



*Town of*  
**GRAND  
VALLEY**

**TOWN OF GRAND VALLEY**  
**COMPREHENSIVE ZONING BY-LAW**  
**BL 2009-10, as amended**

# TOWN OF GRAND VALLEY COMPREHENSIVE ZONING BY-LAW

## By-Law 2009-10, as amended

(passed February 10, 2009)

### **OFFICE CONSOLIDATION DECEMBER 31, 2024**

BY-LAW	NAME	FILE/ DEVELOPMENT	ZONE	MAP
<b>2009</b>				
2009-41	Moroney	Z4-2009 362236 Concession Road 8-9 #125610 Garage	RR-1	YES
2009-45	Yvonne Edwards Surplus Dwelling Severance	Z5-2009 073187 Sideroad 24-25 #104910	RR	YES
2009-46	DEEP	Eco Energy Facility #219400 & #219500	A-11	YES
<b>2010</b>				
2010-07	Michel Paquette	Z6-2009 MDS exception for new dwelling #109700	A-12	YES
2010-21	Housekeeping			
Jun 30, 2010	Orica OMB Decision PL090471 Federal Explosive Facility	033411 Side Road 21-22 #112100	A-14, A-15	YES
2010-36	Hostrawser Self-storage facility	Z2-2010 9 Industrial Drive #106517	M1-1	YES
<b>2011</b>				
2011-5	HYDRO ONE Temporary Use – hydro staging yard	Z4-2010 282139 Concession Road 4-5 #116700	A-13	YES
2011-20	Trinier Surplus dwelling severance	Z1-2011 #215710	RR, A-9	YES
2011-29	Eppenberger Surplus dwelling severance	Z2-2011 #1010510	RR, A-9	YES
2011-35	Wind Turbine OMB Settlement PL080423 & PL080505	Z3-2011 Multiple properties #21900 #120700 #120600 #120500 #125700 #125900	(H) Removal	YES

2011-41	Wind Turbine 13 &15 (Bruce)	Concession Road 12-13 #212850	(H) Removal	YES
<b>2012</b>				
2012-08	Crane Surplus Dwelling	Z1-2012 073129 Sideroad 24-25 #102225	RR	YES
2012-09	Thomasfield	Z3-2010 - Phase 1	RV-5 RM-5 RM-6 OS	YES
2012-16	Hostrawser Infill lot	Z2-2012 70 Cooper #332000	RV-6, RV-7	YES
2012-35	Thomasfield	Z5-2012 - Phase 1 lot coverage	RV-8	YES
<b>2013</b>				
2013-33	Thomasfield	Z1-2013 - Phase 2	RM-7	YES
2013-42	Kuusisto/Schill Surplus dwelling severance	Z2-2012 #208500	RR, A-9	YES
<b>2014</b>				
2014-13	Thomasfield	Z2-2014 (H) Removal	RM-6	YES
2014-14	Young & Mazenhauer	Z1-2014 Surplus dwelling Severance	A-9 A-16 RR-19	
2014-25	Housekeeping	Parking space size & amount RV & Equipment, Sea Containers, Wind Overlay DELETED, Accessory Apts, Hobby Farm, Downtown Commercial, Home Industry & Occupation	Various	
2014-28	Hollenbeck - Baptist Church Site specific institutional for south side yard deficiency, future development lands	Z3-2014 152 Main St. N #325100	IN-4, D	YES
2014-41	Penrose	Z4-2014 401173 County Road 15 #209900	RH-1	YES
2014-45	Khan Sheik Rear yard to abattoir	Z5-2014 193064 Amaranth East Luther Townline #100175	A-5	YES
<b>2015</b>				
2015-17	Fire Hall Sea containers for training facility with height exception	Z1-2015 6 Industrial Drive #106590	IN-3, amended	YES
2015-51	Tupling	Z3-2015 & B1-2015 #104701 & #104800	A-9 RR	YES
<b>2016</b>				
2016-05	Thomasfield Block 100	Z3-2015 (H) Removal	RM-5	YES

2016-06	Hollenbeck (now Cachet Towns)	Z6-2014	RM-8-H	YES
2016-14	Housekeeping Thomasfield/Moco Pt Lots	Housekeeping – Mapping Errors	x	YES
2016-15	Collinni Repeal, Employment Lands	Housekeeping	x	YES
2016-16	Macascio/Belwood Electric	Z1-2016	CH-1	YES
2016-20	Schills/Powerline	Z3-2016	RR-20	YES
2016-32	Housekeeping	AC Units, Landscaping Structures	Table 3.1.5.1	
2016-37	Bonnefield	Z2-2016	A-9, A-17	YES
2016-40	Mazenhauer	Z6-2016 282393 County Road 10 #114950	A-18	YES
2016-52	Pilkey Existing Undersized Lot of Record	Z5-2016 075473 Sideroad 24-25 #215200	A-19	YES
2016-53	Achionni Vehicle	Commercial Vehicle (CV) to site specific Rural Employment	M2-2	YES
<b>2017</b>				
2017-06	Source Protection	Source Protection	Schedule A-3	YES
2017-17	Kerry's Place	Z1-2017 282096 Concession Road 4-5 #113350	RR-21	YES
2017-22	Petro-Gold - canopy	Z3-2017 202373 County Road 109 #100300	CH-2	N/A
2017-48	Thomasfield Block 142	Z2-2017	RV-9	YES
2017-51	Muho - Micro Brewery	Z4-2017 173488 County Road 25 #114540	RR-22	
2017-59	Moco Farms	Z2-2015	Various	YES
2017-62	Creekway	Z7-2017 & B3-2017 #103010 & #10300	A-9 RR	YES
<b>2018</b>				
2018-14	Parking Housekeeping	3.24, 3.25, 3.15.9, 3.15.1		
2018-21	Turrell	B2-2018 - #110650	RR	YES
2018-36	Jarett	Z5-2017 10 William Street #333100	EP-3	YES
2018-42	Hostrawser Emma St.	Z5-2018 11 Emma Street #351200	CD-5	YES
2018-44	Cachet Phase 1	Z3-2018 Holding Removal	RV	YES
2018-50	Kamphuis	Z6-2018 362220 Concession Road 8-9 #125606	RR-23	YES

2018-57	Thomasfield Phase 3A	Z1-2015	RM-9 RV-11 OS	YES
2018-61	Cachet Phase 1 Block 30	Z8-2018 (H) Removal	RM-8	YES
<b>2019</b>				
2019-05	Baglagbagan	Z9-2018 County Road 109 #101607	RR-24	YES
2019-11	AG Holdings (SCHILL)	Z10-2018 17452 County Road 25 #126300	RR, A-9	YES
2019-12	Bryan	Z11-2018 034605 21-22 Side Road #202300	RR, A-9	YES
2019-26	Leonardo	Z1-2019 195004 Amaranth -East Luther Townline #206600	RR-25	YES
2019-37	Webb Street	Z2-2019 22 Webb Street #309000	RM	YES
2019-44	Martin Reduction in MDS	Z4-2019 115418 Sideroad 27-28 #214900	A-20	YES
2019-45	Birkholz	Z5-2019 013047 East West Luther Townline #103900	A-21	YES
2019-50	Leitch	Z6-2019 193216 Amaranth-East Luther Townline #107450	RR-26	
2019-61	Cachet Phase 2	Z3-2019 Holding Removal for Phase 2	RV	YES
2019-64	6 William Street	Z8-2019 #333000	EP-4	YES
2019-70	Fackler-Sambus	Z10-2019 & B3-2019 282331 Concession Road 4-5 #115960	RR, A-9	YES
<b>2020</b>				
2020-08	147 Crozier Street	Z7-2019 - #320100	RV	YES
2020-32	128 Main Street	Z1-2020 - #325900	CD	YES
2020-33	OOSTERHOFF	Z2-2020 & B2-2020 402047 County Road 15 #208300 & #208350	RR, A-9	YES
2020-44	MOCO Farms Ltd	Z9-2019	MULTI	YES
2020-50	Lisgar – Scott Street	Z1-2018 20 Scott Street #307300 & #307400	RV-12(H), MR-10(H)	YES
2020-54	RENTSCH	Z4-2020 & B3-2020 361306 Concession Road 8-9 #124300	A-9, RR-27	YES



2020-56	MURRAY	Z5-2020 175277 County Road 25 #207050	RR-28	YES
<b>2021</b>				
2021-05	KEMERINK	Z6-2020 & B4-2020 322462 Concession Road 6-7 Roll #120300	A-9, RR-29	YES
2021-06	ZIETSMA	Z7-2020 11 Mount Haven Cres #127068	ER-1	YES
2021-09	Swiss Bell Farms	Z8-2020 321328 Concession Road 6-7 #118400 & #117600	A-22	YES
2021-19	GOULDING	Z2-2021 147 Amaranth St E. #300100	EP-5	YES
2021-22	KLOET	Z3-2021 401239 County Road 15 #209100	RR-30	YES
2021-30	CORSEED	#106400	VARIOUS	
2021-36	Community Living Dufferin	Z4-2021 45 Cooper Street #341600	IN-5	YES
2021-38	THOMASFILED Phase 3B	Z1-2015 & 22T-201501 #106200	RM-9(H) RV-11(H)	YES
2021-39	Canadian Golden Homes Mixed Use	Z4-2018 100, 108, 114 Emma Street #352300 #352400 #352500	CD-8(H) CD(F)(H)	YES
2021-48	GRAND VALLEY PARK	Z5-2021 242264 Concession Rd 2-3 #106010	OS-4	YES
2021-49	McPHERSON	Z6-2021 10 Mount Haven Cres #127016	ER-2	YES
2021-56	TUPLING	Z7-2021 073320 Sideroad 24-25 #110302	A-9 RR-31	YES
2021-61	GREENWOOD	Z1-2021 "0" County Road 25 #108650	RR-32	YES
2021-65	AMATO	Z8-2021 321312 Concession Road 6-7 #118650	A	YES
2021-69	KAMPHUIS	Z10-2021 073140 Sideroad 24-25 #104850	RR-33	YES
2021-75	GRAHAM	Z9-2021 282069 Concession Road 4-5 #117000	A RR EP	YES

2021-79	SOUSA	Z13-2021 11 Monty Avenue #111648	RV-14	YES
2021-80	Town of Grand Valley	Zoning By-law UPDATE PROJECT Zoning Refresh	VARIOUS	YES
<b>2022</b>				
2022-07	LEONARDO	Z11-2021 195004 Amaranth East Luther Townline #206600	RR-25 (text)	N/A
2022-12	Thomasfield	Townhouse Block 43 7M-76	(H) REMOVAL	YES
2022-18	BH AGRI LTD	Z01-2022 241010 Concession Road 23 #103800	RR A-9	YES
2022-37	KAMPHUIS/MILES	Z04-2022 362220 Concession Road 8-9 #125606	RR-23	YES
2022-39	PERRAULT	Z06-2022 34 Cooper Street #342800	RV(F)-17	YES
2022-40	CASTILLO	Z07-2022 28 Mill Street W. #333800	CD-9	YES
2022-51	Town of Grand Valley	Z05-2022 SEA CONTAINERS	TEXT	N/A
2022-57	JARRETT/MITCHEL	Z03-2020 10 William Street #333100	EP-3/TEXT	N/A
2022-63	765182 Ontario Ltd.	Z12-2021 & 21T-202101 152 Main Street N #325100	RM-12 OS	YES
2022-64	Thomasfield	Z02-2022 & 22T-202201 Grand Valley Business Park	M1(H)	YES
2022-65	MOCO Subdivision	Z09-2022 Technical Amendment 173087 County Road 25 #100500	Various	YES
2022-66	MBB Fab Inc.	Z10-2022 075527 Sideroad 24-25 #217800	A-23	YES
2022-68	GOBBATTO GROUP Inc.	Z11-2022 173004 County Road 25 #100800	CH-3	YES
2022-78	28 Gier Street	Z12-2022 28 Gier Street #304700	RV-16	YES
<b>2023</b>				
2023-05	10 Watson Rod	Z08-2022 #106585	M1-2	YES





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## **SECTION 1 - ADMINISTRATION**

### **1.1 TITLE**

This By-law may be referred to as "The Zoning By-law of the Town of Grand Valley."

### **1.2 AREA AFFECTED BY THIS BY-LAW**

This By-law applies to all lands and lands under water within the Town of Grand Valley.

### **1.3 NEW CONSTRUCTION**

The requirements of this By-law must be met prior to the erection or alteration of any building or structure. All construction shall be in accordance with the Ontario Building Code.

In addition to the requirement of any other By-law of the Corporation, every application requesting municipal clearance, which shall include a consideration of zoning clearance, as required for the issuance of a building permit, shall be accompanied by plans, in triplicate, drawn to the appropriate scale and containing the following:

- i. the true shape and dimensions of the lot;
- ii. the location and dimensions of all buildings, structures or uses existing on the lot;
- iii. the proposed location, height and dimensions of the building, structure or proposed use;
- iv. the proposed location and dimensions of any yards, setbacks, landscaped open space, off-street parking, loading facilities, etc.;
- v. a statement signed by the owner or his agent stating exactly the correct and intended use of the land and each aforesaid building or structure and all information necessary to determine whether or not each building, structure or use conforms with the requirements of this By-law.

Each building permit application shall comply with the requirements of the Ontario Building Code Act and its regulations in addition to all other requirements of the Corporation.

If a proposed building, structure or use would violate any provisions of this By-law, no building permit or municipal license or certificate shall be issued.

No building or structure shall be erected except in accordance with the plans submitted and approved for through municipal approval and the building permit process.

#### **1.4 ENFORCEMENT**

The conviction of an offender upon the breach of any of the provisions of this By-law shall not operate as a bar to a prosecution against the same offender upon any continued or subsequent breach of any such provision and any court of competent jurisdiction may convict any offender repeatedly for repeat breaches of the By-law.

Any person who contravenes any of the provisions of this by-law or who owns or occupies any land used or any buildings or structures erected, altered, enlarged or used in contravention of any of the provisions of this By-law is guilty of an offence and upon conviction shall pay a fine of not more than \$25,000, and on a subsequent conviction, a fine of not more than \$10,000, exclusive of costs for each offence and each day of violation shall constitute an offence.

Any corporation who contravenes any of the provisions of this By-law is liable on first conviction to a fine of not more than \$50,000 and on a subsequent conviction, to a fine of not more than \$25,000 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted in accordance with the Planning Act.

Any person or corporation convicted of a contravention of this By-law may be subject to a Court Order prohibiting the continuation or repetition of the offence by the person or corporation convicted.

#### **1.5 COURT DECISION**

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

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

Upon this By-law coming into force and effect, By-law No. 1275 of the Township of East Luther and By-law No. 91-10 of the Village of Grand Valley and all amendments thereto are hereby repealed.

#### **1.7 EFFECTIVE DATE**

This By-law shall come into force the day that it was passed where there are no appeals filed, or where appeals are filed, when all of the appeals are finally disposed of by the Ontario Municipal Board.

**1.8 USE OF LAND BUILDINGS AND STRUCTURES**

No lands, buildings or structures within the area covered by this By-law shall be used for any purpose except as otherwise explicitly permitted by this By-law. Any use of land, building or structure defined in this By-law but not specifically permitted in any zone is prohibited by the By-law.

**1.9 APPLICATION OF OTHER REGULATIONS**

Nothing in this By-law shall serve to relieve any person from any obligation to comply with the requirements of any other By-law of the Town of Grand Valley or any other Federal or Provincial regulation that may affect the use of lands, buildings or structures within the Town.

Where any Act or portion of an Act of the Ontario Government or Canadian Government is referenced in this Plan, such reference shall be interpreted to refer to any subsequent renaming of sections in the Act as well as any subsequent amendments to the Act, or successor thereof. This provision is also applicable to any policy statement, regulation or guideline issued by the Province or the municipality. No provision of this by-law shall derogate from any applicable law

**1.10 MEASUREMENT**

The Metric system of measurement shall be the only standard applied in this By-law. The following abbreviations, where used in this By-law, shall have the same meaning as if the word were provided in full:

- ha – hectare
- m<sup>2</sup> – square metre(s)
- m - metre

**1.11 INSPECTION OF PREMISES**

Any officer under Section 49 of the Planning Act or any building inspector under the Building Code Act, upon producing proper identification, may enter at all reasonable hours for the purpose of inspecting and examining any property or premise to which this By-law applies where there is reason to believe that the land has been used or the building or structure has been erected, altered or enlarged or used in violation of any of the provisions of this By-law unless the room or premises is being used as a dwelling, in which case, the entry shall be in accordance with Section 49 of the Planning Act or the applicable sections of the Building Code Act, as the case may be.



## **1.12 CHANGE IN USE**

No person shall change the use of any land, building or structure, wholly or in part, prior to obtaining the required approvals from the Corporation.

## **1.13 INTREPRETATION**

Where the word “shall” is used in this By-law, it is mandatory and not discretionary. Where the word “may” is used in this By-law, it is discretionary and not mandatory.

Where words are used in the present tense in this By-law, they shall include the future.

Where they are used in the plural, they shall include the singular unless the context clearly indicates otherwise.

Where reference is made to “uses” in this By-law, it shall include uses, buildings or structures, except where the context clearly indicates otherwise.

Where reference is made to “building” or “structure”, it shall include any part thereof.

Where words are not defined by this By-law, where appropriate, a dictionary interpretation may be used. An amendment to this By-law may be required for further clarification and shall be required to permit a newly defined use.

## **1.14 TECHNICAL CHANGES**

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

- i. Corrections of grammar, spelling, punctuation or typographical errors or revisions to format in a manner that does not change the intent of a provision.’
- ii. Adding or revising technical information on maps or schedules that does not change zone boundaries or affect the zoning of lands including, but not limited to, matters such as updating and correcting parcel fabric, infrastructure information, keys, labels, legends or title blocks.
- iii. 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 part of this by-law and are editorially inserted for convenience of reference only.

**SECTION 2 - ESTABLISHMENT OF ZONES**

**2.1 ZONES**

For the purposes of this By-law, the following zones are established, and they may be referred to by the name or by the symbol set opposite the name of the zone below:

<b>Zone</b>	<b>Symbol</b>
Agricultural	A
Rural Residential	RR
Estate Residential	ER
Hamlet Residential	RH
Village Residential	RV
Multiple Residential	RM
Downtown Commercial	CD
Highway Commercial	CH
Employment	M1
Rural Employment	M2
Extractive Industrial	MX
Disposal Industrial	MD
Institutional	IN
Open Space	OS
Environmental Protection	EP
Development	D

**2.2 ZONE SCHEDULE**

The zones and zone boundaries are shown on the attached Schedules A-1, A-2 and A-3, which form part of this By-law.

**2.3 DETERMINING ZONE BOUNDARIES**

Zone boundaries shall be determined using the following criteria:

- i. A zone boundary shown approximately at a lot line, street or lane is considered to be at the boundary of the lot line or street line.
  
- ii. A zone boundary shown approximately in the centre line of a street or lane is considered to be the centre line of the street or lane.

- iii. Unless the location of a zone boundary is specified by dimensions on the Schedule to the Zoning By-law, a zone boundary, which lies within a lot, shall be fixed by the scale of the Schedule upon which it is shown.
- iv. A zone boundary shown following approximately a shoreline of a river or the centre line of a creek, stream or drainage ditch is considered to be the shoreline or centre line and moves with any natural change in the shoreline.
- v. Where lands or lands under water have not been identified as being in a zone on the Schedule, they shall be deemed to be in the Environmental Protection (EP) Zone.
- vi. Roads, bridges, rights-of-way and trails are generally not zoned, but shall be deemed to be for public use in accordance with Section 3.18.
- vii. The EP zone boundaries identified on the schedules are intended to generally identify the location of potentially hazardous environmental features. During review of development applications and building permit applications, if necessary, the boundaries of the EP Zone shall be more precisely determine in consultation with the Conservation Authority or other agencies having jurisdiction in the area. Where detailed resource mapping and / or site inspection occurs, this may result in a minor re-interpretation of the limits of the Environmental Protection (EP) Zone boundary. Additionally, a technical evaluation, approved by the Conservation Authority may be used to further delineate the limits of the EP Zone.
- viii. The boundaries of the WHPA overlay on the Schedules identify the areas where the policies of the Source Protection Plan apply. The boundaries for the circumstances shown on the Schedules are intended to generally reflect the mapping in the approved Assessment Report and the Specific Circumstances found in the Tables of Drinking Water Threats, Clean Water Act, 2006, as amended.

**2.4 MULTIPLE ZONES ON ONE LOT**

Where a lot is divided into more than one zone under the provisions of this By-law, each such portion of the lot shall be used in accordance with the zone provisions of this By-law for the applicable zone as if it were a separate lot. The lot area and lot frontage requirements of the most restrictive zone on the lot shall be applied to the entire lot.

The total number of dwellings and/or dwelling units on the whole of the lot shall not exceed one, except where it is explicitly permitted.

When a lot contains more than one use, which is not an accessory use, the lot requirements, regulations and provisions shall be applied to each use individually.

## **2.5 COMPLIANCE WITH ZONING BY-LAW**

No person shall change the use of any building, structure or land, or erect or use any building or structure or occupy any land or building or make any addition or reduce the area of any lot if the effect of such action is to cause the original, adjoining, remaining or new building, structure or lot to be in contravention with this By-law.

Any use not specifically permitted by this By-law shall not be permitted in the Town of Grand Valley. Section 5 of this By-law defines additional uses which are not permitted in any zone under this By-law, and those uses, together with any other uses not specifically permitted by this By-law shall require an amending by-law to be passed in order for such use(s) to be permitted.

No person shall use any land or locate any building or structure such that the uses, buildings or structures on other lands would no longer comply with the provisions of this By-law, save and except for any legally non-conforming lots, buildings structures and/or uses in accordance with section 3.10 of this By-law or legally non-complying lots, buildings, structures and/or uses in accordance with section 3.11 of this By-law.

## **2.6 EXCEPTION ZONES**

Where a zone symbol is followed by a dash and a number (for example A-1), there are special provisions that apply to the lands in addition to any regulations of the primary zone. These special provisions are contained in the exception section that applies to the primary zone.

## **2.7 HOLDING PROVISIONS**

Where a zone symbol is followed by a dash and the letter "H" (for example: M1-H), the lands shall only be used for existing uses and the expansion of those uses as of the date of adoption of this By-law.

Council may pass a By-law pursuant to Section 36 of the Planning Act to remove the Holding (H) symbol, thereby placing the lands in the zone indicated by the zone symbol when all of the following applicable requirements have been met:

- i. the appropriate sanitary services and water supply have been approved to service the land and/or are available;
- ii. all conditions of consent or subdivision have been fulfilled, including the registration of any agreements on the title of the lands;
- iii. where the lands are subject to site plan control under Section 41 of the Planning Act, a site plan agreement in accordance with the provisions of the Planning Act has been registered on the title of the lands;

- iv. where the lands are affected by adverse environmental or other constraints and those constraints have been resolved to the satisfaction of Council;
- v. the required permits from all other approval agencies have been issued;
- vi. where the development of the lands may impose adverse financial impacts on the Corporation and those impacts have been resolved to the satisfaction of Council; and,
- vii. any other requirements as provided for by the original By-law placing the lands under the Holding Provision have been resolved.

## **2.8 FLOOD FRINGE (F) SYMBOL**

Where a zone symbol is followed by the letter "F" enclosed in brackets (for example: RV(F)), the lands are within the flood fringe area within the flood lines of the Grand River, and are subject to the following additional regulations:

- i. the habitable floor space elevation of the dwelling unit shall be located above the regulatory flood level;
- ii. all building openings shall be above the regulatory flood level, and shall be flood proofed;
- iii. no basement shall be constructed;
- iv. mechanical, electrical, and heating equipment shall be located above the regulatory flood level; and,
- v. a permit shall be required in accordance with GRCA Reg. 150/06 for any development.

## **2.9 WELL HEAD PROTECTION AREA (WHPA) ZONE OVERLAY**

Where lands are shown to be within a WHPA on Schedule A-3, the lands are subject to the following additional regulations:

### **a) WHPA A**

The following uses shall be prohibited on lands zoned having a WHPA (A) overlay:

- i. New waste disposal site within the meaning of Part V of the Environmental Protection Act or the Ontario Water Resources Act, which does not require an Environmental Compliance Approval;

- ii. Storage of waste;
- iii. Handling and storage of fuel more than 2,500 litres;
- iv. New facility storing and handling dense non-aqueous phase liquid for industrial, commercial institutional and agricultural purposes;
- v. New facility for the handling and storage of organic solvent;
- vi. Salt storage;
- vii. Existing and future storage and application of agricultural source material;
- viii. Existing and future handling, storage and application of non-agricultural source material to land;
- ix. Existing and future application and existing and future handling and storage of commercial fertilizer;
- x. Existing and future application and existing and future handling and storage of pesticides;
- xi. Existing or future use of land as livestock grazing, or pasturing land, an outdoor confinement area or farm animal yard;
- xii. Existing handling and storage of fuel more than 2,500 litres activities in WHPA 'A' shall be prohibited unless a Risk Management Plan is approved.
- xiii. Existing facility storing and handling a dense non-aqueous phase liquid for industrial, commercial, institutional, and agricultural purposes is prohibited unless a Risk Management Plan is approved;
- xiv. Existing facility for the handling and storage of an organic solvent is prohibited unless a Risk Management Plan is approved.

**b) WHPA B**

The following uses shall be prohibited on lands having a WHPA (B) Overlay with a vulnerability score of 10:

- i. new waste disposal site within the meaning of Part V of the Environmental Protection Act or the Ontario Water Resources Act, which does not require an Environmental Compliance Approval;
- ii. storage of waste;
- iii. new facility storing and handling dense non-aqueous phase liquid for industrial, commercial institutional and agricultural purposes;
- iv. new facility for the handling and storage of organic solvent;
- v. salt storage;
- vi. existing and future storage and application of agricultural source material;
- vii. Existing and future handling, storage and application of non-agricultural source material to land;
- viii. Existing and future application and existing and future handling and storage of commercial fertilizer;
- ix. Existing and future application and existing and future handling and storage of pesticides;
- x. Existing or future use of land as livestock grazing, or pasturing land, an outdoor confinement area or farm animal yard;
- xi. Existing and future handling and storage of fuel more than 2,500 litres is prohibited unless a Risk Management Plan is approved;
- xii. Existing facility storing and handling a dense non-aqueous phase liquid for industrial, commercial, institutional and agricultural purposes unless a Risk Management Plan is approved;
- xiii. existing facility for the handling and storage of an organic solvent is prohibited unless a Risk Management Plan is approved.



**c) WHPA C**

The following uses shall be prohibited on lands having a WHPA (C) Overlay unless a Risk Management Plan has been prepared to the Town's satisfaction:

- i. new waste disposal site within the meaning of Part V of the Environmental Protection Act or the Ontario Water Resources Act, which does not require an Environmental Compliance Approval;
- ii. storage of waste.

## **SECTION 3 - GENERAL PROVISIONS**

The provisions of this section of the By-law shall apply to all lands within the Town of Grand Valley unless otherwise specified. Where a general provision and zone provision conflict, the most restrictive regulation shall apply.

### **3.1 ACCESSORY BUILDINGS, STRUCTURES AND USES**

#### **3.1.1 Permitted Uses**

Where this By-law permits a lot to be used or a building or structure to be erected or used for a purpose, that purpose shall include any accessory building or structure or accessory use, provided the principal building, structure or use is already legally in existence on the lot.

Legal non-conforming uses shall be permitted to have accessory uses, buildings and structures in accordance with the provisions in this section of the By-law and the provisions of the applicable zone. For the purposes of this By-law, an agricultural building having a minimum floor area of 40m<sup>2</sup> shall also be considered a principal building in an Agricultural Zone.

Accessory buildings, structures and uses shall not be permitted for:

- i. any occupation for gain or profit conducted within an accessory to a dwelling unit or on such lot associated therewith, except as is specifically permitted in accordance with this By-law; or
- ii. human habitation except where specifically permitted.

#### **3.1.2 Setback and Yard Requirements**

Notwithstanding the yard and setback provisions to the contrary of this By-law, any accessory building or structure, which is detached from the principle building may be erected and used in an interior side or rear yard, provided that the following requirements are met:

- i. Minimum Interior Side Yard - 1.5 m
- ii. Minimum Rear Yard - 1.5 m
- iii. Minimum Distance from any other building - 2.0 m
- iv. Any accessory building or structure shall not be located closer to the front lot line or exterior side lot line than the principal building on the lot. Barns, livestock facilities,

storage sheds, silos and other principle buildings can be located in front of a dwelling, provided that the front yard requirement is met.

- v. Maximum floor area of any accessory building or structure shall not exceed the floor area of the principle building.

**3.1.3 Lot Coverage**

Unless otherwise specified in this By-law, the total maximum lot coverage of all accessory buildings and structures, excluding swimming pools, parking areas, patios and decks less than 1.8m in height shall be 10%. Accessory buildings and structures are included within the calculation of total lot coverage.

**3.1.4 Height**

Unless otherwise specified in this By-law, the maximum height of any accessory building or structure shall be 6m but shall not exceed the height restrictions of the respective Zone and shall not be designed with a second storey or future habitable space. The maximum height of a privacy screen shall be 3m.

Within the Rural Residential (RR), Estate Residential (ER) and Agricultural (A) zones the maximum height of an accessory building or structure shall be 8m where a minimum side yard and minimum rear yard of 6m is provided.

**3.1.5 Accessory Structure Encroachments**

Notwithstanding the yard and setback provisions to the contrary of this By-law, the following accessory structures are permitted to encroach into the minimum yard and setbacks required by this By-law by the distance specified in Table 1: Permitted Encroachments.

**Table 1: Permitted Encroachments**

Accessory Structure	Permitted Encroachment
Sills, belts, courses, cornices, eaves, canopies, gutters, awnings, eave troughs, chimneys, parapets, pilasters or any other architectural, ornament or similar structure	0.3m into any yard.
Fire escapes, exterior staircases	1.2m into rear and exterior side yard.
Bay windows	0.9m over a maximum of 3m in the front, rear and exterior side yards.

Balconies, Decks, Porches in excess of 1.8m above finished grade	The yard requirements for the principal building shall apply.
Unenclosed Decks, Steps, Porches, Balconies, Terraces or Patios, and fire escapes equal to or less than 1.8m above finished grade	1.8m into any required yard or setback, but not closer than 1.2m to any lot line.
Private septic systems and private well	Permitted in all yards but are required to meet setbacks from watercourses and waterbodies.
Satellite dishes not exceeding 1.0m in diameter	Permitted to encroach a maximum of 2m into an interior side yard and rear yard only.
Clothes poles	Permitted in interior side yard and rear yard only.
Flag poles, garden trellises, retaining walls less than 1.0m above finished grade, signs	Permitted in all yards provided they meet all applicable Town by-laws and are a minimum of 3m from the street line.
Fences having a maximum height of 1.8m	Permitted inside and rear yard but shall not extend beyond the front wall of the dwelling.
Windmills and wind turbine generators having a maximum blade span of 2m and maximum height of 12m	Permitted in all yards, where height is measured as the vertical distance between the ground and the extension of the blade. A turbine or windmill located on a roof or antenna must meet the maximum height of 12m combined.
Air conditioner units and similar exterior components	0.6m into a rear yard and side yard, but no closer than 0.6m to the lot line.
Landscaping structures	in a side yard, but no closer than 0.6m to the lot line.

**3.1.6 Garden Suite**

Garden suites may be permitted as a temporary use in any zone that permits a dwelling unit as a principle use, and where:

- i. the lot has a minimum lot area of 0.4ha;

- ii. where the sewage disposal system and water services are adequately sized for the increased residential use;
- iii. Council has passed a temporary use By-law under Section 37 of the Planning Act;
- iv. there is an agreement between the owner and the Town that provides for the removal of the building when it is no longer required;
- v. the minimum floor area shall be 35m<sup>2</sup>;
- vi. the lot is not developed with an accessory apartment, second dwelling for farm help or any other second dwelling unit; and,
- vii. the maximum floor area being 80m<sup>2</sup>.

### **3.1.7 Accessory Apartments**

Where an accessory apartment is permitted by this By-law, it shall only be permitted where:

- i. the lot has a minimum lot area of 0.4ha where located on private services or meets the minimum lot area of the zone in which it is located;
- ii. the sewage disposal system and water services are adequately sized for the increased residential use if on private services or is connected to a municipal water and sewage disposal system;
- iii. the accessory apartment is attached or within the main dwelling unit;
- iv. the lot is not developed with a temporary garden suite;
- v. the minimum floor area being 35m<sup>2</sup>; and,
- vi. a maximum of one accessory apartment is permitted unless expressly permitted by this by-law.

### **3.1.8 Accessory Dwelling Units in a Non-Residential Building**

Where an accessory dwelling unit is specifically permitted in a non-residential building, such use shall only be permitted in accordance with the following provisions:

- i. adequate sewage and water services shall be available;
- ii. minimum floor area shall be 35m<sup>2</sup>;

- iii. the dwelling unit shall be distinctly separate from the non-residential use, having a separate entrance, washroom, and kitchen facilities;
- iv. maximum gross floor area shall be 50% of the non-residential use;
- v. the dwelling unit shall be located above or behind the principle non-residential use; and,
- vi. no dwelling unit shall be located within a portion of a non-residential building which is used to house livestock or has flammable fluids or hazardous materials stored in bulk for commercial purposes or in conjunction therewith, nor a building used for a motor vehicle service station, a motor vehicle repair garage, a motor vehicle body shop or a marine or small engines service shop.

### **3.1.9 Cloth-Covered Structures**

No cloth-covered structure shall be located within any front yard of any zone. Any cloth-covered structure shall not be located closer to the front lot line or exterior side lot line than the principle building on the lot. Cloth covered structures are included in the total lot coverage. Cloth covered structures shall be designed as temporary structures and are only permitted for a maximum of 2 years, and the owner shall enter into an agreement with the Town for its removal after 2 years. A cover-all structure or cloth-covered constructed with a building permit, and in accordance with the by-law as an accessory use for Agriculture shall not be considered a cloth-covered structure under this section of the by-law.

A permanent cover-all, steel-framed or structure similar in appearance shall not be permitted as an accessory building or structure within the Village Residential (RV) Zone.

### **3.1.10 Outdoor Furnaces**

Outdoor furnaces shall only be permitted on lots having a minimum area of 1.0ha, shall have a minimum stack height of 2.8m and shall be setback not less than 30m from any lot line. Outdoor furnaces shall not be permitted in any front or exterior side yard.

### **3.1.11 Sea Containers, Storage Containers and Refuse Bins**

Sea Containers shall be prohibited except in accordance with the following instances:

- i. Sea containers shall only be permitted in the Rural Area of the Town on a permanent basis, not including the rural settlement areas of Colbeck, Monticello and Mount Haven;
- ii. Sea containers shall only be permitted as an accessory use to a permitted use where a principal building exists, subject to **Section 3.1 Accessory Buildings**,

**Structures And Uses** and the issuance of Municipal Approval (issued by the Town).

- iii. Temporary refuse containers or bins, used for construction waste or for disposing of household contents, shall be permitted for a maximum of 30 days without a permit.
- iv. Sea containers are not permitted in following zones: Development (D), Environmental Protection (EP), Open Space (OS);
- v. Sea containers shall not be located in a required parking area or required landscaping area;
- vi. Sea containers shall be used for storage purposes only and not for display, advertising, screening, or fencing;
- vii. The maximum number of sea containers on a property in the Rural Area, excluding Colbeck, Monticello and Mount Haven, shall be limited to three (3);
- viii. Sea containers shall not be stacked on top of each other;
- ix. Sea containers shall be in a condition free from rust, peeling paint and any other form of visible deterioration;
- x. Sea containers may be permitted on a **temporary basis** in the Urban Area of the Town and in the rural settlements of Colbeck, Monticello, and Mount Haven, with written approval from Council with the following provisions:
  - (i) the temporary placement shall not exceed 30 days in a calendar year;
  - (ii) one sea container must be located in the driveway, setback a minimum 1m from any lot line;
  - (iii) sea container does not exceed 2.5m in height and width, and does not exceed a maximum length of 6m;
  - (iv) Municipal Approval is required.
- xi. A sea container is permitted to be used as building material for the construction of a residential dwelling, commercial, industrial, or institutional building, provided such use of a sea container is in accordance with the Ontario Building Code, subject to a Building Permit, Municipal Approval, and applicable zoning. A sea container used as building material for the construction of a residential dwelling, commercial,



industrial, or institutional building shall not be considered as an accessory building and shall not count towards the maximum number of sea containers allowed on a property.

### **3.2 CONSTRUCTION USES**

A shed, construction trailer, container, debris bin, scaffold and/or other building or structure incidental to construction and having a maximum floor area of 10 square metres is permitted on any lot for so long as it is necessary for the work in progress and until the work is completed or abandoned. For the purpose of this section, abandoned shall mean the discontinuation of work for more than 8 months and/or the failure to maintain a current building permit.

Notwithstanding any other provision of this By-law to the contrary, where a dwelling is destroyed, the residents may occupy a travel trailer on a temporary basis while the dwelling is being reconstructed for a maximum of one year, provided that such trailer is supplied with proper water and sewage disposal system, and the owner has entered into an agreement with the Town for its removal.

### **3.3 ESTABLISHED BUILDING LINE**

Notwithstanding the minimum front yard requirements of this By-law to the contrary, where a dwelling is to be constructed between two existing lots, having a maximum separation of 100m on which dwellings presently exist, the required minimum front yard for that lot shall be the average front yard that lawfully exists on the two abutting lots.

### **3.4 FRONTAGE ON A YEAR-ROUND MAINTAINED PUBLIC ROAD**

No person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected has frontage upon a year-round maintained public road.

The above provisions shall not apply to prevent the erection of a permitted building or structure on a lot in a registered Plan of Subdivision or Plan of Condominium where a properly executed Agreement has been entered into with the Town, notwithstanding that the road or roads will not be assumed by the Town.

Notwithstanding the requirement to have frontage on a year round maintained public road, the enlargement, extension, renovation, reconstruction or other structural alteration of an existing building or structure, which is located on a lot which does not have frontage upon a year round maintained public road, shall be permitted provided the use of such building or structure does not change and is permissible within the zone in which it is located.

### **3.5 HEIGHT EXCEPTIONS**

Notwithstanding the height provisions of this By-law, where such new building or structure, or accessory use building or structure is permitted, the maximum height for the following shall be equivalent to the minimum achievable yard (measured from the base of the structure or building to the closest lot line) for such building or structure:

- i. a barn, livestock facility, a silo, a grain elevator;
- ii. a church spire;
- iii. a belfry, a flagpole;
- iv. a clock tower;
- v. a chimney;
- vi. a water tank;
- vii. a radio or television tower or antenna;
- viii. an air conditioner duct;
- ix. incidental equipment required for processing; and,
- x. external equipment associated with internal equipment or machinery and conveying equipment;
- xi. noise attenuation wall or similar structures for the purpose of noise barrier

### **3.6 HOME INDUSTRY**

Where a home industry is permitted, the following provisions shall apply:

- i. In addition to persons living on the premises, not more than two employees shall be engaged in the home industry;
- ii. Such home industry may be located in part of a dwelling or in any accessory building located on a lot on which a dwelling is in existence, provided the total gross floor area utilized by the home industry does not exceed a maximum of 140m<sup>2</sup>;
- iii. There shall be no display, other than a non-illuminated sign having a maximum surface area of 1.0m<sup>2</sup>, and all signage must be in accordance with the Sign By-law of the Corporation;
- iv. There shall be no outside storage of goods, materials or articles.
- v. A minimum of two parking spaces shall be provided and located in the side or rear yard only.
- vi. A minimum lot area of 0.8ha is required for a property used as a home industry.

**3.7 HOME OCCUPATION**

Where a home occupation is permitted, the following provisions shall apply:

- i. In addition to persons living on the premises, not more than two employees shall be engaged in the home occupation;
- ii. There shall be no display, other than a non-illuminated sign having a maximum surface area of 0.5m<sup>2</sup>;
- iii. There shall be no goods, wares, or merchandise offered for sale or rent on the premises other than what is produced on the premises;
- iv. There shall be no outside storage of goods, materials, containers or animal enclosures used in conjunction with the home occupation;
- v. Not more than 25% of the gross floor area shall be used for the purposes of the home occupation. The home occupation shall be conducted entirely within the dwelling or attached garage;
- vi. There shall be no mechanical or other equipment used except that which is customarily used in a dwelling for domestic or household purposes or for use by a hairdresser or barber, dentist, drugless practitioner, physician, or other professional person;
- vii. A home occupation shall not include a boarding or lodging house, an eating establishment, or a facility offering accommodation or meals other than a Bed and Breakfast establishment;
- viii. A home occupation shall be secondary to the principal residence and shall not change the residential character of the lot;
- ix. One home occupation only shall be permitted in conjunction with a single detached dwelling; and,
- x. A minimum of two parking spaces shall be provided and located in the side or rear yard only.

**3.8 MOBILE HOMES**

Mobile homes are generally not permitted within the Town. However, where a mobile home is specifically permitted by this By-law, the following provisions shall apply:

- i. minimum floor area shall be 55m<sup>2</sup>;

- ii. gear and towing equipment shall be removed;
- iii. the mobile home shall be located on a permanent foundation;
- iv. the mobile home shall be constructed to the standard required by the Town and the County Building Department;
- v. the mobile home shall be serviced with running water, a sewage disposal system and electricity;
- vi. Municipal approval and a building permit shall be required for the placement of mobile homes on any lands within the Town.

### **3.9 MODEL HOMES (BL 2012-09)**

Where a draft plan of subdivision has been approved and the subject lands are zoned for residential development, and the Owner has entered into a subdivision (model home) agreement, contrary to the General Provisions of this by-law relating to servicing, frontage on a road and number of units per lot, model home(s) shall be permitted.

### **3.10 NON-CONFORMING USES**

#### **3.10.1 Existing Uses**

The provisions of this By-law shall not apply to prevent the use of any non-conforming existing lot, building or structure for any purpose prohibited by this By-law if such existing lot, building, or structure was lawfully used for such purpose, prior to the effective date of this By-law and provided that the lot, building or structure continues to be used for that purpose.

#### **3.10.2 Permitted Exterior Extension, Alteration and Reconstruction**

The exterior of any building or structure which was lawfully used prior to the effective date of this By-law for a purpose not permissible within the zone in which it is located, prior to the effective date of this By-law, shall not be enlarged, extended more than 0.2m, reconstructed or otherwise structurally altered, unless such building or structure is thereafter to be used for a purpose permitted within such zone.

#### **3.10.3 Permitted Interior Alteration**

The interior of any building or structure which was lawfully used for a purpose not permissible within the zone in which it is located prior to the effective date of this By-law, may be reconstructed, or structurally altered, in order to render the building or structure more convenient for the existing purpose for which it was lawfully used.

**3.10.4 Restoration to a Safe Condition**

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any existing, legal non-conforming building or structure or part thereof, provided that the strengthening or restoration does not increase the building height, size or volume or change the existing, lawful use of such existing building or structure unless these changes are necessary to provide for flood proofing.

**3.10.5 Building Permit Issued**

The provisions of this By-law shall not apply to prevent the erection or use, for a purpose prohibited by this By-law, of any building or structure, the plans for which have, prior to the date of passing of this By-law, been approved by the Chief Building Official, so long as the building or structure, when erected, is used and continues to be used for the purpose for which it was erected.

**3.11 NON-COMPLYING LOTS, BUILDINGS, STRUCTURES AND USES**

**3.11.1 Permitted Buildings or Structures**

Where a building or structure is located on a lot having less than the minimum frontage, minimum lot area, minimum dwelling size, minimum front yard, exterior side yard, side yard or rear yard and/or any other setback required by this By-law, the said building or structure may be enlarged, reconstructed, repaired and/or renovated provided that:

- i. the enlargement, reconstruction, repair and/or renovation does not further reduce the existing deficiency to less than the minimum required by this By-law and does not increase the lot coverage to more than the maximum permitted or create any other non-compliance to any other provision of this By-law;
- ii. the building or structure is being used for a purpose permissible within the zone in which it is located; and,
- iii. all other applicable zone provisions of this By-law are complied with.

**3.11.2 Reconstruction of Existing Building**

Nothing in this By-law shall apply to prevent the reconstruction of any legal non-complying building or structure which is accidentally damaged or destroyed by causes beyond the control of the owner or where the owner has obtained a demolition permit from the municipality. Such legal non-complying building or structure may be reconstructed for the purpose of replacing the building or structure, even if such building or structure did not conform with one or more of the provisions of this By-law provided that the non-compliance is not further increased and provided that the reconstruction occurs within 24 months of the damage or demolition being done. The reconstruction

shall be the same dimensions and same location of the previous building or structure. Any alterations to the building or structure shall require an amendment to this Zoning By-law.

### **3.11.3 Existing Undersized Lots of Record**

Where a lot, having a lesser lot area and/or lot frontage than required herein, existed on the date of passing of this By-law, or where such a lot is created by a public authority, such smaller lot may be used and a permitted building or structure, may be altered and/or used on such smaller lot provided that the lot has a minimum frontage of 10m on a public road that is maintained year-round and all other applicable zone provisions of this By-law are complied with. Any of these existing undersized lots, which have been increased in size following the passing of this By-law, but remain undersized, may also be used in accordance with this provision.

Notwithstanding that an undersized lot may be used and a permitted building or structure erected on a smaller lot, an existing undersized lot must have a minimum lot area of 0.2ha and a minimum lot frontage of 12m to be used for a residential use, provided that there is sufficient area for servicing and an identifiable reserve tile field location where on private services. This section shall not apply where the provisions of a zone or use require a specific minimum lot area for a specific use.

### **3.12 NOXIOUS TRADE**

Except as may otherwise be specifically permitted in this By-law, no use shall be permitted which, by its nature or the materials used therein, is defined as a noxious trade, business or manufacture under the Health Protection and Promotion Act, as amended, and the Regulations there under.

### **3.13 NUMBER OF DWELLING UNITS ON A LOT**

Unless otherwise permitted in this By-law, no more than one dwelling unit shall be permitted on any lot.

### **3.14 OUTDOOR STORAGE**

Except where specifically permitted, the outdoor storage of materials and goods; junkyards; wrecking yards and salvage yards shall be prohibited.

Where outdoor storage is permitted, it shall not be permitted within a front yard.

All permitted outdoor storage shall be screened from view by a 1.8m high fence and a minimum landscaped open space strip having a minimum width of 3m.

### **3.15 PEAT EXCAVATION, PITS AND QUARRIES**

The excavation of peat is prohibited within the area covered by this By-law, except as specifically permitted by this By-law. No person shall use land or erect any building or structure for the purpose of excavating or processing peat except as expressly provided for in this By-law.

The establishment or operation of pits or quarries is prohibited within the area covered by this By-law, except in the locations permitted by this By-law, and in accordance with the provisions of this By-law. No person shall use land or erect any building or structure for the purpose of processing, washing, screening, sorting or crushing rock, sand or gravel, or any similar processes or materials, except as expressly provided for in this By-law.

### **3.16 PLANTING STRIPS**

Planting strips shall be required where a lot in an Institutional, Commercial, Industrial or Open Space Zone abuts any road or Residential Zone or Residential use and shall generally be 3m wide, and only interrupted within 1.5m of driveways and walkways or as required for sight-triangles, or as determined through the site plan control process.

### **3.17 PUBLIC USES**

Except as provided in section 3.18.2 and within the Environmental Protection (EP) Zone, the provisions of this By-law shall not apply to prohibit the use of any lot or the erection or use of any building or structure for the purposes of public uses and municipal services, provided by the Town, County, or any Public Authority including any Department or Ministry of the Government of Canada or Ontario or any Conservation Authority established by the Government of Ontario and, for the purposes of this section, shall include any utility provider, telephone, or cable company directly distributing utilities, telephone, or cable services to the residents of the Town and any natural gas distribution system where such company possesses all the necessary powers, rights, licenses and franchises. For the purposes of this By-law, public uses shall not include any facility used for residential purposes.

Where such building, structure or lot is located in any zone for the purposes of public uses, the following shall apply:

- i. there shall be no open storage except in accordance with the general provisions and zone provisions;
- ii. any zone provisions of the zone within which the building, structure or use is located shall be complied with, except as specifically provided for in this section; and,

- iii. any buildings or structures shall be designed, located and maintained in general harmony with the buildings permitted in such zone.

### **3.17.1 Location Restrictions**

Notwithstanding any other provision contained in this By-law to the contrary, where a public use is specifically mentioned as a permitted use within a specific zone classification, then such public use shall only be permitted within that zone or zones and shall comply with the zone provisions of the zone in which the specific public use is permitted.

### **3.17.2 Provisions**

No goods, materials or equipment shall be stored outside a building or structure used for a public use, except as may otherwise be specifically permitted by this By-law.

The public use shall comply with all setback and coverage requirements of the zone in which the use is located, except as otherwise provided in this By-law.

In any zone, except within an Environmental Protection (EP) zone, nothing in this By-law shall prevent the use of any land as a public park, storm water management facility, community park, playground, public walkway, road allowance or as a site of a statue, monument, cenotaph, fountain, or other memorial, ornamental or landscaping structure.

### **3.17.3 Road and Service Installations**

Nothing in this By-law shall prevent land from being used as a road or highway, or prevent the installation of a water main, sanitary sewer, storm sewer, gas main, pipeline, overhead or underground hydro, communication line or high voltage electrical facilities provided that such construction or installation is undertaken by an authority possessing all necessary powers, rights, licenses and franchises, and provided that the location of such facility has been approved by the Corporation.

## **3.18 RESOURCE MANAGEMENT**

Notwithstanding the permitted uses to the contrary of this By-law, the preservation, protection, and improvement of any components of the natural environment through a comprehensive management and maintenance program shall be permitted on all lands covered by this By-law.

## **3.19 SERVICES REQUIRED**

No person shall erect or use a building or structure for a residential purpose on any lands unless the lands are serviced by an approved sewage disposal and water supply system.



### **3.20 SIGHT TRIANGLES**

On a corner lot fronting on two public roads, within the triangular space formed by the intersecting street lines (or the projection of two non-intersecting street lines) and a line drawn from a point on one street line to a point on the other street line, such points being 9 m, measured along the street line from the point of intersection of the street lines, no motor vehicle shall be parked and no buildings or structures which would obstruct vision shall be erected, and all landscaping shall have a maximum height of 1m.

Sight triangles may also be required at the intersection of a road and entrance or driveway.

### **3.21 SIGNS**

All signage must be in accordance with applicable Town Sign By-law(s).

Where a sign has a face area of greater than 4m<sup>2</sup>, it shall be deemed an accessory structure for the purposes of this By-law and shall meet the requirements of the zone in which it is located.

### **3.22 SPECIAL SETBACKS**

#### **3.22.1 Livestock Facilities Setback**

Notwithstanding any other yard or setback provisions in this By-law, no non-agricultural use shall be permitted unless it complies with the Minimum Distance Separation (MDS I).

Notwithstanding any other yard or setback provisions to the contrary of this By-law, no livestock facility or manure storage facility shall be erected or expanded unless it complies with the Minimum Distance Separation (MDS II).

In addition to the MDS requirements above, no livestock operation having greater than 300 NU on one lot or 5 NU/ha shall be permitted within 1000m of the Urban Area or any lands zoned Village Residential (RV) or Multiple Residential (RM) Zone.

#### **3.22.2 Roads and Roads Allowance Setbacks**

Notwithstanding any other provisions contrary to this By-law, no building or structure shall be constructed within 10m of a municipal road allowance or an established street line.

Where a lot abuts a road allowance less than 20m in width, the street line shall be established at 10m from the centre line of the street.

Where a lot abuts a County Road, the street line shall be established at 15m from the centre line of the street.

Where a lot abuts a highway, the street line shall be established at 20m from the centre line of the street.

### **3.22.3 Pits and Quarries Setback**

Notwithstanding any other provisions of this By-law, no new residential development, other than development on existing lots or draft plan approved lots shall be constructed within 120m of the property line of a lot containing an existing pit or quarry.

### **3.22.4 Watercourses setback**

All buildings or structures, except pump houses, erosion control structures and works undertaken by the Corporation shall be located a minimum of 15m from the high-water mark of any river, stream, creek or municipal drain.

### **3.22.5 Steep Slopes or Ravines setback**

All buildings or structures shall be located a minimum of 15m from the top of bank of a slope in excess of 25%.

### **3.22.6 Cold Water Streams setback**

No building or structure, except pump houses and erosion control structures shall be constructed within 30m of a cold-water stream.

### **3.22.7 Waste Disposal and Wastewater Treatment setback**

No new habitable building or structure shall be located within 500m of a licensed or closed Waste Disposal Area, or 150m from a licensed Sewage Lagoon or Wastewater Treatment Facility.

### **3.22.8 Wetland Setback**

All buildings and structures shall be located a minimum of 30m from the edge of a local, or unevaluated wetland. A minimum setback of 120m is required to a wetland identified as Provincially Significant by the Ministry of Natural Resources as amended from time to time.

### **3.23 RECREATIONAL VEHICLES AND EQUIPMENT**

No vehicles or equipment shall be permitted within an exterior side yard. A maximum of one recreational vehicle or equipment may be parked or stored year-round, only in the rear or interior side yard where a dwelling is in existence on the same lot provided that:

- i. It maintains a 1.5m setback to any lot line, and,
- ii. The yard or portion thereof used for the storage of the recreational vehicle or equipment is enclosed by a solid fence having a minimum height of 1.8m.
- iii. In addition, one recreational vehicle or equipment may be located on a driveway, provided that there are still two parking spaces with minimum dimensions of 3m x 6m maintained on the subject lands.
- iv. Such storage shall only be permitted on a seasonal basis in the season for which the recreational vehicle and equipment is primarily intended to be used in.
- v. Notwithstanding the foregoing, the recreational vehicle and equipment stored on a residential lot shall not extend onto the municipal right-of-way.
- vi. No recreational vehicle or equipment shall be permitted if such permission would result in a motor vehicle extending onto the municipal right-of-way or parking on the street.

### **3.24 UNLICENSED MOTOR VEHICLES**

Notwithstanding any other provision of this By-law, no person may use any lot for the parking or storage of any unlicensed vehicles excluding farm equipment, except that such storage of vehicles may be permitted in a private garage. Accessory to a Commercial and Industrial use, such vehicles are permitted on the lot, provided the subject vehicles are not stored in a required yard and provided the storage of such vehicles is permitted by this By-law.

The storage of derelict, unlicensed motor vehicles, including unlicensed motor vehicles used for recreational purposes, such as race cars, demolition derby, all-terrain vehicles and snowmobiles shall only be permitted subject to the following regulations:

- i. Maximum of two vehicles stored outdoors;
- ii. Outdoor storage shall only be permitted in the rear yard; and,
- iii. The rear yard or portion thereof used for the storage of such vehicles shall be enclosed by a solid fence having a minimum height of 1.8m.

### **3.25 WASTE DISPOSAL, LANDFILLS AND RECYCLING FACILITIES**

The making or establishment of new waste disposal and recycling facilities and new landfills is prohibited within the area covered by this By-law. Expansions to existing facilities shall be in accordance with the provisions of this By-law.

### **3.26 WAYSIDE PITS AND QUARRIES**

A wayside pit or quarry, being a temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way, shall be permitted as a temporary use on all lands covered by this By-law, for the duration of a specific road project, where the Owner of such lands has entered into an agreement with the Corporation. After such road project is complete, or the contract is expired, the wayside pit and quarry use shall be prohibited, and lands shall be rehabilitated.

### **3.27 URBAN CHICKENS (By-law 2024-21)**

The keeping of galliform and columbiform birds including but not limited to turkeys, chickens, quail, partridge, pheasant, peacock, guinea fowl, grouse, pigeons, doves, dodoes, and solitaires **is not permitted in any zone within the *Urban Settlement Boundary*** of the Town (as defined in the Town's Official Plan) and in the Estate Residential (ER) and Hamlet Residential (RH) zones.

The keeping of such birds is **only** permitted in the ***Agricultural Area*** (as defined in Town's Official Plan) of the Town within the Agricultural (A) and Rural Residential (RR) zones as a permitted *Agricultural Livestock Operation*.

### **3.28 ILLUSTRATIONS**

In order to provide clarification and convenience in the interpretation of this by-law, illustrations are provided for several common terms and definitions. These illustrations do not form part of this By-law.

## **SECTION 4 – PARKING AND LOADING STANDARDS**

### **4.1 PARKING SPACE REQUIREMENTS**

- 4.1.1** The owner of land, building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain parking spaces for the sole use of the owner, occupant, or other persons entering upon or making use of the said premises, from time to time.
- 4.1.2** Parking spaces are required under this By-law, in accordance with Section 46.7, which contains the Parking Space Requirement Table.
- 4.1.3** When a building or structure accommodates more than one type of use, the parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate types of use.
- 4.1.4** Where the calculation of required spaces exceeds a whole space by more than 0.25, the required spaces shall be the next whole number.
- 4.1.5** Parking spaces shall have a minimum width of 3m and have a minimum length of 6m.

### **4.2 ACCESSIBLE PARKING SPACES**

Where parking spaces are required by this By-law, the following minimum number of spaces for the use of persons with disabilities shall also be provided.

- 4.2.1** Accessible parking spaces must provide the following two types of parking spaces for use of persons with disabilities:
- i. Type A – a wider parking space which has a minimum width of 3.4m and signage that identifies the space as “van accessible”.
  - ii. Type B - a standard parking space which has a minimum width of 3m.
- 4.2.2** Access aisles that is the space between parking spaces that allows persons with disabilities to get in and out of their vehicles, must be provided for all parking spaces for the use of persons with disabilities in off-street parking facilities. Access aisles shall be appropriately marked and may be shared by two parking spaces for the use of persons with disabilities in a parking area and must meet the following requirements:
- i. They must have a minimum width of 1.5m.

- ii. They must extend the full length of the parking space.
- iii. They must be marked with high tonal contrast lines.

**4.2.3** All parking areas required by this By-law must have a minimum number of parking spaces for the use of persons with disabilities, in accordance with the following requirements:

- i. One parking space for the use of persons with disabilities, which meets the requirements of a Type A parking space, where there are 12 parking spaces or fewer.
- ii. Four per cent of the total number of parking spaces for the use of persons with disabilities, where there are between 13 and 100 parking spaces in accordance with the following ratio, rounding up to the nearest whole number:
  - (i) Where an even number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of this paragraph, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space must be provided.
  - (ii) Where an odd number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of this paragraph, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, may be a Type B parking space.
- iii. One parking space for the use of persons with disabilities and an additional three per cent of parking spaces for the use of persons with disabilities, where there are between 101 and 200 parking spaces must be parking spaces for the use of persons with disabilities, calculated in accordance with ratios set out in 4.2.3 b) i and ii, rounding up to the nearest whole number.
- iv. Two parking spaces for the use of persons with disabilities and an additional two per cent of parking spaces for the use of persons with disabilities, where there are between 201 and 1,000 parking spaces must be parking spaces for the use of persons with disabilities in accordance with the ratios set out in 4.2.3 b) i and ii, rounding up to the nearest whole number.
- v. Eleven parking spaces for the use of persons with disabilities and an additional one per cent of parking spaces for the use of persons with disabilities, where more than 1,000 parking spaces are provided must be parking spaces for the use of persons with disabilities in accordance with the ratios set out in 4.2.3 b) i and ii, rounding up to the nearest whole number.

- vi. In determining the location of parking spaces for the use of persons with disabilities that must be provided locations that provide greater accessibility in terms of distance from an accessible entrance or user convenience shall be selected.
- vii. For the purposes of subsection (vi), the following factors may be considered in determining user convenience:
  - (i) Protection from the weather.
  - (ii) Security.
  - (iii) Lighting.
  - (iv) Priority of maintenance.

### **4.3 PARKING AREA SURFACE**

The location of parking spaces shall generally be determined through the site plan control process and shall be maintained with asphalt, concrete or brick, or other approved surfacing and designed for proper drainage. Planting strips shall be used to buffer parking areas from residential uses and zones.

### **4.4 INGRESS AND EGRESS**

Ingress and egress for parking areas shall comply with the following:

- i. Ingress and egress to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways of at least 3 metres in width but not more than 9 metres in perpendicular width.
- ii. The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 6 metres.
- iii. The minimum distance between any driveway ramp and a street line measured along the street line intersected by such driveway ramp shall be 7.5 metres.
- iv. Every lot shall be limited to the following number of driveway ramps:
  - (i) For the first 30 metres of frontage – not more than 2 driveway ramps separated by a minimum of 9 metres.
  - (ii) For each additional 30 metres of frontage – not more than 1 additional driveway ramp separated from any other ramp on the same property by a minimum 9 metres.

## **4.5 ADDITIONS AND CHANGES TO EXISTING BUILDINGS AND STRUCTURES**

The parking space requirements referred to herein shall not apply to any building or structure lawfully in existence on the date of passage of this By-law, so long as the gross floor area is not increased, and the use or number of dwelling units does not change. If any addition is made to a building or structure that increases its gross floor area or number of units, then parking spaces for the addition shall be provided in accordance with the Parking Space Requirement Table. Where a change in use occurs, parking spaces shall be provided for such new use in accordance with the requirements of the Parking Space Requirement Table.

Where lands zoned Downtown Commercial (CD) are converted or intensified without changing the ground floor area, no additional parking spaces shall be required. All effort shall be made to provide as much parking as possible and a logical layout with abutting parking lots.

## **4.6 USE OF PARKING SPACES AND AREAS**

- 4.6.1** Parking spaces and areas required in accordance with this By-law shall be used for the parking of operative, currently licensed motor vehicles only and for motor vehicles used in an operation incidental to the permitted uses in respect of which such parking spaces and areas are required or permitted.
- 4.6.2** Notwithstanding the foregoing, the owner or occupant of any lot upon which is located a permitted dwelling, and where the lot has a minimum lot area of 2 hectares, the lot, building or structure may be used for the parking, storing or housing of one commercial motor vehicle or trailer provided that such vehicle does not exceed a  $\frac{3}{4}$  ton load capacity. Such vehicle must be parked in an exterior side or rear yard, or within a building.
- 4.6.3** Commercial motor vehicles used in conjunction with an agricultural operation and one commercial truck or school bus are permitted in the Agricultural and Rural Residential Zones.

## **4.7 RESIDENTIAL PARKING AND DRIVEWAY REQUIREMENTS**

- 4.7.1** Notwithstanding the general parking requirements, it is the intent to maintain a residential nature and landscaped open space in the residential areas. The maximum width of any driveway shall be 6 metres.
- 4.7.2** There shall only be one driveway per residential lot zoned Village Residential (RV), Hamlet Residential (HR), Estate Residential (ER) and Rural Residential (RR). A zoning by-law amendment shall be required for a second driveway or wider driveway.



**4.7.3** In any Residential Zone or residential use, a maximum of 50% of the area between the face of the dwelling and the front lot line may be used for parking areas. All remaining lands shall be developed as landscaped open space, grassed areas and patios or decks.

**4.8 NUMBER OF SPACES REQUIRED**

The minimum number of off-street parking spaces required is set out in Table 3 – Parking Space Requirements.

**Table 3**

<b>Land Use</b>	<b>Minimum Off-Street Parking Requirements</b>
Assembly Area, Place of Worship, Recreational Establishment, Private Club, Tavern, or establishment licensed under the Liquor License Act or other similar places of assembly not otherwise specified herein.	1 parking space for each four persons that may be legally accommodated at any one time
Restaurant, private clubs, taverns, eating establishments	5 parking spaces plus 1 parking space for every 4 persons that may be legally accommodated at any one time
Home for the Aged, Nursing Home, Seniors Apartments, Hospitals, Institutions	5 parking spaces plus 1 parking space for each 3 beds or fraction thereof
Hotel, Motel, Camping Establishment, or other forms of temporary housing	5 parking spaces plus 1 parking space for each guest room, cottage, cabin, or camp site
Offices (medical, dental, drugless practitioner, clinic, business, financial, professional)	2 spaces per office or where common working areas are provided, one space per 20m <sup>2</sup> of floor area, excluding communal hallways.
Residential	2 parking spaces per dwelling unit, where one space may be located in a carport or garage, provided such garage or carport has a minimum width of 3m and minimum length of 6m. Tandem parking shall also be permitted.
Schools, nursery schools, commercial schools, day care	4 spaces plus 2 space per classroom (Assembly, gymnasium, and other uses are to be calculated separate, in accordance with this table)

Motor vehicle body shop, motor vehicle repair garage and similar motor vehicle uses	4 parking spaces per service bay
Any other Commercial uses	1 parking space per 20m <sup>2</sup> of gross floor area.
Any other Industrial uses	1 space per 50m <sup>2</sup> total floor area
Any other use, including assembly or common areas in conjunction with any of the categorized uses in this table	1 parking space per 20m <sup>2</sup> of gross floor area

**4.9 LOADING SPACE REQUIREMENTS**

Loading spaces are required in accordance with the Loading Space Requirements provided in Table 2. The owner of every commercial or industrial building or structure erected for any purpose involving the receiving, shipping, loading or unloading of persons, animals, goods, wares, merchandise or raw materials shall provide and maintain loading and unloading spaces on the lot.

**Table 4**

Gross Floor Area of Building	Minimum Loading Spaces Required
Less than 280m <sup>2</sup>	None
281 m <sup>2</sup> to 2300m <sup>2</sup>	1 space
2301m <sup>2</sup> to 10,000m <sup>2</sup>	2 spaces
Exceeding 10,000m <sup>2</sup>	2 spaces plus 1 space for each additional 10,000m <sup>2</sup> .

## SECTION 5 – ZONE PROVISIONS

### 5.1 - AGRICULTURAL ZONES

#### 5.1.1 General Prohibition

No person shall, within any Agricultural “A” Zone, use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

#### 5.1.2 Permitted Uses

Uses permitted in a Zone are noted by the symbol ‘X’ in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 5.1.1. A number(s) following the symbol ‘X’, zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Special Conditions are listed in the Footnotes below the Permitted Use Table 5.1.1.

The Agricultural Zones established by this By-law are as follows: A - Agricultural

**Table 5.1.1**

Use	Zone
	<b>A</b>
Accessory agriculturally related commercial use	X
Accessory apartment	X
Accessory dwelling unit for farm help in accordance with subsection 4.1.3	X
Agricultural crop operation	X
Agricultural implement sales establishment	X
Agricultural livestock operation	X
Agricultural produce outlet	X
Agricultural produce storage area or facility	X
Agricultural supply establishment	X
Asphalt plant, portable, temporary and accessory to a road project	X
Dwelling, single detached	X
Equestrian facility	X
Garden and nursery supply establishment	X
Grazing of livestock	X
Greenhouse, commercial	X
Hobby farm	X
Home industry	X
Home occupation	X
Kennel	X
Legal existing uses (a)	
Veterinary hospital/clinic	X

### 5.1.3 Zone Requirements

No person shall, within any Agricultural Zone, use any lot or erect, alter, use any building or structure except in accordance with the following zone provisions. A number(s) following the zone requirement, zone heading or description of the standard, indicates an additional zone requirement. These additional standards are listed in the Footnotes at the end of each table.

**Table 5.1.2**

Requirements		Zone
		<b>A</b>
Minimum Lot Area (ha)	Minimum Lot Area	16ha
	Minimum Lot Area for a Maximum of 1 Nutrient Unit	1.5ha
	Minimum Lot Area for Hobby Farm	1.5ha
Minimum Lot Frontage		150m
Minimum Yard Requirements	Minimum Front Yard	30m
	Minimum Exterior Side Yard	30m
	Minimum Rear Yard	30m
Maximum Lot Coverage		10%
Maximum Height		12m
Minimum Ground Floor Area of a One Storey Dwelling		110m <sup>2</sup>
Minimum Ground Floor Area of a Two-Storey Dwelling		65m <sup>2</sup>
Accessory Dwelling for Farm Help (1)	Minimum Lot Area with a livestock operation including a livestock building having a minimum floor area of 600m <sup>2</sup>	39ha
	Minimum Floor Area	35m <sup>2</sup>
	Location	Separate from livestock facility
	Maximum Distance from Principal Dwelling	20m

**Footnotes to Table 5.1.2:**

(1) An Accessory Dwelling for Farm Help shall also require an approved nutrient management plan, the dwelling unit shall have a separate entrance, washroom and kitchen facility. A mobile home may be used as an Accessory Dwelling for Farm Help where such mobile home complies with Section 3.9 of this By-law with the exception of a permanent foundation, and where Council has passed a Temporary Use By-law under Section 37 of the Planning Act and where there is an agreement between the owner and the Town that provides for the removal of the Mobile Home after a maximum of 10 years.

### 5.1.4 Agricultural Zones – Exceptions

The provisions of this Section are modified as set out in Table 5.1.3 below.

- Column 1 sets out the exception number of each zone exception which corresponds to an area of the Town identified on the Zoning Schedules by the same number and zone, preceded by a dash and the, denoting an exception. (i.e. SR-88)
- Column 2 sets out the Zoning By-law number.
- Column 3 sets out the additional uses permitted in the zone exception, if applicable.
- Column 4 sets out the only uses permitted in the zone exception, if applicable.
- Column 5 sets out the prohibited uses in the zone exception, if applicable.
- Column 6 sets out the zone requirements for the zone exception, if applicable.
- Column 7 sets out any additional provisions for the zone, if applicable.

All other provisions of the zone, unless specifically modified or amended by this Section, continue to apply to the lands subject to this Section.

**Table 5.1.3**

Exception Number	By-law Number	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Zone Requirements	Other Provisions
A-1						All Agricultural (A) uses shall be permitted, notwithstanding where the existing lands do not meet the minimum lot area requirement.
A-2		Second dwelling for full time farm help				
A-3		Two dwelling units				
A-4		<ul style="list-style-type: none"> <li>• Equipment welding and painting</li> </ul>				

		<ul style="list-style-type: none"> <li>• Motor vehicle body work, painting, and sales</li> </ul>				
A-5			One (1) single dwelling unit and the breeding, raising and processing of pigeons, poultry or fowl for human consumption		<ul style="list-style-type: none"> <li>• Minimum lot frontage – 121m</li> <li>• Maximum lot area - 1.9ha</li> <li>• Maximum lot coverage of all buildings and structures - 5%</li> <li>• Minimum front yard for a residential use - 30m</li> <li>• Minimum front yard for pigeon processing and breeding use - 75m</li> <li>• Minimum interior side yard - 15m</li> <li>• Minimum rear yard - 7.5m</li> <li>• Minimum dwelling unit ground floor area - 110m<sup>2</sup></li> </ul>	
A-6						Notwithstanding the requirements of Minimum Distance Separation (MDS II), to the contrary, on lands

						zoned Agricultural Exception Six (A-6), a new dairy barn having approximate dimensions of 30m x 60m shall be permitted with a MDS of 240m from a Type B land use, and a liquid manure storage tank with a tight fitting cover shall be permitted with a MDS of 300m to a Type B land use, and in accordance with any Nutrient Management Plans/Strategy. Two dwelling units shall be permitted on lands zoned Agricultural Exception Six (A-6).
A-7		<ul style="list-style-type: none"> <li>• Screening</li> <li>• Stockpiling</li> <li>• Storage of soils</li> </ul>				
A-8		Existing dwelling shall be permitted				
A-9	2011-20 2011-29 2013-42		Agricultural use, excluding any			

	2014-14 2015-51 2016-37 2017-62 2019-11 2019-12 2019-70 2020-33 2020-54 2021-05		dwelling or habitable living area			
A-10		Agricultural tile drainage business				<ul style="list-style-type: none"> <li>• The repair and assembly of tile drainage equipment, farm equipment and, construction equipment;</li> <li>• Accessory uses, including an accessory office shall be permitted</li> <li>• Accessory outdoor storage of materials used in the tile drainage business shall be permitted in the rear and side yard, but shall not be permitted in the required front yard; and,</li> <li>• The minimum required side</li> </ul>



					yard for the existing shop shall be 10m	
A-11	2009-46		<ul style="list-style-type: none"> <li>• Composting Facilities;</li> <li>• Alternative Energy Systems;</li> <li>• Renewable Energy Systems;</li> <li>• Energy Co-generation;</li> <li>• The use of lands, buildings or structures including greenhouses for the growing of crops, including nursery and horticultural crops, raising of livestock and other animals for food, fur or fibre, including game, poultry and fish, aquaculture, apiaries, agroforestry and maple syrup production;</li> <li>• Uses secondary to an Agricultural use, including but not limited to uses that produce value-added Agricultural</li> </ul>		<ul style="list-style-type: none"> <li>• Minimum 30m setback from Highway 89 right-of-way.</li> <li>• Minimum 15m from Amaranth-East Luther Townline Road.</li> <li>• Minimum 30m from southern lot line.</li> <li>• Minimum 6m from western lot line.</li> <li>• The minimum frontage, minimum lot area, minimum depth and maximum lot coverage regulations shall not apply.</li> <li>• Vehicular access shall be limited to Amaranth-East Luther Townline Road.</li> <li>• Outdoor storage of goods, materials, and equipment, accessory to</li> </ul>	

			<p>products, abattoirs, livestock marketing or sales yard, a seed cleaning plant, and Agricultural produce warehouse or similar agri-business.</p> <ul style="list-style-type: none"> <li>• Uses with a direct relationship to Agricultural uses, including but not limited to, a grain drying handling and storage facility;</li> <li>• Agricultural Supply Establishments;</li> <li>• Agricultural Produce Outlets;</li> <li>• Agricultural Produce Storage Area or Facilities;</li> <li>• Greenhouses, commercial;</li> <li>• Accessory Uses, being the use of lands or buildings which are incidental and subordinate to the principle use of lands and</li> </ul>		<p>the main use, shall be permitted:</p> <ul style="list-style-type: none"> <li>○ Located to the rear or side of the front wall of the main building but not within a required setback.</li> <li>○ Shall be visually screened by a 2.0m high fence, earthen berm or landscaping strip that may consist of a continuous unpierced row of evergreens or shrubs.</li> <li>• Accessory structures shall be located to the</li> </ul>	
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			buildings and for the purposes of this by-law may included, but is not limited to, outdoor storage, office space, education facilities, research facilities and alternate fuel distribution stations.		rear of side of the front wall of the main building but not within a required setback.	
A-12	2010-07					<ul style="list-style-type: none"> <li>• Minimum front yard requirement shall be 90m to provide an appropriate setback to the existing barn, and Section 3.23.1 shall not apply to further restrict the location of a dwelling unit.</li> </ul>
A-13	2011-5					<ul style="list-style-type: none"> <li>• Contractor's yard for the Bruce to Milton Hydro One Network Project shall be permitted as a secondary use. A contractor's yard shall be</li> </ul>

						<p>defined, in this instance to mean the use of existing buildings and structures and land where Hydro One Networks Inc. stores equipment and materials required for the Bruce to Milton Project and accessory office space and meeting rooms shall be permitted.</p> <ul style="list-style-type: none"> <li>• This use shall expire January 2014</li> </ul>
A-14			<p><i>Agricultural crop operation</i> excluding a single detached dwelling and the only permitted employment use shall be a federally licensed explosive storage and distribution facility</p>			<ul style="list-style-type: none"> <li>• Additional site-specific provisions shall apply to a federally licensed explosive storage and distribution facility within this zone: <ul style="list-style-type: none"> <li>a) anti-climb fencing of a minimum height of 2.4m</li> </ul> </li> </ul>

						<p>shall be installed around the entire perimeter of the 4.0ha facility;</p> <p>b) the maximum height of any building, structure or silo shall be 14m;</p> <p>c) no heavily encased explosives, including, but not limited to bombs or artillery projectiles, shall be permitted to be manufactured , stored or distributed on or from the zone;</p> <p>d) only the following materials, in the following quantities shall be permitted to be stored</p>
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						<p>within the zone:</p> <ul style="list-style-type: none"> <li>i. Ammonium Nitrate Emulsion to a maximum of 40 tonnes</li> <li>ii. Ammonium Nitrate Prill to a maximum of 60 tonnes</li> <li>iii. Diesel fuel to a maximum of 10,000 litres</li> <li>iv. Detonators to a maximum of 1.2 million detonator units</li> <li>v. Packaged Explosives to a maximum of 30,000kg</li> <li>vi. Sodium Nitrite to a maximum of 3,000kg</li> <li>e) the number of Mobile Manufacturing Units (MMU) or equivalent units within</li> </ul>
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						<p>the zone at any one time shall not exceed seven (7). A Mobile Manufacturing Unit is defined as a process vehicle or a portable unit in which explosives are manufactured</p> <p>f) accessory maintenance, repair and storage of all vehicles related to the federally licensed explosive storage and distribution facility shall be permitted, but shall not include a motor vehicle repair garage, as defined by this by-law; and,</p> <p>g) no manufacturing</p>
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						of explosives shall be permitted on site except for any calibrating of process vehicles or transferring of materials that are incidental to the storage and distribution of explosives.
A-15		<i>Existing muster points, monitoring wells and associated monitoring.</i>				
A-16	2014-14	Maximum of one dwelling unit and one existing farm-help or cottage, where the existing farm-help dwelling, or cottage is located within 50m of the principle dwelling		<ul style="list-style-type: none"> <li>• No additional farm-help dwellings</li> <li>• Existing farm help dwelling shall not be permitted to be reconstructed</li> </ul>	<ul style="list-style-type: none"> <li>• Minimum lot frontage: 17m for the west access and 12m for the east access;</li> <li>• Minimum south side yard for a dwelling - 24m</li> </ul>	
A-17	2016-37				<ul style="list-style-type: none"> <li>• Minimum Lot Area 1.4ha</li> <li>• Maximum number of livestock to be 2NU (nutrient units)</li> </ul>	



					<ul style="list-style-type: none"> <li>• Maximum Distance between existing barn structure and existing residence shall be 45m.</li> </ul>	
A-18	2016-40				East side yard setback shall be 10m.	
A-19	2016-52					Residential use shall be permitted, subject to having a proper and safe driveway and obtaining all necessary permits for such driveway or upgraded driveway. Approval from the conservation authority may be required for access upgrades.
A-20	2019-44					One accessory structure (liquid manure storage) to be located a minimum 152m away from the dwelling on the property municipality know as 115435

						Sideroad 27-28, Roll#214400.
A-21	2019-45	One garden suite with an adequate sewage disposal system and water services			<ul style="list-style-type: none"> <li>• Minimum floor area shall be 35m<sup>2</sup></li> <li>• Maximum floor area shall be 80m<sup>2</sup></li> </ul>	
A-22	2021-09				<ul style="list-style-type: none"> <li>• Minimum East interior side yard setback to the existing cattle barn – 22m</li> </ul>	
A-23	2022-66				<ul style="list-style-type: none"> <li>• Front yard Setback 25m</li> </ul>	<ul style="list-style-type: none"> <li>• A maximum of 712m<sup>2</sup> GFA for a Home Industry use</li> </ul>
A-24	2025-16				<ul style="list-style-type: none"> <li>• Minimum front yard setback for accessory buildings - 5.0m</li> </ul>	<ul style="list-style-type: none"> <li>• Exception A-24 only applies to the existing/enlarged accessory building adjacent to the purchased ROW (B02-2024, Plan 7R-6901)</li> </ul>

## 5.2 RESIDENTIAL ZONES

### 5.2.1 General Prohibition

No person shall, within any Residential Zone, use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

### 5.2.2 Permitted Uses

Uses permitted in a Zone are noted by the symbol 'X' in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 5.2.1 A number(s) following the symbol 'X', zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Special Conditions are listed in the Footnotes below the Permitted Use Table, Table 5.2.1

The Residential Zones established by this By-law are as follows:

- RR Rural Residential
- ER Estate Residential
- RH Hamlet Residential
- RV Village Residential
- RM Multiple Residential

**Table 5.2.1**

Use	Zones				
	RR	ER	RH	RV	RM
Accessory apartment	X	X	X	X	X
Agricultural crop operation	X				
Dwelling, apartment					X
Dwelling, converted				X	X
Dwelling, duplex					X
Dwelling, semi-detached					X
Dwelling, single detached	X	X	X	X	X

Dwelling, townhouse					X
Dwelling, triplex					X
Existing agricultural operations	X				
Hobby farm	X				
Home industry	X				
Home occupation	X	X	X	X	
Park					X

### 5.2.3 Zone Requirements

No person shall, within a Residential Zone, use any lot or erect, alter, use any building or structure except in accordance with the following zone provisions. A number(s) following the zone requirement, zone heading or description of the standard, indicates an additional zone requirement. These additional standards are listed in the Footnotes at the end of each table.

**Table 5.2.2**

Requirements	Requirements	Zones				
		RR	ER	RH	RV (1)	RM (5)
Minimum lot area	Minimum lot area	0.4ha	0.8ha	0.11ha (water services) 0.4ha (private services)	0.038ha	(6)
	Minimum lot area for a hobby farm	1.5ha	N/A	N/A	N/A	
Minimum Lot Frontage		45m	60m	24m	(2)	(7)
Minimum Yard Requirements	Minimum front yard	30m	30m	7.5m	7m	7m
	Minimum interior side yard	6m	6m	1.5m	1.2m	1.2m

	Minimum exterior side yard	30m	30m	7.5m	4.5m	4.5m
	Minimum rear yard	15m	30m	10m	6.0m	6m
Maximum lot coverage		10%	10%	20%	50 % (3)	40%
Maximum height		12m	12m	12m	12m	12m
Minimum ground floor area of a one-storey dwelling		110m <sup>2</sup>	140m <sup>2</sup>	110m <sup>2</sup>	112m <sup>2</sup> . (4)	N/A
Minimum ground floor area of a two-storey dwelling		65m <sup>2</sup>	75m <sup>2</sup>	65m <sup>2</sup>	70m <sup>2</sup> (4)	N/A

**Footnotes to Table 5.2.2**

- 1) Additional Requirements for RV Zone
  - a. Minimum separation between two dwellings on abutting lots - 1.8 m
  - b. The front wall of any attached or detached garage shall not be located closer to the front lot line than the front wall of the dwelling, except a garage can extend in line with a covered porch that extends along the entire front wall of the dwelling.
  - c. Permitted encroachments of Table 3.1.5.1 shall not be permitted within any drainage swale or easement.
  
- 2) Minimum Lot Frontage:
  - a. Interior Lots – 12m
  - b. Corner Lots – 15m
  
- 3) Maximum lot coverage including accessory buildings, structures, hot tubs, patios and decks but excluding pools.
  
- 4) Including garage.
  
- 5) Additional Requirements for RM Zone
  - a. Maximum number of connected row houses - 6 units
  - b. Minimum distance between two group of connected row houses - 2m
  - c. Minimum Gross floor area for a one-bedroom unit plus 14 square metres per additional bedroom
  - d. Minimum landscaped open space - 20%
  - e. Maximum density - 50 units/ha

- f. Minimum landscaping open space strip abutting any lot line where more than one unit is accommodated on a single lot - 3m in width
  - g. Minimum landscaping open space strip abutting any front and exterior side yard for any corner lot – 3m in width
- 6) Minimum Lot Area:
- a. Interior Lots – 0.02ha
  - b. Exterior Lots – 0.04ha
- 7) Minimum Lot Frontage:
- a. Interior Lots per unit – 6m
  - b. Corner lots – 15m

### 5.2.4 Residential Zones – Exceptions

The provisions of this Section are modified as set out in Table 5.2.3 below.

- Column 1 sets out the exception number of each zone exception which corresponds to an area of the Town identified on the Zoning Schedules by the same number and zone, preceded by a dash and the, denoting an exception. (i.e. SR-88)
- Column 2 sets out the Zoning By-law number.
- Column 3 sets out the additional uses permitted in the zone exception, if applicable.
- Column 4 sets out the only uses permitted in the zone exception, if applicable.
- Column 5 sets out the prohibited uses in the zone exception, if applicable.
- Column 6 sets out the zone requirements for the zone exception, if applicable.
- Column 7 sets out any additional provisions for the zone, if applicable.

All other provisions of the zone, unless specifically modified or amended by this Section, continue to apply to the lands subject to this Section.

**Table 5.2.3**

1.Exception Number	2.By-law Number	3.Additional Permitted Uses	4.Only Uses Permitted	5.Uses Prohibited	6.Special Zone Requirements	7.Other Special Provisions
RR-1	2009-41				<ul style="list-style-type: none"> <li>• Minimum front yard – 18m</li> <li>• Minimum setback from a watercourse – 15m</li> <li>• Any accessory structure shall be permitted to be located 5m closet to the front lot line than the dwelling and shall be permitted to have a maximum height of 7.4m.</li> </ul>	
RR-2		Existing barn and barn uses shall be permitted				

RR-3			Single detached dwelling, as located			
RR-4					Minimum setback from a watercourse - 12m	
RR-5		Safety Inspection of Vehicles				
RR-6					Minimum gross floor area - 130m <sup>2</sup>	
RR-7					Minimum front yard - 22.5m	
RR-8		Existing 3.7m x 4.9m accessory building			<ul style="list-style-type: none"> <li>• Minimum side yard - 1m</li> <li>• Minimum rear yard – 1m</li> </ul>	
RR-9		Existing propane refill station				
RR-10					Minimum front yard - 15m	
RR-11						A garage that is accessory to a dwelling is permitted in the front yard but not in the required front yard of the dwelling
RR-12					Maximum lot coverage - 10.6%.	
RR-13		Accessory dwelling				
RR-14					Minimum rear yard - 30m	



RR-15					Minimum building areas - 167m <sup>2</sup>	
RR-16					Minimum building areas - 119m <sup>2</sup>	
RR-17					Lot frontage - 24m	
RR-18					Minimum rear yard - 6m	
RR-19	2014-14				<ul style="list-style-type: none"> <li>• Minimum frontage – 18m</li> <li>• Minimum lot size for a hobby farm operation – 5ha</li> <li>• Maximum number of nutrient units – 4 NU</li> </ul>	
RR-20	2016-20				Minimum lot area - 0.28ha	
RR-21	2017-17	Group home for adults with Autism				
RR-22	2017-51	Accessory structure having a maximum floor area of 585m <sup>2</sup>  Micro-brewery as a home industry subject to site plan control			<ul style="list-style-type: none"> <li>• Maximum floor area of all structures, excluding the single detached dwelling - 585m<sup>2</sup></li> <li>• Maximum floor area devoted to home industry - 480m<sup>2</sup></li> </ul>	
RR-23	2018-50  2022-37				<ul style="list-style-type: none"> <li>• Minimum front yard for an accessory structure - 2.5m</li> </ul>	An accessory structure shall be permitted to be located in the front yard,

					<ul style="list-style-type: none"> <li>Minimum set back from a watercourse for an accessory structure - 7.5m</li> </ul>	<p>beyond the principle building.</p> <p>One accessory structure shall be permitted to be larger than the principle dwelling at 297m<sup>2</sup> for use as a HOME INDUSTRY</p> <p>Parking to be accommodated on the existing residential driveway</p>
RR-24	2019-05				Minimum front yard setback - 14.5m	
RR-25	2019-26 2022-07				<ul style="list-style-type: none"> <li>Minimum front yard setback for accessory building - 12m</li> <li>Minimum setback from wetland - 15 m</li> </ul>	Only one accessory building or structure shall be permitted to be located closer to the front lot line than the principle building on the lot.

						The Sea Container shall be removed 3 years from the date of this By-law (Jan 11, 2025), at which time, if not removed, the Applicant will apply for the appropriate Zoning By-law Amendment
RR-26	2019-50	One garden suite with an adequate sewage disposal system and water services			Maximum floor area 43m <sup>2</sup>	
RR-27	2020-54		<ul style="list-style-type: none"> <li>• Existing dwelling and accessory building;</li> <li>• Existing agricultural operations;</li> <li>• Dwelling, single detached;</li> <li>• Accessory apartment;</li> </ul>		Rear yard setback for the existing dwelling 6m	

RR-28	2020-56				Minimum front yard setback for an accessory building - 20m	Only one accessory building or structure shall be permitted to be located closer to the front lot line than the principle building on the lot.
RR-29	2021-05				Minimum lot frontage shall be 16m	
RR-30	2021-22				Minimum front yard setback for an accessory building – 7.5m	Only one accessory building or structure shall be permitted to be located closer to the front lot line than the principal building on the lot
RR-31	2021-56		<ul style="list-style-type: none"> <li>• Dwelling, single detached</li> <li>• Accessory apartment</li> <li>• Home Industry</li> <li>• Home Occupation</li> </ul>	<ul style="list-style-type: none"> <li>• No livestock or agricultural operations are permitted</li> </ul>		

			<ul style="list-style-type: none"> <li>Existing 400m<sup>2</sup> barn</li> </ul>			
RR-32	2021-61				<ul style="list-style-type: none"> <li>15m front yard setback</li> </ul>	
RR-33	2021-69				<ul style="list-style-type: none"> <li>North interior side yard setback 3m</li> <li>North interior side yard setback for a deck 1m</li> <li>Lot coverage (maximum) 12%</li> </ul>	
RR-34	2023-07				<ul style="list-style-type: none"> <li>Exterior side yard setback 28m</li> </ul>	
RR-35	2023-22				<ul style="list-style-type: none"> <li>Exterior side yard setback 6m</li> <li>Front yard setback 18m</li> </ul>	
RR-36	2023-50		<ul style="list-style-type: none"> <li>dwelling, single detached;</li> <li>accessory apartment;</li> <li>home industry;</li> <li>home occupation;</li> </ul>		<ul style="list-style-type: none"> <li>Lot Area: 0.1959 ha</li> <li>Frontage: 39 m</li> <li>Front yard setback: 2.8 m</li> <li>Exterior side yard setback: 3.4 m</li> <li>No minimum GFA for a single detached dwelling</li> </ul>	
RR-37	2024-52			<ul style="list-style-type: none"> <li>Hobby Farm</li> </ul>		<ul style="list-style-type: none"> <li>Existing Accessory Buildings</li> </ul>

						including Barn are permitted
ER-1	2021-06	Second driveway along the north property line, for a total of two driveways				
ER-2	2021-49					<ul style="list-style-type: none"> <li>• An accessory building may be constructed on the property prior to the construction and legal existence of the main primary residential dwelling</li> <li>• The primary dwelling unit must be constructed by August</li> </ul>

						2023, and if not built the accessory build must be removed
RH-1	2014-41				One accessory structure shall be permitted to have a maximum height of 6.7m whereas the provisions of section 3.1.4 permit a maximum height of 6 m, where a minimum setback of 6m is provided.	
RH-2		<ul style="list-style-type: none"> <li>• Motor vehicle repair garage</li> <li>• Retail store</li> </ul>				
RH-3(H)	2025-14		<ul style="list-style-type: none"> <li>• One (1) single detached dwelling;</li> <li>• one (1) accessory apartment;</li> </ul>	<ul style="list-style-type: none"> <li>• Detached Additional Residential Unit (ARU)</li> </ul>	<p><b>Lot Area 0.15ha to 0.20ha:</b></p> <ul style="list-style-type: none"> <li>• MAXIMUM Dwelling Gross Floor Area is 250m<sup>2</sup></li> <li>• MAXIMUM Dwelling Ground Floor Area is 150m<sup>2</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Merged Lots require a Zoning By-law Amendment</li> </ul>

			<ul style="list-style-type: none"> <li>• one (1) home occupation;</li> </ul>		<p><b>Lot Area 0.21ha to 0.30ha:</b></p> <ul style="list-style-type: none"> <li>• MAXIMUM Dwelling Gross Floor Area is 350m<sup>2</sup></li> <li>• MAXIMUM Dwelling Ground Floor Area is 210m<sup>2</sup></li> <li>• Maximum lot coverage for all lots including Accessory Buildings is 15%</li> </ul>	
RV-1					<ul style="list-style-type: none"> <li>• Minimum corner lot frontage – 15.09m</li> <li>• Minimum exterior side yard – 3.35m</li> <li>• Minimum interior side yard – 0.762m</li> </ul>	
RV(F)-2					<ul style="list-style-type: none"> <li>• Minimum front yard - 4.57m</li> </ul>	
RV-3		Business or professional office			<ul style="list-style-type: none"> <li>• Minimum front yard for the existing building only – 3m</li> <li>• Minimum interior side yard for the existing building only – 1.2m</li> <li>• Minimum rear yard for the existing building only – 0.7m</li> </ul>	
RV-4			Drugless practitioner's office (wellness centre)		<ul style="list-style-type: none"> <li>• Minimum Front Yard - 3.8m</li> <li>• Minimum Exterior Side Yard - 3.0m</li> </ul>	Minimum Parking Required shall be seven (7) off-street parking spaces, where



					<ul style="list-style-type: none"> <li>• Minimum Interior Side Yard abutting a Residential Zone - 4.5m</li> <li>• Minimum Rear Yard - 4.5m</li> <li>• Maximum Building Height - 10m</li> <li>• Minimum Landscaped Open Space Strip abutting a front yard, exterior side yard, and abutting any residential zone - 3.0m</li> </ul>	<p>one space is permitted to be located in the existing attached garage and one (undersized) space is permitted directly in front of the garage.</p>
RV-5	2012-09				<ul style="list-style-type: none"> <li>• maximum dwelling height – 10m, measured as the vertical distance between the average grade at the rear of the dwelling to the highest point of the roof surface</li> <li>• Minimum front yard – 6.0m</li> <li>• Minimum interior side yard for a maximum of one interior side yard where such dwelling has a wall with no windows shall be 0.6m, but the separation between two dwellings on abutting lots shall not be less than 1.8m.</li> </ul>	<ul style="list-style-type: none"> <li>• No dwelling shall be constructed with habitable attic space, rear facing dormers, second floor rear balconies and windows in the roof line facing the rear yard.</li> <li>• <i>A living fence</i>, having a minimum width of 3m shall be required</li> </ul>

						along the rear lot line of lots 148 to 187 a <i>living fence</i> having a minimum width of 1.2m shall be required along the east lot line of Lots 142 and 188.
RV-6	2012-16				Minimum lot area - 0.034ha Minimum front yard – 0m Minimum south side yard to the existing dwelling – 0m	The floor area of the existing dwelling shall be considered the minimum floor area required.
RV-7	2012-16				<ul style="list-style-type: none"> <li>• Minimum lot area - 0.034ha</li> <li>• Minimum ground floor area of dwelling, including attached garage – 85m<sup>2</sup></li> <li>• Minimum front yard – 4.5m</li> <li>• Minimum exterior side yard – 2.0m</li> </ul>	<ul style="list-style-type: none"> <li>• Dwelling must include an attached garage, having a minimum width of 3m and minimum depth of 6m</li> <li>• Board-on-board fence shall be constructed</li> </ul>

						along the rear lot line
RV-8	2012-35				<ul style="list-style-type: none"> <li>• Minimum front yard for Phase 1 of Mayberry Hills Subdivision – 6.0m</li> <li>• Minimum interior side yard for a maximum of one interior side yard where such dwelling has a wall with no windows - 0.6m</li> <li>• Minimum separation between two dwellings on abutting lots - 1.8m.</li> </ul>	
RV-9	2017-48	Semi-detached dwelling			<ul style="list-style-type: none"> <li>• Minimum lot area – 0.03ha</li> <li>• Minimum lot frontage for interior lots – 10m</li> <li>• Minimum lot frontage for corner lots – 12m</li> <li>• Minimum interior side yard for a maximum of one interior side yard where such dwelling has a wall with no windows – 0.6m</li> <li>• Minimum interior side yard for semi-detached – 0m</li> <li>• Minimum exterior side yard – 4m</li> </ul>	Notwithstanding the requirements for frontage on a year-round maintained public road, lots zoned RV-9 shall be permitted on a private condo road.

					<ul style="list-style-type: none"> <li>The lot line abutting the internal condo road shall be considered the front lot line.</li> </ul>	
RV-11	2018-57 2021-38				Minimum lot frontage for a corner lot – 14.9m	<p>Prior to the removal of the Holding Provision from the RV-11 Zone, the following condition shall be satisfied:</p> <ul style="list-style-type: none"> <li>That the Future Development Block be merged with additional lands to create a building lot in compliance with the RV Zone prior to the H being lifted by Council.</li> </ul>
RV-12	2020-50					A double car garage and a double car driveway is required per single detached dwelling, to provide for four

						(4) parking spaces per dwelling, where two (2) can be accommodated in a garage with a minimum width of 6m and a minimum length of 6m and two (2) can be accommodated on the driveway.
RV-13(H)	2021-30					
RV-14	2021-79				<ul style="list-style-type: none"> <li>• Minimum front yard for Phase 1 Mayberry Hills Subdivision 6m</li> <li>• Minimum exterior side yard setback 3m</li> <li>• Minimum interior side yard for a maximum of one interior side yard where such a dwelling has a wall with no windows shall be 0.6m, but the separation between two dwellings on abutting lots shall not be less than 1m</li> </ul>	5
RV-15(H)	2022-65				<ul style="list-style-type: none"> <li>• Minimum front yard setback - 6.0m</li> <li>• Minimum exterior side yard - 3.0m</li> </ul>	

					<ul style="list-style-type: none"> <li>• Lot coverage maximum - 55%</li> <li>• Maximum 85% of the area between the face of the dwelling and the front lot line may be used for parking areas</li> </ul>	
RV-16	2022-78				<ul style="list-style-type: none"> <li>• A second driveway is permitted</li> </ul>	
RV(F)-17	2022-39 34 Cooper #342800				<ul style="list-style-type: none"> <li>• Minimum front yard - 4.57m</li> </ul>	<ul style="list-style-type: none"> <li>• A Home Occupation use may be permitted in an accessory building.</li> </ul>
RV-18	2024-46 25 McIntyre Lane #110879	2012-35			<ul style="list-style-type: none"> <li>• Minimum front yard for Phase 1 of Mayberry Hills Subdivision – 6.0 m</li> <li>• Minimum interior side yard for a maximum of one interior side yard where such dwelling has a wall with no windows – 0.6m</li> <li>• Minimum separation between two dwellings on abutting lots – 1.8 m</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>
		2024-46				

					<ul style="list-style-type: none"> <li>• Minimum interior and rear yard setbacks for EXISTING accessory buildings or structures 0.60m</li> </ul>	
RM(F)-1					<ul style="list-style-type: none"> <li>• Minimum apartment unit floor area – 37m<sup>2</sup></li> </ul>	
RM-2					<ul style="list-style-type: none"> <li>• Minimum lot frontage 20m</li> <li>• Minimum front yard 6.5m</li> <li>• Minimum interior side yard 6.4m</li> <li>• Minimum rear yard 4.6m</li> </ul>	
RM-3					<ul style="list-style-type: none"> <li>• Minimum lot area - 108m<sup>2</sup> per dwelling unit;</li> <li>• No frontage shall be required if the lot has a minimum 9m unrestricted access registered on title;</li> <li>• The only permitted use on the portion of lands providing street access to the remaining land-locked portions of the Multiple Residential Exception Three (RM-3) Zone shall be access and off-street parking.</li> </ul>	<ul style="list-style-type: none"> <li>• The only permitted use on the portion of lands providing street access to the remaining land-locked portions of the Multiple Residential Exception Three (RM-3) Zone shall be access and off-street parking.</li> </ul>

RM-4					<ul style="list-style-type: none"> <li>• Minimum lot area shall be 300m<sup>2</sup></li> <li>• Minimum lot frontage for interior lots shall be 10m</li> <li>• No frontage shall be required if the lot has a minimum 9m unrestricted access registered on title</li> </ul>	<ul style="list-style-type: none"> <li>• The only permitted use on the portion of lands providing street access to the remaining land-locked portions of the Multiple Residential Exception Three (RM-3) Zone shall be access and off-street parking.</li> </ul>
RM-5	2012-09		<ul style="list-style-type: none"> <li>• Town houses</li> <li>• Bungaloffs</li> <li>• Accessory uses (open space, amenity area, and accessory parking)</li> </ul>		<ul style="list-style-type: none"> <li>• Minimum number of bungaloffs on Block 241 - 50% of all units zoned RM-5</li> <li>• Maximum number of connected row houses – 8 units</li> <li>• Maximum lot coverage, including accessory buildings and structures, patios and decks - 50%.</li> <li>• Minimum front yard - 6m</li> </ul>	<p>Bungaloff shall be defined as a single storey townhouse unit with a second storey loft, or rooms within the truss structure.</p> <ul style="list-style-type: none"> <li>• A <i>living fence</i> shall be required along the east lot line of Block 241, except where</li> </ul>



						<p>a drainage swale is required abutting such lot line, in which case the living fence shall be located immediately abutting the drainage swale.</p> <p><b>Removal of Holding Provision:</b></p> <p>Prior to the Removal of the Holding (H) Provision from the RM-5(H) or RM(H) Zone, the following conditions shall be satisfied:</p> <ul style="list-style-type: none"> <li>• A site plan agreement between the landowner and the</li> </ul>
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						<p>Town, has been executed by both parties</p> <ul style="list-style-type: none"> <li>• Appropriate sanitary services and water supply have been approved to service the land and/or are available, to the satisfaction of the Town Engineer</li> <li>• Payment of outstanding taxes, fees, hard services component of the development charge</li> </ul>
RM-6	2012-09 2016-05				<ul style="list-style-type: none"> <li>• Maximum number of connected row houses - 8 units</li> </ul>	<b>Removal of Holding Provision:</b>

					<ul style="list-style-type: none"> <li>• Minimum lot frontage for interior lots - 6m</li> <li>• Minimum lot area for interior lots - 0.02ha</li> <li>• Maximum lot coverage, including accessory buildings and structures, patios and decks and pools - 50%</li> </ul>	<p>Prior to the Removal of the Holding (H) Provision from the RM-5(H) or RM-6(H) Zone, the following conditions shall be satisfied:</p> <ul style="list-style-type: none"> <li>a) A site plan agreement between the landowner and the Town, has been executed by both parties</li> <li>b) Appropriate sanitary services and water supply have been approved to service the land and/or are available, to the satisfaction of the Town Engineer</li> </ul>
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						<p>c) Payment of outstanding taxes, fees, hard services component of the development charge</p> <p>In all other respects, the provisions of this By-law shall apply.</p>
RM-7	2013-33		<ul style="list-style-type: none"> <li>• Town houses</li> <li>• Bungaloffs Accessory uses (open space, amenity area, and accessory parking)</li> </ul>		<ul style="list-style-type: none"> <li>• Maximum number of connected row houses - 8 units</li> <li>• Maximum lot coverage, including accessory buildings and structures, patios and decks - 50%</li> </ul>	<p><b>Removal of Holding Provision:</b> Prior to the Removal of the Holding (H) Provision from the RM-7(H) Zone, the following conditions shall be satisfied:</p> <p>a) A site plan agreement between the landowner and the Town,</p>

						<p>has been executed by both parties</p> <p>b) Appropriate sanitary services and water supply have been approved to service the land and/or are available, to the satisfaction of the Town Engineer</p> <p>c) Payment of outstanding taxes, fees, hard services component of the development charge</p>
RM-8	2018-61				<ul style="list-style-type: none"> <li>• Minimum front yard shall be 8.0m</li> <li>• Minimum interior side yard on the east side - 12.0m</li> <li>• All other side and rear yards - 6.0m</li> </ul>	Southerly lot line shall be deemed to be the front lot line

					<ul style="list-style-type: none"> <li>• Maximum building height shall not pierce a plane measured at 45 degrees from the southerly and easterly lot line and not be more than 12m.</li> <li>• 3.0m planting strip shall be planted and maintained on the southerly and easterly lot lines.</li> </ul>	
RM-9(H)	2021-38				<ul style="list-style-type: none"> <li>• Minimum lot area per unit - 270m<sup>2</sup></li> <li>• Minimum unit width - 6m</li> <li>• Minimum driveway length for each unit – 7m</li> <li>• Minimum distance between blocks of units - 2m</li> <li>• Minimum exterior side yard - 4.5m</li> <li>• Maximum lot coverage - 50%</li> <li>• Maximum building height - 12 m</li> <li>• Maximum number of connected units – 8</li> <li>• Minimum landscaped open space - 20%</li> <li>• Maximum density - 50 units per ha</li> </ul>	
RM-10(H)	2020-50				<ul style="list-style-type: none"> <li>• Maximum number of permitted townhome dwellings – 13</li> </ul>	A double car garage and a double car

					<ul style="list-style-type: none"> <li>• Maximum number of permitted single detached dwellings – 9</li> <li>• Minimum front yard to a cul-de-sac radius – 6m</li> <li>• Minimum front yard setback -6m</li> </ul>	<p>driveway is required per single detached dwelling, to provide for four (4) parking spaces per dwelling, where two (2) can be accommodated in a garage with a minimum width of 6m and a minimum length of 6m and two (2) can be accommodated on the driveway.</p>
RM-11(H)	2021-30 (Corseed)				<ul style="list-style-type: none"> <li>• Minimum lot area shall be 180 m<sup>2</sup> per dwelling unit for interior lots;</li> <li>• Minimum lot area shall be 270 m<sup>2</sup> per dwelling unit for exterior lots;</li> <li>• Minimum lot frontage for corner lots – 9 m;</li> <li>• Minimum exterior side yard - 3.0 m;</li> <li>• Minimum front yard – 6.0 m;</li> </ul>	

					<ul style="list-style-type: none"> <li>• Maximum number of connected row houses – 8 units;</li> <li>• Maximum lot coverage, including accessory buildings and structures, patios and decks shall be no more than 55%;</li> <li>• Maximum density of 51 units per hectare.</li> </ul>	
RM-12	2022-63				<ul style="list-style-type: none"> <li>• Exterior Lot Frontage 10m</li> <li>• Coverage 47%</li> </ul>	
RM-13	2022-65 (Moco)				<ul style="list-style-type: none"> <li>• Minimum front yard setback - 6.0m</li> <li>• Lot coverage maximum - 55% for Townhomes</li> <li>• Minimum lot area - 270m<sup>2</sup> for exterior lots</li> <li>• Minimum lot frontage for corner lots - 9.0m</li> <li>• Minimum exterior side yard - 3.0m</li> <li>• Maximum number of connected row houses - 7</li> <li>• Maximum height - 13.0m</li> <li>• Maximum 85% of the area between the face of the dwelling and the rear lot line may be used for parking areas</li> </ul>	





## 5.3 COMMERCIAL AND EMPLOYMENT ZONES

### 5.3.1 General Prohibition

No person shall, within any Commercial and Employment Zone, use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

### 5.3.2 Permitted Uses

Uses permitted in a Zone are noted by the symbol 'X' in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 5.3.1. A number(s) following the symbol 'X', zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Special Conditions are listed in the Footnotes below the Permitted Use Table, Table 5.3.1.

The Commercial and Employment Zones established by this By-law are as follows:

CD	Downtown Commercial
CH	Highway Commercial
M1	Employment
M2	Rural Employment
MX	Extractive Industrial
MD	Disposal Industrial

**Table 5.3.1**

Use	Zones					
	CD	CH	M1	M2	MX	MD
Accessory apartment				X	X	
Aggregate extraction operation						
Agricultural implement sales outlet		X	X	X		
Agricultural manufacturing establishment				X		
Agricultural processing establishment				X		

Agricultural produce storage area or facility			X	X		
Agricultural related commercial use				X		
Agricultural uses, existing;					X	
Apartments above or behind a permitted non-residential use	X					
Asphalt plant, portable					X	
Assembly Area	X					
Auction establishment		X				
Bakery	X					
Building supply and lumber establishment			X			
Bulk fuel depot			X			
Office, Business, Professional or Administrative	X		X			
Clinic, medical;	X					
Clinic	X					
Commercial offices	X					
Computer, electronic or data processing			X			
Concrete batching plant					X	
Contractor or tradesman establishment			X	X		
Convenience store		X				
Day nursery	X					
Drugstores or Pharmacy	X					
Dry cleaning establishment	X					
Entertainment establishment			X			

Entertainment establishment, <i>but not including an adult entertainment establishment</i>	X					
Equipment sales and rental establishment		X	X	X		
Farmers market	X					
Feed mill			X	X		
Financial institution;	X		X			
Funeral home;	X					
Gate house, accessory;						X
Greenhouse, commercial				X		
Laundromat	X					
Letter carrier depot			X			
Lodging accommodations	X					
Manufacturing, processing, packaging, fabricating and assembly plant			X			
Microbreweries	X					
Liquor store	X					
Motor vehicle body shop		X	X			
Motor vehicle dealership		X				
Motor vehicle parts establishment		X	X			
Motor vehicle repair garage		X	X			
Motor vehicle service station		X				
Motor vehicle washing establishment		X				
Museums	X					
Art gallery	X					
Studio	X					

Cultural facility	X					
Cultural School	X					
Outdoor storage, accessory			X	X		
Parking garage or parking structure	X	X				
Parking garage, structure, or lot;			X			
Parking lot	X	X				
Parking lot, commercial	X	X				
Peat extraction					X	
Pit or quarry					X	
Post office	X					
Catalogue store and mail-in depot						
Printing or publishing establishment;	X		X			
Private club	X					
Recreational establishment	X		X			
Recreational vehicles sales and service establishment.		X	X	X		
Recycling facility						X
Research and development establishments			X			
Research centre	X					
tutoring, education facilities						
Residential dwelling unit, accessory, subject to the provisions of section 3.1.8;				X		
Restaurant	X	X	X			
Retail outlet or large-scale retail			X			
Retail outlet, accessory for products				X		

manufactures on the premises						
Retail outlet	X					
Retail store	X					
Sales office	X					
Service and repair establishment	X					
Sawmill				X		
School, commercial	X					
Service and repair establishment			X	X		
Service shop, personal	X					
Sewage treatment facility or services						X
Tavern	X					
Taxi establishment	X					
Telecommunication broadcasting or transmission establishment	X		X			
Transportation depot			X	X		
Veterinarian hospital/clinic;	X					
Pet store						
Video film outlet	X					
Warehouse			X	X		
Warehouse, mini or self-storage facility			X			
Waste disposal area						X
Water reservoir						X

**5.3.3 Zone Requirements**

No person shall, within a Commercial and Employment Zone, use any lot or erect, alter, use any building or structure except in accordance with the following zone provisions. A number(s) following the zone requirement, zone heading or description of the standard, indicates an additional zone requirement. These additional standards are listed in the Footnotes at the end of each table

**Table 5.3.2**

Requirement	Zones					
	CD	CH	M1	M2	MX	MD
Minimum Lot Area	N/A	0.8ha	0.25ha	0.4ha	22ha	10ha
Minimum Lot Frontage	N/A	60m	30m	60m	150m	60m
Minimum Front Yard	N/A	25m	7.5m	15m	120m	60m
Minimum interior side yard	N/A	15m	4.5m	6m	120m	60m
Minimum exterior side yard	N/A	15m	7.5m	15m	120m	60m
Minimum rear yard	2.5m (1)	7.5m (2)	7.5m	7.5m	120m	60m
Minimum rear yard abutting a residential zone	4.5m	15m	N/A	N/A	N/A	N/A
Maximum lot coverage	75%	30%	50%	25%	N/A	30%
Maximum height	12m	12m	12m	12m	12m	N/A
Minimum landscaped open space strip abutting any front lot line and exterior lot line	N/A	3m	3m	3m	3m (1)	3m
Minimum landscaped open space strip abutting any residential or institutional zone or use	3m (2)	3m	10m	10m	10m	10m
Minimum setback from any	3m	N/A	N/A	10m	N/A	N/A

residential zone or use						
Maximum ground floor area devoted to apartments or residential use	40%	N/A	N/A	N/A	N/A	N/A

**Footnotes to Table 5.3.2:**

- 1) Minimum rear yard abutting a residential zone – 4.5m
- 2) Minimum rear yard abutting a residential zone – 15m



### 5.3.4 Employment Zones – Exceptions

The provisions of this Section are modified as set out in Table 5.3.3 below.

- Column 1 sets out the exception number of each zone exception which corresponds to an area of the Town identified on the Zoning Schedules by the same number and zone, preceded by a dash and the, denoting an exception. (i.e. SR-88)
- Column 2 sets out the Zoning By-law number.
- Column 3 sets out the additional uses permitted in the zone exception, if applicable.
- Column 4 sets out the only uses permitted in the zone exception, if applicable.
- Column 5 sets out the prohibited uses in the zone exception, if applicable.
- Column 6 sets out the zone requirements for the zone exception, if applicable.
- Column 7 sets out any additional provisions for the zone, if applicable.

All other provisions of the zone, unless specifically modified or amended by this Section, continue to apply to the lands subject to this Section.

**Table 5.3.3**

1. Exception Number	2. By-law Number	3. Additional Permitted Uses	4. Only Uses Permitted	5. Uses Prohibited	6. Special Zone Requirements	7. Other Special Provisions
CD-1					Parking spaces may be located adjacent to Amaranth Street, within 0.5m of the street line.	
CD-2					<ul style="list-style-type: none"> <li>• Minimum easterly interior side yard for the existing building shall be 0.91m</li> <li>• Any additions to this building or new buildings</li> </ul>	

					shall meet the interior side yard requirements of the Downtown Commercial (CD) Zone.	
CD-3 and CD(F)-3		Existing wood manufacturing establishment, including the manufacturing and retailing of trim and moulding and wood specialty products				
CD-4			Storage enclosed in a building, and such building shall be located on the existing foundation			
CD-5	2018-42	Single detached dwelling may be constructed and utilized for residential purposes until such time as a permitted Downtown Commercial (CD) use is approved in accordance with				

		the Town's Site Plan Control By-law.				
CD-5M(H)	2017-59		<p>Live-work unit:</p> <ul style="list-style-type: none"> <li>• dwelling unit,</li> <li>• art gallery</li> <li>• artist studio</li> <li>• bakery, take-out restaurant, coffee-shop</li> <li>• clinics, fitness center, wellness center</li> <li>• commercial school</li> <li>• convenience store</li> <li>• offices</li> <li>• personal service shops</li> <li>• retail stores</li> <li>• service and repair establishments (excluding motor vehicle)</li> </ul>		<ul style="list-style-type: none"> <li>• Each "work" unit shall have an independent entrance into the unit from the outside along the front wall, where the front wall shall be considered the wall adjacent to the higher-order road</li> <li>• Parking shall be required in accordance with the following provisions: <ul style="list-style-type: none"> <li>○ 2 spaces per dwelling unit , where one space may be accommodated in a garage having minimum dimensions of 3m x 6m</li> <li>○ Minimum of 1.5 spaces per</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Prior to the Removal of the Holding (H) Provision from the CH-5M(H) Zone, the following additional condition shall be satisfied: <ul style="list-style-type: none"> <li>a) A site plan agreement between the landowner and the Town, has been executed by both parties</li> </ul> </li> </ul>

					<p>work unit, where one space may be accommodated in a garage having minimum dimensions of 3m x 6m</p> <ul style="list-style-type: none"> <li>• Minimum lot frontage – 7m</li> <li>• Maximum lot coverage – 40%</li> <li>• Minimum front yard, side yard and exterior side yard setback shall be 1.5m except where a unit abuts another live-work unit it shall be 0m</li> <li>• Maximum height – 12m</li> <li>• Minimum required landscape buffer adjacent to a residential zone – 4m</li> <li>• Minimum landscape buffer along front yard and exterior side yard – 1.5m deep</li> </ul>	
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					<ul style="list-style-type: none"> <li>• Minimum rear yard depth – 6m</li> </ul>	
CD-6	NOT USED					
CD-7M(H)	2020-44		<p>Live-work unit:</p> <ul style="list-style-type: none"> <li>• dwelling unit,</li> <li>• art gallery</li> <li>• artist studio</li> <li>• bakery, take-out restaurant, coffee-shop</li> <li>• clinics, fitness center, wellness center</li> <li>• commercial school</li> <li>• convenience store</li> <li>• offices</li> <li>• personal service shops</li> <li>• retail stores</li> <li>• service and repair establishments (excluding motor vehicle)</li> </ul>		<ul style="list-style-type: none"> <li>• The business establishment shall be restricted to the first floor;</li> <li>• Each “work” unit shall have an independent entrance into the unit from the outside along the front wall, where the front wall shall be considered the wall adjacent to the higher-order road;</li> <li>• Parking shall be required in accordance with the following provisions: <ul style="list-style-type: none"> <li>○ 2 spaces per dwelling unit , where one space may be accommodated in a garage</li> </ul> </li> </ul>	

					<p>having minimum dimensions of 3m x 6m</p> <ul style="list-style-type: none"> <li>○ Minimum of 1 space per work unit, where one space may be accommodated in a garage having minimum dimensions of 3m x 6m</li> <li>○ Total parking spaces per live-work unit is three (3).</li> <li>● Minimum lot frontage – 7m</li> <li>● Maximum lot coverage – 50%</li> <li>● Minimum front yard, side yard and exterior side yard setback shall be 1.2m except where a unit abuts another live-work unit it shall be 0m</li> <li>● Maximum height – 12m</li> </ul>	
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					<ul style="list-style-type: none"> <li>• Minimum required landscape buffer adjacent to a residential zone – 3m</li> <li>• Minimum landscape buffer along front yard and exterior side yard – 1.5m deep</li> <li>• Minimum rear yard depth – 6m</li> <li>• No outdoor storage is permitted.</li> </ul>	
<p>CD-8(H) CD-8(F)(H)</p>	<p>2021-39  100, 108, 114 Emma Street  #352300 #352400 #352500</p>				<ul style="list-style-type: none"> <li>• <b>Loading Bay</b> Designate 1 parking stall for temporary loading off the front parking</li> <li>• <b>Parking stall size</b> 2.6 m x 6 m</li> <li>• <b>Barrier Free stall size</b> 3.4 m x 6 m for Type A2 6m x 6m for Type B</li> <li>• <b>Parking spaces</b> 1.25 spaces/unit</li> </ul>	

					<ul style="list-style-type: none"> <li>• <b>Planting strip</b> 1.5 m to 1.7 m abutting Emma St.</li> <li>• <b>Steep Slope Setback</b> 13.5 m</li> </ul>	
CD-9	2022-40	Accessory Building (Garage)				
CD-9M(H)	2022-65 (Moco)		<ul style="list-style-type: none"> <li>• dwelling unit</li> <li>• art gallery</li> <li>• artist studio</li> <li>• bakery, take-out restaurant, coffee-shop</li> <li>• clinics, fitness center, wellness center</li> <li>• commercial school</li> <li>• convenience store</li> <li>• offices</li> <li>• personal service shops</li> <li>• retail store</li> <li>• service and repair establishments (excluding motor vehicle)</li> </ul>		<ul style="list-style-type: none"> <li>• The business establishment shall be restricted to the first floor;</li> <li>• Each "work" unit shall have an independent entrance into the unit from the outside along the front wall, where the front wall shall be considered the wall adjacent to the higher-order road;</li> <li>• Parking shall be required in accordance with the following provisions: <ul style="list-style-type: none"> <li>a. 2 spaces per dwelling unit, where one space may be accommodated in a garage having</li> </ul> </li> </ul>	



					<p>minimum dimensions of 3mx6m</p> <p>b. Minimum of 1 space per work unit, where one space may be accommodated in a garage having minimum dimensions of 3mx6m</p> <ul style="list-style-type: none"> <li>• Maximum lot coverage - 80%</li> <li>• Minimum Front Yard, Side Yard and Exterior Side Yard Setback shall be 1.2m except where a unit abuts another live-work unit it shall be 0m.</li> <li>• The front yard for the live-work units shall be County Road 25.</li> <li>• Maximum Height 13m</li> <li>• Minimum yard abutting a residential zone 1.2m</li> </ul>	
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					<ul style="list-style-type: none"> <li>• Minimum landscaped open space strip abutting any residential zone 1.2m</li> <li>• Minimum setback from any residential zone or use 1.2m</li> <li>• Maximum ground floor area devoted to apartments or residential use - 60%</li> <li>• Minimum landscape buffer along front yard and exterior side yard 1.5m deep</li> <li>• Minimum rear yard depth 6m</li> <li>• Minimum lot frontage 7m</li> <li>• No outdoor storage is permitted</li> <li>• Maximum 85% of the area between the face of the dwelling and the</li> </ul>	
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					rear lot line may be used for parking areas	
CH-1	2016-16	Contractor's yard				
CH-2	2017-22				<ul style="list-style-type: none"> <li>• Canopy having maximum dimensions of 5metres by 13.6metres may extend into the required front yard, a maximum of 5metres from the south wall of the existing service station</li> </ul>	
CH-3	2022-68	Retail Store				
M1-1	2010-36		Warehouses and/or mini or self-storage facility and accessory uses			
M1-2	2023-05		<ul style="list-style-type: none"> <li>• Business professional, or administrative office</li> <li>• Warehouse</li> <li>• Accessory Retail</li> </ul>		<ul style="list-style-type: none"> <li>• No landscaping strips</li> <li>• Minimum parking 17 spaces</li> </ul>	

M2-1			<ul style="list-style-type: none"> <li>• Bus storage</li> <li>• Bus dispatching office</li> <li>• Bus servicing facility</li> <li>• Truck storage</li> <li>• Truck servicing facility</li> </ul>			
M2-2	2016-53		<ul style="list-style-type: none"> <li>• Contractor's yard</li> <li>• Bulk fuel depot</li> <li>• Motor vehicle station</li> <li>• Restaurant</li> <li>• Accessory convenience store</li> <li>• Farm implement sales and service operation</li> <li>• Asphalt and concrete topsoil sorting, mixing and processing facility</li> <li>• Truck and/or bus terminal</li> <li>• Accessory single detached dwelling or</li> </ul>	<ul style="list-style-type: none"> <li>• Concrete batching</li> <li>• Asphalt plants</li> <li>• Aggregate crushing operations</li> </ul>	<ul style="list-style-type: none"> <li>• Minimum side yard setback – 10m</li> <li>• Minimum setback to a dwelling on a separate lot – 20m</li> <li>• Minimum 3m wide landscaping strip shall be required and shall include an un-pierced grouping of evergreen trees</li> <li>• All new uses and expansions shall be subject to site plan control</li> <li>• MOE Compatibility between Industrial Facilities and Sensitive Land Uses (D-6</li> </ul>	

			accessory apartment <ul style="list-style-type: none"> <li>• Manufacturing</li> <li>• Accessory outdoor storage</li> </ul>		Guideline, as amended or replaced) shall apply.	
MX-1		<ul style="list-style-type: none"> <li>• Sale of bulk and bagged wood mulch, soils and stones shall be permitted accessory to an extractive operation.</li> <li>• Sale of prefabricated sheds, pergolas and gazebos.</li> </ul>		<ul style="list-style-type: none"> <li>• Sale of trees, shrubs and other horticulture and a commercial greenhouse or landscaping business.</li> </ul>	<ul style="list-style-type: none"> <li>• Minimum setback from any property line – 15m</li> <li>• Minimum setback from any road allowance – 30m</li> </ul>	
MX-2		<ul style="list-style-type: none"> <li>• Conversion of an addition to the existing dwelling unit with a minimum floor area of 110 square metres to an office building and weigh scales</li> </ul>				

## 5.4 OTHER ZONES

### 5.4.1 General Prohibition

No person shall, within any Other Zone, use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

### 5.4.2 Permitted Uses

Uses permitted in a Zone are noted by the symbol 'X' in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 5.4.1. A number(s) following the symbol 'X', zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Special Conditions are listed in the Footnotes below the Permitted Use Table, Table 5.4.1.

The Other Zones established by this By-law are as follows:

IN	Institutional
OS	Open Space
EP	Environmental Protection
D	Development

**Table 5.4.1**

Use	Zones			
	IN	OS	EP	D
Accessory dwelling unit in a non-residential building in accordance with Section 3.1.8	X			
Administrative office for a public authority	X			
Agricultural crop operation, existing		X		
Agricultural livestock operation, existing		X		

Ambulance station	X			
Assembly area	X			
Bank stabilization			X	
Cemetery	X			
Civic building	X			
Clinic, medical	X			
Club house	X			
Conservation			X	
Conservation		X		
Cultural facilities				
Day nursery	X			
Driving range		X		
Dwelling, retirement	X			
Dwelling unit, existing	X			X
Fairground	X	X		
Flood or erosion control structure			X	
Forest management		X	X	
Golf course		X		
Hospital	X			
Legal existing uses				X (1)
Library	X			
Nursing home	X			
Park		X	X	
Parking garage or parking structure, accessory	X			
Parking lot, accessory		X		
Parking lot	X			
Recreational establishment	X	X		
Recreation use, passive	X	X		
Religious institution	X			
Restaurant; accessory	X			

School	X			
School, commercial	X			
School, college, university, or seminary	X			
Stormwater management facility		X		
Works yard, municipal	X			

Footnotes to Table 5.4.1

- (1) Legally existing as of the date of passing of this By-law, including but not limited to agricultural livestock operations, peat extraction, gravel extraction, and a single detached dwelling.

**5.4.3 Zone Requirements**

No person shall, within and Other Zone, use any lot or erect, alter, use any building or structure except in accordance with the following zone provisions. A number(s) following the zone requirement, zone heading or description of the standard, indicates an additional zone requirement. These additional standards are listed in the Footnotes at the end of each table.

**Table 5.4.2**

Requirements	Zones			
	IN	OS	EP	D
Minimum lot area for lots with municipal water and sewage services	0.1ha	Existing	(1)	(2)
Minimum lot area for lots on private services	0.4ha	N/A		
Minimum lot frontage	30m	N/A		
Minimum front yard	6m	7.5m		
Minimum interior side yard	3m	7.5m		



Minimum exterior side yard	6m	7.5m		
Minimum rear yard	4.5m	7.5m		
Maximum lot coverage	30%	N/A		
Minimum landscaped open space strip abutting any front lot line and exterior lot line and any Residential or Institutional Zone or use	3m	N/A		
Maximum height	12m	12m		

**Footnote to Table 5.4.2**

- (1) No buildings or structures including accessory buildings or structures, with the exception of pump houses and buildings and structures for flood and erosion, are permitted in the Environmental Protection (EP) Zone.
- (2) Minimum requirements shall be deemed those which existed at the date of passage of this By-law. No new buildings or structures shall be permitted. Existing buildings may be repaired, and minor additions and renovations shall be permitted.

### 5.4.4 Other Zones – Exceptions

The provisions of this Section are modified as set out in Table 5.4.3 below.

- Column 1 sets out the exception number of each zone exception which corresponds to an area of the Town identified on the Zoning Schedules by the same number and zone, preceded by a dash and the, denoting an exception. (i.e. SR-88)
- Column 2 sets out the Zoning By-law number.
- Column 3 sets out the additional uses permitted in the zone exception, if applicable.
- Column 4 sets out the only uses permitted in the zone exception, if applicable.
- Column 5 sets out the prohibited uses in the zone exception, if applicable.
- Column 6 sets out the zone requirements for the zone exception, if applicable.
- Column 7 sets out any additional provisions for the zone, if applicable.

All other provisions of the zone, unless specifically modified or amended by this Section, continue to apply to the lands subject to this Section.

**Table 5.4.3**

1. Exception Number	2. By-law Number	3. Additional Permitted Uses	4. Only Uses Permitted	5. Uses Prohibited	6. Special Zone Requirements	7. Other Special Provisions
IN-1					<ul style="list-style-type: none"> <li>• Minimum floor area of an accessory dwelling unit shall be 487m<sup>2</sup></li> </ul>	
IN-2		<ul style="list-style-type: none"> <li>• Public uses</li> <li>• Existing pump houses for municipal supply system</li> <li>• Existing well or wells to supply a municipal water system</li> </ul>				

		<ul style="list-style-type: none"> <li>Water tower for the storage and supply of water to a municipal water system</li> </ul>				
IN-3	2015-17	<ul style="list-style-type: none"> <li>Public use</li> <li>Fire hall</li> <li>Training structure including the use of metal shipping containers or sea containers</li> </ul>			<ul style="list-style-type: none"> <li>Shall be permitted to have a maximum height of 10m</li> </ul>	
IN-4	2014-28				<ul style="list-style-type: none"> <li>Existing place of worship shall be permitted to have a deficient south side yard</li> </ul>	
IN-5	2021-36	<ul style="list-style-type: none"> <li>Group Home</li> <li>Maximum of 2 accessory apartments</li> </ul>			<ul style="list-style-type: none"> <li>Minimum landscape strip abutting a residential zone 1.5m</li> </ul>	<p>Minimum Parking</p> <ul style="list-style-type: none"> <li>10 spaces</li> <li>2 barrier free</li> </ul>
OS-1		Seasonal tent trailer camping establishment				
OS-2		Seasonal campground				
OS-3		Private wells and private sewage		Erection of all buildings or structures of any kind	No person shall use any lot or part of any lot within any OS-3 Zone for any purpose except as part of a required yard	

OS-4	2021-48	<ul style="list-style-type: none"> <li>• Pump House for municipal water system</li> <li>• Well or Wells to supply a municipal water system</li> <li>• Water tower for the storage and supply of water to a municipal water system</li> </ul>				
EP-1		<ul style="list-style-type: none"> <li>• Retail commercial use</li> <li>• One dwelling unit</li> </ul>				
EP-2		One dwelling unit and an addition or renovation				
EP-3	2018-36	Carport and second storey extension/addition			Maximum area of 66m <sup>2</sup>	
	2022-57	Accessory Building (Garage)		Residential		
EP-4	2019-64	Rear yard covered patio				
EP-5	2021-19	One accessory building				<ul style="list-style-type: none"> <li>• No human habitation is permitted in said accessory building</li> </ul>

EP-6	2024-51 68 Water St #349900				<ul style="list-style-type: none"> <li>• Lot coverage 13%</li> </ul>	<ul style="list-style-type: none"> <li>• 20.8m<sup>2</sup> dwelling addition permitted</li> <li>• 20.8m<sup>2</sup> deck permitted</li> <li>• 2<sup>nd</sup> driveway permitted</li> </ul>

## **SECTION 6 – DEFINITIONS**

### **ABATTOIR**

Any building or premises providing for the slaughtering and accessory processing of animals intended for human consumption.

### **ABUTTING**

Having a common point or border with; having property or zoning boundary lines in common.

### **ACCESSORY**

A use, separate building or structure, which is usually incidental, subordinate, exclusively devoted to and located on the same lot as the principle use building or structure.

### **ACCESSORY APARTMENT**

An attached dwelling unit having a maximum floor area of 80 m<sup>2</sup>, including any basement floor area that is accessory to the main dwelling on the same lot. The accessory apartment shall be located below the main dwelling or be attached above ground. An apartment attached above ground shall not be separated by any uninhabitable building or structure or space, including, but not limited to a carport, breezeway, or garage. The main dwelling unit shall continue to have the appearance of a single detached dwelling and shall not resemble a duplex or multiple residential building.

### **ADULT ENTERTAINMENT ESTABLISHMENT**

Any premise or part thereof in or on which is provided, in pursuance of a trade, calling, business or occupation, or to which an admittance or other fee is required; entertainment or services that are designed to appeal to erotic or sexual appetites or inclinations, including a body-rub business.

### **ADJACENT**

Nearby; being separated only by street, navigable waterway; railway right-of-way or other like feature. Properties touching at a common point or border shall be deemed to abut.

## **ADMINISTRATIVE OFFICE FOR A PUBLIC AUTHORITY**

A building or part of a building in which one or more persons are employed in the management, administration, and direction for a public authority, including the Town, County, Province or Country or any other public authority.

## **AERODROME, REGISTERED**

The use of lands, buildings or structures for the purposes of air transportation services, which such establishment is registered with Transport Canada as a registered Aerodrome.

## **AGGREGATE EXTRACTION OPERATION**

Any use of lands, buildings, structures or equipment for the purpose of extracting sand, gravel or other aggregate materials. An aggregate extraction operation shall include the extraction, sorting, and screening, washing, crushing and processing of aggregate materials.

## **AGGREGATE PROCESSING PLANT, PORTABLE**

Any equipment for the crushing, screening or washing of sand and gravel aggregate materials, but not including a concrete batching plant or an asphalt plant, which equipment is capable of being readily drawn or readily propelled by a motor vehicle and which equipment is not considered permanently affixed to the site.

## **AGRICULTURAL LIVESTOCK OPERATION**

Any agricultural use or uses, structures or buildings accessory thereto, including animal husbandry, manure storage facilities and any other use customarily carried on in the field of general agriculture, including the sale on the premises, of produce grown or raised on the premises. Agricultural operation may include a single-detached dwelling and such principal or main buildings and structures as a barn or silo as well as accessory buildings and structures which are incidental to the operation of the agricultural use. An agricultural livestock operation may include an agricultural crop operation.

## **AGRICULTURAL CROP OPERATION**

Any agricultural use or uses, structures or buildings accessory thereto, including field crops, horticultural nurseries, growing of fruit, vegetables, flowers, shrubs, and any other use customarily carried on in the field of general agriculture, including the sale on the premises, of produce grown on the premises but shall not include any livestock production or permanent manure storage facility. Agricultural operation may include a single-detached dwelling and such principal or main buildings and structures as a barn as well as accessory buildings and structures which are incidental to the operation of the agricultural crop operation.

## **AGRICULTURAL RELATED COMMERCIAL USE**

Any commercial use that retails produce from an agricultural operation or provides goods and services to agricultural operations.

## **AGRICULTURAL MANUFACTURING ESTABLISHMENT**

A facility that receives, stores and/or processes agricultural materials/products for the purpose of creating new products or materials.

## **AGRICULTURAL PROCESSING ESTABLISHMENT**

The use of land, buildings or structures for the processing of products derived from agricultural uses. These shall include such products as seed, grain, feed and forage processing, storage and transport, fruit and vegetable storage and treatment, livestock and poultry assembly, sale and transport, an egg grading establishment, seed cleaning, and fertilizer mixing plant.

## **AGRICULTURAL SUPPLY ESTABLISHMENT**

The use of land, buildings or structures for the purpose of supply of goods, materials or services that are necessary to support agricultural uses as defined by this By-law. These shall include such goods and services as the sale, processing and storage of seed, fertilizer and chemical products, feed mill, farm machinery and equipment sales and service, and animal and poultry health and breeding services.

## **AGRICULTURAL IMPLEMENT SALES OUTLET**

The use of land, buildings or structures for the commercial sale, storage or repair of equipment and machinery directly associated with the agricultural use operation and activities.

## **AGRICULTURAL PRODUCE OUTLET**

Any building or structure accessory to an agricultural use on the same lot where agricultural goods or produce are made available for sale to the public.

## **AGRICULTURAL produce storage area or facility**

A permanent or temporary building used to store agricultural products and may include features to control temperature and humidity in order to maintain the quality of the farm produce.

## **AIRSTRIP**

The use of lands, buildings, or structure for the purposes of air transportation services



## **ALTERATION**

An addition, expansion, change or modification of a building, sign or structure, or the accessory equipment thereof, that is not classified as ordinary repair. The moving of a building or structure from one location to another location shall be deemed an alteration.

## **AMBULANCE STATION**

Any building or premises from which ambulances are managed and at which personnel are quartered and ambulances stored when not in use.

## **ASSEMBLY AREA**

A building, or part of a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social purposes and may include a bingo hall, a banquet hall, a community centre, an auditorium, and may also include accessory kitchen and bar facilities, private club or fraternal organization.

## **ART GALLERY**

A place used for the exhibition or sale of crafts or works of art.

## **ASPHALT PLANT**

Buildings, structures and facilities used for the manufacturing of asphalt, macadam and other forms of coated road stone, using a number of aggregates, sand and a filler product such as stone dust.

## **ASPHALT PLANT, PORTABLE**

Machinery and equipment designed to be transported to various locations on a temporary basis for the production of asphalt, macadam and other forms of coated road stone.

## **ATTACHED**

A building otherwise complete in itself, which depends, for structural support or complete enclosure, upon a division wall or walls shared in common with adjacent building or buildings, above or below grade.

## **AUCTION ESTABLISHMENT**

The use of land, buildings or structures for the sale of goods, materials, livestock, equipment or motor vehicles by an auctioneer to the public, and may include the temporary storage of such goods and materials prior to the sale.

## **AUTOMATED BANKING MACHINE**

An unattended electronic machine in a public place, connected to a data system and related equipment and activated by a bank customer to obtain cash and perform other banking functions.

## **BAKERY**

An establishment or premises where a variety of baked goods are prepared and/or offered for sale.

## **BANK STABILIZATION**

Bank stabilization means any work or best management practice undertaken to minimize or avoid the erosion of materials from the banks of rivers and streams.

## **BARN**

A building used for the purpose of housing livestock and may also include the storage of feed, equipment and other materials used in connection with an agricultural operation.

## **BARN, STORAGE**

A building used for the storage of feed, equipment, and other agriculturally related materials or goods, but shall not include the housing of livestock or poultry.

## **BASEMENT**

That portion of a building below the first floor and which is partly underground as defined in the Building Code.

## **BED AND BREAKFAST**

A home occupation within a single detached dwelling wherein not more than four rooms are rented and meals are served to overnight guests for commercial purposes. A bed and breakfast shall not include a *restaurant* or *tavern*.

## **BIOSOLID DISPOSAL**

The spreading or placement of biological waste that has been partially treated in a sewage treatment facility or waste vegetable materials including food waste or by products of food production on lands in the Town.

## **BOARDING OR ROOMING HOUSE**

A single detached dwelling in which the owner or lessee supplies habitable rooms for the accommodation of not more than three persons as their regular living accommodations, with or without meals, for monetary gain.

## **BUILDING**

A structure consisting of walls, roof and floor or a structural system serving the same purpose as defined in the Building Code and including carports and cloth, plastic or vinyl materials supported by structural frames.

## **BUILDING, MAIN OR PRINCIPAL**

The main or principal building shall be any building or structure for which the principle purpose or use is carried out, or a use or structure that is specifically permitted through the permitted uses of a Zone. Where a use is permitted as an accessory use, such accessory building or structure shall not be considered a principal or main building. In the instance of a farm, both the farm residence and all barns shall be considered main buildings.

## **BUILDING SUPPLY AND LUMBER OUTLET**

A building or structure in which building, lumber, home improvement and/or construction materials are offered or kept for sale and may include the fabrication of certain materials related to home improvements, but shall not include a manufacturing or processing use. A building supply and lumber outlet may include a building for administration and indoor retail areas.

## **BULK FUEL DEPOT**

Lands, buildings and structures for the storage and distribution of fuels and oils but excluding retail sales on the lands.

## **CAMPING ESTABLISHMENT**

Lands used for the parking and temporary use of *camp sites* occupied by tents, trailers, motor homes, truck campers and recreational vehicles and accessory uses and facilities such as administrative offices, sanitary facilities, recreational facilities and an accessory convenience store.

## **CAMP SITE**

A parcel of land within a *camping establishment* that is maintained as a site for the location and temporary occupation of a tent, travel trailer, motor home, recreational vehicle or truck camper, but not a mobile home.

## **CANNABIS PRODUCTION FACILITY**

Any building or structure which serves in the production, cultivation, processing, testing, destroying, storing, packaging, or shipping of cannabis conducted by a licensed producer but does not entail any retail sales component. For the purposes of this definition cannabis refers to any plant that belongs to the genus Cannabis and a “licensed producer” means a person who is authorized by a license issued under the *Cannabis Act* (Canada) by Health Canada to produce cannabis for both medical and recreational purposes.

## **CANNABIS RETAIL STORE**

A retail store where cannabis is sold in accordance with the licensing and other requirements of the Province under the *Cannabis Licence Act, 2018* and Ontario Regulation 468/18, as may be amended from time to time.

## **CATALOGUE STORE AND MAIL-IN DEPOT**

A retail store where the merchant sells a wide variety of products where most of the items are not displayed; customers select the products from printed catalogues or online and fill out an order form for delivery and/or pick-up.

## **CEMETERY**

Land that is set aside to be used as a place for the interment of the dead or in which human bodies have been buried.

## **CHIEF BUILDING OFFICIAL**

The official employed by the Town appointed under the Building By-law or pursuant to the provisions of The Building Code Act, R.S.O., 1992 c.P. 23, as amended, and shall include any Inspector likewise employed and appointed.

## **CIVIC BUILDING**

Government buildings and offices for the Corporation, the County of Dufferin, The Provincial and Federal Governments and any other government agencies.

## **CLINIC, MEDICAL**

An establishment used by one or more qualified health practitioners and their staff including physicians, dentists, chiropractors, optometrists, physiotherapists or other human health treatment for the purposes of consultation, diagnosis and office treatment. A medical clinic may be a private clinic or medical offices.

## **CLINIC, Non-Medical**

A building or part of a building that offers non-medical professional services or consultation generally of a therapeutic or wellness nature

## **CLUB HOUSE**

Any building used by a club for meetings or social activities.

## **COLD WATER STREAM**

A water feature that has been defined by the ministry of natural resources or the Grand River Conservation Authority as a cold water stream, due to its temperature and the aquatics associated with the feature.

## **COMPOSTING FACILITIES**

Any facilities or equipment used in, and any operations carries out, for converting decomposable wastes of biological or organic origin into compost including collection, sorting, handling, transportation, storage, processing and disposal.

## **COMPUTER, ELECTRONICS AND DATA PROCESSING**

A retail store or establishment that provides expertise and knowledge relating to computers and electronic devices, and may also repair, service and undertake data processing.

## **CONCRETE BATCHING PLANT**

Buildings and structures wherein sand, gravel, cement, water and other materials are processed into concrete for construction purposes.

## **CONSERVATION**

The wise use, protection and rehabilitation of natural resources according to principles that will assure their highest economic social and environmental benefits. A conservation use may include an aviary or arboretum.

## **CONTRACTOR'S or tradesman YARD**

A building, structure or use of land by any general contractor or builder where equipment and materials are stored or where a contractor performs accessory shop or assembly work, or where manufacturing is performed by tradesmen requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a plumbing and electrical contractor's or a heating/air conditioning contractor's shop, a commercial welder's shop, or similar uses.

## **CONVENIENCE STORE**

A retail commercial establishment, not exceeding 200 square metres of gross floor area, supplying groceries and other daily household necessities to the surrounding area, whether or not such store is open for business seven (7) days a week or not.

## **CORPORATION**

The Corporation of the Town of Grand Valley.

## **COUNCIL**

The Council of the Corporation of the Town of Grand Valley.

## **CRISIS CENTRE**

Crisis residence shall mean a single housekeeping unit licensed or funded by the Province of Ontario for the short term (averaging 30 days or less) accommodation of three to nine persons, exclusive of staff, living under supervision and who, by reason of either emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being.

## **CULTURAL FACILITY**

A facility to showcase or exhibit art, history and/or cultural information and materials and may include an accessory restaurant, gift shop, teaching room and administrative offices.

## **DAY NURSERY**

A day nursery operated for children within the meaning of the Day Nurseries Act, as amended.

## **DECK**

Deck shall mean a structure above the ground cantilevered from a dwelling unit or supported by the ground or structures and open to the sky, located 0.3 metres or more above finished grade.

## **DISCOVERY CENTRES**

A building or structure dedicated to experiential based learning and discovering through interactive displays that stimulate interest, enjoyment and understanding of range of subject areas including but not limited to science and technology.

## **DRIVING RANGE**

An area of land, separate from a golf course, designed for hitting practice golf balls, also referred to as a practice range.

## **DRY CLEANING ESTABLISHMENT**

A building or part of a building used to provide cleaning and pressing of linens and garments, to the general public.

## **DWELLING**

A building or part of a building occupied or capable of being occupied, in whole or in part as the home, residence or sleeping place of one or more persons either continuously, permanently, temporarily or transiently, but does not include a *hotel, motel* or other use separately defined by this by-law.

## **DWELLING, ACCESSORY**

A use, separate building, or structure, which is usually incidental, subordinate, exclusively devoted to and located on the same lot as the principle use, building or structure but not including a building or structure which is used as a dwelling unless specifically permitted. An accessory dwelling unit shall not be an accessory apartment.

## **DWELLING, APARTMENT**

A separate building containing three or more dwelling units sharing a common corridor or stair well.

## **DWELLING, CONVERTED**

A dwelling existing as of the passage of this by-law, which may be enlarged, altered or changed so as to provided therein up to a maximum of three dwelling units.

## **DWELLING, DUPLEX**

The whole of a two-storey building divided horizontally into two separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.

## **DWELLING, SEMI-DETACHED**

The whole of a building divided vertically into two separate dwelling units.

## **DWELLING, SINGLE DETACHED**

A detached building containing one dwelling unit only.

## **DWELLING, TOWNHOUSE**

A dwelling unit in a building divided vertically into no less than three and not more than eight dwelling units attached by common walls extended from the base of the foundation to the roof line, each dwelling unit having a separate entrance at grade.

## **DWELLING, TRIPLEX**

The whole of a building divided horizontally into three separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.

## **DWELLING, RETIREMENT**

A separate building containing three or more dwelling units sharing a common corridor or stair well, and common facilities, including leisure areas, dining facility and may or may not include on-site nursing staff. A retirement dwelling shall be intended to serve the aging population.

## **DWELLING UNIT**

A combination of rooms in which a kitchen, living quarters and sanitary conveniences are provided for the exclusive use of the residents and with a private entrance from outside the building or from a common hallway or stairway inside. It may include a modular home constructed in accordance with the Building Code and C.S.A. A-277 Regulations.

## **DWELLING UNIT, ACCESSORY**

A separate dwelling unit which is contained in a building that contains a permitted use and the said accessory dwelling unit and is occupied by the owner or operator of the permitted use.

## **ENERGY CO-GENERATION**

The harnessing of heat energy that normally would be waster, to generate electricity.

## **ENERGY SYSTEM, ALTERNATIVE**

Sources of energy or energy conservation processes that significantly reduce the amount of harmful emissions to the environment (air, earth, and water) when compared to conventional energy systems.

## **ENERGY SYSTEM, RENEWABLE**

The production of electrical power from any energy source that is renewed by natural processing including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.



## **ENERGY-FROM-WASTE FACILITIES**

Renewable energy generation facilities that use renewable biomass resources and/or waste products to produce energy for the needs of a user or to feed into a transmission or local distribution grid. The facility includes all components, supporting infrastructure, and outbuildings.

## **ENTERTAINMENT ESTABLISHMENT**

Premises where entertainment is offered for gain or profit such as a motion picture or other theatre, public hall, billiard or pool rooms, an establishment offering three or more electronic games for public use, bowling alley, ice or roller skating rink, miniature golf course and all other similar places of amusement.

## **ERECT**

To build, construct, reconstruct, alter or relocate including any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, or structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

## **EQUESTRIAN FACILITY**

An area of land and buildings that are used as an educational or recreational centre for horse training, handling, care, or for the lodging of horses. An equestrian facility may include a boarding stable, being lands and buildings used for the boarding of horses for commercial purposes. An equestrian facility may include a commercial riding school or equestrian event facility.

## **EQUIPMENT SALES AND RENTAL**

A building or part of a building or structure in which machinery, equipment and tools are offered or kept for sale, rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified by this by-law, and shall not include the storage of equipment for compensation.

## **ESTABLISHED BUILDING LINE**

The average distance from the road line to existing buildings measured not more than 10 metres on either side of the lot on the same side of the street where the frontage has been built upon, as of the date of passing of this By-law.

## **EXISTING**

Legally existing as of the date of passing of this By-law.

## **FAIRGROUND**

A parcel of land, and may include buildings and structures where fairs, exhibitions, circuses, sporting and other gatherings are held.

## **FARMERS MARKET**

Retail sales of fresh fruit, vegetables, and other foods and related items, at a facility with spaces occupied by several different temporary tenants on a short term basis, and may be indoor or outdoor but does not include a roadside stand.

## **FEED MILL**

A building, structure or lot used for the storing, cleaning and sale of grains, fertilizers and related agricultural products.

## **FENCE, LIVING**

A living fence is a continuous non-pierced arrangement of trees and shrubs, including existing trees and/or a board-on-board fence, having a minimum height of 1.8m

## **FINANCIAL INSTITUTION**

A building or structure or part thereof, which provides financial services where money is deposited, kept, lent or exchanged, and shall include a bank, trust company, credit union, money lending agency or similar banking services and may also include a banking machine.

## **FINISHED GRADE**

The average elevation of the finished surface of the ground at the natural ground level measured at the base of the building or structure.

## **FIRE HALL**

A municipal building set aside for the storage of municipal firefighting apparatus, vehicles and equipment, and may include a dormitory facility and work areas, meeting rooms and laundry facilities.

## **FIRST STOREY**

The storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade or as defined in the Building Code.

## **FLOOD OR EROSION CONTROL STRUCTURE**

Erosion protection or control works and slope or shoreline stabilization works, approved by a Conservation Authority.

## **FLOOR AREA**

The total floor area of all storeys, or half storeys contained within the exterior faces of the exterior walls of a building, but excluding private garages, breezeways, porches, verandas, attic, basement and cellar. Where the length of one entire wall of the basement or cellar, from floor to ceiling is above the adjacent finished grade level, and is 7.3 metres in length, then 50% of a finished basement or cellar shall be included as part of the floor area.

## **FLOOR AREA, GROSS**

The total floor area, as hereinafter defined, exclusive of any portion of the building or structure below finished grade measured between the exterior faces of the exterior walls which is used for heating, the storage of goods or personal effects, laundry facilities, recreational areas, the storage or parking of motor vehicles, exclusive of any private garage, carport, basement, walkout basement, cellar, porch, veranda or sunroom unless such sunroom is habitable during all seasons of the year.

## **FLOOR AREA, GROUND**

The maximum ground floor area of a building measured by the outside walls, excluding, in the case of a single detached dwelling, any private garage, carport, porch, veranda or other floor area that is not habitable year-round.

## **FOREST MANAGEMENT**

A system of practices for stewardship and use of forest land aimed at fulfilling relevant ecological, economic and social functions of the forest in a sustainable manner.

## **FUNERAL HOME**

Buildings or premises designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for internment or cremation, but does not include a cemetery, columbarium, crematorium or place of worship.

## **GARAGE, PRIVATE DETACHED**

A detached accessory building or portion of a dwelling which is designed or used for the sheltering of a motor vehicle and/or storage of household equipment incidental to the residential occupancy and which is fully enclosed and roofed and excludes a carport or other open shelter.

## **GARDEN AND NURSERY SALES ESTABLISHMENT**

A place where young trees, bushes, flowers, sod and/or other plants are grown for transplanting or for sale and may also include the sale of related accessory supplies and garden items.

## **GARDEN SUITE**

A detached temporary and portable dwelling unit occupied by an immediate family member of the occupant of the primary residential use, not to exceed 80 square metres in size and located on the same lot as a principle residential use, and shall not be considered an accessory apartment.

## **GRANNY FLAT**

A temporary dwelling unit having a maximum floor area of 80 square metres that is accessory to the main dwelling on the same lot, which is occupied by the owner of the lands. Such dwelling unit shall be attached and part of the main dwelling unit and designed to be converted to part of the main dwelling unit. For greater certainty, a granny flat shall be defined as an accessory apartment.

## **GATE HOUSE, ACCESSORY**

A small structure located in a required front or side yard in the area between the street line and the required yard which shall not exceed 9 square metres in size, and in the case of this by-law, can only be located on lands within an Industrial Zone.

## **GAZEBO**

A freestanding roofed accessory structure which is not enclosed, except for screening or glass and which is utilized for the purposes of relaxation.

## **GOLF COURSE**

Any property publicly or privately owned on which the game of golf is played, and includes a par 3 golf course, accessory club house, accessory recreational facilities, accessory driving range, miniature golf courses, together with accessory uses and buildings customary thereto, including, but not limited to a pro shop, maintenance building, snack bar and parking lot.

## **GOLF COURSE, MINNIATURE**

An area of land wherein golf is played on a miniature course featuring obstacles and usually includes a small building or structure for administrative purposes.

## **GRAZING OF LIVESTOCK**

A method of animal husbandry whereby domestic livestock are allowed to consume grasses and other forages outdoors generally in pasture lands in order to sustain the livestock for farming purposes.

## **GREENHOUSE, COMMERCIAL**

A building for the growing of flowers, plants, shrubs, trees and similar vegetation which may be transplanted or grown outdoors on the same lot containing such greenhouse, and may be sold directly from such lot at wholesale or retail but shall not include selling any accessory items.

## **GROUP HOME**

A single housekeeping unit accommodating between three and six residents, excluding staff, but which is supervised by staff on a daily basis, which provides special care and treatment for physical or mental deficiency, physical handicap or other such cause. A Group Home shall be funded, licensed, approved or supervised by the Province of Ontario under a general or specific Act. A Group Home may include an accessory administrative office.

## **HEIGHT (OF BUILDINGS OR STRUCTURES)**

The vertical distance measured between the average natural or finished grade at the front of the building, and the highest point of the roof surface.

## **HIGH WATER MARK**

The mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.

## **HOBBY FARM**

A hobby farm shall be an agricultural livestock operation or agricultural crop operation that maintains a maximum number of nutrient units (NU) less than the lot area of the subject lands (HA). A hobby farm shall be required to have a nutrient management agreement to the Town's satisfaction. Barn or livestock facility shall be permitted, including existing oversized barns

## **HOME INDUSTRY**

Any occupation conducted entirely within a building or part of a building accessory to a single detached dwelling house that may include a trade or industrial activity, such as processing, assembly, manufacturing, warehousing or workshop and shall not include outdoor storage nor a kennel. A motor vehicle repair garage or motor vehicle body shop shall not be permitted as a home industry.

## **HOME OCCUPATION**

An occupation or profession related to the provision of services, carried on primarily by the occupant of a dwelling within located within the dwelling unit, as an accessory use and shall not include outdoor storage or a kennel.

## **HOSPITAL**

An establishment primarily engaged in providing diagnostic services, extensive medical treatment, surgical services, and continuous nursing. The establishment has an organized medical staff on duty twenty-four hours a day, inpatient beds, equipment and facilities, and provides complete health care. A hospital may include emergency room care.

## **HOTEL**

An establishment used mainly for the purposes of catering to the needs of the traveling by providing furnished sleeping accommodations, and may also include accessory meeting rooms, recreational facilities, banquet halls, dining rooms and kitchen facilities. A hotel shall not include a boarding or rooming house or apartment houses.

## **KENNEL**

An establishment for the keeping, breeding and raising of domesticated dogs for profit or gain, but shall not apply to the keeping of animals in a veterinary establishment for the purpose of observation and or recovery necessary to veterinary treatment.

## **LANDSCAPED OPEN SPACE**

The open unobstructed space from ground to sky at grade on a lot which is maintained as a landscaped area with grass, flowers, trees, bushes, natural vegetation and/or other landscaping and may include any surfaced walk, patio or similar area but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure.

## **LAUNDROMAT**

A building or part of a building providing commercial laundry washing machine and drying machines to the general public.

## **LETTER CARRIER DEPOT**

A building for the sorting and processing of all types of mail for a specific geographic area, and may include administrative offices, loading doors and loading spaces.

## **LIBRARY**

A building containing a collection of literary documents or records kept for reference or borrowing.

## **LIQUOR STORE**

A self-contained store primarily for the sale of wine and spirits for home consumption, and shall include both private and government operated outlets.

## **LIVE-WORK UNIT (BL 2017-59)**

A building composed of a main floor workspace or commercial business with a dwelling unit located above the commercial space.

## **LOADING SPACE**

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

## **LODGING ACCOMMODATIONS**

A dwelling unit containing more than four (4) lodging units each designed or intended for the lodging of persons in return for remuneration.

## **LOT**

A parcel or tract of land described in a deed or other legal document which is legally capable of conveying title and:

- a. Which is a whole lot within a Registered Plan of Subdivision, or lot within a Registered Plan of Condominium other than a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a By-law passed pursuant to Section 50(4) of The Planning Act R.S.O. 1990 as amended; or
- b. Which is a legally separated parcel of land in existence on the date of passing of this By-law without the owner holding the fee or the equity or redemption in, or power or right to grant, assign or exercise a power of appointment with respect to any abutting land; or

- c. The description of which is the same as in a deed which has received final consent to a conveyance pursuant to Section 53 of The Planning Act, R.S.O. 1990, as amended; or,
- d. Which is the whole remnant remaining to an owner or owners after a conveyance is made with final consent pursuant to Section 53 of The Planning Act, R.S.O. 1990, as amended, but for the purpose of this paragraph no parcel or tract of land ceases to be a lot by reason only of the fact that a part or parts of it has or have been conveyed to or acquired by the Town of Grand Valley, Her Majesty in the Right of Ontario or Her Majesty in the Right of Canada.

### **LOT AREA**

The total horizontal area within the lot lines of a lot excluding the area of land covered with water.

### **LOT, CORNER**

A lot situated at the intersection of two or more streets, or at the intersection of a street and a railway right-of-way, or a lot abutting on one or more parts of the same street, in which an interior angle of less than 135 degrees is contained, between the front and side lot lines abutting by the said street or streets.

### **LOT COVERAGE**

The percentage of the lot area covered by buildings or structures excluding parking areas, driveways, decks and walkways but including accessory structures and buildings and any structure situated 2.5 metres above finished grade.

### **LOT FRONTAGE**

The continuous horizontal distance of the front lot line between the side lot lines measures at right angles. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be the horizontal distance of a line that is 7.5 metres back from and parallel to a continuous straight line, joining the two points where the side lot lines intersect with the front lot line.

### **LOT, INTERIOR**

A lot other than a corner lot and having frontage on one street only.

### **LOT LINE**

Any boundary of a lot. For the purpose of this By-law, any combination of lines that meet at an interior angle of not greater than 135 degrees shall be deemed to be one line.



## **LOT LINE, EXTERIOR**

The side lot line which abuts the road on a corner lot.

## **LOT LINE, FRONT**

- a. Where a lot abuts a year-round maintained public road, the lot line abutting the municipal road shall be deemed the front lot line.
- b. In the case of a corner lot, the shorter lot line that abuts a road shall be deemed to be the front lot line and the longer lot line that abuts a road shall be deemed an exterior side lot line, but,
- c. In the case of a corner lot with two lot lines of equal length abutting roads, the lot line that abuts the wider road shall be deemed to be the front lot line, but where the roads are of equal width, the lot line which abuts a Provincial Highway shall be deemed to be the front lot line, and in the case of both roads being under the same jurisdiction and of the same width, the owner of the lot may designate which road line shall be the front lot line.
- d. In the case where a lot abuts only a cul-de-sac, all of the frontage on the road cul-de-sac shall be deemed to be the front lot line.
- e. In the case of a through lot, the lot shall have two front lot lines.

## **LOT LINE, REAR**

The lot line farthest from or opposite to the front lot line.

## **LOT LINE, SIDE**

A lot line other than a front or rear lot line.

## **LOT, THROUGH**

A lot bounded on opposite sides by roads but excluding a corner lot.

## **MANUFACTURING, PROCESSING, PACKAGING, FABRICATING AND ASSEMBLY PLANT**

A building or structure wherein assembly or repair or fabrication or processing or packaging or manufacturing of goods and materials utilizing materials occurs, which does not produce wastewater in excess of 4500 litres per day.

## **MICROBREWERY**

A small brewery operated in conjunction with a drinking establishment or restaurant where beer produced onsite may be consumed on the premises or sold or distributed in accordance with the Liquor Licence Act of Ontario.

## **MINIMUM DISTANCE SEPARATION**

A setback or buffer established between a livestock facility and adjacent land uses to minimize odour nuisance, as calculated using the Minimum Distance Separation (MDS) formulae established by the Ontario Ministry of Agriculture and Food

## **MOBILE HOME**

Any prefabricated temporary dwelling that is designed to be mobile, and constructed or manufactured to provide a permanent residence for one or more persons in accordance with CSA Z240 or Z241 or A-277 but does not include a park model home, travel trailer or tent trailer or trailer otherwise designed.

## **MOTEL**

An establishment used mainly for the purposes of catering to the needs of the traveling by providing furnished sleeping accommodations and may also include accessory kitchen facilities and dining area. A motel shall not include a boarding or rooming house or apartment houses. All required parking is at grade and direct access is available from the parking area to the individual units.

## **MOTOR VEHICLE**

An automobile, truck, motorcycle, and any other vehicle propelled or driven or a motorized snow vehicle, traction engine, farm vehicle or implement, self-propelled implement or road building machine, including commercial motor vehicles, but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails.

## **MOTOR VEHICLE BODY SHOP**

A building or structure used for the painting or repairing of motor vehicle bodies, exterior and undercarriage, and in conjunction with which there may be towing service and motor vehicle rentals for customers while the motor vehicle is under repair, but shall not include any other establishment otherwise defined or classified in this By-law.

## **MOTOR VEHICLE DEALERSHIP**

A building or structure where a franchised dealer displays motor vehicles for sale or rent and in conjunction with which there may be used motor vehicle sales or rentals, a motor vehicle repair garage, the sale of motor vehicle parts and accessories, a motor vehicle service station, a motor vehicle gasoline bar or a motor vehicle body shop, but shall not include any other establishment otherwise defined or classified in this By-law.

## **MOTOR VEHICLE, RECREATIONAL**

A vehicle designed to provide temporary living accommodation but does not include a mobile home, travel trailer or other vehicle defined herein.

## **MOTOR VEHICLE PARTS ESTABLISHMENT**

A retail store/establishment that provides parts for motor vehicles, recreational vehicles, farm equipment and similar materials, but does not include the manufacturing of part nor the repair of vehicles and equipment.

## **MOTOR VEHICLE REPAIR GARAGE**

A building or structure which is used for the servicing and repairing or equipping essential to the actual operation of motor vehicles and in conjunction with which there may be a towing service, and accessory motor vehicle rentals for the convenience of the customer while the motor vehicle is being repaired, but shall not include a wrecking yard, salvage yard, motor vehicle body shop, motor vehicle storage or sales, or any other use defined in this By-law.

## **MOTOR VEHICLE SERVICE STATION**

A building, structure or pump island, for the sale of petroleum products, bio-fuels, fuel, oil, antifreeze, gasoline additives, propane, natural gas, and similar fuelling and powering products and supplies are kept for sale, and may also include small accessories required for the operation of motor vehicles, and may include minor or emergency repairs but shall not include a motor vehicle repair garage. A motor vehicle service station may include public washroom facilities and may include an accessory snack bar or convenience retail, but shall not include a variety or grocery shop or liquor store.

## **MOTOR VEHICLE WASHING ESTABLISHMENT**

A building and lot used for the washing or cleaning of motor vehicles by washing equipment.

## **MUSEUM**

A building used for the preservation of a collection of paintings and other works of art, or of objects of natural history, or of mechanical, scientific or philosophical inventions, instruments, models or designs.

## **NON-COMPLYING**

A lot, building or structure that does not fulfill the requirements of the zone provisions for the zone in which the lot, building or structure is located.

## **NON-CONFORMING**

A legal existing use or activity of any land, building or structure which does not conform with the permitted uses, or activities permitted by this By-law, so long as it continues to be used or enjoyed for that purpose and not discontinued for more than 24 months.

## **NURSING HOME**

A building and premises maintained and operated for persons requiring nursing care, and which is licensed under The Nursing Homes Act, as amended, and may include a convalescent home.

## **NUTRIENT MANAGEMENT PLAN**

A plan prepared for the disposal of manure and other waste products of a farming operation that has been approved by the appropriate authority having jurisdiction.

## **NUTRIENT STORAGE FACILITY/MANURE STORAGE FACILITY**

A permanent nutrient storage facility that is designed and constructed to contain liquid or solid materials prescribed under the Nutrient Management Act, as well as any associated guidelines and regulations, as amended from time to time.

## **NUTRIENT UNIT (NU)**

An amount of nutrients that gives a fertilizer replacement value of the lower of 43 kilograms of nitrogen, or 55 kilograms of phosphates as nutrients, as defined in Ontario Regulation 267/03 made under the Nutrient Management Act, 2002, as amended.

## **OFFICE, COMMERCIAL**

A place which administrative, clerical or management services are conducted as the main use including but not limited to the practice of a profession other than a medical clinic insurance, provision of government or social services, travel agent, or realtor uses.

## **OFFICE, BUSINESS, PROFESSIONAL OR ADMINISTRATIVE**

A building or part of a building in which one or more persons are employed in the management, administration, direction or conducting of a business or where professionally qualified persons and their staff serve clients or patients and may include the offices of a non-profit or charitable organization. An office may include onsite and offsite service to individuals and companies.

## **OUTDOOR FURNACE**

A piece of equipment designed to burn materials for the purpose of heating a building, which is located outside of the dwelling unit.

## **OUTSIDE STORAGE, ACCESSORY**

The keeping of goods or materials, excluding junk, outside of a building and which, where it is permitted, is only permitted accessory to a principal use.

## **OPEN SPACE, PUBLIC**

Lands within the Town which are set aside and appropriately designated for public access and use and which fulfills or is capable of fulfilling a recreational and/or non-recreational role.

## **PARK**

Any open space or recreational area, which may include neighbourhood, community, regional and special parks or areas and may include playground areas, field houses, community centres, bleachers, swimming pools, greenhouses, botanical gardens, zoological gardens, picnic areas, skiing trails, bandstands, skating rinks, tennis courts, bowling greens, bathing stations, curling rinks, refreshment rooms, fairgrounds, arenas, or similar uses. An accessory parking area and buildings and structures for equipment storage and club house uses shall also be permitted. A park shall not include the racing of animals or motorized vehicles.

## **PARKING AREA**

An area or areas of land or a building or part thereof which is provided and maintained upon the same lot or lots upon which the principal use is located for the purpose of storing motor vehicles and may include aisles, lands or private garages, but shall not include any part of a street or road.

## **PARKING LOT**

A parking area forming the principal use of a lot.

## **PARKING LOT, COMMERCIAL**

An area of land used for the parking of motor vehicles for a fee, with such use forming the principal use of a lot.

## **PARKING GARAGE OR PARKING STRUCTURE**

Any building or structure or portion thereof, either below or above grade that is used for the temporary parking of motor vehicles.

## **PARKING SPACE**

An area exclusive of any aisles, ingress or egress lanes, used for the temporary parking or storage of motor vehicles, and may be located within a private garage.

## **PARTICIPATING PROPERTY**

A parcel of land involved in a wind project through the leasing of land for the operating of a wind turbine, or transformer.

## **PATIO**

A platform or surfaced area without a roof, the surface of which is not more than 0.3 metres above finished grade, which is designed and intended for use as an accessory to a dwelling or a commercial use.

## **PEAT**

A soft brown soil composed of incompletely decomposed plant materials that forms in a water-saturated environment. Peat extraction shall be the removal of peat from its natural location, regardless of whether or not the peat is removed from the premises.

## **PERSON**

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

## **PET STORE**

A retail business which sells different kinds of pet or companion animals to the public and may include the ancillary storage and sale of animal supplies and pet accessories.

## **PHARMACY OR DRUGSTORE**

A retail store in which prescription drugs are dispensed and in which, among other things, non-prescription medicines, health and beauty products, and associated sundry items, may also be sold.

## **PIT**

Any lands where unconsolidated gravel, stone, sand, earth, clay, fill, peat or other earthen material is being or has been removed by means of an excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit.

## **PLANTING STRIP**

An open space free of buildings or structures which is used for no other purpose than planting a continuous, un-pierced hedgerow of trees, evergreens or shrubs, or other natural vegetation having a minimum height of 1.5 metres.

## **PLAYGROUND**

Any open space or recreational area that contains play equipment and may include climbers, swings and similar structures geared to physical activity, but shall not include playing fields or indoor facilities.

## **POST OFFICE**

A building or facility wherein the public can purchase postage stamps for mailing correspondence or merchandise, and also drop off or pick up packages or other special delivery items. The building/facility provides storage and mail handling services in a centralized location for the collection and distribution of mail.

## **PORCH**

A structure abutting an entrance on a main wall of a building which may have a roof and sides that are open, but shall not include a ground-oriented amenity area.

## **PROVINCIAL HIGHWAY**

A public road under the jurisdiction of the Ministry of Transportation.

## **PRINCIPAL OR MAIN BUILDING**

A building or structure in which the principal use of the lot on which the building or structure is located is conducted. In an agricultural zone, a barn or silo shall also be considered principal or main buildings.

## **PRINCIPAL USE**

The primary activity, building or structure for which a lot is used, as permitted by this By-law.

## **PRINTING OR PUBLISHING ESTABLISHMENT**

A retail store/establishment that provides duplicating services using photocopying, blueprint and offset printing equipment and may include the collating and binding of booklets and reports. A printing or publishing establishment shall process, produce and assemble printed works and may include the sale of these works and related items, but does not include the manufacturing of materials required for the process itself.

## **PRIVACY SCREEN**

A visual barrier used to shield any part of a yard from view from any adjacent parcel or highway. A noise attenuation wall shall not be considered a privacy screen.

## **PRIVATE CLUB**

Any building, structure or use of land by a group of members that is not open to the general public. A private club may include meeting rooms, sport facilities, an accessory kitchen and accessory office facilities.

## **PUBLIC AUTHORITY**

Any Federal, Provincial, County or Municipal agencies, which includes any commission, board, authority or department established by such agency and shall include Ontario Hydro, and Bell Canada or their successors and including utility providers directly distributing utilities, telephone or cable services to the residents of the Town.

## **PUBLIC USE**

Any use for exclusively public purposes without reference to the ownership of the building or structures or the land upon which it is situated, by any department or branch of the Federal, Provincial, County Government or Town, under the direct authority of these public use providers and implemented under the direct authority of these providers.

## **QUARRY**

Any lands where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit metal mine.



## **RECREATIONAL ESTABLISHMENT**

An establishment that provides the space and equipment for recreational activities such as sports, games and hobbies, including swimming pools, alpine and cross-country skiing, courts, lawn bowling, skating rinks and athletic fields but excludes an Adult Entertainment Establishment or similar erotic activities.

## **RECREATION USE, PASSIVE**

Activities enjoyed outdoors, including bicycling, hiking, walking, bird watching and resting in a specific natural environment and other sports activities that rely on the natural landscape but shall not include the racing of animals, motor vehicles, motor cycles or snowmobiles.

## **RECREATIONAL VEHICLE SALES AND SERVICE OPERATION**

An establishment which sells and services vehicles primarily designed as temporary living quarters for recreation, camping, travel or seasonal use that are mounted on or towed by another vehicle, and may include a camping trailer, fifth wheel trailer, travel trailer and truck camper, and any similar uses.

## **RECYCLING FACILITY**

A facility, other than a salvage yard, in which recoverable resources are located, reprocessed and treated to return such products to a condition which they may again be used for production. All activities except loading shall be conducted inside of a building.

## **RECREATIONAL VEHICLES AND EQUIPMENT**

Any trailer, camper, boat, RV, snow mobile, sea-doo, ATV, trailers for transporting such recreational vehicles and attachments or similar vehicles or items used on a seasonal or year-round basis but does not include a car, motorcycle, truck or passenger vehicle.

## **RELIGIOUS INSTITUTION**

Churches, chapels, temples, parish halls and synagogues including offices for the administration of the religious institution, convents, seminaries, monasteries, rectories, parsonages and parish houses recognized in the Province of Ontario. Such place of worship may include related religious, social, educational or charitable activities, provided such activities or use are not specifically defined in this By-law.

## **RESEARCH AND DEVELOPMENT ESTABLISHMENT**

A facility designed for the purpose of research and development and includes offices and workspaces or materials required in the field being explored and developed. A research and development establishment may include limited processing and manufacturing for testing purposes.

## **RESIDENTIAL ZONE**

Any lands zoned Village Residential (RV), Estate Residential (RE), Hamlet Residential (RH), Multiple Residential (RM) or any site-specific zoning permitting a dwelling unit.

## **RESOURCE MANAGEMENT**

The preservation, protection, and improvement of the natural environment through comprehensive management and maintenance, under professional direction for both the individual and society's use, both in the present and the future. Resource Management Uses also means the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, the provision of proper environmental conditions for wildlife, the protection against floods and erosion, the protection and production of water supplies and the preservation of the recreational resource.

## **RESTAURANT**

A building or part of a building where food and/or beverage is offered for sale or sold to the public primarily for immediate consumption.

## **RETAIL STORE**

Any establishment where the primary activity is the sale of goods, wares, merchandise, substances or articles in broken lots or parcels, not in bulk, and includes limited storage of such retail materials, but shall not include a retail outlet.

## **RETAIL OUTLET OR LARGE-SCALE RETAIL**

Any large, single occupied building or unit used for retail purposes exceeding 80,000 square feet of gross floor area, either located in a freestanding building or in a building group, or shopping center, possibly sharing parking areas and vehicular travel ways or walkways. A retail outlet may include showrooms, interior display and accessory warehousing of materials to be retailed in the same building.

## **ROAD, YEAR-ROUND MAINTAINED PUBLIC**

A road, or highway under the jurisdiction of the Province of Ontario, County of Dufferin or the Town or a private road within a registered plan of Condominium that is maintained year round, so as to allow normal vehicular access to adjacent properties and which, in the case of a municipal road is a road which has been constructed to municipal standards and shall not include roads that have not yet been assumed nor roads that are a common element or part of a condominium.

## **ROAD, PRIVATE**

A private right-of-way over private or public property which affords access to abutting lots and is not maintained by a public body.

## **SALES OFFICE**

An office equipped to handle a large volume of telephone calls for an organization such as a retailer, bank, or marketing firm especially for taking orders or for providing customer service.

## **SALVAGE OR WRECKING YARD**

A lot or parcel outside of an enclosed building used for the storage and/or handing and/or disassembly of scrap or derelict materials.

## **SALVAGE, JUNK OR WASTE**

Any scrap, dismantled, inoperable or dilapidated motor vehicles, including parts, machinery, household furniture, appliances, construction equipment, construction materials, tanks, drums, tires, pipes, wire, wood, paper, metals, rags, glass and any other kind of salvage or waste materials.

## **SAWMILL**

A building, structure, or areas where timber is cut or sawed, either to finished lumber or as an intermediary step, but does not include a building supply or lumber outlet.

## **SCHOOL**

A public school, a separate school, a university, a community college, or a private school authorized by the Province of Ontario.

## **SCHOOL, COMMERCIAL**

A primary, elementary, secondary college, a university, or trade school operated on a commercial basis, providing education and training in exchange for monetary fee or tuition.

## **SCHOOL, CULTURAL**

A building or part of a building that provides instruction in cultural symbols, language, norms, values, history and artifacts and may include instruction and practices related to traditions of craft or arts, clothing, dance, music and food.

## **SCHOOL, COLLEGE, UNIVERSITY OR SEMINARY**

An institution of higher education, including teaching and research, and offering a course of general studies leading to advanced academic degrees; which may include related facilities such as but not limited to classrooms, libraries, laboratories, dormitories, administration, physical plant, dining hall, campus center, theatre, gymnasium and recreational facilities.

## **SERVICE AND REPAIR ESTABLISHMENT**

A building or part of a building in which persons are employed in servicing and repairing articles, goods, or materials, and shall not include personal service shops or the servicing of motor vehicle. A service and repair establishment shop may include providing a mobile service for the repair and servicing of larger or immobile equipment and may include facilities for accessory retail sales of repaired items.

## **SERVICE SHOP, PERSONAL**

A building or part of a building in which persons are employed in furnishing services and otherwise administering to individual and personal needs of patrons such as barber shops, beauty parlours, dry cleaning outlets, hair dressing shops, photograph studio and shoe repair shops.

## **SETBACK**

The horizontal distance from the centre line of the road right-of-way, lot line, or defined physical feature measured at right angles to such centre line, to the nearest part of any building or structure or use on the lot.

## **SEWAGE**

The wastewater and matter from any use.

## **SEWAGE TREATMENT FACILITY OR SERVICES**

Any works by a public authority for the collection, transmission, storage, treatment and disposal of sewage, and may include a sewage lagoon. A sewage treatment facility or services may also be a wastewater treatment facility.

## **SHED**

An accessory building used for the storage and parking of vehicles, equipment, and may also include the storage of materials accessory to an agricultural operation but shall not include the housing of livestock.

## **SHELTER, WINTERING**

An accessory structure to an agricultural operation used for wintering shelter to provide temporary, seasonal shelter to pasturing livestock shall be considered a shed.

## **SIGHT TRIANGLE**

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

## **SIGN**

A message board or advertising device that is attached to a building. Where such sign is on a freestanding structure, such sign shall include the structure system supporting it.

## **STOREY**

A storey is that part of a building between the surface of one floor and the ceiling above. However, a cellar does not count as a storey. For the purpose of determining minimum ground floor area of a dwelling, a dwelling described as split level, raised bungalow, or having a partial second floor shall be considered a one storey dwelling.

## **STORMWATER MANAGEMENT FACILITY**

A designated area or structural device that is designed and constructed to control the quantity and/or quality and/or velocity of stormwater runoff leaving a property to achieve specific objectives such as reduce flooding and erosion, remove pollutants and provide other amenities.

## **STREET**

For the purposes of this by-law, a street shall be a road, and a road shall be a street. See definition of road.

## **STREET LINE**

The limit of the street or road allowance and is the dividing line between a lot and street or road.

## **STRUCTURE**

Anything man-made that is fastened to or into the earth or another structure or rests on the earth by its own mass.

## **STUDIO**

An establishment used for the study of an art such as dancing, singing, acting, modelling or the work place and retail shop of an artist, sculptor or photographer or an establishment used for the making or transmission of motion pictures, radio or television programs.

## **TANDEM PARKING**

A parking configuration where two or more automobiles are parked on a driveway or in any other designated parking area on a lot, lined up behind one another.

## **TAVERN**

A tavern or public house as defined by The Liquor License Act but does not include a hotel or restaurant.

## **TAXI ESTABLISHMENT**

An establishment to provide taxis to the general public, for a charge, and may include a parking lot and office space for dispatching and administration.

## **TELECOMMUNICATION, BROADCASTING OR TRANSMISSION ESTABLISHMENT**

Any building, structure or use of lands to provide radio, television, digital or sound broadcast and transmission.

## **TELECOMMUNICATION TOWER**

A tower consisting of a pole, lattice tower or guyed mast which acts as an antenna or supports one or more antennas on its structure. These towers support a range of services including mobile phone base stations, single channel customer connection, electrical and cell services. Advertising on a telecommunication tower is not considered part of the telecommunication tower or use.

## **TENT**

Any kind of temporary shelter for sleeping that is not permanently affixed to the site and that is capable of being easily moved and is not considered a structure.

## **TOP OF BANK**

The point projected by the stable slope of a bank associated with an existing or abandoned watercourse, being the beginning of a significant change in the land surface, hence from which the land surface slopes downward towards an abandoned or existing watercourse. Where two or more slopes are located together, the slope that is highest and furthest away from the watercourse shall be the slope considered the top of bank.

## **TOWN**

The Corporation of the Town of Grand Valley.

## **TRAILER, TRAVEL OR TENT TRAILER**

Any trailer which is designed to be temporarily utilized for living, shelter and sleeping accommodation, with or without cooking facilities and which has running gear and towing equipment permanently attached and does not include a mobile home or any other structure permanently affixed to the ground.

## **TRANSPORTATION DEPOT**

Any building or land where operative buses, trucks, tractor-trailers or other fleet vehicles are rented, leased, kept for hire, stored or parked for commercial purposes, and may include a bus station, or taxi establishment.

## **TOWING ESTABLISHMENT**

A business/building whose primary function is to tow disabled automobiles, trucks and other motor vehicles from one place to another in order to seek repair of such vehicles. A Towing Establishment does not include a motor vehicle repair garage nor the storage of any disabled vehicles.

## **TUTORING EDUCATIONAL FACILITY**

A building or part thereof where the provision of supplementary academic instruction is provided.

## **USE**

- a. Any purpose for which a building or other structure or a parcel of land may be designed, arranged, intended, maintained, or occupied; or,
- b. Any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a parcel of land.

## **UTILITY PROVIDER**

Any provider of utilities directly supplying and distributing utilities to the residents of the Town, and including Hydro One, Bell Canada, Rogers Cable, Enbridge, Consumers Gas and any agency, which under public or private ownership, provides the public with electricity, gas, heat, rail transportation, water, sewage, collection or other public service.

## **VETERINARY HOSPITAL/CLINIC**

A facility for the prevention, cure or alleviation of disease and injury in animals, including surgery, and wherein animals are treated and released or kept overnight, but shall not include a kennel.

## **VIDEO FILM OUTLET**

An operation that may be part of a convenience store or may be a stand-alone establishment that provides video films for rent or lease for a charge. A video film outlet may also rent or lease video viewing machinery and production equipment.

## **WASTE MANAGEMENT FACILITY**

Any lands upon, into or through which garbage, refuse, domestic or industrial waste, exclusive of liquid industrial waste, is disposed of, deposited, processed or managed under controlled conditions and any machinery or equipment or operation for the treatment, disposal or covering of waste, but excluding the treatment or disposal of liquid industrial waste or hazardous waste. All waste shall be managed in accordance with applicable Federal and Provincial legislation.

## **WAREHOUSE**

A building or part of a building used for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for a wholesale or retail commercial outlet, provided that they do not exceed 10 per cent of the gross floor area, a mini warehouse facility, but shall not include a truck or transport terminal or yard.

## **WAREHOUSE, MINI OR SELF-STORAGE FACILITY**

A building divided into separate units that is used for the storage of personal and household items, where each unit is rented or leased for monetary gain. A self-storage facility may also include land that is rented or leased to persons for the storage of recreational vehicles and automobiles.

## **WASTE DISPOSAL AREA**

A land fill site where garbage, refuse, domestic or industrial waste, exclusive of liquid industrial waste, is disposed of or dumped.

## **WATERCOURSE**

The natural or man-made bed and shore of a river, lake, stream, creek or municipal drain where the primary focus is the conveyance or containment of water whether the flow is continuous or not.



## **WATER RESERVOIR**

Most commonly an enlarged natural or artificial lake created using a dam to store water and can be created in a number of ways, including controlling a watercourse that drains an existing body of water, interrupting a watercourse to form an embayment within it, through excavation, or building any number of retaining walls or levees.

## **WATER TAKING, COMMERCIAL**

The extraction of water from ground or surface water sources in excess of 50,000 litres per day for resale.

## **WAYSIDE PIT OR QUARRY**

A temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

## **WETLAND**

Areas that are seasonally or permanently covered by shallow water or soils that are saturated, as well as lands where the water table is close to or at the surface, and shall include swamps, bogs, fens and marshes, and which may be defined locally or provincially, or may be unevaluated.

## **WHOLESALE ESTABLISHMENT**

A facility for the sale and distribution of goods or materials for re-sale purposes only. For the purpose of this section, sales and re-sales shall be conducted on the same property as this facility.

## **WHPA**

WELL HEAD PROTECTION AREA

## **WORKS YARD**

Any land, building and/or structure owned by the Corporation of the Town of Grand Valley, Public Utilities provider or the Province of Ontario and used for the storage, maintenance and/or repair of material, equipment, machinery and/or motor vehicle used in connection with civic works.

## **YARD**

A space adjoining a building or structure, excavation or the nearest open storage use, or permitted use located on the same lot as the building, structure excavation or nearest open storage use or permitted use, and which space is open, uncovered and unoccupied from the ground to the sky, except for such accessory buildings, structures or uses as are specifically permitted.

### **YARD, EXTERIOR SIDE**

A side yard immediately adjacent to an exterior lot line.

### **YARD, FRONT**

A yard extending across the full width of the lot between the front lot line and the nearest wall of any building or structure on the lot for which the yard is required, or the nearest open storage use on the lot, or the edge or rim of an excavation.

### **YARD, REAR**

A yard extending across the full width of the lot between the rear lot line and the nearest wall of any building, or the nearest open storage use on the lot, or the edge or rim of an excavation on the lot for which the yard is required.

### **YARD, REQUIRED**

The minimum yard required by the provisions of the By-law.

### **YARD, SIDE**

A yard extending from the front yard to the rear yard between the side lot line and the nearest wall of any building on the lot for which the yard is required.

## **ZONE**

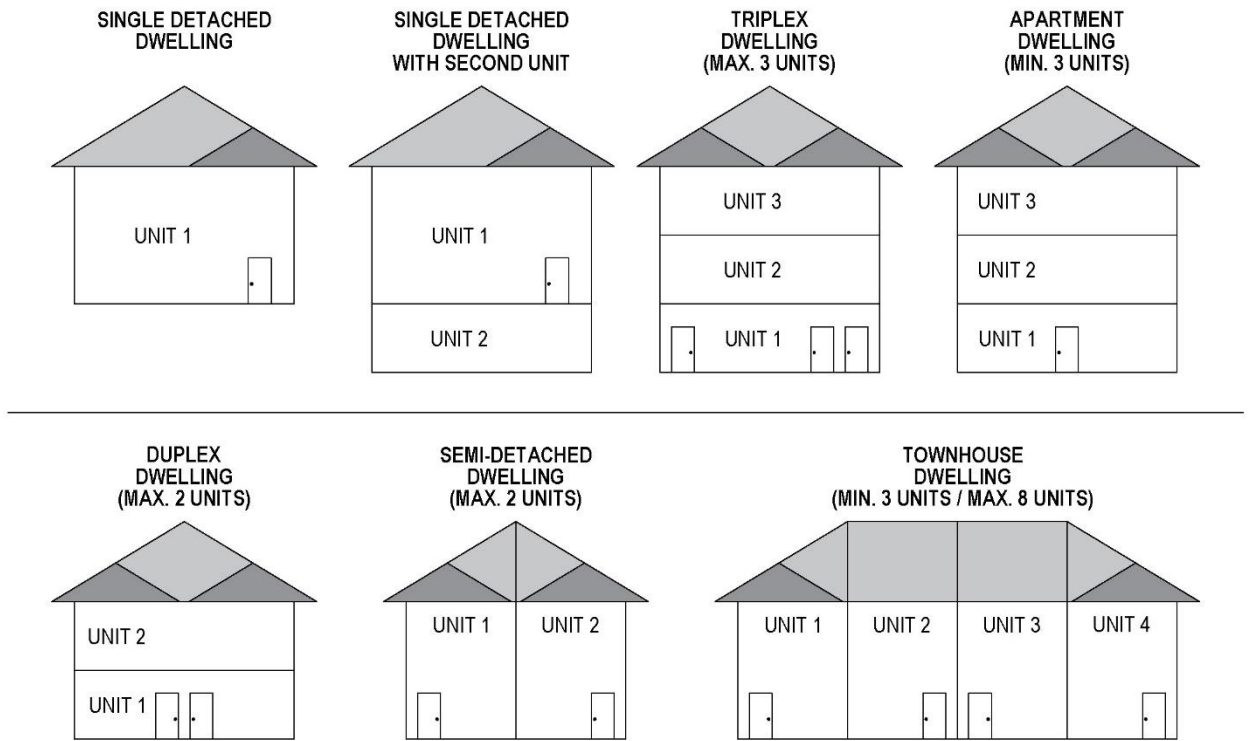
The category of use or activity of land, buildings, structures or activities permitted by this By-law.

### **ZONE PROVISIONS**

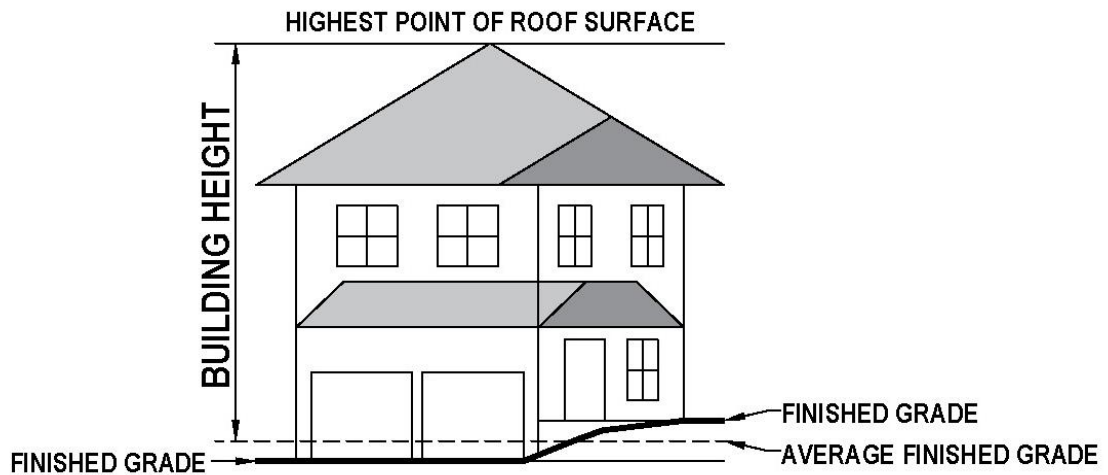
The permissible uses, the minimum area and dimensions of lots, the minimum dimensions of yards, the maximum lot coverage, the minimum setback, gross floor area, the minimum landscaped open space, the maximum height of buildings, minimum parking requirements, and all other zone provisions are set out within the by-law for the respective zones.

# DEFINITIONS ILLUSTRATIONS

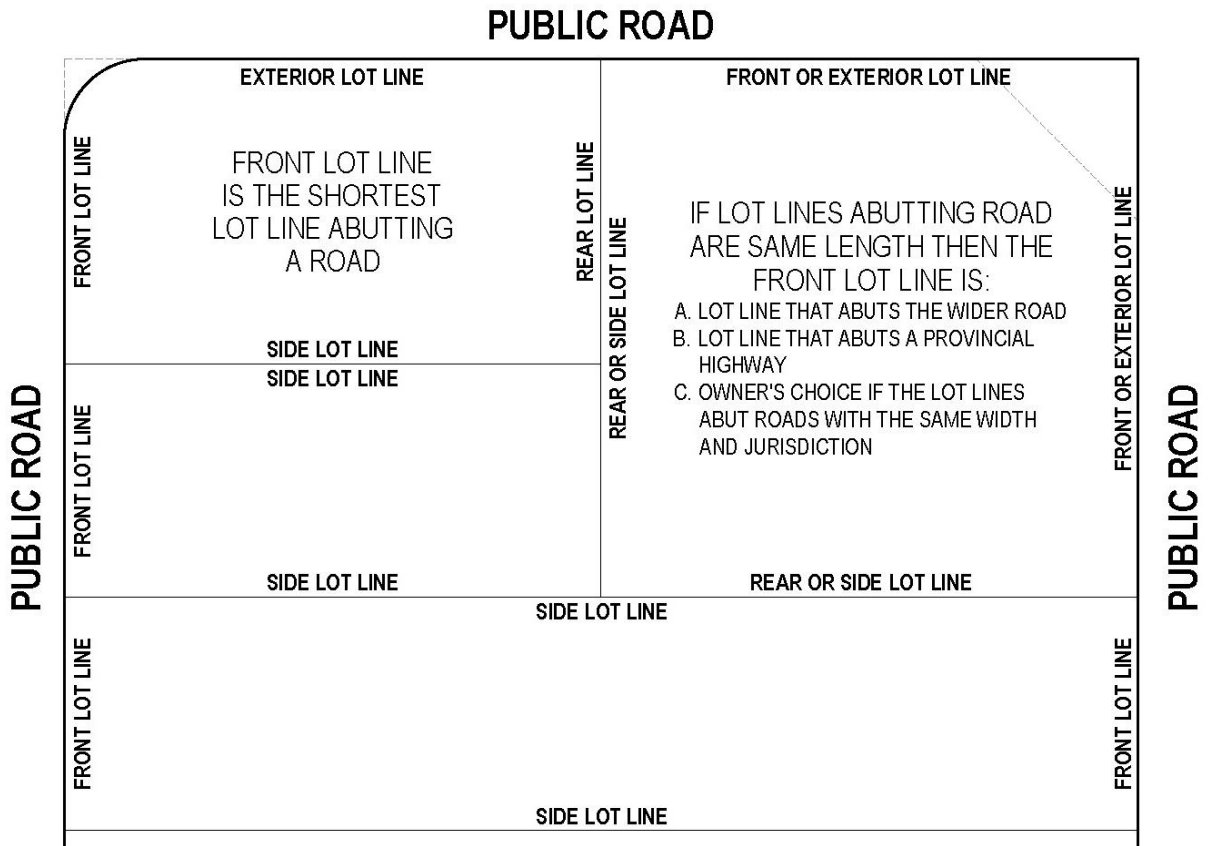
**FIGURE 1: DWELLING TYPES**



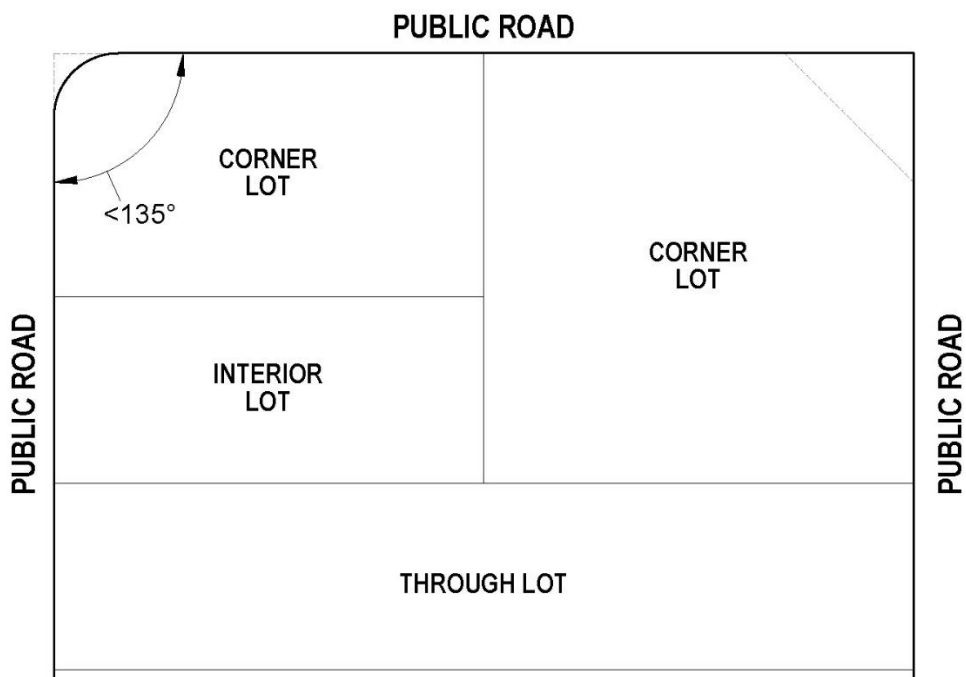
**FIGURE 2: HEIGHT (OF BUILDINGS OR STRUCTURES)**



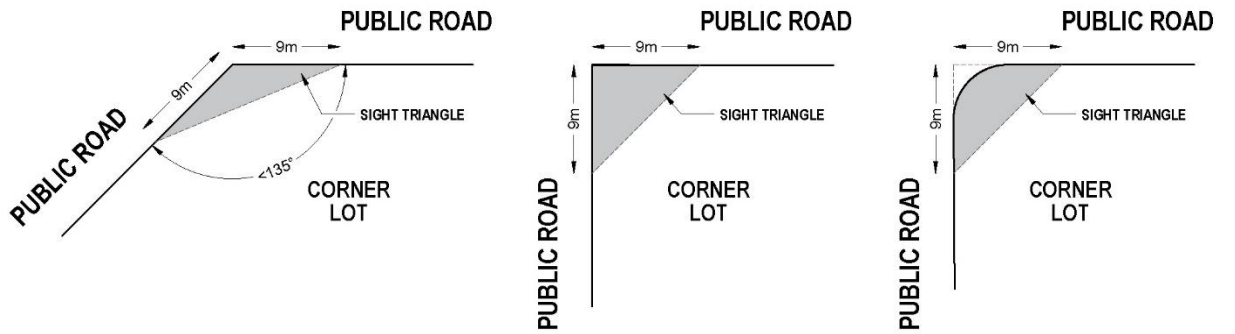
**FIGURE 3: LOT LINES**



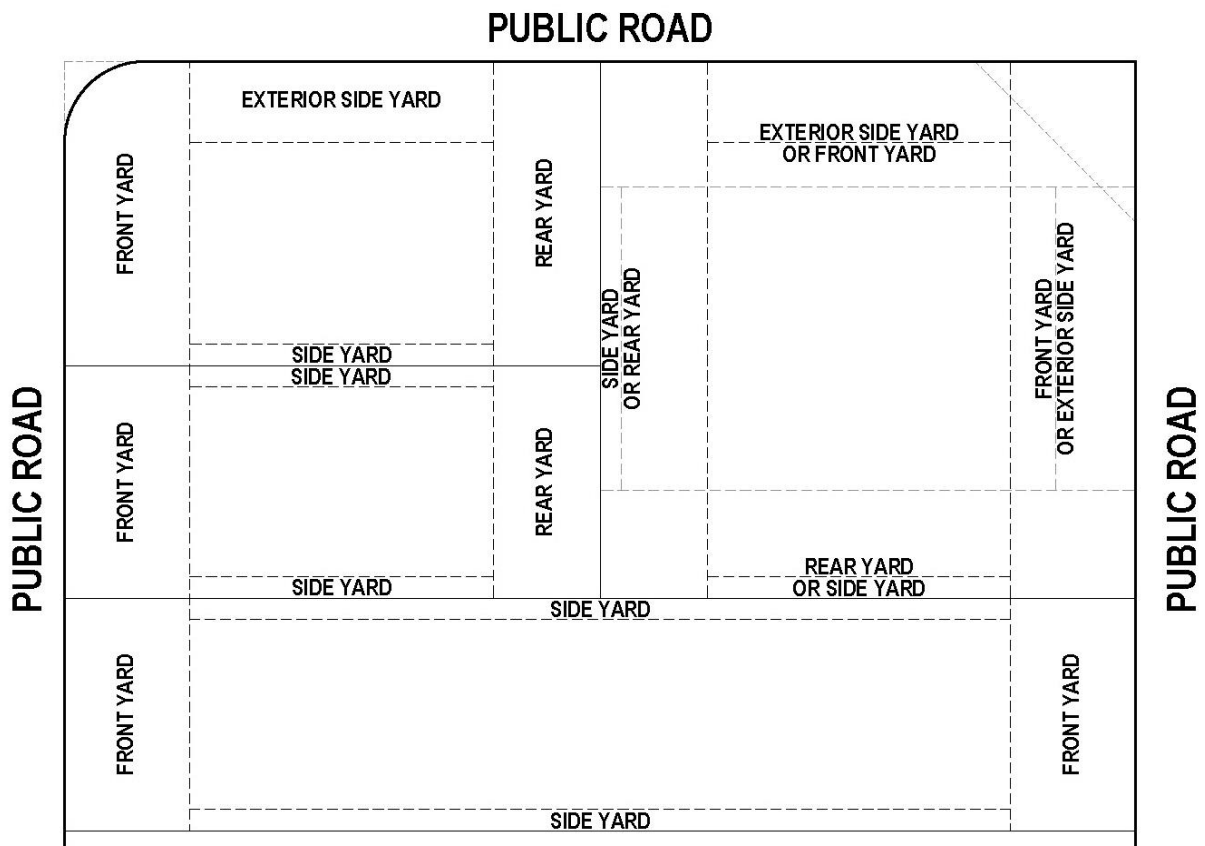
**FIGURE 4: LOT TYPES**



**FIGURE 5: SIGHT TRIANGLES**



**FIGURE 6: YARDS**



## **SECTION 7 ENACTMENT**

### **7.1 FORCE AND EFFECT**

This By-law shall come into force and effect on the date it is passed by the Council of the Corporation of the Town of Grand Valley subject to the applicable provisions of The Planning Act, R.S.O. 1990, c. P. 13, as amended.

### **7.2 READINGS BY COUNCIL**

THIS BY-LAW READ A FIRST TIME ON THE 10th DAY OF FEBRUARY, 2009.

THIS BY-LAW READ A SECOND TIME ON THE 10th DAY OF FEBRUARY, 2009.

THIS BY-LAW READ A THIRD TIME AND FINALLY PASSED ON THE 10th DAY OF FEBRUARY, 2009.

MAYOR: \_\_\_\_\_  
John K. Oosterhof

(MUNICIPAL SEAL)

CLERK: \_\_\_\_\_  
Jane Wilson