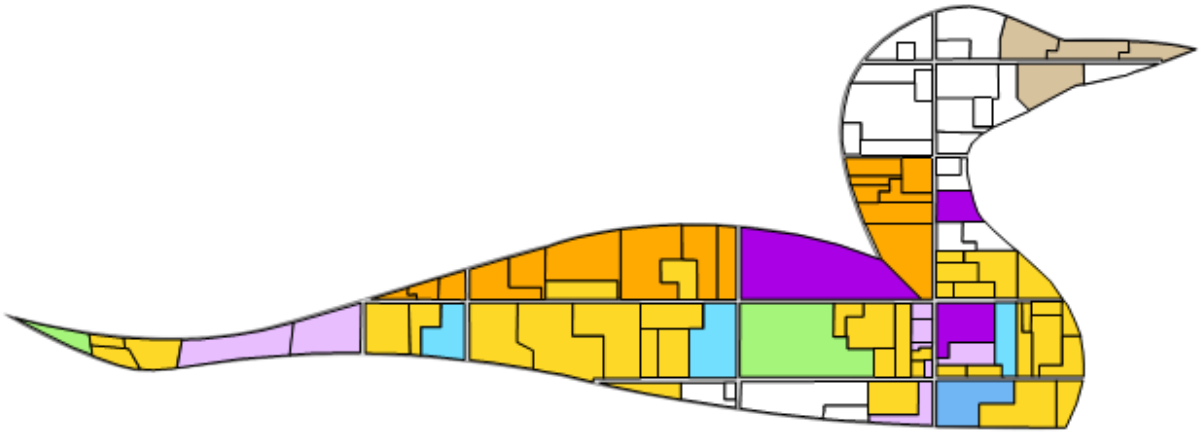
TOWNSHIP OF RIDEAU LAKES
ZONING BY-LAW NO 2023-50



Prepared by:
TOWNSHIP OF RIDEAU LAKES
1439 County Rd 8, Delta, ON K0E 1G0
Tel: 1-800-928-2250
www.rideaulakes.ca

THE CORPORATION OF THE

TOWNSHIP OF RIDEAU LAKES

BY-LAW NO. 2023-50

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

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

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

THE CORPORATION OF

THE TOWNSHIP OF RIDEAU LAKES

BY-LAW NO. 2023-50

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A4 - South Elmsley Ward

SECTION 1 – APPLICATION & INTERPRETATION

1.1 Title of By-law

This By-law may be cited as the "Zoning By-law" of the Corporation of the Township of Rideau Lakes.

1.2 Scope of By-law

1. The provisions of this By-law shall apply to all lands within the geographic limits of the Corporation of Township of Rideau Lakes, as shown on Schedules A1, A2, A3, and A4 attached hereto. This By-law shall also apply to any lands not shown on the Schedules and created through the filling of water bodies, as well as to any portion of the bed of any water body where a license of occupation or lease relating to a commercial or industrial use has been issued by a relevant approval authority. Such areas shall be only used for the purposes permitted on the immediately abutting lands. If no abutting lands exist, conservation use shall be the only permitted use. . For further clarification, this By-law shall not apply to water bodies with the exception of the instances described above.

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

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

4. Nothing in this By-law shall prevent the erection of any building or structure for a purpose prohibited by this By-law if a building permit under the Ontario Building Code was issued by the Chief Building Official prior to the date of passing of this By-law, provided that:

    - When the building or structure is erected, it continues to be used for the purpose for which the building permit was issued and the permit has not been revoked under the Building Code Act.

5. This By-law shall not be effective to reduce or mitigate any restrictions imposed by a governmental authority having jurisdiction to make such restrictions.

6. All references to Provincial Acts or Regulations shall refer to the current Act or Regulation. All references to the *Planning Act* shall refer to the *Planning Act, R.S.O., 1990, Chapter P.13*, as amended.

1.3 Interpretation of By-law

1. In this By-law, unless the context requires otherwise, words used in the singular shall include the plural and words used in the plural shall include the singular.

2. In this By-law, the word “shall” is mandatory and “may” is permissive.

3. In this By-law, unless the context requires otherwise, the word “used” shall include “designed to be used” and “arranged to be used”, and the word “occupied” shall include “designed to be occupied” and “arranged to be occupied”.

4. In this By-law the provisions shall be held to be the minimum requirements except where the word maximum is used, in which case the maximum requirement shall apply.

5. In this By-Law where linear distances other than those referring to vertical measurements are specified, such linear distances are measured on a horizontal plane.

6. In the event of a conflict between this By-law and amendments thereto and any other By-law of the Corporation, or by other applicable legislation, the most restrictive By-law shall prevail.

1.4 Schedules to By-law

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

- Schedule A1 - North Crosby – Newboro Ward
- Schedule A2 - South Crosby Ward
- Schedule A3 - Bastard & South Burgess Ward
- Schedule A4 - South Elmsley Ward

1.5 Zoning Administrator

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

1.6 Request for Amendment to Zoning By-law

Every request for an amendment to this Zoning By-law shall be accompanied by the Corporation's applicable application and conform with the Planning Act and applicable Regulations.

1.7 Inspection

The Zoning Administrator, the Chief Building Official or any other officer or employee of the Corporation acting under the direction of Council is hereby authorized, upon producing proper identification, to enter at all reasonable times and inspect any property or premises for the purpose of carrying out their duties under this By-law.

Except under the authority of a search warrant issued by a provincial judge or a justice of the peace, in accordance with the provisions of Section 49.1 of the Planning Act, an officer or any person acting under his or her instructions shall not enter any room or place actually being 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.

1.8 Violations and Penalties

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

1.9 Remedies

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

1.10 Validity

If any section, clause or provision of this By-law, including anything contained in Schedules A1, A2, A3, and A4 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(s) so declared to be invalid. It is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

1.11 Technical Revisions

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

1. Correction of numbering, cross-referencing, grammar, punctuation or typographical errors, or revisions to format in a manner that does not change the intent of a provision;

2. Adding or revising technical information on maps or schedules that does not affect the zoning of lands including, but not limited to, matters such as updating and correcting infrastructure information, keys, legends or title blocks;

3. Changes to appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, historical or reference information, page numbering, footers and headers, which do not form a part of this by-law and are editorially inserted for convenience of reference only.

4. Consolidation of approved zoning by-law amendments in the text and on the schedules.

1.12 Existing By-laws

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

- By-Law No. 2005-06

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

- Notwithstanding any other provisions of this By-law, any decision of the Committee of Adjustment or Ontario Land Tribunal made under Zoning By-Law 2005-06 will continue to apply as if the previous By-law under which the decision was made had not been repealed, provided that a building permit has been issued under the Ontario Building Code Act by the Chief Building Official prior to the expiry of the second anniversary of this By-law.

SECTION 2 - DEFINITIONS

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

2.1 ABBATOIR shall mean a building or structure wherein animals are slaughtered and processed for packaging, distribution and sale.

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

2.3 AGGREGATE PROCESSING OPERATION shall mean a facility that processes material derived from a pit or quarry and shall include activities such as screening, washing, crushing and associated storage of raw or processed material.

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

- Growing crops, including the storage and sale of crops produced;
- Raising, breeding, boarding, training, keeping and sale of livestock, including the raising and sale of fish;
- Collection, production, storage and sale of animal products such as milk, eggs, wool, fur or honey;
- Greenhouse or nursery garden, including storage and sale of products produced;
- Planting, harvesting and sale of forest products;
- Craft level production and related value added activities including incidental retail;
- Use and storage of all equipment related to the foregoing activities, including the occasional use of a portable sawmill;
- Hunt Camp

2.5 AGRICULTURAL RELATED USES shall mean commercial and industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products or services to farm operations as a primary activity. Such uses can include abattoirs, feed mills, grain dryers, cold/dry storage facilities, fertilizer storage and distribution facilities, food and beverage processors (e.g., wineries, breweries, cideries, and cheese factories).

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

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

words “altered” and “alteration” shall have a corresponding meaning.

2.8 ANTIQUE SHOP shall mean a retail store offering antiques and used collectable items.

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

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

2.10 ATTIC shall mean the space between the roof and the ceiling of the top storey.

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

2.12 AUTOMOBILE SERVICE STATION shall mean a building or place where automotive fuels, lubricants or parts are kept for sale and/or where mechanical repairs to vehicles are performed and/or where vehicles are washed or cleaned, but it shall not include a salvage yard. Electrical charging stations for electric vehicles may also be included.

2.13 BALCONY shall mean an unenclosed attached exterior platform without a roof, projecting from the face of a wall, cantilevered or supported by columns or brackets which is only directly accessible from within a building.

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

2.15 BASEMENT shall mean that portion of the building with a minimum floor to ceiling height of 1.8m and which is partly or entirely below ground level.

2.16 BED AND BREAKFAST shall mean a home occupation conducted in an owner occupied dwelling in which no more than three (3) guest rooms are made available for overnight accommodation of the travelling or vacationing public, and in which the proprietor may offer lodging and other meals, related services, facilities or amenities for guests. A Bed and Breakfast shall not include any other establishment otherwise defined or classified herein.

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

2.17.1 ACCESSORY BUILDING shall mean a building customarily incidental and subordinate to the main building and located on the same lot with such main building.

2.17.2 MAIN BUILDING shall mean a building serving the principal or primary uses of the lot.

2.17.3 TEMPORARY BUILDING shall mean a building or structure intended for removal or demolition within a prescribed time as set out in a building permit.

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

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

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

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

2.22 CHIEF BUILDING OFFICIAL shall mean the officer or employee of the Corporation charged with the duty of enforcing the provisions of the Ontario Building Code Act withinthe Corporation.

2.23 CHILD CARE CENTRE shall mean a licensed premises used for the provision of temporary care or supervision of children, for a continuous period not exceeding twenty-four hours, in accordance with the Child Care and Early Years Act.

2.24 CHILD CARE PRIVATE shall mean a home occupation conducted in an owner occupied dwelling providing temporary care or supervision of children, for a continuous period of time not exceeding twenty-four hours, including but not limited to licensed day care in accordance with the Child Care and Early Years Act.

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

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

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

2.28 CONCRETE PLANT shall mean a facility which produces concrete for immediate use in the construction of buildings, structures, roadways, curbs, sidewalks and similar applications. It shall also include a facility which manufactures finished concrete products.

2.30 CONSERVATION USE shall mean lands, buildings and structures used for the preservation, improvement and enhancement of natural resources or the natural environment.

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

2.32 CORPORATION shall mean the Corporation of Township of Rideau Lakes.

2.33 COUNCIL shall mean the Council of the Corporation of Township of Rideau Lakes.

2.34 CRAFT LEVEL PRODUCTION shall mean small scale, on farm, value added, production or dressing of raw materials from the same property and/or farming operation. Craft production shall generally mean work that is capable of being completed by one individual with limited mechanical assistance.

2.35 CRAWL SPACE shall mean that portion of the building between the floor and the ceiling which is partly or entirely below ground level with a maximum floor to ceiling height below 1.8 m.

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

2.37 DECK shall mean a structure without a roof, having a foundation to hold it erect, the floor which is at or above finished grade, and attached to or abutting one or more walls of a building or constructed separate from a building, with or without direct access to the ground.

2.37.1 ATTACHED when used in relation to a deck, shall mean those decks directly affixed to a structure, or those not directly affixed to the structure but being within 0.5m of the structure.

2.37.2 ACCESSIBILITY DECK shall mean an unroofed and unenclosed deck located around the perimeter of a main building or structure having a maximum depth of 2m and serving the purpose of providing for accessibility.

2.38 DRY-LAND MARINA shall mean an establishment not located on a waterbody that contains facilities where boats and boat accessories are stored, serviced, repaired, maintained or kept for sale or rent and where facilities for the sale of marine fuels and lubricants, as well as the parking of customers' vehicles, may be provided.

2.39 DWELLING shall mean a building occupied or capable of being occupied as the home or the residence of one or more persons. This definition shall not include any vehicle defined herein however does include, but is not limited to, structures with the following CSA designation: CSA A277.

2.39.1 ACCESSORY DWELLING shall mean a single dwelling which is accessory to a permitted non-residential building.

2.39.2 DUPLEX DWELLING shall mean a dwelling which is divided horizontally into two dwelling units.

2.39.3 MULTIPLE DWELLING shall mean a dwelling which contains three or more dwelling units.

2.39.4 SEMI-DETACHED DWELLING shall mean a dwelling which is divided vertically into two dwelling units.

2.39.5 SINGLE DWELLING shall mean a dwelling which contains only one dwelling unit.

2.39.6 TINY DWELLING shall mean a dwelling that is smaller than the traditional dwelling size and contains a washroom, sanitation facilities, a kitchen and a sleeping area. A Tiny Dwelling does not include a mobile home, park model trailer, recreational vehicle or travel trailer. A Tiny dwelling shall generally be built on a foundation that is affixed to the ground.

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

2.40.1 ACCESSORY DWELLING UNIT shall mean a dwelling unit which is part of and accessory to a permitted non-residential building.

2.40.2 ADDITIONAL RESIDENTIAL UNIT shall mean a dwelling unit that is self-contained, subordinate to and located within the same building or on the same lot of a principal dwelling unit.

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

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

generally be transportable by the general public.

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

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

2.45 FEED SUPPLY OUTLET shall mean a building or part of a building, structure or area used for the storage, distribution, sorting, packing and/or retail sale of animal feeds, agricultural related chemicals and fertilizers, and related products.

2.46 FLOOD LINE shall mean the line showing the limit of the 1:100 year flood level as established by flood plain mapping of the relevant Conservation Authority.

2.47 FLOOD PLAIN shall mean the area below the 1:100 year flood level.

2.48 FLOOR AREA shall mean:

- For a dwelling or dwelling unit, the total area of the storeys contained within the exterior walls of the dwelling or dwelling unit, exclusive of any attached garage, carport, porch, open deck or any floor area with less than 1.8m in height between the floor and the ceiling.
- For a building other than a dwelling or dwelling unit, the total area of all floors contained within the exterior walls of the building.

2.49 FLOOR SPACE INDEX shall mean the ratio of the total floor area of a dwelling and any sleeping cabin and hunt camp, if applicable, to the area of the lot on which the dwelling is situated, expressed as a percentage. In the case of a lot which abuts a water body, the floor space index shall be calculated on the basis of the portion of the lot which is located within 60 m of the water body.

2.50 FOOTPRINT shall mean the area on the ground covered by a building or structure, including Park Model Trailers, Recreational Vehicles, and Travel Trailers, measured at grade on a horizontal plane, to the outside edge of a structure or the outside walls of a building, vehicle or trailer.

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

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

2.53 GARDEN SUITE shall mean a single dwelling that is designed to be portable, including a mobile home as herein defined, that is accessory to an existing single dwelling on the same lot and for which a temporary use by-law has been adopted, pursuant to the provisions of the *Planning Act*.

2.54 GOLF COURSE shall mean a public or private area operated for the purpose of playing golf and may include a driving range and accessory uses such as a club house, a putting green and similar uses.

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

2.56 GROUP HOME shall mean a dwelling unit which is occupied by 3 to 10 unrelated residents, exclusive of staff, who, by reason of their emotional, mental, social or physical condition or legal status, require a supervised family living arrangement for their well-being. A group home shall be licensed, approved or supervised by the Province of Ontario under a general or specific Act but does not include foster homes or other uses defined herein.

2.57 HABITABLE shall mean a space designed to provide living, dining, sleeping, bathroom or kitchen accommodation, or a combination thereof, for persons.

2.58 HEAVY EQUIPMENT SALES OR RENTAL ESTABLISHMENT shall mean an establishment having as its main use the storage of heavy trucks and/or excavation or construction equipment for sale, rent or lease. Accessory uses may include facilities for the repair or maintenance of such heavy equipment.

2.59 HEIGHT, when used with reference to a building or structure, shall mean the vertical distance between the average finished grade and:

- The highest point of the roof surface or the parapet, whichever is greater, on a flat roof;
- The deck line on a mansard roof;
- The mean level between the highest eave and highest ridge of a gable, hip, gambrel or other pitched roof;
- In case of a structure with no roof, the highest point of the said structure

2.60 HIGH WATER MARK shall mean the mark made on the shore or bank of a water body through the action of water, which action has continued over such a long period of time that it has created a difference between the character of the vegetation or soil below the mark and that above the mark, except that in the case of the Rideau Canal the high water mark shall be the upper controlled water elevation. For the purposes of this definition, Rideau Canal shall include the following lakes and their connecting channels: Lower Rideau, Big Rideau, Upper Rideau, Newboro, Loon, Mosquito, Benson, Indian, Clear, Opinicon, Sand and Whitefish Lakes.

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

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

2.62 HUNT CAMP shall refer to a single storey building or structure primarily used for recreational activities related to hunting or fishing, and which may include facilities for habitation, on a temporary basis, for use during hunting and fishing seasons.

2.63 INDUSTRIAL USES shall refer to lands, buildings, or structures used in conjunction with any process carried on in the course of trade or business for or incidental to any of the following purposes:

- The making of any article of any description, or part of any article;
- The altering, repairing, ornamenting, furnishing, cleaning, washing, packing, canning, refurbishing or adapting for sale, or breaking up or demolition of any article;
- The obtaining, dressing, or treating of minerals or aggregates.

2.64 KENNEL shall mean a building or structure, including the fenced in areas around associated buildings, where more than 5 dogs, exclusive of puppies resulting from on-site breeding, are raised, kept, bred, boarded, trained, groomed, given medical treatment or housed for similar purposes for any length of time.

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

2.66 LIVESTOCK FACILITIES shall mean livestock barns, buildings or structures where agricultural animals are housed and shall include associated manure storage as well as unoccupied livestock barns and unused manure storage.

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

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

2.68.1 CORNER LOT shall mean a lot, other than a waterfront lot as defined herein, situated at the intersection of two streets, of which two adjacent sides that abut the intersecting streets contain an angle of not more than 135 degrees.

2.68.2 INTERIOR LOT shall mean a lot, other than a waterfront lot as defined herein, situated between adjacent lots and which has frontage on one street.

2.68.3 THROUGH LOT shall mean a lot, other than a waterfront lot as defined herein, bounded on two opposite sides by streets, provided that if any lot qualifies as being both a corner lot and a through lot, the lot shall be deemed a corner lot for the purposes of this By-law.

2.68.4 WATERFRONT LOT shall mean a lot which abuts a shoreline.

2.69 LOT AREA shall mean the total horizontal area within the lot lines of a lot.

2.70 LOT COVERAGE shall mean that portion of the area of a lot covered by all main and accessory buildings, porches and decks, but excluding an accessibility deck, automobile service station pump island canopies, entrance canopies for non-residential buildings, and balconies and overhanging eaves which are more than 2.5m above finished grade. Park model trailers, recreational vehicles and travel trailers shall be included for lot coverage with the exception of those not inhabited and associated with a Vehicle Sales or Vehicle Storage use. For added clarity, the lot coverage exemption only applies to an accessibility deck as defined in this By-law. Any portion of an attached deck exceeding the maximum depth of 2m and any unattached deck regardless of size shall be subject to the lot coverage provisions of this By-law.

2.71 LOT FRONTAGE shall mean the width of a lot measured between the intersections of the side lot lines with a line that is continuously 6 m back from and parallel to the front lot line. For the purposes of lot creation the required lot frontage shall be continuous.

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

2.72.1 FRONT LOT LINE shall mean the following:

- In the case of an interior lot, the line dividing the lot from the street;
- In the case of a corner lot or through lot, the shorter lot line abutting a street, or where access is gained to the lot regardless of the length of the line.
- In the case of a waterfront lot, the high water mark shall be deemed to be the front lot line.

2.72.2 REAR LOT LINE shall mean in the case of a lot having four or more lot lines, the lot line farthest from and opposite to the front lot line. If a lot has less than four lot lines, there shall be no rear lot line.

2.72.3 SIDE LOT LINE shall mean a lot line other than a front or rear lot line.

2.73 MARINA shall mean an establishment or premises located on a water body and containing facilities where boats and boat accessories are berthed, stored, serviced, repaired, maintained or kept for sale or rent and where facilities for the sale of marine fuels and lubricants, as well as the parking of customers' vehicles, may be provided.

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

2.75 MOBILE HOME shall mean a prefabricated building which bears a CSA Z240 approval and which is designed to be mobile and constructed or manufactured in accordance with the Ontario Building Code Act to provide year round habitation as a residence. This definition shall not include a park model trailer, recreational vehicle, travel trailer or trailer otherwise defined in this By-law.

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

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

2.78 NARROW CHANNEL shall mean a waterbody where the distance from shore to shore is 150 metres or less.

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

2.80 OFFICIAL PLAN shall mean the *Official Plan of the Township of Rideau Lakes*, as amended.

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

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

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

2.84 OUTDOOR WOODBURNING FURNACE shall mean an accessory building or structure which operates as a heat source for associated buildings.

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

2.85.1 PUBLIC PARK shall mean a park owned or controlled by the Corporation or by any ministry, board, commission or authority established under any statute of Ontario or Canada.

2.85.2 PRIVATE PARK shall mean a park other than a public park which is operated on a commercial and/or private member basis.

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

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

2.88 PARK MODEL TRAILER shall mean a vehicle designed and constructed in conformance with the CAN/CSA Z241 Series “Park Model Trailer”, as amended, or its successor standards. A park model trailer is built on a single chassis mounted on wheels, designed to facilitate relocation from time to time, is designed as living quarters and may be connected to those utilities necessary for operation of installed fixtures and appliances.

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

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

2.91 PET CEMETERY shall mean land used as a place of interment for domesticated animals where plots are used for commercial purposes.

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

2.92.1 WAYSIDE PIT shall mean a temporary pit opened and used by or for a public road authority solely for the purpose of a particular project or contract of road construction.

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

2.94 PLACE OF WORSHIP shall mean premises owned or occupied by a religious organization or congregation which is dedicated exclusively to religious worship and related religious, social and charitable activities.

2.95 PLANTING STRIP shall mean the area of a lot used or intended to be used for the purpose of planting vegetation such as trees, shrubs, flowers, grass, or other horticultural elements. For clarity, a planting strip may consist in whole or in part of natural vegetation.

2.96 PORCH shall mean an unenclosed shelter with a roof, attached to and projecting from an exterior door of a building.

2.97 PRIVATE RIGHT-OF-WAY shall mean a legal right-of-way over one lot for the purpose of providing vehicular access in favour of another lot.

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

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

2.100 PUBLIC USE shall mean the use of land, buildings or structures for the supply of public services by the Corporation, the County of Leeds, the Governments of Ontario or Canada, any agencies, boards commissions or authorities thereof, and any company providing electricity, natural gas, wired or wireless communications or rail transportation.

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

2.101.1 WAYSIDE QUARRY shall mean a temporary quarry opened and used by or for a public road authority solely for the purpose of a particular project or contract of road construction.

2.102 RECREATIONAL ESTABLISHMENT shall mean premises used for participatory athletic, recreational, physical fitness, leisure or social activity including a bowling alley, golf course, rink, billiard parlour, arena, playing court, health or athletic club, swimming pool, or other similar use. For further clarity a recreational establishment may include uses, buildings or structures associated with a private park.

2.103 RECREATIONAL VEHICLE shall mean a self-propelled or motorized vehicle designed to provide temporary living accommodation but does not include mobile home,

travel trailer, or park model trailer.

2.104 RESTAURANT shall mean a building or part of a building where food is prepared and offered for sale or sold to the public for consumption on or off the premises.

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

2.106 RETIREMENT FACILITY shall mean premises where lodging is provided for retired persons which provides ancillary health and social services to the residents of the home and has communal dining and recreational facilities.

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

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

2.109 SCHOOL, COMMERCIAL shall mean a premises which is not as otherwise defined, operated for gain or profit, in which is provided professional training and instruction in a trade, skill or service including without limitation vocational skills, aviation, dog training, banking, commercial arts, automobile driving, language, business, hairdressing, beauty, cooking, culture, dancing or music but does not include a recreational establishment. The definition shall also include an educational establishment not under the jurisdiction of a Board as defined in the Education Act.

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

2.111 SENSITIVE LAND USE shall mean a building, amenity area or outdoor space where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby facility. The sensitive land use may be a part of the natural or built environment. Examples may include, but are not limited to: residences, child care centres, churches, community centres and educational and health facilities.

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

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

2.114 SHORELINE shall mean any lot line or portion thereof which is the shore of a water body and is within 3m of the high water mark.

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

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

2.117 SLEEPING CABIN shall mean a single storey building which provides accessory sleeping accommodation and which may contain washroom facilities, but which shall not include a kitchen or other food preparation facilities.

2.118 SOIL MANAGEMENT SITE shall mean a Class 1 soil management site consisting of a soil bank storage site or a soil processing site in accordance with the Environmental Protection Act.

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

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

> **2.120.1 IMPROVED STREET** shall mean a street which has been assumed by the Corporation, the County or the Province and is maintained on a regular, year-round basis.

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

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

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

2.124 STRUCTURE shall mean anything constructed or erected, the use of which requires location on the ground or attached to something having its location on the ground and, without limiting the foregoing, includes a trailer or a mobile home, however does not include residential fuel tanks, air conditioning units or similar items.

2.125 TEMPORARY EVENT TENTS shall mean non-permanent structures made of fabric or similar material with support posts for the purposes of events on a short-term basis as accessory to residential uses. Temporary event tents shall not include any structure used for human habitation.

2.126 TERTIARY TREATMENT shall mean the treatment of sewage that goes beyond the secondary or biological treatment stage to reduce nutrients, including phosphorus and nitrogen, in order to provide higher quality effluent.

2.127 TOURIST CAMPGROUND shall mean any parcel of land which is used to provide temporary and/or seasonal accommodation in tents, travel trailers, recreational vehicles, or park model trailers.

2.128 TOURIST CAMPGROUND SITE shall mean each area of land within a tourist campground provided for the exclusive and seasonal use of a tent, travel trailer, recreational vehicle, or park model trailer.

2.129 TOURIST CAMPGROUND SITE COVERAGE shall mean that portion of the area of a Tourist Campground Site covered by buildings, structures, decks, a park model trailer, recreational vehicle, or travel trailer and shall additionally include constructed and manufactured additions. For added clarity, running gear components such as the tongue and hitch, as well as built in trailer extensions including but not limited to bump-outs, slide outs, pop outs and second storeys and lofts shall not be included.

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

2.130.1 SEASONAL CAMP shall mean an establishment which provides meals, sleeping accommodation and recreational opportunities to individuals and groups who are under the supervision of camp staff and shall include children's camps, church camps and other similar uses.

2.130.2 CABIN shall mean an establishment designed to accommodate one or more persons in a detached or semi-detached building.

2.130.3 HOTEL shall mean an establishment containing four or more guest rooms served by a common entrance. Accessory uses may include dining rooms, meeting rooms and similar uses.

2.130.4 LODGE shall mean an establishment containing four or more guest rooms served by a common entrance, generally from ground level. Accessory

uses may include accommodation for permanent staff, dining room, meeting rooms and similar uses.

2.130.5 MOTEL shall mean an establishment containing four or more guest rooms each of which has a separate entrance directly from outside the building. Accessory uses may include dining rooms, meeting rooms and similar uses.

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

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

2.133 TRAVEL TRAILER shall mean any vehicle so constructed that is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle intended for the temporary living, sleeping or eating accommodation of persons therein.

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

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

2.136 VEGETATIVE FILTER STRIP shall mean a planting area comprised of shrubs, trees, bushes, flowers and other similar substantive vegetation, reserved for the purposes of filtering sediment, nutrients and pollutants through treating of runoff and providing infiltration into soils. A vegetative filter strip shall not include a cut lawn.

2.137 VEHICLE shall mean an all-terrain vehicle, an automobile, a boat, a commercial motor vehicle, a farm implement, a mobile home, a motorcycle, a snowmobile, a park model trailer, a recreational vehicle, a travel trailer or other similar vehicle.

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

2.139 VEHICLE STORAGE shall mean outdoor premises used for the storage of operative vehicles for commercial gain. Vehicle storage shall not permit facilities for the repair or maintenance of such vehicles and shall not include a salvage yard.

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

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

2.142 WASTE DISPOSAL SITE shall mean premises used for the collection, sorting and processing of waste material for long term disposal on-site or for transfer to another site and shall include a landfill, recycling facility, waste incinerator, composting facility, sewage treatment plant, lagoon or sludge disposal area.

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

2.144 WATER BODY shall mean any bay, lake, river, unevaluated wetland, watercourse or canal, but excluding a drainage swale or irrigation channel.

2.145 WATER FRONTAGE shall mean, in the case of a lot which abuts a water body, the width of of a lot abutting a waterbody measured along the high water mark.

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

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

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

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

2.149.1 FRONT YARD shall mean a yard extending across the full width of the lot between the front lot line and the nearest part of any main building or structure on the lot.

2.149.2 REAR YARD shall mean a yard extending across the full width of the lot between the rear lot line and the nearest part of any main building or structure on the lot.

2.149.3 SIDE YARD shall mean a yard extending from the front yard to the rear yard between the side lot line and nearest part of any main building or structure on the lot.

2.149.3.1 EXTERIOR SIDE YARD shall mean a side yard abutting a street.

2.149.3.2 INTERIOR SIDE YARD shall mean a side yard other than an exterior side yard.

2.150 ZONE shall mean:

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

2.151 ZONING shall mean the demarcation of an area into zones and the establishment of regulations to govern the use of the land within these zones and the location, bulk, height, shape, use and coverage of structures within each zone. The terms “zone provisions” and “zone requirements” shall have a corresponding meaning.

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

SECTION 3 - GENERAL PROVISIONS

3.1 Accessory Uses

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

1. Accessory buildings or structures other than sleeping cabins and hunt camps shall not be used for human habitation and shall not include kitchen or sanitation facilities (with the exception of a small wash sink), except as specifically permitted elsewhere in this By-law.

2. Accessory buildings shall be included for the purposes of compliance with maximum lot coverage provisions.

3. Marine facilities are permitted as accessory uses subject to the following provisions:

    1. The maximum height shall be 6m and limited to a single storey.

    2. The maximum floor area not including attached decks shall be 85m².

    3. A maximum of 1 marine facility shall be permitted per lot in a Residential or Rural zone.

    4. The minimum side yard setback shall be 4.5m.

4. The minimum separation distance between a detached accessory building and any other building (main and/or accessory) shall be 1m.

5. Any building or structure that is attached, or within 1m, of the main building shall not be considered as accessory.

6. On a lot situated in any Residential zone, or a Rural zone of less than 1ha, a greenhouse shall be a permitted accessory use, provided that:

    1. The maximum floor area, including attached decks, shall be $15m^2$.

    2. The use of the building or structure shall be restricted to personal use with no retail sale of products grown.

7. On a lot which both abuts a water body and is situated in a Residential or Rural zone, one sleeping cabin shall be a permitted accessory use, provided that:

    1. The maximum floor area, including attached decks, of a sleeping cabin shall be $25m^2$.

8. On a lot of less than 1ha, buildings or structures accessory to a residential or public use shall be subject to the following special provisions:

    1. The lot coverage of all accessory buildings or structures shall not exceed 10%.

    2. The maximum height of an accessory building or structure shall be 6.0m.

    3. Notwithstanding the yard provisions of this By-law to the contrary, except as otherwise provided for a marine facility, an accessory building or structure other than a sleeping cabin may be located in a required interior side or rear yard, provided that the minimum yard shall be as follows:

        a. 2m, where the accessory building or structure is less than 4 m in height and 5 m in length, measured parallel to the interior side or rear lot line, as applicable;

        b. 3m, in all other cases.

9. Except as otherwise provided in this section, accessory buildings and structures shall conform to the zone provisions applicable to main buildings.

10. Notwithstanding the foregoing provisions, an outdoor woodburning furnace shall only be permitted in a Rural or Agriculture zone and all yards shall be a minimum of 50 m.

3.2 Additional Dwelling Types

1. Additional Residential Units

Notwithstanding any other provisions of this By-Law, regarding the number of dwelling units on a single lot, a maximum of 2 Additional Residential Units are permitted in the General Residential, General Commercial, Local Commercial, Rural and Agriculture Zones subject to the following provisions:

1. A maximum of 1 Additional Residential Unit shall be a permitted use within a single dwelling.

2. A maximum of 1 Additional Residential Unit shall be a permitted use in a building or structure accessory to and located on the same lot as a single detached dwelling, duplex dwelling or semi-detached dwelling.

3. An Additional Residential Unit shall only be permitted where adequate supply of potable water and sufficient land area for the required waste water service can be provided.

4. Where an Additional Residential Unit is established in a building or structure that is accessory to a permitted dwelling the unit shall be subject to all applicable provisions for the principal dwelling in the Zone in which it is located. Notwithstanding the foregoing, the minimum floor area of an Additional Residential Unit shall be $30m^2$.

5. Where an Additional Residential Unit is established in an existing dwelling, all applicable provisions for the dwelling in the Zone in which it is located shall be adhered to. Notwithstanding the foregoing, the minimum floor area of an Additional Residential Unit shall be $30m^2$.

6. The maximum floor area of each Additional Residential Unit shall not exceed 60% of the floor area of the principal dwelling.

7. The Additional Residential Unit shall share 1 or more of the following with the principal dwelling: lot entrance and driveway, water supply, wastewater system.

8. The Additional Residential Unit shall only be established on a lot that abuts and has direct access via an improved street.

9. An Additional Residential Unit shall not be permitted in an accessory building or structure on a lot containing a garden suite.

2. Duplex Dwellings & Semi-Detached Dwellings

Notwithstanding any other provisions of this By-law to the contrary, Duplex Dwellings and Semi-Detached Dwellings are permitted in the General Residential, General Commercial, Local Commercial and Rural Zones subject to the following provisions:

1. A duplex dwelling or a semi-detached dwelling is permitted on lots within a Settlement Areas designation in the Official Plan.

2. A duplex dwelling or a semi-detached dwelling shall only be established on a lot that meets the minimum lot area and lot frontage requirements of the zone in which the lot is located.

3. A duplex dwelling or a semi-detached dwelling shall only be permitted where adequate supply of potable water and sufficient land area for the required waste water servicing can be provided.

4. A maximum of 1 duplex dwelling or semi-detached or single dwelling is permitted per lot.

3. Tiny Dwellings

Notwithstanding any other provisions of this By-law to the contrary, a Tiny Dwelling with a minimum size of $30m^2$, is permitted as a single dwelling in all zones where a residential use is a permitted principal use.

3.3 Additional Lot Coverage and Floor Space Index Provisions for a Lot Abutting a Water Body

In addition to the maximum lot coverage and floor space index provisions of this By-law, the following additional provision shall apply to any development within 60m of the high water mark on a lot abutting a water body:

1. The maximum lot coverage and floor space index requirements of this By-law shall also be complied with on the basis of including only that portion of the lot area situated within 60m of the high water mark for the purpose of the calculations.

3.4 Agricultural Related Uses

1. Lot Coverage (maximum)

    1. 2% to a maximum of 1ha.

    2. Lot coverage for agricultural related uses shall be included as part of the total maximum lot coverage permitted under the zone requirements.

    3. The lot coverage calculation for agricultural related uses shall contain all aspects related to all agricultural related uses and shall include all buildings, outdoor storage, landscaped areas, berms, parking and new access roads associated with that use. Lands used for crop production shall not be included for lot coverage of an agricultural related use.

2. Where agricultural related uses are situated less than 30m from a Residential zone, a street or a dwelling on another lot, a continuous 1.5m wide buffer strip consisting of a berm, opaque fence or landscaping having a minimum combined height of 1.5m shall be provided so as to screen the agricultural related use from the Residential zone, street or dwelling. Such buffer strip shall be broken only by a driveway or other access areas.

3. Direct access from an abutting public road frontage shall be required.

3.5 Bed and Breakfast Establishments

Bed and Breakfast Establishments shall be permitted in a single dwelling on lots

which are zoned to permit the use. For all other dwelling types, a Bed and Breakfast Establishment may be permitted on lots which are zoned to permit the use and are located within a **Settlement Areas** designation in the Official Plan.

3.6 Existing Non-Complying Lots

Where, on the date of passing of this By-law, a lot exists with less than the minimum lot frontage, water frontage and/or lot area required by this By-law, or is increased in lot frontage, water frontage and/or lot area but is still undersized, such non-complying lot may be used and a building or structure may be erected, altered or used for a purpose permitted in the zone in which it is located on the date of the passing of this By-law without the requirement to obtain relief from the applicable lot frontage, water frontage and/or lot area provisions of this By-law. This provision shall also apply to lots that become non-complying that have resulted from expropriates, government acquired lands and/or road widening provided the action was initiated by the Corporation, United Counties of Leeds and Grenville, the Government of Ontario or Canada, any agencies, boards, commissions or authorities thereof, and any company providing electricity, natural gas, wired or wireless communications or rail transportation. This provision shall not be construed as granting relief from any other provisions of this By-law.

3.7 Frontage on an Improved Street

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

    - A non-residential building or structure for agricultural or conservation use;

    - A lot on a registered Plan of Subdivision or Condominium and with frontage on a street which will become an improved street pursuant to provisions in, and financial security associated with, a Subdivision or Condominium agreement that is registered on the title to the lot;

    - A lot located in a Waterfront Residential (RW) zone.

    - A waterfront lot located in a Rural (RU) zone, where development is restricted to that portion of the lot within 100m of the high water mark or development is within 100m of a private right-of-way used to provide direct access to the lot, and the use of the lot is restricted to those permitted in the RW zone.

    - Lots created by an approved Plan of Subdivision or Condominium or by Consent under the *Planning Act*.

    - Concession 6, Part Lot 6, Ward of South Crosby

    - Concession 1, Part Lot 4, RP 28R-135, Part 44, Ward of South Crosby

- Concession 1, Part Lot 4, RP 28R-135, Part 62, Ward of South Crosby

- Concession 4, Part Lot 27, Plan 72, Lot 13, Ward of North Crosby – Newboro

- Concession 6, Part Lot 7, RP 28R1877, Part 4, Ward of North Crosby – Newboro

2. Notwithstanding the zone provisions to the contrary, for lots that maintain complying principal frontage on a waterbody and also abut an improved street, a minimum of 20m continuous lot line shall be maintained for access from the improved street.

3.8 Group Homes

Group homes shall be permitted in all zones which permit residential use in accordance with the following:

1. The maximum occupancy for a Group Home is 10 residents, excluding staff or receiving family.

2. Group Homes may be permitted in single dwellings and in both units of semi-detached and duplex dwellings, provided that both units are occupied by 1 Group Home operation.

3.9 Height Exceptions

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

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

3.10 Home-Based Businesses

A home-based business shall be permitted as an accessory use to any dwelling or dwelling unit in accordance with the following provisions:

1. No more than 25% or 50m^2 of the floor area of the dwelling unit, whichever is lesser, shall be used for the home-based business.

2. There shall be no visible indication from the exterior of the presence of the home-based business other than one non-illuminated sign not larger than 1m^2.

3. There shall be no open storage of inoperative or unlicensed motor vehicles or other materials, or outdoor animal enclosures.

4. There shall be no storage of hazardous materials such as paint or other flammable, corrosive or explosive substances.

5. With the exception of antique shops, there shall be no direct retail sale of goods other than those produced on the premises or those which are clearly incidental to a personal service or service outlet home-based business.

6. Where respite care or child care is provided, there will be no more than six persons, other than the caregiver, in attendance at any one time. Where instruction is provided, there shall be no more than ten persons, other than the instructor, in attendance at any one time. In the case of all other home-based businesses, not more than one individual client or customer shall be served at any one time.

7. A maximum of one person in addition to the dwelling occupant(s) may be employed in the home-based business, provided that the maximum number of persons employed in the home-based business shall not exceed three. For the purposes of this subsection, the number of persons shall be calculated on the basis of full-time equivalence.

8. Up to 75 m^2 of floor area within an accessory building may be used for the home-based business, provided that:

    1. The accessory building shall be located in accordance with the minimum yard setbacks applicable to the primary use on the property.

    2. The combined total floor area used for the home-based business within the accessory building and dwelling unit shall not exceed 50% of the floor area of the dwelling.

    3. A maximum of 1 washroom is permitted provided that it is used primarily for the home-based business.

9. Not more than one commercial vehicle related to the home-based business shall be kept on the premises.

10. The home-based business shall not, in the opinion of the Township, change the predominantly residential character of the property or create or become a public nuisance with regard to noise, odours, vibration, heat, traffic, lighting or other annoyance.

3.11 Hunt Camp

Hunt Camps shall be permitted as an agricultural use subject to a maximum size of 93m^2 including attached decking. Habitation of the building or structure is limited to use during hunting and fishing seasons.

3.12 Loading Space Requirements

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

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

2. **Loading Space Size**
   A required loading space shall be a minimum of 9m long, 3.5m wide and have a vertical clearance of at least 4m.

3. **Loading Area Surface**
   A loading area shall be maintained with a stable surface such as concrete, asphalt or crushed stone.

4. **Cumulative Loading Requirements**
   Where a lot, building or structure accommodates more than one use, the loading space requirement shall be the sum of the requirements for the uses.

3.13 Lots Containing More Than One Use

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

3.14 Lots Divided Into More Than One Zone

Where 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 zone where such portion of the lot is located. The more restrictive provision shall apply in the case of lot coverage or floor space index provisions.

3.15 Non-Conforming Uses, Buildings and Structures

1. Buildings Accessory to Non-Conforming Uses

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

2. Change of Non-Conforming Use

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

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

1. A legal non-conforming use, building or structure may be repaired, restored or rebuilt provided that:

   - Such repair, restoration or rebuild does not increase the height, size, volume or extent of non-conformity of the use, building or structure, except as is required in order to comply with the requirements of the *Ontario Building* Code, and/or Parks Canada Policies for In-Water and Shoreline Works and Related Activities, and/or the Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulations of the applicable Conservation Authority. . Notwithstanding the foregoing, a roofline or roof pitch which does not result in an increase in floor area may be increased provided the increase remains at or below the highest roofline or roof pitch on the existing same storey of a building or structure.

   - Notwithstanding the foregoing, non-conforming uses, buildings or structures may be relocated in a more compliant location than existing provided that the height, size, volume or extent of non-conformity of the existing building or structure is not increased and that the relocation complies with the requirements of the Ontario Building Code, and/or Parks Canada Policies for In-Water and Shoreline Works and Related Activities, and/or the Development, Interference

with Wetlands, and Alterations to Shorelines and Watercourses Regulations of the applicable Conservation Authority.

4. **Replacement of Non-Conforming Sewage Disposal Systems**

Notwithstanding any provision of this By-law to the contrary, a sewage disposal system which was legally constructed under the regulations governing sewage disposal systems that were in force and effect at the time of such construction but that is non-conforming with respect to the water and natural heritage setback provisions, may be replaced in accordance with the following:

- Where the sewage disposal system is located on a lot which is less than 45m in depth measured from the high water mark and/or natural heritage area, the water and/or the natural heritage setbacks for the replacement sewage disposal system shall be that of the existing sewage disposal system or as set out in the Ontario Building Code, whichever is greater.

- Where the sewage disposal system is located on a lot which is functionally greater than 45m in depth measured from the high water mark and/or natural heritage area, the minimum water and/or natural heritage setbacks for the replacement sewage disposal system shall be 30m.

5. **Expansions of Non-Conforming Uses, Buildings or Structures**

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

3.16 Occupancy Restrictions

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

1. Any truck, bus, coach, railway, streetcar body or similar vehicle;

2. Any marine facility or building or structure accessory to a residential use, other than a sleeping cabin;

3. Any park model trailer, recreational vehicle, or travel trailer, except in a tourist campground or as a temporary use in accordance with Section 3.28 of this By-law.

Notwithstanding the provisions of Section 3.16, on the lands identified as 1121 North Shore Road, Ward of North Crosby – Newboro (Concession 2 and 3, Part Lot 7, RP 28R320, Part 6 and RP 28R1497 Part 1 and Part 2), occupancy of one accessory building shall be permitted up to 33.5m^{2}however shall comply with the interior characteristics of a sleeping cabin as prescribed by the By-law. No other sleeping

cabin shall be constructed anywhere on the subject lands.

3.17 Open Storage

Open storage shall be permitted as an accessory use to a permitted use within any zone other than a Residential zone regardless of size, or a Rural zone of less than 1ha, provided that:

1. No part of an open storage area shall be located within a minimum yard or water setback required by this By-law;

2. Open storage shall not occupy any driveway or parking or loading area required by this By-law;

3. Where open storage is situated less than 30m from a Residential zone, a street or a dwelling on another lot, a continuous buffer strip consisting of a berm, opaque fence or landscaping having a minimum combined height of 1.5m shall be provided so as to screen the open storage area from the street or dwelling. Such buffer strip shall be broken only by a driveway or walkway from the street.

3.18 Parking Requirements

1. **Number of Parking Spaces Required**

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

Type of Use	Number of Parking Spaces Required
Accessory dwelling unit	1 parking space per accessory dwelling unit
Additional residential unit	1 parking space per additional residential unit
Bed and breakfast	1 parking space per guest room in addition to the applicable dwelling requirement
Child Care Centre	1 parking space per on duty employee plus 1 space per 10 children
Clinic	1 parking space per 25m^2 of floor area
Commercial use not defined	1 parking space per 25m^2 of floor area
Dwelling – Duplex,	2 parking space per dwelling unit

Semi-Detached, Single	provided that 1 of the 2 required spaces may be in tandem
Dwelling – Multiple, Tiny	1 parking space per dwelling unit
Group home	1 parking space in addition to the applicable dwelling requirement
Home-based business	1 parking space in addition to the applicable dwelling requirement. For instructional uses 2 parking spaces, in addition to the applicable dwelling requirement, shall be required for more than 5 participants.
Industrial use	1 parking space per 70m^2 of floor area
Institutional or public use	1 parking space per 40m^2 of floor area
Marina	1 parking space per boat slip or 1 parking space per 20m^2 of floor area, whichever is greater
Mobile Home Park or Tourist Campground	1 parking space per site
Place of worship or assembly	1 parking space per 12m^2 of floor area devoted to public assembly
Professional or business office	1 parking space per 25m^2 of floor area
Recreational use	1 parking space per 4 persons design capacity or 1 parking space per 20m^2 of floor area, whichever is greater
Restaurant, banquet hall	1 parking space per 14m^2 of floor area or a minimum of 2 parking spaces, whichever is greater
Retail store, personal service, merchandise service outlet	1 parking space per 25m^2 of floor area
School - elementary	1.5 parking spaces per classroom
School - secondary	4 parking spaces per classroom
Self-Storage Facility	1 parking space per 300m^2 of floor area

Tourist Lodging Establishment	1 parking space per guest room or cabin plus 1 parking space per 20m^2 of floor area devoted to dining or meeting uses
Warehouse or storage use	1 parking space per 100m^2

2. **More than One Use on a Lot**

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

3. **Parking Space Size and Access**

Parking spaces shall have a minimum width of 2.75m and a minimum length of 6m. A parking space shall have unobstructed access, except where tandem parking is specifically permitted by this By-law.

4. **Accessible Parking**

Where a required parking area contains 10 or more parking spaces, reserved accessible parking spaces shall be provided in accordance with the following and in consideration of the Accessibility for Ontarians with Disabilities Act:

1. At the rate of 1 accessible parking space per 30 required parking spaces or fraction thereof, subject to the provision of a minimum of 1 accessible parking space.

2. At a minimum width of 3.4m and a minimum length of 6m.

3. Access provided by an access aisle with a minimum width of 1.5 m which extends the full length of the accessible parking space, and which is marked with high tonal contrast diagonal lines (i.e. hatching) on a hard surface or other via similar methods. 2 accessible parking spaces which are adjacent to one another may share 1 access aisle.

5. **Driveway Access to Parking Areas**

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

Angle of Parking Space to Driveway	Minimum Driveway Width
0 degrees	3m

30 degrees	3.4m
45 degrees	3.7m
60 degrees	5.4m
90 degrees	6m

6. **Parking Area Surface**

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

7. **Parking Area Location**

Required parking for any residential use or Residential zone shall be provided on the same lot as the dwelling unit.

Required parking for non-residential uses shall be provided within 150m of the building that it is intended to serve and no part of any parking area shall be permitted on lands not zoned for the use with which the parking is associated. Where required parking is not provided on the same lot, the lot on which the parking is located shall be under the same ownership and shall be retained for the duration of the use.

8. **Parking Requirements for Additions to Existing Buildings**

Where an existing building or structure has insufficient parking spaces to comply with the provisions of this By-law, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition, provided that no addition may be built and no change of use may occur within the existing building or structure, the effect of which would be to increase the extent of such deficiency.

3.19 Public Uses

Any land may be used and any building or structure erected or used for the purpose of a public use as defined in this By-law, provided that:

- Lot coverage, setback and yard requirements of the zone in which such land, building or structure is located shall be complied with, except in the case of towers, poles, lines and transmission facilities for natural gas, electricity, cable, water, storm and sanitary sewage and wired and wireless communications. Notwithstanding the foregoing there shall be no minimum water setback for waterfront structures such as decks, gazebos and other similar structures.

3.20 Reductions Within Settlement Areas

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

Notwithstanding any minimum parking requirements of this By-law to the contrary, on a lot within the Settlement Areas designation of the Official Plan, the amount of non-residential parking spaces may be reduced by 25% provided adequate on-street parking is available within 30m of the lot.

3.21 Sensitive Land Use Separation Distances from Other Land Uses

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

- From a licensed pit 300m
- From a licensed quarry, asphalt plant or concrete plant 500m
- From land zoned Salvage Yard Industrial 300m
- From land zoned Disposal Industrial, designated as a Waste Disposal Site in the Official Plan or used for waste disposal 500m
- From a kennel 300m
- From livestock facilities As per the Minimum Distance Separation I (MDS I) formula, as issued by the Ontario Ministry of Agriculture, Food and Rural Affairs except that MDS I shall not apply to a new dwelling to be located on a lot of less than 2 ha in area if such lot was created prior to the implementation of this Zoning By-law.

3.22 Setbacks from Environmental Protection (EP) Zones in this By-law and Natural Heritage Designations in the Official Plan

1. Notwithstanding any other provisions of this By-law, the minimum setback of any building or structure, including sewage disposal systems and swimming pools, from lands zoned Environmental Protection in this By-law or designated Natural Heritage in the Official Plan shall be as follows:

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

- From the Environmental Protection – C (EP-C) zone or Natural Heritage C designation in the Official Plan 30m
  or such lesser setback as recommended in an Environmental Impact Study undertaken to the satisfaction of the Township, provided that such lesser

setback shall not be less than 30m.

2. Sills, belt courses, chimneys, cornices, eaves, gutters, parapets, bay windows and other ornamental features may project into an Environmental Protection Zone setback or Natural Heritage setback by not more than 0.6m however will not be permitted within the Environmental Protection Zone or Natural Heritage Designation.

3. Awnings, clothes poles, flag poles, garden trellises, fences, plant materials, play structures under 15m², temporary event tents, stairs, ramps for accessibility, and landings (as minimal as required by the Ontario Building Code) may project into an Environmental Protection Zone setback or Natural Heritage designation setback, however will not be permitted within the Environmental Protection Zone or Natural Heritage Designation.

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

Except in relation to water setbacks and natural heritage setbacks, sewage disposal systems shall not be subject to the provisions of this By-law.

3.24 Shoreline Area Occupancy

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

3.25 Sight Triangles

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

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

3.26 Source Water Protection

All development applications, except for those solely for residential purpose, on lands designated as an Intake Protection Zone (IPZ) or Wellhead Protection Area (WHPA) on Official Plan Schedule D- Source Water Protection Areas, shall be accompanied by a completed Source Protection Activity Checklist unless exempted by the Corporation and/or the Risk Management Official. Where not exempted,

applications shall require a clearance notice from the Risk Management Official in accordance with Section 59(2) of the Clean Water Act prior to approval.

3.27 Street and Private Right-of-Way Setbacks

The following setbacks for buildings and structures shall be required:

- County street — 13m from the centre line of the street plus the minimum required applicable yard for the appropriate zone
- Township street — 10m from the centre line of the street plus the minimum required applicable yard for the appropriate zone
- Private right-of-way — 6m from the edge of the right-of-way

3.28 Temporary Uses

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

- Construction facilities such as sheds, scaffolds and other structures incidental to the construction on the premises for so long as the work is in progress;
- A temporary real estate sales and/rental office;
- A park model trailer, recreational vehicle or travel trailer occupied on a temporary basis during the course of construction of a dwelling on the same lot, provided that:
    - An appropriate sewage handling system is provided;
    - A building permit for a dwelling has been issued and remains in force or the previous dwelling was damaged as a result of a natural occurrence/disaster and a building permit is obtained for the reconstruction of the dwelling within 6 months (extensions may be provided through review by Council's delegated authority) of such disaster;
    - The trailer or vehicle is located in accordance with the required yards and water setbacks applicable to a dwelling;
    - In no event shall the trailer or vehicle be located on the lot for a period exceeding two years from the date of issuance of the building permit.

Temporary event tents used on a temporary basis to not exceed a maximum of 5 days (120 hours) per any two months. Notwithstanding the foregoing policy to the contrary, a temporary event tent may be located in an EP or FP zone with permission obtained by the relevant Conservation Authority.
Notwithstanding Section 3.16, the following use shall be permitted in the Rural (RU) and Agricultural (A) Zones on a temporary basis:

- A park model trailer, recreational vehicle or travel trailer be temporarily occupied for the purpose of habitation by seasonal or migrant agricultural labour, provided that:

  - The temporary use is located on a property with an established dwelling, and that it is part of an active agricultural operation;
  - A minimum yard setback of 30m and a minimum water setback of 100m is maintained;
  - Appropriate access is provided to the location of the temporary use to allow for emergency access;
  - The period of habitation is limited to April 1st – November 30th of each calendar year;
  - An approved temporary connection to an on-site sewage system is provided, and a temporary building permit is gained for the connection/system;
  - During the period outside the permitted temporary use, the trailer or vehicle must be removed from the property or appropriately stored in accordance with the Zoning By-law's open storage provisions;
  - A copy of the Health Unit certificate of approval is supplied to the Township, as applicable;
  - The occupancy of the trailer or vehicle shall be in accordance with the manufacture's specifications;
  - The trailer or vehicle must remain mobile and temporary in nature. No permanent connections or built structure additions are permitted; and
  - Notwithstanding Section 34(9) of the Planning Act the temporary use does not gain legal non-conforming rights as a permanent use as the temporary nature of the use specifically constitutes a discontinuance of that use.

3.29 Through Lots

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

3.30 Water Frontage and Water Setbacks

1. Except as otherwise provided by Section 3.6, the minimum water frontage for any lot shall be 60m.

2. Except as otherwise permitted by Sections, 3.15 and 3.31 of this By-law, the minimum water setback shall be 30m for all buildings and structures, including all sewage disposal systems and swimming pools, but excluding the following:

   a. Decks, gazebos and other similar structures such as hot tubs, which are unattached to a main building and which have a combined horizontal surface area of less than 14m².

   b. Marinas, pump houses, marine facilities and stairs.

3.31 Yard and Water Setback Encroachments

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

1. Sills, belt courses, chimneys, cornices, eaves, gutters, parapets, bay windows and other ornamental features may project into any yard or water setback by not more than 0.6m;

2. Attached decks and balconies may project from the main building into any minimum required yard setback by not more than 3m. Notwithstanding the foregoing policy, attached decks and balconies may project into any minimum required yard setback by more than 3m provided the projection is no closer to the applicable yard than the existing structure.

3. Attached decks and balconies may project from any part of the main building into any water setback by a maximum of:

   a. 1.2m where the main building is located less than 8m from the high water mark. This deck shall be limited to 2m^2 of horizontal surface area;
   b. 2m where the main building is equal to or greater than 8m but less than 15m from the high water mark. This deck shall not be limited in horizontal surface area; or
   c. 4m where the main building is equal to or greater than 15m. This deck shall not be limited in horizontal surface area.

4. Awnings, clothes poles, flag poles, garden trellises, fences, plant materials, play structures under 15m², temporary event tents, stairs, ramps for accessibility, landings (as minimal as required by the Ontario Building Code) and similar accessory structures shall be permitted in any required yard or water setback;

5. Swimming pools may be located in a required interior side or rear yard, provided that the minimum yard shall be 3m. For the purposes of this section, hot tubs shall not be considered to be swimming pools.

SECTION 4 - ZONES

4.1 Zone Classifications

For the purposes of this By-law, the land area within the Township is divided into the following zones which are identified on the attached Schedules and to which the provisions and regulations herein shall apply.

Zone Name	Symbol
Residential Zones	
• General Residential	RG
• Waterfront Residential	RW
• Mobile Home Park Residential	RMH
Commercial Zones	
• General Commercial	CG
• Local Commercial	CL
• Tourist Commercial	CT
Industrial Zones	
• General Industrial	MG
• Salvage Yard Industrial	MS
• Disposal Industrial	MD
Institutional Zones	
• Institutional	I
Open Space Zones	
• Open Space	OS
Parking Lot Zones	
• Parking Lot	PL
Rural Zones	
• Rural	RU
Agriculture Zones	
• Agriculture	A
Mineral Resource Zones	
• Mineral Aggregate Extraction	EX
Natural Heritage Zones	
• Environmental Protection – A	EP-A
• Environmental Protection – B	EP-B
• Environmental Protection – C	EP-C

Natural Hazard Zones

- Flood Plain FP

4.2 Schedules

The attached Schedules A1, A2, A3 and A4 form a part of this By-law.

4.3 Boundaries of Zones

The location and boundaries of the zones established by this By-law and certain requirements applicable to such zones are shown on the maps hereto attached as Schedules A1, A2, A3 and A4.. Where any uncertainty as to the boundary of any zone as shown on the zoning schedules, the following provisions shall apply:

1. Where a zone boundary is indicated as following and is within the boundary of a street, lane, railway right-of-way, other right-of-way or watercourse, the boundary shall be the centre of such street, lane, railway right-of-way, right-of-way or watercourse.

2. Where a zone boundary is indicated as approximately following lot lines on a registered Plan of Subdivision or Condominium, deposited reference plan or original Township survey, the boundary shall follow such lot lines. No amendment to the By-law shall be required for minor adjustments to zone boundaries shown on the Schedules where, in the opinion of the Township, such adjustments are merely for the purpose of more accurately reflecting surveyed information.

3. Where a zone boundary is indicated as following a shoreline of a watercourse, the boundary shall follow such shoreline and in the event that the shoreline changes, the boundary shall be taken as having moved with the shoreline.

4. Where a zone boundary as indicated follows the 1:100 flood line, the boundary shall be the 1:100 flood line.

5. Where a zone boundary is indicated as following a wetland, the boundary shall follow such wetland and in the event the wetland boundaries change, the boundary shall be taken as having moved with the wetland.

6. Where any street, lane, right-of-way, railway right-of-way or watercourse as shown on the schedules is hereby closed or diverted, the object of such closure or diversion shall be included within the zone of the abutting property on either side thereof.

7. Where any zone boundary is left uncertain after the application of clauses (1) through (6) above, the boundary shall be determined by scale from the original Schedules.

8. Wherever it occurs, the municipal boundary is the limit of the zone adjacent to it.

4.4 Holding Provisions

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

4.5 Special Exception Zones

Where a zone symbol is followed by a hyphen and a letter or a number other than “-h”, (for example, “-x” or “-1”), the lands so zoned shall be subject to all the provisions of the zone represented by such symbol except as otherwise provided by the special provisions of that zone. Current special exception zones are listed separately under the appropriate zone category in the text of the By-law.

4.6 Temporary Use Provisions

Where a temporary use provision is established for the purpose of accommodating a temporary use pursuant to the provisions of the *Planning Act*, the lands so zoned shall be subject to all the provisions of the zone, except that a temporary use shall be permitted for a specified period of time. The zone symbol shall be followed by a hyphen, the letter “T” and a letter or a number other than “-h”, (for example, “-Tx” or “-T1”). Current temporary use provisions are listed separately under the appropriate zone category in the text of the By-law.

SECTION 5 - RESIDENTIAL ZONES

5.1 General Residential (RG)

1. **Permitted Uses**

additional residential unit
bed and breakfast
duplex dwelling
semi-detached dwelling
single dwelling

2. **Zone Provisions**

- Lot Area (minimum) — $4050m^2$
- Lot Frontage (minimum)
  - Lots designated **Settlement Areas** in Official Plan or within a Plan of Subdivision or Condominium — 40m
  - All other lots — 60m
- Yards (minimum)
  - Front
    - Lots designated **Settlement Areas** in Official Plan — 6m
    - All other lots — 10m
  - Exterior Side — 6m
  - Interior Side — 6m
  - Rear — 7.5m
- Dwelling Unit Area (minimum) — $75m^2$
- Building Height (maximum) — 10m
- Lot Coverage (maximum)
  - Lot abutting a water body — 10%
  - All other lots — 20%
- Floor Space Index for lot abutting a water body (maximum) — 15%

- Dwellings per Lot (maximum) — 1
- Additional Residential Unit (maximum) — 2

3. **Additional Provisions**

1. **General Provisions**

In accordance with Section 3 hereof.

4. **Special Exception Zones**

1. **RG-1** *(Part of Lots 22 & 23, Concession 1, Bastard & South Burgess)*

Notwithstanding the provisions of Section 5.1.2, on the lands zoned RG-1, the following provisions shall prevail: (#97-26 – December, 1997)

- Yards (minimum)
  - Front 7m
  - Exterior Side 7m
  - Interior Side 3m
  - Rear 8m
- Dwelling Unit Area (minimum) 135m^2
- Building Height (maximum) 12m

2. **RG-2** *(Part of Lot 23, Concessions 1 & 2, Bastard & South Burgess)*

Notwithstanding the provisions of Section 5.1.2, on the lands zoned RG-2, the following provisions shall prevail: (#97-26 – December, 1997)

- Yards (minimum)
  - Front 7m
  - Exterior Side 7m
  - Interior Side 6m
  - Rear 8m
- Dwelling Unit Area (minimum) 135m^2
- Building Height (maximum) 8m

3. **RG-3** (*Part of Lot 27, Concession 4, North Crosby – Newboro)*

Notwithstanding the provisions of Section 5.1.2, on the lands zoned RG-3, the following provisions shall prevail:

- a 53.5m^2 storage building shall be allowed and access to the lot shall be acquired over an unopened Township road allowance (#2009-66 - August, 2009)

4. **RG-4** *(Part of Lot 23, Concession 9, Bastard & South Burgess)*

Notwithstanding the provisions of Section 5.1.1 to the contrary, on the lands zoned RG-4, an antique shop shall be an additional permitted use. Furthermore, notwithstanding the provisions of Section 5.1.2 to the contrary, on the lands zoned RG-4, two dwelling units shall be permitted. (#2010-8 – February, 2010)

5. **RG-5** (*Vacant Land Condominiums 1 [Units 1-4] & 2 [Units 1-4], Part of Lot 9, Concession 6, North Crosby – Newboro)*

Notwithstanding the provisions of Section 5.1.2 to the contrary, on the lands zoned RG-5, the following site specific standards apply: (#2014-58 – September, 2014) (#2022-72 – November, 2022)

- Lot frontage minimum: 15m
- Lot area minimum: 595m^2
- Minimum front yard: 6m
- Minimum interior side yard: 2m
- Lot coverage maximum: 50%
- Floor Space Index maximum: 50%

6. **RG-6-T5** *(Plan 1, Part Lots 12 – 15, RP 28R11413, Part 2, South Crosby)*

Notwithstanding the provisions of Section 5.1.1 to the contrary, on the lands zoned RG-6-T5, the following use shall be permitted on a temporary basis of up to 20 years commencing at the date of the passing of this By-law: (#2013-17 – March, 2013)

- Garden Suite

Notwithstanding the provisions of Section 5.2 to the contrary, on the lands zoned RG-6-T5, the following site specific standard applies:

- Yards (minimum)
- Exterior Side 0m

Notwithstanding the provisions of Section 3.26 to the contrary, on the lands zoned RG-6-T5, the following site specific standard applies:

- Street and Private Right-of-Way Setbacks
- Township Street 15m

7. **RG-7 (***Part of Lot 19, Concession 3, Bastard & South Burgess)*

Notwithstanding the provisions of Section 5.1.1 to the contrary, on the lands zoned RG-7, a multiple dwelling shall be an additional permitted use.

Notwithstanding the provisions of Section 5.1.1 to the contrary, on the lands zoned RG-7, two single dwellings shall be additional permitted uses. (#2016-25 – May, 2016)

8. **RG-8** (*Part of Lot 6, Concession 3, Bastard & South Burgess)*

Notwithstanding the provisions of Section 3.8 to the contrary, on the

lands zoned RG-8, the maximum height restrictions of the Zoning By-Law shall not apply to the existing 22.86m (75 feet) spire which is to be used in accordance with the residential use on the property. (#2018-57 – November, 2018)

9. **RG-9** *(Part of Lot 1, Concession 2, South Elmsley)*

Notwithstanding the provisions of Section 3.1.9 to the contrary, on the lands identified as RG-9, the following yard setbacks for an outdoor woodburning furnace shall prevail: (#2021-10 – February 2021)

- Front yard: 52.98m
- Western side yard: 23.25m
- Eastern side yard: 39.35m
- Rear yard: 14.50m

10. **RG-10** (*Plan 28M2 Lot 9, South Elmsley*)

Notwithstanding the provisions of Section 5.1.1 to the contrary, on the lands zoned RG-10, a duplex dwelling shall be an additional permitted use. (#2022-09 – February 2022)

11. **RG-11** (*Plan 28 Lots 13 to 18 Lots;24 to 29, South Crosby*)

Notwithstanding the provisions of Section 5.1.1 to the contrary, on the lands zoned RG-11, the following provisions shall apply: (#2022-22 – April, 2022)

- Dwellings per Lot (maximum): 2

12. **RG-12** (West ½ Part Lot 17, Concession 7, South Crosby)

Notwithstanding the provisions of Section 5.1.2 to the contrary, on the lands zoned RG-12, a minimum setback of 30m shall be required from the adjacent unevaluated wetland (#2023-19 – April, 2023)

13. **RG-13** (West ½ Part Lot 17, Concession 7, South Crosby)

Notwithstanding the provisions of Section 5.1.2 to the contrary, on the lands zoned RG-13, the following provisions shall prevail: (#2023-19 – April, 2023)

- 30m setback from the larger unevaluated wetland
- 15m setback from the isolated wetlands areas

5.2 Waterfront Residential (RW)

1. **Permitted Uses**

single dwelling

2. **Zone Provisions**

• Lot Area (minimum)	4050m^2
• Lot Frontage (minimum)	60m
• Yards (minimum)	
• Front	10m
• Exterior Side	6m
• Interior Side	6m
• Rear	7.5m
• Dwelling Unit Area (minimum)	75m^2
• Building Height (maximum)	10m
• Lot Coverage (maximum)	10%
• Floor Space Index (maximum)	15%
• Dwellings per Lot (maximum)	1

3. **Additional Provisions**

1. **General Provisions**

In accordance with Section 3 hereof.

4. **Special Exception Zones**

1. **RW-1** *(Part of Lot 3, Concession 7, South Crosby)*

On the lands zoned RW-1, the following additional provision shall apply: (#99-87 – September, 1999)

- The minimum setback from the top of slope, as identified by an Ontario Land Surveyor, shall be 10m.

2. **RW-2** *(Part of Lot 4, Concession 4, North Crosby – Newboro)*

Notwithstanding the provisions of Section 3.10, on the lands zoned RW-2, the following provision shall prevail in relation to a home-based business: (#2000-61 – June, 2000)

- A maximum of 250m^2 within an accessory building may be used for the purposes of a home-based business;
- A maximum of 1500m^2 of open storage shall be permitted, as shown on an approved site plan;

- Accessory sales of materials used in the home-based business shall be permitted.

3. **RW-3** *(Part of Lot 7, Concession 2 & 3, North Crosby – Newboro)*

Notwithstanding the provisions of Section 3.1.1, on the lands zoned RW-3, a 34m^2 portion of an existing accessory building may be used for human habitation, provided that it shall not be occupied as a dwelling unit. (#2004-117 – June, 2004)

4. **RW-4** *(Part of Lot 5, Concession 1, North Crosby – Newboro)*

Notwithstanding the provisions of Section 5.2.2, to the contrary, on lands zoned RW-4, the following provisions shall prevail: (#2004-118 – June, 2004)

- Interior Side Yard (minimum) 2.4m
- Lot Coverage (maximum) 20%

5. **RW-5** (*Part of Lot 7, Concession 3, North Crosby – Newboro*)

Notwithstanding the provisions of Section 5.2.2. to the contrary, on the lands zoned RW-5, the minimum water setback shall be 40m. (#2010-25 – March, 2010)

6. **RW-6** (Part of Lot 20, Concession 2, North Crosby – Newboro)

Notwithstanding the provisions of Section 5.2.2 and Section 3.30.2 to the contrary, on lands zoned RW-6, the following provisions shall prevail: (#2010-121 – December, 2010)

- Dwelling Unit Area (Minimum) 19.3m
- Water Setback 40m

7. **RW-7** (*Part Lot 6, Concession 2, Bastard & South Burgess*)

Notwithstanding the provisions of Section 3.30 and 3.24 to the contrary, on lands zoned RW-7 the following provisions shall prevail: (#2011-11 – February, 2011)

- Water Setback 65m
- Shoreline Area Occupancy 0% or 0m

8. **RW-8** (*Part of Lot 15, Concession 10, Bastard & South Burgess*)

Notwithstanding the provisions of Section 5.2.2, to the contrary, on lands zoned RW-8, the following provisions shall prevail: (#2011-54 – July, 2011)

- Lot Coverage (maximum) 2.3%
- Floor Space Index (maximum) 2.3%

9. **RW-9** (*Part of Lot 7 and 8, Concession 2, North Crosby – Newboro)*

Notwithstanding the provisions of Section 5.2.2 to the contrary, on the lands zoned RW-9, the following site specific standards apply: (#2012-74 – November, 2012)

- A setback of 10m beyond the top of the bank or a water setback of 40m whichever is greater.

10. **RW-10** *(Part of Lot 19, Concession 4, South Elmsley)*

Notwithstanding the provisions of Section 5.2.1 to the contrary, on the lands zoned RW-10, the following uses apply: (#2013-63 – September, 2013)

- Without a listed permitted use established accessory structures/uses are permitted in accordance with the provisions in Section 3.1.

11. **RW-11** *(Part Lot 9, Concession 1, Bastard & South Burgess)*

Notwithstanding the provisions of Section 5.2 to the contrary, on the lands zoned RW-11, the following site specific standards apply: (#2013-57 – August, 2013)

- Lot Frontage (minimum) 47.49m
- Yards (minimum)
  - Interior Side (North-East) 1.52m

12. **RW-12** *(Part Lot 9, Concession 1, Bastard & South Burgess)*

Notwithstanding the provisions of Section 5.2 to the contrary, on the lands zoned RW-12, the following site specific standard applies: (#2013-57 – August, 2013)

- Lot Frontage (minimum) 48.23m

13. **RW-13** *(Part Lot 1, Concession 10, North Crosby – Newboro)*
Notwithstanding the provisions of Section 5.2 to the contrary, on the lands zoned RW-13, the following site specific standard applies for an indefinite amount of time and does not expire with the temporary provision: (#2013-77 – October, 2013)

- The minimum setback for all development from the undesignated wetland at the rear of the property identified on Schedule A shall be 15m

14. **RW-14** *(Part Lot 27, Concession 8, Bastard & South Burgess)*

Notwithstanding the provisions of Sections 5.2, 3.24, 3.30 & 3.31 to the contrary, on the lands zoned RW-14, the following restrictions shall apply: (#2014-17 – March, 2014)

- Shoreline occupancy shall be limited to the area indicated as joint/common access on Schedule A
- No buildings or structures shall be permitted within 30m of the high water mark, other than docks and pump houses located within the area indicated as joint/common access on Schedule A'

15. **RW-15** *(Part of Lot 13, Concession 8, North Crosby – Newboro)*

Notwithstanding the provisions of Section 5.2.1 to the contrary, on the lands zoned RW-15, the following permitted uses apply (#2015-6 – February, 2015)

- Without a listed permitted use established accessory structures/uses are permitted in accordance with the provisions in Section 3.1.

Notwithstanding the provisions of Section 5.2 to the contrary, on the lands zoned RW-15, the following site specific standard applies:

- Yards (minimum)
  - Interior Side (East) 3.05m

Notwithstanding the provisions of Section 3.27 to the contrary, on the lands zoned RW-15, the following site specific standards apply (#2015-6 – February, 2015)

- Private right-of-way (Accessory Structure) (South)
  1.52m from the edge of the right-of-way
- Private right-of-way (Accessory Structure) (East)
  5.07m from the edge of the right-of-way
- Private right-of-way (Dwelling) (West)

2.44m from the edge of the right-of-way

Notwithstanding the provisions of Section 3.21 to the contrary, on the lands zoned RW-15, the following site specific applies:

1. From a quarry, asphalt plant or concrete plant 370m

16. **RW-16** *(Part of Lots 28 & 29, Concession 9, Bastard & South Burgess)*

Notwithstanding the provisions of Section 3.22 to the contrary, on the lands zoned RW-16, a minimum setback of 33m shall be required from the EP-A zone. (#2016-37 – June, 2016)

Notwithstanding the provisions of Section 3.30 to the contrary, on the lands zoned RW-16, a minimum water setback of 33m shall be required.

17. **RW-17** *(Part of Lots 29 & 30, Concession 2, South Elmsley)*

Notwithstanding the provisions of Section 5.2 to the contrary, on the lands zoned RW-17, the following site specific standard applies (#2016-55 – October, 2016) (#2022-61 – October, 2022):

- The minimum setback for all development from the unevaluated wetland located on the property shall be 20m

18. **RW-18** *(Part of Lot 4, Concession 4, North Crosby – Newboro)*

Notwithstanding Section 3.10 to the contrary, up to 66.9m2 of floor area within an accessory building may be used for the home-based business, provided that the combined total floor area used for the home-based business within the accessory building and dwelling unit shall not exceed 66.9m2. All other home-based business provisions in Section 3.10 shall remain in effect.

19. **RW-19** *(Part of Lot 16, Concession 9, North Crosby – Newboro)*

Notwithstanding Section 3.30 and 5.2.2 to the contrary, on the lands zoned RW-19 the following provisions shall prevail (#2019-6 – February, 2019):

- Water setback (minimum) 40m
- Lot frontage (minimum) 54m

20. **RW-20** *(Part of Lot 7, Concession 4, North Crosby – Newboro)*

Notwithstanding Section 5.2.2 to the contrary, a Tradespersons

Establishment, specifically a Machinist shop, shall be an additional permitted use on the subject property. (#2019-66 – November 2019)

21. **RW-21-T** *(Part of Lot 15, Concession 5, South Elmsley)*

Notwithstanding Section 5.2 to the contrary, on the lands zoned RW-21-T, the following use shall be permitted on a temporary basis of up to 20 years commencing at the date of the passing of this By-law (#2020-2 – May, 2020):

- Garden Suite

22. **RW-22** *(Part Lot 13, Concession 7, South Crosby)*

Notwithstanding the provision of Section 3.30.2 to the contrary, on lands zoned RW-22 the following provisions shall prevail (#2020-25 – July 2020):

- Water setback (minimum) 40m

23. **RW-23** *(Part Lot 20 Part Lot 21RP; 28R5152 Parts 6 to 8, Concession 6, South Crosby)*

Notwithstanding the provision of Section 3.30.2 to the contrary, on lands zoned RW-23 the following provisions shall prevail (#2020-28 – July 2020):

- Water setback (minimum) 50m

24. **RW-24** (*Island Pine Island 40;Giffords, South Crosby*)

Notwithstanding the provisions of Section 3.1.7 to the contrary, on the lands zoned RW-24, two (2) sleeping cabins shall be permitted for accessory use. (#2022-24 – April, 2022)

25. **RW-25** *(Part Lot 25, Concession 9, South Crosby)*

Notwithstanding the provisions of Section 3.30 to the contrary, on the lands zoned RW-25, the following provisions such apply (#2022-73 – November 2022):

- Water setback (minimum) 45m

26. **RW-26** *(Grindstone Island, Part of Lots 18 & 19, Concession 1, Bastard & South Burgess)*

Notwithstanding the provisions of Sections 5.2.1 to the contrary, on the lands zoned RW-26 the following provisions shall prevail:

- Permitted uses shall be restricted to a conference/seminar facility;
- A conference/seminar facility shall be defined as a complex of buildings used for the purposes of conferences and/or seminars in which a maximum of 15 pre-registered participants and 10 staff/presenters may participate and be temporarily accommodated.

5.3 Mobile Home Park Residential (RMH)

1. **Permitted Uses**

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

2. **Zone Provisions**

1. Mobile Home Park

- Lot Area (minimum) 2ha
- Lot Frontage (minimum) 60m
- Yards (minimum)
  - Front 15m
  - Exterior Side 10m
  - Interior Side 10m
  - Rear 15m
- Dwelling Unit Area (minimum) $75m^2$
- Building Height (maximum) 10m
- Lot Coverage (maximum) 20%
- Accessory Dwellings or Dwelling Units per Lot (maximum) 1

2. Mobile Home Site

- Site Area (minimum) $700m^2$
- Site Frontage (minimum) 20m
- Site Yards (minimum)
  - Front 7.5m
  - Exterior Side 7.5m
  - Interior Side 3.0m
  - Rear 4.5m
- Site Coverage (maximum) 30%
- Mobile Homes per Site (maximum) 1

3. **Additional Provisions**

1. **General Provisions**
In accordance with Section 3 hereof.

4. **Special Exception Zones**
(reserved)

SECTION 6 - COMMERCIAL ZONES

6.1 General Commercial (CG) Zone

1. **Permitted Uses**

accessory dwelling
accessory dwelling unit
additional residential unit
automobile service station
bank
bed and breakfast
building supply centre
child care centre
clinic
commercial parking lot
community service
contractor's yard
custom workshop
duplex dwelling
dry-land marina
equipment rental outlet
garden centre
hotel
motel
open market
personal service
place of assembly
private park
professional or business office
recreational establishment
retail store
restaurant
school, commercial
self-storage facility
semi-detached dwelling
service outlet
single dwelling
tradesperson's establishment
vehicle sales or rental establishment
veterinary clinic

2. **Zone Provisions**

- Lot Area (minimum) $4050m^2$
- Lot Frontage (minimum)
  - Lots designated **Settlement Areas** in Official Plan 40m

- All other lots 60m
- Yards (minimum)
  - Front
    - Lots designated **Settlement Areas** in Official Plan or for dwelling use 6m
    - All other lots 10m
  - Exterior Side 6m
  - Interior Side
    - Lots designated **Settlement Areas** in Official Plan or for dwelling use 6m
    - All other lots 10m
  - Rear
    - Lots designated **Settlement Areas** in Official Plan or for dwelling use 7.5m
    - All other lots 10m
- Dwelling Unit Area (minimum) $60m^2$
- Building Height (maximum) 10m
- Lot Coverage (maximum)
  - Dwelling use for lot abutting a water body 10%
  - Dwelling use not abutting a a water body 20%
  - All other uses on lots designated **Settlement Areas** in Official Plan 50%
  - All other uses on all other lots 30%
- Floor Space Index for dwelling use on a lot abutting a water body (maximum) 15%
- Accessory Dwellings or Dwellings per Lot (maximum) 1
- Additional Residential Unit (maximum) 2

3. **Additional Provisions**

1. **General Provisions**

In accordance with Section 3 hereof.

2. **Automobile Service Station Pump Islands and Canopies**

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

3. **Vehicle Storage**

Notwithstanding any other provision of this By-law to the contrary, Vehicle Storage use shall be a permitted accessory use in the General Commercial zone.

4. **Special Exception Zones**

1. **CG-1** *(Part of Lot 4, Concession 5, North Crosby – Newboro)*

Notwithstanding the provisions of Section 6.1.1 to the contrary, on the lands zoned CG-1 the following additional uses shall be permitted: (#2021-28 – May, 2021)

- Multiple dwelling (four dwelling units permitted)
- Warehouse

Notwithstanding the provisions of Section 6.1.2 to the contrary, on the lands zoned CG-1 the following provision applies to the Multiple Dwelling use:

- Yards (minimum)
    - Interior Side 6m

2. **CG-2** *(Part of Lot 6, Concession 5, North Crosby – Newboro)*

Notwithstanding the provisions of Section 6.1.1 to the contrary, on the lands zoned CG-2, a warehouse shall be additional permitted uses. (#2004-164 – November, 2004)

3. **CG-3-h** *(Part of Lot 5, Concession 4, South Elmsley)*

Notwithstanding the provisions of Section 6.1.1 to the contrary, on the lands zoned CG-3-h, the following provisions shall prevail: (#2012-38 – June, 2012)

The holding designation requires:

- Permits are obtained and required works are completed and approved to
  convert the existing residential structure to a commercial structure.
- A commercial entrance permit is confirmed by the proper authorities.

4. **CG-4** *(Part of Lot 14, Concession 6, Ward of North Crosby – Newboro)*

Notwithstanding the provisions of Section 6.1.1 to the contrary, on the

lands zoned CG-4, the following additional uses shall be permitted: (#2015-47 – October, 2015)

The special exception is to limit the permitted uses on the property to the following:

- Accessory dwelling
- Accessory dwelling unit
- Community service
- Custom workshop
- Equipment rental outlet
- Garden centre
- Private park
- Professional or business office
- Service outlet
- Recreational establishment
- Tradesperson's establishment
- Automobile service station – Notwithstanding the definition of an automobile service station it shall not include pumps for the selling of gasoline and other petroleum fuels.

5. **CG-5** *(Part of Lot 4, Concession 5, North Crosby – Newboro)*

Notwithstanding the provisions of Section 6.1.1 to the contrary, on the lands zoned CG-5, a warehouse shall be an additional permitted use. (#2004-136 – August, 2004)

Notwithstanding the provisions of Section 6.1to the contrary, on the lands zoned CG-5, an additional permitted use shall be a Duplex Dwelling. (#2017-20 – April, 2017)

6. **CG-6** *(Part of Lot 27, Concession 3, Bastard & South Burgess)*

Notwithstanding the provisions of Section 6.1.1 to the contrary, on the lands zoned CG-6, agricultural use shall be an additional permitted use. (#2018-13 – April, 2018)

7. **CG-7** *(Part of Lot 4, Concession 4, South Elmsley)*

Notwithstanding the provisions of Section 6.1.1 to the contrary, on the lands zoned CG-7, an Automobile Body Shop shall be an additional permitted use. (#2018-36 – August, 2018)

8. **CG-8** (Part of Lots 21 and 22, Concession 1, South Crosby)

Notwithstanding the provisions of Section 6.1.1 to the contrary, on the lands zoned CG-8, the following additional uses shall be permitted:

- Warehouse
- Vehicle Storage

Notwithstanding the provisions of Section 3.18.1 to the contrary, on lands zoned CG-8 the number of parking spaces required for the development proposed within Site Plan Agreement SP-57-2021 is 48. (#2021-65 – December 2021)

6.2 Local Commercial (CL) Zone

1. Permitted Uses

accessory dwelling
accessory dwelling unit
additional residential unit
antique shop
bank
bed and breakfast
child care centre
clinic
community service
custom workshop
duplex dwelling
open market
personal service
professional or business office
recreational establishment
retail store
restaurant
school, commercial
semi-detached dwelling
single dwelling

2. Zone Provisions

- Lot Area (minimum) — $4050m^2$
- Lot Frontage (minimum)
  - Lots designated **Settlement Areas** in Official Plan — 40m
  - All other lots — 60m
- Yards (minimum)
  - Front
    - Lots designated **Settlement Areas** in Official Plan — 6m
    - All other lots — 10m
  - Exterior Side — 6m
  - Interior Side — 6m
  - Rear
    - Lots designated **Settlement Areas** in Official Plan — 7.5m
    - All other lots — 10m
- Commercial Floor Area (maximum) — $250m^2$
- Building Height (maximum) — 10m
- Lot Coverage (maximum)
  - Dwelling use for lot abutting

a water body	10%
• Dwelling use not abutting a water body	20%
• All other uses on lots designated **Settlement Areas** in Official Plan	50%
• All other uses on all other lots	40%
• Floor Space Index for dwelling use on a lot abutting a water body (maximum)	15%
• Dwelling Unit Area (minimum)	$60m^2$
• Dwellings per Lot (maximum)	1
• Additional Residential Unit (maximum)	2

3. **Additional Provisions**

1. **General Provisions**

In accordance with Section 3 hereof.

4. **Special Exception Zones**

1. **CL-1** (*Part Lot 20, Concession 2, Bastard & South Burgess*)

Notwithstanding the provisions of Section 6.2 to the contrary, on the lands zoned CL-1, an automobile service station would be a permitted use. (#2006-66 – June, 2006)

2. **CL-2** (*Part Lot 20, Concession 3, Bastard & South Burgess*)

Notwithstanding the provisions of Section 6.2 to the contrary, on the lands zoned CL-2, an automobile body shop and vehicle sales or rental establishment would be a permitted use. (#2006-67 – June, 2006)

3. **CL-3** (*Part Lot K, Plan 72, Village of Newboro*)

Notwithstanding the provisions of Section 6.2 to the contrary, on the lands zoned CL-3, a tourist lodging establishment would be a permitted use. (#2006-68 – June, 2006) (#2006-69 – June, 2006)

4. **CL-4** (*Part Lot 21, Concession 3, Bastard & South Burgess*)

Notwithstanding the provisions of Section 6.2 to the contrary, on the lands zoned CL-4, a tradesperson's establishment would be a permitted use. (#2008-5 – January, 2008)

5. **CL-5** (*Part of Lot 12, Concession 2, South Crosby*)

Notwithstanding the provisions of Section 6.2 to the contrary, on the lands zoned CL-5, a maximum of four apartment units would be a permitted use. (#2009-31 – May, 2009)

6. **CL-6** (*Part of Lots 13 & 14, Concession 2, South Crosby*)

Notwithstanding the provisions of Section 6.2 to the contrary, on the lands zoned CL-6 the construction of a medical centre and 6 apartments on the 2nd floor of the centre would be a permitted use. The existing accessory unit would be retained and the proposed new apartments would have a maximum of three bedrooms each. (#2009-57 – August, 2009)

7. **CL-7** (*Part Lot 20, Concession 3, Bastard & South Burgess*)

Notwithstanding the provisions of Section 6.2 to the contrary, on the lands zoned CL-7 the following site specific standards shall apply:

- The required Open Storage setback be a minimum of 10m with a minimum buffer strip of 2m in height to be located along the setback. The buffer strip shall be composed of a solid fence that is opaque in nature. This special provision shall apply to any shared lot line with a residential use. (#2012-51 – July, 2012)

8. **CL-8-h** *(Plan 153, Block A, Part Lot 3, Part Lot 28, 61 King Street ES, Bastard & South Burgess)*

Notwithstanding the provisions of 6.2.1 to the contrary, on lands zoned CL-8-h the following additional use shall be permitted: (#2015-51 – October, 2015)

- The conversion of the existing dwelling to a multiple dwelling allowing three or more dwelling units. The holding designation will require a Hydrogeological Report and a Servicing Options Report to be completed if the daily effluent exceeds 4500l as a result of the development.

10. **CL-9** *(Plan 88, Part Lot N, RP 28R9978, Part 2, South Crosby)*

Notwithstanding the provisions of 6.2.1 to the contrary, on lands zoned CL-10 the following additional use shall be permitted: (#2017-69 – December, 2017)

- Self-Storage Facility

9. **CL-10-h** *(Plan 1, Part Lot 12 Part Lot 13, South Crosby)*

Notwithstanding the provisions of 6.2.1 to the contrary, on lands zoned CL-9-h the following additional use shall be permitted: (#2019-20 – March, 2019)

- Multiple dwelling which contains three or more dwelling units

The holding designation requires a Hydrogeological Report and a Servicing options Report to be completed if the daily effluent exceeds 4500l as a result of any development on the property.

10. **CL-11** *(Plan 72, Part of Lot 2, North Crosby – Newboro)*

Notwithstanding the provision of Section 6.2 to the contrary, open storage for boat trailers only shall be an additional permitted use. (#2020-16 - April, 2020)

6.3 Tourist Commercial (CT) Zone

1. Permitted Uses

accessory dwelling
accessory dwelling unit
antique shop
bed and breakfast
community service
dry-land marina
marina
open market
park
place of assembly
recreational establishment
restaurant
school, commercial
tourist campground
tourist lodging establishment

2. Zone Provisions

• Lot Area (minimum)	
• Tourist Campground	2ha
• Other uses	4050m^2
• Lot Frontage (minimum)	60m
• Yards (minimum)	
• Front	10m
• Exterior Side	10m
• Interior Side	10m
• Rear	15m
• Accessory Dwelling Unit Area (minimum)	60m^2
• Building Height (maximum)	10m
• Tourist Campground Site	
• Site Area (minimum) for each Tent site	60m²
• Site Area (minimum) for each Park Model Trailer, Recreational Vehicle, or Travel Trailer Site	465m²
• Park Model Trailer, Recreational Vehicle, Travel Trailer footprint (maximum)	50m²
• Site Coverage (maximum)	18%
• Open Deck (maximum)	30m²
• Accessory Structures (maximum)	1
• Accessory Structure Size (maximum)	10m²
• Lot Coverage (maximum)	

- Tourist Campground 18%
- Other Uses 30%

- Accessory Dwellings or Dwelling Units per Lot (maximum) 1

3. **Additional Provisions**

1. **General Provisions**

In accordance with Section 3 hereof, except that the exceptions permitted in Section 3.31 Yard and Water Setback Encroachments shall not apply to a Tourist Campground.

2. If any lot line for a Tourist Campground abuts a rural (RU), residential (RG, RW, or RMH) or agricultural (A) zone, the required lot line setback is increased by 10m.

3. A planting strip of 5m is required along those parts of a lot line that abut a rural (RU), residential (RG, RW, or RMH) or agricultural (A) zone.

4. The development of marine facilities will not be permitted in a Narrow Channel.

5. Notwithstanding any provisions of this By-law to the contrary, on any Tourist Campground abutting a water body and used for purposes other than a marina, a maximum of 20% or 15m of the shoreline area, whichever is lesser, shall be occupied by marine facilities, pump houses, stairs, decks, patios, gazebos and all other accessory buildings and structures. For the purposes of this section, the shoreline area shall include that portion of the lot lying within 10m of the high water mark.

6. Tourist Campground Sites that legally existed prior to October 3, 2022 and that are less than the minimum Tourist Campground Site Area shall be permitted to be used for the purposes of a Park Model Trailer, Recreational Vehicle, Travel Trailer or Tent without the requirement to obtain relief from the minimum Tourist Campground Site Area. Park Model Trailers, Recreational Vehicles, Travel Trailers or Tents may be replaced provided the replacement occupies the same footprint as that being replaced. Park Model Trailers, Recreational Vehicles, Travel Trailers or Tents may be expanded in footprint provided all other zoning provisions are adhered to.

4. **Special Exception Zones**

1. **CT-1** *(Part of Lots 4 & 5, Concessions 6 & 7, South Crosby)*

On the lands zoned CT-1 the following additional provision shall apply:

- Any new building shall be flood proofed such that the minimum elevation of any opening shall be 99.16m geodetic.

2. **CT-2** *(Part of Lots 10, Concession 10, North Crosby – Newboro)*

Notwithstanding the provisions of Sections 6.3.1 and 6.3.2 to the contrary, on the lands zoned CT-2 the following provisions shall prevail:

- Permitted uses shall be restricted to:
  - Tourist lodging establishment;
  - Temporary facilities such as a marquee or tent, but not including a structure, for receptions catering to a maximum of 300 persons.

- Yards (minimum)
  - Front 61m
  - Interior Side and Rear 30.5m

3. **CT-3** *(Part of Lot 25, Concession 1, Bastard & South Burgess)*

Notwithstanding the provisions of Sections 6.3.1 and 6.3.2 to the contrary, on the lands zoned CT-3 the following provisions shall prevail:

- Permitted uses shall be restricted to a tourist campground;
- A maximum of 94 tourist campground sites shall be permitted.

4. **CT-4** *(Part of Lot 17, Concession 2, Bastard & South Burgess)*

Notwithstanding the provisions of Sections 6.3.1 to the contrary, on the lands zoned CT-4, a single dwelling shall be an additional permitted use. (#2002-172 – December, 2002)

5. **CT-5** (*Part of Lot 26 and 27, Concession 2, Bastard & South Burgess*)

Notwithstanding the provisions of Section 6.3 to the contrary, on the lands zoned CT-5 the following additional provisions apply:

- The number of trailers or recreational vehicles permitted within the CT zoned shall not exceed 91;

- The number of accommodation units permitted within the Tourist Lodging Establishment shall not exceed 8;
- An existing trailer or recreational vehicle that encroaches within a required yard or setback is permitted in its current location, but shall not be expanded, enlarged, or replaced except on an approved site in compliance with CT-6 zone standards;
- The interior side yard requirement shall be in accordance with the CT zone standard except the standard shall be 5m for that portion of the subject lands described as Part 18 on Plan 28R-5037 adjacent to the eastern side of the adjacent waterfront residential property, and 25m from the property line running between Parts 12 (on the subject lands) and Part 11 (on the adjacent waterfront residential property) on Plan 28R-5037;
- No constructed additions shall be permitted to the trailers except for those specifically manufactured as an attachment to a trailer. These permitted attachments shall comply to all standards of the CT-6 zone. A deck shall not be considered an addition; and
- Each trailer site shall be permitted one accessory building not to exceed 9.3m^2. (#2009-3 – January, 2009)

6. **CT-6** (*Part of Lot 14, Concession 10, North Crosby – Newboro*)

Notwithstanding the provisions of Section 6.3.1 to the contrary, on the lands zones CT-6, accessory buildings (i.e. sugar shack and storage shed) as well as agricultural use shall be additional permitted uses. (#2016-21 – April, 2016)

7. **CT-7** (*Part of Lot 15, Concession 10, North Crosby – Newboro*)

Notwithstanding the provisions of Section 6.3 to the contrary, on the lands zoned CT-7, the Tourist Campground use shall be prohibited. (#2016-21 – April, 2016)

8. **CT-8-h** (Part of Lots 27 & 28, Concession 8, *Bastard & South Burgess)*

Notwithstanding the provisions of Section 6.3.1 to the contrary, on the lands zoned CT-8-h, the permitted uses shall be:

- Accessory dwelling
- Accessory dwelling unit
- Agricultural use

- Antique shop
- Bed and breakfast
- Community service
- Golf course
- Marine facility
- Open market
- Park
- Private school
- Restaurant
- Tourist lodging establishment

On the lands zoned CT-8-h, the following definition shall apply to the Private school use on the land to which this By-law applies: *Private School: an educational establishment as defined in the Education Act, and includes any facility which has a body of students and teachers, and which provides primary, elementary, and secondary or adult education courses of study authorized or approved by the Minister of Education for the Province of Ontario. This definition also includes other private schools that provide such courses of study, and that may also provide other specialized training or instruction, whether such private schools are operated for-profit or not-for-profit."*

Notwithstanding the provisions of Section 6.3.2 and Section 3.27 to the contrary, on the lands zoned CT-8-h, the following provisions shall apply:

The existing 223m^2 Clubhouse and 55.8m^2 Sugar Shack are to have the following minimum setbacks:

- 5.6m rear yard setback
- 5.6m private right-of-way setback

On the lands zoned CT-8-h, for the purposes of a holding zone, the development of the property to which this By-law applies shall be implemented in the following phases:

Phase 1 includes:

- Golf Course
- Marine Facility
- Agricultural Use

Phase 2 includes:

- All other permitted uses

The property, specifically Phase 2, is hereby placed into a holding designation. The holding designation shall not be lifted prior to:

- A Site Plan Control Agreement between the applicant and the Township;
    - All property owners, as per the most current roll, within 120m of the subject properties shall be notified of the preceding Site Plan application and this notification will occur a minimum of 60 days prior to the review of the Site Plan application by the Planning Advisory Committee.
- The completion of any necessary studies to the satisfaction of the Township.

An application to lift the holding designation shall include the following additional requirements beyond those noted in the Planning Act:

- That confirmation be received that all lands subject to CT-8 Zoning have been merged and are not separately conveyable as per the Planning Act; and
- The notification of all property owners, as per the most current roll, within 120m of the subject properties for a minimum of 60 days. (#2018-46 – October, 2018)

SECTION 7 – INDUSTRIAL ZONES

7.1 General Industrial (MG) Zone

1. **Permitted Uses**

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

2. **Zone Provisions**

- Lot Area (minimum) $4050m^2$
- Lot Frontage (minimum) 60m
- Yards (minimum)
  - Front 10m
  - Exterior Side 10m
  - Interior Side 10m
  - Rear 15m
- Dwelling Unit Area (minimum) $60m^2$
- Building Height (maximum) 12m
- Lot Coverage (maximum) 20%
- Accessory Dwellings or Dwelling Units per Lot (maximum) 1

3. **Additional Provisions**

1. **General Provisions**

In accordance with Section 3 hereof.

2. **Automobile Service Station Pump Islands and Canopies**

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

3. **Minimum Separation Distance for a Kennel**

- From a sensitive land use on another lot or a Residential zone 300m

4. **Special Exception Zones**

1. **MG-1** (*Part Lot 9, Concession 1, South Crosby*)

Notwithstanding the provisions of Section 7.1.1 to the contrary, on the lands zoned MG-1, only the following uses are permitted: (#2011-22 – April, 2011)

- Agricultural products processing facility
- Wholesale establishment

2. **MG-2-h** (Part Lots 9 & 10, Concession 3, South Elmsley)

Notwithstanding the provisions of Section 7.1.2 to the contrary, on the lands zoned MG-2-h, the following provisions will apply: (#2021-25 – April 2021)

Yards (minimum)
- Front 25m
- Front for bulk storage propane tanks: 90m

For the purposes of the holding zone, the development of the property to which this By-law applies shall be limited to:
- Fuel Storage Facility
- Transportation Depot
- Warehouse

The Holding Designation shall not be lifted prior to:
- The approval of a Traffic Impact Study by the Ministry of Transportation

7.2 Salvage Yard Industrial (MS) Zone

1. **Permitted Uses**

accessory dwelling
accessory dwelling unit
salvage yard

2. **Zone Provisions**

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

3. **Additional Provisions**

1. **General Provisions**

In accordance with Section 3 hereof.

2. **Minimum Separation Distance for a Salvage Yard**

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

4. **Special Exception Zones**
(reserved)

7.3 Disposal Industrial (MD) Zone

1. Permitted Uses

portable asphalt plant
soil management site
waste disposal site
waste transfer facility
wayside pit
wayside quarry

2. Zone Provisions

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

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Minimum Separation Distance for a Waste Disposal Site

- From a sensitive land use on another lot or a Residential zone 500m
- From a non-sensitive land use on another lot 200 m
- From a watercourse or water body 500m

4. Special Exception Zones

(reserved)

SECTION 8 – INSTITUTIONAL ZONES

8.1 Institutional (I) Zone

1. **Permitted Uses**

accessory dwelling
accessory dwelling unit
cemetery
child care centre
community service
park
place of assembly
place of worship
recreational establishment
residential facility
school
school, commercial

2. **Zone Provisions**

• Lot Area (minimum)	4050m^2
• Lot Frontage (minimum)	
• Lots designated **Settlement Areas** in Official Plan	40m
• All other lots	60m
• Yards (minimum)	
• Front	
• Lots designated **Settlement Areas** in Official Plan	6m
• All other lots	10m
• Exterior Side	6m
• Interior Side	10m
• Rear	10m
• Dwelling Unit Area (minimum)	60m^2
• Building Height (maximum)	12m
• Lot Coverage (maximum)	20%
• Accessory Dwellings or Dwelling Units per Lot (maximum)	1

3. **Additional Provisions**

1. **General Provisions**

In accordance with Section 3 hereof.

4. **Special Exception Zones**

1. **I-1** *(Part of Lot 9, Concession 7, North Crosby – Newboro)*

Notwithstanding the provisions of Section 8.1.1 to the contrary, on the lands zoned I-1, an aerodrome shall be an additional permitted use.

Notwithstanding the provisions of Section 8.1.2 to the contrary, on the lands zoned I-1, the following site specific standards apply: (#2012-70 – November, 2012)

Yards (minimum)

- Interior & Exterior Side 6m
- Rear 7.5m

2. **I-2** *(Part of Lot 37, Plan 88, South Crosby)*

Notwithstanding the provisions of Section 8.1.1 to the contrary, on the lands zoned I-2, professional or business office would be a permitted use. (#2006-65 – June, 2006)

3. **I-3** (*Part of Lot B, Plan 88, South Crosby)*

Notwithstanding the provisions of Section 8.1.2 to the contrary, on the lands zoned I-3, a minimum interior side yard setback of 4.57m from the existing place of worship shall be permitted. (#2016-38 – June, 2016)

Notwithstanding the provisions of Section 8.1.2 to the contrary, on the lands zoned I-3, minimum interior side yard setbacks of 1.52m and 3.04m from the existing accessory structure (hall) shall be permitted.

SECTION 9 - OPEN SPACE ZONES

9.1 Open Space (OS) Zone

1. **Permitted Uses**

accessory dwelling
accessory dwelling unit
agricultural use, excluding buildings
conservation use
marine facility
park
recreational establishment, excluding buildings

2. **Zone Provisions**

• Yards (minimum)	15m
• Dwelling Unit Area (minimum)	$60m^2$
• Building Height (maximum)	12m
• Lot Coverage (maximum)	20%
• Accessory Dwellings or Dwelling Units per Lot (maximum)	1

3. **Additional Provisions**

1. **General Provisions**

In accordance with Section 3 hereof.

4. **Special Exception Zones**

1. **OS-1** *(Part of Lot 17, Concession 2, Bastard & South Burgess)*

Notwithstanding the provisions of Sections 9.1.1 to the contrary, on the lands zoned OS-1 and measuring approximately 45m in length and 6m in width, permitted uses shall be restricted to an access driveway and boat launch ramp as accessory uses to uses permitted in the CT-6 zone. (#2002-172 – December, 2002)

2. **OS-2** *(Part of Lot 17, Concession 2, Bastard & South Burgess)*

Notwithstanding the provisions of Sections 9.1.1 to the contrary, on the lands zoned OS-2 and measuring approximately 45m in depth from the shore, permitted uses shall be restricted to a conservation use with buffer planting as detailed on an approved site plan and to the existing private access road along the northern property boundary. (#2002-172 – December, 2002)

3. **OS-3** *(Part of Lot 23, Concession 1, Bastard & South Burgess)*

Notwithstanding the provisions of Sections 9.1.1 to the contrary, on the lands zoned OS-3, the following provisions shall prevail: (#97-26 – December, 1997)

- Permitted uses shall be restricted to a park, a conservation use and a marine facility for the exclusive use of lots in the RG-1 zone;
- For each RG-1 lot, 1 boat slip having a maximum length of 6.1 m shall be permitted;
- No asphalt shall be used for the construction or repair of any boat launch ramps.

4. **OS-4** *(Various Rideau Waterway Land Trust lands)*

Notwithstanding the provisions of Sections 9.1.1 to the contrary, on the lands zoned OS-4, the following provision shall prevail:

- Permitted uses shall be restricted to a park, a conservation use and a marine facility.

5. **OS-5** (*Part Lot 26 and 27, Concession 2, Bastard & South Burgess*)

Notwithstanding the provisions of Section 9.1 to the contrary, on the lands zoned OS-5 the following additional provisions apply: (#2009-3 – January, 2009)

- Permitted uses shall be restricted to a park and a conservation use.

6. **OS-6** (*Part Lot 15, Concession 10, Bastard & South Burgess*)

Notwithstanding the provisions of Section 9.1 to the contrary, on the lands zoned OS-6 the following uses are permitted: (#2011-53 – July, 2011)

- conservation use
- park
- marine facility

7. **OS-7** (*Part Lot 3, Concession 4, South Crosby*)

Notwithstanding the provisions of Section 9.1.1 to the contrary, on the lands zoned OS-7, only the following uses are permitted: (#2012-24 – April, 2012)

- conservation use

8. **OS-8** (*Part Lot 3, Concession 4, South Crosby*)

Notwithstanding the provisions of Section 9.1.1 to the contrary, on the lands zoned OS-8, only the following uses are permitted: (#2012-25 – April, 2012)

- conservation use

9. **OS-9** (*Vacant Land Condominium Elements, Part Lot 9, Concession 6, North Crosby – Newboro*)

Notwithstanding the provisions of Section 9.1.1 to the contrary, on the lands zoned OS-9, only the following uses are permitted: (#2014-58 – September, 2014)

- conservation use
- park
- water, sanitary services and access road

10. **OS-10** *(Part Lot 21, Concession 8, South Crosby)*

Notwithstanding the provisions of Section 9.1.1 to the contrary, on the lands zoned OS-10, the following permitted uses apply: (#2013-14 – February, 2013)

- conservation use
- marine facility

Notwithstanding the provisions of Section 3.30.1 to the contrary, on the lands zoned OS-10, the minimum water frontage shall be 41.1m.

11. **OS-11** (*Part Lot 1, Concession 3, South Elmsley*)

Notwithstanding the provisions of Section 9.1.1 to the contrary, on the lands zoned OS-11, the following additional use shall be permitted: (#2015-50 – October, 2015)

- off-Leash Dog Park

12. **OS-12** (*Part Lots 22 and 23, Concession 4, South Elmsley*)

Notwithstanding the provisions of Section 9.1.1 to the contrary, on the lands zoned OS-12, only the following uses are permitted: (#2018-15 & #2018-25 – April/May, 2018)

- conservation use

13. **OS-13** (*Part of Lot 4, Concession 4, South Elmsley*)

Notwithstanding the provisions of Section 9.1.1 to the contrary, on the lands zoned OS-13, Conservation Use shall be the only permitted use. (#2018-36 – August, 2018)

SECTION 10 – PARKING LOT ZONES

10.1 Parking Lot (PL) Zone

1. **Permitted Uses**

Uses accessory to residential uses located on island lots or waterfront lots with no road access, and restricted to the following:

- marine facility
- parking of licensed vehicles
- storage of equipment and supplies within a building

2. **Zone Provisions**

• Lot Area (minimum)	$4050m^2$
• Lot Frontage (minimum)	60m
• Yards (minimum)	
◦ Front	10m
◦ Exterior Side	6m
◦ Interior Side	6m
◦ Rear	7.5m
• Lot Coverage (maximum)	10%

3. **Additional Provisions**

1. **General Provisions**

In accordance with Section 3 hereof.

2. **Special Yard and Water Setback Provisions**

Notwithstanding any provisions of this By-law to the contrary, parking spaces and accessory buildings and structures, excluding marine facilities, shall be located in accordance with the yard and water setback provisions of Sections 10.1.2 and 3.30, respectively.

3. Vegetative Filter Strip Provisions

Notwithstanding Section 3.23, a maximum of 20% or 15m of the shoreline area, whichever is lesser, shall be occupied by marine facilities and permitted to have selective removal of vegetation sufficient to accommodate access. The remainder of the shoreline area shall be maintained as a vegetative filter strip.

4. **Special Exception Zones**

1. **PL-1** (*Plan 72, Part Lot A and Part Lot B, Village of Newboro*)

   Notwithstanding the provisions of Section 10.1 to the contrary, on the lands zoned PL-1, a reduced minimum setback of 2m for all yards would be permitted. The parking lot shall not exceed a maximum of three vehicles. (#2006-74 – June, 2006)

2. **PL-2** (*Part Lot 7, Concession 6, Ward of North Crosby - Newboro*)

   Notwithstanding the provisions of Section 10.1 to the contrary, on the lands zoned PL-2, the construction of a garage for storage of boats, vehicles and accessories on a waterfront property without road frontage would be a permitted use. (#2006-102 – August, 2006)

3. **PL-3** (*Part Lot 12, Concession 5, Ward of South Crosby*)

   Notwithstanding the provisions of Section 10.1 to the contrary, on the lands zoned PL-3, a parking lot be a permitted use. This Parking Lot Zone shall be limited to a maximum of three vehicles. (#2008-80 – October, 2008)

SECTION 11 – RURAL ZONES

11.1 Rural (RU) Zone

1. **Permitted Uses**

accessory dwelling
accessory dwelling unit
additional residential unit
agricultural use
bed and breakfast
conservation use
duplex dwelling
existing cemetery
kennel
place of worship
portable asphalt plant
semi-detached dwelling
single dwelling
wayside pit
wayside quarry

2. **Zone Provisions**

- Lot Area (minimum)
  - Single dwelling, duplex dwelling, semi-detached dwelling 4050m^2
  - Other permitted uses 1ha
- Lot Frontage (minimum) 60m
- Yards (minimum)
  - Front
    - Lots designated **Settlement Areas** in Official Plan 6m
    - All other lots 10m
  - Exterior Side 6m
  - Interior Side 6m
  - Rear 7.5m
- Dwelling Unit Area (minimum) 75m^2
- Building Height (maximum) 10m
- Lot Coverage (maximum)
  - Area within 60m of a water body 10%
  - All other lots/areas 20%
- Floor Space Index for area within 60m of a water body (maximum) 15%
- Dwellings per Lot (maximum) 1
- Additional Residential Unit (maximum) 2

3. **Additional Provisions**

1. **General Provisions**

In accordance with Section 3 hereof.

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

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

4. **Special Exception Zones**

1. **RU-1** *(Part of Lot 13, Concession 7, North Crosby – Newboro)*

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-1, a multiple dwelling shall be an additional permitted use, and shall be subject to the following provision:

- Dwelling units (maximum) 4 units

2. **RU-2** *(Part of Lot 6, Concession 9, North Crosby – Newboro)*

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-2, a butcher shop shall be an additional permitted use.

3. **RU-3** *(Part of Lot 10, Concession 3, South Crosby)*

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-3, a golf driving range shall be an additional permitted use, and shall be subject to the following provision:

- Parking spaces (minimum) 1 space per tee box plus 1 additional space

4. **RU-4** (*Part Lot 8, Concession 3, South Crosby*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-4, a custom workshop and contractors yard shall be permitted uses. (#2006-72 - June, 2006)

5. **RU-5** (*Part Lot 13 and Part Lot 14, Concession 2, South Elmsley)*
(Part Lot 8 and Part Lot 9, Concession 2, South Elmsley)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-5, a golf course shall be a permitted use. (#2006-76 and #2006-77 - June, 2006)

6. **RU-6** (*Part Lot 23 and 24, Concession 2, RP 28R-6663, Bastard & South Burgess*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands identified as RU-6, the storage of vehicles and boats shall be a permitted use. (#2007-81 – October, 2007)

7. **RU-7** (*Part Lot 6, Concession 7, North Crosby - Newboro*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands identified as RU-7, a live steam track and associated uses shall be permitted uses. (#2008-39 – May 5, 2008)

8. **RU-8** (*Part Lot 18, Concession 7, North Crosby – Newboro*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands identified as RU-8, the construction of a dwelling within 203m of the adjacent barn is precluded and a sugar shack would be a permitted use. (#2009-90 – November, 2009)

9. **RU-9** (*Part of Lot 20, Concession, South Elmsley*)

Notwithstanding the provisions of 11.1.2 to the contrary, on the lands identified as RU-9, a minimum 258m setback shall be required between any future dwelling and the nearest adjacent livestock facility. (#2010-24 – March, 2010)

10. **RU-10** (*Part of Lot 4, Concession 7, North Crosby – Newboro)*

Notwithstanding the provisions of Section 11.1.2 to the contrary. On the lands zoned RU-10, a minimum 160m setback shall be required between any future dwelling and the neighbouring livestock facility north of the subject lands. (#2010-42 – May, 2010)

11. **RU-11** (*Part Lot 18, Concession 9, South Crosby*)

Notwithstanding the provisions of Section 3.21 to the contrary, on the lands identified as RU-11, the required 500m development setback surrounding a Disposal Industrial Zone (MD) (i.e. landfill) shall be reduced to 150m. (#2010-60 – June, 2010)

12. **RU-12** (*Part of Lot 23, Concession 5, South Elmsley*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on

the lands zoned RU-12, Custom Workshop and Tradespersons Establishment shall be considered permitted uses. This Special Exception Zone shall only encompass the first 60m of the property from Old Kingston Road and west of private road R9. (#2010-80 – August, 2010)

13. **RU-13** *(Part of Lot 15, Concession 9, North Crosby – Newboro*)

Notwithstanding the provisions of Section 3.21 to the contrary, on the lands zoned RU-13, a minimum 232m setback shall be required between any future dwelling and the nearest adjacent livestock facility. The future construction of a dwelling shall occur within the "buildable envelope" as identified by By-law 2011-4. (#2011-4 – February, 2011)

14. **RU-14***(Part Lot 18 and 19, Concession 9, Bastard & South Burgess)*

Notwithstanding the provisions of 11.1.2 to the contrary, on the lands zoned RU-14, the following is permitted: (#2011-31 – May, 2011)

- Lot Frontage (minimum) 34m

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-14, no structure, existing as of May 2011, shall be used as a livestock facility. (#2011-31 – May, 2011)

15. **RU-15** *(Part of Lot 13, Concession 1, South Crosby)*

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-15, a professional or business office shall be an additional permitted use. (#2011-33 – May, 2011)

16. **RU-16** *(Part of Lot 6, Concession 1, Bastard & South Burgess)*

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-16, the following use shall be permitted: (#2012-86 – December, 2012)

- Dry Land Marina

Notwithstanding the provisions of Section 11.2 to the contrary, on the lands zoned RU-16, the following site specific standards apply:

- Yards (minimum)
  - Exterior Side 10m
  - Interior Side 10m
  - Rear 10m

17. **RU-17** *(Part of Lot 7, Concession 8, South Crosby)*

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands zoned RU-17, the following additional uses shall be permitted: (#2013-54 – December, 2013)

- contractor's Yard
- transportation Depot

18. **RU-18** *(Part of Lot 21, 22, 23 and 24, Concession 7, Bastard & South Burgess)*

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands zoned RU-18, the following additional uses shall be permitted: (#2013-85 – December, 2013)

- agricultural Products Processing Facility
- feed Supply Outlet
- wholesale Establishment

19. **RU-19** *(Part Lot 6, Concession 9, North Crosby – Newboro)*

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands zoned RU-19, the following additional uses shall be permitted: (#2015-56 – November, 2015)

- custom Workshop
- personal Service limited to a maximum area of 93m²

20. **RU-20** *(Part Lot 3, Concession 3, South Elmsley)*

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands zoned RU-20, the permitted uses shall be restricted to a Custom Workshop.

Notwithstanding the provisions of Section 3.18 to the contrary, on the lands zoned RU-20, two parking spaces in tandem shall be permitted. (#2016-66 – November, 2016)

21. **RU-21-h** *(Part Lot 18, Concession 2, South Elmsley)*

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands zoned RU-21-h, the following additional uses shall be permitted: (#2017-1 – March, 2017)

- winery

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands zoned RU-21-h, the following definition shall apply to the Winery on the lands to which this By-law applies:

Winery: Shall mean buildings or structures, or parts thereof, secondary to the agricultural use of a vineyard and/or fruit farm, where wines are produced and include display, processing of fruit, fermentation, production, bottling, aging and storage of wine and wine related products for use in on-site tasting areas, retail, administrative facilities, and indoor events and outdoor events but shall not include an on-site restaurant. Wine tasting and the offering for sale of locally-grown product samples is considered part of the Winery activity.

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands zoned RU-21-h, the following provisions shall also be permitted for the Winery on the lands to which this By-law applies:

i. The retail sale of wine produced on-site shall be permitted subject to the following regulations:
   a. *It shall not conflict with any minimum floor area requirement for licensing approval by the Province of Ontario;*
   b. *On-site tasting room and retail floor space shall not exceed the lesser of 75m^2 or 25% of the total winery floor area (excluding any below ground floor area); and*
   c. *The on-site retail floor space for non-agricultural items and products shall not exceed 5% of the total retail floor space*

ii. As an accessory use to the Winery, a separate area shall be permitted where food and beverages are offered for consumption for event purposes by the general public under license from the Alcohol and Gaming Commission of Ontario, provided that such use is secondary and accessory to the Winery use.

iii. Temporary overnight accommodation shall be permitted on site in an area not to exceed 185.8m^2. Such temporary overnight accommodation shall be intended to support events held on the property directly related to the production and serving of wines and related products produced on-site.

iv. Lands zoned for Winery uses shall be placed in a holding designation until such time that any required supportive studies are completed to the satisfaction of the Township and other commenting agencies.

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands zoned RU-21-h, the development of the Winery on the lands to which this By-law applies shall be implemented in the following phases:

Phase 1 includes:

- Establishment of the vineyards on-site for future production and winery activity
- Obtaining a commercial license for wine production
- Relocating the barn and stone house to the property

- Obtaining any required building permits to erect the two structures
- Completing and structural, not interior, renovations on the stone house and barn

Phase 2 includes:

- Interior renovations to the stone house to accommodate the winery, tasting and production areas
- Renovating the barn to function as an events facility
- Obtaining the required approvals for the proposed septic system
- Establishing the driveways and parking areas to accommodate vehicular traffic
- Establishing temporary accommodations on-site with a maximum area of 185.8m^2

The property is hereby placed into a holding designation. The holding designation requires:

- A supportive Hydrogeological Report and a Servicing Options Report to be completed if the daily litres of effluent exceed 4500l in either of the proposed phases;
- The completion of studies, which may include, but are not limited to, a traffic impact study, a stormwater brief (and if required a stormwater management report), a grading and drainage plan, and a noise study prior to the implementation of Phase 2.

Notwithstanding the provisions of section 11.1 to the contrary, on the lands zoned RU-21-h, existing agricultural use within 30m of the adjacent Provincially Significant Wetland will be permitted.

22. **RU-22** *(Part of Lot 14, Concession 4, South Elmsley)*

Notwithstanding the provisions of Section 3.10.1 to the contrary, on the lands zoned RU-22, no more than 83.6m^{2}of the floor area of the dwelling unit shall be used for the home-based business.

Notwithstanding the provisions of Section 3.10.6 to the contrary, on the lands zoned RU-22 where instruction is provided, there shall be no more than twelve persons, other than the instructor, in attendance at any one time. (#2017-32 – May, 2017)

23. **RU-23-h** *(Part of Lot 11 & 12, Concession 2, Bastard & South Burgess & Lot 9, Part of Lot 8, Part of Lots 10 to 12, Concession 1, Bastard & South Burgess)*

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-23-h, the following additional uses shall be permitted in accordance with the noted phasing: (#2017-40 – June, 2017)

- outdoor motor vehicle demonstration facility
- outdoor recreation facility
- Tourist Lodging Establishment (cabins only)

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands zoned RU-23-h, the following definition shall apply to the Outdoor Recreation Facility on the land to which this By-law applies:

Outdoor Recreation Facility: Shall mean buildings, structures, or premises used for commercially based recreational uses such as hiking, snowshoeing, skiing and skating, as well as temporary camping.

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands zoned RU-23-h, the development of the Outdoor Motor Vehicle Demonstration Facility, Outdoor Recreation Facility, and Tourist Lodging Establishment (Cabins only) on the land to which this By-law applies shall be implemented in the following phases:

Phase 1 includes:
- outdoor motor vehicle demonstration facility
- outdoor recreation facility (no temporary camping)

Phase 2 includes:
- tourist lodging establishment (cabins only)
- temporary camping permitted by the outdoor recreation facility

The property is hereby placed into a holding designation. The holding designation requires:

- The completion of studies, which may include, but are not limited to, a servicing study, a natural heritage study, and an emergency management plan, prior to the implementation of Phase 2.

24. **RU-24** *(Part of Lot 7, Concession 7, North Crosby – Newboro)*

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-24, a duplex dwelling shall be an additional permitted use. (#2018-50 – November, 2018)

25. **RU-25-h** *(Part of Lots 2 and 3, Concession 3, South Crosby)*

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-25-h, the permitted uses shall be:

- accessory dwelling
- accessory dwelling unit

- agricultural use
- bed and breakfast
- community service
- conservation use
- custom workshop
- existing cemetery
- kennel
- marine facility
- place of worship
- portable asphalt plant
- private park
- private school
- restaurant
- retail store
- single dwelling
- tourist campground
- tourist lodging establishment
- wayside pit
- wayside quarry

On the lands zoned RU-25-h, the following definition shall apply to the Private school use on the land to which this By-law applies:

Private School: an educational establishment as defined in the Education Act, and includes any facility which has a body of students and teachers, and which provides primary, elementary, and secondary or adult education courses of study authorized or approved by the Minister of Education for the Province of Ontario. This definition also includes other private schools that provide such courses of study, and that may also provide other specialized training or instruction, whether such private schools are operated for-profit or not-for-profit.

On the lands zoned RU-25-h, for the purposes of a holding zone, the development of the property to which this By-law applies shall be implemented in the following phases:

Phase 1 includes:
- accessory dwelling
- accessory dwelling unit
- agricultural use
- bed and breakfast
- community service
- conservation use
- custom workshop
- existing cemetery
- kennel

- marine facility
- place of worship
- portable asphalt plant
- private school
- single dwelling
- tourist lodging establishment - limited to 4 Cabins and accessory uses which may include accommodation for staff, kitchen facilities, dining areas, meeting rooms and other similar uses
- tourist campground – limited to 16 tents*
- wayside pit
- wayside quarry

* At no point shall Phase 1 of the proposed development exceed 16 tents within the Tourist Campground use and 4 cabins within the Tourist Lodging Establishment use, however these uses shall be considered interchangeable as either 4 cabins are permitted or 16 tents. A combination approach is also permitted at a ratio of 1 cabin to 4 tents.

Phase 2 includes the following additional uses:

- private park
- restaurant
- retail store
- tourist lodging establishment – seasonal camp and removal of the limit on the number of cabins

The property, specifically Phase 2, is hereby placed into a holding designation. The holding designation shall not be lifted prior to:

- The completion of any necessary studies/plans to the satisfaction of the Township, which may include, but is not limited to, a hydrogeological and terrain analysis, an Environmental Impact Study, and an emergency management plan. (#2019-18 & 2019-28 – April, 2019 & 2021-18 – March, 2021)

26. **RU-26** *(Part of Lots 20, 21 & 22, Concession 7, Bastard & South Burgess)*

Notwithstanding the provision of Section 11.1 to the contrary, on lands zoned RU-26 the following additional uses shall be permitted (#2022-27 – July 2020):

- agricultural products processing facility
- feed supply outlet
- wholesale establishment

27. **RU-27-T** (Part Lot 16, Concession 2, South Elmsley)

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands identified as RU-27-T, the following use shall be permitted on a temporary basis of up to 20 years commencing at the date of the passing of this By-law (#2021-15 & 2021-16 – March 2021):

- garden suite

28. **RU-28** (*Part Lot 7, Concession 3, South Elmsley)*

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-28, a multiple dwelling (triplex) shall be an additional permitted use.

Notwithstanding the provisions of Section 11.1.2 to the contrary, on the lands zoned RU-28, the following site specific standard applies (#2021-34 – June, 2021):

- Dwelling Unit Area (minimum) $38m^2$

29. **RU-29** (*Part Lot 7, Concession 5, South Elmsley*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-29, the permitted uses shall be restricted to the following:

- agricultural use
- conservation use
- single dwelling

Notwithstanding the provisions of Section 11.1.2 to the contrary, on the lands zoned RU-29, the following provisions such apply (#2021-59 – October 2021):

- Dwellings per Lot (maximum): 2

30. **RU-30** (*Part Lot 8, Concession 3, South Crosby*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-30, a duplex dwelling shall be an additional permitted use. (#2021-73 – Dec, 2021)

31. **RU-31-T** (*Part Lot 23, Concession 1, South Crosby*)

Notwithstanding the provisions of Section 11.1.2 to the contrary, on the lands zoned RU-31-T, the following use shall be permitted on a temporary basis of up to 20 years commencing at the date of the

passing of this By-Law (#2022-71 – November 2022):

- garden suite

32. **RU-32** (*Part Lot 4, Concession 5, North Crosby – Newboro*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-32, a multiple dwelling (fourplex) shall be an additional permitted use.

Notwithstanding the provisions of Section 11.1.2 to the contrary, on the lands zoned RU-32, the following provisions such apply (#2022-82 – December 2022):

- Dwelling Units per Lot (maximum): 4

33. **RU-33** (*Part Lot 15, Concession 7, North Crosby – Newboro*)

Notwithstanding the provisions of Section 3.18 to the contrary, on the lands zoned RU-33, the required 500m sensitive land use setback surrounding a Disposal Industrial Zone (MD) shall be reduced to 233m.

Notwithstanding the provisions of Section 11.1.1 and 3.15 to the contrary, on the lands zoned RU-33, an Off-Leash Dog Park shall be an additional permitted use, and shall be subject to the following provision:

- Parking spaces (minimum) 1 per 200m2 of fenced in area per Off-Leash Dog Park

Off-Leash Dog Park shall be defined as a designated park that is fully fenced where dogs can be leash free and where no other use within the park shall be permitted.

Notwithstanding the provisions of Section 11.1.3.3 and 3.15 to the contrary, on the lands zoned RU-33, the required 300m residential use setback to a kennel shall be reduced to 240m, and shall be subject to the following provision (#2023-37 – July 2023):

- Parking spaces (minimum) 1 space per 25m2 of floor area per Kennel

34. **RU-34** (*Part Lot 8, Concession 5, South Elmsley*)

Notwithstanding the provisions of Section 11.1.2 to the contrary, on the lands zoned RU-34, the following provisions shall apply (#2023-38 – July 2023):

- Lot Frontage (minimum): 45m
- Front Yard (minimum): 45m

35. **RU-35** (*Part of Lot 12, Concession 7 and Part of Lots 12-13, Concession 8, North Crosby – Newboro*)

Notwithstanding the provisions of Section 11.1.3 and 3.21 to the contrary, on the lands zoned RU-35, the required 500m sensitive land use setback to the licensed quarry at Concession 7 Part of Lots 11-13, North Crosby – Newboro shall not apply (#2023-47 – September 2023).

SECTION 12 - AGRICULTURE ZONES

12.1 Agriculture (A) Zone

1. Permitted Uses

accessory dwelling
accessory dwelling unit
agricultural related use
agricultural use
bed and breakfast
conservation use
portable asphalt plant
single dwelling
wayside pit
wayside quarry

2. Zone Provisions

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

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Requirements for Residential Lots Created by Consent

Notwithstanding the zone provisions of Section 12.1.2 to the contrary, where a lot is severed for residential purposes, such lot may be used for a single dwelling in accordance with the zone provisions of Section 5.1.2 and the retained lot shall be exempt from the lot area provision of Section 12.1.2.

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

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

4. **Special Exception Zones**

1. **A-1** (*Part Lot 1 and 2, Concession 1, South Elmsley*)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on the lands identified as A-1, the construction of a new residential dwelling is prohibited. This zoning shall apply to the enlarged lot created by Consent Application B-161-08. (#2009-46 – June, 2009)

2. **A-2** (*Part Lot 1, Concession 2, South Elmsley*)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on the lands identified as A-2, the construction of a new residential dwelling is prohibited. This zoning shall apply to the retained lands associated to Consent Application B-30-20. (#2021-10 – February, 2021)

3. **A-3** (*Bastard Concession 2 Part Lot 25, Bastard & South Burgess*)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on the lands identified as A-3, the construction of a new residential dwelling is prohibited. This zoning shall apply to the retained lands associated to Consent Application B-141-21. (#2022-26 – April, 2022)

SECTION 13 – MINERAL RESOURCE ZONES

13.1 Mineral Aggregate Extraction (EX) Zone

1. **Permitted Uses**

aggregate processing operation
agricultural use, excluding buildings
asphalt plant
concrete plant
conservation use, excluding buildings
pit
portable asphalt plant
quarry
soil management site
wayside pit
wayside quarry

2. **Zone Provisions**

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

3. **Additional Provisions**

1. **General Provisions**

In accordance with Section 3 hereof.

2. **Minimum Separation Distance From a Dwelling on Another Lot**

- Pits 300m
- Quarry, asphalt plant or concrete plant 500m

4. **Special Exception Zones**

EX-1-h (*Part Lot 13 and 14, Concession 6, South Crosby*)

Notwithstanding the provisions of Section 13.1.3.2 to the contrary, on the lands zoned EX-1-h, the following provision shall apply:

- The minimum separation distance from a sensitive land use to a sand pit shall be 50m.

The lands that are zoned EX-1-h are hereby placed into a holding designation. The holding designation shall not be lifted prior to:

- The completion of any necessary studies/plans to the satisfaction of the Township, which may include, but are not limited to, a Land Use Compatibility Study.

SECTION 14 – NATURAL HERITAGE ZONES

14.1 Environmental Protection (EP-A) Zone

1. **Permitted Uses**

   conservation use, excluding buildings
   existing agricultural use

2. **Zone Provisions**

   All Yards (minimum) 15m

3. **Additional Provisions**

   1. **General Provisions**

      In accordance with Section 3 hereof.

   2. **Special Provisions**

      No building or structure shall be erected, altered or used.

4. **Special Exception Zones**
   (reserved)

14.2 Environmental Protection (EP-B) Zone

1. **Permitted Uses**

conservation use
existing use
public park

2. **Zone Provisions**

All Yards (minimum) 15m

3. **Additional Provisions**

1. **General Provisions**

In accordance with Section 3 hereof.

2. **Special Provisions**

No building or structure shall be erected, altered or used except in accordance with the recommendations of an Environmental Impact Study undertaken to the satisfaction of the Township.

4. **Special Exception Zones**

1. **EP-B-1** *(Part of Lots 1 & 2, Concessions 6 & 7, South Crosby)*

Notwithstanding the provisions of Section 14.2.1 to the contrary, on the lands zoned EP-B-1, a seasonal camp shall be an additional permitted use. (#2003-112 – September, 2003)

2. **EP-B-2** (*Part Lot 24, Concession 5, South Elmsley*)

Notwithstanding the provisions of Section 14.2.1 to the contrary, on the lands zoned EP-B-2, an accessory building shall be a permitted use. (#2008-74 – October, 2008)

3. **EP-B-3** *(Otter-Hutton Creek Area, South Elmsley)*

Notwithstanding the provisions of Section 14.2.3 to the contrary, on the lands zoned EP-B-3, the following provisions shall also apply: (#2017-54 – September, 2017)

- No fill shall be placed except with the written approval of the relevant Conservation Authority.
- No building or structure shall be erected, altered or used except with the written approval of the relevant Conservation Authority.
- Where permission under Section 45 of the Planning Act is gained

for legal non-conforming structures/buildings the zoning provisions of an applicable zone shall apply. For waterfront properties used for residential purposes the Waterfront Residential (RW) zone shall apply. For non-waterfront properties used for purposes as permitted in the Rural (RU) zone, the RU zone provisions shall apply. For commercial/institutional/industrial uses the applicable commercial/institutional/industrial zoning shall apply. (#2016-36 – July, 2016)

14.3 Environmental Protection (EP-C) Zone

1. **Permitted Uses**

   conservation use
   existing agricultural use

2. **Zone Provisions**

   All Yards (minimum) 15m

3. **Additional Provisions**

   1. **General Provisions**

      In accordance with Section 3 hereof.

   2. **Special Provisions**

      No building or structure shall be erected, altered or used except in accordance with the recommendations of an Environmental Impact Study undertaken to the satisfaction of the Township.

4. **Special Exception Zones**
   (reserved)

SECTION 15 - NATURAL HAZARD ZONES

15.1 Flood Plain (FP) Zone

1. Permitted Uses

agricultural use, excluding buildings
conservation use
marine facility
park, excluding buildings
recreational establishment, excluding buildings

2. Zone Provisions

1. No fill shall be placed except with the written approval of the relevant Conservation Authority.

2. No building or structure shall be erected, altered or used except with the written approval of the relevant Conservation Authority.

3. Where permission under Section 45 of the Planning Act is gained for legal non-conforming structures/buildings the zoning provisions of an applicable zone shall apply. For waterfront properties used for residential purposes the Waterfront Residential (RW) zone shall apply. For non-waterfront properties used for purposes as permitted in the Rural (RU) zone, the RU zone provisions shall apply. For commercial/institutional/industrial uses the applicable commercial/institutional/industrial zoning shall apply.

3. Additional Provisions

1. **General Provisions**

In accordance with Section 3 hereof.

4. Special Exception Zones

(reserved)

SECTION 16 - APPROVAL

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

This By-law given its first reading on September 5, 2023

This By-law given its second reading on September 5, 2023

This By-law given its third and final reading and passed under the Corporate Seal on September 5th, 2023

CORPORATE SEAL OF TOWNSHIP

Arie Hoogenboom, Mayor

Mary Ellen Truelove, Clerk

Rideau Lakes

ZONING BY-LAW No.

SCHEDULE A1

North Crosby - Newboro Ward

0 625 1,250 2,500 3,750 5,000 Meters

1:35,000

N

Zones

- RG General Residential
- RW Waterfront Residential
- RMH Mobile Home Park Residential
- CG General Commercial
- CL Local Commercial
- CT Tourist Commercial
- MG General Industrial
- MS Salvage Yard Industrial
- MD Disposal Industrial
- I Institutional
- OS Open Space
- PL Parking Lot
- RU Rural
- A Agriculture
- EX Mineral Aggregate Extraction
- EP-A Environmental Protection - A
- EP-B Environmental Protection - B
- EP-C Environmental Protection - C
- FP Flood Plain

* All Islands Zoned RW unless otherwise Indicated.

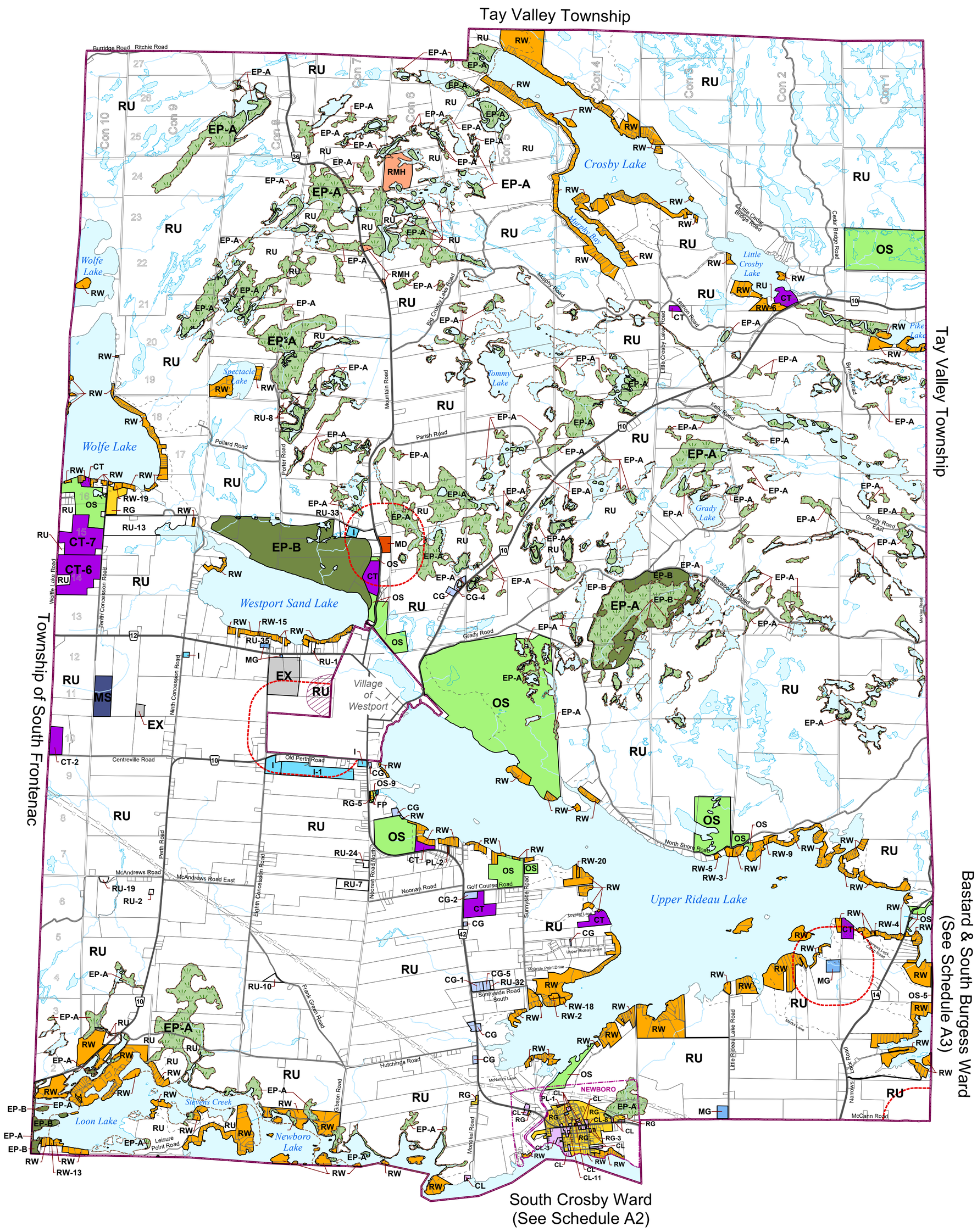
- 500m Waste Influence Area
- Wellhead Protection Area
- Intake Protection Zone

Transportation

- Provincial Highway
- County Road
- Township Road
- Private Road
- Active Railway
- Abandoned Railway
- Hydro Electric Power Line

Notes

Within these areas, certain Zoning By-Law Provisions require that reference be made to the Official Plan.



Note: This plan is based upon information obtained through a digital data release agreement with the United Counties of Leeds and Grenville in April 2023 and includes data from the Province of Ontario's Geospatial data exchange database (Land Information Ontario), Teranet/MPAC and the Township of Rideau Lakes.

Issue Date:
September 05, 2023

NOVATECH
Engineers, Planners & Landscape Architects
Suite 200, 240 Michael Cowpland Drive
Ottawa, Ontario, Canada K2M 1P6

Telephone (613) 254-9643
Facsimile (613) 254-5867
Website www.novatech-eng.com

JOB# 123014

Rideau Lakes

ZONING BY-LAW No.

SCHEDULE A2

South Crosby Ward

0 625 1,250 2,500 3,750 5,000 Meters

1:35,000

Zones

- RG General Residential
- RW Waterfront Residential
- RMH Mobile Home Park Residential
- CG General Commercial
- CL Local Commercial
- CT Tourist Commercial
- MG General Industrial
- MS Salvage Yard Industrial
- MD Disposal Industrial
- I Institutional
- OS Open Space
- PL Parking Lot
- RU Rural
- A Agriculture
- EX Mineral Aggregate Extraction
- EP-A Environmental Protection - A
- EP-B Environmental Protection - B
- EP-C Environmental Protection - C
- FP Flood Plain

* All Islands Zoned RW unless otherwise Indicated.

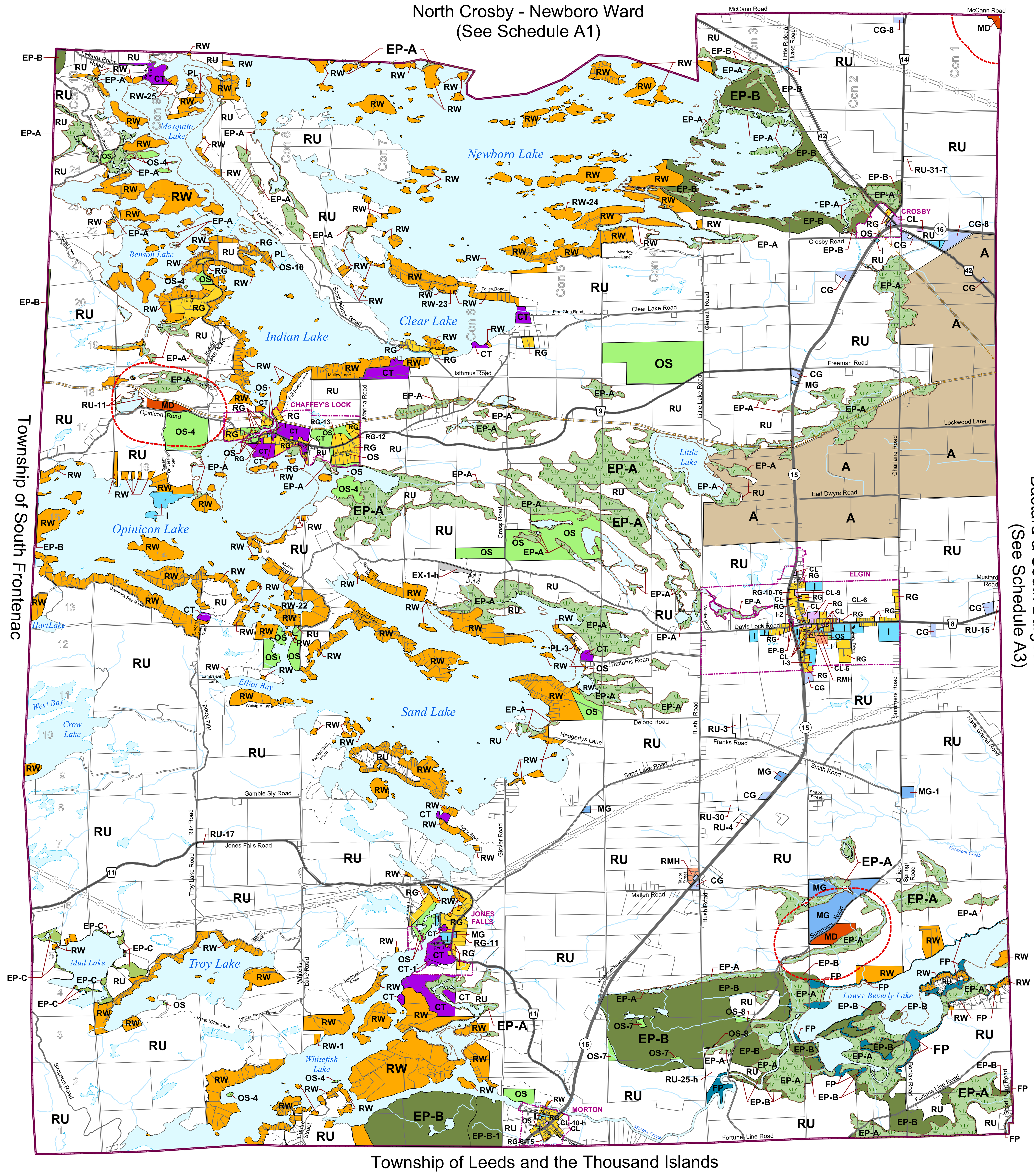
- 500m Waste Influence Area
- Wellhead Protection Area
- Intake Protection Zone

Transportation

- Provincial Highway
- County Road
- Township Road
- Private Road
- Active Railway
- Abandoned Railway
- Hydro Electric Power Line

Notes

Within these areas, certain Zoning By-Law Provisions require that reference be made to the Official Plan.



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Facsimile (613) 254-5867
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JOB# 123014

Rideau Lakes

ZONING BY-LAW No.

SCHEDULE A3

Bastard & South Burgess Ward

0 625 1,250 2,500 3,750 5,000 Meters

1:35,000

Zones

RG	General Residential	OS	Open Space
RW	Waterfront Residential	PL	Parking Lot
RMH	Mobile Home Park Residential	RU	Rural
CG	General Commercial	A	Agriculture
CL	Local Commercial	EX	Mineral Aggregate Extraction
CT	Tourist Commercial	EP-A	Environmental Protection - A
MG	General Industrial	EP-B	Environmental Protection - B
MS	Salvage Yard Industrial	EP-C	Environmental Protection - C
MD	Disposal Industrial	FP	Flood Plain
I	Institutional		

* All Islands Zoned RW unless otherwise Indicated.

500m Waste Influence Area

Wellhead Protection Area

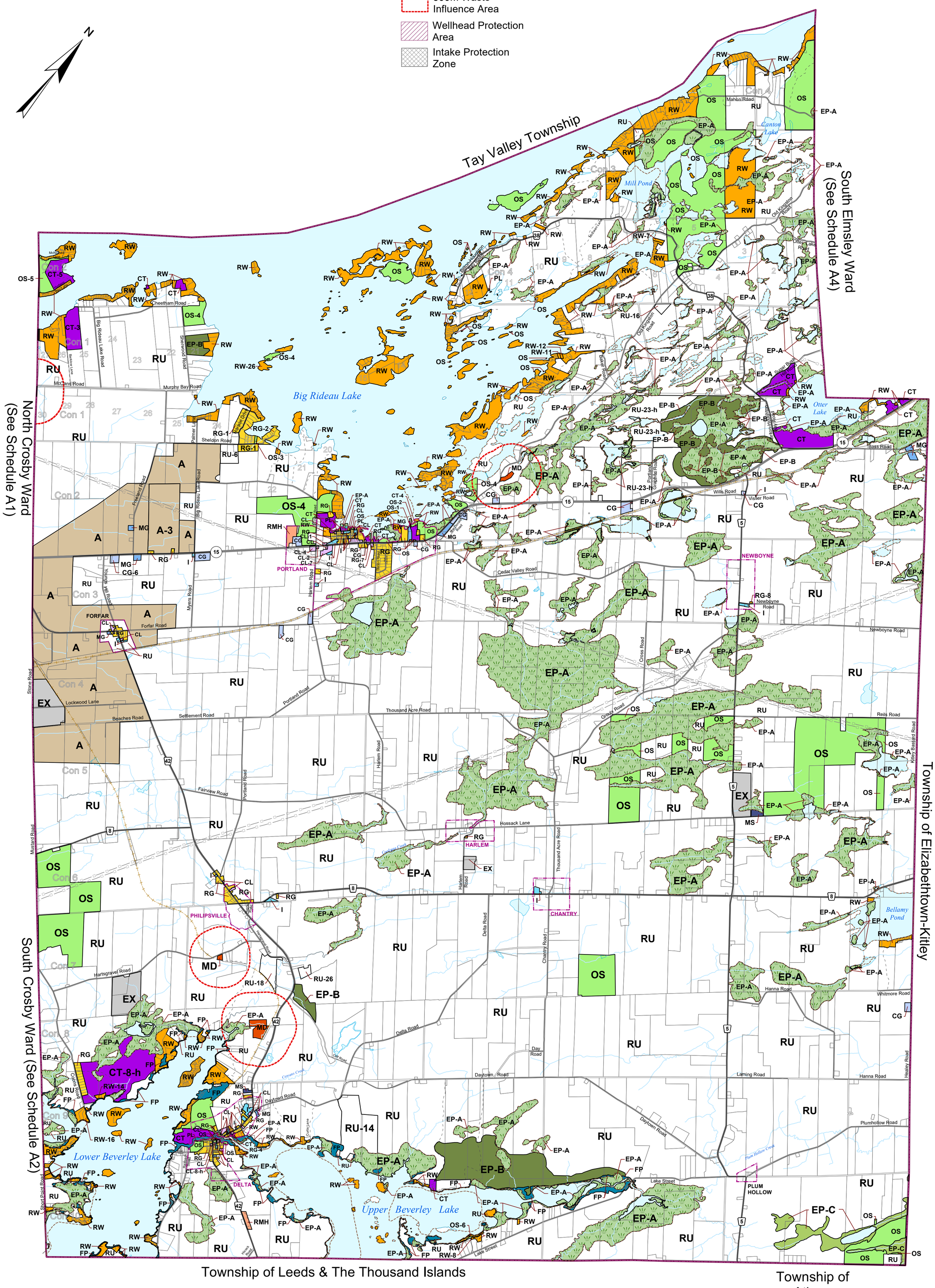
Intake Protection Zone

Transportation

- Provincial Highway
- County Road
- Township Road
- Private Road
- Active Railway
- Abandoned Railway
- Hydro Electric Power Line

Notes

Within these areas, certain Zoning By-Law Provisions require that reference be made to the Official Plan.



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JOB# 123014

Rideau Lakes

ZONING BY-LAW No.

SCHEDULE A4

South Elmsley Ward

0 625 1,250 2,500 3,750 5,000 Meters

1:35,000

Zones

- RG General Residential
- RW Waterfront Residential
- RMH Mobile Home Park Residential
- CG General Commercial
- CL Local Commercial
- CT Tourist Commercial
- MG General Industrial
- MS Salvage Yard Industrial
- MD Disposal Industrial
- I Institutional
- OS Open Space
- PL Parking Lot
- RU Rural
- A Agriculture
- EX Mineral Aggregate Extraction
- EP-A Environmental Protection - A
- EP-B Environmental Protection - B
- EP-C Environmental Protection - C
- FP Flood Plain

* All Islands Zoned RW unless otherwise Indicated.

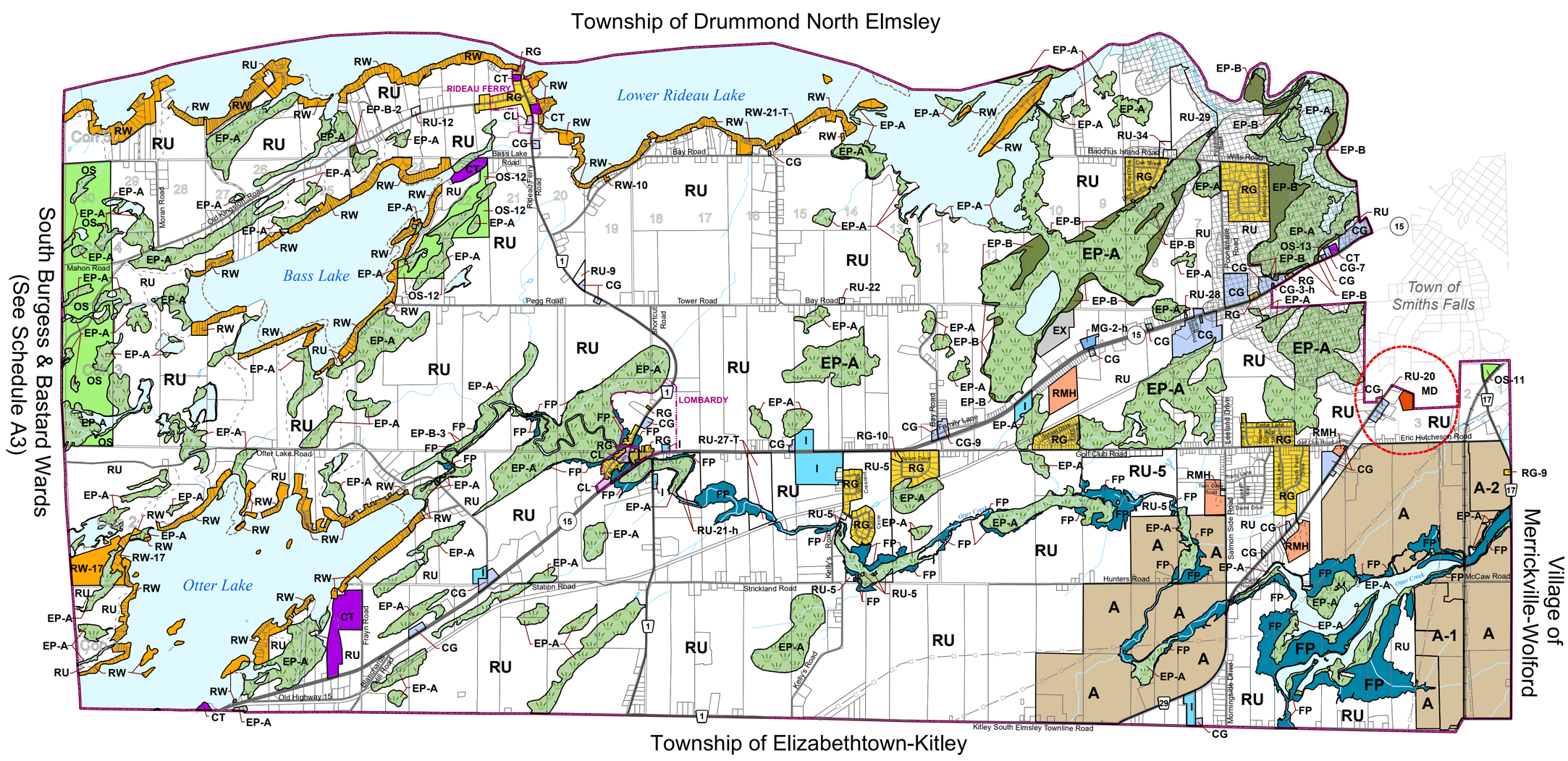
- 500m Waste Influence Area
- Wellhead Protection Area
- Intake Protection Zone

Transportation

- Provincial Highway
- County Road
- Township Road
- Private Road
- Active Railway
- Abandoned Railway
- Hydro Electric Power Line

Notes

Within these areas, certain Zoning By-Law Provisions require that reference be made to the Official Plan.



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