



# Special Council Meeting Agenda

Wednesday, April 24, 2024

4:00 p.m.

Municipal Council Chambers

Pages

1. **CALL TO ORDER**

2. **OPEN FORUM (MAXIMUM FIFTEEN MINUTES)**

Interested persons are invited to speak to Council about any matter that appears on this Agenda. Please sign the registration form available from the Deputy Clerk or Clerk. Individuals may only speak for a total of three (3) minutes.

3. **APPROVE OR AMEND AGENDA**

**Resolution**

THAT Township of Chatsworth Council adopt the Agenda as circulated.

4. **DECLARATION OF PECUNIARY INTEREST**

5. **COMMITTEE OF THE WHOLE**

**Resolution**

THAT Council now go into Committee of the Whole.

5.1 **Consent Agenda and Determination of Items to be Separated**

**Resolution**

THAT the Consent Agenda items be hereby received for information.

5.2 **Staff Reports and Verbal Updates from Staff**

5.2.a **Comprehensive Zoning By-law Review - Meeting No. 3**

3

Meeting No. 3 - Comprehensive Zoning By-law

Attachments - Draft Zoning By-law

Power Point presentation

5.3 Rise and Report from Committee of the Whole

**Resolution**

THAT Committee of the Whole rise as Council to report and confirm the actions taken in Committee of the Whole.

**6. ADOPT ACTION OF COUNCIL IN COMMITTEE OF THE WHOLE**

(Items requiring discussion and direction will require a separate motion)

**Resolution**

THAT the actions taken in Committee of the Whole today be confirmed by this Council; and

FURTHER THAT staff be authorized to take the actions necessary to give effect to the approved recommendations contained within the staff reports; and

FURTHER THAT by-laws under consideration be presented to Council for third reading.

**7. NOTICE PROVISION**

Comprehensive Zoning By-law Meetings - May 22, 2024 and June 26, 2024 @ 4:00 p.m.

**8. ADJOURNMENT**



# Comprehensive Zoning By-law Review

Meeting #3 - April 24, 2024

# Zoning By-law Review Continued

- ▶ Amendments made from last meeting
- ▶ - highlights:
  - ▶ Removed minimum gross floor areas in all sections including SFD's, accessory apartment dwelling within primary residence and secondary residences
  - ▶ Height restrictions on SFD's - 10 metres (from 2 ½ storeys)
  - ▶ Section 8.11 - Special Regulations for Existing Lots (less than 2 hectares)

- ▶ Section 8.10 - Rural Zone (A 1) replaced with Rural Residential Zone provisions  
- (R1 is removed)
- ▶ Section 10.1a) Urban Residential Zone (R2) - added “or within a detached accessory building in accordance with section 7.2”
- ▶ Section 11.1 a) - Lake Residential (R3) - added in “an apartment within the single detached dwelling”.

# New Amendments

- ▶ Section 13 General Commercial Zone (C1) - remove 13.4
  - ▶ Minimum number per lot (some commercial buildings in the general commercial zone have more than one apartment)
  - ▶ Also removed the minimum floor size

# Discussion on STA's (Short Term Accommodations)

- ▶ **Difference between B & B and Air B & B**
- ▶ **Bed and Breakfast establishment (as per Chatsworth Zoning By-law)**
  - ▶ A detached dwelling unit in which no more than three Guest Rooms are made available for the temporary accommodation of the travelling or vacationing public;
  - ▶ **And that is the principle residence of the establishment's proprietor.**

- ▶ **Air B & B or Short Term Rental Accommodations** (not currently defined in Chatsworth By-law
  - ▶ Proposed definition could be:
- ▶ “means a Dwelling or any part thereof that operates or offers a place of temporary residence, lodging or occupancy by way of concession, permit, lease, license, rental agreement or similar commercial arrangement for a period of less than twenty-eight (28) consecutive calendar days, throughout all or any part of a calendar year. Short-Term Accommodation shall not mean or include a Motel, Hotel, Inn, Cabin, Bunkie, Campground, or commercial resort.
  - ▶ **And that it is not the principle residence of the establishment’s proprietor.**



# Objectives of a STA By-law

- ▶ To protect the character, amenities and quality of the community;
- ▶ Create accountability for and to ratepayers, short-term accommodators, and visitors;
- ▶ Create a level playing field for all STA owners and operators and provide enhanced consumer protection;
- ▶ Create a level playing field for STA owners and hotel/motel operators regarding taxation;
- ▶ Ensure occupants are provided with safe accommodations in terms of fire and building safety;
- ▶ Permit responsible short-term accommodation across the Municipality

# Discussion points

- ▶ Does Council wish to allow STA's?
  - ▶ - currently not permitted in Chatsworth by-law
- ▶ Where would they be permitted?
  - ▶ B & B's permitted in any zone in which a single family residential dwelling is a permitted use - but not in an accessory structure or accessory apartment (can only be within a SFD)
  - ▶ STA's - ?
- ▶ How are they regulated?
  - ▶ Licensing by-law that sets out regulations, process for applying, etc.

# Licensing fee

- ▶ Fees would be annual, as part of license renewal

<b>Annual STA license (HOSTED Property)</b>	<b>\$0.00</b>
Annual STA license (UNHOSTED Property)	\$300.00
Fire Inspection Fee	\$200.00
Council STA Appeal Fee	\$500.00
Penalty for operating without a STA License	\$1,000.00 per week

# STA's next steps

- ▶ Reference to be added to zoning by-law (definitions)
- ▶ Draft licensing by-law to be prepared
- ▶ (include as part of public meeting notification)
- ▶ Enforcement

# **Township of Chatsworth Comprehensive Zoning By-law (Draft 3)**



# **Adopted 2024**

## **TABLE OF CONTENTS**

**Index to be inserted**

## **PREAMBLE**

This section explains the purpose of this Zoning By-law and how it should be used. The preamble does not form part of the Zoning By-law and is intended to make the By-law more understandable.

### **Purpose of the Zoning By-law**

The purpose of the Zoning By-law is to implement the policies of the County of Grey Official Plan and the requirements of the Provincial Policy Statement (PPS). The Official Plan contains general policies that guide the use of land throughout the County, including the Township of Chatsworth. These policies specify where certain land uses are permitted and what conditions the permission may be reliant upon.

The Official Plan is a general document that identifies a vision, desired outcomes, features that are to be protected, and procedures that are to be adhered to when an application under the Planning Act is triggered. The Official Plan does not regulate every aspect of the built form. The Zoning By-law is a regulatory document that applies to all aspects of the built form identified within the By-law. Any Zoning By-law passed by Council must conform to the Official Plan. For example, because the Official Plan states that development shall not occur in Hazard areas or Provincially Significant Wetlands, the Zoning By-law must prohibit development within these areas.

A portion of the Township is located within the Niagara Escarpment Plan Area. The Municipality's Zoning By-law does not possess regulatory authority within the Development Control Area of the Niagara Escarpment Commission (NEC). Areas subject to NEC Development Control are identified in the zone schedules (maps) of this By-law. All development within the NEC Development Control Area requires a permit or exemption from the NEC. Any inquiries regarding development requirements on lands that are subject to Niagara Escarpment Development Control should be directed to the NEC at:

### **Niagara Escarpment Commission**

Telephone: 519-371-1001

Email: [necowensound@ontario.ca](mailto:necowensound@ontario.ca)

Website: [www.escarpment.org](http://www.escarpment.org)

Address: 1450 7<sup>th</sup> Avenue, Owen Sound, ON N4K 2Z1

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

The steps listed below should be followed to determine what uses are permitted on a property.

#### **Locate the Property on a Map**

Maps in a Zoning By-law are called Schedules. The first step to using this By-law is to refer to the Zone Schedules that are contained at the back of the By-law to determine which Zone(s) your property is located within.

The Zone is indicated on the Schedules by a symbol or abbreviation. For example, you may see a symbol such as A1 that applies to your property. This symbol indicates that your property is

within the Agricultural Zone. The Zone Symbols or abbreviations are identified in Section 6.5 (Establishment of Zones) of the By-law.

An indication from this By-law that a given use is permitted on a lot does **not** mean that you do not need to confirm compliance with other relevant by-laws and/or legislation. For example, while this By-law may permit a certain use, you may be required to enter into a Site Plan Agreement prior to obtaining a building permit. Permits may also be required from the relevant Conservation Authority if the lands are within a regulated area, or from the Ministry of Transportation if the property is within the controlled area along Highway 6 or 10 or its intersecting concession roads.

For information about what requirements may exist for your property, please contact the Planning Department at [planning@chatsworth.ca](mailto:planning@chatsworth.ca)

### **By-law Amendments, Minor Variances and Exceptions**

A Zoning By-law is not a static document; it is amended over time as demands and policies governing land use change. By-laws are commonly amended to change the zone to provide for a specific use or to prohibit a certain use. In some cases, special provisions are applied to a property that vary the zone provisions for that property. Where applicable, these special, site-specific provisions are identified with a number or an h holding symbol. The corresponding provisions are detailed in Section 29.

### **Permitted Uses and Zone Standards**

The next step to using this By-law is to determine what uses are permitted on your property. Sections 8 through 28 of the By-law identifies the permitted uses for each Zone. The definitions in Section 5 can assist you if you are not sure of the nature of a use or how it has been defined in the By-law.

Uses that are not identified as permitted uses within a particular Zone are not permitted in that specific Zone.

The next step is to determine what Zone standards may apply to the uses on your property. Each Zone identifies standards including minimum lot area, minimum lot frontage, minimum yard setbacks, maximum permitted heights of buildings, etc.

### **General Provisions**

Once you are aware of the uses permitted on your property and the specific Zone standards that apply to those uses, refer to Section 7 (General Provisions and Prohibited Uses) of this By-law. This section contains a generic set of standards that must be reviewed for applicability to any use in any Zone. Parking standards are included in this section.





# **THE CORPORATION OF THE TOWNSHIP OF CHATSWORTH ZONING BY-LAW NO. 2024-**

**BEING A BY-LAW** under the provisions of section 34 of the Planning Act, R.S.O. 1990 as amended, to restrict the use of lands and the character, location and use of buildings and structures, and to prohibit certain buildings and structures in various defined areas of The Corporation of the Township of Chatsworth.

**WHEREAS** authority is granted under Section 34, 36 and 39 of The Planning Act, R.S.O. 1990 Chapter P.13 as amended to pass this By-law;

**WHEREAS** the Municipal Council of the Corporation of the Township of Chatsworth considers it advisable to restrict, prohibit and regulate the use of land situated within the defined areas, as hereinafter designated, for the purpose of preventing any further development creating an adverse effect on the Corporation; and to prevent the use of lands that would jeopardize future orderly development and expansion; and to protect the natural environment.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF CHATSWORTH ENACTS AS FOLLOWS:**

## **SECTION 1 - TITLE OF BY-LAW**

**1.1** This By-law shall be cited as The Zoning By-law of the Corporation of the Township of Chatsworth.

## **SECTION 2 - INTERPRETATION**

**2.1** In this By-law, unless the context clearly indicates the contrary, the expression use or to use shall include anything done or permitted by the owner or occupant of any land, building or structure, directly or indirectly or by or through any trustee, tenant, servant, or agent, acting with the knowledge or consent of such owner or occupant, for the purpose of making use of the said land, building or structure.

**2.2** In this By-law, the word shall is construed as always mandatory.

**2.3** This By-law consists of all textual components and schedules contained herein.

**2.4** Uses not listed as permitted in a zone or otherwise provided for in this By-law shall be prohibited in such zone except as provided for under Section 7.13 (Non-conforming uses) of this by-law.

**SECTION 3 – APPLICATION OF THE BY-LAW**

**3.1 LANDS SUBJECT TO BY-LAW**

The provisions of this By-law shall apply to all lands within the boundaries of the Corporation of the Township of Chatsworth except those lands within the Niagara Escarpment Development Control regulations, as shown specifically on the schedules.

**3.2 CONFORMITY REQUIREMENTS**

- 3.2.1 No person shall use any land, or construct, alter or use any building or structure or part thereof within the limits of the Township of Chatsworth except in conformity with the provisions of this By-law. Uses not listed as permitted or otherwise provided for in this By-law shall be prohibited.
- 3.2.2 No building, structure or part thereof constructed or altered in contravention of this By-law shall be used by any person so long as such building, structure, or part thereof, continues to contravene the provisions of this By-law.
- 3.2.3 No lot shall be reduced in any area by conveyance, severance, mortgage or other alienation of a part thereof so that any remaining yard or other open space is less than required by this By-law. If any such reduction occurs, such lot and any building or structure thereon shall not thereafter be used by any person unless and until the said yard or requirements of this By-law are complied with.
- 3.2.4 Subsection 3.2.3 shall not apply to a lot reduced in area by the conveyance to or severance or expropriation by the Corporation of the Township of Chatsworth or any other authority having the powers of expropriation.
- 3.2.5 No person shall change the purpose for which any lot, building or structure is used, or construct, alter, or use any building or structure, or sever any lands from any existing lot, if the effect of such action is to cause the original, remaining or new building, structure or lot to be in contravention of this By-law.

**3.3 APPLICATION OF OTHER BY-LAWS AND REGULATIONS**

Nothing in this By-law shall relieve any person from the obligation to comply with the requirements of the Ontario Building Code Act or any other by-law of the Municipality or County in force from time to time or the obligation to obtain any license, permit or approval lawfully required under any regulation or By-law of the Municipality, County or by a government authority having jurisdiction to make such restrictions.

**3.4 CONFLICTS WITH OTHER MUNICIPAL BY-LAWS**

In the event of any conflict or inconsistency between this By-law **as amended** and any

other By-law of the Corporation, the provisions of this By-law shall prevail.

**3.5 CONFLICTING REGULATIONS**

Where a combination of permitted uses results in conflicting regulations, the most restrictive regulations shall apply.

## **SECTION 4 - ADMINISTRATION, ENFORCEMENT AND PENALTIES**

### **4.1 RESPONSIBILITY**

The responsibility of administering this By-law shall be vested in the Planner for the Township of Chatsworth or such other administrative official of the Township of Chatsworth as the Council shall designate from time to time.

### **4.2 BUILDING AND OTHER PERMITS OR LICENSES**

4.2.1 Notwithstanding the provisions of any other by-laws of the Township of Chatsworth, the Chief Building Official shall not issue any Building Permit or any other permit where the proposed building or any part thereof, use or occupancy would be in violation of any provisions of this By-law.

4.2.2 It shall be prohibited for any person(s) to use or permit to use or cause a change in use of any building or part thereof, hereafter erected or altered until such Building Permit or Change of Use Permit has been issued and certified by the Chief Building Official in accordance with the Ontario Building Code Act and this By-law.

4.2.3 No municipal permit or licence shall be issued where said permit is required for a proposed use of land or the proposed erection, alteration, enlargement, or use of any building or structure that is in violation of any provision of this By-law.

4.2.4 In all zones, any building or structure which is moved from one location to another, whether within the zone or from one zone to another, or from any location beyond the boundary of the Municipality, into any zone, shall be considered as being a new building or structure and shall comply with the provisions of this By-law.

### **4.3 INSPECTION OF PROPERTY AND PREMISES**

The By-law Enforcement Officer and/or the Chief Building Official for the Township is responsible for enforcing this by-law.

Where an officer believes on reasonable grounds that a by-law under section 34 or 38 is contravened, the officer or any person acting under his or her instructions may, at all reasonable times and upon producing property identification, enter and inspect any property on or in respect of which he or she believes the contravention is occurring.

Except under the authority of a search warrant issued under section 49.1 of the Planning Act, an officer or any person acting under his or instructions shall not enter any room or

place actually used as a dwelling without requesting and obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused and entry made only under the authority of a search warrant.

#### **4.4 VIOLATIONS, PENALTIES, AND REMEDIES**

Any person convicted of a breach of any provision of this By-law shall be subject to such penalties or orders as provided for in Section 67 of the Planning Act, as amended.

#### **4.5 ADDITIONAL REMEDIES**

In case any building or structure is to be erected, altered, reconstructed, extended or part thereof is to be used, or any lot is to be used, in contravention of any requirement of this By-law such contravention may be restrained by action at the instance of any rate-payer or of the Corporation of the Township of Chatsworth pursuant to the provisions of the Municipal Act or the Planning Act as amended from time to time.

#### **4.6 RELATIONSHIP WITH OTHER BY-LAWS**

Nothing in this By-law shall operate to relieve any person from the requirements of the Building Code or any By-law or requirements of the Municipality in force from time to time, or the obligation to obtain any licence, permit, authority, or approval required under any By-law of the Municipality or other government authority. Any use established in violation of a predecessor of this By-law will be deemed to have been established unlawfully.

#### **4.7 GENERAL INTERPRETATION AND APPLICATION**

4.7.1 In their interpretation and application, the provisions of this By-law shall be held to be the minimum requirements adopted for the promotion of the public health, safety, convenience, or general welfare. Whenever the requirements of this By-law are at variance with the requirements of any other By-law, the most restrictive, or the By-law imposing the higher standards shall govern and apply. Nothing in this By-law shall be construed to exempt any person from complying with the requirements of any By-law of the Municipality or the Corporation of the County of Grey or from any law of the Province of Ontario or of Canada, or any regulations under the provisions of the Conservation Authorities Act.

4.7.2 In this By-law the word shall is mandatory and directory; words used in the present tense include the future; words in the singular number include the plural and words in the plural include the singular number. Words imparting the masculine gender shall include the feminine and the converse.

#### **4.8 TEMPORARY USE PROVISIONS**

Certain lands identified by Section 29 - Exceptions are subject to temporary use

provisions of Section 39 of the Planning Act R.S.O. 1990 Chapter P.13 as amended.

#### **4.9 REPEAL OF EXISTING BY-LAWS**

From the date of the coming into force of this By-law, all previous By-laws passed under Sections 34, 36 and 39 of the Planning Act, R.S.O. 1990 Chapter P.13 as amended or predecessor thereof shall be deemed to have been repealed.

#### **4.10 VALIDITY**

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

#### **4.11 Effective Date**

This By-law shall come into force and take effect on the day it is passed by Council subject to any approval necessary pursuant to the Planning Act, R.S.O., 1990, Chapter P.13 as amended.

## SECTION 5 - DEFINITIONS

For the purposes of this By-law, the definitions and interpretations given in this Section shall govern.

The definitions contained in this Section include some definitions of uses which are not uses permitted in any zone. The uses which have been defined but not permitted are uses which may be contemplated in the future but is not implied that they will be permitted.

<b>Abattoir</b>	A building or structure specifically designed to accommodate the penning and slaughtering of live animals and the preliminary processing of animal carcasses as per The Meat Inspection Act, R.S.O. 1990, and may include the packing, treating, storing, and sale of the product on the premises.
<b>Accessory Building or Structure</b>	<p>i) A detached building or structure above ground or below ground not used for human habitation, the use of which is naturally and normally incidental to, subordinate to, and exclusively devoted to a principal use or building and located on the same lot therewith, and</p> <p>ii) Includes, amongst others, a detached private garage, a detached carport.</p>
<b>Accessory Use</b>	a use naturally and normally incidental to, subordinate to and exclusively devoted to a principal use and located on the same lot therewith. The term Ancillary shall have the same meaning as Accessory when used in relation to a <i>Use</i>
<b>Adult Entertainment Parlour</b>	any premises where goods, entertainment or services that are designed to appeal to erotic or sexual appetites or inclinations are provided, in pursuance of a business licensed by the Corporation, but does not include the exhibition of film approved under the Theatres Act
<b>Agricultural Bulk Sales Establishment</b>	the use of land and/or buildings or structures for the purpose of supply of goods, materials or services that are necessary to support agricultural uses as defined by this By-law. These shall include such goods and services as the sale, processing and storage of seed, feed, fertilizer and chemical products, farm machinery and equipment sales and service, and animal and poultry health and breeding services.
<b>Agricultural Education Facility</b>	the use of land, buildings, or structures or part thereof, for a commercial purpose for organizations, groups, or associations for practical educational purposes on agricultural operations, and may include sleeping accommodation, kitchen and washroom facilities
<b>Agricultural Processing Establishment</b>	the use of land and/or buildings or structures for the processing of products derived from grain. These shall include such products as seed, grain, feed and forage processing storage and transport



<b>Agricultural Use</b>	the use of land, building or structure for the purpose of animal husbandry, raising of livestock and other animals for food or fur, including poultry, bee-keeping, fish, aqua-farming, greenhouses and horticulture crops, pasturage, fallow, maple syrup production or any other farming use; and includes the growing, raising, packing, treating, storing and sale of agricultural products produced on the premises but does not include an <b>abattoir, kennel, rendering plant, commercial greenhouse and/nursery or garden centre</b> . For kennel requirements, Animal Control By-laws should be consulted.
<b>Agricultural Products</b>	<b>Includes plants or food grown or animal livestock, poultry, bees, and dairy raised on an agricultural property. Also includes on-farm generated manure.</b>
<b>Agricultural Related Use</b>	means a commercial or industrial use directly related to agriculture and requiring proximity to farm operations and may include but not limited to such uses as animal husbandry services, produce or grain storage/processing facilities, farm machinery sales and service outlets, feed and seed warehouse and retail outlets.
<b>Airfield, Private</b>	shall mean land used for the purpose of landing, storing, taxiing or taking-off of commercial and/or private aircraft and required accessory uses but does not include an airport under licence by Transport Canada.
<b>Airport</b>	shall mean the use of land licensed by Transport Canada for the landing and take-off of commercial and/or private aircraft and shall include any buildings or structures accessory thereto.
<b>Aerodrome</b>	shall mean any area of land, water, (including a frozen surface thereof) or other supporting surface used or designed, prepared, equipped, or set apart for use, either in whole or in part, for the arrival or departure, movement, or servicing of aircraft and includes any buildings, installations, and equipment in connection therewith.
<b>Alter</b>	when used in reference to a building, <b>structure</b> , or part thereof, shall mean to change any one or more of the <b>internal or external dimensions</b> of such building or to change the type of construction of the exterior walls or roof thereof <b>or a change from one type of occupancy or use to another or a structural alteration or change thereto</b> . When used in reference to a lot, the word alter means to decrease the width, depth, or area of any required yard, setback, or boundary of such lot with respect to a street or land, 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.
<b>Amenity Area</b>	means an area or areas intended for use for recreation or aesthetic purposes within the boundaries of a lot and may include landscaped open areas, unenclosed patios, decks, balconies and porches, communal lounges, swimming pools, recreation facilities and any other areas which may be used for recreational or aesthetic purposes, but shall not include any driveway or parking area <b>associated with a residential use</b> .
<b>Arena</b>	shall mean a building or structure used for indoor sporting or community activities.

<b>Arcade</b>	shall mean a place of business where an individual, association, partnership or corporation maintains three (3) or more amusement devices.
<b>Attached</b>	when used in reference to a building, means a building otherwise complete in itself which depends for structural support or complete enclosure upon a division wall or division walls shared in common with adjacent building or buildings
<b>Attic</b>	shall mean that portion of a building situated wholly or partly within the roof of such building and which is not a one-half storey.
<b>Auction Establishment</b>	means a building and/or lands or part thereof used for the retail sale of articles or goods to the members of the public bidding the highest offer for the article or goods during the sale proceedings. <b>An auction facility may include an auction barn where livestock are kept on a temporary basis for sale by public auction.</b>
<b>Automotive Service Station</b>	means a lot, building or other structure where goods are sold and/or services and repairs are provided which are essential to the operation of motor vehicles, but does not include <b>a retail store, automotive body repair shop, automotive sales establishment or automotive washing establishment.</b>
<b>Automotive Use</b>	means an <b>automotive service station, an automotive body repair shop, an automotive sales establishment or automotive washing establishment</b> as defined in this By-law.
<b>Automotive Washing Establishment</b>	means a building or structure used for the washing or cleaning of motor vehicles by automatic or self-serve washing equipment
<b>Bakery</b>	means a building or part thereof for producing, mixing, compounding or baking bread, biscuits, cakes or other baked products, <b>but does not include a restaurant or other premises where any such product is made for consumption on the premises and does not include a bake shop.</b>
<b>Bake Shop</b>	means a retail store where bakery products are offered for sale, some or all of which may be prepared on the premises.
<b>Balcony</b>	means a stage or platform, other than a stoop, projecting from the wall of a building and accessible from inside such building by means of a door.
<b>Basement</b>	shall mean a storey which has fifty per cent or more of its height above the average level of the ground surrounding the building or structure.
<b>Bed and Breakfast Establishment</b>	shall mean a detached dwelling in which no more than three (3) Guest Rooms are made available for the temporary accommodation of the travelling or vacationing public <b>by way of permit, license, rental agreement or similar commercial arrangement throughout all or any part of a calendar year and that is the principle residence of the establishment's proprietor.</b> Such an establishment may offer light meals to those persons temporarily residing at the establishment. <b>Bed and breakfast establishment shall not mean or include motel, hotel, short term accommodation, tourist cabin or cottage, or other similar commercial use.</b> The Bed and Breakfast

	<p>Establishment must comply with the following provisions:</p> <ul style="list-style-type: none"> <li>i) No person other than a member of the family (as defined) shall be employed in the establishment except as is necessary for housekeeping purposes;</li> <li>ii) There shall be no external display or advertising other than a legal sign not larger than 1 square metre to indicate to persons outside, that the dwelling is also a Bed and Breakfast Establishment;</li> <li>iii) Each Guest Room shall have a minimum floor area of 10 square metres;</li> <li>iv) No food or drink shall be offered or kept for sale for persons who are not guests of the establishment;</li> <li>v) One parking space per guest room or suite.</li> </ul>
<b>Buffer Area or Strip</b>	means a landscaped area intended to obstruct or reduce the noise, lighting glare, unsightly views or any other nuisance of one land use or property onto another and may include such screening features as a continuous row of trees or hedge row of evergreens or shrubs, a berm, a wall or an opaque fence.
<b>Building</b>	shall mean a structure, whether temporary or permanent, used or intended to be used for the shelter, accommodation, or enclosure of persons, goods or chattels, but excludes a lawful boundary wall or fence.
<b>Building Height</b>	shall mean the vertical distance measured from the average finished grade level at the front elevation of such buildings to the highest point of the roof surface or the parapet, whichever is greater; but in calculating the height of a building, any construction used as ornament or for the mechanical operation of the building, such as a mechanical penthouse, tower, cupola, steeple, or other roof structure shall be disregarded.
<b>Building Line</b>	shall mean any line regulating the distance between a front lot line and the main front wall of a building.
<b>Building, Main or Building, Principal</b>	shall mean the building or buildings designed and/or intended to accommodate the principal use(s) of a lot permitted by this By-law.
<b>Building Official or Chief Building Official</b>	shall mean the officer or employee of the Corporation charged with the duty of enforcing the provisions of the Ontario Building Code.
<b>Building Setback</b>	means the least horizontal distance permitted by this By-law as measured between a lot line of a lot and the nearest portion of any building, structure or open storage area excluding permitted architectural projections/encroachments.

<b>Building Supply Outlet</b>	shall mean a building, <b>structure</b> or parts thereof where building, construction or other home improvement materials are <b>stored for the purpose of wholesale or retail and may include accessory facilities for the cutting of the finished lumber products.</b> <del>and lot for the sale and storage of building materials and equipment</del> but does not include any manufacturing, assembling or processing uses.
<b>Bulk Sales Establishment</b>	shall mean the use of lands, buildings or structures for the purpose of buying and selling fuel, oil, wood, coal, lumber, building materials, ice and allied commodities but does not include any manufacturing, assembling, or processing uses.
<b>Business or Professional Office</b>	<b>means a building, structure or parts thereof in which one or more persons are employed in the management, direction or conducting of a business or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatment and may include the administrative offices of a not for profit or charitable organization.</b>
<b>By-law Enforcement Officer</b>	shall mean the Officer or employee of the Corporation charged with the duty of enforcing the provisions of the Zoning By-law of the Township.
<b>Cabin, Sleeping</b>	shall mean a building or structure designed and built for temporary human accommodation containing separate heating facilities but no culinary or sanitary facilities and having an area of not less than 10 square metres and not more than 30 square metres.
<b>Campground</b>	<b>means a public or privately operated facility offering overnight camping experiences from tent sites to serviced trailer sites, including accessory administrative offices, convenience store, laundry facilities, sanitary facilities and associated recreational uses that cater to short-term guests and not to year-round residents, whose accommodation is a tent, tent trailer, recreational travel trailer, motor home, camper van, camper pick-up.</b>
<b>Carport</b>	shall mean a building or structure or part thereof, of which at least 40 percent of the area of the perimeter is open and unobstructed by any wall, door, post or pier, for the temporary parking or storage of a private motor vehicle
<b>Cellar</b>	shall mean a storey which has more than fifty per cent of its height below the average level of the ground surrounding the building or structure.
<b>Cemetery</b>	shall mean a cemetery within the meaning of the Funeral, Burial and Cremation Services Act, 2002.
<b>Certificate Of Occupancy</b>	means a certificate issued by the Chief Building Official certifying that the subject building or structure has been constructed in accordance with the Building Code Act and meets applicable Municipal or Provincial regulations and may be occupied and used for the use requested.
<b>Change of Use Certificate</b>	<b>A certificate issued by the Chief Building Official when a use has been altered on a property.</b>
<b>Church</b>	shall mean a building dedicated to religious worship and shall include a church hall, church auditorium, Sunday school, parish hall, and church day

	nursery. <del>but does not include, amongst others, lands used as a tent and trailer campground, or lands containing sleeping cabins or housekeeping cottages.</del>
<b>Clinic, Health Care</b>	shall mean a building or part thereof used by qualified medical practitioners, dentists, chiropractors, or other drugless practitioners numbering more than two, for public or private medical, surgical, physiotherapeutic or other human health purposes, except when included within or accessory to a private or public hospital
<b>Clinic, Veterinary</b>	shall mean a building or part thereof used by a veterinary surgeon for the treatment and care of animals, birds, or other livestock.
<b>Club</b>	shall mean a building or part of a building used as a meeting place for members of an organization and includes, amongst others, a lodge, a fraternity, or sorority house, and a labour union hall.
<b>Club, Commercial</b>	shall mean any club other than a private club
<b>Cold Storage Locker Plant</b>	shall mean a building in which space in individual lockers is rented or otherwise made available for the storage of frozen food.
<b>Commercial</b>	shall mean the use of lands, buildings, or structures, for the purpose of buying and selling commodities, and supplying of services as distinguished from such uses as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.
<b>Commercial Greenhouse and/or Nursery</b>	means the use of land, buildings or structures for the growing and/or storing of flowers, fruit trees, ornamental trees, vegetable plants, shrubs, trees and similar vegetation for the purpose of transplanting, for use as stock or grafting, and includes the retail sale or wholesale distribution of such items directly from the premises/lot including the sale of associated items such as soil, mulch, planting mediums, fertilizers and similar materials, furnishing and supplies.
<b>Commercial Vehicle</b>	means a vehicle defined or licensed by the Province of Ontario as a commercial motor vehicle, pursuant to the provisions of The Highway Traffic Act, as amended from time to time, or any successors thereto
<b>Commercial Stable</b>	shall mean the use of lands, buildings, or structures for the purpose of boarding ten or more horses, and/or the rental of horses to the general public for riding purposes, but does not include the training of horses and/or riders, equestrian events, horse racing, or the overnight accommodation of patrons
<b>Community Centre</b>	shall mean a municipally owned building or part of a building in which facilities are provided for such purposes as meetings for civic, educational, political, religious, or social functions, but does not include any continuous commercial use.
<b>Community Facility</b>	shall mean a use of land, building or structure such as:

	<p>a) public utilities such as a waterworks system, sewage works system, electric power, gas, communications facilities, road and railway networks, flood and erosion control works;</p> <p>b) government buildings such as administration offices, court houses, post offices, assessment and registry offices;</p> <p>c) cultural facilities such as libraries, museum, auditoriums, theatres and civic and convention centres;</p> <p>d) sport facilities such as arenas, race tracks, fair grounds and stadiums;</p> <p>e) public service facilities such as police and fire stations, cemeteries, works yard and garages;</p> <p>f) institutions such as churches, schools, hospitals, day care centres, group homes, fraternal or other non-profit organizations.</p>
<b>Condominium</b>	<p>shall mean an individual ownership in a multiple unit development with common elements in which:</p> <p>i) The unit comprises not only the space enclosed by the unit boundaries, but all material parts of the land within the space;</p> <p>ii) The common element shall mean all the property within the development, except the units;</p> <p>iii) The common element is owned by all of the owners as tenants in common</p>
<b>Conservation</b>	<p>shall mean the use of land for the purpose of maintaining or enhancing the natural environment and, amongst other things, shall include the provision of proper environmental conditions for wildlife, protection against flooding and erosion, and the protection of water supplies.</p>
<b>Conservation Authority</b>	<p>means the Saugeen Valley Conservation Authority or the Grey Sauble Conservation Authority, whichever is applicable</p>
<b>Construction Trailer</b>	<p>A mobile unit that is placed on a property on a temporary basis during construction of a building for the storage of equipment or for construction employees to gather or manage the construction site and which is not used for human habitation.</p>
<b>Contractor's Yard</b>	<p>shall mean the use of lands, buildings or structures or parts thereof by any building tradesman or contractor where equipment and material are stored including the storage and maintenance of heavy machinery or equipment or where a tradesman or contractor performs shop or assembly work, <b>but does not include the wholesale or retail sale of building or home improvement supplies</b></p>
<b>Convenience Store</b>	<p>shall mean a retail commercial establishment supplying groceries and other</p>

	daily household necessities to the immediately surrounding area
<b>Corporation</b>	shall mean the Corporation of the Township of Chatsworth
<b>Cottage</b>	shall mean a building or structure designed and built as an independent and separate housekeeping establishment with separate culinary and sanitary facilities provided for the exclusive use of one family for temporary occupancy during weekends or vacation periods and for permanent human habitation, notwithstanding that it may be designed and/or constructed for such year round or permanent human habitation, and does not include a tent, cabin, trailer, mobile home, converted railway car, or motor home.
<b>Council</b>	shall mean the Council of the Corporation of the Township of Chatsworth
<b>County</b>	shall mean the Corporation of the County of Grey
<b>Custom Workshop</b>	shall mean a building or structure or part thereof where the manufacturing of small quantities of articles is performed by a tradesman requiring manual or mechanical skills, but does not include machining, stamping, or forging of materials. <b>For the purposes of this By-law, a custom workshop is not a home occupation or home industry as defined in this By-law.</b>
<b>Day Care Centre</b>	<del>shall mean a premise that receives more than five children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance for a continuous period not exceeding twenty four hours where the children are, a) under eighteen years of age in the case of a day nursery for children with a developmental handicap and b) under ten years of age in all other cases, but does not include: c) part of a public school, separate school or private school.</del>
<b>Day Nursery</b>	<b>means a use, building or structure or parts thereof duly licensed by the Province of Ontario pursuant to the Child Care and Early Years Act, as amended. This definition does not include private home day care as defined elsewhere in this By-law.</b>
<b>Development</b>	shall mean the construction, erection, or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof.
<b>Drive-Through Restaurant</b>	<del>shall mean a restaurant specializing in fast food preparation, the provision of take-out service or the dispensing of means by means other than individual table attendants and the provision of on-site parking facilities.</del>
<b>Drive Through Facility</b>	<b>means a structure or parts thereof including Stacking Lanes, to provide or dispense products or services either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motor vehicles. A Drive-Through facility shall only be permitted where explicitly identified as a permitted use in a Zone.</b>
<b>Dry Cleaning Establishment</b>	means a building where any one or more of dry cleaning, dry dyeing, cleaning or pressing of articles or goods of fabric is or are carried on
<b>Dry Cleaning Distribution Outlet</b>	means a building used for the purpose of receiving articles of goods of fabric to be subjected to the process of dry cleaning, dry dyeing or cleaning elsewhere and for the distribution of any such articles or goods which have been subjected to any such process.
<b>Dwelling</b>	<b>shall mean a building that contains at least one Dwelling Unit and that is</b>



<p><b>Dwelling Unit</b></p>	<p>principally used for permanent Human Habitation.</p> <p>means a room or suite of rooms contained within a permanent Building that are capable of supporting continuous year-round domestic Use of one or ore individuals living as a single house-keeping unit and contains heating, cooking ,living, sleeping and sanitary facilities, but shall not include any <del>mobile home</del>, construction trailer, travel trailer, hotels, motels, a home for the aged, nursing home, hospital, or living quarters for a caretaker, watchman or other person or persons using living quarters which are accessory to a non-residential building.</p> <p>a) <b>Accessory Detached Dwelling</b> shall mean a detached dwelling subordinate and incidental to the principal use, building or structure located on the same lot therewith.</p> <p>b) <b>Apartment Dwelling</b> means a building consisting of three (3) or more dwelling units, which have a common entrance from street level and the occupants of which obtain access to their dwelling units through common halls.</p> <p>c) <b>Converted Dwelling</b> means an existing dwelling constructed as a single detached dwelling or semi-detached dwelling unit on an existing lot in which the number of dwelling units has been increased without significant alteration to the exterior of the building except for the required fire escapes, extra windows and entrances to a maximum of 10 percent (10%) of the dwelling or 30 square metres, whichever is the lesser, and provided that the building, when converted, complies with the provisions of the Building By-law and the parking and other provisions of this By-law.</p> <p>d) <b>Single Detached Dwelling</b> means a separate, free-standing building designed for and containing only one dwelling unit, but does not include a mobile home <del>or modular dwelling</del> as defined in this By-law.</p> <p>e) <b>Duplex Dwelling</b> means a building that is divided horizontally into two separate dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.</p> <p>f) <b>Fourplex Dwelling</b> means a building which consists of two (2) attached duplex dwellings, or a building containing only two storeys exclusive of the basement or cellar, divided vertically into four (4) dwelling units with either one or two complete walls in common with adjoining units and an independent entrance, either directly or through a common vestibule.</p> <p>g) <b>Modular Dwelling</b> means a prefabricated single unit dwelling</p>
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	<p>constructed <del>or assembled such that the shortest side of such dwelling is not less than 6.1 metres in width.</del> <b>in accordance with CSA277 Standards.</b></p> <p>h) <b>Semi-Detached Dwelling</b> means a pair of attached single dwelling units constructed for permanent use with a common party wall dividing the pair of dwelling units vertically for the full height of the building, each of which has an independent entrance.</p> <p>i) <b>Semi-Detached Dwelling Unit</b> means one of a pair of dwelling units in a semidetached dwelling.</p> <p>j) <b>Street Townhouse Dwelling</b> means a townhouse with each unit on a separate lot and having legal frontage on a public street.</p> <p>k) <b>Townhouse Dwelling</b> means a building that is divided vertically into three (3) or more dwelling units by common walls extending from the base of the foundation to the roof line, each of which has independent entrances to a front and rear yard immediately abutting the front and rear walls of each dwelling unit, or a front and side yard in the case of a dwelling unit located at the end of the townhouse building, and so located on a lot that the individual units are not required to have frontage on a public street.</p> <p>l) <b>Triplex Dwelling</b> means a building which is divided horizontally or vertically into three (3) separate dwelling units each of which has an independent entrance, either directly or through a common vestibule.</p>
<b>Electrical Shop</b>	shall mean a building or structure or a portion of a building or structure which is utilized by a professional electrician in the storage of material and supplies for the business plus an office.
<b>Environmental Impact Study (EIS)</b>	<p>shall mean a study to identify and assess the potential impacts of specific development proposals on known or potentially sensitive areas. Site EIS's can take the form of full or scoped studies. The Township and the Conservation Authority will assist proponents in identifying the key technical issues to be addressed and the appropriate level of effort required in the preparation of a site EIS. The exact EIS requirements will vary depending on the specific development scenario being proposed. Where small developments barely encroach on sensitive lands, a scope EIS would likely be the appropriate vehicle for addressing impacts. Larger, more complex proposals are more likely to require a full site EIS. Components of the EIS shall include:</p> <p>a) A description of the natural environment, including both physical form and ecological function;</p>

	<p>b) Summary of the development proposal;</p> <p>c) Prediction of direct, indirect and cumulative effects of development compared with overall environmental goals;</p> <p>d) Identification and evaluation of options to avoid impacts;</p> <p>e) Identification and evaluation of options for mitigation or rehabilitation, including setbacks;</p> <p>f) Recommendations on the connectivity or linkage of the natural heritage feature or features being assessed to other natural heritage features or systems;</p> <p>g) Recommendations on the restoration or improvement of natural heritage features;</p> <p>h) Demonstration that there will be no negative impacts on the natural features or their ecological functions;</p> <p>i) An implementation plan, and;</p> <p>j) Evaluation of the need for a monitoring program.</p>
<b>Environmental Protection</b>	are lands having inherent environmental hazards such as floodplains, wetlands, organic or unstable soils, poorly drained soils and low lying areas, steep and unstable slopes, susceptibility to erosion, and other physical conditions severe enough to pose a risk of loss of life and/or property damage if developed upon.
<b>Equestrian Centre</b>	shall mean the use of lands, buildings, or structures for the boarding of horses, the training of horses and riders, and the staging of equestrian events, but does not include the racing of horses.
<b>Equipment Sales and Rental</b>	shall mean the use of lands, buildings or structures thereof, in which machinery and equipment are offered for sale or kept for rent, lease or hire, under agreement for compensation.
<b>Erect</b>	shall mean build, construct or reconstruct, alter and relocate, and, not to limit the generality of the foregoing, shall include any preliminary physical operation such as excavating, grading, piling, cribbing, filling, or draining, and structurally altering any existing building or structure by an addition, deletion, enlargement, or extension.
<b>Essential</b>	<del>shall mean that which is deemed necessary to the public interest after all alternatives have been considered.</del>
<b>Existing or Existed</b>	shall mean legally in existence on the effective date of this By-law.
<b>Extractive Industrial</b>	use shall mean the use of land for the removal of mineral aggregate resources and shall include associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and

	derived products such as asphalt and concrete, or the production of secondary related products. For the purposes of this definition, mineral aggregate resources means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act.
<b>Farm Equipment Sales Establishment</b>	shall mean a building and lot used for the display and sale of new and or used farm equipment and may include the servicing, repair and lubrication of farm equipment, the sale of farm equipment accessories and related products and the leasing or renting of farm equipment.
<b>Farm Produce Outlet</b>	shall mean the use of lands, buildings or structures or part thereof for the purpose of selling agricultural produce grown in the agricultural community.
<b>Farm Supply Outlet</b>	shall mean the use of lands, buildings or structures, or part thereof, for the purpose of selling products directly related to agricultural production and without limiting the generality of the foregoing, shall include seed, fertilizer, feed, and pest control products.
<b>Farmers Market</b>	shall mean the use of land, buildings or structures or part thereof for the purpose of selling farm produce to the general public on a seasonal basis and through independent vendors.
<b>Financial Institution/Bank</b>	shall mean a building or structure designed for the purpose of lending, borrowing, exchanging, issuing, or safeguarding money.
<b>Finished Grade</b>	shall mean the average elevation of the finished surface of the ground as measured at ground level on any side of a building or structure.
<b>Floor Area</b>	shall mean, with reference to a dwelling, the total habitable floor area within a building as measured between the exterior faces of the exterior walls or from the centre line of a common party wall, but excluding any private garage, breezeway, porch, veranda, balcony, sunroom, attic, basement or cellar. <b>Notwithstanding the above, in the case of a home industry and/or accessory structure, the basement or cellar shall be included in the total floor area.</b>
<b>Floor Area, Commercial</b>	shall mean that portion of the gross floor area of an establishment which is used for commercial and/or office purposes but does not include area used for storage of goods and materials.
<b>Floor Area, Gross</b>	shall mean, in the case of a dwelling, the aggregate of the areas of all habitable rooms measured from the exterior faces of the exterior walls, but excluding any detached accessory buildings, a breezeway, unenclosed sunroom, porch, and/or veranda, attic, cellar, or basement; OR In the case of a building other than a dwelling, shall mean the aggregate of the area of all floors devoted to retail sales, public space, customer service and/or office use, manufacturing, and warehousing measured from the outside face of exterior walls, but shall not include mezzanine areas,

	mechanical rooms, common walls, stairwells, garbage and electrical rooms, parking structures and similar uses ancillary to the main use.
<b>Floor Area, Ground</b>	shall mean the maximum area of ground covered by a building measured to the outside walls, excluding, in the case of a dwelling, any private garage, carport, porch, veranda, sunroom (unless such sunroom is habitable in all seasons of the year).
<b>Floor Area, Manufacturing</b>	shall mean that portion of the gross floor area of an establishment which is used for manufacturing purposes but does not include areas used for storage or offices.
<b>Forestry</b>	shall mean the use of land for the purpose of conservation and/or the growing and cutting of trees for the purpose of producing commercial or non-commercial wood products such as furniture and firewood, but shall not include the manufacturing or processing of such products including a woodworking shop.
<b>Fuel Storage Tank</b>	shall mean a tank for the bulk storage of petroleum, gasoline, fuel, oil, gas, or flammable liquid or fluid sold at retail or wholesale, but does not include a container for flammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.
<b>Funeral Home</b>	shall mean a building designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation.
<b>Fur Farm</b>	shall mean premises where fur-bearing animals are kept in captivity for propagation or the production of pelts for commercial use. Fur bearing animal means fisher, fox, marten, mink, raccoon or any other animal that the Governor in Council declares to be a fur bearing animal.
<b>Garage, Attached</b>	shall mean a private garage accessory to a dwelling unit on the same lot and attached by a common wall and/or common roof structure and is designed or used for the sheltering of private motor vehicles and the storage of household equipment incidental to residential occupancy and in which there are no facilities for repairing or servicing such vehicles for remuneration or commercial use and is fully enclosed and excludes a carport or other open shelter; provided however, for the purpose of determining lines of setback and side yard, an attached garage shall be considered part of the main building. Also for the purposes of this definition, a wall between a house and an attached garage may be considered common as long as at least forty percent (40%) of the length of the attached garage wall is common with the dwelling wall.
<b>Garage, Detached</b>	shall mean a private garage, accessory to a dwelling unit on the same lot, which is designed or used for the sheltering of private motor vehicles and the storage of household equipment incidental to residential occupancy and in which there are no facilities for repairing or servicing such vehicles for remuneration or commercial use, and is fully closed and excludes a carport or other open shelter.
<b>Garage, Private</b>	shall mean a detached accessory building or a portion of a dwelling which is

	designed or used for the sheltering of private motor vehicles and storage of household equipment incidental to the residential occupancy, wherein servicing for profit is not permitted and which is fully enclosed and excludes a carport or other open shelter.
<b>Garage, Public</b>	<del>shall mean any lands, buildings, or structures where motor vehicles or agricultural machinery or equipment are kept or stored for remuneration or repair, but does not include an automobile washing establishment, or an automobile service station.</del>
<b>Garage Sale</b>	shall mean the sale of personal property, on an occasional basis to a maximum of five (5) days per year, and is conducted on the property of a single family dwelling.
<b>Garden Suite</b>	shall mean a one bedroom unit detached residential structure containing a bathroom and kitchen facilities that is ancillary to an existing <b>single detached residential dwelling structure</b> and is designed to be portable.
<b>Gas Bar</b>	<b>means one or more fuel pump islands, each consisting of one or more fuel pumps, which may include a canopy or kiosk and which may be used for the sale of automotive fluids and small accessories for motor vehicles, but shall not be used for repairs, oil changes or greasing.</b>
<b>Golf Course</b>	shall mean the use of public or private lands for the purpose of playing golf and includes clubhouse facilities accessory thereto, but does not include driving ranges, miniature golf courses, and similar uses operated for commercial purposes.
<b>Group Home</b>	shall mean a single housekeeping unit in a residential dwelling in which three (3) to ten (10) persons, excluding supervisory staff or receiving family, live <del>as a family</del> under responsible supervision consistent with the particular needs of its residents. The home is licensed and approved under Provincial Statutes.
<b>Habitable Room</b>	shall mean a room in a dwelling used or intended to be used primarily for human occupancy, but does not include a bathroom, toilet room, serving or storage pantry, laundry room, closet, or corridor.
<b>Haulage Business</b>	shall mean lands, buildings or structures used for the storage of vehicles and equipment that are used in the transportation or carrying of materials or products.
<b>Height or Building Height</b>	when used in reference to a building or structure, means the vertical dimension of a building or structure measured from the centre front elevation of the finished grade to, <ul style="list-style-type: none"> <li>a) In the case of a flat roof, the highest point of the roof surface or parapet wall, whichever is higher. A one-slope roof having a slope of less than 20 degrees from the horizontal shall be considered a flat roof for the purposes of this By-law;</li> <li>b) In the case of a mansard roof, the deck roof line;</li> <li>c) In the case of a gabled, hop, gambrel or other type of pitched roof, the</li> </ul>

	<p>average height between the eaves and ridge;</p> <p>d) In the case of a structure not having a roof, the top part of such structure;</p> <p>e) In the case of a structure having a rounded roof, two-thirds of the average height of the structure;</p> <p>f) Where a combustible exterior wall extends above the top of the roof of a building, the topmost part of such exterior wall.</p>
<p><b>Home Industry</b></p>	<p>shall mean a <b>small scale</b> occupation accessory to a permitted farm use or rural residential use <b>within an accessory structure</b> which may include, amongst others, a carpentry shop, a metal working shop, <b>a machine shop, furniture fabrication, assembly and repair</b>, a tool and repair shop plumbing shop, an electrical shop, a welding shop, <del>a sawmill</del>, a storage building for boats, automobiles, or other similar use, but shall not include an autobody repair shop or automobile sales, a salvage or wrecking yard provided that:</p> <p>i) There is not more than <del>one</del> <b>two employed in the home industry who are not permanent residents on the property.</b> <del>other than the owner or his/her family;</del></p> <p>ii) There shall be no external display or advertising, other than a sign no larger than 1 square metre, to indicate to persons outside, that any part of the lot is being used for home industry purposes;</p> <p>iii) The home industry shall be secondary to the main use of the lot;</p> <p><b>iv) The use of the premises in connection with such home industry shall in no way be offensive, obnoxious or dangers to the neighbours or the area by reason of: the emission of light, heat, fumes, noise, vibration, gas, dust, smoke, fire, odour, air or water born waste or pollution, or the significant increase in vehicle traffic due to frequency of deliveries by commercial carriers or patron parking.</b></p> <p>v) The home industry shall not create or become a public nuisance or an unsafe condition in terms of noise, traffic and parking and will not change the general character of the property;</p> <p><b>v) Not more than 25% of the floor area or not more than 100 square metres of an accessory building is used for the home industry use, including any generator room, office, mechanical room and inside storage.</b></p> <p>vi) One off street parking space, other than that required for the dwelling,</p>

	<p>is provided for every 18.5 square metres of floor space occupied by the home industry;</p> <p>vii) Outdoor storage or display of materials or goods in support of such home industry shall be permitted in the rear or side yard of the home industry building, subject to a maximum size of 200 square metres.</p> <p>viii) <b>A Change of Use Certificate must be obtained from the Chief Building Official of the Township.</b></p>
<p><b>Home Occupation</b></p>	<p>shall mean any occupation for gain or profit as a <b>secondary use</b> conducted entirely within a dwelling by members of the family residing in such dwelling. <b>A home occupation may include a profession or occupation such as an accountant, architect, auditor, engineer, realtor, insurance agent, planner, lawyer, doctor, dentist, a personal service such as a barber, hairdresser, seamstress, dressmaker, photographer or caterer’s establishment,</b> provided that:</p> <p>i) Such home occupation is clearly secondary to the main residential use and does not change the residential character of the dwelling house nor create or become a public nuisance, with particular regard to fumes, noise, traffic, or parking;</p> <p>ii) No person, other than a member of the family is engaged in canvassing, delivering, or as a go-between in distributing merchandise to customers;</p> <p>iii) There shall be no external display or advertising, other than a sign no larger than 1 square metre, to indicate to persons outside, that any part of the lot is being used for home occupation purposes;</p> <p>iv) No person is employed, except such as is necessary for housekeeping purposes and except that one employee may be permitted in a business or professional office;</p> <p>v) There is no external storage of materials, containers, or finished products;</p> <p>vi) Not more than 25% of the floor area of the dwelling is used for the purpose of home occupation uses;</p> <p>vii) Such home occupation shall meet all of the requirements of this by-law including the parking provisions.</p> <p>viii) <b>A Change of Use Certificate must be obtained from the Chief Building Official of the Township.</b></p>

<b>Hotel</b>	shall mean an establishment that consists of one building or two or more connected or adjacent buildings and that caters to the needs of the public by furnishing sleeping accommodation, may or may not supply food, and includes permanent staff accommodation and is licensed under the Liquor Licence Act of Ontario
<b>Housekeeping Cottage</b>	shall mean one of a group of buildings in a tourist resort designed for human habitation and equipped with a kitchen which has a common piped water supply with other such buildings in the group and is inhabited only on a temporary basis.
<b>Industrial, General</b>	shall mean any industrial manufacturing establishment, warehouse, or storage yard, not otherwise defined in this By-law.
<b>Industry, Dry</b>	shall mean the use of land, building or structure for the manufacturing, assembly, storage or processing of goods or materials in which large quantities of water are not consumed and/or large quantities of effluent are not discharged.
<b>Industry, Light</b>	shall mean the use of land, building, or structure for the manufacturing, assembly, storage, or processing of component parts of finished products suitable for wholesale or retail trade but does not include food, beverage, tobacco, rubber, leather, textile and knitting, printing, metal fabrication, or similar industries, if these industries involve stamping, presses, furnaces, machinery, or the emission of any air, water, or noise pollution that creates a nuisance outside of the building or structure or beyond the limits of the lot.
<b>Institutional</b>	shall mean, the use of land, buildings, or structures or part thereof, for a non-commercial purpose by an organization, group, or association for religious, charitable, educational, health or welfare, or public purposes, but does not include, amongst others, lands used as a tent and trailer campground, or lands containing sleeping cabins or housekeeping cottages.
<b>Kennel, Commercial</b>	shall mean lands, buildings, or structures where dogs and other domestic animals, other than poultry or livestock are bred and raised and are sold or kept for sale or boarded.
<b>Land Fill Site</b>	shall mean lands, buildings, or structures where garbage is disposed of by being buried in an open pit.
<b>Landscaped Open Space</b>	shall mean open space comprised of lawn and ornamental shrubs, flowers and trees, and may include space occupied by paths, walks, courts, and patios, but shall not include parking areas, traffic aisles, driveways, or ramps.
<b>Laundromat</b>	shall mean a building or structure where the service of coin-operated laundry machines, using only water, detergents and additives are made available to the public for the purpose of laundry cleaning.
<b>Laundry Establishment</b>	means a building or part of a building used for the purpose of receiving articles or goods of fabric or leather and subjecting such articles or goods to a cleaning and drying process.
<b>Legal or Lawful,</b>	when used in reference to a use, a lot, a building or a structure, means a use, a lot, a building or a structure allowed by law, which complies with any and all restrictions lawfully imposed by the Corporation or by any governmental



	authority having jurisdiction to make such restrictions or regulations.
<b>Lawn, Garden and Marine Equipment Sales and Repair</b>	shall mean the use of land, building and structure from which lawn, garden and marine equipment are sold, serviced and/or repaired.
<b>Library</b>	means a library, branch library to which the provisions of The Public Libraries Act, R.S.O. 1990, apply.
<b>Livestock</b>	shall mean any animal type identified in Table 1 of Appendix A.
<b>Loading Space</b>	shall mean an off-street space on the same lot as the building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, lane, or other appropriate shall mean of access.
<b>Lot</b>	shall mean a parcel of land having continuous frontage on a public street described in a registerable deed or other registerable document legally conveying a fee simple interest in land other than a leasehold interest, easement, or right-of-way; OR land shown as a lot or block on a registered Plan of Subdivision for purposes of this paragraph does not include a Registered Plan of Subdivision under a By-law passed pursuant to Section 50 of the Planning Act, R.S.O. 1990, Chapter P.13 .
<b>Lot Area</b>	shall mean the total horizontal area within the lot lines of a lot.
<b>Lot, Corner</b>	shall mean a lot situated at the intersection of, and abutting upon two or more streets, provided that the angle of intersection of such streets is not more than one hundred and thirty-five (135) degrees.
<b>Lot Coverage</b>	shall mean the percentage of the total lot area at grade that can be covered by buildings and/or structures.
<b>Lot Depth</b>	shall mean the horizontal distance between the front and rear lot lines. Where these lines are not parallel, it shall be the length of a line joining the mid-points of the front and rear lot line; for lots with curved front lot lines, the measurement shall be taken from a line drawn parallel to the chord of the arc of the curve constituting the front lot line, lying midway between said chord and a line drawn parallel to said chord and tangent to said arc.
<b>Lot Frontage</b>	shall mean the horizontal distance between the side lot lines measured at right angles. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured by a line 8 metres back from and parallel to the chord of the lot frontage (for the purpose of this By-law, the chord of the lot frontage is a straight line joining the two points where the side lot line intersects the front lot line).
<b>Lot Interior</b>	shall mean any lot which has street access, other than a corner lot.
<b>Lot Line</b>	shall mean any boundary of a lot or the vertical projection thereof.
<b>Lot Line, Exterior Side</b>	shall mean the longer of the lot lines of a corner lot which abuts a street.
<b>Lot Line, Front</b>	shall mean the lot line that abuts the street except that, in the case of a corner lot, the shorter lot line that abuts the street shall be deemed the front lot line and the longer lot line that abuts the street shall be deemed

	the side lot line. In the case of a corner lot with two street lines of equal lengths, the lot line that abuts the wider street or abuts a Provincial Highway shall be deemed to be the front lot line, and in the case of both streets being under the same jurisdiction, or of the same width, the Municipality may designate either street line as the front lot line. In the case, of a corner lot abutting a 0.3 metre reserve the lot so abutting the 0.3 metre reserve shall be deemed a side lot line and the other line abutting the street shall be deemed the front line. In the case of a through lot, the longer boundary dividing the lot from the street shall be deemed to be the front line and opposite shorter boundary shall be deemed to be the rear lot line. In case each of such lot lines should be of equal length the Municipality may designate either street line as the front lot line. In the case of a property accessed by a private road or a private right-of-way, the lot line abutting the private road or private right-of-way shall be deemed to be the front lot line.
<b>Lot Line, Rear</b>	shall mean the lot line farthest from and opposite to the front lot line.
<b>Lot Line, Side</b>	shall mean a lot line, other than a front or rear lot line.
<b>Lot, Through</b>	shall mean a lot bounded on two opposite sides by a street. If any lot qualifies as both a Lot, Corner and a Lot, Through, as hereinbefore defined, such lot shall be deemed a Lot, Corner for the purpose of this By-law
<b>Lot of Record</b>	shall mean a lot or parcel of land that can legally be conveyed, and which includes lots on a registered plan of subdivision, parcels created by consent in accordance with the Planning Act, R.S.O. 1990 as amended or any other distinct and separate holding, the deed to which is registered in the Land Registry Office and which lot or parcel of land was legally created prior to the date of passing of this By-law. For the purpose of this definition, lots of record shall not include those lots on a registered plan of subdivision which has been deemed not to be a registered plan of subdivision for the purposes of Section 50(4) of the Planning Act, R.S.O. 1990, as amended.
<b>Manufacturing Plant</b>	shall mean a building or structure in which a product is fabricated and from which such product is shipped to a wholesale or retail outlet.
<b>Manure, Liquid Facility</b>	shall mean a building or structure in which animal waste is stored in a liquid state.
<b>Manure, Solid Facility</b>	shall mean a building or structure or area of land where animal waste is stored in a solid state.
<b>Marina</b>	shall mean a building, structure, or place containing docking facilities and located on a navigable waterway, where boats and boat accessories are stored, serviced, repaired or kept for sale and where facilities for the sale of marine fuels and lubricants may be provided.
<b>Medical Marihuana Production Facility</b>	means a building used for growing, producing, testing, destroying, storing or distributing of medical marihuana authorized by a license issued by the federal Minister of Health pursuant to the Marihuana for Medical Purposes Regulations under the Controlled Drugs and Substances Act, as amended. No part of this operation, whether accessory or not, may be located outside. No other definition within this By-law shall be interpreted to include a Medical Marihuana Production Facility.

<b>Mini Warehouse and Public Storage Facility</b>	shall mean a building wherein general merchandise, vehicles, furniture and household goods are stored in separately occupied, secured storage areas or lockers which are generally accessible by means of individual loading doors.
<b>Mobile Home</b>	shall mean a detached structural unit which is designed to be and is capable of being transported after fabrication, either on its own wheels, on detachable wheels, on a flat bed or other trailer, to a lot and which is suitable for year round occupancy in similar fashion as a dwelling unit, except for minor and incidental unpacking and assembly operations, placement on defined supporting structures and connection to utilities, <b>constructed to CSA Z240 or CSA Z241 Standards.</b>
<b>Mobile Home, Double-Wide</b>	shall mean a mobile home which is manufactured in two (2) parts which, when assembled on a lot, becomes a single structural unit having a width of 6 metres or more and length of not less than 10 metres.
<b>Mobile Home, Park</b>	shall mean a parcel of land containing two or more mobile home sites and which is under single management and ownership.
<b>Mobile Home, Single-Wide</b>	shall mean a mobile home having a width greater than 4 metres and less than 6 metres and a length not less than 10 metres and not greater than 21 metres.
<b>Motel</b>	shall mean a building or buildings consisting of a number of individual rental units, used for catering to the needs of the travelling public by furnishing sleeping accommodation with or without food, and may or may not be licensed under the Liquor Licence Act R.S.O. 1990, Chapter L.19.
<b>Motor Home</b>	shall mean a self-propelled vehicle designed, intended, and used for travel recreation or vacation and, in addition, used for living, sleeping, and eating on a temporary and occasional basis.
<b>Motor Vehicle Gas Bar</b>	means a building or place with one or more fuel pumps for the sale of motor fuels and related products for automobiles, together with the necessary pump islands, light standards, kiosk, concrete aprons, canopy, storage tanks and related facilities required for the dispensing of fuel but where no servicing, repair or equipping of automobiles is carried on and does not include a car wash establishment.
<b>Motor Vehicle Body Shop</b>	shall mean the use of land, buildings, or structures, for the painting or repairing of motor vehicle bodies, exterior and undercarriage, and in conjunction with which there may be a towing service and motor vehicle rental for customers while a motor vehicle is under repair.
<b>Motor Vehicle Repair Garage</b>	shall mean any lands, buildings, or structures where the exclusive service performed or executed on motor vehicles for compensation shall include the installation of the exhaust system, repair of the electrical system, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use and in conjunction with which there may be a towing service, an automobile service station and rentals for the convenience of the customer while the motor vehicle is being repaired.
<b>Motor Vehicle Sales Establishment</b>	shall mean the use of lands, buildings, or structures for the display and sale of new and/or used motor vehicles including motor homes, and may include

	the servicing, repair, cleaning, polishing, and lubrication of motor vehicles, the sale of automotive parts and the leasing or renting of motor vehicles.
<b>Motor Vehicle Washing Establishment</b>	shall mean a building or part thereof used for the operation of automobile washing equipment with a capacity to wash more than four (4) cars per hour.
<b>Motor Vehicle Wrecking Yard</b>	shall mean a Salvage Yard as defined in this By-law, in which two or more unlicensed derelict vehicles are stored outdoors.
<b>Municipal Drain</b>	shall mean drainage works as defined by the Drainage Act 1990, Chapter D.17, as amended from time to time.
<b>Municipality</b>	shall mean the Corporation of the Township of Chatsworth.
<b>Non-Complying</b>	shall mean a permitted use, building or structure existing at the date of the passing of this By-law which does not comply with a provision or provisions of their respective zone.
<b>Non-Conforming</b>	shall mean a use, building or structure existing at the date of the passing of this By-law which is used for purposes not permitted by this By-law.
<b>Nursing Home</b>	shall mean a building or portion thereof, other than a private or public hospital, where persons are housed or lodged or furnished with meals, nursing, medical or similar care and treatment, licensed by the Ministry of Health.
<b>Nutrient Unit</b>	shall mean the equivalent values for various types of animals and poultry based upon manure production and production cycles as illustrated in Table 1 in <b>Appendix A</b> to this By-law.
<b>Obnoxious Use</b>	shall mean a use which, from its nature or operation, creates an unmitigated nuisance or is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust or objectionable odour, or by reason of the matter, waste or other material generated by the use, and without limiting the generality of the foregoing, shall include any uses which may be declared to be a noxious or offensive trade or business.
<b>Office, Business</b>	shall mean any building or part of a building in which one or more persons are employed in the management or direction of an agency, business, or organization, but excludes such uses as retail sale, manufacture, assembly, or storage of goods, or places of assembly and amusement.
<b>Office, Professional</b>	shall mean a building or part of a building in which professionally qualified persons such as doctors, lawyers, or engineers and their staff serve clients who seek advice, consultation, or treatment.
<b>Open Storage Area</b>	shall mean a portion of a lot where goods and materials are stored or kept for future manufacture or assembly and/or sale by retail or wholesale, but does not include an outdoor display area.
<b>Outdoor Display Area</b>	shall mean a portion of a lot used for exhibiting in an orderly manner, completely assembled or finished products sold by a retail business located on the same lot.
<b>Outdoor Recreational Use</b>	shall mean the use of land for private parks, playgrounds, outdoor skating, golf courses, tennis courts, picnic areas, swimming pools, day camps, hiking, snow skiing and all similar uses, but does not include a track for the racing of

	animals, motor vehicles, snowmobiles or motorcycles, golf driving ranges, miniature golf courses or any permanent buildings or structures related to such uses.
<b>Park, Private</b>	shall mean a recreational area other than a public park and may include therein one or more swimming pools, wading pools, picnic areas, refreshment rooms, tent camping areas, boating facilities, tennis courts, bowling greens, golf courses, or similar open space uses.
<b>Park, Public</b>	shall mean a recreational area owned or controlled by the Corporation or by any Board, Commission, or other Authority established under any statutes of the Province of Ontario.
<b>Parking Area</b>	shall mean an area provided for the parking of motor vehicles and may include aisles, parking spaces, and related ingress and egress lanes, but shall not include any part of a highway, street, road, or lane. Parking Area may include a private garage.
<b>Parking Space</b>	shall mean an area of land, not being part of a highway or street and having unobstructed access to a public street or lane, used for temporary parking or storage of motor vehicles.
<b>Person</b>	includes an individual, association, firm partnership, corporation, trust, incorporated company, organization, trustee, or agent, and the heirs, executors or other legal representatives of a person to whom the same can apply according to law.
<b>Personal Service Shop</b>	shall mean a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, and includes, amongst others, such establishments as barbershops, beauty parlours, coin operated laundries, hairdressing shops, shoe repair and shoe shine shops and depots for collecting dry cleaning and laundry.
<b>Pit, Wayside</b>	shall mean a temporary pit opened and used by a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.
<b>Place of Entertainment</b>	shall mean a motion picture amusement arcade or other theatre, auditorium, billiard or pool room, bowling alley, ice or roller skating rink, curling rink, or dance hall.
<b>Plant, Asphalt or Plant, Hot Mix</b>	shall mean mean a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process.
<b>Plant, Portable Asphalt or Plant, Portable Hot Mix</b>	shall mean a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process, but which is not of permanent construction and is designed to be dismantled at the completion of the construction project.
<b>Plant, Concrete or Plant, Redimix</b>	shall mean a facility with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process.

<b>Plant, Portable Concrete or Plant, Portable Redimix</b>	shall mean a facility with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process, but which is not of permanent construction and is designed to be dismantled at the completion of the construction project.
<b>Planting Strip</b>	shall mean an area which shall be used for no other purpose other than planting a row(s) of trees or a continuous hedgerow of evergreens or shrubs.
<b>Plumbing Shop</b>	shall mean a building or structure or a portion of a building or structure which is utilized by a professional plumber in the storage of material and supplies for the business, plus an office.
<b>Post Office</b>	shall mean a building or structure or a portion of the building or structure which is used for the sorting, storage, handling and delivering of letters, parcels and packages. It would also include the sale of stamps.
<b>Pre-fabricated Home</b>	shall mean a building which is capable of being occupied exclusively as a dwelling and which is comprised of pre-fabricated components which are manufactured off-site, transported to and erected on an acceptable foundation on a lot.
<b>Private Boat Club Facility</b>	shall mean the use of land, buildings, or structures by a private boating club or organization and shall include a clubhouse, docking facilities, and tent and trailer sites for overnight camping by club members.
<b>Private Outdoor Recreational Use</b>	shall mean the use of lands by a private organization for outdoor activities including, but not limited to, hiking, cross-country skiing, snowmobiling, travel trailer camping and other similar open space uses, but does not include the erection of any new permanent buildings or structures related to such uses.
<b>Processing Plant</b>	shall mean the use of lands, buildings or structures where agricultural produce, including meat and poultry products, is washed, cleaned, dusted, waxed, or otherwise prepared or packaged and from which such produce is shipped to a wholesale or retail outlet.
<b>Public Building</b>	shall mean any building or structure owned or leased by the Corporation of the Township of Chatsworth, the Corporation of the County of Grey, the Province of Ontario, or the Government of Canada.
<b>Quarry</b>	shall mean an excavation in the natural level of the ground made other than by natural causes for the purpose of removing stone or similar material which is to be used for building, further processing, or as a raw material in a manufacturing process.
<b>Reconstruction</b>	shall mean the rebuilding or replacement of a building or structure to its original dimensions.
<b>Recreational Camp Facility</b>	shall mean the use of land, buildings, and structures for recreational activities operated by a private organization where children and/or adults may be temporarily accommodated in sleeping cabins. Other related structures shall include, amongst others, a recreational hall, a building containing cooking and eating facilities and swimming pools.
<b>Recreational Facilities</b>	shall mean the use of a building or structure for recreational uses.

<b>Recreational Moto-Cross Facility</b>	shall mean the use of land, building, and structure for the staging of moto-cross races and related events and snowmobiling.
<b>Recreational Uses</b>	shall mean the use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, golf courses, picnic areas, swimming pools, day camps, community centres, snow skiing, and all similar uses, together with necessary and accessory buildings and structures where permitted in this By-law, but does not include a track for the racing of animals, motor vehicles, snowmobiles, or motorcycles, or golf driving ranges, or miniature golf courses.  Where a Passive Recreational Use has been referred to in this By-law it shall mean an activity or use of land carried out for recreation purposes which does not require the construction of buildings or the alteration of soil or topography and includes open space and environmental areas (nature trail system and picnic areas).
<b>Renovation</b>	shall mean the repair and restoration of a building to good condition but shall not include its replacement.
<b>Restaurant</b>	shall mean a building where food is offered for sale to the public for immediate consumption and includes such uses as a dining room, cafe, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar, or refreshment room or stand but not a drive-in restaurant. The incidental sale of liquor shall require a Licence, under the Liquor Licence Act, R.S.O. 1990.
<b>Restaurant, Drive-in</b>	shall mean a restaurant specializing in fast food preparation, the provision of take-out service or the dispensing of meals by means other than individual table attendants and the provision of on-site parking facilities.
<b>Retail Store</b>	shall mean a building or part of a building in which goods, wares, merchandise, substances, or articles are kept for sale, but does not include, amongst others, any manufacturing, processing, construction uses, or outdoor storage.
<b>Retirement Home</b>	shall mean any home for senior citizens sponsored and administered by any public agency or any service club, church or non-profit organization, either of which obtains its financing from Federal, Provincial or Municipal Governments of agencies, or by public subscription or donation, or by any combination thereof, and such homes all include auxiliary uses such as club and lounge facilities usually associated with the senior citizens development.
<b>Salvage Yard</b>	shall mean the use of lands, building or structures for the storage and/or handling of scrap materials which, without limiting the generality of the foregoing, shall include waste paper, rags, bones, bottles, bicycles, vehicles, tires, metal and/or scrap material and salvage and includes a junk yard, scrap metal yard, and an automobile wrecking yard or premises.
<b>Satellite Dish</b>	shall mean any device used or intended to be used to send or receive signals to and from satellites.
<b>Sawmill</b>	shall mean a mill involving the cutting and planing of timber. Also permitted as an accessory use to the sawmill is the storage of both raw materials (logs)

	and finished products (timber).
<b>School, Private</b>	shall mean a school, other than a public school, operated by a non-profit organization and supported by private means.
<b>School, Public</b>	shall mean a school under the jurisdiction of a Board as defined by the Ministry of Education.
<b>Service Shop</b>	shall mean a building or part thereof used for the sale or repair of household articles, and includes radio, television, and appliance repair shops, but does not include industrial or manufacturing uses or motor vehicle repair shops.
<b>Separation Distance</b>	shall mean the horizontal distance measured between the closest point of the exterior wall of the livestock facility (e.g. building, silo, manure storage tank, pad or stacker) and the closest point of the neighbouring incompatible use (e.g. property line).
<b>Setback</b>	unless otherwise stated, shall mean the horizontal distance from the street or lot line, measured at right angles to such street or lot line, to the nearest part of any building or structure on the lot.
<b>Sheet Metal Workshop</b>	shall mean a building or structure, or part thereof, where the fabrication of metal is performed by a tradesman requiring manual or mechanical skills. Equipment and materials may be stored in the workshop. The use may also be utilized for the sheltering of private motor vehicles and storage of household equipment incidental to the residential occupancy.
<b>Shipping Container</b>	means the trailer portion of a tractor-trailer unit or transport truck without the running gear, or a rail or seaway container which is traditionally used for the shipping of transportation of goods and materials.
<b>Shopping Centre</b>	shall mean a group of more than two (2) commercial uses, designed, developed, and managed as a unit by a single owner or tenant, or group of tenants, as opposed to a business comprising unrelated individual uses, and has an off-street parking area provided on the site.
<b>Short Term Rental Accommodation</b>	means a building or structure or any part thereof that operates or offers a place of temporary residence, lodging or occupancy by way of permit, lease, license, rental agreement or similar commercial agreement for any period less than thirty (30) consecutive calendar days, throughout all or any part of a calendar year. Short term rental accommodation uses shall not mean or include a motel, hotel, bed and breakfast establishment, tourist cabin or cottage, hospital, commercial resort unit, village commercial resort unit or similar commercial use.
<b>Sight Triangle</b>	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 or railway line, each such point being 9 metres from the point of intersection of the street lines (measured along the street lines). Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street.
<b>Sign</b>	shall mean a name, identification, description, device, display, or illustration which is affixed to, or represented directly or indirectly upon a building, structure, or lot and which directs attention to an object, product, place,



	activity, person, institution, organization or business.
<b>Small Engine Repair</b>	shall mean a building used for the repair of small engines, but shall not include a motor vehicle repair shop. Sales accessory and incidental to the Small Engine Repair Shop shall be permitted, however, all components of the operation must be conducted within an existing building on the property. Outdoor storage shall not be permitted.
<b>Small Scale</b>	shall mean a use: employing no more than the equivalent of five (5) full time employees in addition to the owner; occupies a structure not exceeding 250 square metres in area; and, outdoor storage and display is limited to an area not greater than 750 square metres.
<b>Storage Industry</b>	shall mean the use of lands, buildings, or structures for an industry engaged in the activity of storing materials, goods, or produce to preserve them in a condition or form that makes them usable at a later date, and includes whatever treatment or packaging that may be necessary for storage.
<b>Storey</b>	shall mean that portion of a building other than cellar or attic storey which is included between one floor level and the next higher floor level or the ceiling and which is not less than 2.3 metres nor more than 4.3 metres in height.
<b>Storey, Half</b>	shall mean that portion of a building situated within the roof or having its floor level not less than 1.2 metres below the line where the roof and interior enclosing walls meet, and having a roof not steeper than sixty degrees above the horizontal.
<b>Street, Improved Public or Public Street</b>	shall mean a highway: <ul style="list-style-type: none"> <li>i) As defined under The Public Transportation and Highway Improvement Act, R.S.O. 1990, Chapter P.50, and the Municipal Act, R.S.O. 1990, Chapter M.45;</li> <li>ii) Which has been assumed for public use and is maintained year-round by the municipality or any other public authority.</li> </ul>
<b>Structure</b>	shall mean anything that is erected, built, or constructed of parts joined together or requiring a foundation to hold it erect but shall not include free standing walls, hedges, fences or signs.
<b>Swimming Pool</b>	shall mean a structure containing water of more than 9 square metres in area and having a depth in excess of 1.2 metres used for swimming, bathing, or diving.
<b>Tavern</b>	shall mean a building where beverages are offered for sale to the public for immediate consumption, which require a Licence under the Liquor Licence Act, R.S.O. 1990.
<b>Temporary Use</b>	shall mean the use of land, buildings, or structures for a construction office, tool shed, or for the storage of scaffolds, equipment and material which is incidental to and necessary

	for construction work in progress for so long as the same are necessary for the construction work which has neither been finished nor abandoned on the same lot.
<b>Tent and Trailer Campground</b>	shall mean the use of land for the provision of overnight or short term accommodation for trailers, motor homes, and tents but not mobile homes and includes services and facilities normally incidental and subordinate to such a use including washroom and bathing facilities, indoor and/or outdoor recreational areas, and an entrance kiosk.
<b>Tent</b>	includes every kind of temporary shelter for sleeping that is not permanently affixed to the site and is capable of being easily moved and is not considered a structure, a vehicle, or a trailer.
<b>Top-of-Bank</b>	shall mean a line delineated at a point where the oblique plane of the slope meets the horizontal plane.
<b>Trailer</b>	shall mean a structural unit designed, intended, and used for travel, recreation, or vacation, and which is capable of being drawn by a motor vehicle and shall include tent trailers or similar transportable accommodation used for living, sleeping, or eating on a temporary or occasional basis, and does not include a mobile home.
<b>Trailer and Tent Site</b>	shall mean that specified area within a Tent and Trailer Campground upon which a trailer, motor home, or tent is to be located.
<b>Trailer and Tent Site Area</b>	shall mean the total horizontal area within the boundary lines of a trailer and tent site.
<b>Trailer and Tent Site Frontage</b>	shall mean the width of a trailer and tent site between the side lines of the site measured along a line at right angles to the centre line of the site with the front of the site being that point at which primary vehicular or pedestrian access is provided to the site.
<b>Township</b>	the Corporation of the Township of Chatsworth.
<b>Transport Terminal</b>	shall mean the use of land, buildings, or structures for the operation of a business which provides motor vehicles for the delivery of large quantities of goods and materials including, amongst others, livestock, raw materials for manufactured goods and materials, and finished manufactured goods and materials, the storage of motor vehicles directly related to the business and the general maintenance of such motor vehicles.
<b>Use</b>	shall mean the purpose for which any land, buildings, structure, or premises, or part thereof  i) Is arranged, designed, or intended to be used, or

	ii) Is or may be occupied or maintained, and, the word <b>used, to use, and uses</b> have a corresponding meaning.
<b>Utility Building</b>	shall mean a building used in conjunction with the supplying of local utility services, including a water or sewage pumping station, a water storage reservoir, a gas regulator building, a hydro substation, a telephone building for exchange, long distance, or repeater services.
<b>Warehouse</b>	shall mean a building or part of a building used for the storage and distribution of goods, wares, merchandise, substances, articles or things and may include facilities for a wholesale or retail commercial outlet, but shall not include a transport terminal.
<b>Watercourse</b>	shall mean the natural or altered channel for a stream or water body and, for the purpose of this By-law, includes the channel for intermittent streams.
<b>Wayside Pit or Wayside Quarry</b>	shall mean a temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.
<b>Welding and Hydraulic Repair Shop</b>	shall mean the use of land, building, or structure for the purpose of repairing agriculturally related machinery, vehicles, and equipment including the repair of the hydraulic systems and may include as a secondary use the fabrication of parts for agricultural equipment as well as the making of wrought iron products.
<b>Welding Shop with Retail Outlet,</b>	shall mean the use of land, building or structure for the purpose of repairing related machinery, vehicles, and equipment and may include as a secondary use a retail outlet for the sale of new steel products.
<b>Wholesale Use</b>	shall mean any establishment which sells merchandise to others for resale and/or to industrial or commercial users.
<b>Workshop</b>	shall mean a building or structure where manufacturing is performed by tradesman requiring manual or mechanical skills and may include carpenter's shop, locksmith's shop, a tinsmith's shop, a commercial welder's shop or similar such uses.
<b>Yard</b>	shall mean an open area of land unoccupied and unobstructed except as otherwise provided for or required by this By-law, located on the same lot or zone within a lot with a main building or structure
<b>Yard, Front</b>	shall mean a yard extending across the full width of the lot between the front lot line and the nearest part of any building or structure on the lot or the nearest open storage use on the

	lot.
<b>Front Yard Depth</b>	shall mean the minimum horizontal distance between the front lot line and the nearest part of any building or structure on the lot or the nearest open storage use on the lot
<b>Yard, Rear</b>	shall mean a yard extending across the full width of the lot between the rear lot line and the nearest point of any building or structure on the lot or the nearest open storage use on the lot.
<b>Rear Yard Depth</b>	shall mean the minimum horizontal distance between the rear lot line and the nearest part of any building or structure on the lot or the nearest open storage use on the lots.
<b>Yard, Side</b>	shall mean a yard extending from the front yard to the rear yard and from the side lot line to the nearest part of any building or structure on the lot or the nearest open storage use on the lot.
<b>Side Yard Width</b>	shall mean the minimum horizontal distance between the side lot line and the nearest part of any building or structure on the lot or the nearest open storage use on the lot.
<b>Yard, Exterior Side</b>	shall mean a side yard immediately adjoining an improved public street.
<b>Yard, Interior Side</b>	shall mean a side yard other than an exterior side yard.
<b>Yard, Automobile Wrecking</b>	shall mean automotive related salvage operations as included within a Salvage Yard as defined in this By-law, in which three (3) or more unlicensed derelict vehicles are stored outdoors.
<b>Zone</b>	shall mean an area delineated on a Zoning Map Schedule and established by this By-law for a specific use.

## **SECTION 6: ZONES**

### **- GENERAL**

#### **6.1 Incorporation of Zoning Maps**

The location and boundaries of the Zones established by this By-law are shown on Schedules 1 to 40. These schedules, and all notations thereon, are hereby declared to form part of this By-law. That notwithstanding, the zone symbols applied on Schedules 35 (Massie) and 36 (Walters Falls) have no legal status. These lands are currently situated within the Development Control Area of the Niagara Escarpment Commission (NEC). Should the Province remove these lands from the NEC's Development Control Area, the underlying zoning symbol would apply. In the meantime, the zone symbols have been applied to these schedules only for the purpose of assisting the NEC with development proposals.

#### **6.2 Interpretation of Schedules**

Where any Zone Boundary is uncertain, then the boundary shall be determined from the Master Schedules contained in the office of the By-law Enforcement Officer or the Township of Chatsworth Municipal Offices.

#### **6.3 Zone Boundaries**

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

- i) The Zones of this By-law have been established according to the lot lines of the Township's property boundaries.
- ii) A boundary indicated as following a watercourse, creek, stream, or the right-of-way of a railway, or electric, gas or oil transmission line shall be the centre line of such watercourse, creek, stream, or right-of-way.
- iii) A boundary indicated as approximately following lot lines shown on a registered plan of subdivision or municipal boundary lines shall follow such lot lines.
- iv) Where a boundary is indicated as approximately parallel to a street line or other feature indicated in Clauses i) or ii) of this

Subsection, and the distance from such street line or other feature is not indicated, and Clause iii) is not applicable, such boundary shall be construed as being parallel to such street line or other feature, and the distance there from shall be determined according to the scale shown on the Schedule map.

- v) The Township boundary shall serve as a Zone Boundary for all Zones extending to the limits of the Township of Chatsworth.

**6.4 Road Closures**

In the event a dedicated street or lane shown on any Schedule forming part of this By-law is closed the property formerly in such street or lane shall be included within the Zone of the adjoining property on either side of such closed street or lane. If a closed street or lane is the boundary between two or more different Zones, the new Zone boundaries shall be the former centre line of the closed street or lane.

**6.5 Establishment of Zones**

For the purpose of this By-law, the Township of Chatsworth is divided into the following Zones:

<b>ZONES</b>	<b>SYMBOL</b>
Rural Zone	A1
Restricted Rural Zone	A2
Rural Residential Zone	R1
Urban Residential Zone	R2
Lake Residential Zone	R3
Multiple Residential Zone	R4
General Commercial Zone	C1
Rural Commercial Zone	C2
Local Commercial Zone	C3
General Industrial Zone	M1
Rural Industrial Zone	M2
Extractive Industrial Zone	M3
Local Industrial Zone	M4
Institutional Zone	I
Mobile Home Park Zone	MH
Tent & Trailer Camp Zone	T
Open Space 1 Zone	OS1
Open Space 2 Zone	OS2
Environmental Protection Zone	EP
Wetlands Protection	W
No Development	ND

## 6.6 Use of Symbols

The symbols listed in Subsection 4.5 **6.5** may precede the word Zone (i.e. A1 Zone) in place of the Zone Name and shall have the same meaning. The symbols, when used within the Zone Maps, shall refer to the Zone in which the lands are situated and the provisions of such Zone shall apply.

## 6.7 Application of Zones

No person within any Zones defined in this By-law and delineated on the Zoning Maps appended hereto shall erect, alter, enlarge, or use any building or structure, or use any land in whole or in part, except in conformity with the provisions of the applicable Zone.

## 6.8 Holding (H) Symbols

The symbol h when applied as a suffix to the zone designation of a specific property (e.g. A1-h) denotes an area in which: new buildings and structures are prohibited; the expansion of the existing buildings and structures are prohibited; and, only the lawfully existing land use may be permitted. The removal of the holding (h) symbol by Council By-law will permit the use of land and erection of buildings and structures in accordance with the Zone designation and its provisions.

The symbol H1 when applied as a suffix to the zone designation of a specific property (e.g. A1-H1) denotes an area in which no development or site alteration of any type is permitted due to concerns regarding the natural environment. The removal of the holding (H1) symbol by Council shall not occur until a study(s) has been prepared, to the satisfaction of the Township and the appropriate Conservation Authority, demonstrating that the proposed development or site alteration will not adversely affect the area or feature. It may be necessary for any mitigative measures recommended in the study to be carried forward into an agreement between the land owner and the Township.

## 6.9 Discrepancies

In the event that there is a discrepancy between a regulation in the General Provisions and the specific Zone sections of this By-law, the most restrictive provisions shall apply.

**SECTION 7: GENERAL PROVISIONS AND PROHIBITED USES  
– ALL ZONES**

**7.1 Accessory Buildings, Structures and Uses**

**a) Permitted Uses**

No detached accessory building or accessory structure shall be used for human habitation or an occupation for gain, unless specifically permitted by this By-law.

**b) When Permitted**

Notwithstanding any of the provisions of this By-law, no accessory building, structure or use shall be erected, or used until the principal building, structure or use is erected in accordance with the Ontario Building Code and in compliance with the provisions of this By-law unless the owner has entered into a Development Agreement with the Township outlining the terms in which the accessory, building, structure or use may exist on a temporary basis prior to the principal building, structure or use being erected.

**c) Location**

Except as otherwise provided herein, any accessory building or structure shall be erected only between the principal building and the rear lot line and/or between the principal building and the side lot line provided a minimum setback of 1.5 metres from the rear and side lot line is provided. A 0 metre side yard setback shall be required where a common or mutual detached garage is erected simultaneously on both sides of the lot line, as one building. This notwithstanding, where the rear lot line or side lot line abuts a public street, the setback of the accessory building or structure from the property boundary abutting the public street shall be the same setback requirement applicable to the principal building.

**In an A1 Zone of more than 5 acres, accessory buildings are permitted in the front yard provided they meet the setbacks of the primary uses in the A1 zone.**

Notwithstanding the above, an accessory building in the form of a detached garage shall also be permitted between the principal



building and the front lot line and/or between the principal building and the exterior side lot line provided the setback of the accessory building or structure from the front lot line or exterior side lot line maintains the same setback requirement applicable to the principal building.

d) **Lot Coverage and Height**

Except as otherwise provided herein, the total lot coverage of all accessory buildings and structures shall not exceed 10% of the lot area, and in no case shall the total lot coverage of all buildings and structures, including the principal building(s), exceed the maximum lot coverage stipulated in the applicable zone.

Except as otherwise provided herein, the height of any accessory building or structure shall not exceed 7 metres.

e) **Other Structures**

Notwithstanding the yard and setback provisions of this By-law to the contrary, awnings, clothes poles, flag poles, garden trellises, retaining walls, permitted signs, or similar uses shall be permitted in any required yard or in the area between the street line and the required setback.

f) **Boat House, Boat Lift, or Dock**

A boat house, boat lift, or dock for pleasure boats may be erected and used in the rear yard of a lot backing on a navigable waterway, provided such accessory buildings or structures are located no closer than 1.2 metres to the side lot line, and the documented approval of the government body having jurisdiction has been obtained.

g) **Ornamental Structures**

Notwithstanding the yard and setback provisions of this By-law to the contrary, sills, chimneys, cornices, eaves, gutters, parapets, pilasters, or other ornamental structures shall be permitted to project into any required yard or the area between the street line and the required setback, a maximum distance of 0.5 metres.

h) **Unenclosed Porches, Balconies, Steps, or Patios**

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed porches, balconies, steps, and patios, shall be permitted to project into any required yard a maximum of 1 metre provided that, in the case of porches, steps, or patios, such uses are not more than 2 metres above grade.

7.2 **Accessory Apartment Dwelling Unit Within Primary Dwelling**

Where specifically permitted by this By-law, an accessory apartment dwelling unit shall be allowed within a detached dwelling in the following instance:

- a) The accessory apartment dwelling shall not be permitted if any other dwelling, other than the principal detached dwelling, exists on the subject property;
- b) The accessory apartment dwelling unit shall be situated entirely within the same building as the principal dwelling;
- ~~d) The minimum gross floor area of the accessory apartment dwelling unit shall be 55.7 square metres, and the maximum gross floor area of the accessory apartment dwelling unit shall be 93 square metres or equivalent to 50% of the gross floor area of the principal detached dwelling, whichever is greater; and,~~
- e) A minimum of one extra parking space shall be provided in accordance with Section 5.11 **7.14** in addition to the parking requirements associated with the principal detached dwelling.
- f) Accessory apartment dwelling units shall only be permitted in areas where it can be demonstrated that safe access can be maintained to and from the accessory apartment dwelling unit under the Regulatory flood event. The appropriate Conservation Authority may be consulted in this regard.

7.3 **Accessory Dwelling Unit Within Detached Accessory Structure**

Where specifically permitted by this By-law, an accessory dwelling unit shall be allowed in a detached accessory structure in the following instance:

- a) The lot shall have an area of at least 2.0 hectares;
- b) The accessory dwelling unit shall not be permitted if any other dwelling, other than the principal detached dwelling, exists on the subject property;
- c) The accessory dwelling unit shall be designed to be permanent, and is not a mobile home or any other type of dwelling that is designed to be portable;
- d) The accessory dwelling unit is located within 50 metres of the principle detached dwelling and utilizes the same driveway entrance as the principle detached dwelling.
- e) The minimum gross floor area of the accessory dwelling unit shall be 55.7 square metres; and,
- f) The accessory dwelling unit is located in accordance with the yard setbacks applicable to a main dwelling in the applicable zone;
- g) The accessory dwelling unit does not result in the maximum lot coverage for accessory buildings being exceeded;
- h) The accessory dwelling unit complies with the Minimum Distance Separation requirements.
- i) A minimum of one extra parking space shall be provided in accordance with Section ~~5.11~~ **7.14** in addition to the parking requirements associated with the principal detached dwelling.

#### **7.4 Bed and Breakfast Establishment**

Within those zones where bed & breakfast establishments are permitted, such uses shall be in accordance with the provisions for such zones and shall also comply with the following regulations:

- a) No more than 2 guest rooms shall be provided within an Urban Residential Zone (R2) and no more than 4 guest rooms shall be provided within a Rural Zone (A1) or Rural Residential Zone (R1).
- b) All Bed and Breakfast establishments shall comply with any provincial regulations such as the Ontario Building Code and Fire and Fire Code, as amended.

c) A Change of Use Certificate is required.

## 7.5 Dwelling Units Below Grade

### a) **Cellar**

No dwelling unit shall, in its entirety, be located in a cellar. If any portion of a dwelling unit is located in a cellar, such portion of the dwelling unit shall be used as a furnace room, or for a similar use only.

### b) **Basement**

A dwelling unit, in its entirety, may be located in a basement, provided the finished floor level of such basement is not below the level of the sanitary or storm drainage system servicing the building or structure in which such basement is located and provided further, that the floor level of such basement is not more than 1.5 metres below the adjacent finished grade.

## 7.6 Existing Lot of Record Having Lesser Area and/or Frontage

Notwithstanding anything contained in this By-law, a parcel which lacks the minimum frontage and/or minimum area required in the applicable zone may be used in accordance with the permitted uses section of the applicable zone, except where otherwise stated in Section 8.11, provided that:

- a) The description of such a parcel is the same as in a deed registered on or prior to the date of passing of this By-law;
- b) Such parcel could have been conveyed legally on the date of the passing of this By-law by way of deed, transfer, mortgage, charge, or agreement of sale and purchase without consent, under Section 50 of the Planning Act, R.S.O. 1990, Chapter P.13 as amended from time to time; and;
- c) Such parcel has a frontage of 6 metres minimum on an improved public street or complies with section 7.9 b);
- d) All other provisions of this By-law are complied with; and,
- e) All relevant regulations made under the Public Health Act and all

relevant requirements of the Ontario Building Code are complied with.

### 7.7 **Garage Sales**

A garage sale shall be permitted on a property containing a detached dwelling, and on an occasional basis to a maximum of five days per year. A garage sale shall also be permitted on Township-owned lands with the permission of the Township.

### 7.8 **Height Restriction**

Notwithstanding the height provisions contained herein, nothing in this By-law shall apply to prevent the erection, alteration, or use of the following accessory buildings or structures, provided the main use is a permitted use within the Zone in which it is located:

- agricultural buildings and structures
- belfry
- grain elevator or feed mill
- chimney
- clock tower
- windmill, solar panel or similar alternative power generator
- air conditioner duct
- communications tower or antenna tower
- flag pole
- bridge
- water tower
- church spine

### 7.9 **Lot Development Requirements**

#### a) **Requirement of Lot**

No building or structure shall be erected, altered, extended, or enlarged, except upon a lot, nor shall any land be used for a permitted use unless it comprises a lot; but this provision shall not prevent the use of any parcel or tract of land for agricultural purposes, excluding the erection or enlargement of any building or structure other than a fence.

#### b) **Frontage on an Improved Public Street**

No person shall erect any building or structure, or use any lot in a Zone, unless the lot upon which such building or structure is to be erected, fronts upon and has direct access to an improved public street. The above provision shall not apply to restrict the

erection of any building on a lot;

- i) In a registered plan of subdivision where a subdivision agreement has been entered into but the street will not be assumed until the end of the maintenance period; or
- ii) Which has legal right of way to an improved public street; or
- iii) For which the lot owner has entered into a road maintenance agreement that is to the satisfaction of the municipality; or
- iv) Which is part of a common elements condominium corporation that has access to an improved public street.

c) **More than One Use or One Zone on a Lot**

When a lot contains more than one use, each use shall conform to the provisions of this By-law for such use in the Zone where it is located. When a lot is divided into more than one zone, each portion of the lot shall be used in accordance with the provisions of this By-law for the applicable Zones.

d) **Restrictions on Changes**

- i) The purpose for which any land or building is used shall not be changed, no new building or addition to any existing building shall be erected, and no land shall be severed from a lot, if such change, erection, or severance creates a situation that contravenes any of the provisions of this By-law applicable to each individual remaining building, accessory building, or lot.
- ii) Notwithstanding the provisions of Clause i) of this Subsection, no person shall be deemed to have contravened any provisions of this By-law, if only part or parts of any lot or parcel has or have been conveyed to or acquired by the Municipality, the County of Grey, Her Majesty in the Right of Ontario or Her Majesty in the Right of Canada.

e) **Treatment of the Area of a Lot Zoned Environmental Protection (EP)**

Where any lot is zoned in part in an Environmental Protection Zone (EP), no person shall erect any buildings or structures within the area zoned Environmental Protection, except as otherwise permitted in the Environmental Protection Zone. However, land zoned Environmental Protection (EP) may be used in the calculation of the lot area, lot frontage, required yard, and lot coverage as is required for the development occurring on that portion of a lot not zoned Environmental Protection.

**7.10 Shipping Containers or Sea Cans**

Storage containers are only permitted in accordance with the following instances:

**a) One Shipping container shall be permitted in the R-1 Rural Residential Zone.**

**b) Shipping Containers be permitted in the A1 Rural Zone. as follows:**

**i) For lots greater than 2 acres and less than 40 acres – 1 shipping container shall be permitted**

**ii) for lots greater than 40 acres – 2 shipper containers shall be permitted.**

c) Shipping containers shall only be permitted as an accessory use to a permitted used where a principal building already exists;

d) Shipping containers shall be treated as an accessory building, and shall comply with the requirements of the Ontario Building Code and require a Building Permit;

e) Shipping containers shall be screened from all properties that are adjacent to or within 50 metres of the adjacent property.

f) Shipping containers shall not be located in a required parking area or required landscaping area.

g) Shipping containers shall only be permitted for the use of accessory storage and shall not be used for human habitation, display, screening or fencing.

- h) The maximum number of shipping containers on a property shall be limited to two.
- i) Shipping containers shall not exceed a height of 3 metres and a length of 12 metres, and shall not be stacked on top of each other; and
- j) Shipping containers shall be of a condition free from rust, peeling paint and any other form of visible deterioration.

#### 7.11 **Movement of Buildings**

No buildings or structures shall be moved without a permit from the Chief Building Official

#### 7.12 **Short Term Rental Accommodations**

#### 7.13 **Non-Conforming and Non-Complying Buildings, Structures, and Uses**

- a) The provisions of this By-law shall not apply to prevent the use of any lot, building, or structure for any purpose prohibited by the By-law if such lot, building, or structure was lawfully used for such purposes on the date of the passing of this By-law, so long as it continues to be used for that purpose.
- b) **Permitted Exterior Extension**
  - i) No building or structure, which at the date of passing of this By-law was used for a purpose not permitted within the Zone in which it is located, shall be enlarged or extended unless such building is thereafter to be used for a purpose permitted within such Zone and complies with all requirements of this By-law or the granting of a minor variance to this By-law.
  - ii) Nothing in this By-law shall prevent the enlargement or extension of a building or structure which, at the date of the passing of this By-law was used for a purpose specifically permitted within the Zone in which such building or structure is located, but which does not comply with one or more of the Zone provisions provided such enlargement or extension does not further contravene any



of the provisions of this By-law.

c) **Permitted Interior Alterations**

Nothing in this By-law shall prevent the reconstruction or alteration of the interior of any building or structure which, at the date of passing of this By-law was used for a purpose not permitted in the Zone in which it is located, in order to render such interior more convenient or commodious for the same purpose for which, at the passing of this By-law, such building or structure was used.

d) **Restoration to a Safe Condition**

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any building or structure or part thereof lawfully used at the date of passing of this By-law, whether or not the use of such building or structure at the date of passing of this By-law is permitted within the Zone in which such building or structure is located, provided that the strengthening or restoration does not increase the building height, size, or volume, or change the use of such building or structure or part thereof, except where an increase in height, size, or volume, or change of use would comply with the provisions of the Zone in which the building or structure is located.

e) **Reconstruction of Damaged Buildings or Structures**

Nothing in this By-law shall prevent the reconstruction of any building or structure that is damaged by causes beyond the control of the owner, subsequent to the date of the passing of this By-law, provided the reconstruction of such building or structure does not increase the height, size, or volume of the building or structure, change the use of the building or structure, or reduce or eliminate any parking spaces, loading spaces, or landscaped open space area which existed prior to said damage, except where such increase in height, size, or volume, change of use or decrease in parking space, loading spaces, or landscaped open space areas complies with the provisions of the Zone in which such building or structure is located.

f) **Building Permit Issued**

Nothing in this By-law shall apply to prevent the erection or use, for a purpose prohibited by this By-law of any building or structure, the plans for which have, prior to the date of passing of this By-law, been approved by the Chief Building Official, so long as the building or structure when erected is used and continues to be used for the purpose for which it was approved and provided the erection of such building or structure is commenced within one (1) year after the date of the passing of this By-law and such building or structure is complete with six (6) months after the erection thereof is commenced.

g) **Change in Use**

No change in the use of any land, building or structure shall be permitted, unless such change in use complies with the permitted uses within the zone in which such land, building, or structure is located or unless such change has been approved either through an amendment to this By-law or through authorization under Section 45(3) of the Planning Act, R.S.O. 1990 Chapter P.13 as amended.

**7.14 Parking Regulations**

a) **Parking Space Requirement**

For every building or structure to be erected or enlarged in any Zone, off-street parking shall be provided and maintained in accordance with the following provisions:

**Type of Use                      Minimum Parking Space Requirements**

<p>Arenas, Community Centres, other places of assembly, or places of entertainment</p>	<p>The greater of:  a) 1.0 parking space per 5 fixed seats or fraction thereof, with 3 metres of bench equal to 5 fixed seats,   <p style="text-align: center;">OR</p> b) 1.0 parking space for each 5 persons that can be accommodated at any one time using both fixed seat facilities and temporary seat facilities.</p>
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Bed and Breakfast Establishments	1.0 parking space per guest room or suite
Business or Professional Office	1.0 parking space per 30 square metres of gross floor area
Restaurant	1.0 parking space per 5 square metres of gross floor area
Liquor Licensed Premises	1.0 parking space for each 4 persons that can be accommodated at any one time
Motels, Hotels	1.0 parking space per guest room or suite. If a liquor licensed premise is contained within a portion thereof, then additional parking spaces shall be provided in accordance with the minimum off-street parking requirements for liquor licensed premises.
Church	1.0 parking space per 6 square metres of floor area in the nave
Retail Commercial Establishments or Service Shops	1.0 parking space per 20 square metres of gross floor area
Industrial Establishments	1.0 parking space per 40 square metres of gross floor area
Schools	The greater of: a) 1.5 parking spaces per classroom, or b) 1.0 parking space per 3 square metres of floor area in a gymnasium, or c) 1.0 parking space per 3.5 square metres of floor area in an auditorium
Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling	1.0 parking space per dwelling unit with 2.0 additional parking spaces if a dwelling unit contains a home occupation
Dwellings other than	1.2 parking spaces per dwelling unit

listed, except Senior Citizens Apartment Dwelling	
Senior Citizens Dwelling	1.0 parking space per 4 dwelling units
Uses permitted by this By-law	1.0 parking space per 40 square metres of gross other than those listed herein floor area

b) **Parking Space and Aisle Dimensions**

The following minimum standards shall apply for parking spaces and manoeuvring aisles:

Parking Angle	Minimum Space Width	Minimum Space Length	Minimum Aisle Width
90°	2.75m	5.5m	7.3m
60°	2.75m	6.1m	5.0m
44°	2.75m	5.8m	4.5m
30°	2.75m	5.1m	4.0m
0°	2.75m	6.7m	3.0m

c) **Uses Not Specified**

In the case of a use not specifically mentioned in Clause a) of this Subsection, the requirements for off-street parking shall be based on the requirement for the most comparable use specified therein.

d) **Mixed Occupancies**

In the case of two or more uses in the same building or on the same lot, the total requirements for off-street parking shall be the sum of the requirements for the several uses computed separately. Parking facilities for one use shall not be considered as providing required parking for any other use.

e) **Location on Other Lots**

Where the owner of a building or structure proposed to provide the required parking spaces and areas in a location other than the same lot as the use that requires such spaces and areas,

then such shall be located not more than 150 metres from the said lot and shall be located within the same Zone as the said lot.

f) **Use of Parking Areas**

Where a parking area or parking space is permitted required by the By-law in any Zone, no person shall use such parking area or parking space for parking any motor vehicle unless such motor vehicle bears a motor vehicle licence plate or sticker which is currently valid.

g) **Change in Use**

Whenever a use is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, or otherwise as would require an additional number of parking spaces, then such additional parking shall be provided on the same basis as Subsection ~~5.11~~, **7.14** Clause a).

h) **Restrictions in Residential Zones (R1, R2, R3, R4)**

No person shall use any parking area or parking space in a Residential Zone, except in accordance with the following:

- a) Not more than one vehicle per dwelling unit shall be a commercial motor vehicle as defined in The Highway Traffic Act.
- b) The licensed capacity of any such commercial motor vehicle shall not exceed 2400 kilograms.
- c) Notwithstanding the foregoing, the owner or occupant of any lot, building, or structure in any Residential R1, R2, R3, R4 Zone may use any private garage of which he is the owner or occupant, erected upon any such lot for the housing or storage of one commercial motor vehicle exceeding 2400 kilograms capacity operated by himself.

i) **Access**

- (i) Access to the required parking spaces and parking areas shall be provided by means of unobstructed driveways or passageways at least 3 metres, but not more than 9

metres in width;

- (ii) The aisles between parking spaces within a parking area shall have a minimum width of 6 metres;
- (iii) The maximum width of any combined ingress and egress driveway, measured along the street line, shall be 9 metres;
- (iv) The minimum distance between 2 separate driveways on one lot, measured along the street line shall be 7.5 metres;
- (v) The minimum angle of intersection between a driveway and a street line shall be 60 degrees
- (vi) Every lot shall be limited to the following number of driveways:
  - (a) Two driveways, with a combined width not exceeding 30% of the lot frontage, for the first 30 metres of the lot frontage or portion thereof, and;
  - (b) One additional driveway for each additional 30 metres of lot frontage.
- (vii) No driveway shall be established closer than 1 metre to a side lot line, provided this shall not apply to prevent the establishment of abutting driveways along a common lot line if their combined width does not exceed 9 metres.
- (viii) No driveway shall be established closer than 9 metres in a Residential Zone or closer than 15 metres in all other zones to an intersection of two streets.

j) **Barrier-Free Parking Spaces**

- (i) On any property where more than 20 parking spaces are required by this By-law, the required number of parking spaces shall include the provision of designated accessible parking spaces for the use of physically disabled persons in the amount of 1 barrier-free parking space for the first required 20 parking spaces plus 1 space for each additional 100 parking spaces.

- (ii) Notwithstanding (i) above, hospitals shall be required to provide 1 barrier-free parking space for the first 20 parking spaces required or 2 barrier-free parking spaces for the first 60 required parking spaces or 3 barrier-free parking spaces for the first required 100 parking spaces, whichever is applicable, in addition to one barrier-free parking space for every additional 100 spaces.
- (iii) Such barrier-free parking shall be provided near and accessible to the point of entrance to the building and clearly marked for the parking of vehicles used by barrier-free person or persons.
- (iv) Barrier-free parking spaces shall have a minimum width of 4.6 metres and a minimum length of 5.5 metres.

**7.15 Loading Space Requirements**

- a) The owner or occupant of any lot, building or structure in a Commercial or Industrial Zone, erected or used for any purpose involving the receiving, shipping, loading, or unloading of persons, animals, goods, wares, merchandise, or raw materials, shall provide and maintain at the premises, on the lot occupied by the building or structure and not forming part of a street or land, within the Zone in which such use is located, loading and unloading spaces 9 metres long, 4 metres wide, and having a vertical clearance of at least 5 metres and in accordance with the following:

<b>Gross Floor Area of Building or Structures</b>	<b>Minimum Number of Spaces Required</b>
0 to 500 square metres	1
500 to 2,500 square metres	2
2,500 to 8,500 square metres	3
8,500 square metres	3*

\* plus 1 additional space for each additional 9,000 square metres or fraction thereof in excess of 8,500 square metres provided, however, that in addition to the above

number of loading spaces, adequate space shall be provided for the parking of vehicles awaiting access to loading spaces.

b) **Additions to Buildings**

If an addition is made to an existing building or structure which increases the floor area then loading space requirements for such a building or structure shall be provided in accordance with paragraph a) on the basis of the total floor area of the whole buildings or structure after expansion.

**7.16 Minimum Distance Separation – MDS I**

Notwithstanding any other provisions of this by-law to the contrary, no residential, institutional, commercial, industrial or recreational use, located on a separate lot and permitted within the current zoning of the property, shall be erected or altered unless it complies with the MDS I provisions contained in Appendix A to this By-law.

**7.17 Minimum Distance Separation – MDS II**

Notwithstanding any other provisions of this by-law to the contrary, no livestock facility or manure facility shall be erected or expanded unless it complies with the MDS II provisions contained in Appendix A to this By-law.

**7.18 Nutrient Management Plan**

No livestock operation or manure storage facility shall be established or enlarged until a Nutrient Management Plan is completed where required by the Nutrient Management By-law or relevant legislation.

**7.19 Permitted Uses in All Zones**

Notwithstanding any other provisions of this By-law to the contrary, the following uses shall be permitted in any Zone established herein:

- a) The use of any land as a public street, and in the case of the Environmental Protection Zone for Massie and Walters Falls only a public street that meets this By-law's definition of essential to the satisfaction of the Niagara Escarpment Commission.



- b) A temporary construction or work camp/trailer, tool shed, scaffold, or other building or structure incidental to and necessary for the construction work on the premises, but only for so long as such use, building, or structure is necessary for such construction work which has not been finished or abandoned and provided such construction work does not occur within the Wetlands Protection Zone.
- c) Except as provided in Section ~~5.7~~ **7.8** hereof, any building, structure, use, service, or utility of any department of the Corporation of the Township of Chatsworth, the Corporation of the County of Grey, or the Federal or Provincial Government, Ontario Hydro, or any telephone, telegraph, or gas company shall be permitted in any zone except in the case of the Environmental Protection zone for Massie and Walters Falls unless it meets this By-law's definition of essential to the satisfaction of the Niagara Escarpment Commission and except within the Wetlands Protection zone unless approved through an Environmental Assessment process or other similar process. Such use, building or structure shall comply with the regulations with regard to the height, yard, and lot coverage prescribed for the Zone in which it is located; and any buildings erected or used shall be designed and used in a manner compatible with the area in which it is located. Notwithstanding the generality of the foregoing, the requirement of this Section to comply with the regulations with regard to height, yard, and lot coverage, shall not apply to any undertaking of Ontario Hydro which satisfies the provisions of the Environmental Assessment Act.
- d) A wayside pit, portable concrete plant and a portable asphalt plant used only for road authority projects shall be permitted in any Zone, except within the Wetlands Protection Zone or Environmental Protection Zone
- e) Garage sales are permitted in accordance with the definition provided in Section 3 and the provisions of Section ~~5.6~~ **7.7**.

## 7.20 Planting Strip

### a) Location

Where a commercial, institutional, or industrial use is established opposite a Residential Zone or abuts a side or rear lot line in a Residential Zone, then a planting strip and/or fence adjoining

such abutting lot line, or portion thereof, shall be provided on the commercial, industrial, or institutional lot, in the case of a planting strip. Conversely, when a residential use is established adjacent to a commercial, industrial, or institutional use, as described above, a similar planting strip shall be provided on the residential lot.

## 7.21 Prohibited Uses in All Zones

The following uses are prohibited in any zone:

- a) The use of any trailer for human habitation, except where the trailer is located on lands zoned to allow such a use.
- b) The use of any motor vehicle for human habitation.
- c) The use of any accessory building or structure for human habitation, except where expressly permitted by this By-law.
- d) The use of a truck, bus or coach body for human habitation.
- e) The use or storage of shipping containers, except in accordance with Section 7.10. Such storage or shipping container may only be placed in a rear yard or side yard and not in a front yard. A building permit must be obtained prior to the placement of the storage or shipping container as per the Ontario Building Code Act.**
- f) The use or storage of disused rail cars, streetcars, truck bodies or trailers without wheels;
- g) The outdoor storage of partially dismantled motor vehicles or trailers or motor vehicle or trailer parts.
- i) Obnoxious uses.
- j) The manufacturing, refining, rendering or distillation of acid, ammonia, chlorine, coal, creosote, explosives, fireworks, glue, petroleum or tar.
- k) The bulk storage of industrial chemicals, hazardous waste or liquid industrial waste as defined under the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended.

- l) Water taking for a non-exempt use under The Ontario Water Resources Act exceeding 50,000L per day.

## 7.22 **Setback Requirements**

- a) **Building in a Built-up Area**

Notwithstanding the yard and setback provisions of this By-law to the contrary, where a permitted building or structure or expansion is to be erected on a lot in a built-up area where there is an established building line extending 90 metres or less on both sides of the lot, such permitted building or structure may be erected closer to the front lot line than required by this By-law, provided such permitted building or structure is not closer to the front lot line than the established building line on the date of passing of this By-law.

- b) **Through Lots**

Where a lot which is not a corner lot has frontage on more than one street, the setback requirements contained herein shall apply on each street in accordance with the provisions of the Zone or Zones in which such lot is located.

- c) **Corner Lots**

On a corner lot, side yard requirements shall be substituted by rear yard requirements unless provided for elsewhere in this bylaw as an exterior side yard.

- d) **Yard and Open Space Provision for All Zones**

No part of a yard or other open space required about any building for the purpose of complying with the provisions of this By-law shall be included as part of a yard or other open space similarly required for another building on the same lot.

- e) **Setback and Side Yard Setback on Major Roads**

Notwithstanding any other provisions of this By-law where a building or structure is located adjacent to a Provincial Highway or a County Road, setbacks shall be provided and maintained in accordance with the following provisions:

<b><u>Road</u></b>	<b><u>Distances in Metres From Centre Line of Road</u></b>
Provincial Highway No.'s 6 & 10	32 metres*
Grey County Road No.'s 3, 16, 25, 29, 40 & the Grey Bruce Line	23 metres*

\* Greater setbacks as required by the Ministry of Transportation or the County of Grey shall be provided.

County Road setbacks shall be determined from the centre line of the travelled portion of the road.

All lands within defined settlement areas are exempt from Section 5.10(e) **7.13 e)**

f) **Setbacks for Watercourses and Municipal Drains**

Notwithstanding any yard provision of this By-law to the contrary, no permanent building or structure in any zone shall be permitted which is:

- a) Closer than 15 metres from the edge of an open or closed municipal drain; or closer than 30 metres to the top of bank of any watercourse.
- b) Any alteration to a waterway is subject to regulations administered by the appropriate Conservation Authority.

g) **Setbacks from Inland lakes**

Notwithstanding any yard provision of this By-law to the contrary, no new permanent building or structure in any Zone which is closer than 30 metres of the shoreline of an inland lake, or within an Environmental Protection Zone, whichever is greater.

**7.23 Sight Triangles**

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

- a) A building, structure, or use which would obstruct the vision of drivers of motor vehicles;
- b) A fence, tree, hedge, bush, or other vegetation, the top of which exceeds 1 metre in height above the elevation of the street line;
- c) A finished grade which exceeds the elevation of the street line by more than 1 metre.

## 7.24 **Swimming Pools**

Notwithstanding any other provisions of this By-law to the contrary, a swimming pool and any building or structure, other than a dwelling required for changing clothing or for pumping or filtering facilities or other similar accessory use, shall be permitted as an accessory use to any permitted residential or agricultural use, except where such residential or agricultural use is situated within an Environmental Protection Zone.

- a) In the side yard of any lot if:
  - i) No part of such pool, associated deck and/or fence, is located closer to any lot line than the minimum distance required for the principal building located on such lot, and
  - ii) The height of such pool or associated deck and/or fence is 1.5 metres above the average finished grade level of the ground adjoining and within 4.5 metres of such pool.
- b) In the rear yard of any lot if:
  - i) No part of such pool, associated deck and/or fence, is located closer to any lot line than the minimum distance required for the accessory building located on such lot, and
  - ii) The height of such pool or associated deck and/or fence is 1.5 metres above the average finished grade level of the ground adjoining and within 4.5 metres of such pool.
- c) Every in-ground swimming pool shall be enclosed by a fence of at least 1.5 metres in height and located at a distance of not less than 1.5 metres and not more than 4.5 metres from the pool.

- d) Notwithstanding clause (a) and (b) within the Rural A1 or Restricted Rural A2 Zone, a swimming pool may be permitted in the front yard if the swimming pool is a minimum of 50 metres setback from the front lot line.
- e) Every swimming pool shall comply with any fencing by-laws within the Township of Chatsworth.

#### 7.25 **Separation Distance for Structures Used for Mushroom or Commercial Greenhouse**

Notwithstanding any yard or setback provision of the Rural Zones of this By-law to the contrary, no building or structure used for the growing of mushrooms or a commercial greenhouse shall be erected or enlarged within 230 metres of a Non-Farm dwelling, Farm dwelling on a separated lot, or a Commercial, Recreational, Institutional or Industrial Building.

#### 7.26 **Vending on Township Lands**

No lands or streets in the Township shall be used for the sale of food, goods or wares unless approval has been granted by the Township or by the Board of Directors where the Township-owned lands are operated by a Board of Directors.

#### 7.27 **Wetland Setbacks**

Wetlands Protection (W) Zone Setbacks:

No building or structure, shall be constructed and no site alteration shall occur within 120 metres of a Wetlands Protection (W) Zone unless an Environmental Impact Study (EIS) or a scoped EIS is prepared, or the approval authority in consultation **with appropriate regulating authority and/or agencies** including the Conservation Authority has determined that neither an EIS nor a scoped EIS is necessary as the potential for negative impacts is minimal.

The Wetland Protection zone shown within the Niagara Escarpment Plan Development Control Area (NEPDCA) Zone is provided for reference only, but shall be used to ensure that the wetland provisions of this section are applied to lands located outside of the Niagara Escarpment Plan Development Control Area (NEPDCA) Zone but within 120 metres of a wetland located within the Niagara Escarpment Plan Development Control Area (NEPDCA) Zone

## **7.28 Lands Within the Niagara Escarpment Control Area**

This Zoning By-law is not in effect for the lands within Massie and Walters Falls. These lands are within the Niagara Escarpment Development Control Area and are subject to Development Permits from the Niagara Escarpment Commission. In this regard, the zoning information provided on Schedule 35 (Massie) and Schedule 36 (Walters Falls) is not in effect and is provided only for the purposes of assisting with development proposals. Should the Province remove the lands within Massie and Walters Falls from Development Control, the zoning shown on Schedules 35 and 36 would come into effect.

**SECTION 8: RURAL ZONE (A1)**

**8.1 Permitted Uses**

- a) Forestry, conservation and agricultural uses, including intensive agricultural operations and commercial greenhouses, riding and boarding stables,
- b) Dwelling Units – Maximum 3 units**
  - i. One single detached dwelling on a lot (Primary Dwelling)**
  - ii. An additional single detached dwelling (Secondary Dwelling).**
  - iii. An accessory apartment dwelling unit within the Primary Dwelling in accordance with Section 7.2 or a dwelling unit within a detached accessory building in accordance with Section 7.3.**
- c) Home industry,
- d) Home occupation,
- e) Bed and Breakfast,
- f) Wayside pits and quarries,
- g) Uses, buildings or structures accessory to a permitted use,

**8.2 Regulations for Uses Permitted in Subsection 8.1**

- a) Minimum Lot Area 20 hectares
- b) Minimum Lot Frontage 180 metres
- c) Maximum Lot Coverage 15 per cent
- d) Minimum Front Yard 15 metres
- e) Minimum Side Yard
  - Interior 15 metres
  - Exterior 20 metres
- f) Minimum Rear Yard 15 metres



**8.3 Building Regulations for Single Detached Dwellings Permitted in Clause b) of Subsection 8.1**

a) Maximum Height 2 ½ storeys

~~b) Minimum Floor Area:~~

~~i) 1 storey 80 square metres, except that where no full basement or cellar is provided, the minimum floor area shall be 100 square metres~~

~~ii) 1 ½ storey or split level 105 square metres~~

~~iii) 2 or 2 ½ storey 130 square metres~~

**8.4 Regulations for a Home Industry Permitted in Clause c) of Subsection 8.1**

In addition to any other provisions of this By-law, the provisions contained with the definition of Home Industry shall apply.

**8.5 Regulations for a Home Occupation Permitted in Clause d) of Subsection 8.1**

In addition to any other provisions of this By-law, the provisions contained within the definition of Home Occupation shall apply.

**8.6 Regulations for a Bed and Breakfast Permitted in Clause e) of Subsection 8.1**

In addition to any other provisions of this By-law, the provisions contained in the definition of Bed and Breakfast shall apply.

~~8.7 Regulations for Accessory Uses Permitted in Clause g) of Subsection 8.1~~

~~In addition to the provisions of Subsection 7.1, the following provisions shall apply to accessory uses permitted in clause g) of Subsection 8.1 hereof.~~

~~a) Location Side, Front or Rear Yard only~~

~~b) Minimum Distance from  
Main Building 2 metres~~

~~c) Minimum Yard Requirements:~~

~~(i) No accessory building or structure shall be located within  
3 metres of the rear or side lot line, notwithstanding  
Subsection 7.1(c);~~

~~(ii) No accessory building or structure shall be located within  
15 metres of an improved public street.~~

~~d) Maximum Height 7 metres except where exempt in Section 7.7~~

## 8.7 **Special Regulations for Yards and Setbacks**

~~See Subsections 5.13, 5.14, 5.19, 5.22, 5.24~~

**See Subsections 7.16, 7.17, 7.22, 7.25, 7.27.**

## 8.8 **Special Regulations for Setbacks on Provincial Highways and County Roads**

See Subsection 7.22 e).

## 8.9 **Parking Regulations**

See Subsection 7.14.

## 8.10 **Special Regulations for Existing Lots having Lot Areas of Less than Two (2) Hectares**

The following provisions apply to existing lots of record and new lots that have been created since the adoption of this By-law which, in either case, are less than 2.0 hectares (5 acres) in size.

a) Permitted uses: Those uses listed in Section 8.1 excepting however that agricultural uses and home industry shall not be allowed.

b) Provisions:

i. Maximum Lot Coverage 15 per cent

- |      |                    |            |
|------|--------------------|------------|
| ii.  | Minimum Front Yard | 15 metres  |
| iii. | Minimum Side Yard  |            |
|      | Interior           | 3.0 metres |
|      | Exterior           | 7.5 metres |
| iv.  | Minimum Rear Yard  | 9 metres   |

c) Section 8.5, 9.6, 8.7, 8.8 and 8.9 shall apply

## **SECTION 9: RESTRICTED RURAL ZONE (A2)**

### **9.1 Regulations**

The provisions of Section 8 - Rural Zone (A1) shall apply hereto, except that no new livestock facility or manure storage facility shall be permitted. The expansion of an existing livestock facility or manure storage facility shall only be permitted if such expansion conforms with MDS II

**SECTION 10: RURAL RESIDENTIAL ZONE (R1)**

**10.1 Permitted Uses**

- a) One single detached dwelling on a lot,
- b) Dwelling Units — Maximum 3 units**
  - i. One single detached dwelling on a lot (Primary Dwelling)**
  - ii. An accessory dwelling unit within the Primary Dwelling in accordance with Section 7.2**
  - iii. An additional single detached dwelling (Secondary Dwelling) or a dwelling unit within a detached accessory building in accordance with Section 7.3.**
- c) Home occupation,
- d) Bed & Breakfast,
- e) Uses, buildings and structures accessory to the use permitted in Clause a) above,

**10.2 Regulations for Uses Permitted in Clause a) of Subsection 10.1**

- a) Minimum Lot Area ————— 0.8 hectares
- b) Minimum Lot Frontage ————— 100 metres
- c) Maximum Lot Coverage ————— 15 per cent
- d) Minimum Front Yard ————— 15 metres
- e) Minimum Side Yard
  - Interior ————— 3.0 metres
  - Exterior ————— 7.5 metres
- f) Minimum Rear Yard ————— 9 metres
- g) Minimum Gross Floor Area:
  - i) 1 storey ————— 80 square metres, except that where no full basement or cellar is provided, the minimum floor area shall be

105 square metres

ii) 1 ½ storey or split level 105 square metres

iii) 2 or 2 ½ storey 130 square metres

g) Maximum Height 2 ½ storeys

~~10.3 **Regulations for a Home Occupation Permitted in Clause b) of Subsection 10.1**~~

~~In addition to any other provisions of this By law, the provisions contained within the definition of Home Occupation shall apply.~~

~~10.4 **Regulations for a Bed and Breakfast Permitted in Clause c) of Subsection 10.1**~~

~~In addition to any other provisions of this By law, the provisions contained within the definition of Bed and Breakfast shall apply.~~

~~10.5 **Regulations for Accessory Uses Permitted in Clause d) of Subsection 10.1**~~

~~In addition to any other provisions of this By law, the provisions of Subsection 7.1 shall apply to accessory uses permitted in Clause d) of Subsection 10.1 hereof.~~

~~10.6 **Special Regulations for Yards and Setbacks**~~

~~See Subsections 7.22 (Discuss with Ron)~~

~~10.7 **Special Regulations for Setbacks on Provincial Highways and County Roads**~~

~~See Subsection 7.22(e).~~

~~10.8 **Parking Regulations**~~

~~See Subsection 7.14.~~

## SECTION 10: URBAN RESIDENTIAL ZONE (R2)

### 10.1 Permitted Uses

- a) **Dwelling Units – Maximum 2 units**
  - iv. **One single detached dwelling on a lot (Primary Dwelling)**
  - v. **An accessory apartment dwelling unit within the Primary Dwelling in accordance with Section 7.2 or within a detached accessory building in accordance with section 7.3**
- b) A Home occupation,
- c) Uses, buildings and structures accessory to the use permitted in Clause a),

### 10.2 Regulations for Uses Permitted in Clause a) of Subsection 11.1

- |    |                      |                     |
|----|----------------------|---------------------|
| a) | Minimum Lot Area     | 2,000 square metres |
| b) | Minimum Lot Frontage | 24 metres           |
| c) | Maximum Lot Coverage | 30 per cent         |
| d) | Minimum Front Yard   | 7.5 metres          |
| e) | Minimum Side Yard    |                     |
|    | Interior             | 3.0 metres          |
|    | Exterior             | 7.5 metres          |
| f) | Minimum Rear Yard    | 7.5 metres          |

#### ~~14) Minimum Gross Floor Area:~~

~~i) 1 storey 80 square metres, except that no full basement or cellar is provided, the minimum floor area shall be 105 square metres~~

~~ii) 1 ½ storey or split 105 square metres level~~

~~iii) 2 or 2 ½ storey 130 square metres~~

g) Maximum Height 2 ½ storeys

**10.3 Regulations for a Home Occupation Permitted in Clause b) of Subsection 10.1**

In addition to any other provisions of this By-law, the provisions contained within the definition of Home Occupation shall apply.

**10.4 Regulations for Accessory Uses Permitted in Clause c) of Subsection 10.1**

The provisions of Subsection 7.1 hereto shall apply to accessory uses permitted in Clause c) of Subsection 10.1 hereof.

~~a) Location Side or Rear yard only~~

**10.5 Special Regulations for Setbacks on Provincial Highways and County Roads**

See Subsection **7.22 e)**.

**10.6 Parking Regulations**

See Subsection **7.14**



## SECTION 11: LAKE RESIDENTIAL ZONE (R3)

### 11.2 Permitted Uses

- a) One single detached dwelling on a lot;
- b) **An apartment within the single detached dwelling**
- c) A Home occupation,
- d) Uses, buildings and structures accessory to the use permitted in Clause a).

### 11.2 Regulations for Uses Permitted in Clause a) of Subsection 11.1

- a) Minimum Lot Area 2,000 square metres
- b) Minimum Lot Frontage 24 metres
- c) Minimum Front Yard 5 metres
- 14) Minimum Side Yard
  - Interior 3 metres
  - Exterior 5 metres
- e) Minimum Rear Yard 5 metres
- f) Maximum Lot Coverage 20 per cent

~~g) **Minimum Gross Floor Area:**~~

~~i) **1 storey** **80 square metres, except that no full basement or cellar is provided, the minimum floor area shall be 105 square metres**~~

~~ii) **1 ½ storey or split level** **105 square metres**~~

~~iii) **2 or 2 ½ storey** **130 square metres**~~

- g) Maximum Height 2 ½ storeys
- h) Minimum Yard 15 metres

abutting the shoreline of a lake

**11.3 Regulations for a Home Occupation Permitted in Clause b) of Subsection 11.1**

In addition to any other provisions of this By-law, the provisions contained within the definition of Home Occupation shall apply.

**11.3 Site and Building Regulations for New or Enlarged Accessory Uses Permitted in Clause c) of Subsection 11.1**

The provisions of Subsection 7.1 hereto shall apply to accessory uses permitted in Clause c) of Subsection 11.1 hereof.

~~a) Location of Accessory Buildings — Front, Rear or Side Yards~~

~~b) Minimum Distance from Main Building — 2 metres, provided that in no case shall any overhang, eaves or gutters project into this required minimum distance.~~

~~c) Minimum Front Yard — 3 metres~~

~~d) Maximum Lot Coverage — 5 per cent~~

~~e) Maximum Height — 5 metres~~

**11.5 Special Regulations for Yards and Setbacks**

See Subsection [7.22](#).

**11.6 Special Regulations for Setbacks on Provincial Highways and County Roads**

See Subsection [7.22 e\)](#).

**11.7 Parking Regulations**

See Subsection [7.14](#).

**SECTION 12: MULTIPLE RESIDENTIAL ZONE (R4)**

**12.1 Permitted Uses**

- a) One single detached dwelling on a lot,
- b) Semi-detached dwelling;
- c) Triplex;
- d) Fourplex;
  
- e) Uses, buildings and structures accessory to the foregoing permitted uses.
- f) An accessory apartment dwelling unit within a detached dwelling in accordance with Section 7.2;

**12.2 Regulations for Uses Permitted in Clause a) of Subsection 12.1**

The provisions of Subsection 11.2 shall apply hereto.

**12.3 Regulations for Semi-Detached Dwellings Permitted in Clause b) of Subsection 12.1**

- a) Minimum Lot Frontage 15 metres per unit
- b) Minimum Lot Area 0.4 hectares
  
- c) Maximum Lot Coverage 35 per cent
  
- d) Minimum Front Yard 6 metres
  
- e) Minimum Interior Side Yard 3 metres
- f) Minimum Exterior Side Yard 6 metres
  
- g) Minimum Rear Yard 9 metres

~~h) Minimum Floor Area~~

~~i) 1 storey 93 square metres~~

~~ii) 1 ½ storey or split 95 square metres level~~

~~iii) 2 or 2 ½ storey 115 square metres~~

g) Maximum Height 2 ½ storeys

**12.4 Regulations for Triplex Dwellings Permitted in Clause c) of Subsection 12.1**

a) Minimum Lot Frontage 30 metre

b) Minimum Lot Area 0.5 hectares

c) Maximum Lot Coverage 35 per cent

d) Minimum Front Yard 6 metres

e) Minimum Interior Side Yard 3 metres

f) Minimum Exterior Side Yard 6 metres

g) Minimum Rear Yard 9 metres

h) **Minimum Floor Area 93 square metres per dwelling unit**

i) Maximum Height 2 ½ storeys

**12.5 Regulations for Fourplex Dwellings Permitted in Clause d) of**

### **Subsection 12.1**

- |               |                               |   |
|---------------|-------------------------------|---|
| a)            | Minimum Lot Frontage          | 35 metres                                     |
| b)            | Minimum Lot Area              | 0.8 hectares                                  |
| c)            | Maximum Lot Coverage          | 35 per cent                                   |
| d)            | Minimum Front Yard            | 6 metres                                      |
| e)            | Minimum Interior Side Yard    | 3 metres                                      |
| f)            | Minimum Exterior Side Yard    | 6 metres                                      |
| g)            | Minimum Rear Yard             | 9 metres                                      |
| <del>h)</del> | <del>Minimum Floor Area</del> | <del>93 square metres per dwelling unit</del> |
| i)            | Maximum Height                | 2 ½ storeys                                   |

### **12.6 Regulations for Accessory Uses Permitted in Clause e) of Subsection 12.1**

The provisions of Subsection 7.1 hereto shall apply to accessory uses permitted in Clause e) of Subsection 11.1 hereof.

### **12.7 Special Regulations for Setbacks on Provincial Highways and County Roads**

See Subsection 7.22 e).

### **12.8 Parking Regulations**

See Subsection 7.14.

## **SECTION 13 : GENERAL COMMERCIAL ZONE (C1)**

### **13.1 Permitted Uses**

- |    |                    |                                   |
|----|--------------------|-----------------------------------|
| a) | Retail store,      | Bank and financial institution,   |
|    | Convenience store, | Veterinary clinic,                |
|    | Service shop,      | Motor vehicle gas bar,            |
|    | Funeral home,      | Motor vehicle repair garage,      |
|    | Restaurant,        | Personal service shop,            |
|    | Tavern,            | Cold storage locker plant,        |
|    | Electrical shop,   | Equipment sales and rental,       |
|    | Plumbing shop,     | Place of entertainment,           |
|    | Hotel,             | Business and professional office, |
|    | Motel,             | Post Office                       |
- b) A dwelling unit in the rear or second storey of the main building of uses permitted in Clause a) hereof,
- c) Uses, buildings and structures accessory to a permitted use, including outside storage.

### **13.2 Regulations for Uses Permitted in Subsection 13.1**

- |    |                      |   |
|----|----------------------|---|
| a) | Minimum Lot Area     | 2,000 square metres   |
| b) | Minimum Lot Frontage | 30 metres   |
| c) | Maximum Lot Coverage | 35 per cent   |
| d) | Minimum Front Yard   | 4.5 metres  |
| e) | Minimum Side Yard    | 5 metres, except that a minimum side yard abutting a residential use or an improved public street shall |

be 9 metres

- f) Minimum Rear Yard 8 metres, except that a minimum rear yard abutting a residential use or an improved public street shall be 12 metres
- g) Maximum Height 10 metres

### 13.3 Special Provisions for Automobile Service Stations

- a) Minimum Lot Frontage 46 metres
- b) Minimum Lot Depth 46 metres
- c) No portion of any pump island of a service station shall be located closer than 6 metres from the street line.
- d) The minimum distance from the intersection of two street lines to the nearest ingress or egress ramp shall be not less than 9 metres.
- e) The maximum width of a curb ramp at the street line shall not be more than 9 metres or less than 7 metres.
- f) The minimum distance between ramps shall be not less than 9 metres.
- g) The minimum interior angle of a ramp to a street line shall be forty-five (45) degrees, and the maximum interior angle of a ramp to the street line shall be ninety (90) degrees.
- h) The distance between the property line of the lot at the street line and the nearest ramp shall be 3 metres.

### ~~13.4 Regulations for Residential Uses Permitted in Clause b) of Subsection 13.1 hereof~~

~~a) Maximum number per lot 1~~

~~b) Minimum Floor Area:  
Type of Dwelling Unit Minimum Floor Area~~

<del>Bachelor</del>	<del>46 square metres</del>
<del>1 Bedroom</del>	<del>55 square metres</del>
<del>2 or more Bedrooms</del>	<del>70 square metres</del>

**13.5 Regulations for Accessory Uses Permitted in Clause c) of Subsection 13.1 hereof**

The provisions of Subsection 7.1 shall apply hereto.

**13.6 Special Regulations for Setbacks on Provincial Highways and County Roads**

See Subsection 7.20 e).

**13.7 Special Regulations for Yards and Setbacks**

~~See Subsections 5.13, 5.14, 5.19, 5.22, 5.24.~~

**See Subsections 7.16, 7.17, 7.22, 7.25, 7,.27**

**13.8 Parking Regulations**

See Subsection 7.14.



## SECTION 14: RURAL COMMERCIAL ZONE (C2)

### 14.1 Permitted Uses

- a) Farm supply outlet, Veterinary clinic,  
Farm implement and Commercial greenhouse and  
equipment sales establishment nursery,  
Public garage (including motor Farm produce outlet,  
vehicle sales establishment as an  
accessory use),  
Building supply outlet, Equestrian centre,
- b) A dwelling unit in the rear or a second storey of uses permitted  
in Clause a) above,
- c) Uses, buildings and structures accessory to a permitted use  
including outside storage.

### 14.2 Regulations for Uses Permitted in Subsection 14.1

- a) Minimum Lot Area 0.8 hectares
- b) Minimum Lot Frontage 100 metres
- c) Maximum Lot Coverage 20 per cent
- d) Minimum Front Yard 15 metres
- e) Minimum Side Yard 5 metres, except that a  
minimum side yard abutting  
a residential use or an  
improved public street shall  
be 10 metres
- f) Minimum Rear Yard 8 metres, except that a  
minimum rear yard abutting  
a residential use or an  
improved public street shall  
be 18 metres
- g) Maximum Height 10 metres

**14.3 Regulations for Residential Uses Permitted in Clause b) of Subsection 14.1 hereof**

The provisions of Subsection 13.4 shall apply to residential uses permitted in Clause b) of Subsection 14.1.

**14.4 Regulations for Accessory Uses Permitted in Clause c) of Subsection 15.1 hereof**

The provisions of Subsection 7.1 shall apply to accessory uses permitted in Clause c) of Subsection 14.1 hereof.

**14.5 Special Regulations for Setbacks on Provincial Highways and County Roads**

See Subsection 7.20 e).

**14.6 Special Regulations for Yards and Setbacks**

~~See Subsections 5.13, 5.14, 5.19, 5.22, 5.24.~~  
[See Subsections 7.16, 7.17, 7.22, 7.25, 7.27](#)

**14.7 Special Regulations for Setbacks on Provincial Highways and County Roads**

See Subsection 5.22(e).

**14.8 Parking Regulations**

See Subsection 7.14.

**SECTION 15: LOCAL COMMERCIAL ZONE (C3)**

**15.1 Permitted Uses**

- a) Motor vehicle gas bar, Business office or professional office,  
Motor vehicle repair garage, Eating establishment,  
Motor vehicle sales establishment, Funeral home,  
Hotel, Convenience store,  
Parking area, Financial institution/bank,  
Personal service shop, Place of entertainment,  
Private or commercial club, Retail store,  
Service shop, Tavern,
- b) A dwelling unit in the rear or second storey of the main building of uses permitted in Clause a) hereof,
- c) Outdoor display area accessory to uses permitted in Subsection 15.1 a).

**15.2 Regulations for Uses Permitted in Subsection 15.1**

- a) Minimum Lot Area 0.4 hectares
- b) Minimum Lot Frontage 20 metres
- c) Maximum Lot Coverage 50 per cent
- d) Minimum Front Yard 3 metres
- e) Minimum Interior Side Yard 3 metres
- f) Minimum Exterior Side Yard 6 metres
- g) Minimum Rear Yard 7.5 metres, except any rear yard abutting a residential zone shall be 10 metres

- h) Maximum Height 2 storeys

### 15.3 Parking Regulations

The provisions of Section 7.12 shall apply.

### 15.4 Regulations for Motor Vehicle Service Station Permitted in Clause (a) of Subsection 15.1.

- a) Minimum Lot Frontage 60 metres
- b) Minimum Lot Depth 60 metres
- c) No portion of any pump island of a service station shall be located closer than 6 metres from the street line to any street.
- d) The minimum distance from the intersection of two streets to the nearest ingress or egress ramp shall be not less than 9 metres.
- e) The maximum width of a curb ramp at the street line shall not be more than 9 metres or less than 7 metres.
- f) The minimum distance between ramps shall be not less than 9 metres.
- g) The minimum interior angle of a ramp to a street line shall be 45 degrees, and the maximum interior angle of a ramp to the street line shall be 90 degrees.
- h) Land which is not used for buildings, ramps, paving, or open storage shall be maintained as a landscaped open space area.

### 15.5 Regulation for Outdoor Display Areas Permitted in Clause (c) of Subsection 15.1 hereof

- (a) Except as provided in Clauses (b) and (c) hereof, outdoor display areas shall be permitted in the front and side yard only.
- (b) Notwithstanding the provisions of Clause (a) above, no side yard shall be used for an outdoor display area if such yard is abutting a residential or institutional use of zone.
- (c) Notwithstanding Clauses (a) and (b) above, no outdoor display area shall be permitted within 2 metres of an improved public

street.

**15.6 Regulations for Dwelling Units Permitted in Clause (b) of Subsection 15.1 hereof**

The provisions of Subsection ~~12.4~~ 14.4 shall apply to residential uses permitted in Clause b) of Subsection 16.1.

In addition to the minimum number of parking spaces required for the principal use of the lot, a minimum of one parking space per dwelling unit shall be provided on the same lot.

**15.7 Regulations for Setback on Provincial Highways and County Roads**

See Subsection 7.22 (e).

**15.8 Special Regulations for Yards and Setbacks**

See Subsections ~~5.13, 5.14, 5.19, 5.22, 5.24.~~  
**See Subsections 7.16, 7.17, 7.22, 7.25, 7.27**

**SECTION 16: GENERAL INDUSTRIAL ZONE (M1)**

**16.1 Permitted Uses**

- a) Bulk sales establishment, Building supply outlet,  
Contractor's yard, Custom workshop,  
Feed mill or grain elevator, Light or dry industry,  
Service shop, Storage industry,  
Transport terminal, Warehousing,  
Personal storage warehousing
- b) Open storage accessory to a permitted use,
- c) Uses, buildings and structures accessory to a permitted use, including a business office.

**16.2 Regulations for Uses Permitted in Subsection 17.1**

- a) Minimum Lot Area 0.4 hectares
- b) Minimum Lot Frontage 46 metres
- c) Maximum Lot Coverage 20 per cent
- d) Minimum Front Yard 20 metres
- e) Minimum Side Yard  
Interior 7.5 metres  
Exterior 15 metres
- f) Minimum Rear Yard 7.5 metres, except that a minimum rear yard abutting a residential use or a public street shall be 15 metres.
- g) Maximum Height 10 metres

**16.3 Regulations for Open Storage Uses Permitted in Clause b) of Subsection 16.1**

- a) The open storage of goods and materials shall be permitted in a side or rear yard only and shall be screened by a fence not less than 2 metres in height.
- b) Notwithstanding the provisions of Clause a) above, no side yard or rear yard shall be used for open storage if such side or rear yard is opposite to or abutting a residential, institutional or commercial zone.

**16.4 Regulations for Accessory Uses Permitted in Clause (c) of Subsection 16.1**

The provisions of Subsection 7.1 shall apply to accessory uses permitted in Clause c) of Subsection 16.1.

**16.5 Special Regulations for Setbacks on Provincial Highways and County Roads**

See Subsection 7.22 e).

**16.6 Special Regulations for Yards and Setbacks**

~~See Subsections 5.13, 5.14, 5.19, 5.22, 5.24.~~  
**See Subsections 7.16, 7.17, 7.22, 7.25, 7.27**

**16.7 Parking Regulations**

See Subsection 7.14.

## **SECTION 17: RURAL INDUSTRIAL ZONE (M2)**

### **17.1 Permitted Uses**

- a) Agricultural machinery or vehicle repair garage or body shop,  
Agricultural produce or livestock terminal, yard or warehouse,  
Agricultural produce processing and packing plant,  
Agricultural bulk sales establishment,  
Abattoir,  
Feed mill or grain elevator,  
Sawmill,  
Salvage Yard
- b) Open storage accessory to a permitted use,
- c) Uses, buildings and structures accessory to a permitted use.

### **17.2 Regulations for Uses Permitted in Subsection 17.1**

- a) Minimum Lot Area 0.8 hectares
- b) Minimum Lot Frontage 100 metres
- c) Maximum Lot Coverage 20 per cent
- d) Minimum Front Yard 20 metres
- e) Minimum Side Yard
  - Interior 7.5 metres
  - Exterior 15 metres
- f) Minimum Rear Yard 7.5 metres, except that a minimum rear yard abutting a residential use or an improved public street shall be 15 metres



g) Maximum Height 10 metres

**17.3 Regulations for Open Storage Uses Permitted in Clause b) of Subsection 17.1 hereof**

The provisions of Subsection 17.3 shall apply.

**17.4 Regulations for Accessory Uses Permitted in Clause (c) of Subsection 17.1**

The provisions of Subsection 7.1 shall apply to accessory uses permitted in Clause c) of Subsection 17.1.

**17.5 Special Regulations for Setbacks on Provincial Highways and County Roads**

See Subsection 7.20 e).

**17.6 Special Regulations for Yards and Setbacks**

~~See Subsections 5.13, 5.14, 5.19, 5.22, 5.24.~~  
**See Subsections 7.16, 7.17, 7.22, 7.25, 7.27**

**17.7 Parking Regulations**

See Subsection 7.14.

**SECTION 18: EXTRACTIVE INDUSTRIAL ZONE (M3)**

**18.1 Permitted Uses**

- a) Extractive industrial uses,
- b) Agricultural uses, excluding buildings or structures.

**18.2 Regulations for Uses Permitted in Clause a) of Subsection 18.1**

- a) Excavation shall be prohibited within 30 metres of any land in use for residential, commercial or institutional purposes or any industrial structure other than that which is directly related to an extractive industrial use and within 15 metres of the boundary of any adjoining property, unless such adjoining property is being used for the same purpose.
- b) No pit or quarry shall be excavated so that its edge is within 30 metres of any existing or proposed right-of-way or within 30 metres of any stream or lake.
- c) Open storage of materials, other than overburden, as well as the location of any processing plant or place shall be prohibited within thirty 30 metres of the boundary of the site and within 90 metres of any boundary of the site that abuts any lands zoned for residential purposes.
- d) Notwithstanding the provisions of Subsection 7.7 hereof, the maximum height of buildings or structures permitted in Subsection 18.1 a) hereof, shall be 35 metres.

**18.3 Special Regulations for Setbacks on Provincial Highways and County Roads**

See Subsection 7.22 e).

**18.4 Special Regulations for Yards and Setbacks**

~~See Subsections 5.13, 5.14, 5.19, 5.22, 5.24.~~  
**See Subsections 7.16, 7.17, 7.22, 7.25, 7.27.**

**18.5 Parking Regulations**

See Subsection 7.14.

## 18.6 Regulations for Use Permitted in Clause a) of Subsection 18.1

An existing dwelling unit, building or structure may be expanded in accordance with the regulations of **Section 8**.

**SECTION 19: LOCAL INDUSTRIAL ZONE (M4)**

**19.1 Permitted Uses**

- a) Bulk sales establishment, Building supply outlet,  
Contractor's yard, Custom workshop,  
Light or dry industry, Manufacturing plant,  
Motor vehicle body shop, Storage industry,  
Warehousing,
- b) Open storage accessory to a permitted use,
- c) Uses, buildings and structures accessory to a permitted use, including a business office.

**19.2 Regulations for Uses Permitted in Subsection 19.1**

- a) Minimum Lot Area 0.4 hectares
- b) Minimum Lot Frontage 30 metres
- c) Maximum Lot Coverage 50 per cent
- d) Minimum Front Yard 10 metres
- e) Minimum Interior Side Yard 7.5 metres, except that a minimum interior side yard abutting a residential, commercial, open space or institutional use or zone shall be 10 metres
- f) Minimum Exterior Side Yard 15 metres
- g) Minimum Rear Yard 7.5 metres, except that the minimum rear yard abutting a residential, commercial, open space or institutional use or zone be 15 metres

- h)
- i) Maximum Height 10 metres

**19.3 Regulations for Open Storage Uses Permitted in Clause b) of Subsection 19.1**

- a) The open storage of goods and materials shall be permitted in a side or rear yard only and shall be screened by a fence not less than 2 metres in height.
- b) Notwithstanding the provisions of Clause a) above, no side yard or rear yard shall be used for open storage if such side or rear yard is opposite to or abutting a residential, institutional or commercial zone.
- c) Notwithstanding the provisions of Clauses (a) and (b) above, no open storage shall be permitted within 2 metres of an improved public street.

**19.4 Regulations for Accessory Uses Permitted in Clause (c) of Subsection 19.1**

The provisions of Subsection 7.1 shall apply to accessory uses permitted in Clause c) of Subsection 19.1.

**19.5 Special Regulations for Yards and Setbacks**

~~See Subsections 5.13, 5.14, 5.19, 5.22, 5.24.~~  
**See Subsections 7.16, 7.17, 7.22, 7.25, 7.27.**

**19.6 Special Regulations for Setbacks on Provincial Highways and County Roads**

See Subsection 7.22(e).

**19.7 Parking Regulations**

See Subsection 7.14.

**SECTION 20: INSTITUTIONAL ZONE (I)**

**20.1 Permitted Uses**

- a) Arena, Place of worship,  
Community centre, Schools public or private  
Cemetery and Crematorium, Farmers market  
Day care centres,  
Library, fire hall, public buildings,  
Long term care facility, hospital, medical centre,
- b) Uses, buildings or structures accessory to a permitted use.

**20.2 Regulations for Uses Permitted in Subsection 20.1**

- a) Minimum Lot Area 0.2 hectares
- b) Minimum Lot Frontage 30 metres
- c) Maximum Lot Coverage 30 per cent
- d) Minimum Front Yard 12 metres
- e) Minimum Side Yard 4.5 metres, except that a minimum side yard abutting a residential use or a public street shall be 9 metres
- f) Minimum Rear Yard 12 metres

**20.3 Regulations for Accessory Uses, Buildings and Structures Permitted in Clause b) of Subsection 20.1**

In addition to any other provisions of this By-law, the following provisions shall apply to accessory uses, buildings and structures permitted in Clause b) of Subsection 20.1 hereof

- a) Location Side or Rear Yard only

- |    |                                     |  |
|----|-------------------------------------|--|
| b) | Minimum Distance From Main Building | 2 metres, provided that in no case shall any overhang, eaves, or gutters project into this required minimum distance which shall be clear of any obstruction from the ground to the sky. |
| c) | Minimum Yard Requirements           | 1 metre, except that a minimum side or rear yard abutting a residential use or a public street shall be 8 metres   |

**20.4 Special Regulations for Setbacks on Provincial Highways and County Roads**

See Subsection 7.20 e).

**20.5 Special Regulations for Yards and Setbacks**

~~See Subsections 5.13, 5.14, 5.19, 5.22, 5.24.~~  
**See Subsections 7.16, 7.17, 7.22, 7.25, 7.27**

**20.6 Parking Regulations**

In addition to the provisions of Subsection 7.14, no parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle within 1 metre of any lot line, or within 8 metres of any street line or residential use.

## **SECTION 21 MOBILE HOME PARK ZONE (MH)**

### **21.1 Permitted Uses**

- a) A mobile home park,
- b) A single detached dwelling, incidental and subordinate to the use permitted in Clause a) above, and used for the purpose of providing accommodation for the owner or caretaker of such use,
- c) A management office accessory to the use permitted in Clause a) above,
- d) Recreational facilities accessory to the use permitted in Clause a) above,
- e) Uses, buildings and structures accessory to a permitted use.

### **21.2 Regulations for Uses Permitted in Clause a) of Subsection 21.1**

- a) Minimum Lot Area 10 hectares
- b) Minimum Lot Frontage 180 metres
- c) Minimum Landscaped Area 10 per cent
- d) Minimum Mobile Home Site Area 350 square metres
- e) Minimum Mobile Home Site Frontage 10 metres
- f) Maximum Density of Mobile Home 15 units/hectare
- g) Minimum Yard Setbacks for Mobile Home Park Area:
  - i) Minimum Front Yard 10 metres
  - ii) Minimum Side Yard 30 metres, except that a minimum side yard abutting a residential use or a municipal road shall be 60



metres

- iii) Minimum Rear Yard 20 metres

### 21.3 Regulations for Uses Permitted in Clause b) of Subsection 21.1

In addition to the provisions of Subsection 22.2 hereof, the following provisions shall apply to the permitted single detached dwelling:

- a) Minimum Floor Area 80 square metres, except that where no full basement or cellar is provided, the minimum floor area shall be 105 square metres
- b) Maximum Building Height 2 ½ storeys

### 21.4 Regulations for Uses Permitted in Clause c) of Subsection 21.1

In addition to the provisions of Subsection 22.2 hereof, the following provisions shall apply to the permitted management office:

- a) Maximum Gross Floor Area 50 square metres
- b) Maximum Building Height 1 storey

### 21.5 Regulations for Uses Permitted in Clause e) of Subsection 21.1

The provisions of Section 7.1 shall apply hereto, except that the maximum lot coverage permitted for accessory uses within this Zone shall be 10 per cent.

### 21.6 Special Regulations for Setbacks on Provincial Highways and County Roads

See Subsection 7.22 e).

### 21.7 Special Regulations for Yards and Setbacks

~~See Subsections 5.13, 5.14, 5.19, 5.22, 5.24.~~  
**See Subsections 7.16, 7.17, 7.22, 7.25, 7.27.**

### 21.8 Parking Regulations

See Subsection 7.14.

## **SECTION 22: TENT AND TRAILER CAMPGROUND ZONE (T)**

### **22.1 Permitted Uses**

- a) Tent and trailer campground,
- b) A single detached dwelling incidental and subordinate to the use permitted in Clause a) above, and used for the purpose of providing accommodation for the owner or caretaker of such use,
- c) A convenience retail store accessory to the use permitted in Clause a) above,
- d) Uses, buildings and structures accessory to a permitted use.

### **22.2 Regulations for Uses Permitted in Clause a) of Subsection 22.1**

- a) Minimum Lot Area 12.5 hectares
- b) Maximum Lot Area 80 hectares
- c) Minimum Lot Frontage 180 metres
- d) Minimum Landscaped Open Space 10 per cent
- e) Minimum Trailer and Tent Site Area 223 square metres
- f) Minimum Trailer and Tent Site Frontage 15 metres
- g) Maximum Density 10 tent or trailer units per hectare
- h) Minimum Yard Setbacks for Campground Area:
  - i. Minimum Front Yard 60 metres
  - ii. Minimum Side Yard 30 metres, except that abutting a residential use or a municipal road shall be 60 metres

- iii. Minimum Rear Yard 20 metres

### 22.3 Regulations for Uses Permitted in Clause b) of Subsection 22.1

In addition to the provisions of Subsection 23.2 hereof, the following provisions shall apply to single detached dwellings permitted in Clause b) of Subsection 23.1 hereof

- a) Minimum Floor Area:
  - i) 1 storey 80 square metres except where no full basement or cellar is provided, the minimum floor area shall be 105 square metres
  - ii) 1 ½ storey or split level 105 square metres
  - iii) 2 or 2 ½ storey 130 square metres
- b) Maximum Building Height 2 ½ storeys

### 22.4 Regulations for Uses Permitted in Clause c) of Subsection 22.1

In addition to the provisions of Subsection 22.2 hereof, the following provisions shall apply to the convenience retail store permitted in Clause c) of Subsection 23.1 hereof.

- a) Maximum Gross Floor Area 186 square metres
- b) Maximum Building Height 1 storey

### 22.5 Regulations for Uses Permitted in Clause d) of Subsection 22.1

The provisions of Subsection 7.1 shall apply hereto except that the maximum lot coverage for accessory uses permitted in Clause d) of Subsection 22.1 hereof shall be 20 per cent.

### 22.6 Special Regulations for Setbacks on Provincial Highways and County Roads

See Section 7.22 e).

### 22.7 Special Regulations for Yards and Setbacks

~~See Subsections 5.13, 5.14, 5.19, 5.22, 5.24.~~  
**See Subsections 7.16, 7.17, 7.22, 7.25, 7.27**

## **22.8 Parking Regulations**

See Subsection 7.14.





## **SECTION 25: ENVIRONMENTAL PROTECTION ZONE (EP)**

### **25.1 Permitted Uses**

- a) Existing agricultural uses excluding intensive agricultural operations
- b) Uses connected with the conservation of water, soil, wildlife and other natural resources,
- c) Forestry,
- d) Passive recreation use,
- e) Public park.

### **25.2 Special Regulations**

- a) Notwithstanding any other provisions of this By-law to the contrary, no buildings or structures shall be erected within the Environmental Protection (EP) zone other than those required for conservation purposes and those permitted by Subsection 7.17 unless written approval is granted by the Conservation Authority.
- b) The Environmental Protection (EP) Zone boundaries identified on the Schedules to this By-law are intended to generally identify areas of existing or potential natural hazards and other environmentally sensitive lands. Notwithstanding Section 6.3 the boundaries of the Environmental Protection (EP) Zone are subject to minor changes without formal amendment to this By-law or Schedules to this By-law when approved by the appropriate approval authority and in the case of the Environmental Protection Zone for Massie and Walters Falls as approved by the Niagara Escarpment Commission. This may occur where detailed resources mapping and/or site inspection results in a minor re-interpretation of the limits of the Environmental Protection Zone Boundary.

The word minor in the context of this section is intended to represent a technical exercise of reviewing a site specific property in greater detail than was undertaken as part of the preparation of this By-law. A minor adjustment must maintain the intent of the Environmental Protection zone as established in this By-law.

- c) Written permission may be required from the applicable Conservation Authority pursuant to Grey Sauble Conservation



Authority Regulation 151/06 or Saugeen Valley Conservation Authority Regulation 169/06, as amended, – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses where development or site grading is proposed within a Regulated Area. Regulation mapping is available on the Conservation Authority websites or by contacting the applicable Conservation Authority.

## **SECTION 26: NO DEVELOPMENT (ND) ZONE**

### **26.1 Permitted Uses**

No development or site alteration of any type. Site alteration means activities such as fill, grading and excavation that would change the landform and/or natural vegetative characteristics of a site, and includes the deposit of refuse and/or debris, the introduction of non-native horticultural species, the construction of any access road or driveway or the cutting of native trees or shrubs except those that pose a hazard to human users, or the health of the natural vegetation, or which are recommended for removal in any monitoring report regarding Natural Heritage Features that has been accepted by the approval authority in consultation with appropriate authorities including the Conservation Authority.

## **SECTION 27: WETLANDS PROTECTION ZONE (W)**

### **27.1 Permitted Uses**

- (a) Forestry or uses connected with the conservation of water, soil, wildlife and other natural resources,
- (b) Passive recreation use,
- (c) Public park,
- (d) Existing agricultural uses.

### **27.2 Special Regulations**

- (a) Notwithstanding any provision to the contrary, no site alterations shall be permitted in the Wetlands Protection Zone (W), such as the replacing or the removal of fill, grading and excavating that would change the land form and/or natural vegetative characteristics and the erection of any building or structure shall not be permitted within the Wetlands Protection Zone (W).
- (b) Related Wetlands Protection Zone (W) Setbacks are contained within Subsection 5.24.

## **SECTION 28: EXCEPTIONS**

The following provisions shall have effect notwithstanding anything else in this By-law to the contrary, and the provisions of this By-law shall be amended in so far as is necessary to give effect hereto.