

# **The Corporation of the Township of Huron-Kinloss**

## **Comprehensive Zoning By-law 2001-87**

*Office Consolidation (September 2009)*

*Office Consolidation (October 2011)*

*Office Consolidation (August – December 2012)*

*Office Consolidation (May 2013)*

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**BY-LAW NUMBER 2001-87**

**OF THE**

**CORPORATION OF THE TOWNSHIP OF HURON-KINLOSS**

(To be known as the Zoning By-law of the Corporation  
of the Township of Huron-Kinloss)

**WHEREAS** the Township has had several separate by-laws with regard to Zoning which apply to the different areas heretofore incorporated into the Township through a county wide municipal restructuring order of the Province of Ontario coming into effect as of January 1, 1999.

**AND WHEREAS** it is desired to enact one new Zoning By-law to comprehensively deal with zoning throughout the Township;

**AND WHEREAS** this By-law is the first stage in the process in that it deals with the new Agriculture, Environmental Protection, Extractive Resource and Open Space Zones throughout the Township;

**AND WHEREAS** this By-law conforms to the Official Plan for the Township of Huron-Kinloss.

**NOW THEREFORE** the Council of the Corporation of The Township of Huron-Kinloss enacts as follows:

**SECTION 1.0 TITLE**

This By-law shall be known as the “Zoning By-law of The Corporation of the Township of Huron-Kinloss.”

## **SECTION 2.0 ADMINISTRATION**

This By-law shall be administered by the Township's Chief Building Official.

### **2.1 Application**

The provisions of this By-law shall apply to all lands within the limits of the zone boundaries shown on the Zoning Schedules attached as Schedule "A" hereto. Within said areas, no person shall erect, alter, enlarge or use any building or structure in whole or in part, nor use any land in whole or in part, except in accordance with the provisions of this By-law.

### **2.2 Effective Date**

This By-law shall come into effect as of the date of the final passing thereof by the Council of The Corporation of the Township of Huron-Kinloss subject to compliance with the provisions of the Planning Act, R.S.O. 1990 and amendments thereto.

### **2.3 Validity**

If any provision of this By-law including anything shown on the Zoning Schedules attached as Schedule "A" hereto, is for any reason held to be invalid, it is hereby declared to be the intention that all the remaining provisions of the said By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

### **2.4 Repeal of Existing By-laws**

All of the provisions of By-law No. 11-82 of the former Township of Huron, By-law No. 7-1981 of the former Township of Kinloss, By-law No. 2-1986 of the former Village of Lucknow and By-law No. 277-89 of the former Village of Ripley all as amended shall be and are hereby repealed.

### **2.5 Contravention and Penalties**

- .1 Every person who contravenes any of the provisions of this By-law is guilty of an offense and on conviction is liable:
  - a) on a first conviction to a fine of not more than \$25,000.00; and
  - b) on a subsequent conviction to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted.
- .2 Where a corporation is convicted under Section 2.5.1 of this By-law, the maximum penalty that may be imposed is:



- a) on a first conviction a fine of not more than \$50,000.00; and
- b) on a subsequent conviction a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the date on which the corporation was first convicted, and not as provided in Section 2.5.1.

.3 Penalties imposed by conviction under this Section shall be recoverable under the Provincial Offenses Act.

## 2.6 Licenses and Permits

No person is entitled to a permit, certificate or licence for a proposed use of land or a proposed alteration, erection, enlargement or use of any building that is in violation of any provisions of this By-law.

## 2.7 Compliance with Other Legislation and Other By-laws

Nothing in this By-law shall serve to relieve any person from the obligation to comply with the requirements of the Ontario Building Code Act, any other legislation; the Building By-law, and any other by-law of the Corporation in force from time to time or from the obligation to obtain any licence, permit, authority or approval required by the Corporation or any other public agency or government body.

## 2.8 Certificate of Occupancy

No change may be made in the type of use of any land covered by this By-law or change in the type of use of any building located on any such land without a Certificate of Occupancy being issued by the Township's Chief Building Official to the effect that the proposed use is not contrary to this By-law. Notwithstanding the above, no Certificate of Occupancy shall be required for a farm residence, single detached dwelling, duplex dwelling, or a semi-detached dwelling or uses accessory thereto.

## SECTION 3.0 ZONES AND ZONING SCHEDULES

### 3.1 Establishment of Zoning Categories and Schedules

For the purposes of this By-law the land use zones listed in this section are hereby established. The maps attached as Schedule “A”, “A-1” and “A-2” shall be referred to as the Zoning Schedules. Schedules “A”, “A-1” “A-2”, “B” and “C” attached hereto are hereby incorporated in and are declared to form part of this By-law.

The location and boundaries of the zones are shown on the Zoning Schedules included in Schedule “A”. The zone symbols as set out below may be used in the text of this By-law or appear on the Zoning Schedules to represent the zones.

ZONES	SYMBOLS
Restricted Agriculture Zone	AR
General Agriculture Zone	AG
Environmental Protection Zone	EP
Extractive Resource Zone	ER
Open Space Zone	OS
Institutional Zone	I
Residential Zone	R1
Residential Zone	R2
Residential Zone	R3
Lakeshore Residential	LR
Lifestyle Community Residential Zone	LCR
General Commercial Zone	GC
Village Commercial	VC
Service Commercial Zone	SC
Highway Commercial	HC
Rural Commercial Zone	RC
Resort/Recreational Commercial Zone	RRC
General Industrial Zone	MG
Light Industrial Zone	ML
Rural Industrial Zone	MR
Holding Provision	H

### 3.2 Interpretation of Zone Boundaries

Where any uncertainty exists as to the location of the boundary of any zone as shown on the Zoning Schedules, the following provisions shall apply:

- a) where any zone boundary is indicated as following a highway, street, lane, railway right-of-way, or watercourse, the boundary shall be deemed to be the centreline of the highway, street, lane, railway right-of-way or watercourse.
- b) where any zone boundary is indicated as approximately following lot lines as existing as of the date of the passing of this By-law, the zone boundary shall be deemed to follow such lot lines.
- c) where any zone boundary is indicated as approximately parallel to an adjacent street and the distance from the street is not indicated, the zone boundary shall be deemed to being parallel to the street line, and the distance from the street shall be determined by the scale shown on the Zoning Schedules.
- d) where any zone boundary is indicated as approximately following a shoreline, the boundary shall be deemed to be the shoreline and, in the event that the shoreline changes, the zone boundary shall be deemed to have moved with the new shoreline limit.
- e) where any zone boundary is left uncertain after application of the provisions of subsections a), b), c) and d) above, then the boundary shall be determined by the use of the scale shown on the Zoning Schedules.
- f) the Environmental Protection Zone identified on Schedule “A” to this By-law is intended to identify general boundaries of existing or potential natural hazards. The Environmental Protection Zone boundaries can be interpreted more precisely by the appropriate Conservation Authority and the Chief Building Official at the time of application for change of land use, subdivision of land and application for building permit without an amendment to this by-law.
- g) wherever it occurs, the municipal limit of the Corporation is deemed to be the boundary of the zone extending to it.

### 3.3 Special Provisions

Within any zone, special provisions may apply to specific parcels of land in the manner and to the extent as set out in the Special Provisions section of that zone. Reference to such special provisions shall be shown on the Zoning Schedules by the use of the symbol of the corresponding zone followed by a dash and number. Such number shall correspond to the subsection number found in the special provisions of the corresponding zone. Unless otherwise provided, all other provisions of that zone and this By-law shall apply to the land.

### 3.4 Holding Symbol

Where a zoning symbol shown on the Zoning Schedules has the prefix (H) followed by a dash and number, the holding provisions as set out in Section 5.15 and the subsection number found in the special provisions of the corresponding zone shall apply to the land identified within the zone boundary.

### 3.5 Floodfringe (f) Regulated Area

Where the suffix (f) follows the land use zone symbol, this is notice that the property is within the floodfringe and any development or site alteration will require the issuance of a development permit from the Maitland Valley Conservation Authority.

The regulated areas of the Maitland Valley Conservation Authority is attached as Appendix 'D' to this By-law.

### 3.6 "Dynamic Beach (db) Allowance (30m)

Where the suffix (db) follows the land use zone symbol, this is notice that the property is subject to a minimum setback from the '100 year floodline' of 30 metres. The regulated area of the Saugeen Valley Conservation Authority extends 45 metres from the '100 year floodline'.

Site alteration to accommodate residential development will only be permitted with the approval of the Township and the Conservation Authority."

## SECTION 4.0 DEFINITIONS

In this By-law, unless the contrary intention appears, words importing the singular number or the masculine gender only, shall include more persons, parties or things of the same kind than one, and females as well as males, and the converse.

In this By-law, the word “shall” is to be construed as being always mandatory and not directory.

In this By-law:

“**Abattoir**” shall mean a building or structure specifically designed to accommodate the penning and slaughtering of livestock and the preliminary processing of animal carcasses and may include the packing, treating, storing and sale of the product on the premises.

“**Accessory,**” when used to describe a use or building, shall mean a use or building which is commonly incidental, subordinate and exclusively devoted to the main use or main building located on the same lot therewith.

“**Accessory dwelling unit**” shall mean one ‘dwelling unit’ to be located at the rear of a ground floor or above the ground floor of a building. *(2010-101)*

“**Adult Education Centre**” shall mean a place providing teaching and education to adults. *(2009-71)*

“**Agriculturally Related**” shall mean a use directly related to agriculture and requiring proximity to farm operations and includes such uses as animal husbandry services and produce or grain storage facilities.

“**Agriculturally Related Retail Store**” shall mean the sale of farm raised or grown food products from the local area to a consumer, as well as the sale of accessory items. *(2011-46)*

“**Agriculture,**” shall mean the use of land, buildings and structures for the growing of crops, nurseries, orchards, aviaries, apiaries, aquaculture, the raising and boarding of livestock, poultry or other animals; forestry and reforestation and including the sale of such produce, crops, livestock, or poultry as an accessory use but shall not include a kennel.

“**Arena**” shall mean a place where facilities are provided for athletics, artistic, circus, performance, entertainment, and recreational activities or events.

“**Assembly Hall**” shall mean a building used for the assembly of persons for religious, social, charitable, political, philanthropic, cultural, private recreational or private educational purposes.

“**Attached, Non-Residential**” when used in reference to a building, shall mean a

building otherwise complete in itself which depends for structural support or complete support or complete enclosure upon a division wall and division walls shared in common with adjacent buildings or buildings. *(2010-101)*

**“Attached, Residential”** when used in reference to a residential building, where a residential living space must share common division walls and not separation by non-habitable area. *(2010-101)*

**“Automobile Car Wash”** shall mean a building or structure or lot used solely for the washing and cleaning of motor vehicles and shall not include any other automobile use defined in this By-law.

**“Automobile Gas Bar”** shall mean a lot containing not more than eight fuel/propane pumps and may include a structure no greater than 18.5 square metres (199 square feet) used for the sale of fuel but shall not include any other automobile use defined in this By-law.

**“Automobile Repair Establishment”** shall mean a building and/or lot used for the servicing, repair, polishing and greasing of ‘motor vehicles’ and may include motor vehicle body repair and painting, the sale of automotive accessories and related products and an ‘Automobile Rental Establishment’ and an ‘Automobile Sales Establishment’ but shall not include any other automobile use defined in this By-law.

**“Automobile Rental Establishment”** shall mean a building and/or lot used for the leasing or renting of ‘motor vehicles’ but shall not include any other automobile uses as defined in this By-law.

**“Automobile Sales Establishment”** shall mean a building and/or lot used for the display and sale of new or used ‘motor vehicles’ and may include the servicing, repair, polishing, oiling and greasing of motor vehicles, the sale of automotive accessories and related products, and an ‘Automobile Rental Establishment’ but shall not include any other automobile use defined in this By-law.

**“Automobile Service Station”** shall mean a building and/or lot used for the servicing, repair, polishing and greasing of ‘motor vehicles’ and may include motor vehicle body repair and painting, the sale of automotive accessories and related products and an ‘Automobile Rental Establishment’ and an ‘Automobile Sales Establishment’ but shall not include any other automobile use defined in this By-law.

**“Automobile Wrecking Yard”** shall mean a place in which is kept, places, left or found permanently or temporarily two or more unlicensed motor vehicles which are in a wrecked, partially wrecked, dismantled, disassembled or partially disassembled condition or which are otherwise inoperative.

**“Banquet Hall”** shall mean a building or part thereof, used for gathering together groups of persons for specific functions including the consumption of food and drink. Full kitchen facilities shall be provided on the premises.

**“Basement”** shall mean any enclosed portion of a building which is partially below grade and which has 50 percent or more of its height, from floor to ceiling, above finished grade level.

**“Bed and Breakfast Establishment”** shall mean a building or part of a building which existed on the day of the passing of this By-law, was originally constructed as single detached dwelling and is converted to provide living accommodations for transient persons, but shall not include a hotel, lodging house, group home, hospital or any residential care facility licensed, approved or supervised under any general or specific Act.

**“Builders or Contractors Yard”** shall mean a place used by a construction company or contractor as a depot for the storage and maintenance of equipment used by the company or contractor, but does not include the wholesale or retail sale of construction materials and supplies, home improvement supplies, or a place used by plumbing, heating, air conditioning or electrical contractor.

**“Building”** shall mean any structure consisting of walls and a roof which is used or intended to be used for the shelter, accommodation or enclosure of persons, animals, goods or materials and includes any structure defined as a building in the Ontario Building Code Act, but shall not include a wall, fence or sign.

**“Building Floor Area”** shall mean the aggregate horizontal floor area measured from the exterior walls of all floors of a building excluding any floor area located totally below the grade of the building’s ground floor level.

**“Building Height”** shall mean the vertical distance between the average grade at the front of the building to the highest point thereof exclusive of any ornamental dome, chimney, tower, cupola, steeple, spire, water storage tank, antenna, electrical or mechanical equipment or other similar features or apparatus. Without limiting the generality of the foregoing, the highest point shall be calculated as:

- a) in the case of a flat roof, the highest point of the roof surface or parapet, whichever is the greater, or
- b) in the case of a mansard roof, the deck roof line, or
- c) in the case of a gable, hip or gambrel roof, the mean heights between eaves and ridge.
- d) in the case of a gable, hip or gambrel roof, means the height between the eaves and ridge. For Accessory Buildings, the maximum vertical distance between the

eaves and ridge shall be no more than 3 m (10 ft). (2010-101)

“**Building By-law**” shall mean a By-law of the Corporation administering and regulating the erection, alteration and repair of buildings under the Ontario Building Code Act.

“**Builders or Contractors Yard**” shall mean a place used by a construction company or contractor as a depot for the storage and maintenance of equipment used by the company or contractor, but does not include the wholesale or retail sale of construction materials and supplies, home improvement supplies, or a place used by plumbing, heating, air conditioning or electrical contractor.

“**Business or Professional Office**” shall mean a place in which business is conducted or a profession is practiced, including associated clerical, administrative, consulting, advisory and/or training services, but does not include medical offices or veterinary services.

“**Cabins or Cottages**” shall mean dwellings designed and built for seasonal or periodic recreational uses rather than for permanent year round residential use.

“**Campground**” shall mean a lot used for the parking and use of motor homes, travel trailers, tent-trailers, tents or similar transportable accommodation together with all yards and open space defined in this By-law and may include a swimming pool, convenience store, Laundromat, miniature golf course, playground, athletic fields, tennis or badminton courts and administrative building for the campground. The use of the mobile home(s), park model trailer(s), or other transportable accommodation of a permanent year-round basis shall not be permitted. Off-season storage of travel trailers, tent trailers, motor homes or similar transportable accommodations shall be permitted.

“**Carport**” shall mean a covered structure attached to the wall of the main building and used for the storage of passenger motor vehicles. The roof of said structure shall be supported only by piers or columns so that 50 percent of its wall area adjacent to the lot line is unenclosed.

“**Carwash**” shall mean a building that is used for the washing of motor vehicles by mechanical means, including pressurized wands.

“**Caterer Establishment**” means a place where food and beverages are prepared for consumption off-site, but are not served on the premises and does not include take-out.

“**Cemetery**” shall mean a cemetery or columbarium within the meaning of The Cemetery Act of Ontario, as amended, and shall include a mausoleum and caretaker building as well as storage of related equipment.

“**Centreline**” shall mean the centreline of a right-of-way, lane, street or highway.

“**Cellar**” shall mean any enclosed part of a building which has more than 50 percent of its



height, from floor to ceiling, located below finished grade level.

**“Chief Building Official”** shall mean the officer or employee of the Corporation having the statutory duty of enforcing the provisions of the Building By-law of the Corporation and the Ontario Building Code Act.

**“Chip Wagon”** shall mean a trailer or vehicle that is designed to be made mobile from which food is prepared and offered for sale to the public for consumption outside. Where included as a permitted use in a zone, a chip wagon shall only be permitted as an accessory use.

**“Commercial Business”** shall mean the activity of providing goods and services for purchase to the public. (2009-71)

**“Commercial Recreation”** shall mean the use of an establishment for a fee, for the provision of athletic and amusement facilities involving the active participation of the user-public in a sports-related activity.

**“Commercial School or College”** shall mean a place of instruction in any subject for profit or gain, but does not include a public school, separate school or private school as identified under the Public Schools Act or a Day Care Nursery (Licensed) as defined in this By-law.

**“Commercial Vehicle”** shall mean any motor vehicle having permanently or temporarily attached thereto a truck box or any other form of delivery body, tow trucks, buses exceeding 10 passenger seats, and shall include, for example, tractor trailers or semi-trailers and any component thereof, livestock trailer or other like or similar vehicle, but excludes major recreational equipment and industrial equipment as otherwise defined and regulated.

**“Commercial Wind Generation System (CWGS)”** means one or more Wind Generating Systems (WGS), that singly or collectively produce more than a total of 40 kilowatts (kW) based on ‘nameplate rating capacity’ and are connected to the provincial transmission grid.

**“Community Centre”** shall mean land on which may be erected a building to be used for community activities, including recreational and institutional uses.

**“Conservation”** shall mean the use of land or water for the purpose of planned management of natural resources or animal life.

**“Convenience Retail”** shall mean a retail outlet serving the day-to-day, non-comparison shopping needs of a consumer including, for example, a variety store, bake shop, drug store or small food/grocery store, and shall also include a florist, photo depot and video film outlet, but except for a video film outlet, shall not include any retail outlet having its main product line involving hardwares, housewares, apparel, footwear or fashion

accessories.

**“Corporation”** shall mean The Corporation of the Township of Huron-Kinloss.

**“Council”** shall mean the Municipal Council of the Corporation.

**“County”** shall mean The Corporation of the County of Bruce.

**“Day Camp”** shall mean a group of buildings owned by a chartered organization, a non-profit organization, or a public body and designed and built for seasonal or periodic recreational use by groups of youths and their supervisors.

**“Day Care Facility”** shall mean a facility licensed under Provincial legislation which accommodates a minimum of six children, for the purpose of providing temporary care for a continuous period of time not exceeding 24 hours.

**“Drive-in Theatre”** shall mean a place of public assembly intended for the screening and viewing of motion pictures by customers seated in motor vehicles parked thereon.

**“Dry Cleaning Establishment”** means a place used for the purposes of receiving or distributing articles of clothing to be subjected elsewhere, or having been subjected elsewhere or on site to the process of dry cleaning, dry dyeing, cleaning or pressing.

**“Dwelling”** shall mean a building designed and occupied or capable of being occupied as a residence of one or more persons, within the following:

- a) ‘Apartment Dwelling’ shall mean the whole of a building or structure that contains five or more dwelling units, which have separate entrances or a common entrance from the street level services by a common corridor. An ‘apartment dwelling house’ does not include any other dwelling otherwise defined herein.
- b) ‘Converted Dwelling’ shall mean a dwelling unit, constructed for permanent use, which has as well been converted so as to provide one additional dwelling unit provided the main dwelling unit was erected prior to the passing of the By-law and further changes or alterations to the dwelling do not increase its area, height or volume or extend beyond the exterior limit of the existing building.
- c) ‘Dwelling Unit’ shall mean a private suite of two or more rooms designed or intended for occupation by one or more persons, in which sanitary conveniences are provided and in which facilities are provided for cooking or for the installation of cooking equipment, and in which a heating systems is provided, and containing a private entrance from outside the building or from a common hallway or stairway inside.

- d) ‘Duplex Dwelling’ shall mean the whole of a building that is divided horizontally into two separate dwelling units each of which has an independent entrance either directly from the outside or through a common vestibule.
- e) ‘Mobile Home Dwelling’ shall mean a single detached residential dwelling unit designed for transportation after manufacture on street or highways on its own wheels or on a flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connections to utilities and the like. A travel trailer is not to be considered a mobile home.
- f) ‘Townhouse Dwelling’ shall mean the whole of a building that is divided vertically into three or more dwelling units, each of which has independent entrances to a front and rear yard immediately abutting the front and rear walls of each dwelling unit.
- g) ‘Street Townhouse’ shall mean a townhouse dwelling designed to be on a separate lot having access to and legal frontage on a public street.
- h) ‘Cluster Townhouse’ shall mean a townhouse situated on a lot such that at least one dwelling unit does not have access to and legal frontage on a public road.
- i) ‘Semi-detached Dwelling’ shall mean one of a pair of two attached single dwelling units divided vertically by a fire-separation wall, each of which has an independent entrance either directly from the outside or through a common vestibule.
- j) ‘Single Detached Dwelling’ shall mean a building containing one dwelling unit. This does not include mobile homes, camping trailers or house trailers.
- k) ‘Triplex Dwelling’ shall mean the whole of a building that is divided horizontally into three separate dwelling units each of which has an independent entrance either directly from the outside or a common vestibule.

**“Emergency Services Facility”** shall mean a place, building or structure used by provincial or municipal emergency services, including fire and police protection, and ambulance services.

**“Erect”** shall mean the building, construction, reconstruction and relocation of a building and, without limiting the generality of the work, shall also include:

- a) any preliminary physical operation, such as excavating, infilling or draining;
- b) altering any existing building by an addition, enlargement, extension or other structural change; and

- c) any work for the doing of which a building permit is required under the Ontario Building Code Act.

**“Existing”** shall mean existing on the day of the passing of this By-law.

**“Farm Residence”** shall mean one dwelling containing a maximum of two dwelling units located on a farm used as the primary residence for an active and operating farmer or for a full-time farm employee of an active farm on which the dwelling is located.

**“Farm”** shall mean a parcel of land on which the predominant activity is agriculture.

**“Financial Establishment”** shall mean a building, or part thereof, which is used to provide for financial services in which money is deposited, kept, lent or exchanged, including accessory clerical functions and shall include a bank, trust company, credit union or other similar banking service.

**“Food or Grocery Store”** shall mean a place where a wide range of food and household goods are stored and offered for retail sale.

**“Forestry”** shall mean the raising and harvesting of wood for purposes such as fuel wood, pulp wood, lumber, christmas trees and other forest products.

**“Four Season Recreational Resort”** shall mean the use of land year-round for the parking and use of recreational travel trailers, park model trailers or other similar transportable accommodations, but not including a mobile home. All sites will be used for seasonal or intermittent accommodations and will not be used as a principle residence or permanent place of residence.

**“Funeral Home”** shall mean a commercial use for the purpose of furnishing funeral supplies and services to the public and include facilities for the preparation of dead human bodies for interment or cremation.

**“Garden Suite”** shall mean a one-unit detached residential structure containing sleeping, bathroom and kitchen facilities that is ancillary to an existing residential dwelling and that is designed to be portable.

**“Gas Bar”** shall mean a place where motor vehicle fuel and lubricants are sold for retail but where no provision is made for the repair or maintenance of motor vehicles.

**“General Store”** shall mean a local convenience store, in combination with an automobile gas bar as defined by this By-law.

**“Golf Course”** shall mean a public or private area operated for the purpose of playing golf but shall not include a or miniature course facility or a commercial driving range which is not ancillary to a regulation golf course.

**“Government Administration Building”** shall mean a place providing government services. (2009-71)

**“Gross Floor Area”** shall mean the aggregate horizontal area measured from the exterior faces of the exterior walls of all floors of a building (excluding any floor area having a ceiling height of 2 metres or less or devoted exclusively to parking) within all buildings on a lot.

**“Ground Floor Area”** shall mean the area of a building measured from the outside of its exterior walls at grade.

**“Group Home”** shall mean a residence designed for the accommodation of three to ten persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well being. The group home shall be licensed or funded under an Act of the Parliament of Canada or the Province.

**“Health Clinic”** shall mean a building or part of a building that is used by physicians, dentists, and/or drugless practitioners and the like, their staff and patients for the purpose of consultation, diagnosis and office treatment. A ‘clinic’ may also include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies and dispensaries directly associated with the clinic, but shall not include accommodation for in-patient care or operating rooms for major surgery.

**“Health Office”** shall mean a building or part thereof in which a maximum of two health professionals provide consultative, diagnostic and treatment services.

**“Health Professional”** shall mean an individual who practices any of the health disciplines regulated under a Provincial Act, such as, but not limited to, physicians, dentists, optometrists, pharmacists, physiotherapists, chiropractors and psychologists.

**“Home Business”** shall mean a vocational use conducted as a secondary use to a dwelling unit.

**“Home For The Aged”** shall mean a home for the aged as defined under the Homes for the Aged and Rest Homes Act.

**“Hospital”** shall mean a hospital as defined under the Public Hospitals Act or under the Private Hospitals Act.

**“Hotel”** shall mean a building or structure used mainly for the purposes of catering to the needs of the traveling public by furnishing sleeping accommodations with no cooking facilities in any individual room or suite of rooms of not less than ten guest rooms, and may include meeting rooms, recreational facilities and a ‘restaurant’ and permanent staff quarters but does not include any other establishment otherwise defined or classified in this By-law.

**“Household”** shall mean one or more persons living together as a single non-profit housekeeping unit, sharing all areas of the dwelling unit and may, in addition, be designed to accommodate lodging units containing less than four residents.

**“Industrial Use”** shall mean the use of any land, building or structure for the purpose of compounding, processing, packaging, crating, bottling, packing, manufacturing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing or adapting for sale any good, substance, or article, or any part thereof, as distinguished from the buying and selling of commodities (commercial use) and the supply of personal services.

**“Kennel”** shall mean any premises where more than three dogs or other domestic animals are bred, raised, sold or kept for sale, boarded or trained.

**“Land Lease Community”** shall mean a parcel of land containing two or more ‘Land Lease Community Lots’ and which is under single management or ownership. A ‘cooperative community’ or ‘condominium corporation’ shall also be defined as a ‘Land Lease Community’.

**“Land Lease Community Homes”** shall mean a separate building or structure containing one dwelling unit occupied by one or more persons and constructed for permanent use where the owner of the dwelling unit leases the land used or intended for use as the site for the dwelling. A ‘Land Lease Community Home’ shall not include a park model trailer, mobile home, camping trailers or a trailer house.

**“Land Lease Community Lot”** shall mean a parcel of land within a ‘Land Lease Community’ intended for occupancy by a ‘Land Lease Community Home’ but is not capable of having an interest in land conveyance pursuant to the Planning Act.

**“Lane”** shall mean a public or private access other than a street having not more than 9 metres in width which affords a secondary means of access to abutting lots.

**“Laundromat”** shall mean a building or structure where the service of coin or card operated laundry machines, using only water, detergents and additives are made available to the public for the purpose of laundry cleaning.

**“Liquor Retail Outlet”** shall mean a retail establishment for the sale of liquor, and includes a liquor store, beer store and wine store, as well as a place in which materials and equipment are provided for the production and bottling of liquor by the public.

**“Livestock Facilities”** shall mean barns, buildings or structures where livestock and/or poultry are housed and shall include beef feedlots and the associated manure storage facilities.

**“Livestock Housing Capacity”** shall mean the total maximum number of livestock that

can be accommodated in a livestock facility at any one time.

**“Livestock Unit”** shall mean the equivalent values for various types of animals and poultry based upon manure production and production cycles.

**“Loading Space”** shall mean a space or bay located on a lot which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise, or materials used in connection with the main use of the lot and which has an unobstructed access to a street or lane.

**“Lodging House”** shall mean a dwelling containing one or more lodging units designed to accommodate four or more residents. The residents may share common areas of the dwelling other than the lodging units, and do not appear to function as a household. This shall not include a group home, nursing home, hospital or any residential care facility licensed, approved or supervised under any general or specific Act or a hotel. This shall include, but not be limited to, student residences and convents.

**“Lodging Unit”** shall mean a room or set of rooms located in a lodging house designed or intended to be used for sleeping and living accommodation, which:

- a) is designed for the exclusive use of the resident or residents of the unit;
- b) is not normally accessible to persons other than the residents or residents of the unit; and
- c) may contain either a bathroom or kitchen but does not contain both for the exclusive use of the resident or residents of the unit.

**“Lot”** shall mean a parcel of land which can be legally conveyed pursuant to section 50 of the Planning Act.

**“Corner Lot”** shall mean a lot situate at the intersection of and abutting two streets, or parts of the same street, the adjacent sides of which street or streets (or in the case of a curved corner, the tangents of which) contain an angle of not more than 135 degrees.

**“Through Lot”** shall mean a lot bounded by streets on two opposite sides.

**“Lot Area”** shall mean the total horizontal area within the lot lines of a lot.

**“Lot Coverage”** shall mean that percentage of the lot area covered by all buildings.

**“Lot Line”** shall mean the line formed by the boundary of any lot.

**“Front Lot Line”** shall mean the lot line abutting a street. In the case of a corner lot, the shorter lot line abutting a street shall be deemed to be the front lot line and

the longer lot line abutting a street shall be deemed to be a side lot line, except in the case of a corner lot containing a single detached dwelling, semi-detached dwelling or duplex, in which case, either lot line abutting a street may be deemed to be the front lot line. In the case of a through lot, one of the lot line abutting a street shall be deemed to be the front lot line and the other lot line abutting a street shall be deemed to be the rear lot line.

**“Rear Lot Line”** shall mean the lot line farthest from and opposite to the front lot line, or in the case of a triangular lot, shall be that point formed by the intersection of the side lot lines.

**“Side Lot Line”** shall mean a lot line other than a front lot line or rear lot line.

**“Lot Width”** shall mean the horizontal distance between the side lot lines of a lot measured at the required front yard. Provided, however, that in the case of a lot which has a required front yard of less than 6 metres, the lot width shall be measured at the 6 metre front yard distance.

**“Main Building”** shall mean the building designed, used or intended for the principal use on a lot.

**“Major Recreational Equipment”** shall mean either a portable structure designed and built to be carried by a motor vehicle, or a unit designed and built to be transported on its own wheels, for purposes of providing temporary living accommodation or recreational enjoyment for travel and shall include, for example, motor homes, travel trailers, tent trailers, boats, snowmobiles or other like or similar equipment, excluding bicycles.

**“Manufacturing”** shall mean compounding, processing, packaging, crating, bottling, packing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, or adapting for sale any good, substance, or article, or any part thereof.

**“Marina”** shall mean a building, or premises, containing docking facilities and located on a navigable waterway, where boats and boat accessories are stored, serviced, repaired or kept for sale and where facilities for the sale of marine fuels and lubricants shall also be permitted.

**“Mobile Home”** shall mean any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include major recreational equipment.

**“Mobile Home Park”** shall mean a parcel of land containing two or more mobile home lots and which is under single management and ownership and which is designed and intended for residential or seasonal use where such residential occupancy is in mobile homes exclusively.



**“Motel”** shall mean one or more building used primarily for the purpose of catering to the traveling public by furnishing temporary or transient sleep accommodation in rooms having independent entrances to a front or rear yard. A motel may include permanent staff quarters, meeting rooms, recreational facilities, an accessory restaurant, and housekeeping units but does not include any other establishments otherwise defined or classified in this By-law.

**“Motor Vehicle”** shall mean any equipment self-propelled by an engine or motor mounted on the vehicle.

**“Municipality”** shall mean The Corporation of the Township of Huron-Kinloss.

**“Museum”** shall mean a public museum within the meaning of the Mortmain and Charitable Uses Act, R.S.O., as amended.

**“Non-Conforming”** shall mean a building existing as of the date of the passing of this By-law which is used for a purpose not permitted in this By-law.

**“Non-Complying”** shall mean a permitted use or building existing as of the date of the passing of this By-law which does not comply with the uses permitted by this By-law.

**“Non-Effluent Industry”** shall mean an industrial use where the manufacturing process does not include or require direct consumption of water and where the only wastewater discharges are from auxiliary facilities such as washrooms, the indirect cooling of machinery and/or the pressure testing of equipment.

**“Nursery”** shall mean a ‘Day Nursery’ as defined in the Day Nursery Act, R.S.O as amended.

**“Nursing Home”** shall mean any premises maintained and operated for persons needing help in domestic care or nursing care in which the owner or operator supplies lodgings with meals for the residents.

**“Office”** shall mean a building or part of a building in which clerical, administrative, consulting, advisory or training services are performed, but shall not include a health clinic or health office.

**“Outdoor Recreation”** shall mean the use of premise for the conduct of outdoor sports, including a golf course, playfields; parks, gardens, picnic areas and other passive leisure activities but shall not include commercial recreation.

**“Outdoor Storage”** shall mean the use of land for the outside storage of equipment, goods or materials. Outdoor storage of goods and materials used by an industry as a integral part of its manufacturing operation shall in no way be construed to be a Salvage, Recycling or Scrap Yard.

**“Park”** shall mean the use of premises for athletic fields, field houses, community centres, swimming pools, wading pools, greenhouses, skating rinks, tennis or badminton courts, bowling greens, curling rinks, fairgrounds, arenas or like or similar uses.

**“Parking Lot”** shall mean an area located on a lot which contains four or more parking spaces.

**“Parking Space”** shall mean an area on which a motor vehicle may be parked and which has access directly or by way of an aisle or ramp, to a lane or to a street without the necessity of moving any other motor vehicle.

**“Angle Parking Space”** shall mean the orientation of a parking space in such a manner that the side of the vehicle when parked is at an angle to the aisle or ramp, lane or street.

**“Parallel Parking Space”** shall mean the orientation of a parking space in such a manner that the side of the vehicle when parked is parallel to the aisle, ramp, lane or street which give direct access to such parking space.

**“Tandem Parking”** shall mean the arrangement of two parking spaces such that it is necessary to traverse one space to gain vehicular access to the other from a public lane or street.

**“Parochial School”** shall mean a private school supported by a religious organization.  
(2013-13)

**“Permitted”** shall mean permitted by this By-law.

**“Personal Services”** shall mean the provision of services involving the health, beauty or grooming of a person or the maintenance or cleaning of his apparel.

**“Personal Service Shop”** shall mean a business where professional or personal services are provided for gain and where the retail sale of goods, wares, merchandise or articles is only accessory to the provision of such services, including but not limiting the generality of the foregoing, the following; barber shops, beauty shops, tailor shops, shoe repair shops, spas, tanning salons, wine and/or beer making establishments. Personal service shops shall not include sexually oriented establishments.

**“Pit”** shall mean the place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material has been, is being, or may be removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but shall not include a wayside pit.

**“Place of Entertainment”** shall mean a motion picture or other theatre, billiard or pool room, bowling alley, arcade establishment but does not include any place of entertainment or amusement otherwise defined or classified in this By-law.

**“Place of Worship”** shall mean a building or part thereof used by any religious organization for public worship or other ecclesiastical functions and may include a rectory or manse, a church hall, day care facility and educational or recreational uses associated with or accessory thereto.

**“Portable Asphalt Plant”** shall mean a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material and includes stockpiling and storage of bulk materials used in the process. Such facility shall not be of permanent construction but shall be dismantled at the completion of the construction project.

**“Post Office”** shall mean a place where public postal pick up or drop off services for letters and parcels are provided.

**“Private Access Right-of-Way”** shall mean an internal paved access road width and construction of which have been approved by the Township of Huron-Kinloss a minimum of 16 metres in width designed to accommodate private vehicles, emergency service or maintenance vehicles, and providing access from a public road to a dwelling, park, and community centre.

**“Private Club or Day Camp”** shall mean a group of buildings or structures owned or chartered by an organization, a non-profit organization, or a public body and designed and built for seasonal or periodic use.

**“Private Home Day Care”** shall mean the temporary care of five children or less at any one time, where such care is provided for a fee in a dwelling unit, other than in the home of a parent or guardian of such child, for a continuous period of time not exceeding twenty-four hours.

**“Public Library”** shall mean a place for public use in which a collection of literary, artistic, musical and similar reference materials in the forms of books, manuscripts, recordings, digital information and films.

**“Public Transportation Terminal”** shall mean a place where busses and trains are boarded and disembarked by fare-paying passengers, but does not include a bus stop.

**“Quarry”** shall mean a place 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 Facility”** shall mean lands, buildings or structure used for the purpose of active leisure activities and shall include an arena, swimming pool, community centre, curling rink, outdoor ice rink, and uses accessory thereto.

**“Rental Establishment”** shall mean a lot, building or structure where equipment generally used for residential, commercial and industrial construction and maintenance are offered for rent or lease.

**“Repair Garage”** shall mean the use of a lot or building where the primary use is for the servicing and repair of motor vehicles and major recreational equipment.

**“Repair Service”** shall mean the maintenance or repair of equipment excluding motor vehicles and major recreational equipment.

**“Residential Care Facility”** shall mean a residence occupied by 3 or more persons, exclusive of staff, who by reason of their emotional, mental, physical or social condition or legal status, are cared for on a temporary or permanent basis in a supervised group setting. This shall include, for example, a group home, crisis care facility, residence for socially disadvantaged persons or nursing home, but shall not include a lodging house, foster care home or hospital.

**“Restaurant”** shall mean a place where food and/or drink is prepared and sold at retail for immediate consumption, either on or off site.

**“Retail”** shall mean the sale or rental of goods or materials to the ultimate consumer including “convenience retail” goods, but shall not include a restaurant or the sale or rental of motor vehicles, motor vehicle fuel or major recreational equipment.

**“Rural Residential Cluster”** shall mean four or more adjacent non-farm residential lots sharing a common boundary. Lots located directly across the road from one another shall be considered as having a common boundary.

**“Salvage, Recycling or Scrap Yard”** shall mean a place where motor vehicles and motor vehicle parts are wrecked, disassembled, repaired and resold; or a place where used goods or scrap materials and salvage are collected to be sorted and stored for future use.

**“Service Station”** shall mean the use of a lot or building where the primary use is the retailing of motor vehicle fuel, including a gas bar, and shall also include a carwash; and the sale of automotive accessories, parts, repairs, refreshments and convenience goods all only as an accessory use. A service station shall not include premises where the primary use is one or more of a vehicle repair shop, transmission shop, muffler shop, convenience store or other like or similar businesses.

**“Setback”** shall mean the distance between a lot line and the nearest part of any building or specified structure exclusive of any yard encroachments permitted on the lot.

**“Sewage Disposal System”** shall mean any class of sewage works, (except for an earth pit privy, a pail privy, or a privy vault) with a designed capacity of less than 10,000 litres per day, as defined in the Ontario Building Code Act.

**“Single Detached Dwelling”** shall mean a building containing one dwelling unit but shall not include a mobile home.

**“Small Wind Generation System (SWGS)”** means any combination of WGS with a combined nameplate capacity of less than 40 kilowatts (kW).

**“Storey”** shall mean that portion of a building which is situated between the surface of any floor and the surface of the floor next above and directly over it and, if there is no floor above it, that portion between the surface of any floor and the ceiling above it. A “storey” includes an attic having a height of more than 2 metres for at least  $\frac{2}{3}$  (two-thirds) of the area of the floor next below and also includes any portion of a building partly below ground if the ceiling of such part is 2 metres or more above finished grade.

**“Storey, Half”** shall mean that portion of a building within a sloping roof having a height of more than 2 metres for at least one-half ( $\frac{1}{2}$ ) but less than two-thirds ( $\frac{2}{3}$ ) of the area of the floor next below.

**“Street Line”** shall mean the line forming a boundary between a lot and the abutting limit of a street.

**“Street”** shall mean a public highway or road allowance, other than a lane, which provides the principal means of access to abutting lots and which is physically and legally open to public vehicular traffic.

**“Unimproved Street”** shall mean a street that has been assumed by By-law by the Corporation as a public street but is not maintained year round or is not of a reasonable standard of construction and is shown on the Zoning Schedules contained in Schedule “A” as an “Unimproved Street.”

**“Temporary Building”** shall mean a building intended for removal or demolition within a prescribed time specified on a building permit not to exceed 2 years from the day of permit issuance.

**“Tent”** shall mean a temporary structure used for temporary shelter and living accommodation that is not permanently fixed to the ground and is capable of being easily moved.

**“Tillable Hectares”** shall mean the total area of land including pasture that can be worked or cultivated.

**“Tourist Lodging”** shall mean a dwelling unit excluding a hotel or motel in which rooms or lodgings are provided for hire or pay for not more than five persons per room.

**“Tradesman or Contractor’s Establishment”** shall mean a service in which manual or mechanical skills are used to install, maintain or repair goods, equipment or real property.

**“Travel Trailer”** shall mean a structure designed, intended and used exclusively for travel, recreation and vacation and which is capable of being drawn or propelled by a motor vehicle or is self propelled and includes tent trailers or similar transportable accommodation excepting a mobile home.

**“Travel Trailers Sales/Service Establishment”** shall mean a building and/or lot used for the display, sale, storage, servicing, repair, or cleaning of new or used recreational vehicles and accessories and may include as an accessory use, the sale of motorcycles, snowmobiles, ATV’s, lawn care equipment and related products, or the leasing or renting of any of the above.

**“Truck Terminal”** shall mean a building, structure or place where trucks and/or transports are rented, leased, kept for hire, or stored, or parked for remuneration or from which trucks and/or transports are dispatched for hire as common couriers.

**“Type of Use”** shall mean a use as listed under the Permitted Uses section in each zone of this By-law.

**“Veterinary Services”** shall mean the provision of services by veterinarians for purposes of consultation, diagnosis and treatment of animals and the necessary boarding thereof and which may also include incidentally thereto, the retailing of pets and pet supplies.

**“Warehouse”** shall mean a building, or part thereof, which is used for the storage or wholesaling of goods or material.

**“Warehouse, Mini Storage”** shall mean a building designed for the rental of separate storage areas usually with individualized external access for storage of personal property. Outdoor storage shall be permitted in accordance with the provisions of the applicable zone.

**“Waste Disposal Site”** shall mean any land upon, into or through which waste is deposited or processed and any machinery or equipment or operation for the treatment or disposal of waste, but shall not include the treatment or disposal of liquid industrial waste or hazardous waste.

**“Watercourse”** shall mean the natural channel for a stream and shall include the natural channel for intermittent streams.

**“Wayside Pit or Wayside Quarry”** shall mean a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or road construction and not located on the road right of way.

**“Wholesaling”** shall mean the sale and distribution of goods or materials for resale purposes only.

**“Wind Generation System (WGS)”** means any device such as a wind charger, windmill, or wind turbine that converts wind energy to electrical energy.

**“Wind Generation System Accessory Facilities”** means those facilities, equipment, machinery, and other devices necessary to the proper operation and maintenance of a wind energy conversion system, including access roads, collector and feeder lines, and substations.

**“Yard”** shall mean that part of a lot extending from a lot line into the lot to the nearest building and measured at right angles to the lot line.

**“Front Yard”** shall mean a yard that extends across the full width of a lot measured at right angles to the front lot line.

**“Rear Yard”** shall mean a yard that extends across the full width of a lot, or in the case of a corner lot extending from the exterior side yard to the side lot line, measured at right angles to the rear lot line.

**“Side Yard”** shall mean a yard that extends from the front yard to the rear yard measured at right angles to the side lot line.

**“Exterior Side Yard”** shall mean a yard that extends from the front yard to the rear yard measured at right angles to the side lot line abutting a street line.

## **SECTION 5.0 GENERAL PROVISIONS**

### **5.1 Permitted Uses in Zones**

No person shall use any land or erect or use any building for any purpose other than for one or more of the uses listed under the heading “Permitted Uses” for the zoning category in which the lot is zoned and located. Accessory uses shall be deemed to be permitted uses in all zones.

### **5.2 Prohibited Uses**

With respect to any lands to which this By-law applies, all uses are prohibited unless specifically permitted in this By-law.

Provided however, that in the case of a use specifically listed as a prohibited use in this By-law, which may also be generally permitted in the Permitted Uses section of the zone, the provisions of the prohibited uses shall prevail and take precedent.

### **5.3 Regulations**

No person shall use any land or erect or use any building or structure which does not conform to the provisions set out in this Section and to the regulations set out under the heading “Regulations” for the zoning category in which the lot is zoned and located.

### **5.4 Accessory Buildings**

- .1 Unless otherwise provided for in this By-law, no accessory building shall be used for human habitation.
- .2 An accessory building may be located in the required rear yard or a required side yard; provided however, such building shall not be located closer than 1.5 metres from the lot line. *(2010-101)*
- .3 The maximum building height for an accessory building shall be 4.0 metres.

### **5.5 Permitted Yard Encroachments**

- .1 Sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters, bay windows and other ornamental or architectural features may project into any required yard but not more than 0.45 metres.
- .2 Unenclosed porches, and covered or uncovered steps and patios may project into a required front or rear yard but not more than 1.5 metres provided however that such features are not more than 1 metre in height above finished grade.
- .3 Exterior stairways may project into a required rear yard but not more than 1.5 metres.



- .4 Open steel fire escapes may project into any required side or rear yard but not more than 1.5 metres.
- .5 Balconies may project into any required yard but not more than 1.5 metres.
- .6 Awnings shall be permitted in any required yard.

#### 5.6 Permitted Uses in All Zones

Notwithstanding anything else in this By-law, the Corporation or any of its local boards as defined in the Municipal Act, the County, any communication, transportation or transmission system owned or operated by or for the Township or County and any agency of the Federal or Provincial Government and any hydro-electric company, may, for the purposes of the public service, use any land or erect or use any building in any zone subject to the use or building being in compliance with the most restrictive regulations of the zone in which it is located and subject to there being no outdoor storage of goods, materials or equipment in any yard abutting a Residential Zone. Any buildings erected or used in a Residential Zone under the provisions of this Section shall be designed so as not to intrude into the residential character of the area.

#### 5.7 Frontage on a Street

No person shall erect any building in any zone unless:

- a) the lot upon which such building is to be erected fronts upon a street, or
- b) such building fronts upon a street having a perpendicular width of less than 20 metres and such building is set back a minimum distance of 10 metres from the centreline of the existing street allowance in addition to the minimum yards required by this By-law.

Provided, however, that in the case of a lot separated from a street by land owned by the County or Corporation which land is held by such government agency for future road widening purposes, a building may be erected upon such lot.

#### 5.8 Existing Lots

Existing lots with less than the required lot area or lot width may be used, and buildings erected or altered thereon, for the purposes permitted in the zone in which they are situate, subject to compliance with all other regulations of this By-law. For the purposes of this section, an existing lot which has been increased in lot area or lot width through consent approval under the Planning Act shall be deemed to be an existing lot.

## 5.9 Expropriations & Dedications

A lot altered as a result of expropriation or dedication to a public authority or public utility and having less than the minimum lot area, or minimum lot width required in this By-law, may be used and a building may be erected, altered or used thereon, subject to compliance with all other requirements of this By-law.

## 5.10 Non-Complying Uses

Where a building has been lawfully erected prior to the effective date of this By-law on a lot having less than the minimum lot width or minimum lot area, or having less than the minimum setback, or minimum yard, or having more than the maximum building height permitted by this By-law; the said building may be used, altered, repaired or renovated provided that the use, alteration, repair or renovation does not further encroach within a minimum setback or yard required by this By-law; and subject to compliance with all other regulations of this By-law.

Provided however that where a building has been erected on a lot created as a result of a consent being given following the effective date of this By-law and having less than the minimum setback or minimum yard; or having more than the maximum building height required by this By-law, the said building may be used, repaired, renovated or replaced provided the external dimensions of the building continue as they were existing on the day the lot was created.

## 5.11 Non-Conforming Uses

Nothing in this By-law shall apply:

- a) to prevent the use of any land or building for any purpose prohibited by this By-law if such land or building was lawfully used for such purpose on the day of the passing of this By-law, so long as it continues to be used for that purpose; or
- b) to prevent the erection or use for a purpose prohibited by this By-law of any building for which a permit has been issued under the Ontario Building Code Act, prior to the day of the passing of the By-law, so long as the building when erected is used and continues to be used for the purpose for which it was erected and provided that the permit has not been revoked under the Ontario Building Code Act, or
- c) to prevent the strengthening to a safe condition of any building or part of any such building which does not comply with this By-law, so long as such alteration or repair does not increase the height, size or volume or change the use of such building.

#### 5.12 Construction Uses

Any part of a lot, other than a sight visibility triangle regulated in Section 5.29, , may be used for temporary buildings associated with construction work occurring on such lot, provided that the building remains only for the duration of construction work or as long as the building permit for construction is valid, whichever comes first. No temporary building intended for construction work purposes shall be used for residential purposes.

#### 5.13 Exemption to Street Setback

In the case of a lot which fronts a street and is located between two existing buildings both of which encroach into the required front yard and are not more than 18 metres apart, a building may be located on such lot so that the front face of the building is no closer to the street line than the front face of that existing building which is located furthest from the street line.

#### 5.14 Number of Dwellings Per Lot

Unless otherwise provided for in this By-law, in any zone where a farm residence, single detached dwelling, semi-detached dwelling or duplex dwelling is permitted, not more than one such residence or dwelling shall be permitted on a lot.

#### 5.15 Holding (H) Zone Provisions

- .1 Where any of the zone symbols as described in Section 3.1 of the By-law are followed by the Holding Symbol (H), the conditions and process related to the removal of the (H) shall be in accordance with the provision as set out in Section 5.4 of the Official Plan for the Township of Huron-Kinloss.
- .2 Prior to the removal of the Holding Symbol (H) no person shall use any land or erect, alter or use any building except those uses or buildings which legally existed on the day of the passing of this By-law

#### 5.16 Regulation for Consolidated Lot Development

Where two or more abutting lots under one identical ownership are consolidated for the purpose of development, the internal lot lines of the original lots shall not be construed to be lot lines for the purposes of any zoning regulations subject to compliance with all other regulations of this By-law relative to the consolidated lot and its external lot lines.

#### 5.17 Two or More Uses on a Lot

Unless otherwise provided for in this By-law, where two or more uses are located on a lot and the uses are governed by different regulations, the most restrictive regulations shall apply.

## 5.18 Unimproved Roads

On Unimproved Roads, as shown on the Zoning Schedules included in Schedule “A,” no building permit shall be issued for year round or permanent residential occupancy or no conversion permits or change of use permits to permit year round or permanent residential shall be issued notwithstanding that a building may be suitably designed and constructed for year round or permanent habitation.

## 5.19 Home Business - Domestic and Household Arts

Where listed as a permitted use, a home business for domestic or household art may be conducted within a dwelling unit and may include uses such as private home day care, dressmaking, academic instruction, teaching of music, dance, arts and crafts to not more than six pupils at any one lesson, tailoring, weaving, painting, sculpting, furniture refinishing and repair, and moulding or otherwise making or repairing of garden or household ornaments, articles of clothing, personal effects or toys provided that:

- (a) There is no storage or display of goods or advertising that is visible from the street.
- (b) The home business is carried out only by a person who resides in the dwelling unit.
- (c) A maximum of 25 percent of the building floor area of the dwelling unit is devoted to the home business.
- (d) No outdoor storage shall be permitted.
- (e) The home business is located only within the dwelling unit.
- (f) No display of goods or advertising other than a plate or sign which is no larger than 0.4 square metres (4.3 square feet) in area, non-flashing. *(2010-101)*

## 5.20 Home Business - Professional Uses

Where listed as a permitted use, a home business for professional use may be conducted within a dwelling unit by professional practitioners such as tradesman or contractors, accountants, architects, auditors, engineers, insurance agents, land surveyors, lawyers, notaries, realtors, health professionals, photographers, professional consultants, and hair dressers, provided that:

- (a) With the exception of one additional employee, the professional business is carried out only by a person who resides in the dwelling unit.
- (b) A maximum of 25 percent of the building floor area of the dwelling unit shall be devoted to the home business.

- (c) No outdoor storage shall be permitted.
- (d) With the exception of a home business for a tradesman and contractor's establishment where storage of equipment and material necessary in the business shall be permitted within an accessory building, all home businesses for professional uses shall be located only within the dwelling unit.
- (e) No display of goods or advertising other than a plate or sign which is no larger than 0.4 square metres (4.3 square feet) in area, non-flashing. (2010-101)

### 5.21 Farm Business

Where listed as a permitted use, a farm business may be conducted within a dwelling unit, a farm residence, a farm building or an accessory building and shall be limited to welding, seed dealing, small machinery repair, cabinet making, furniture making or repair, carpentry, the sale and service of equestrian equipment and a tradesman or contractor's establishment provided that:

- (a) With the exception of one additional employee, the farm business is carried out only by a person who resides in the farm residence.
- (b) Where the farm business is located within a farm residence a maximum of 25 per cent of the building floor area shall be devoted to such use.
- (c) Where the farm business is located within an accessory building, a maximum of 100 square metres of building floor area shall be devoted to such use.
- (d) No outdoor storage shall be permitted unless fully enclosed by a fence or other appropriate enclosure in order that such storage is not visible from a street.
- (e) No display of goods or advertising other than a plate or sign which is no larger than 0.4 square metres (4.3 square feet) in area, non-flashing. (2010-101)

### 5.22 Farm Vacation

Where listed as a permitted use, a farm vacation business may be conducted within a farm residence provided that:

- a) The farm vacation business is carried out only by a person who resides in the farm residence except for employment services that are necessary for housekeeping purposes.
- b) Each guest room shall have a minimum building floor area of 10.5 square metres.
- c) Guest rooms shall not be permitted within an attic.

- d) A farm vacation business shall have a maximum of 3 guest rooms for overnight accommodation.
- e) No display of goods or advertising other than a plate or sign which is no larger than 0.4 square metres (4.3 square feet) in area, non-flashing. *(2010-101)*

### 5.23 Bed and Breakfast Establishment

Where listed as a permitted use, a bed and breakfast establishment may be conducted within a dwelling provided that:

- a) The bed and breakfast establishment is carried out by a person who resides in the dwelling except for employment services that are necessary for housekeeping purposes.
- b) Each guest room shall have a minimum building floor area of 10.5 square metres.
- c) Guest rooms shall not be permitted within an attic.
- d) A bed and breakfast establishment shall have a maximum of 3 guest rooms for overnight accommodation.

### 5.24 Minimum Distance Separation

- i) Notwithstanding any other provisions of the By-Law, for new non-farm residential uses measurement of Minimum Distance Separation I (MDS I) shall be taken from the 'living area of a lot' to a livestock facility on a separate lot of record. The 'living area of a lot' shall be defined as the habitable and amenity space of a property. *(2010-101)*
- ii) Notwithstanding any other provisions of this By-law new residential, institutional, commercial, industrial or recreational uses, shall comply with the Minimum Distance Separation I (MDS I) calculated using Schedule "B" to this By-law.
- iii) Notwithstanding any other provisions of this By-law, a residential, institutional, commercial, or recreational use located on an existing lot of record will comply with the Minimum Distance Separation I (MDS I) calculated using Schedule "B" to this By-law.
- iv) Notwithstanding any other yard or setback provisions of this By-law, no livestock facility shall be erected or expanded unless it complies with the Minimum Distance Separation II (MDS II) calculated using Schedule "C" to this By-law.

### 5.25 Watercourse and Municipal Drain Setbacks

- .1 Notwithstanding any other provisions of this By-law, no person shall erect any

building in any zone which is:

- a) closer than 30 metres from the top of the bank or three times the height of the bank, whichever is the greater, for yards abutting the Eighteen Mile River, Pine River, Clark Creek, Royal Oak Creek, Kinloss Creek, Lucknow River or any of their tributaries; or
  - b) closer than 15 metres to the top of the bank of any open municipal drain or an enclosed municipal drain, or within 8 metres of the edge of an Environmental Protection Zone boundary, whichever is greater.
- .2 Notwithstanding any provisions of this By-law, no person shall install or locate any portion of a sewage disposal system in any zone which is closer than 30 metres from the high water mark of Silver Lake.

#### 5.26 Setbacks from Provincial and County Roads and Railways

- .1 Notwithstanding any other provision of this By-law, the following regulations shall apply to setbacks from Provincial and County Roads, railways and utility corridors:

Except as provided for below, no building shall be erected within a 33 metres from the centreline of any Provincial or County Road;

- a) Between two dwellings on the same side of the road, separated by not more than 100 metres, the minimum setback shall be the average of the setbacks of the two adjacent dwellings plus 2 metres, or 33 metres from the centreline of the Provincial or County Road, whichever is lesser.
  - b) Within 30 metres of an existing dwelling where Section 5.26.1(a) would not apply, the minimum setback requirement shall be the average of the setback of the existing dwelling and 33 metres from the centreline of the Provincial or County Road, or 33 metres from the Provincial or County Road, whichever is the lesser.
- .2 Notwithstanding any other provisions of this By-law, the following regulations shall apply to setbacks from a railway:
- a) Any residential building shall not be located closer than 30 metres to a railway right-of-way.

#### 5.27 Exemption to Building Height Restriction

In this By-law regulations prescribing the maximum building height shall not, apply to radio or television receiving or transmitting equipment, grain elevators, windmills, farm silos or barns, water towers and domes not used for human occupancy.

## 5.28 Planting Areas

Where a planting area is required by this By-law the following shall apply:

- (a) A planting area shall consist of a dense screen of shrubs or evergreen trees, a minimum 1 metres high when planted and of a species that will attain a minimum height of 3 metres at maturity as well as providing a year round visual barrier. The remainder of ground surface shall be planted with any combination of shrubs, flower beds or grass.
- (b) Where interrupted by walkways or driveways, a planting area need not be provided closer than 1.5 metres to a walkway or 3 metres to a driveway.
- (c) A planting area shall have a minimum width of 3 metres.

## 5.29 Sight Visibility Triangle

### .1 Corner Lots on Municipal Streets

In all zones, on a corner lot, no building shall be erected and no vehicle shall be parked in such a manner as to materially impede vision above a height of 0.5 metres above the centreline grade of the intersecting streets in the triangular area bounded by the street lines of the corner lot and a line from the points along said street lines a distance of 10 metres back from the point of intersection of the said street lines.

### .2 Railway Grade Crossings

- a) In all zones, on a lot abutting a railway where the railway and a street intersect at the same grade, no building shall be erected and no vehicle shall be parked in such a manner as to materially impede vision above a height of 0.5 metres above the centreline grade of the intersecting street in the triangular area bounded by the right-of-way limit of the railway and the street line and a line from the points along such right-of-way limit and such street line a distance of 45 metres back from the point of the intersection thereof.
- b) Where such railway and street intersect at an unprotected crossing, the sight visibility triangle shall be increased to a distance of 400 metres measured along the railway right-of-way and 90 metres measured along the street line or such greater distance required by the Canadian Transport Commission Regulations.

### .3 Street Intersections with County or Provincial Roads

- a) In all zones, on a corner lot having frontage on a County or Provincial



Road, no building shall be erected and no vehicle shall be parked in such a manner as to materially impede vision above a height of 0.5 metres above the centreline grade of the intersecting streets in the triangular area bounded by the street lines of the corner lot and a line from the points along said street lines a distance of 30 metres back from the point of intersection of the said street lines.

- b) The provisions Section 5.29.3 (a) shall not apply to built-up areas as defined herein, Towns, Villages or Cities as defined in the Highway Traffic Act. The provisions of Section 5.29.1 shall apply in these areas. For the purpose of this Section, a “built-up area” means the territory contiguous to a highway and not within a City, Town or Village where:
  - i) not less than 50% of the frontage on one side of the highway, for a site of not less than 200 metres contains separate lots and such lots are occupied by non-agricultural uses including non-farm residential uses, businesses, schools or churches; or
  - ii) not less than 50% of the frontage on both sides of the highway for a distance of not less than 100 metres contains separate lots and such lots are occupied by non-agricultural uses including non-farm residential uses, businesses, schools or churches.

### 5.30 Outdoor Storage Regulations

- .1 Where outdoor storage is permitted by this By-law, such outdoor storage shall be located only in the side or rear yard.
- .2 The minimum setback from any lot line for outdoor storage shall be not less than the required minimum side or rear yard regulation of the zone in which the outdoor storage is located.
- .3 If the outdoor storage is located in an industrial zone, the minimum setback of any outdoor storage shall be 3 metres from the side or rear lot line, where such side or rear lot line abuts an industrial zone.
- .4 In the case where an outdoor storage area abuts a Residential zone, a solid fence having a minimum height of 1.82 metres shall be required to be provided along the entire property line abutting such Residential zone.

### 5.31 Storage of Unused Motor Vehicles

Unless otherwise permitted by this By-law, motor vehicles without affixed and validated licence plates for the current year shall not be parked or stored in any zone other than within a completely enclosed building.

5.32 Wayside Pits and Quarries, Portable Asphalt Plant

Notwithstanding anything else in this By-law, a wayside pit, a wayside quarry and a portable asphalt plant shall be permitted in any zone except a Residential Zone, or Environmental Protection zone or an open space zone.

5.33 Open (2010-101)

5.34 Open (2010-101)

5.35 Off-Street Parking Requirements

The owner of every building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupant or persons entering upon or making use of the said premise from time to time, parking spaces and areas as follows:

5.35.1 Required Number of Off-Street Parking Spaces

<b>Use</b>	<b>Required Parking</b>
Assembly Hall and Banquet Hall	1 space for every 8 fixed seats and 1 space for every 20 square metres
Automobile Car Wash	3 spaces plus 20 storage spaces
Automobile Service and/or Repair Establishment	1 space per 20 square metres of gross floor area
Automobile Service Station	3 spaces
Automotive wrecking establishment	1.5 spaces per staff member
Commercial Use, not otherwise specified herein	1 space per 20 square metres of gross floor area
Day Care Facility	1 space per class room plus 1 space for each office
Dwelling, Single Detached and/or Semi-detached	2 spaces per dwelling unit
Dwelling, Converted, Apartment, Duplex, Townhouse and/or Triplex	1.5 spaces per dwelling unit
Dwelling, Mobile Home	2 spaces per dwelling unit
Funeral Home	1 space per 5 square metres of floor area, plus 1 space per funeral home vehicle
Government Office and Financial Institution	1 space per 40 square metres of gross floor area
Health Clinic	1 space per 30 square metres of gross floor area
Homes for the Aged	0.75 spaces per dwelling unit
Hospital	1 space per bed
Industrial Use	1 space per staff member plus 1 space per 40

	square metres gross floor area devoted to office
Motel, Hotel or Lodge	1.25 spaces per unit plus 1 space per 20 square metres of communal eating or entertainment area
Nursing Home	1 space per 4 beds
Office	1 space per 40 square metres of gross floor area
Personal Service	1 space per staff plus 1 space per 20 square metres of sales and service area
Recreation Use, not otherwise specified herein	1 space per 200 square metres of gross floor area
Restaurant	1 space per 5 square metres of floor area devoted exclusively to the public
School	1.25 spaces per classroom
Trailer Park and Campground	1 space for each campground plus 1 space for every 4 such sites to be set aside for and visually identified as visitor's parking
Veterinary Clinic	1 space per 20 square metres of gross floor area
Wholesale Use and Warehousing	1 space per 100 square metres of gross floor area plus 1 space for each 40 square metres of office

#### 5.35.2 Calculation of Spaces

- a) When a building or lot accommodates more than one use or purpose, the required parking spaces shall be the sum total of the required parking spaces for the separate uses or purposes. Parking facilities for one use shall not be considered as providing required parking for any other use.
- b) If calculation of the required parking spaces results in a fraction, the required parking spaces shall be the next higher whole number.

#### 5.35.3.1 Size and Accessibility of Parking Spaces

Every parking space shall have a rectangular area having a minimum length of 6 metres and a minimum width of 2.75 metres, shall be accessible from a street or lane, and shall be accessible from unobstructed maneuvering aisles.

#### 5.35.4 Provisions and Location of Spaces

- a) Parking spaces shall be provided at the time of erection of any building or structure, or at the time any building or structure is enlarged.
- b) Parking spaces shall be located on the same lot as the use for which the parking is required. However, where the owner proposes to provide the required parking space and areas in a location other than the same lot as the use that requires such spaces and areas, then such parking shall be located not more than 150 metres from the said lot. Such parking shall not

be considered as required parking for the use of the land upon which the parking spaces are situated.

#### 5.35.5 Barrier-Free Parking Spaces

Included in the number of parking spaces required in Section 5.35.1 for all uses, save and except for Residential Uses, shall be barrier-free parking spaces designed in accordance with the following:

<b>Parking Spaces Required</b>	<b>Number of Barrier-Free Spaces Required</b>
10-25	1
26-50	2
51-75	3
76-100+	4

The minimum parking space width for barrier-free parking shall be 4 metres. Where two or more angled barrier-free parking spaces are located together, the minimum parking space width shall be 3 metres.

#### 5.35.6 Parking of Commercial Vehicles

Parking spaces and areas required under this By-law for off-street parking shall be used for the parking of passenger vehicles only, and for vehicles used in operations incidental to the permitted uses in respect of which such parking spaces and areas are required.

Provided that no person shall, in any Residential Zone, use any lot for the parking or storage of any commercial vehicle. Provided further that notwithstanding the foregoing, the owner or occupant of any lot, building or structure in any Residential Zone may use any private garage of which the owner or occupant, erected upon such lot for the housing or storage of one commercial vehicle.

Provided further, notwithstanding the foregoing, no person shall in any Residential Zone use any lot, building or structure for the parking or storage of more than one commercial motor vehicle.

#### 5.35.7 Application of Parking Requirements

The parking area requirements referred to herein shall not apply to any building in existence at the date of passing of this By-law so long as the floor area as it existed at such date is not increased and the building or structure is used for a purpose which does not require more parking spaces according to this section than were required by its use at the date of passing of this By-law. However, if a use is changed or a building is enlarged in floor area or there is an increase in the number of employees, number of dwelling units or seating capacity or otherwise as would require an additional number of parking spaces,

then such additional parking spaces shall be provided to the number required for such change.

#### 5.35.8 Driveways

- a) A driveway serving a detached dwelling or a semi-detached dwelling shall have a minimum width of 3 metres and a maximum width of 6 metres. A driveway serving any other use shall have a minimum width of 3 metres and a maximum width of 9 metres. The maximum width of any joint entrance and exit driveway measure along the street shall be 9 metres.
- b) The minimum distance between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 9 metres. The minimum angle of intersection between a driveway and a street line shall be 60 degrees.
- c) Every lot shall be limited to the following number of driveways:
  - i. Up to the first 30 metres of frontage measured along the street line not more than one driveway.
  - ii. For each additional 30 metres of frontage measured along the street line – not more than 1 additional driveway to a maximum of three driveways.
- d) Parking areas and associated driveway systems serving any use other than detached dwellings and semi-detached dwellings shall be designed in such a manner that any vehicle entering or leaving a street or public lane need not travel in a backwards motion.

#### 5.35.9 Landscaping

- a) Where, in any yard in any zone, a parking area which is required to provide for more than four off-street parking spaces adjoins a lot in a Residential Zone, a planting area of a minimum width of 3 metres shall be provided within the lot requiring such parking area and along the lot line adjoining such residential zone.

#### 5.36 Loading Space Requirements

The owner or occupant of any lot, building or structure erected or used for any purpose, other than an agricultural use, involving the frequent receiving, shipping, loading or unloading of persons, animals, goods, wares and merchandise and raw materials, shall provide and maintain at the premises, on the lot occupied by the building or structure and not forming part of a street or lane, within the zone in which such use is located, loading and unloading spaces in accordance with the following regulations:

#### 5.36.1.1 Required Number of Loading Spaces

Gross Floor Area	Number of Loading Spaces Required
300 square metres or less	1
Over 300 square metres, but not over 2,500 square metres	2
Over 2500 square metres, but not over 8000 square metres	3
Over 8,000 square metres	3 plus 1 additional space for each additional 10,000 square metres

#### 5.36.2 Access

In addition to the number of loading spaces required, adequate space shall be provided for the parking of vehicles awaiting access to parking spaces, and any additional area as is necessary for the maneuvering of a truck-trailer either into or out of the loading space. Access to loading spaces shall be by means of a driveway at least 6 metres wide contained within the lot on which the spaces are located and leading to a street or public lane.

#### 5.36.3 Loading Space Dimensions

Each loading space shall be at least 9 metres long, at least 3.5 metres wide and shall have a vertical clearance of at least 4.5 metres.

#### 5.36.4 Location of Loading Space

No loading space shall be located in the required front yard nor shall any required off-street parking space be considering in calculating the required number of off-street loading spaces. On a corner lot, loading spaces may be located between the main building and the flanking street but not within the required exterior side yard.

#### 5.36.5 Application of Loading Space Requirements

The loading space requirements referred to herein shall not apply to any building in existence at the date of passing of this By-law so long as the floor area as existed at such date is not increased. However, if a building is enlarged in floor area as would require an additional number of loading spaces, than such additional loading spaces shall be provided to the number required for such change.

#### 5.36.6 Landscaping

Where a loading area adjoins any Residential Zone or a street than a planting area of a minimum width of 3 metres shall be provided within the lot requiring such loading area and along the lot line adjoining such residential zone or street.

## SECTION 6.0 RESTRICTED AGRICULTURE (AR) ZONE

### 6.1 Permitted Uses

Agriculture  
 Farm Residence  
 Farm Business  
 Farm Vacation  
 Bed and Breakfast Establishment  
 Home Business – Domestic and Household Arts  
 Home Business – Professional  
 Conservation  
 Existing Single Detached Dwelling

### 6.2 Prohibited Uses

Notwithstanding Section 6.1, the following agriculture uses are prohibited:

livestock facilities and,  
 the growing and storage of mushrooms.

### 6.3 Regulations

Minimum lot area	37 hectares
Minimum lot width	100 metres
Minimum yards	In accordance with Table 1
Maximum building height	In accordance with Table 1
Separation distances	In accordance with Table 1
Lot size for existing single detached dwelling	Lot area and lot width as existing on the day of the passing of this By-law.

**TABLE 1: Regulations for Buildings in All Agriculture Zones**

	FARM BUILDINGS	FARM RESIDENCE & EXISTING SINGLE DETACHED DWELLING
Side yard	20 metres	5 metres
Rear yard	20 metres	10 metres
Front yard	20 metres	10 metres
Maximum building height	20 metres	10 metres
Separation from accessory	–	5 metres
Separation from manure storage	–	30 metres

## 6.4 Special Provisions

- .1 Within the land zoned “**AR-1**” as shown on Schedule “A” and as described below, no residential use shall be permitted.
  - a) Part of Lots 13 and 14, Concession 6 and 7, Huron as shown on Part G-7.
  - b) Part of Lots 53, 54 and 55 Concession 1, Kinloss as shown on Part J-12.
  - c) Part of Lots 24 to 27, Concession ‘A’, Huron as shown on Part H-1.  
(2008-78)
  - d) Part of Lot 5 & 6, Concession “A” Huron  
(2011-35)
- .2 Within the land zoned “**AR-2**” as shown on Part J-12 of Schedule “A”, described as Part of Lots 53 and 54, Concession 1, Kinloss, the existing farm building may be used for the purposes of a livestock assembly yard.
- .3 Within the land zoned “**AR-3**” as shown on Part G-6 of Schedule “A” and described as Part of Lot 16, Concession 6, Huron, the existing livestock facility and existing manure storage facility is permitted.
- .4 Within the land zoned “**AR-4**” on Schedule “A” and as described below, the existing livestock facility is permitted.
  - a) Part of Lots 14 and 15, Concession 2, and Part of Lots 16 & 17, Concession 3, Huron as shown on Part H-2.
  - b) Part of Lots 19 and 20, Concession 3, Huron as shown on Part H-2.
  - c) Part of Lots 22 and 23, Concession 4 Huron as shown on Part H-1.
  - d) Part of Lots 24 to 27, Concession A, Lake Range, Huron as shown on Part H-1.
  - e) Part of Lots 35, 36 and 37, Concession A, Lake Range, Huron as shown on Part G-1.
  - f) North Half of Part of Lots 36 and 37, Concession 12, Huron as shown on Part D-2. A Liquid manure storage shall also be permitted. Minimum Distance Separation II requirements of Section 5.24 may be reduced for the liquid manure storage to 280 metres (917 feet) to the Urban boundary to the north and to 295 metres (968 feet) to the Ainsdale Golf Course (Active Recreational Area) to the south.  
(2004-19)



- g) Part of Lot 17, Concession 8, Huron as shown on Part F-6.
  - h) Part of Lots 14 and 15, Concession 8, Huron as shown on Part F-7.
  - i) Part of Lot 63, Concession 1, Kinloss as shown on Part J-11.
  - j) Part of Lot 33 and 34, Concession A, Huron as shown on Part G-1.
  - k) Part of Lot 11, Concession 7, Kinloss as shown on Part G-12.
  - l) Part of Lot 11, Concession 11, Kinloss as shown on Part E-12.
  - m) Part of Lot 51 and 52, Concession 2, Kinloss as shown on Part J-12.
  - n) Part of Lot 15, Concession 6, Huron as shown on Part G-7.
- .5 Within the land zoned “**AR-5**” as shown on Part J-12 of Schedule “A” and described as Part of Lots 51 and 52, Concession 1, Kinloss, for the purpose of a kennel shall also be permitted in compliance with the AR Zone and the following regulations:
- a) the total ground floor area of the entire kennel shall not exceed 184 square metres; and,
  - b) ‘total ground floor area’ shall be defined as all of that portion of the kennel which is fully enclosed by walls and a roof.
- .6 Within the land zoned **AR-6** as shown on Schedule “A”, Part D-2, the existing gun club is permitted.
- .7 Notwithstanding their ‘AR’ Zoning designation, those lands delineated as ‘**AR-7**’ on Schedule ‘A, Part B-11’, to this By-law shall be used in accordance with the ‘AR’ zone provisions excepting however that:
- ii) The minimum total lot area shall be no less than 22.33 hectares as it existed on the date of passage of the By-law. (2007-19)
- .8 Notwithstanding their ‘AR’ Zoning designation, those lands delineated as ‘**AR-8**’ on Schedule ‘A, Part H-1’, to this By-law may be used for ‘Non-farm Lot’ purposes in compliance with the ‘AG’ zone provisions contained in this By-law, excepting however, that:
- i) The number of livestock units shall be limited to 1.24 livestock units per ha (0.5 units per ac). (2008-78)

Part of Lot 5 and 6, Concession A, (geographic Township of Huron)

.9 Notwithstanding their 'AR' Zoning designation, those lands delineated as '**AR-9**' on Schedule 'A, Part J-1', to this by-law, may be used for purposes in compliance with the 'AR' zone provisions contained in this by-law, excepting however, that:

- i) The number of livestock units shall be limited to 1.24 livestock units per ha (0.5 units per ac). *(2011-35)*

Part of Lot 60, Concession A, being Part 2 on RP 3R-641 (geographic Township of Huron)

.10 Notwithstanding their 'AR' Zoning designation, those lands delineated as '**AR-10**' on Schedule 'A, Part D-2' to this by-law, may be used for purposes in compliance with the 'AR' zone provisions contained in this by-law, excepting however, that:

- i) Permitted uses shall be limited to residential with one 'single detached dwelling';
- ii) Minimum 'AR' lot area shall be no less than 0.2 hectares;
- iii) Minimum 'AR' lot width shall be no less than 35 metres;
- iv) 'Single detached dwelling' is subject to the Environmental Impact Study prepared by Beacon Environmental, dated December 22, 2011 and further revised on February 14, 2012. *(2012-74)*

## SECTION 7.0 GENERAL AGRICULTURE (AG) ZONE

### 7.1 Permitted Uses

Agriculture  
Farm Residence  
Farm Business  
Farm Vacation  
Bed and Breakfast Establishment  
Home Business – Domestic and Household Arts  
Home Business – Professional  
Conservation  
Existing Single Detached Dwelling

### 7.2 Regulations

Minimum lot area	37 hectares
Minimum lot width	100 metres
Minimum side yards	In accordance with Table 1 of Section 6.3.
Maximum building height	In accordance with Table 1 of Section 6.3.
Separation distances	In accordance with Table 1 of Section 6.3.
Lot size for existing single detached dwelling	Lot area and lot width, only as existing on the day of the passing of this By-law.

### 7.3 Special Provisions

- .1 With the land zoned “AG-1” as shown on Schedule “A” and as described below, no residential use shall be permitted.
  - a) Part of Lots 9 and 10, Concession 9, Huron as shown on Part F-8.
  - b) Part of Lot 26, Concession 11, Huron as shown on Part E-4.
  - c) Part of Lot 22 and Lot 23, Concession 2, Huron as shown on Part I-5.
  - d) Part of Lot 12, Concession 9, Huron as shown on Part F-7.
  - e) Part of Lot 25, Concession 2, Huron as shown on Part I-5.
  - f) Part of Lot 6, Concession 9, Huron as shown on Part F-8.

- g) Part of Lot 18, 19 and 20, Concession 12, Huron as shown on Part D-6.
- h) West Half of Lot 25, Concession 4, Huron as shown on Part H-5.
- i) Part of Lot 31, Concession 8, Huron as shown on Part F-3.
- j) Part of Lot 29, Concession 8, Huron as shown on Part F-4.
- k) Part of Lot 32, Concession 8, Huron as shown on Part F-3.
- l) Part of Lot 35, Concession 5, Huron as shown on Part H-3.
- m) Part of Lot 6, Concession 10, Huron as shown on Part E-8.
- n) Part of Lots 4 and 5, Concession 4, Huron as shown on Part H-9.
- o) East Half of Lot 13, Concession 4, Huron as shown on Part H-7.
- p) Part of Lot 36, Concession 11, Huron as shown on Part E-2.
- q) Part of the South Half of Lots 25 and 26, Concession 1, Huron as shown on Part J-7.
- r) Part of the North Half of Lots 26 and 27, Concession 1, Huron as shown on Part J-7.
- s) Part of the North Half of Lot 5, Concession 12, Huron as shown on Part D-9.
- t) Part of Lot 19, Concession 2, Huron as shown on Part I-6.
- u) Part of Lot 31, Concession 10, Huron as shown on Part E-3.
- v) Part of Lot 11, Concession 10, Huron as shown on Part E-7.
- w) Part of Lots 21 and 22, Concession 1, Huron as shown on Part J-7.
- x) Part of Lots 32, 33 and 34, Concession 2, Huron as shown on Part I-3.
- y) Part of Lot 21, Concession 5, Kinloss as shown on Part H-14.
- z) Part of North Half of Lots 74 and 75, Concession 1, Kinloss as shown on Part J-10.
- aa) Part of Lot 36, Concession 2, Kinloss as shown on Part I-17.

- bb) Part of Lot 7 and Lot 8, 3<sup>rd</sup> Range South of the Durham Road, Kinloss as shown on Part D-10.
- cc) Part of Lot 26 and Part of Lot 27, Concession 8, Kinloss, as shown on Part F-15.
- dd) Part of Lot 29, Concession 4, Kinloss as shown on Part H-15.
- ee) South Half of Part of Lots 74, 75 and 76, Concession 1, Kinloss as shown on Part J-10.
- ff) East Half of Lot 3 and Lot 4, Concession 3, Kinloss as shown on Part I-10.
- gg) Part of Lots 33 and 34, Concession 2, Kinloss as shown on Part I-16.  
(2003-49)
- hh) North Part Lot 62, 63 and 64, Concession 1, Huron, as shown on Part J-3.  
(2001-97)
- ii) Lot 24 Concession 5, Huron, as shown on Part H-5. (2001-98)
- jj) Part Lot 39, Concession 2, Huron, as shown on Part I-2. (2002-39)
- kk) South ½ of Lot 4 and South ½ of Lot 5, Concession 1, Huron, as shown on Part J-9. (2002-94)
- ll) Lot 32 Concession 5, Huron, as shown on Part H-3. (2003-18)
- mm) Part of Lot 20, Concession 1, Kinloss, as shown on Part J-16. (2003-57)
- nn) Part of Lot 32. Concession 5, Huron, as shown on Part H-3 (2004-18)
- oo) Part of Lot 4 Concession 5, Kinloss, as shown on Part H-10. (2004-77)
- pp) Part of Lot 23, Concession 12, Huron, as shown on Part D-5. (2005-61)
- qq) Part of Lot 37, Concession 2, Huron, as shown on Part I-2. (2005-84)
- rr) Part of Lots 69 and 70, Concession 1, Kinloss, as shown on Part J-11.  
(2005-123)
- ss) Part of Lots 18 and 19, Concession 1, Kinloss, as shown on Part J-16.  
(\_\_\_\_\_)
- tt) South Part of Lots 6 and 7, Concession 1, Huron, as shown on Part J-17.  
(2006-106)

- uu) West Part Lot 19 and North Part Lot 20, Concession 10, Huron, as shown on Part E-6. (2007-95)
  - vv) Lot 30, Concession 6, Huron, as shown on Part G-4. (2009-32)
  - ww) Lot 13 and Part Lot 12, Concession 5, Huron, as shown on Part H-7. (2010-78)
  - xx) Lots 13, 14 & 15, Range 1 NDR, Kinloss, as shown on Part B-11. (2010-93)
  - yy) Lot 37 and Part Los 41, 42, 45 and 46 and Part of Road Allowance, Concession 8, Huron, as shown on Part F-2. (2010-94)
  - zz) Part of Lot 5 and 6, Concession A, Huron, as shown on Part J-1. (2011-35)
  - aaa) Lot 37, Concession 5, Huron (2011-44)
  - bbb) Lot 5, Concession 9, Kinloss, as shown on Part F-10. (2011-113)
  - ccc) Part Lot 16, Concession 3, Huron, as shown on Part I-6. (2012-40)
  - ddd) Lots 11 to 12 Range 1 NDR, Kinloss, as shown on Part B-11. (2013-14)
- .2 Within the land zoned “**AG-2**” described as Part of Lot 36, Concession 6, Huron as shown on Part G-2 of Schedule “A,” the processing and sale of dairy products is permitted.
- .3 Within the land zoned “**AG-3**” described as Part of Lot 5, Concession 5, Kinloss as shown on Part H-10 of Schedule “A,” a millwright establishment is permitted as a Farm Business in accordance with the provisions of Section 5.21 and Section 7.2 excepting that:
- i) a maximum of two additional employees other than the person who resides in the farm residence shall be permitted and,
  - ii) a maximum of 185.8 square metres of building floor area within an accessory building is permitted.
- .4 Within the land zoned “**AG-4**” as shown on Schedule “A”, and as described below, no residential use shall be permitted and all structures existing at the date of the passing of this By-law shall be prohibited from housing livestock.
- a) Part of Lots 34 and 35, Concession 10, Huron as shown on Part E-3.
  - b) Part of Lot 35, Concession 4, Huron as shown on Part H-3.
- .5 Within the land zoned “**AG-5**” as shown on Schedule “A” and as described below, no buildings are permitted.
- a) Part of Lot 28, Concession 6, Kinloss as shown on Part G-15.
  - b) Deleted (2010-76).
- .6 Within the land zoned **AG-6** described as Part of Lot 3, Concession 1, Kinloss, as

shown on Part J-17, the service and repair of farm equipment and trucks is permitted.

- .7 Within the land zoned **AG-7** on Schedule “A” (Part J-3) to this By-Law this shall be used for a single detached dwelling in accordance with the ‘AG’ zone provisions excepting however that:
- i) No livestock and/or poultry shall be permitted on the subject lands.
  - ii) the ‘minimum lot frontage’ shall be 15 metres (50) feet. (2001-97)
- .8 Within the land zoned **AG-8** on Schedule “A” (Part H-5) to this By-Law this shall be used for a single detached dwelling in accordance with the ‘AG’ zone provisions excepting however that:
- i) No livestock and/or poultry shall be permitted on the subject lands.
  - ii) Notwithstanding the setback requirements of Section 5.25 “Watercourse and Municipal Drain Setbacks” the setbacks for existing buildings and structures shall be no less than as they existed on the date of passage of this By-Law. (2001-98)
- .9 Notwithstanding their ‘AG’ zoning designation, those lands delineated as ‘**AG-9**’ on Schedule ‘A’ [Part J-15] to this By-law shall only be used for the purposes of ‘Farm Implement and Equipment Establishment’ in accordance with the ‘AG’ zone provisions contained in this By-law, excepting however that:
- i) all ‘Residential Uses’ or ‘Accessory Residential Uses’ shall be prohibited;
  - ii) there shall be no outside storage of goods, materials or equipment unless fully enclosed by a fence or other enclosure which provides visual screening;
  - iii) the ‘minimum lot area’ shall be no less than 2322 square metres (24,995 square feet);
  - iv) the ‘maximum retail floor area’ shall not exceed 148.8 square metres (1,602 square feet);
  - v) the ‘minimum side yard’ shall be no less than 2 metres (6.6 feet);
  - vi) the ‘minimum front yard’ shall be no less than 28.3 metres (92.8 feet);
  - vii) the ‘minimum rear yard’ shall be no less than 2.5 metres (8.2 feet; and
  - viii) “FARM IMPEMENT & EQUIPMENT ESTABLISHMENT” shall mean the use of land, buildings or structures for the repair and servicing of

agricultural equipment and machinery, and the repair and servicing of farm plated vehicles and trailers used in direct association by an agricultural operation, but shall not include any other automobile or commercial motor vehicle use defined in this By-law. (2001-109)

- .10 Notwithstanding their 'AG' zoning designation, those lands delineated as "**AG-10**" on Schedule 'A' [Part 1-2] to this By-law, shall only be used for the following Permitted Uses: Bed & Breakfast Establishment; Home Business – Domestic & Household Arts; Home Business – Professional; and a Single Detached Dwelling in accordance with the 'AG' zone provisions, excepting however that:
- i) livestock and/or poultry shall be limited to 1.24 livestock units per hectare (0.5 livestock units per acre);
  3. the minimum lot area shall be 0.71 hectares (1.75 acres);
  4. the setbacks for existing buildings and structures shall be in accordance with Table 1 of Section 6.0. (2002-39)
- .11 Notwithstanding their 'AG' zoning designation, those lands delineated as "**AG-11**" on Schedule 'A' [Part D-11] to this By-law shall only be used for the following Permitted Uses: Existing Single Detached Dwelling; Bed & Breakfast Establishment, Home Business – Domestic and Household Arts, Home Business – Professional in accordance with the 'AG' zone provisions contained in this By-law, excepting however that:
- i) the minimum lot area shall be no less than 37 hectares;
  - ii) all other provisions shall be in accordance with Table 1 of Section 6.0;
  - iii) Section 5.14 Number of Dwellings per Lot shall not apply;
  - iv) Section 5.17 Two or More Uses on a Lot shall not apply. (2002-41)
- .12 Notwithstanding their 'AG' zoning designation, those lands delineated as "**AG-12**" on Schedule 'A' to this By-law, shall only be used for the following Permitted Uses: Bed & Breakfast Establishment; Home Business – Domestic & Household Arts; Home Business – Professional; and a Single Detached Dwelling in Accordance with the 'AG' zone provisions, excepting however that:
- i) livestock and/or poultry shall be limited to 1.24 livestock units per hectare (0.5 livestock units per acre);
  - ii) the minimum lot area shall be 0.47 hectares (1.16 acres);
  - iii) the setbacks for existing buildings and structures shall be in



accordance with Table 1 of Section 6.0.

(2002-94)

- .14 Notwithstanding their 'AG' zoning designation, those lands delineated as '**AG-14**' on Schedule 'A' to this By-law, shall only be used for the following Permitted Uses: Bed & Breakfast Establishment; Home Business – Domestic & Household Arts; Home Business – Professional; and a Single Detached Dwelling in accordance with the 'AG' zone provisions, excepting however that:
- i) livestock and/or poultry shall be limited to 1.24 livestock units per hectare (0.5 livestock units per acre); and
  - ii) the height for the existing barn shall be no greater than it exists on the date of passage of this By-law. (2003-49)
- .15 Notwithstanding their 'AG' zoning designation, those lands delineated as '**AG-15**' on Schedule 'A' to this By-law, shall only be used for the following Permitted Uses: Bed & Breakfast Establishment; Home Business – Domestic & Household Arts; Home Business – Professional; and a Single Detached Dwelling in accordance with the 'AG' zone provisions, excepting however that:
- i) livestock and/or poultry shall be limited to 1.24 livestock units per hectare (0.5 livestock units per acre). (2003-57)
- .16 Notwithstanding their 'AG' zone, in addition to those all other Permitted Uses in the 'AG' zone, those lands delineated as '**AG-16-H**' on Schedule 'A' to this By-law may also be used for a 'Commercial Wind Generation System (CWGS)' consisting of no more than three (3) 'Wind Generating System (WGS)' and for 'Wind Generation System Accessory Facilities' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:
- i) the 'minimum setback' from a 'CWGS' to the Residential dwelling(s) or Institutional use(s) identified on the attached Schedule 'A', as they existed as of September 22, 2003, shall be in accordance with the setbacks identified on the attached Schedule 'A'. (2003-61)
- .17 Notwithstanding their 'AG' zone, in addition to those all other Permitted Used in the 'AG' zone, those lands delineated as '**AG-17-H**' on Schedule 'A' to this By-law may also be used for a 'Commercial Wind Generation System (CWGS)' consisting of no more than two (2) 'Wind Generating Systems (WGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:
- i) the 'minimum setback' from a 'CWGS' to the Residential dwelling(s) or Institutional uses(s) identified on the attached Schedule 'A', as they existed as of September 22, 2003, shall be in accordance with the setbacks

identified on the attached Schedule 'A'.

- ii) Notwithstanding the 'minimum setback' requirements of Section 5.33, WTG6 located on Northeast Part Lot 35, Concession 10, shall be setback no less than 100 metres (328 ft.) from the grain silos located on Northwest Part Lot 35 Concession 10, as they existed on September 22, 2003.

*(2003-61)*

- .18 Notwithstanding their 'AG' zone, in addition to those all other Permitted Uses in the 'AG' zone, those lands delineated as '**AG-18-H**' on Schedule 'A' to this By-law may also be used for a 'Commercial Wind Generation System (CWGS)' consisting of no more than one (1) 'Wind Generating System (WGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) the 'minimum setback' from a 'CWGS' to the Residential dwelling(s) or Institutional uses(s) identified on the attached Schedule 'A', as they existed as of September 22, 2003, shall be in accordance with the setbacks identified on the attached Schedule 'A'.

*(2003-61)*

- .19 Notwithstanding their 'AG' zoning designation, those lands delineated as '**AG-19**' on Schedule 'A' to this By-law, shall only be used for the Permitted Uses in accordance with the 'AG' zone provisions, excepting however that:

- i) livestock and/or poultry shall be limited to 1.24 livestock units per hectare (0.5 livestock units per acre).

*(2004-18)*

- .20 Notwithstanding their 'AG' zoning designation, those lands delineated as '**AG-21**' on Schedule 'A' to this By-law, shall only be used for the Permitted Uses in accordance with the 'AG' zone provisions, excepting however that:

- i) livestock and/or poultry shall be limited to 1.24 livestock units per hectare (0.5 livestock units per acre).

- ii) the maximum frontage be 45 metres.

*(2004-77)*

- .21 (a) Within the lands zoned '**AG-22**' as shown on Schedule 'A' and as described below, no residential use shall be permitted.

Part Lot 5 Concession 1, Township of Huron-Kinloss (former Township of Huron).

- (b) Notwithstanding their 'AG' zoning designation, those lands delineated as '**AG-23**' on Schedule 'A' to this By-law, shall only be used for the Permitted Uses in accordance with the 'AG' zone provisions, excepting however that livestock and/or poultry shall be limited to 1.24 livestock units per hectare (0.5 livestock

units per acre).

(2004-115)

- .24 Within the land zoned **AG-24** described as Part of Lots 26 and 27, Concession 3, Huron as shown on Part 1-4, the existing grain handling and drying facility is permitted. (OMB approved)
- .25 Notwithstanding their 'AG' Zoning designation, those lands delineated as '**AG-25**' on Schedule 'A' to this By-law shall be used in accordance with the 'AG' zone provisions excepting however that:
- i) The number of livestock units shall be limited to 1.24 livestock units per hectare; and
  - ii) Notwithstanding *Section 5.4.3 Accessory Buildings*, the maximum building height shall be no greater than as it existed on the date of passage of the By-law. (2005-61)
- .26 Notwithstanding their 'AG' Zoning designation, those lands delineated as '**AG-26**' on Schedule 'A' to this By-law shall be used in accordance with the 'AG' zone provisions excepting however that:
- i) The number of livestock units shall be limited to 1.24 livestock units per hectare;
  - ii) The minimum lot area shall be no less than 0.49 ha;
  - iii) The minimum lot width shall be no less than 60.96 m;
  - iv) The minimum side yard setback for the 9.29m<sup>2</sup> detached shed shall be no less than as it existed on the date of passage of the By-law;
  - v) The distance between the detached dwelling and the 9.29m<sup>2</sup> detached shed shall be no less than as it existed on the date of passage of the By-law. (2005-84)
- .27 Notwithstanding their 'AG' zone, those lands delineated as '**AG-27**' on Schedule 'A' to this By-law shall be used in accordance with the 'AG' Provisions excepting however that:
- i) The 'Minimum Lot Area' shall be no less than 0.6 hectares (1.6 acres); and
  - ii) No more than 1.24 animal units per hectare (0.5 animal units per acre) shall be permitted. (2005-123)
- .28 Notwithstanding their 'AG' zone, in addition to those all other Permitted Uses in the 'AG' zone, those lands delineated as '**AG-28-H**' on Schedule 'A' to this By-

law may also be used for a ‘Commercial Wind Generation System (CWGS)’ in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) ‘Wind Generating System (WGS) shall be permitted;
- ii) The ‘WGS’ shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 451,656 E and 4,880,077 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the ‘Maximum Total WGS Height’ shall not exceed 121 metres (397 feet);
- iv) The ‘H – Holding’ provision may be removed once the following conditions have been met:
  - a) An ‘Operational Protocol and Emergency Services Plan’ for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project Operator and approved by the Township of Huron-Kinloss.
  - b) A ‘Site Plan Agreement’ as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A ‘Stage 2 Archaeological Study’ has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
  - d) A ‘Decommissioning Plan’ outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-68)

.29 Notwithstanding their ‘AG’ zone, in addition to those all other Permitted Uses in the ‘AG’ zone, those lands delineated as ‘AG-29-H’ on Schedule ‘A’ to this By-law may also be used for a ‘Commercial Wind Generation System (CWGS)’ in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) ‘Wind Generating System (WGS) shall be permitted:

- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 446,861 E and 4,882,501 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
- iv) The 'H – Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project Operator and approved by the Township of Huron-Kinloss.
  - b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
  - d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-69)

.30 Notwithstanding their 'AG' zone, in addition to those all other Permitted Uses in the 'AG' zone, those lands delineated as '**AG-30-H**' on Schedule 'A' to this By-law may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than two (2) 'Wind Generating System (WGS) shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 447,300 E and 4,882,501 N; and within +/- 5 metres of UTM Datum WGS 84, Zone 17, 447,618 E and 4,882.162 N.
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);

- iv) The ‘H – Holding’ provision may be removed once the following conditions have been met:
  - a) An ‘Operational Protocol and Emergency Services Plan’ for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project Operator and approved by the Township of Huron-Kinloss.
  - b) A ‘Site Plan Agreement’ as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A ‘Stage 2 Archaeological Study’ has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
  - d) A ‘Decommissioning Plan’ outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-70)

.31 Notwithstanding their ‘AG’ zone, in addition to those all other Permitted Uses in the ‘AG’ zone, those lands delineated as ‘**AG-31-H**’ on Schedule ‘A’ to this By-law may also be used for a ‘Commercial Wind Generation System (CWGS)’ in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) ‘Wind Generating System (WGS) shall be permitted;
- ii) The ‘WGS’ shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 449,687 E and 4,880,871 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the ‘Maximum Total WGS Height’ shall not exceed 121 metres (397 feet);
- iv) The ‘H – Holding’ provision may be removed once the following conditions have been met:
  - a) An ‘Operational Protocol and Emergency Services Plan’ for dealing with Extreme Weather Conditions to include potential

Icing and High Wind situations has been submitted by the Project Operator and approved by the Township of Huron-Kinloss.

- b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
- c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
- d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.

(2006-71)

.32 Notwithstanding their 'AG' zone, in addition to those all other Permitted Uses in the 'AG' zone, those lands delineated as '**AG-32-H**' on Schedule 'A' to this By-law may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) 'Wind Generating System (WGS) shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 450,936 E and 4,880,181 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
- iv) The 'H – Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project Operator and approved by the Township of Huron-Kinloss.
  - b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.

- c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
- d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.

(2006-72)

.33 Notwithstanding their 'AG' zone, in addition to those all other Permitted Uses in the 'AG' zone, those lands delineated as '**AG-33-H**' on Schedule 'A' to this By-law may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) 'Wind Generating System (WGS) shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 445,341 E and 4,881,434 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
- iv) The 'H – Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project Operator and approved by the Township of Huron-Kinloss.
  - b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
  - d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated



obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.

(2006-73)

.34 Notwithstanding their 'AG' zone, in addition to those all other Permitted Uses in the 'AG' zone, those lands delineated as '**AG-34-H**' on Schedule 'A' to this By-law may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) 'Wind Generating System (WGS) shall be permitted:
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 445,652 E and 4,881,403 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height's shall not exceed 121 metres (397 feet);
- iv) The 'H – Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project Operator and approved by the Township of Huron-Kinloss.
  - b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
  - d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.

(2006-74)

.35 Notwithstanding their 'AG' zone, in addition to those all other Permitted Uses in the 'AG' zone, those lands delineated as '**AG-35-H**' on Schedule 'A' to this By-law may also be used for a 'Commercial Wind Generation System (CWGS)' in

accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) 'Wind Generating System (WGS) shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 446,806 E and 4,880,459 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
- iv) The 'H – Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project Operator and approved by the Township of Huron-Kinloss.
  - b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
  - d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.

*(2006-75)*

.36 Notwithstanding their 'AG' zone, in addition to those all other Permitted Uses in the 'AG' zone, those lands delineated as '**AG-36-H**' on Schedule 'A' to this By-law may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) 'Wind Generating System (WGS) shall be permitted;

- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 447,542 E and 4,880,257 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
- iv) The 'H – Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project Operator and approved by the Township of Huron-Kinloss.
  - b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
  - d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.

*(2006-76)*

.37 Notwithstanding their 'AG' zone, in addition to those all other Permitted Uses in the 'AG' zone, those lands delineated as '**AG-37-H**' on Schedule 'A' to this By-law may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) 'Wind Generating System (WGS)' shall be permitted:
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 448,767 E and 4,879,227 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generating Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);

- iv) The ‘H – Holding’ provision may be removed once the following conditions have been met:
  - a) An ‘Operational Protocol and Emergency Services Plan’ for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project Operator and approved by the Township of Huron-Kinloss.
  - b) A ‘Site Plan Agreement’ as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A ‘Stage 2 Archaeological Study’ has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
  - d) A ‘Decommissioning Plan’ outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-77)

.38 Notwithstanding their ‘AG’ zone, in addition to those all other Permitted Uses in the ‘AG’ zone, those lands delineated as ‘**AG-38-H**’ on Schedule ‘A’ to this By-law may also be used for a ‘Commercial Wind Generation System (CWGS)’ in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) ‘Wind Generating System (WGS)’ shall be permitted:
- ii) The ‘WGS’ shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 449,390 E and 4,879,024 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generating Systems Site Regulations the ‘Maximum Total WGS Height’ shall not exceed 121 metres (397 feet);
- iv) The ‘H – Holding’ provision may be removed once the following conditions have been met:
  - a) An ‘Operational Protocol and Emergency Services Plan’ for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project Operator and approved by the Township of Huron-Kinloss.

- b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
- c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
- d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-78)

.39 Notwithstanding their 'AG' zone, in addition to those all other Permitted Used in the 'AG' zone, those lands delineated as '**AG-39-H**' on Schedule 'A' to this By-law may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) 'Wind Generating System (WGS)' shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 449,980 E and 4,878,833 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
- iv) The 'H – Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.
  - b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any

recommendations of the Report and/or Ministry have been implemented.

- d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-79)

.40 Notwithstanding their 'AG' zone, in addition to those all other Permitted Used in the 'AG' zone, those lands delineated as '**AG-40-H**' on Schedule 'A' to this By-law may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) 'Wind Generating System (WGS)' shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 450,723 E and 4,878,592 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
- iv) The 'H- Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.
  - b) A 'Site Plan Agreement' as per Section 41(7) (c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
  - d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.

(2006-80)

.41 Notwithstanding their 'AG' zone, in addition to those all other Permitted uses in the 'AG' zone, those lands delineated as '**AG-41-H**' on Schedule 'A' to this By-law, may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) 'Wind Generating System (WGS)' shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 447,460 E and 4,877,911 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
- iv) The 'H – Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.
  - b) A 'Site Plan Agreement' as per Section 41(7) (c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
  - d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.

(2006-81)

.42 Notwithstanding their 'AG' zone, in addition to those all other Permitted uses in the 'AG' zone, those lands delineated as '**AG-42-H**' on Schedule 'A' to this By-law, may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) 'Wind Generating System (WGS)' shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 448,108 E and 4,877,425 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
- iv) The 'H – Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.
  - b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
  - d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-82)

.43 Notwithstanding their 'AG' zone, in addition to those all other Permitted uses in the 'AG' zone, those lands delineated as '**AG-43-H**' on Schedule 'A' to this By-law, may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) 'Wind Generating System (WGS)' shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 448,781 E and 4,876,874 N;



- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the ‘Maximum Total WGS Height’ shall not exceed 121 metres (397 feet);
- iv) The ‘H – Holding’ provision may be removed once the following conditions have been met:
  - a) An ‘Operational Protocol and Emergency Services Plan’ for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.
  - b) A ‘Site Plan Agreement’ as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A ‘Stage 2 Archaeological Study’ has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
  - d) A ‘Decommissioning Plan’ outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-83)

.44 Notwithstanding their ‘AG’ zone, in addition to those all other Permitted uses in the ‘AG’ zone, those lands delineated as ‘**AG-44-H**’ on Schedule ‘A’ to this By-law, may also be used for a ‘Commercial Wind Generation System (CWGS)’ in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) ‘Wind Generating System (WGS)’ shall be permitted;
- ii) The ‘WGS’ shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 447,331 E and 4,877,234 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the ‘Maximum Total WGS Height’ shall not exceed 121 metres (397 feet);
- iv) The ‘H – Holding’ provision may be removed once the following conditions have been met:

- a) An ‘Operational Protocol and Emergency Services Plan’ for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.
- b) A ‘Site Plan Agreement’ as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
- c) A ‘Stage 2 Archaeological Study’ has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
- d) A ‘Decommissioning Plan’ outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-84)

.45 Notwithstanding their ‘AG’ zone, in addition to those all other Permitted uses in the ‘AG’ zone, those lands delineated as ‘**AG-45-H**’ on Schedule ‘A’ to this By-law, may also be used for a ‘Commercial Wind Generation System (CWGS)’ in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than two (2) ‘Wind Generating System (WGS)’ shall be permitted;
- ii) The ‘WGS’ shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 446,653 E and 4,877,939 N;  
The ‘WGS’ shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 446,286 E and 4,877,278 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the ‘Maximum Total WGS Height’ shall not exceed 121 metres (397 feet);
- iv) The ‘H – Holding’ provision may be removed once the following conditions have been met:
  - a) An ‘Operational Protocol and Emergency Services Plan’ for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.

- b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
- c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
- d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-99)

.46 Notwithstanding their 'AG' zone, in addition to those all other Permitted uses in the 'AG' zone, those lands delineated as '**AG-46-H**' on Schedule 'A' to this By-law, may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) 'Wind Generating System (WGS)' shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 449,922 E and 4,876,049 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
- iv) The 'H – Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.
  - b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any

recommendations of the Report and/or Ministry have been implemented.

- d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-85)

.47 Notwithstanding their 'AG' zone, in addition to those all other Permitted uses in the 'AG' zone, those lands delineated as '**AG-47-H**' on Schedule 'A' to this By-law, may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) 'Wind Generating System (WGS)' shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 446,024 E and 4,875,749 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
- iv) The 'H – Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.
  - b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
  - d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.

(2006-86)

.48 Notwithstanding their 'AG' zone, in addition to those all other Permitted uses in the 'AG' zone, those lands delineated as '**AG-48-H**' on Schedule 'A' to this By-law, may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) 'Wind Generating System (WGS)' shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 447,286 E and 4,875,399 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
- iv) The 'H – Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.
  - b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
  - d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.

(2006-87)

.49 Notwithstanding their 'AG' zone, in addition to those all other Permitted uses in the 'AG' zone, those lands delineated as '**AG-49-H**' on Schedule 'A' to this By-law, may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) 'Wind Generating System (WGS)' shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 446,876 E and 4,875,066 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
- iv) The 'H – Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.
  - b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
  - d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-88)

.50 Notwithstanding their 'AG' zone, in addition to those all other Permitted uses in the 'AG' zone, those lands delineated as '**AG-50-H**' on Schedule 'A' to this By-law, may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) 'Wind Generating System (WGS)' shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 446,345 E and 4,880,497 N;

- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the ‘Maximum Total WGS Height’ shall not exceed 121 metres (397 feet);
- iv) The ‘H – Holding’ provision may be removed once the following conditions have been met:
  - a) An ‘Operational Protocol and Emergency Services Plan’ for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.
  - b) A ‘Site Plan Agreement’ as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A ‘Stage 2 Archaeological Study’ has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
  - d) A ‘Decommissioning Plan’ outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-89)

.51 Notwithstanding their ‘AG’ zone, in addition to those all other Permitted uses in the ‘AG’ zone, those lands delineated as ‘**AG-51-H**’ on Schedule ‘A’ to this By-law, may also be used for a ‘Commercial Wind Generation System (CWGS)’ in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than two (2) ‘Wind Generating System (WGS)’ shall be permitted;
- ii) The ‘WGS’ shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 447,484 E and 4,882,747 N; and within +/- 5 metres of UTM Datum WGS 84, Zone 17, 447,897 N and 4,882,382 E.
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the ‘Maximum Total WGS Height’ shall not exceed 121 metres (397 feet);
- iv) The ‘H – Holding’ provision may be removed once the following conditions have been met:

- a) An ‘Operational Protocol and Emergency Services Plan’ for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.
- b) A ‘Site Plan Agreement’ as per Section 41(7) (c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
- c) A ‘Stage 2 Archaeological Study’ has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
- d) A ‘Decommissioning Plan’ outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-90)

.52 Notwithstanding their ‘AG’ zone, in addition to those all other Permitted uses in the ‘AG’ zone, those lands delineated as ‘**AG-52-H**’ on Schedule ‘A’ to this By-law, may also be used for a ‘Commercial Wind Generation System (CWGS)’ in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) ‘Wind Generating System (WGS)’ shall be permitted;
- ii) The ‘WGS’ shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 450,398 E and 4,880,483 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the ‘Maximum Total WGS Height’ shall not exceed 121 metres (397 feet);
- iv) The ‘H – Holding’ provision may be removed once the following conditions have been met:
  - a) An ‘Operational Protocol and Emergency Services Plan’ for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.



- b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
- c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
- d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-91)

.53 Notwithstanding their 'AG' zone, in addition to those all other Permitted uses in the 'AG' zone, those lands delineated as '**AG-53-H**' on Schedule 'A' to this By-law, may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) 'Wind Generating System (WGS)' shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 448,162 E and 4,879,573 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
- iv) The 'H – Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.
  - b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any

recommendations of the Report and/or Ministry have been implemented.

- d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-92)

.54 Notwithstanding their 'AG' zone, in addition to those all other Permitted uses in the 'AG' zone, those lands delineated as '**AG-54-H**' on Schedule 'A' to this By-law, may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) 'Wind Generating System (WGS)' shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 451,204 E and 4,877,983 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
- iv) The 'H – Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.
  - b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.

- d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-93)

.55 Notwithstanding their 'AG' zone, in addition to those all other Permitted uses in the 'AG' zone, those lands delineated as '**AG-55-H**' on Schedule 'A' to this By-law, may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) 'Wind Generating System (WGS)' shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 451,861 E and 4,877,920 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
- iv) The 'H – Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.
  - b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
  - d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-94)

- .56 Notwithstanding their 'AG' zone, in addition to those all other Permitted uses in the 'AG' zone, those lands delineated as '**AG-56-H**' on Schedule 'A' to this By-law, may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:
- i) That no more than one (1) 'Wind Generating System (WGS)' shall be permitted;
  - ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 447,447 E and 4,879,790 N;
  - iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
  - iv) The 'H – Holding' provision may be removed once the following conditions have been met:
    - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.
    - b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
    - c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
    - d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-95)
- .57 Notwithstanding their 'AG' zoning designation, those lands delineated as '**AG-57-H**' on Schedule 'A', Part H-5, to this By-law, may also be used for a 'Farm Lot' purposes in compliance with the 'AG' zone provisions contained in this By-law, excepting however, that:
- i) An electrical substation shall be a permitted use;

- ii) For the purposes of this By-law, the lot lines are as follows:
  - a. the Front Lot Line shall be deemed to be the westerly 'AG-57-H' One line;
  - b. the Ear Lot Line shall be deemed to be the easterly 'AG-57-H' One line.
- iii) For the purposes of this By-law, the following setbacks shall apply:
  - a. the Front Yard Setback shall be no less than 20m;
  - b. the Rear Yard Setback shall be no less than 10m; and
  - c. the Side Yard Setback shall be no less than 4m.
- iv) The lands shall be subject to Site Plan Control;
- v) The 'H' provision may be removed once the following conditions have been met:
  - a. A Site Plan Control Agreement has been registered on title.
  - b. A 'Decommissioning Plan' outlining the anticipated costs of the removal of the substation and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss. *(2006-100)*

.58 Notwithstanding their 'AG' zone, in addition to those all other Permitted uses in the 'AG' zone, those lands delineated as '**AG-58-H**' on Schedule 'A' to this By-law, may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than one (1) 'Wind Generating System (WGS)' shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 447,839 E and 4,879,712 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
- iv) The 'H – Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.

- b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
- c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
- d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-96)

.59 Notwithstanding their 'AG' zone, in addition to those all other Permitted uses in the 'AG' zone, those lands delineated as '**AG-59-H**' on Schedule 'A' to this By-law, may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than two (2) 'Wind Generating System (WGS)' shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 446,653 E and 4,877,939 N;  
The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 446,286 E and 4,877,278 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
- iv) The 'H – Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.
  - b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.

- c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
- d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-97)

.60 Notwithstanding their 'AG' zone, in addition to those all other Permitted uses in the 'AG' zone, those lands delineated as '**AG-60-H**' on Schedule 'A' to this By-law, may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than four (4) 'Wind Generating System (WGS)' shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 445,351 E and 4,876,611 N;  
The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 446,115 E and 4,876,547 N;  
The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 445,655 E and 4,876,220 N;  
The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 445,247 E and 4,875,946 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
- iv) The 'H – Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.
  - b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.

- c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.
- d) A 'Decommissioning Plan' outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-98)

.61 Notwithstanding their 'AG' zone, in addition to those all other Permitted uses in the 'AG' zone, those lands delineated as '**AG-61-H**' on Schedule 'A' to this By-law, may also be used for a 'Commercial Wind Generation System (CWGS)' in accordance with Section 5.33 General Provisions for Wind Generation Systems excepting however that:

- i) That no more than two (2) 'Wind Generating System (WGS)' shall be permitted;
- ii) The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 446,653 E and 4,877,939 N;  
The 'WGS' shall be located within +/- 5 metres of UTM Datum WGS 84, Zone 17, 446,286 E and 4,877,278 N;
- iii) Notwithstanding Section 5.33 General Provisions for Wind Generation Systems Site Regulations the 'Maximum Total WGS Height' shall not exceed 121 metres (397 feet);
- iv) The 'H – Holding' provision may be removed once the following conditions have been met:
  - a) An 'Operational Protocol and Emergency Services Plan' for dealing with Extreme Weather Conditions to include potential Icing and High Wind situations has been submitted by the Project operator and approved by the Township of Huron-Kinloss.
  - b) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended.
  - c) A 'Stage 2 Archaeological Study' has been prepared, and approved by the Ministry of Citizenship and Culture, and any recommendations of the Report and/or Ministry have been implemented.



- d) A ‘Decommissioning Plan’ outlining the anticipated costs of turbine removal and site remediation and to include the anticipated obligations of the landowner and/or Project operator has been submitted and approved by the Township of Huron-Kinloss.  
(2006-99)

.62 Available ‘**AG-62**’

.63 Notwithstanding their ‘AG’ Zoning designation, those lands delineated as ‘**AG-63**’ on Schedule ‘A’ to this By-law shall be used in compliance with the ‘AG’ Provisions contained in this By-law, excepting, however, that:

- i) The permitted uses shall be limited to a church, school and cemetery serving the local ‘horse-drawn carriage community’.
- ii) The local ‘horse-drawn carriage community’ shall be defined as:

HORSE-DRAWN CARRIAGE COMMUNITY: shall mean a group of people whose primary mode of transportation is by the use of a horse or horses and a carriage.  
(2007-49)

.64 Notwithstanding their ‘AG’ Zoning designation, those lands delineated as ‘**AG-64**’ on Schedule ‘A’ to this By-law shall be used in accordance with the ‘AG’ zone provisions excepting however that:

- i) The minimum total lot area shall be no less than 35.61 hectares. (2007-05)

.65 Notwithstanding their ‘AG’ Zoning designation, those lands delineated as ‘**AG-65**’ on Schedule ‘A’ to this By-law shall be used in accordance with the ‘AG’ zone provisions excepting however that:

- i) The minimum total lot area shall be no less than 35.61 hectares. (2007-05)

.66 Within the land zoned **AG-66** as shown on Schedule “A” and as described below, a parochial school serving the horse-drawn carriage community is permitted and all residential use is prohibited.

- a) Part of Lot 3, Concession 11, Kinloss as shown on Part E-10. (By-law No. 15-1994 and No. 23-1996)
- b) Part of Lots 2 and 3, Concession 3, Kinloss as shown on Part I-10. (By-law No. 39-1997)
- c) Part of Lot 11, Concession 10, Kinloss as shown on Part I-10. (By-law No. 29-1996)

- d) Part of Lot 25, Concession 4, Kinloss as shown on Part H-14. (*By-law No. 2001-57*)
  - e) *Lot 2, Concession 12, Kinloss, as shown on Part D-9 (By-Law No. 2013-13)*
- .67 Within the land zoned **AG-67** as shown on Schedule “A” and as described below, a church serving the horse-drawn carriage community is permitted and all residential use is prohibited.
- a) Part of Lot 14, Concession 7, Kinloss as shown on Part G-12, all buildings, structures, driveways or parking areas shall be setback 30 metres from the westerly lot line. (*By-law No. 17-1988*)
  - b) Part of Lot 3, Concession 11, Kinloss as shown on Part E-10. (*By-law No. 23-1996*)
- .68 Within the land zoned **AG-68-H** as shown on Schedule “A”, Part J-14, a farm vacation use is permitted. The holding provision will be lifted upon entering into a development agreement pursuant to Section 41 of the Planning Act.
- .69 Within the land zoned **AG-69** as shown on Schedule “A” and as described below, the existing institutional use is permitted and all residential use is prohibited:
- a) Part of Lot 5, Concession 11, Huron, as shown on Part E-9, the existing use is the Purple Grove Community Centre.
  - b) Part of Lot 13, Range 1 South, Kinloss as shown on Part C-11, the existing use is the Kinloss Community Centre.
  - c) Deleted (2011-61).
- .70 Within the land zoned **AG-70** as shown on Schedule “A”, and as described below, a kennel is permitted within the barn on the property that existed on the date of the passing of this By-law:
- a) Lot 1, Range 2 , South of Durham Road (SDR), Huron, as shown on Part C-10.
  - b) Part of Lot 36, Concession 4, Huron, as shown on Part H-2.
  - c) Part of Lot 36, Concession 2, Huron, as shown on Part I-17.

- .70 Notwithstanding their 'AG' Zoning designation, those lands delineated as '**AG-70**' on Schedule "A" to this By-Law shall be used in accordance with the 'AG' zone provisions excepting however, that:
- i) The minimum lot area shall be no less than 4.05 hectares. (2007-51)
- .71 Notwithstanding their 'AG' Zoning designation, those lands delineated as '**AG-71**' on Schedule "A" to this By-law shall be used in accordance with the 'AG' zone provisions excepting however, that:
- i) The minimum total lot area shall be no less than 2.78 hectares;
  - ii) An existing and service and repair shop for farm equipment and trucks is a permitted use;
  - iii) new residential buildings and/or structures are prohibited. (2007-51)
- .71 Notwithstanding their 'AG' Zoning designation, those lands delineated as '**AG-71**' on Schedule "A" to this by-law may be used for 'Non-farm Lot' purposes in accordance with the 'AG' zone provisions contained in this By-law, excepting however, that:
- i) The Minimum Lot Area shall be no less than 0.93 hectares (2.29 acres); and
  - ii) The number of livestock units shall be limited to 1.24 livestock units per ha (0.5 units per ac). (2007-95)
- .72 Notwithstanding their 'AG' Zoning designation, those lands delineated as '**AG-72**' on Schedule 'A' to this By-law and described as North Part Lot 8, Concession 6, geographic Township of Huron, may be used for 'Non-farm Lot' purposes in compliance with the 'AG' zone provisions contained in this By-law, excepting however, that:
- i) The number of livestock units shall be limited to 1.24 livestock units per ha (0.5 units per ac.) (2007-94)
- .73 Notwithstanding their 'AG' Zoning designation, those lands delineated as '**AG-73**' on Schedule 'A' to this By-law law and described as North Part Lot 8, Concession 6, geographic Township of Huron, may be used for 'Farm Lot' purposes in compliance with the 'AG' zone provisions contained in this By-law, excepting however, that:
- i) The construction of any new residential buildings and/or structures shall be prohibited; and
  - ii) The minimum lot area shall be no less than 33.8 ha (83.54 ac). (2007-94)

.74 Notwithstanding their 'AG' Zoning designation, those lands delineated as '**AG-74**' on Schedule 'A' to this By-law shall be used in compliance with the 'AG' provisions contained in this By-law, excepting, however, that:

i) The permitted uses shall be limited to a school serving the local 'horse-drawn carriage community'.

ii) The local 'horse-drawn carriage community' shall be defined as:

HORSE-DRAWN CARRIAGE COMMUNITY: shall mean a group of people whose primary mode of transportation is by the use of a horse or horses and a carriage. (2008-85)

.75 Notwithstanding their 'AG' Zoning designation, those lands delineated as '**AG-75**' on Schedule 'A' to this By-law shall be used in compliance with the 'AG' provisions contained in this By-law, excepting, however, that:

i) The minimum lot size shall be no less than 20.24 hectares. (2008-94)

.76 Notwithstanding their 'AG' Zoning designation, those lands delineated as '**AG-76**' on Schedule 'A' to this By-law shall be used in compliance with the 'AG' provisions contained in this By-law, excepting, however, that:

i) The minimum lot size shall be no less than 20.24 hectares. (2008-94)

.77 Within the land zoned **AG-77** in Part of Lot 37, Concession 11, Huron as shown on Part E-2, the existing residential lots are permitted.

.78 Notwithstanding their 'AG' Zoning designation, those lands delineated as '**AG-78**' on Schedule 'A' to this By-law may be used for 'Non-farm Lot' purposes in compliance with the 'AG' zone provisions contained in this By-law, excepting however, that:

i) The number of livestock units shall be limited to 1.24 livestock units per ha (0.5 units per ac). (2009-32)

.79 Notwithstanding their 'AG' zoning designation, those lands delineated as '**AG-79**' on Schedule "A" to this by-law, may be used for purposes in compliance with the 'AG' Zone provisions contained in this By-law, excepting however, that:

i) Minimum lot area shall be no less than 36.43 ha. (2009-103)

*'AG-80' and 'AG-81' MISSING*

- .82 Notwithstanding their 'AG' zoning designation, those lands delineated as '**AG-82**' on Schedule "A" to this by-law, may be used for purposes in compliance with the 'AG' Zone provisions contained in this By-law, excepting however, that:
- i) The minimum lot area shall be no less than 20 hectares. *(2010-17)*
- .83 Notwithstanding their 'AG' zoning designation, those lands delineated as '**AG-83**' on Schedule "A" to this by-law, may be used for purposes in compliance with the 'AG' zone provisions contained in this By-law, excepting however, that:
- i) Minimum lands zoned shall be no less than 16 hectares. *(2010-106)*
- .84 Notwithstanding their 'AG' zoning designation, those lands delineated as '**AG-84**' on Schedule "A" to this By-law, may be used for purposes in compliance with the 'AG' Zone provisions contained in this by-law, excepting however, that:
- i) The minimum lot area shall be no less than 20.2 ha. *(2010-76)*
- .85 Notwithstanding their 'AG' zoning designation, those lands delineated as '**AG-85**' on Schedule "A" to this By-Law, may be used for purposes in compliance with the 'AG' Zone provisions contained in this by-law, excepting however, that:
- i) Minimum frontage shall be no less than 10 metres; and,
  - ii) The number of livestock units shall be limited to 1.24 livestock units per ha (0.5 units per ac). *(2010-78)*
- .86 Notwithstanding their 'AG' zoning designation, those lands delineated as '**AG-86**' on Schedule "A" to this by-law, may be used for 'Non-farm Lot' purposes in compliance with the 'AG' zone provisions contained in this By-law, excepting however, that:
- i) The number of livestock units shall be limited to 1.24 livestock units per ha (0.5 units per ac); and,
  - ii) Minimum Distance Separation Formula 1 shall be no less than 130 metres to the nearest livestock facility. *(2010-93)*
- .87 Notwithstanding their 'AG' zoning designation, those lands delineated as '**AG-87**' on Schedule "A" to this by-law, may be used for 'Non-farm lot' purposes in compliance with the 'AG' zone provisions contained in this by-law, excepting however, that:
- i) The number of livestock units shall be limited to 1.34 livestock units per ha (0.5 units per ac). *(2010-94)*
- .88 Notwithstanding their 'AG' zoning designation, those lands delineated as '**AG-88**' on Schedule "A" to this by-law, may be used for purposes in compliance with the 'AG' zone provisions contained in this by-law, excepting however, that:

- i) A ‘kennel’ shall be a permitted use in accordance with Township of Huron-Kinloss by-Law No. 2010-10 – Animal Control Kennel Licensing. (2010-95)
- .89 Available ‘**AG-89**’
- .90 Notwithstanding their ‘AG’ zoning designation, those lands delineated as ‘**AG-90**’ on Schedule “A” to this By-law may be used for ‘Non-farm Residential’ purposes in compliance with the ‘AG’ zone provisions contained in this by-law, excepting however, that:
- i) The number of livestock units shall be limited to two (2) livestock units.(2011-44)
- .91 Notwithstanding their ‘AG’ zoning designation, those lands delineated as ‘**AG-91**’ on Schedule “A” to this By-law, may be used for purposes in compliance with the ‘AG’ zone provisions contained in this by-law, excepting however, that:
- i) Permitted uses shall be an ‘agriculturally related retail store’, ‘assembly hall’, ‘restaurant’, and ‘tourist lodging’ in addition to all other uses permitted in the ‘AG’ zone;
  - ii) Minimum lot area shall be no less than 31 hectares; and,
  - iii) The lands shall be subject to Site Plan Control. (2011-46)
- .91 Notwithstanding their ‘AG’ zoning designation, those lands delineated as ‘**AG-91**’ on Schedule “A” to this By-law, may be used for purposes in compliance with the ‘AG’ zone provisions contained in this by-law, excepting however, that:
- i) Permitted uses shall be an ‘agriculturally related retail store’, ‘assembly hall’, ‘restaurant’, and ‘tourist lodging’ in addition to all other uses permitted in the ‘AG’ zone;
  - ii) Minimum lot area shall be no less than 31 hectares; and,
  - iii) The lands shall be subject to Site Plan Control. (2011-46)
- .92 Available ‘**AG-92**’
- .93 Notwithstanding their ‘AG’ zoning designation, those lands delineated as ‘**AG-93**’ on Schedule “A” to this by-law, may be used for purposes in compliance with the ‘AG’ zone provisions contained in this by-law, excepting however, that:
- i) Minimum lot area shall be no less than 19.0 hectares. (2011-92)
- .94 Notwithstanding their ‘AG’ Zoning designation, those lands delineated as ‘**AG-94**’ on Schedule “A” to this by-law, may be used for purposes in compliance with the ‘AG’ zone provisions contained in this by-law, excepting however that:
- i) The permitted uses shall be limited to a ‘place of worship’ and ‘cemetery’ serving the local ‘horse-drawn carriage community’;

- ii) the local ‘horse-drawn carriage community’ shall be defined as :

‘HORSE DRAWN CARRIAGE COMMUNITY’ shall mean a group of people whose primary mode of transportation is by the use of a horse or horses and a carriage; and

- iii) Site Plan Control shall apply. *(2011-110, Schedule ‘A’, Part H-11)*

.95 Notwithstanding their ‘AG’ Zoning designation, those lands delineated as ‘**AG-95**’ on Schedule “A” to this by-law, may be used for purposes in compliance with the ‘AG’ zone provisions contained in this by-law, excepting however, that:

- i) The number of livestock units shall be limited to 1.24 livestock units per ha (0.5 units per ac); and
- ii) Minimum Distance Separation Formula 1 shall be no less than 184 metres to the nearest livestock facility. *(2011-113, Schedule ‘A’, Part F-10)*

.96 Notwithstanding their ‘AG’ Zoning designation, for those lands delineated as ‘**AG-96-H**’ on Schedule “A” to this by-law, may be used for purposes in compliance with the ‘AG’ zone provisions contained in this by-law, excepting however, that:

- i) The permitted uses shall be limited to a ‘single detached dwelling’ and ‘accessory uses’;
- ii) Minimum lot area shall be no less than 0.2 hectares;
- iii) Minimum lot width shall be no less than 31 metres;
- iv) Minimum front yard shall be no less than 7.5 metres;
- v) Minimum rear yard shall be no less than 10.0 metres;
- vi) Minimum side yard shall be no less than 1.5 metres;
- vii) Minimum side yard, unattached garage, shall be no less than 3.0 metres;
- viii) Maximum building height shall be no greater than 10 metres;
- ix) Maximum lot coverage shall not exceed 20%;
- x) Sanitary services shall be limited to a private tertiary sewage system, as identified in Part 8: Class Sewage System of the Ontario Building Code and to be used in perpetuity;
- xi) ‘Single detached dwelling’ and ‘accessory uses’ shall be prohibited until the ‘H’ provision is removed. The ‘H’ provision may be removed once the following conditions have been met:
  - 1) A 0.3 metre reserve as shown on Registered Plan 3R-6293 as Part 7 is transferred to the Township of Huron-Kinloss and incorporated as required into the Township road system;
  - 2) Consent certification has been granted by the Approval Authority of the County of Bruce. *(2012-35, Schedule ‘A’, Part E-2)*

.97 Notwithstanding their ‘AG’ zoning designation, those lands delineated as ‘**AG-97**’ on Schedule “A” to this by-law, may be used for purposes in compliance with the ‘AG’ zone provisions contained in this by-law, excepting however, that:

- i) The number of livestock units shall be limited to 1.24 livestock units per ha (0.5 units per ac). *(2012-40, Schedule 'A', Part I-6)*

.98 Notwithstanding their 'AG' zoning designation, those lands delineated as '**AG-98**' on Schedule "A" to this by-law, may be used for purposes in compliance with the 'AG' zone provisions contained in this by-law, excepting however, that:

- i) The permitted uses shall be limited to the outdoor storage of construction equipment, fleet vehicles, and materials related to construction and excavating; a 'construction and excavation business'; 'snow removal business'; and 'limousine and chauffeured transportation business'; 'general agriculture'; and a 'Dwelling, Single Detached'.
- ii) For the purposes of this By-law, a 'construction and excavation business' shall be defined as the art, trade or work of constructing a building and/or structure and the digging or removing of soil for profit with various heavy equipment and with an accessory office.
- iii) For the purposes of this By-law, a 'snow removal business' shall be defined as the clearing and removal of snow, ice and frost from a surface for profit with heavy equipment and with an accessory office.
- iv) For the purposes of this by-Law, a 'limousine and chauffeured transportation business' shall be defined as a commercial car service providing driving services and with an accessory office.
- v) Up to a maximum of twelve (12) employees shall be employed in all three businesses on a full-time basis and up to four (4) employees shall be employed in all three businesses on a part-time basis.
- vi) Minimum lot width shall be no less than 20 metres;
- vii) A maximum of 550.5 square metres (6,000 square feet) of building floor area within accessory building(s) shall be devoted to all three businesses.
- viii) Outdoor storage of equipment shall be fully enclosed by a fence of other appropriate enclosure to ensure storage is not visible from a street.
- ix) Stock piling of aggregate and soils shall not be located within 15 metres from the Provincially Significant Wetland boundary; and,
- x) Stock piling of materials (other than clean aggregates and soils) shall not be located within 120 metres of the Provincially Significant Wetland boundary. *(2012-46, Schedule 'A', Part H-15)*

.99 Notwithstanding their 'AG' zoning designation, those lands delineated as '**AG-99**' on Schedule "A" to this by-law, may be used for purposes in compliance with the 'AG' zone provisions contained in this by-law, excepting however, that;

- i) A 'kennel' shall be a permitted use in accordance with 'Township of Huron-Kinloss By-law No. 2010-10 – Animal Control Kennel Licensing', in addition to all other 'AG' permitted uses;
- ii) The 'kennel' shall employ no more than one employee who is not the manager or caretaker of the 'kennel';



- iii) The 'kennel' shall be limited to an accessory building and outdoor yards;
  - iv) Total floor area devoted to the 'kennel' within an accessory building shall be no greater than 100 square metres;
  - v) No outdoor storage; and,
  - vi) A solid, enclosed fence, with a minimum height of 1.82 metres shall be provided in association with the 'kennel'. *(2012-75, Schedule 'A', Part F-6)*
- .100 **'AG-100'** is under appeal with the Ontario Municipal Board. *(2012-87, Schedule 'A', Part C-11)*
- .101 Notwithstanding their 'AG' zoning designation, those lands delineated as **'AG-101'** on Schedule "A" to this by-law, may be used for purposes in compliance with the 'AG' zone provisions contained in this by-law, excepting however, that;
- i) Minimum rear yard setback shall be no less than 3 metres; and,
  - ii) The number of livestock units shall be limited to 1.24 livestock units per ha (0.5 units per ac). *(2013-14, Schedule 'A', Part B-11)*
- .102 Notwithstanding their 'AG' zoning designation, those lands delineated as **'AG-102'** on Schedule "A" to this by-law, may be used for purposes in compliance with the 'AG' zone provisions contained in this by-law, excepting however, that;
- i) Residential use shall be prohibited; and,
  - ii) Minimum lot area shall be no less than 36.4 hectares. *(2013-14, Schedule 'A', Part B-11)*
- .103 Notwithstanding their 'AG' Zoning designation, those lands delineated as **'AG-103'** on Schedule 'A' to this By-law may be used for purposes in compliance with the 'AG' zone provisions contained in this By-law, excepting however, that:
- i) A 'single detached dwelling' shall be permitted;
  - ii) Minimum rear yard setback shall be no less than 3.0 m (10.0 ft);
  - iii) The number of livestock units shall be limited to 1.24 livestock units per ha (0.5 units per ac); and,
  - iv) Notwithstanding Section 5.24 ii) the Minimum Distance Separation I setback shall be no less than 185.0 m (607.0 ft) to a livestock facility located at Lot 33, Concession 4, geographic Township of Huron (2768 Concession 4). *(2013-35, Schedule 'A', Part I-3)*

**SECTION 8.0 AGRICULTURE INTENSIVE LIVESTOCK ONE (AIL) ZONE**

*Deleted by OMB Decision/Order No.0871*

## SECTION 9.0 ENVIRONMENTAL PROTECTION (EP) ZONE

### 9.1 Permitted Uses

Conservation  
Park  
Outdoor recreation  
Existing agriculture

Within the land zoned EP on Schedule “A-1” Lucknow, the uses existing as of October 20<sup>th</sup>, 1986 are permitted uses and minor alterations or replacement will be permitted subject to the approval of the Maitland Valley Conservation Authority.

### 9.2 Prohibited Uses

Notwithstanding Section 9.1, no new buildings shall be permitted except those related to flood control.

### 9.3 Special Provisions

- .1 Within the land zoned **EP-2** as shown on Schedule “A”, Part D-12 uses permitted shall be limited to passive recreation and only structures accessory for flood and/or erosion control purposes. (*By-law No. 2001-88*)
- .2 Within the land zoned **EP-3** as shown on Schedule “A” Part D-12 uses permitted shall be limited to passive recreation and only structures accessory for flood and/or erosion control purposes. (*By-law No. 2001-89*)
- .3 Within the land zoned **EP-4** as shown on Schedule “A-1” Lucknow the existing non-residential uses are permitted. Any expansion of these uses will be in accordance with the appropriate zone regulations for the existing use and will require a construction permit from the Maitland Valley Conservation Authority prior to the issuance of a building permit.
- .4 Notwithstanding their “EP” zoning designation, where lands are designated as ‘**EP-e**’ on Schedule ‘A’ to this By-law, may be used for Institutional purposes, in accordance with the ‘EP’ zoning provisions, excepting however that:
  - (i) Uses Permitted shall be limited to ‘passive recreation’ and structures necessary for flood and/or erosion control purposes.

That the ‘H – Holding’ provision may be removed once the following conditions have been met:

- (a) A clearance letter from the Ministry of Natural Resources indicating i) that the application aggregate extraction licence(s) has been revoked or similar

wording and ii) that the applications have addressed all other applicable legislation and/or regulations pertaining to the closure of the aggregate operation; and

- (b) A clearance letter from the Ministry of Citizenship, Culture and Recreation indicating that all archaeological issues have been satisfied.

.5 Notwithstanding their 'EP' zoning designation, those lands delineated as '**EP-6**' on Schedule "A" to this By-Law may be used for purposes in compliance with the 'EP' zone provisions contained in this by-law, excepting however, that:

- i) A 'tradesman or contractor's establishment' shall be a permitted use;
- ii) The minimum front, rear and side yard setbacks shall be as existed at the date of passage of the zoning by-law;
- iii) Outdoor storage shall be prohibited; and,
- iv) Any development and/or alteration shall be reviewed by Maitland Valley Conservation Authority. (2011-93, Schedule 'A-1' Lucknow)

*Note for Information Purposes (Does not form part of the Zoning By-law)*

*Some of the lands within and adjacent to the Environmental Protection zone as shown on the by-law schedules may be subject to the Conservation Authority's Regulation – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. Where development or site works are proposed within a Regulated Area, as shown on schedules filed with the Conservation Authority where such mapping exists, a permit from the Conservation Authority may be required. The Conservation Authority should be contacted to determine the extent of the Regulated Area. The Conservation Authority should be consulted before development, including construction, reconstruction, conversion, grading, filling or excavating occurs to determine whether the Authority Regulations apply.*

## SECTION 10.0 EXTRACTIVE RESOURCE (ER) ZONE

### 10.1 Permitted Uses

Pit  
Quarry  
Processing of extracted aggregate, quarry stone  
Asphalt plant  
Concrete batching plant  
Agriculture

### 10.2 Prohibited Uses

Accessory residential uses

### 10.3 Special Provisions

- .1 Notwithstanding their 'ER' zoning designation, those lands delineated as '**ER-1**' on Schedule 'A' [Part D-11] to this By-law shall be used in accordance with the 'ER' zone provisions contained in this By-law, excepting however that:
  - i) Section 5.14 Number of Dwellings per Lot shall not apply;
  - ii) Section 5.17 Two or More Uses on a Lot shall not apply;
  - iii) An Accessory Residential Use shall be a Permitted Use;
  - iv) No part of any excavation shall be located closer than 70 metres to any dwelling unit. *(2002-41)*
- .2 Notwithstanding the 'ER' zoning designation, those lands delineated as '**ER-2-H**' on Schedule 'A' to this By-law may be used in accordance with the Permitted Uses and Zone Provisions of the 'ER' zone, excepting however that:
  - i) A planting area having a minimum width of 15 m (50 feet) and consisting of a dense screen of shrubs and evergreen trees, a minimum of 1 m (3 feet) high when planted and of a type that will attain a minimum height of 6 m (20 feet) at maturity shall be planted and maintained along the street line except for entrances and exits.
  - ii) That the 'H – Holding' provision on lands to be zoned 'ER-2-H' shall only be removed once the following conditions have been met:
    - a) A 'Site Plan Agreement' as per Section 41(7)(c) has been registered as per Section 41(10) of the Planning Act RSO 1990 as amended. *(2003-13)*

## SECTION 11.0 OPEN SPACE (OS) ZONE

### 11.1 Permitted Uses

Park  
Outdoor recreation  
Conservation  
Existing agriculture

### 11.2 Prohibited Uses

Accessory residential uses  
Commercial recreation

### 11.3 Regulations

Minimum yard	15 metres
Maximum lot coverage	10 percent

### 11.4 Special Provisions

- .1 Within the land zoned **OS-1** as shown on Schedule “A” and as described below, a waste disposal site shall be permitted and all residential uses are prohibited.
  - a) Part of Lots 19 and 20, Concession 5, Huron as shown on Part H-6.
  - b) Part of Lot 16, Concession 6, Kinloss as shown on Part G-13.
- .2 Within the land zoned **OS-2** as shown on Schedule “A” and as described below, a golf course with clubhouse and maintenance buildings is permitted.
  - a) Part of Lot 36, Concession 12, Huron as shown on Part D-2
  - b) Part of Lots 21 and 22, Range 3 South and Part of Lot 11, Concession 12, Kinloss as shown on Part D-12
- .3 Within the land zoned **OS-3** described as Part of Lots 20, 21, 22, 23, 24 and 25, Range 2, S.D.R. Kinloss, as shown on Schedule “A” and Parts C-11 and C-12 shall only be used for the purpose of a church camp as it existed on the 6<sup>th</sup> day of August, 1985. *(By-law No. 15- 1985).*
- .4 Within the land zoned **OS-4** described as Part of Lot 21, Range 1 South, as shown on Schedule “A”, Part C-12, a wilderness campground to accommodate unserviced campsites for short term use associated with the Silver Lake Campground is permitted.

- .5 Notwithstanding their 'OS1' zoning designation, where lands are designated as 'OS1-4-H' on Schedule 'A' to this By-law, may be used for Institutional purposes, in accordance with the 'OS1' zoning provisions, excepting however that:
- (i) Residential Uses shall be limited to an accessory detached dwelling for the exclusive use of an owner, manager or caretaker and in compliance with the provisions of Section 6.23;
  - (ii) Non-Residential Uses shall be limited to a 'golf course', 'golf driving range'; and buildings, structures and uses accessory to a permitted use;
  - (iii) Non-Residential Uses – Site Regulations: Building Setbacks shall be 30 metres (98.4 feet) from a lot line;
  - (iv) “GOLF COURSE” means a public or private area operated for the purpose of playing golf and may include a miniature golf course, restaurant, maintenance buildings and administration buildings if located on the same property and are considered accessory uses;
  - (v) “GOLF DRIVING RANGE” means an open air recreation facility where the sport of golf is practiced from individual tees and which may include accessory structures to house the tees, a kiosk for golf balls and golf club rentals and a structure from which the golfers tee-off. (2001-89)

## SECTION 12.0 INSTITUTIONAL (I) ZONE

### 12.1 Permitted Uses

Accessory Use  
 Arena  
 Assembly Hall  
 Banquet Hall accessory to a community centre  
 Cemetery  
 Community Centre  
 Day Care Facilities  
 Emergency Services Facilities  
 Government Office  
 Group Home  
 Health Clinic  
 Home For The Aged  
 Hospital  
 Museum  
 Nursing Home  
 Place of Worship  
 Post Office  
 Public Library  
 Recreational Facility  
 Residential Care Facility

### 12.2 Regulations

<u>Provisions</u>	<u>Full Municipal Services</u>	<u>Municipal Water or Sewer</u>	<u>No Municipal Services</u>
Minimum lot area (square metres)	600	1,800	4,000
Minimum lot frontage (metres)	15	30	40
Minimum lot frontage, corner lot (metres)	18	33	43
Minimum front yard (metres)	7.5	7.5	7.5
Minimum rear yard (metres)	10	10	10
Minimum side yard (metres)	1.5	5	5
Minimum exterior side yard (metres)	6.0	6.0	6.0
Minimum ground floor area (square metres)	70	70	70
Maximum building height (metres)	10	10	10
Maximum accessory building height	4	4	4
Maximum lot coverage	30%	20%	10%



### 12.3 Special Provisions

- .1 Within the land zoned **I-1** as shown on Schedule “A” and as described below, a Wastewater Treatment Pumping Station shall be permitted and all other institutional uses are prohibited.
  - a) Part of Lot 15, Concession 7, Huron as shown on Schedule “A-2” Ripley.
  - b) Part of Block P, Mill Site No. 3, Village of Lucknow as shown on Schedule “A-1” Lucknow
- .2 Within the land zoned **I-2** as shown on Schedule “A” and as described below a wastewater treatment facility (lagoon system) shall be a permitted use and all other Institutional uses are prohibited.
  - a) Part of Lot 14, Concession 7, Huron as shown on Schedule “A-2” Ripley.
  - b) Part Lot 54, Concession 1, Kinloss as shown on Schedule “A-1” Lucknow.
- .3 Within the land zoned **I-3** as shown on Schedule “A-2” Ripley notwithstanding a Municipal fire hall and accessory buildings, structures and uses are permitted the I Zone provisions of Section 12.2.
- .4 Within the land zoned **I-4** as shown on Schedule “A-2” Ripley and described as Lot 59 and Part Lots 157 and 158, Registered Plan 142, former Village of Ripley, non-residential uses are permitted in accordance with the provisions of Section 12.2 and the following exceptions:
  - a) the non-residential uses shall be limited to a public library, private club, clinic, post office, government administrative office, a place of worship or park;
  - b) the minimum rear yard shall be 1.524 metres;
  - c) the minimum exterior side yard shall be 0.3 metres
  - d) Section 5.35 Off-Street Parking Requirements shall not apply; and
  - e) a planting area in accordance with Section 5.28 or a solid wood fence shall be constructed along the full length of the rear (westerly) lot line.

(2002-37)

- .5 Within the land zoned **I-5(f)** as shown on Schedule “A-1” Lucknow, hospitals, day care facilities and the residential uses in Section 12.1 are not permitted.
- .6 Notwithstanding their ‘1(f)’ Zoning designation, those lands delineated as ‘**1-6 (f)**’ on Schedule ‘A’ to this By-law may be used in compliance with the ‘I’ zone provisions contained in this By-law, excepting however, that:
- i) A Site Plan Control Agreement shall be registered on title.

*(2009-18)*

## SECTION 13.0 RESIDENTIAL (R1) ZONE

### 13.1 Permitted Uses

Accessory use  
 Bed and Breakfast Establishment  
 Home Business – Domestic and Household Arts  
 Home Business – Professional Uses  
 Single Detached Dwelling

### 13.2 Regulations

<u>Provisions</u>	<u>Lucknow</u>	<u>Ripley</u>	<u>Hamlet</u>
Minimum lot area (square metres)	600	600	4,000
Minimum lot width (metres)	17	18	40
Minimum lot width, corner lot (metres)	20	18	43
Minimum front yard (metres)	7.5	7.5	7.5
Minimum rear yard (metres)	10	10	10
Minimum side yard (metres)	1.5	1.5	1.5
Minimum side exterior yard (metres)	6.0	6.0	7.5
Minimum side yard, unattached garage	3.0	3.0	3.0
Maximum building height (metres)	10	10	10
Maximum accessory building height (metres)	4	4	4
Maximum lot coverage	40%	40%	20%

### 13.3 Special Provisions

- .1 Within the land zoned **R1-1** as shown on Schedule “A”, a Place of Worship shall be permitted in compliance with the Institutional (I) Zone requirements of this By-law.
- .2 Within the land zoned **R1-2** as shown on Schedule “A”, Part J-14, a health and beauty spa is permitted.
- .3 Within the land zoned **R1-3** as shown on Schedule “A”, a converted dwelling and accessory uses and buildings are permitted in compliance with the R1 Zone regulations and the following requirements:
  - a) A home business shall not be permitted as part of any dwelling unit contained within the converted dwelling;
  - b) The minimum gross floor area for a dwelling within a converted dwelling shall be 40 square metres.

- .4 Within the land zoned '**R1-4**' as shown on Schedule "A", Part D-2 (Huronville), a single detached dwelling, detached garage and accessory building is permitted in compliance with the following regulations:
- i) Minimum Lot area of 550 square metres;
  - ii) Minimum lot width of 15 m;
  - iii) Minimum front yard of 5 m;
  - iv) Minimum rear yard of 7.5 m;
  - v) Minimum side yard of 1.5 m for one storey, plus 0.6 m for each additional storey;
  - vi) Minimum exterior side yard of 4 m;
  - vii) Minimum interior side yard, detached garage of 1.5 m;
  - viii) Minimum exterior side yard, detached garage of 3 m;
  - ix) Maximum building height of 8 m;
  - x) Maximum accessory building and detached garage building height of 4 m; and,
  - xi) Maximum lot coverage of 40%. *(2010-101)*
- .5 Within the land zoned **R1-5** as shown on Schedule "A-1" Lucknow and described as Part of Park, Lot 19, Plan 43, Part 10, Plan 3R4334 former Village of Lucknow, the following special provisions apply:
- a) the minimum interior side yard setback shall be 7.6 metres; and
  - b) the minimum exterior side yard shall be 3.0 metres
- .6 Within the land zoned **R1-6** as shown on Schedule "A-2" Ripley the existing truck transportation terminal is permitted.
- .7 Within the land zoned **R1-7** as shown on Schedule "A-2" Ripley and described as Lot 59 and Part of Lots 157 and 158, Registered Plan 142, former Village of Ripley, residential uses are permitted in accordance with the provisions of Section 13.2 and the following provisions:
- a) the minimum lot width shall be 15.5 metres; and
  - b) the minimum front yard shall be 5.79 metres
- .8 Within the land zoned **R1-8** as shown on Schedule "E-11" Kinlough and described as Part Lot 10, Concession 11, Part Lot 131, Registered Plan 231, a kennel is permitted in addition to the residential uses permitted in accordance with the provisions of Section 13.2.
- .9 Notwithstanding their 'R1' Zoning designation, those lands delineated as '**R1-9**' on Schedule "A" to this By-law may be used for purposes in compliance with the 'R1' Zone provisions contained in this by-law, excepting however, that:

- i) The minimum frontage shall be no less than 11.9 metres.  
*(2009-68, Schedule 'A-2' Ripley)*
  
- .9 Notwithstanding their 'R1' zoning designation, those lands delineated as '**R1-9**' on Schedule "A" to this By-Law, may be used for purposes in compliance with the 'R1' zone provisions contained in this by-Law, excepting however, that:
  - i) Minimum lot area shall be no less than 3,689 square metres;
  - ii) Minimum front yard shall be no less than 1.7 metres;
  - iii) Minimum side yard shall be no less than 0.6 metres; and,
  - iv) Minimum rear yard shall be no less than 4 metres.  
*(2010-18, Schedule 'A', Part B-11)*
  
- .10 Notwithstanding their 'R1' Zoning designation, those lands delineated as '**R1-10**' on Schedule "A" to this By-law may be used for the purposes in compliance with the 'R1' Zone provisions contained in this by-law, excepting, however, that:
  - i) The minimum exterior side yard shall be no less than 4.5 metres;  
*(2009-68, Schedule 'A-2' Ripley)*
  
- .11 Notwithstanding their 'R1' Zoning designation, those lands delineated as '**R1-11**' on Schedule "A" to this by-law, may be used for purposes in compliance with the 'R1' Zone provisions contained in this By-law, excepting however, that:
  - i) The minimum front yard shall be no less than 4.5 metres and the minimum rear yard shall be no less than 1.5 metres.  
*(2009-68, Schedule 'A-2' Ripley)*

## SECTION 14.0 RESIDENTIAL (R2) ZONE

### 14.1 Permitted Uses

Accessory use  
Bed and Breakfast Establishment  
Single Detached dwelling  
Duplex dwelling  
Group home  
Home Business – Domestic and Household Arts  
Home Business – Professional Uses  
Semi-detached Dwelling  
Triplex Dwelling

### 14.2 Regulations

<u>Provisions</u>	<u>Detached/Semi-detached dwelling</u>	<u>Duplex dwelling</u>	<u>Triplex dwelling</u>
Minimum lot area (square metres)	500 (per unit)	800	1000
Minimum lot width (metres)	12 (per unit)	35	35
Minimum lot width, corner lot (metres)	15	40	40
Minimum front yard (metres)	7.5	7.5	7.5
Minimum rear yard (metres)	10	10	10
Minimum side yard (metres)	1.5	1.5	1.5
Minimum side exterior yard (metres)	6.0	7.5	7.5
Maximum building height (metres)	10	10	10
Maximum accessory building height (metres)	4	4	4
Maximum lot coverage	40%	30%	30%

### 14.3 Special Provisions

## SECTION 15.0 RESIDENTIAL (R3) ZONE

### 15.1 Permitted Uses

Accessory Use  
 Apartment Dwelling  
 Group Home  
 Townhouse – Cluster  
 Townhouse – Freehold

### 15.2 Regulations

<u>Provisions</u>	<u>Street Townhouse</u>	<u>Cluster Townhouse</u>	<u>Apartment</u>
Minimum lot area (square metres)	300 (per unit)	300 (per unit)	275 (per unit)
Minimum lot frontage (metres)	6 (per unit)	30 (per unit)	30 (per unit)
Minimum lot frontage, corner lot (metres)		35	35
Minimum front yard (metres)	7.5	7.5	10
Minimum rear yard (metres)	10	10	10
Minimum side yard (metres)	1.5	5	8
Minimum side exterior yard (metres)	6.0	6.0	7.5
Maximum building height (metres)	10	10	15
Maximum accessory building height (metres)	4	4	4
Maximum lot coverage	40%	50%	50%

### 15.3 Special Provisions

- .1 Within the land zoned **R3-1** as shown on Schedule “A-2” Ripley and described as Part Lot 232 Park Street S/S, Plan 252, former Village of Ripley,, may be used for four-plex dwellings in accordance with the R3 zone provisions for apartment dwellings with the following exceptions:
  - a) the minimum lot width shall be 25.4 metres;
  - b) the minimum east side yard shall be 4.9 metres and the minimum west side yard shall be 7.2 metres;
  - c) the minimum rear yard shall be 1.8 metres;
  - d) the minimum front yard setback shall be 8.8 metres;

- e) the maximum lot coverage shall be 37.3%;
  - f) a “planting area” shall be located along the east side and front lot lines;
  - g) Section 5.35.9 Off-street Parking Requirements – Landscaping shall not apply;
- .2 Within the land zoned **R3-2** as shown on Schedule “A-2” Ripley and described as Part Lot 232, Park Street S/S, Plan 252, former Village of Ripley, may be used for four-plex dwellings in accordance with the R3 Zone provisions for apartment dwellings with the following exceptions:
- a) the minimum lot width shall be 5.0 metres;
  - b) the minimum east side yard setback shall be 4.9 metres;
  - c) the minimum rear yard setback shall be 8.8 metres;
  - d) the minimum setback from the front lot line shall be 1.8 metres
  - e) the “front lot line” shall be defined as that lot line separating land zoned “R3-1” from “R3-2” and located parallel to Park Street;
  - f) the maximum lot coverage shall be 27.2%
  - g) a “planting area” shall be located along the east side and rear lot lines;
  - h) Section 5.35.9 Off-street Parking Requirements – Landscaping shall not apply;
- .3 Notwithstanding their ‘R3-Zoning designation, those lands delineated as ‘**R3-3**’ on Schedule ‘A’ to this by-law shall be used in compliance with the ‘R3’ zone provisions for apartment dwellings contained in this By-law, excepting, however, that:
- i) The minimum front yard setback shall be no less than 6.4m;
  - ii) The minimum rear yard setback shall be no less than 1.8m;
  - iii) Notwithstanding *Section 5.35.9 Landscaping*, a ‘planting area’ shall be located along the east side yard lot line and front lot lines; and,
  - iv) The lands shall be subject to Site Plan Control.
- (2007-46, Schedule ‘A-2’ Ripley)*
- .4 Notwithstanding their ‘R3’ Zoning designation, those lands delineated as ‘**R3-4**’ on Schedule ‘A’ to this By-law shall be used in accordance with the ‘R3’ zone provisions for apartment dwellings excepting however that:



- i) The minimum setback from the front lot line shall be no less than 4.1m;
- ii) The 'front lot line' shall be defined as that lot line separating lands zoned 'R3-3' from 'R3-4' and located parallel to Park Street;
- iii) The minimum rear yard setback shall be no less than 4.1m;
- iv) Notwithstanding Section 5.35.9 Landscaping, a 'planting area' shall be located along the east side and rear lot lines; and,
- v) The lands shall be subject to Site Plan Control.

*(2007-46, Schedule 'A-2' Ripley)*

.5 Notwithstanding their 'R3' Zoning designation, those lands delineated as '**R3-5**' on Schedule "A" to this by-Law, may be used for purposes in compliance with the 'R3' zone provisions contained in this by-law, excepting however, that:

- i) Minimum rear yard shall be no less than 2 metres;
- ii) Minimum side yard shall be no less than 3 metres; and,
- iii) The lands shall be subject to Site Plan Control.

*(2010-47, Schedule 'A-2' Ripley)*

## SECTION 16.0 LAKESHORE RESIDENTIAL (LR) ZONE

### 16.1 Permitted Uses

Accessory Uses  
Home Business – Domestic and Household Arts  
Home Business – Professional Uses  
Single Detached Dwelling

### 16.2 Regulations

Minimum lot area, municipal water (square metres)	1,850
Minimum lot area, private services (square metres)	6,000
Minimum lot frontage (metres)	30
Minimum front yard (metres)	7.5
Minimum rear yard (metres)	7.5
Minimum side yard (metres)	3.0
Maximum building height (metres)	8
Maximum lot coverage	30%

- .1 Unless otherwise provided for in this by-law, no accessory building shall be used for human habitation.
- .2 An accessory building less than 10 square metres shall be located in an interior side yard no closer than 1 m and exterior side yard no closer than 3 m and greater than 10 square metres shall be located in an interior side yard no closer than 1.5 m and exterior side yard no closer than 3 m;
- .3 The maximum building height for an accessory building shall be 4 m. (2010-101)

### 16.3 Special Provisions

- .1 Within the land zoned **LR-1** as shown on Schedule “A” and as shown on Part G-1, buildings will be permitted on lots fronting a private road and the application of all regulations for the Lakeshore Residential (LR) Zone shall apply in the same manner as a lot fronting on a public street.
- .2 Within the LR and LR-1 zones detached accessory buildings designed and used only for the storage of boats and boating accessories, and located on lots which adjoin a body of water, shall not require a rear yard setback but shall comply with all other provisions of this By-Law.

- .2 Notwithstanding their 'LR' Zoning designation, those lands delineated as '**LR-2**' on Schedule "A" to this By-law may be used for purposes in compliance with the 'LR' zone provisions contained in this By-Law, excepting however, that:
- i) The minimum lot frontage shall be no less than 29 metres.  
*(2009-59, Schedule 'A', Part F-1)*
- .3 Notwithstanding their 'LR' zoning designation, those lands delineated as '**LR-3**' on Schedule "A" to this by-law may be used for purposes in compliance with the 'LR' zone provisions contained in this by-law, excepting however, that:
- i) The minimum rear yard shall be as existed at the date of passage of the by-law, and;
  - ii) the minimum side yard shall be as existed at the date of passage of the by-law.  
*(2011-34, Schedule 'A', Part J-1)*

## SECTION 17.0 LIFESTYLE COMMUNITY RESIDENTIAL (LCR) ZONE

### 17.1 Permitted Uses

Accessory Uses  
 Associated Community Facilities  
 Land Lease Community  
 Land Lease Community Home  
 Mobile Home  
 Mobile Home Park  
 Single Detached Dwelling

### 17.2 Regulations

<u>Provisions</u>	<u>Condominium/Land Lease</u>
<b>Community</b>	
Minimum lot area	
Minimum lot width (metres)	15
Minimum front, exterior side and rear yards (metres)	
Minimum open space	
Maximum density	
<b>Dwellings</b>	
Minimum lot area (square metres)	465
Minimum lot width (metres)	15
Minimum front exterior side yard (metres)	6.0
Minimum side yard (metres)	1.5
Minimum rear yard (metres)	7.5
Maximum building height (metres)	8
Minimum ground floor area (square metres)	
Maximum ground floor area	
Maximum lot coverage	40%

<u>Provisions</u>	<u>Mobile Home Park</u>
<b>Community</b>	
Minimum lot area	4 ha
Minimum lot width (metres)	30
Minimum front, exterior side and rear yards (metres)	7.5
Minimum open space	10%
Maximum density	25 mh/ha
<b>Dwellings</b>	

Minimum lot area (square metres)	550
Minimum lot width (metres)	12
Minimum front exterior side yard (metres)	5
Minimum side yard (metres)	2
Minimum rear yard (metres)	3
Maximum building height (metres)	5
Minimum ground floor area (square metres)	40
Maximum ground floor area	
Maximum lot coverage	20%

17.3 Additional Provisions – Community Development

- .1 All lifestyle community development will:
- a) be subject to the requirements of Section 41 of the Planning Act;
  - b) provide communal or municipal water supply, sewage disposal and stormwater management facilities; and
  - c) provide a “private access right-of-way” which provides access from a public road to each unit to accommodate emergency services, the design to be approved by the Township

17.4 Special Provisions

- .1 Within the land zoned **LCR-1-H** as shown on Schedule “A” and Part D-2, a Land Lease Community consisting of 150 single detached dwellings and associated community facilities is permitted in accordance with the provisions set out below: *(By-law 2005-96)*

a) Permitted Uses

The permitted uses shall be limited to:

Accessory Uses  
Associated Community Facilities  
Home Occupation, Professional Use  
Home Occupation, Domestic and Household Arts  
Land Lease Community  
Land Lease Community Home  
Park

b) Definitions

All reference to “lot lines” shall mean the boundaries of a “Community Land Lease Home Lot”

All references to “Community Land Lease Home Lot” shall mean “Lot” unless otherwise specified in this by-law.

A “Private Access Right-of-Way” shall be defined as a “Street” for the purposes of lot width and yard setbacks for all buildings and structure.

c) Regulations

Minimum total lot area	22.3 hectares
Minimum Land Lease Community Home Lot Area	437m <sup>2</sup>
Minimum Land Lease Community Lot Home Width <sup>1</sup>	1.8m
Maximum Lot Coverage	30%

d) Accessory Structures

Accessory buildings and structures for “Land Lease Community Home Lots” will be limited to one per lot and a maximum floor area of 9.3m<sup>2</sup>

e) Environmental Protection Zone Setback

All buildings and structures shall be located in accordance with the provisions of Section 5.25 Watercourse and Municipal Drain Setbacks. For the purposes of this By-law, a pond, lake or other open body of water shall be considered to be a “Watercourse”.

f) Holding Provision

The “H” holding provision may be removed once the following conditions have been met:

- 1) A statement from Ontario Ministry of Natural Resources that all requirements of the Aggregate Resources Act, or related legislation, have been complied with and the Aggregate Resources Act Licence #P853186 (4529) has been surrendered; and
- 2) The “H – Holding Provision” shall not be removed from Units 1-4 inclusive, Units 58-63 inclusive and Units 82 & 83 until such time as the Ontario Ministry of the Environment has given approval of a noise report. The Noise Report shall demonstrating whether or not it is technically feasible to attenuate sound at sources necessary to meet MOE’s criteria and shall address compatibility issues

between the proposed residential uses and the adjacent aggregate extraction operation (Bannerman Contracting). Alternatively, the “H – Holding Provision” maybe removed from the above referenced Units provided that Aggregate Resources Act Licence #P853762 (4741) has been surrendered and all other “H” conditions have been satisfied; and

- 3) A Site Plan Control Agreement has been registered on title; and
- 4) A Development Agreement between the Township of Huron-Kinloss and the applicant has been entered into.

**SECTION 18.0 GENERAL COMMERCIAL (GC) and VILLAGE COMMERCIAL (VC)  
(Lucknow and Ripley) ZONES**

18.1 Permitted Uses

Accessory use  
 Adult education centre  
 Assembly hall  
 Automobile rental establishment  
 Business or professional office  
 Caterer establishment  
 Clinic  
 Commercial college or school  
 Day care  
 Dry cleaning establishment  
 Financial institution  
 Food or grocery store  
 Funeral Home  
 General store  
 Government administration building  
 Laundromat  
 Liquor retail outlet  
 Motel, hotel or lodge  
 Parking lot, enclosed or unenclosed  
 Personal service shop  
 Place of entertainment  
 Post office  
 Public transportation depot and bus stop  
 Recreational vehicle and small engine sales and service establishment  
 Restaurant  
 Retail store  
 Veterinary clinic

18.2 Regulations

<u>Provisions</u>	<u>Full Municipal Services</u>	<u>Municipal Water</u>	<u>No Municipal Services</u>
Minimum lot area (square metres)	500	1,400	4,000
Minimum lot frontage (metres)	9	30	40
Minimum lot frontage, corner (metres)	15	33	43
Minimum front yard (metres)	0	0	7.5
Minimum side yard (metres)	0	3	5
Minimum side yard, exterior (metres)	6	7.5	7.5



Minimum rear yard (metres)	10	10	10
Maximum building height (metres)	10	10	10
Maximum lot coverage	50%	30%	20%
Minimum gross floor area for retail (square metres)	70	70	70

### 18.3 Special Provisions

- .1 The regulations for the VILLAGE COMMERCIAL (VC) Zone are the same as those found in Section 18.2 under the Full Municipal Services column. (2009-71)
- .2 Within the lands zoned 'VC-1' on Schedule "A" to this By-Law, the following provisions shall apply:

i) Permitted Uses

'Adult education centre', 'apartment dwelling', 'assembly hall', 'business or profession office', 'caterer establishment', 'clinic', 'commercial school or college', 'day care facility', 'dry cleaning establishment', 'financial institution', 'food or grocery store', 'general store', 'government administration building', 'laundromat', 'liquor store', 'personal service shop', 'place of entertainment', 'post office', 'restaurant', and 'retail store'.

- ii) For the 'VC-1' zone, a 'commercial business' will be permitted on the 1<sup>st</sup> storey facing a street and in the basement storey facing the rear yard. All dwelling units shall be above the 1<sup>st</sup> storey or on the 1<sup>st</sup> storey at the rear or side yard, directly above the commercial business.

- iii) No more than 25% of a commercial business shall be used as a dwelling unit and only the operator of the commercial business shall occupy the dwelling unit. A Change-of-Use permit will be required from the Chief Building Official prior to the creation of the dwelling unit.

iv) Regulations

<b>Provisions</b>	<b>Full Municipal Services</b>
Minimum lot area (square metres)	1,450
Minimum lot frontage, corner (metres)	30
Minimum front yard (metres)	9
Minimum side yard (metres)	4.5
Minimum side yard, exterior (metres)	0
Minimum rear yard (metres)	0
Maximum building height (metres)	16
Maximum lot coverage	60%

Minimum gross floor area for retail (square metres)	35
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- v) Despite the provisions of Section 5.35.1, the minimum off-street parking requirement for a ‘dwelling unit’ shall be 1 space per unit.  
(2009-71, Schedule ‘A-2’ Ripley)

.3 Within lands zoned ‘VC-2’ on Schedule “A” to this By-law, the following provisions shall apply:

- i) Permitted Uses  
‘Adult education centre’, ‘apartment dwelling’, ‘assembly hall’, ‘business or professional office’, ‘caterer establishment’, ‘clinic’, ‘commercial school or college’, ‘day care facility’, ‘dry cleaning establishment’, ‘financial institution’, ‘food or grocery store’, ‘general store’, ‘government administration building’, ‘laundromat’, ‘liquor store’, ‘personal service shop’, ‘place of entertainment’, ‘post office’, ‘restaurant’ and ‘retail store’.
- ii) For the ‘VC-2’ zone, a ‘commercial business’ will be permitted on the 1<sup>st</sup> storey facing a street and in the basement storey. All dwelling units shall be above the 1<sup>st</sup> storey or on the 1<sup>st</sup> storey, directly above a commercial use.
- iii) No more than 25% of a ‘commercial business’ shall be used as a dwelling unit and the operator of the commercial business shall only occupy the dwelling unit. A Change-of-Use permit will be required from the Chief Building Official prior to the creation of the dwelling unit.
- iv) Regulations:

Provisions	Full Municipal Services
Minimum Lot Area (square metres)	1,120
Minimum lot frontage (metres)	29
Minimum front yard (metres)	8
Minimum side yard (metres)	0
Minimum rear yard (metres)	0
Maximum building height (metres)	16
Maximum lot coverage	50%
Minimum gross floor area for retail (square metres)	35

- v) Despite the provisions of Section 5.35.1, the minimum off-street parking requirement for a dwelling unit shall be 1 space per unit.  
(2009-71, Schedule ‘A-2’ Ripley)

.4 Within the land zoned ‘VC-3’ on Schedule “A” to this by-law the following provisions shall apply:

- i) Permitted Uses  
Hotel, restaurant, retail store and personal service shop
- ii) Regulations

Provisions	Full Municipal Services
Minimum lot area (square metres)	415
Minimum lot frontage (metres)	9
Minimum front yard (metres)	0
Minimum side yard (metres)	0
Minimum rear yard (metres)	6
Maximum building height (metres)	15
Maximum lot coverage	75%
Minimum gross floor area for retail (square metres)	35

- iii) Despite the provisions of Section 5.35.1, the minimum off-street parking requirement for a ‘hotel’ shall be 1 space per unit.  
*(2009-72, Schedule ‘A-2’ Ripley)*

.5 Within the land zoned ‘VC-4’ on Schedule “A” to this by-law, the following provisions shall apply;

- i) Permitted Uses  
  
‘Adult education centre’, ‘apartment dwelling’, ‘assembly hall’, ‘business or professional office’, ‘caterer establishment’, ‘clinic’, ‘commercial school or college’, ‘day care facility’, ‘dry cleaning establishment’, ‘financial institution’, ‘food or grocery store’, ‘general store’, ‘government administration building’, ‘laundromat’, ‘liquor store’, ‘personal service shop’, ‘place of entertainment’, ‘post office’, ‘restaurant’ and ‘retail store’.
- ii) For the ‘VC-4’ zone, commercial uses will be permitted on the 1<sup>st</sup> storey facing a street and in the basement storey facing the rear and interior side yards. All dwelling units shall be above the 1<sup>st</sup> storey or on the 1<sup>st</sup> storey, directly above a commercial use.
- iii) No more than 25 % of a commercial business unit shall be used as a dwelling unit and the operator of the commercial business shall only occupy the dwelling unit. A Change-of-Use permit will be required from the Chief Building Official prior to the creation of the dwelling unit.

iv) Regulations

<b>Provisions</b>	<b>Full Municipal Services</b>
Minimum lot area (square metres)	105
Minimum lot frontage, corner (metres)	10.1
Minimum front yard (metres)	0
Minimum side yard (metres)	0
Minimum side yard, exterior (metres)	0
Minimum rear yard (metres)	0
Maximum building height (metres)	15
Maximum lot coverage	100%
Minimum gross floor area for retail (square metres)	35

- v) Despite the provisions of Section 5.35.1, the minimum off-street parking requirements for a dwelling unit shall be 1 space per unit.  
*(2009-72, Schedule 'A-2' Ripley)*
- .6 Within the land zoned as 'VC-5' on Schedule "A" to this by-law, only the following use shall be permitted:
- i) Permitted Uses  
Parking Lot *(2009-72, Schedule 'A-2' Ripley)*
- .7 Within the land zoned as 'VC-6' on Schedule "A" to this By-law, only the following uses shall be permitted:
- i) Permitted Uses  
'Adult education centre', 'assembly hall', 'business or professional office', 'caterer establishment', 'commercial school or college', 'day care facility', 'financial establishment', 'government administration building', 'laundromat', 'personal service shop', 'place of entertainment', 'post office', 'restaurant' and 'retail store'. *(2009-72, Schedule 'A-2' Ripley)*

## SECTION 19.0 SERVICE COMMERCIAL (SC) and HIGHWAY COMMERCIAL (HC) ZONES

### 19.1 Permitted Uses

Accessory use  
 Automobile car wash  
 Automobile gas bar  
 Automobile rental establishment  
 Automobile repair establishment  
 Automobile sales establishment  
 Automobile service station  
 Convenience store  
 Drive-in theatre  
 Motel, hotel or lodge  
 Nursery  
 Place of Entertainment  
 Rental establishment  
 Restaurant  
 Travel trailer sales establishment  
 Wholesale establishment

### 19.2 Regulations

<u>Provisions</u>	<u>Full Municipal Services</u>	<u>Municipal Water</u>	<u>No Municipal Services</u>
Minimum lot area (square metres)	2,000	3,000	4,000
Minimum lot frontage (metres)	30	30	40
Minimum front yard (metres)	15	20	20
Minimum side yard (metres)	4.5	10	10
Minimum rear yard (metres)	6	9	10
Maximum building height (metres)	10	10	10
Maximum lot coverage	20%	20%	20%
Minimum gross floor area for retail (square metres)	60	60	60
Maximum gross floor area for retail (square metres)	500	500	500

### 19.3 Special Regulations

- .1 The regulations for the HIGHWAY COMMERCIAL (HC) Zone are the same as those found in Section 19.2.

- .2 Notwithstanding their 'SC' Zoning designation, those lands delineated as 'SC-1' on Schedule "A" to this By-law may be used for purposes in compliance with the 'SC' zone provisions contained in this by-law, excepting however, that:
- i) 'Tradesman or contractor's establishment' and 'travel trailers sales/ service establishment' shall be permitted uses in addition to all other 'SC' permitted uses;
  - ii) Minimum front yard shall be no less than existed at the date of passage of the zoning by-law.
  - iii) Minimum side yard shall be no less than 1.5 metres; and
  - iv) Section 5.35.9 Landscaping shall apply. *(2011-50, Schedule 'A', Part J-2)*
- .3 Notwithstanding their 'HC' Zoning designation, those lands delineated as 'HC-1' on Schedule "A" to this By-Law may be used for purposes in compliance with the 'HC' zone provisions contained in this By-law, excepting however, that:
- i) The minimum side yard setback shall be as existed on the date of passage of the zoning by-law. *(2011-93, Schedule 'A-1' Lucknow)*

## SECTION 20.0 RURAL COMMERCIAL (RC) ZONE

### 20.1 Permitted Uses

Accessory use

Establishment for the sale, repair and servicing of agricultural implements

Veterinary clinic and office

### 20.2 Regulations

<u>Provisions</u>	
Minimum lot area (square metres)	4,000
Minimum lot frontage (metres)	30
Minimum front yard (metres)	15
Minimum side yard (metres)	5
Minimum rear yard (metres)	10
Maximum building height (metres)	10
Maximum lot coverage	20%
Maximum gross floor area for retail (square metres)	500

### 20.3 Special Provisions

## SECTION 21.0 RESORT/RECREATIONAL COMMERCIAL (RRC) ZONE

### 21.1 Permitted Uses

Accessory use  
Campground  
Commercial recreation  
Marina  
Motel, hotel or lodge  
Park  
Private clubs and day camps  
Restaurant  
Tent  
Travel trailers  
Tourist lodging, cabins, and cottages

### 21.2 Regulations

<u>Provisions</u>	
Minimum lot area (square metres)	4,000
Minimum lot frontage (metres)	30
Minimum front yard (metres)	15
Minimum side yard (metres)	15
Minimum rear yard (metres)	15
Maximum building height (metres)	10
Maximum density of campsites (per hectare)	30
Minimum campsite area (square metres)	232
Minimum campsite frontage (metres)	15

### 21.3 Special Provisions

- .1 Within the land zoned **RRC-1-H** described as Lot 25 and Block “A”, Range 3, S.D.R., Kinloss, as shown on Schedule “A” and Part D-12 known as Fisherman’s Cove Park.

In addition to the permitted uses in Section 20.1, a Four-Season Recreational Resort is permitted subject to the following definitions, uses and regulation:

- a) Notwithstanding the definition of “Four Season Recreational Resort” in Section 4.0, the owners of the property plus six (6) full time employees may reside permanently within the park;
- b) Accessory buildings and structures are permitted;
- c) A maximum of 700 sites are permitted;



- d) No site, building, structure or sewage system shall be located closer than 30 metres to the high water mark of Otter Lake;
- e) The development of this recreational resort and commercial campground shall be serviced by private communal water and sewage disposal systems;

f) The Holding (H) Zone may be removed and future building permits issued once a comprehensive development plan has been approved by the Township, all required permits or certificates obtained for the water and sewage disposal systems and any required Environmental Impact Study approved by the Township and Conservation Authority.

.2 Within the land zoned **RRC-2** described as Part of Lots 19 and 20, Lots 21 to 26, Range 2, S.D.R. Kinloss as shown on Schedule "A", Part C-11 and C-12 known as the Silver Lake Campground, only the following uses are permitted:

- a) A seasonal campground;
- b) A maximum of 21 existing seasonal cottages; and
- c) A maximum of 110 travel trailer sites.

## SECTION 22.0 GENERAL INDUSTRIAL (MI) ZONE

### 22.1 Permitted Uses

Abattoir  
Accessory use  
Automotive wrecking establishment  
Cement manufacturing  
Emergency Services Facilities  
Establishment for storage, grading and handling of seed, feed, fertilizer and farm products with sale office  
Fuel storage  
Industrial uses  
Open storage accessory to primary use  
Repair and servicing of agricultural equipment and implement  
Terminals for storage and handling of freight  
Transportation, communications and public works yard and terminal  
Warehouse  
Warehouse, mini storage

### 22.2 Regulations

Provisions	<u>Full Municipal Services</u>	<u>Municipal Water</u>	<u>No Municipal Services</u>
Minimum lot area (square metres)	1,850	3,000	4,000
Minimum lot frontage (metres)	20	30	40
Minimum front yard (metres)	9	9	9
Minimum side yard (metres)	3	3	3
Minimum rear yard (metres)	7.5	7.5	7.5
Maximum lot coverage	20%	20%	20%
Minimum ground floor area (square metres)			
Maximum building height (metres)	10	10	10

### 22.3 Special Provisions

## SECTION 23.0 LIGHT INDUSTRIAL (ML) ZONE

### 23.1 Permitted Uses

Accessory use  
Bulk sales establishment  
Construction contractor's yard  
Light manufacturing  
Non-effluent industry  
Utility yard and terminal  
Warehouse  
Warehouse, mini storage  
Wholesale use

### 23.2 Regulations

Provisions	<u>Full Municipal Services</u>	<u>Municipal Water</u>
Minimum lot area (square metres)	1,500	2,000
Minimum lot frontage (metres)	30	40
Minimum front yard (metres)	15	15
Minimum side yard (metres)	5	5
Minimum rear yard (metres)	10	10
Maximum lot coverage	30%	30%
Minimum ground floor area (square metres)	70	70
Maximum building height (metres)	15	15

### 23.3 Special Provisions

- .1 Within the land zoned **ML-1(f)** as shown on Schedule "A-7", the establishment for the storage, grading and handling of seed, feed and fertilizer, together with an accessory office is permitted.

## SECTION 24.0 RURAL INDUSTRIAL (MR) ZONE

### 24.1 Permitted Uses

Accessory use

Builders and contractors yards and building supplies

Establishment for the repair and servicing of agricultural implements and equip.

Establishment for storage, grading and handling of seed, feed, fertilizer, and farm produce, together with a sale office for such products

Fuel storage establishments

Industrial uses including only machine shops, welding shops, wood fabricating and cement fabricating operations

Terminals for the storage and handling of freight

Open storage accessory to permitted use

### 24.2 Regulations

Provisions	<u>One or More Communal Service</u>	<u>No Services</u>
Minimum lot area (square metres)	2,000	4,000
Minimum lot frontage (metres)	30	30
Minimum front yard (metres)	15	15
Minimum side yard (metres)	5	5
Minimum rear yard (metres)	10	10
Maximum lot coverage	30%	20%
Maximum building height (metres)	15	15
Minimum ground floor area 70 metres	70	70
<u>Special Provisions</u>		

### 24.3 Special Provisions

- .1 Within the land zoned **MR-1** as shown on Schedule “A” and described as Part of the West Half of Lot 10, Concession 8, Kinloss, a buggy repair shop is a permitted use.
- .2 Notwithstanding their ‘MR’ Zone designation, those lands delineated as ‘**MR-2**’ on Schedule “A” to this by-law, may be used for purposes in compliance with the ‘MR’ zone provisions contained in this by-law, excepting however, that:
  - i) A ‘produce auction facility’ shall be a permitted use in addition to all other permitted uses of the zone.
  - ii) For the purposes of this by-law, a ‘produce auction facility’ shall mean lands, buildings and/or structures used for the purpose of selling and buying of fruit, vegetables and flowers for wholesale purposes but not

include processed foods. The use shall also include an administration office and open outdoor storage limited to the operation of the facility.

*(2010-106, Schedule 'A', Part H-12)*

This By-law takes effect from the date of passage by Council and comes into force and effect pursuant to the provision of the Planning Act, 1990.

This by-law may be cited as the “Comprehensive Zoning By-law.”

**READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED** this 17<sup>th</sup> day of September, 2001.

Original Signed by Mayor Reavie  
Stu Reavie  
**MAYOR**

Original Signed by Clerk Haight  
Laura Haight  
**CLERK**