
 building supply centre
 clinic
 commercial parking lot
 community service
 custom workshop
 equipment rental outlet
 funeral home
 garden centre
 hotel
 instructional facility
 motel
 open market
 personal service
 place of assembly
 professional or business office
 recreational establishment
 retail store
 restaurant
 service outlet
 tradesperson's establishment
 vehicle sales or rental establishment
 veterinary clinic

2. Zone Provisions

- | | |
|---|-------------------|
| • Lot Area (minimum) | 0.4 ha |
| • Lot Frontage (minimum) | |
| • Lots designated Settlement Area in Official Plan | 40 m |
| • All other lots | 45 m |
| • Yards (minimum) | |
| • Front | 7.5 m |
| • Exterior Side | 7.5 m |
| • Interior Side | |
| • Lots designated Settlement Area in Official Plan | 3 m |
| • All other lots | 6 m |
| • Rear | 10 m |
| • Dwelling Unit Floor Area (minimum) | 65 m ² |
| • Building Height (maximum) | 10 m |
| • Lot Coverage (maximum) | 20% |
| • Accessory Dwellings or Dwelling Units per Lot (maximum) | 1 |

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Automobile Service Station Pump Islands and Canopies

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

4. Special Exception Zones

1. CG-1 (Part of Lot 22, Concession 9)

Notwithstanding the provisions of Section 6.2.1 and 6.2.2 to the contrary, on the lands zoned CG-1, permitted uses shall be restricted to open or enclosed storage for boats, subject to the following provisions:

- Lot Area (minimum) 3,600 m²
- Lot Frontage (minimum) 12 m
- Interior Side Yard for existing buildings (minimum)
 - West 0.32 m
 - East 6.6 m

2. CG-2 (Part of Lot 22, Concession 9)

Notwithstanding the provisions of Section 6.2.1 to the contrary, on the lands zoned CG-2, the following additional use shall be permitted:

- warehouse for boat storage.

6.3 Local Commercial (CL) Zone

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 antique shop
 bank
 bed and breakfast
 clinic
 community service
 custom workshop
 instructional facility
 personal service
 professional or business office
 retail store
 restaurant
 single dwelling

2. Zone Provisions

- | | |
|--|--------------------|
| • Lot Area (minimum) | 0.4 ha |
| • Lot Frontage (minimum) | |
| • Lots designated Settlement Area in Official Plan | 40 m |
| • All other lots | 45 m |
| • Yards (minimum) | |
| • Front | 6 m |
| • Exterior Side | 6 m |
| • Interior Side | 3 m |
| • Rear | 7.5 m |
| • Dwelling Unit Floor Area (minimum) | 65 m ² |
| • Commercial Floor Area (maximum) | 250 m ² |
| • Building Height (maximum) | 10 m |
| • Lot Coverage (maximum) | 20% |
| • Accessory Dwellings or Dwelling Units
per Lot (maximum) | 1 |

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Special Exception Zones

(reserved)

6.4 Tourist Commercial (CT) Zone

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 antique shop
 bed and breakfast
 campground
 community service
 golf course
 lodging establishment
 marina
 marine facility
 park
 restaurant

2. Zone Provisions

- Lot Area (minimum)
 - Tourist Campground 2 ha
 - Other uses 0.4 ha
- Lot Frontage (minimum)
 - Lots designated **Settlement Area** in Official Plan 40 m
 - All other lots 45 m
- Yards (minimum)
 - Front 7.5 m
 - Exterior Side 7.5 m
 - Interior Side
 - Lots designated **Settlement Area** in Official Plan 3 m
 - All other lots 6 m
 - Rear 10 m
- Dwelling Unit Floor Area (minimum) 65 m²
- Building Height (maximum) 10 m
- Tourist Campground Site (minimum) 230 m²
- Lot Coverage (maximum) 20%
- Accessory Dwellings or Dwelling Units per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Special Exception Zones

1. CT-1 (*Part of Lot 22, Concession 8*)

Notwithstanding the provisions of Section 6.4.1 to the contrary, on the lands zoned CT-1, a maximum of 10 existing campground sites, accessory docking facilities, seasonal boat rental, bait sales and snack bar, and one accessory dwelling shall be

permitted.

SECTION 7 - INDUSTRIAL ZONES

7.1 General Industrial (MG) Zone

1. Permitted Uses

accessory dwelling
accessory dwelling unit
agricultural products processing facility
automobile body shop
automobile service station
building supply centre
contractor's yard
custom workshop
equipment rental outlet
feed supply outlet
fuel storage facility
garden centre
heavy equipment sales or rental establishment
printing establishment
self-storage facility
service outlet
tradesperson's establishment
transportation depot
vehicle sales or rental establishment
veterinary clinic
warehouse
wholesale establishment

2. Zone Provisions

- Lot Area (minimum) 0.4 ha
- Lot Frontage (minimum) 45 m
- Yards (minimum)
 - Front 7.5 m
 - Exterior Side 7.5 m
 - Interior Side 10 m
 - Rear 15 m
- Dwelling Unit Floor Area (minimum) 65 m²
- Building Height (maximum) 12 m
- Lot Coverage (maximum) 20%
- Accessory Dwellings or Dwelling Units per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Automobile Service Station Pump Islands and Canopies

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

3. Increased Yard Requirements

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

4. Special Exception Zones

(reserved)

7.2 Salvage Yard Industrial (MS) Zone

1. Permitted Uses

accessory dwelling
accessory dwelling unit
salvage yard

2. Zone Provisions

• Lot Area (minimum)	2 ha
• Lot Frontage (minimum)	60 m
• Yards (minimum)	
• Front	15 m
• Exterior Side	15 m
• Interior Side	15 m
• Rear	15 m
• Dwelling Unit Floor Area (minimum)	65 m ²
• Building Height (maximum)	12 m
• Lot Coverage (maximum)	20%
• Accessory Dwellings or Dwelling Units per Lot (maximum)	1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Minimum Separation Distance for a Salvage Yard

• From a residential use on another lot or a Residential zone	300 m
• From a non-residential use on another lot	100 m
• From a watercourse or water body	300 m

4. Special Exception Zones

(reserved)

7.3 Disposal Industrial (MD) Zone

1. Permitted Uses

portable asphalt plant
waste disposal site
waste recycling facility
waste transfer facility

2. Zone Provisions

- Lot Area (minimum) 2 ha
- Lot Frontage (minimum) 60 m
- Yards (minimum)
 - Front 30 m
 - Exterior Side 30 m
 - Interior Side 30 m
 - Rear 30 m
- Building Height (maximum) 12 m
- Lot Coverage (maximum) 20%

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Minimum Separation Distance for a Waste Disposal Site

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

4. Special Exception Zones

(reserved)

SECTION 8 – INSTITUTIONAL ZONES

8.1 Institutional (I) Zone

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 cemetery
 community service
 day nursery
 instructional facility
 park
 place of assembly
 place of worship
 school
 recreational establishment
 residential care home

2. Zone Provisions

- | | |
|--|-------------------|
| • Lot Area (minimum) | 0.4 ha |
| • Lot Frontage (minimum) | |
| • Lots designated Settlement Area in Official Plan | 40 m |
| • All other lots | 45 m |
| • Yards (minimum) | |
| • Front | 7.5 m |
| • Exterior Side | 7.5 m |
| • Interior Side | 6 m |
| • Rear | 10 m |
| • Dwelling Unit Floor Area (minimum) | 65 m ² |
| • Building Height (maximum) | 12 m |
| • Lot Coverage (maximum) | 20% |
| • Accessory Dwellings or Dwelling Units
per Lot (maximum) | 1 |

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Special Exception Zones

(reserved)

SECTION 9 - OPEN SPACE ZONES
9.1 Open Space (OS) Zone**1. Permitted Uses**

accessory dwelling
 accessory dwelling unit
 agricultural use, excluding buildings
 conservation use
 golf course
 marine facility
 park

2. Zone Provisions

• Yards (minimum)	15 m
• Dwelling Unit Floor Area (minimum)	65 m ²
• Building Height (maximum)	12 m
• Lot Coverage (maximum)	20%
• Accessory Dwellings or Dwelling Units per Lot (maximum)	1

3. Additional Provisions**1. General Provisions**

In accordance with Section 3 hereof.

4. Special Exception Zones

(reserved)

SECTION 10 - RURAL ZONES

10.1 Rural (RU) Zone

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 agricultural use
 bed and breakfast
 conservation use
 existing cemetery
 hunting or fishing camp
 kennel
 place of worship
 single dwelling

2. Zone Provisions

- Lot Area (minimum)
 - Agricultural use that includes the keeping of livestock 2 ha
 - Other permitted uses 0.4 ha
- Lot Frontage (minimum) 45 m
- Yards (minimum)
 - Front 7.5 m
 - Exterior Side 7.5 m
 - Interior Side 6 m
 - Rear 7.5 m
- Dwelling Unit Floor Area (minimum) 75 m²
- Dwelling Height (maximum) 10 m
- Lot Coverage (maximum) 20%
- Dwellings or Accessory Dwellings or Dwelling Units per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

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

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

3. Minimum Separation Distance for a Kennel

- From a residential use on another lot, a vacant lot in a Residential zone or any lands designated Settlement Area in the Official Plan 300 m

4. **Hunting or Fishing Camp Provisions**

Notwithstanding any provisions of Section 10.1.2 to the contrary, the following provisions shall apply to a hunting or fishing camp:

- A hunting or fishing camp shall not be permitted on a lot upon which a dwelling is located;
- The maximum floor area of a hunting or fishing camp shall be 60 m²;
- All yards shall be a minimum of 100 m.

5. **Mobile Home Alternative to a Dwelling**

Notwithstanding any provisions of this By-law to the contrary, in the RU zone a maximum of one mobile home having a minimum floor area of 60m² shall be permitted as an alternative to any dwelling permitted by Section 10.1.1.

4. **Special Exception Zones**

1. **RU-1** (*Part of Lot 15, Concession 8*)

Notwithstanding the provisions of Section 10.1.1 to the contrary, on the lands zoned RU-1, the following additional use shall be permitted:

- automobile repair shop

2. **RU-2** (*Part of Lot 24, Concession 7*)

Notwithstanding the provisions of Section 10.1.1 to the contrary, on the lands zoned RU-2, the following additional use shall be permitted:

- antique shop

3. **RU-3** (*Part of Lot 6, Concession 7*)

Notwithstanding the provisions of Section 10.1.1 to the contrary, on the lands zoned RU-3, the following additional uses shall be permitted:

- manufacturing, packaging and storage of log home materials
- office space and retail of cedar logs and log home materials

4. **RU-4** (*Part of Lot 15, Concession 8*)

Notwithstanding the provisions of Section 10.1.1 to the contrary, on the lands zoned RU-4, the following additional use shall be permitted:

- vehicle sales
- seasonal mobile canteen/chip wagon

5. **RU-5** (*Part of Lot 1, Concession 6*)

Notwithstanding the provisions of Section 10.1.1 to the contrary, on the lands zoned

RU-5, the following additional use shall be permitted:

- semi-detached dwelling

6. **RU-6** (*Part of Lot 12, Concession 9*)

Notwithstanding the provisions of Section 10.1.1 to the contrary, on the lands zoned RU-6, the following additional use shall be permitted:

- semi-detached dwelling

7. **RU-7** (*Part of Lot 2, Concession 8*)

Notwithstanding the provisions of Section 10.1.1 to the contrary, on the lands zoned RU-7, the following additional use shall be permitted:

- converted dwelling, containing a maximum of 2 units

8. **RU-8** (*Part of Lot 22, Concession 7*)

Notwithstanding the provisions of Section 10.1.1 and 10.1.2 to the contrary, on the lands zoned RU-8, a storage building shall be an additional permitted use, subject to the following provisions:

- Yard Requirements (minimum)
 - All yards 10 m
- Number of storage buildings per lot (maximum) 1
- Floor Area (maximum) 120 m²

9. **RU-9** (*Part of Lot 26, Concession 7*)

Notwithstanding the provisions of Section 10.1.1 and 10.1.2 to the contrary, a storage building shall be an additional permitted use, subject to the following provisions:

- Yard Requirements (minimum)
 - All yards 10 m
- Number of storage buildings per lot (maximum) 1
- Floor Area (maximum) 190 m²

For the purpose of this subsection, storage building means a building used for the storage of personal goods, equipment or vehicles, but does not include any storage or warehouse facility operated for financial gain or on a commercial basis.

SECTION 11 – AGRICULTURE ZONES

11.1 Agriculture (A) Zone

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 agricultural use
 bed and breakfast
 conservation use
 hunting or fishing camp
 single dwelling

2. Zone Provisions

• Lot Area (minimum)	40 ha
• Lot Frontage (minimum)	60 m
• Yards (minimum)	
• Front	7.5 m
• Exterior Side	7.5 m
• Interior Side	6 m
• Rear	7.5 m
• Dwelling Unit Floor Area (minimum)	75 m ²
• Dwelling Height (maximum)	10 m
• Lot Coverage (maximum)	20%
• Dwellings per Lot (maximum)	1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Requirements for Residential Lots Created by Consent

Notwithstanding the zone provisions of Section 11.1.2 to the contrary, where an existing dwelling is deemed surplus to an agricultural use and is severed for residential purposes, such severed lot may be used for a single dwelling in accordance with the zone provisions of Section 5.1.2 and, further, the retained lot shall not require relief from the minimum lot area provision of Section 11.1.2 in the event that the effect of the severance has been to render it non-complying.

3. Hunting or Fishing Camp Provisions

Notwithstanding any provisions of Section 11.1.2 to the contrary, the following provisions shall apply to a hunting or fishing camp:

- A hunting or fishing camp shall not be permitted on a lot upon which a dwelling is located;
- The maximum floor area of a hunting or fishing camp shall be 60 m²;
- All yards shall be a minimum of 100 m.

4. **Minimum Separation Distance for a New or Expanding Livestock Facility from a Dwelling**

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

5. **Mobile Home Alternative to a Dwelling**

Notwithstanding any provisions of this By-law to the contrary, in the A zone a maximum of one mobile home having a minimum floor area of 60m² shall be permitted as an alternative to any dwelling permitted by Section 11.1.1.

4. **Special Exception Zones**

1. **A-1** (*Part of Lot 9, Concession 9*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned A-1, the following additional uses shall be permitted:

- any use permitted in the I Zone
- public use

2. **A-2** (*Part of Lot 4, Concession 8*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned A-2, the following additional uses shall be permitted:

- any use permitted in the MG Zone
- slaughterhouse and retail meat sales

3. **A-3** (*Part of Lot 4, Concession 9*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned A-3, the following additional uses shall be permitted:

- any use permitted in the MG Zone

4. **A-4** (*Part of Lot 8, Concession 8*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned A-4, the following additional uses shall be permitted:

- any use permitted in the MG Zone

5. **A-5** (*Part of Lot 9, Concession 8*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned A-5, the following additional uses shall be permitted:

- any use permitted in the MG Zone

SECTION 12 – MINERAL RESOURCE ZONES

12.1 Mineral Aggregate Extraction (EX) Zone

1. Permitted Uses

aggregate processing operation
 agricultural use, excluding buildings
 asphalt plant
 concrete plant
 conservation use, excluding buildings
 pit
 quarry

2. Zone Provisions

- Yards (minimum)
 - Front 30 m
 - Exterior Side 15 m
 - Interior Side 15 m
 - Rear 15 m

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Minimum Separation Distance From a Dwelling on Another Lot

- Class B pit, with no excavation below the water table 150 m
- Any other pit or a concrete plant 300 m
- Quarry or asphalt plant 500 m

4. Special Exception Zones

(reserved)

SECTION 13 – NATURAL HERITAGE ZONES

13.1 Environmental Protection – A (EP-A) Zone

1. Permitted Uses

existing agricultural use
conservation use, excluding buildings

2. Zone Provisions

All Yards (minimum) 15 m

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Special Provisions

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

4. Special Exception Zones

(reserved)

13.2 Environmental Protection – B (EP-B) Zone**1. Permitted Uses**

existing use
conservation use
public park

2. Zone Provisions

All Yards (minimum) 15 m

3. Additional Provisions**1. General Provisions**

In accordance with Section 3 hereof.

2. Special Provisions

No site alteration shall occur and no building or structure shall be erected, altered or used except in accordance with the recommendations of an Environmental Impact Study undertaken to the satisfaction of the Township and which demonstrates no negative impacts on natural features or their ecological functions.

4. Special Exception Zones

(reserved)

SECTION 14 - NATURAL HAZARD ZONES

14.1 Flood Plain (FP) Zone

1. Permitted Uses

agricultural use
conservation use
golf course
marine facility
park

2. Zone Provisions

No site alteration shall occur and no building or structure shall be erected, altered or used except with the written approval of the relevant Conservation Authority pursuant to its Section 28 Regulation.

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Special Provisions

In the case of lots abutting lakes with engineered 1:100 year flood elevations, the limit of the FP zone shall be as follows:

- | | |
|-------------------|-------------------------|
| • Charleston Lake | 86.5 m (GSC) elevation |
| • Centre Lake | 108.0 m (GSC) elevation |
| • Graham Lake | 107.5 m (GSC) elevation |
| • Temperance Lake | 114.6 m (GSC) elevation |

4. Special Exception Zones

(reserved)

SECTION 15 - APPROVAL

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

This By-law given its first reading on September 3, 2013.

This By-law given its second reading on September 3, 2013.

This By-law given its third and final reading and passed under the Corporate Seal on September 3, 2013.

CORPORATE SEAL OF TOWNSHIP

Herb Scott
Mayor

Darlene Noonan
Clerk

Metric Conversion Chart

Imperial Units	Multiplied By	Equals Metric Units	Metric Units	Multiplied By	Equals Imperial Units
L E N G T H					
Inches	2.54	Centimetres	Centimetres	0.3937	Inches
Feet	0.3048	Metres	Metres	3.2808	Feet
A R E A					
Square feet	0.0929	Square metres	Square metres	10.764	Square feet
Acres	0.4047	Hectares	Hectares	2.471	Acres

Sample Conversions

AREA

Metric	Imperial
10 m ²	107.6 sq ft
12 m ²	129.2 sq ft
14 m ²	150.6 sq ft
20 m ²	215.3 sq ft
25 m ²	269.1 sq ft
40 m ²	430.6 sq ft
70 m ²	753.5 sq ft
75 m ²	807.3 sq ft
200 m ²	2,152.8 sq ft
230 m ²	2,475.7 sq ft
700 m ²	7,534.7 sq ft
4050 m ²	43,593.8 sq ft
1 ha	2.47 acres
2 ha	4.94 acres
40 ha	98.84 acres

LENGTH

Metric	Imperial
1 m	3.28 ft
2.75 m	9.02 ft.
3 m	9.84 ft
4.5 m	14.76 ft
6 m	19.69 ft
7.5 m	24.61 ft
9 m	29.53 ft
10 m	32.81 ft
15 m	49.21 ft
20 m	65.62 ft
30 m	98.43 ft
45 m	147.64 ft
60 m	196.85 ft
120 m	393.7 ft
150 m	492.1 ft
300 m	984.3 ft
500 m	1,640.4 ft

The foregoing metric conversion chart and sample conversions provide approximate conversions for the convenience of the reader and do not form part of the Zoning By-law.