

TOWNSHIP OF HURON - KINLOSS

ZONING BY-LAW



DRAFT
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SECTION 1 – INTRODUCTION & TITLE

1.1 Introductory Statement

This document is the Township of Huron-Kinloss Comprehensive Zoning By-law XX/2017, as amended. The By-law replaces all previous Zoning By-laws in the jurisdiction, as amended. **[New]**

1.1.1 Purpose of a Zoning By-Law

A Comprehensive Zoning By-law is a precise document used by the Township of Huron-Kinloss (the Township) to regulate the use of land. It states which land uses are currently permitted in the Township and provides other detailed information.

The Township's Zoning By-law implements the objectives and policies of the County of Bruce Official Plan and Township of Huron-Kinloss Official Plan. The Zoning By-law acts as a legal tool under Ontario's Planning Act for managing the use of land and future development in the Township. Zoning By-laws also protect property owners from the development of conflicting land uses. Any use of land or the construction or use of any building or structure not specifically authorized by this By-law is prohibited. **[New]**

1.2 Title

This By-law shall be known as the "ZONING BY-LAW" of the Corporation of the Township of Huron-Kinloss. **[Modified from Section 1.0]**

SECTION 2 – ADMINISTRATION & ZONES

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. **[No change from Section 2.1]**

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. **[No change from Section 2.2]**

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to be the intention that all the remaining provisions of the said By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions shall have been declared to be invalid. **[No change from Section 2.3]**

2.4 Contravention & Penalties

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 which the contravention has continued after the day on which the person was first convicted.

Where a corporation is convicted, 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.

Penalties imposed by conviction under this Section shall be recoverable under the Provincial Offenses Act. **[No change from Section 2.5]**

2.5 Licenses and Permits

No person is entitled to a permit, certificate or license 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. **[No change from Section 2.6]**

2.6 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, or 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 license, permit, authority or approval required by the Corporation or any other public agency or government body. **[No change from Section 2.7]**

2.7 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. **[No change from Section 2.8]**

2.8 Person Designated To Administer By-Law

This By-law is passed pursuant to Section 34 of the Planning Act, R.S.O, 1990, as amended and shall be administered and enforced by such person or persons as shall be appointed from time to time by By-law of the Corporation as the 'Chief Building Official' or the 'By-law Enforcement Officer or Municipal Law Enforcement Officer'. **[New]**

2.9 Zones and Zoning Maps

For the purpose of this By-law, the maps attached hereto as Schedule "A" shall be referred to as the Zoning Maps for the Township and are hereby declared to form part of this By-law. The following Zones are hereby established as illustrated on the maps attached hereto as Schedule "A", such Zones may be referred to by the appropriate symbol:

ZONES	SYMBOLS
General Agriculture	AG1
Agricultural Industrial/Commercial	AG2
Agricultural Residential	AG3
Rural	RU
Environmental Protection	EP
Open Space	OS
Residential One	R1
Residential Two	R2
Residential Three	R3
Lifestyle Community Residential	LCR
General Commercial	GC
Highway Commercial	HC
Hamlet Mixed-Use	HMU
Resort/Recreational Commercial	RRC
Institutional	I
Light Industrial	M1
General Industrial	M2
Extractive Resource	ER
Future Development	FD

[Modified from Section 3.1]

2.10 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:

1. 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 centerline of the highway, street, lane, railway right-of-way or watercourse.
2. 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.
3. 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.
4. 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.
5. Where any zone boundary is left uncertain after application of the provisions of subsections 1-4 above, then the boundary shall be determined by the use of the scale shown on the Zoning Schedules.
6. 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 a change of land use, subdivision of land and application for a building permit without an amendment to this by-law.
7. Wherever it occurs, the municipal limit of the Corporation is deemed to be the boundary of the zone extending to it. **[No Change from Section 3.2]**

In the event that a street, lane, private road, or road allowance, shown on the zone maps, is closed the lands formerly in said street, lane, private road or road allowance shall be included within the zone of the adjoining property on either side of said closed street, lane, private road, or road allowance unless:

- a) The said street, lane, private road, or road allowance was a zone boundary between two or more different zones, in which case the new zone boundary shall be the former centreline of the closed street, lane, private road, or road allowance; or
- b) The land formerly included in such street, lane, private road, or road allowance is purchased in its entirety by an abutting landowner, in which case the land shall be included in the same zone as that of the abutting landowner purchasing said land.

[New]

2.11 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 the By-law. 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. **[No Change from Section 3.3]**

2.12 Holding Zones

Where the Zone symbol applying to certain lands as shown on Schedule "A" is followed by the letter "H" in parentheses (i.e. R1 (H)) the lands have been placed in a "Holding Zone" pursuant to Section 36 of the Planning Act, as amended. The Holding Symbol "H" shall be removed at such time in the future when plans to develop the lands have been submitted and approved by the Corporation or such other conditions as deemed appropriate by the Corporation have been met in accordance with Section 6.6 of the Bruce County Official Plan and Section 5.5 of the Huron-Kinloss Official Plan. When the Holding Symbol has been removed, the lands shall be developed according to the requirements of the Zone used in conjunction with the Holding Symbol.

Notwithstanding the above, non-structural agricultural uses, existing uses, open space uses, an existing detached dwelling, and accessory uses thereof, shall be permitted as interim uses on lands in a "Holding Zone", until the Holding Symbol "H" is removed. **[Modified from Section 3.4]**

H1 Notwithstanding their underlying zoning designation, on those lands identified as being subject to the "H1" Holding zone, lot grading; excavation; and/or construction shall not be permitted unless the Holding (H1) zone provision is removed. The area of the H1 zone that may be lifted shall be limited to the area included in the assessment and may only be removed by Council upon:

- 1) Approval by the Zoning Administrator of an Archaeological Assessment which has been:
 - a. Conducted by an archaeologist licensed in the Province of Ontario; and
 - b. Confirmed by the appropriate Ministry to have been accepted into the Ontario Public Register of Archaeological Reports and,
- 2) Confirmation to the satisfaction of the Zoning Administrator that the recommendations of the archaeological report (if any) have been implemented. **[Existing Section 3.4.1]**

2.13 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. **[No change from Section 3.5]**

2.14 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. This 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 Conservation Authority. **[No change from Section 3.6]**

2.15 Technical Revisions to the Zoning By-law

Technical revisions may be made to this By-law from time to time without further public notice or Council approval. Technical revisions include:

- a) Correction of numbering, cross-referencing, grammar, punctuation or typographical errors or revisions to format in a manner that does not change the intent of a regulation; or
- b) Adding or revising technical information on maps or schedules that does not affect the zoning of lands. **[New]**

2.16 Transition: Minor Variances

All applications approved by the Township of Huron-Kinloss Committee of Adjustment under Section 45 of the Planning Act prior to the date this by-law was passed remain effective for a further 24-month period provided all the conditions of the approval are met. **[New]**

SECTION 3 – DEFINITIONS

In this By-law, unless to 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.

A

“**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. **[No Change]**

“**Accessory**”, shall mean a use, building or structure located on the same lot, detached from the main building, which is subordinate and incidental to the main use and is not used for human habitation unless specifically permitted in this By-law. Such uses shall include, but are not limited to, a private garage, a greenhouse, a pool, a satellite dish, or a storage building. **[Modified]**

“**Agriculture**”, shall mean the use of land, buildings, and structures for the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment. Agriculture does not include a kennel. **[Modified]**

“**Agricultural Service Establishment**”, shall mean the buying or selling of commodities and services that support agricultural uses and shall include the sales and service of welding and machinery repair, farm drainage and excavation, well drilling, custom spraying, tillage, planting, harvesting and grading services. **[New]**

“**Agricultural-Related Business**”, shall mean the supply of goods, materials or services that support agricultural uses including, but not limited to, the sale, storage, mixing, distribution or cleaning of seed, feed, fertilizer and chemical products, grain drying, custom spraying, large-animal veterinary clinic, and the rental, sales, repair or service of agricultural equipment or implements. **[New]**

“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. **[No Change]**

“Arena”, shall mean a place where facilities are provided for athletics, artistic, circus, performance, entertainment, and recreational activities or events. **[No Change]**

“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. **[No change]**

“Automobile Body/Repair Shop” shall mean a building or other structure where motor vehicle(s) may be subject to major repairs, parts or systems replacement, body work or painting. An automobile body/repair shop does not include an automobile sales establishment, an automobile service/gas station, an automobile washing establishment, or a salvage yard. **[Modified]**

“Automobile Sales Establishment”, shall mean a building and/or lot used for the display and sale/lease of new and used motor vehicles, motorized recreational vehicles, travel trailers, motorcycles, light construction and lawn care equipment, and may include the servicing, repair, cleaning, polishing, and lubrication of motor vehicles, the sale of automotive accessories and related products, and the leasing or renting of passenger motor vehicles. **[Modified]**

“Automobile Service/Gas Station” shall mean a building or place where service, maintenance or mechanical repair essential to the operation of a motor vehicle is provided and/or gasoline pumps for the sale of gasoline are provided. These primary uses may include the sale of motor vehicle products or convenience products, together with the necessary pump islands, light standards, kiosk, concrete aprons, canopy, storage tanks, automobile washing establishment, and related facilities required for the dispensing of gasoline. An automobile service/gas station does not include an automobile body/repair shop. **[Modified]**

“Automobile Washing Establishment” shall mean a building or place for the washing, cleaning or drying of motor vehicles by automatic, manual or self-serve washing equipment. **[Modified]**

“Automotive Wrecking Establishment”, shall mean a place in which is kept, placed, 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. **[No change]**

B

“**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. **[No change]**

“**Basement**”, shall mean that portion of a building which is partly below grade level and which has at least one-half of its height from floor to ceiling above grade. **[Modified]**

“**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. **[No change]**

“**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. **[No Change]**

“**Building By-Law**”, shall mean a by-law passed pursuant to the Ontario Building Code Act as amended. **[Modified]**

“**Building Height**”, shall mean the vertical distance between the average grade at the front of the building, and;

- a) in the case of a flat roof, the highest point of the roof surface or parapet wall, whichever is greater;
- b) in the case of a mansard roof, the deck roof line;
- c) in the case of a gabled, hip, gambrel or one-slope roof, the average level between eaves and ridge, except that a one-slope roof having a slope of less than 20 degrees from the horizontal shall be considered a flat roof for the purposes of this By-law.

In calculating the building height, any ornamental dome, chimney, tower, cupola, steeple, spire, water storage tank, antenna, electrical or mechanical equipment or other similar feature or apparatus, is not to be included. **[Modified]**

“**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. **[No change]**

C

“Cabin and Cottage”, shall mean dwellings designed and built for seasonal or periodic recreational uses rather than for permanent year round residential use. **[No Change]**

“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. **[No Change]**

“Carport”, shall mean a covered structure attached to the wall of the main building and used for the storage of a motor vehicle. 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. **[No Change]**

“Catering Establishment”, shall mean a building or part of a building used for the preparation of food or beverages for consumption off the property and are not served to customers on the property or for take-out. **[Modified]**

“Cellar”, shall mean that portion of a building which is partially or completely underground and which has more than one-half of its height from floor to finished ceiling below finished grade. **[No Change]**

“Cemetery”, shall mean a cemetery or crematorium within the meaning of the Cemeteries Act, as amended, and shall include a mausoleum and caretaker building as well as storage of related equipment. **[Modified]**

“Centreline”, shall mean the centerline of a right-of-way, lane, street or highway. **[No Change]**

“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. **[No Change]**

“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. **[No Change]**

“Commercial Business”, shall mean the activity of providing goods and services for purchase to the public. **[No Change]**

“Commercial School”, shall mean a building where instruction is given for hire or gain and includes a music, dance or yoga studio, an art, business or trade educational establishment, and any other such specialized educational business. **[Modified]**

“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. **[No change]**

“Commercial Vehicle”, shall mean any motor vehicle having permanently attached thereto a truck or delivery body and includes tractor trailers or semi-trailers and any component thereof, livestock trailers, ambulances, hearses, tow trucks, dump trucks, motor buses and farm tractors, but excludes trailers, recreational trailer, travel trailers, and industrial equipment as otherwise defined and regulated. **[Modified]**

“Community Centre”, shall mean land on which may be erected a building to be used for community activities, including recreational and institutional uses. **[No change]**

“Conservation”, shall mean the use of land or water for the purpose of planned management of natural resources or animal life. **[No change]**

“Contractor or Tradesperson Establishment”, shall mean a building or part of a building from which a service, trade or guild operates or is based from in which manual or mechanical skills are used to install, manufacture, maintain, or repair articles, goods, materials, equipment or real property. The establishment shall include the buildings, structures and area wherein vehicles, equipment and supplies are parked, stored and maintained for use in the trades, and accessory office activities. The establishment does not include the retail or wholesale sale of construction or home improvement materials or supplies. **[New]**

“Convenience Store” 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. **[No change]**

“Corporation”, means the Corporation of the Township of Huron-Kinloss. **[No change]**

“Council”, means the Council of the Corporation of the Township of Huron-Kinloss. **[No change]**

“County”, means the Corporation of the County of Bruce. **[No change]**

“**County Road**”, shall mean a street under the jurisdiction of the Corporation of the County of Bruce. **[New]**

D

“**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. **[No change]**

“**Drinking Water Threat**”, shall mean an activity or condition that adversely affects or has the potential to adversely affect the quality or quantity of any water that is or may be used as a source of drinking water, and includes an activity or condition that is prescribed by the regulations as a drinking water threat. **[New]**

“**Drive-Thru Establishment**” shall mean a place, with or without an intercom order station, where a product or service is available at a service window for delivery to a vehicle as a component of the main use, and shall include an automated bank machine and automatic carwash. **[New]**

“**Dry Cleaning Establishment**”, shall mean a place used for the purpose 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. **[No change]**

“**Dwelling, Accessory Second Unit**”, shall mean a residential dwelling unit, as defined herein, which is located within and subordinate to a single detached dwelling, semi-detached dwelling or street fronting townhouse dwelling. An accessory second unit shall contain a kitchen and a bathroom.” **[New]**

“**Dwelling, Apartment**”, 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 serviced by a common corridor. An ‘apartment dwelling’ does not include any other dwelling otherwise defined herein. **[Modified]**

“**Dwelling, 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. **[No change]**

“**Dwelling, Converted**”, 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. **[No change]**

“Dwelling, Converted Commercial”, shall mean a commercial building constructed for permanent use which has been converted so as to provide therein up to three dwelling units provided the main building was erected prior to the passing of this By-law and further that any changes or alterations to convert the building do not increase its area, height or volume or extend beyond the exterior limit of the existing building, with the exception that a stairwell, entrance, vestibule or porch may be established provided that the addition does not increase the total ground floor area by more than 5% and does not change the commercial character of the building. **[New]**

“Dwelling, Secondary Farm Residence”, shall mean one additional dwelling unit 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. A Secondary Farm Residence Dwelling may be located within a Single Detached Dwelling or may be in the form of a second Single Detached Dwelling on the lot. **[New]**

“Dwelling, Single Detached”, shall mean a building containing one dwelling unit. This does not include mobile homes, camping trailers or house trailers. **[No change]**

“Dwelling, Duplex”, shall mean the whole of a building that is divided horizontally into two separate dwelling units, but not including a semi-detached dwelling or townhouse dwelling. Each dwelling unit has an independent entrance either directly from the outside or through a common vestibule. A dwelling that includes an accessory second unit is not a duplex dwelling. **[Modified]**

“Dwelling, Group Home”, shall mean a staff-supported residence operated by a service agency and licensed or funded under a federal or provincial statute, in which three to ten persons reside under supervision and receive services and supports from the agency as a single housekeeping unit. **[Modified]**

“Dwelling, Semi-Detached” shall mean one of a pair of two attached 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. **[No change]**

“Dwelling, Street Fronting Townhouse”, shall mean a townhouse dwelling designed to be on a separate lot having access to and legal frontage on a public street. **[No change]**

“Dwelling, Townhouse”, shall mean a residential building divided vertically to provide three or more dwelling units, each unit having independent entrances to a front and rear yard immediately abutting the front and rear walls of each dwelling unit. **[Modified]**

“Dwelling, Triplex”, 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. **[No change]**

“Dwelling Unit”, shall mean a room or group of rooms designed, occupied or intended to be occupied as an independent and separate housekeeping unit, for one or more persons, providing kitchen and sanitary facilities and sleeping accommodations for the exclusive use of the occupants, and having a private entrance from outside the building or from a common hallway or stairway inside the building. **[Modified]**

E

“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. **[No change]**

“Erect or Construct”, means to build, reconstruct, place, or relocate and, without limiting the generality of the word, also includes:

- a) any preliminary operation such as excavating, filling or draining;
- b) alteration to any existing building or structure by an addition enlargement, extension or other structural change; and
- c) any work which requires a building permit.

Constructed and construction shall have corresponding meanings. **[Modified]**

“Existing”, shall mean legally existing on the day of the passing of this By-law. **[Modified]**

F

“Farm”, shall mean a parcel of land on which the predominant activity is agriculture. **[No change]**

“Farm Business”, shall mean those businesses that are limited in area and located on a farm, and depend directly on the farm in order for the business to operate. Examples include: farm-related tourism business, farm product sales outlet, cottage wineries, value-added processing or packaging, and pick-your-own operations. **[New]**

“Farm Home Industry”, shall mean an occupation which is carried out on a farm as an accessory use, in accordance with the provisions of this By-law. **[New]**

“Farm Product Sales Outlet”, shall mean a use accessory to an active agricultural operation on the property, that includes a building or structure with commercial retail space for the sale of value-added products produced by the farm. The sale of products not produced on the farm or by the farm corporation is prohibited. **[New]**

“Farm-Related Tourism Business” shall mean those agriculturally-related tourism uses that promote enjoyment, education, or activities related to the agricultural operation. The main activity on the property must be an agricultural use. As such, uses must:

- a. Be dependent on the existence of the agricultural operation,
- b. Use products that are produced on the property or related to agriculture,
- c. Enhance the agricultural nature of the property, and
- d. Not present any limitation to future agricultural activities.

Such activities may include hay or corn maze, petting zoo, hay/sleigh rides, pumpkin chucking, farm tours, and processing demonstrations. **[New]**

“Financial Institution”, shall mean the premises of a bank, credit union, trust company, loan or mortgage company, investment firm, or financial consultants. **[Modified]**

“Floor Area, Gross”, 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. **[No change]**

“Floor Area, Ground”, shall mean the area of a building measured from the outside of its exterior walls at grade. **[No change]**

“Food or Grocery Store”, shall mean a place where a wide range of food and household goods are stored and offered for retail sale. **[No change]**

“Forestry”, shall mean the raising and harvesting of wood for purposes such as fuel, wood, pulp wood, lumber, Christmas trees and other forest products. **[No change]**

“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 season or intermittent accommodations and will not be used as a principle residence or permanent place of residence. **[No change]**

“Fuel Storage Establishment”, shall mean an establishment where petroleum gasoline, fuel oil, gas, propane, or other fuels are stored in tanks for wholesale distribution or bulk sales but does not include facilities for the sale of fuels for private motor vehicles or an automobile service/gas station. **[New]**

“Funeral Home”, shall mean a building or part of a building established or maintained for the purpose of providing funeral services or funeral supplies limited to the disposition of human remains for interment or cremation. **[Modified]**

G

“Garage”, shall mean an accessory building or that part of a main building used for the storage of a motor vehicle(s) of the owner, tenant or occupant of the lot upon which such garage is located and includes a carport. **[No Change]**

“**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. **[No change]**

“**Golf Course**”, shall mean a public or private area operated for the purpose of playing golf but shall not include a miniature course facility or a commercial driving range which is not ancillary to a regulation golf course. **[No change]**

“**Government Administration Building**”, shall mean a place providing government services. **[No change]**

“**Grade**”, shall mean the average level of the finished ground adjoining a building or structure at all exterior walls. **[New]**

H

“**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. **[No change]**

“**Home Business**”, shall mean a vocational use conducted as a secondary use to a dwelling unit. **[No change]**

“**Hospital**”, shall mean a hospital as defined in the Private Hospitals Act, as amended, or the Public Hospitals Act, as amended. **[Modified]**

“**Hotel or Motel**”, shall mean a building or a group of connected buildings used primarily for the purpose of catering to the needs of the public by furnishing sleeping accommodation and which may supply food but does not include an apartment, a guest house or a dwelling house. Accessory uses may include a restaurant, a lounge, a convenience store, a gift store, a recreation facility and permanent staff quarters but does not include any other establishment otherwise defined or classified in this By-law. **[Modified]**

“**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. **[No change]**

I

“**Industrial Use**”, shall mean the use of any land, building or structure for the purpose of manufacturing, assembling, making, packaging, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, storing or adapting for sale any

goods, substance, article or thing, or any part thereof, and the storage of building or construction equipment and materials, as distinguished from the buying and selling of commodities and the supplying of on-site personal services. **[Modified]**

“Industrial Use, Light”, shall mean the use of land, buildings or structures for the purpose of an industrial use which is wholly enclosed within a building or structure, except for parking and loading facilities and outside storage accessory to the permitted uses, and which in its operation does not result in emission from the building of odours, smoke, dust, gas, fumes, cinder, vibrations, heat, glare or electrical interference. **[New]**

“Institutional Use”, means religious, charitable, educational, health or welfare uses. Examples include, but are not limited to: place of worship, medical clinic, social service establishment, long term care facility, residential care facility, nursing home, school, or day care facility. **[New]**

K

“Kennel”, shall mean a place where dogs are housed, groomed, boarded, bred, trained, sold or kept for hunting or other specific work and which is licensed by the Township under the provisions of the Municipal Act, 2001 and in accordance with the Code of Practice for Canadian Kennel Operations, Canadian Veterinary Medical Associate, May 2007. **[New]**

L

“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’. **[No change]**

‘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. **[No change]**

‘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. **[No change]**

“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. **[Modified]**

“Large On-Site Sewage System and/or Holding Tank”, shall mean a system that stores and/or treats human waste on-site with a design flow of greater than 10,000 litres per day and regulated under the Ontario Water Resources Act. These systems shall include, but not be limited to, greywater systems, cesspools, leaching bed systems and associated treatment units, and holding tanks, and shall not include sewage treatment plants. **[New]**

“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. **[No change]**

“Library”, shall mean a library, branch library, or library distributing station that is approved under the Provincial legislation. **[Modified]**

“Licensed Medical Marihuana Facility”, shall mean an operation licensed by Health Canada under the Marihuana for Medical Purposes Regulations, SOR/2013-119, as amended from time to time. **[New]**

“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. **[No change]**

“Livestock Facility”, shall mean one or more barns or permanent structures intended for keeping or housing of livestock with livestock occupied portions, which are areas of the structure where the livestock spend a majority of their time thus allowing substantial amounts of manure to accumulate. A livestock facility also includes all manure or material storages and anaerobic digesters. For the purposes of this definition livestock includes animals identified in the Ontario Ministry of Agriculture, Food and Rural Affairs Minimum Distance Separation Implementation Guidelines, as amended from time to time. **[Modified]**

“Loading Space”, shall mean an off-street space on the same lot with a building or on a lot contiguous to a building or group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials pertinent to such permitted use. **[Modified]**

“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. **[No change]**

“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. **[No change]**

“Long Term Care Facility”, shall mean a building where residents who require long term personal support services, restorative care, and/or nursing care dwell with supervision without individual cooking facilities, and on a long-term basis, and the facility is licensed in accordance with the Long-Term Care Homes Act, as amended. **[New]**

“Lot”, shall mean a parcel of land which can be legally conveyed pursuant to Section 50 of the Planning Act. **[No change]**

“Lot Area”, mean the total horizontal area within the lot lines of a lot. **[No change]**

“Lot, Corner”, means a lot situated at the intersection of two or more streets, provided that the angle of intersection of such streets is not more than one hundred and thirty-five degrees. **[Modified]**

“Lot Coverage”, means the percentage of the lot area covered by the ground floor area. For the purposes of calculating lot coverage, parking areas, patios, decks, outdoor swimming pools, steps or balconies shall not be considered. **[Modified]**

“Lot Frontage”, means the horizontal distance between the side lot lines, such distance being measured perpendicularly to the line joining the middle of the front lot line with either the middle of the rear lot line or the apex of the triangle formed by the side lot lines and at a point equal to the setback of the required minimum front yard depth from the front lot line. **[New]**

“Lot, Interior” means a lot abutted by lots on directly opposite sides. **[New]**

“Lot Line”, means any boundary of a lot. **[Modified]**

“Lot Line, Exterior”, means a side lot line which abuts a street. **[New]**

“Lot Line, Interior”, means a lot line which does not abut a street. **[New]**

“Lot Line, Front”, means in the case of an interior lot, the line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting a street shall be deemed the front lot line and the longer lot line abutting a street shall be deemed an exterior 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 lines 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. **[Modified]**

“Lot Line, Rear”, 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. **[No change]**

“Lot Line, Side”, means a lot line other than a front or rear lot line. **[No change]**

“Lot, Through”, shall mean a lot bounded by streets on two opposite sides. **[No change]**

M

“Main”, when used to describe a use, a building or a structure, means a use, building or a structure, which constitutes or within which a principal use of the lot is conducted. **[Modified]**

“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. **[No change]**

“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. **[No Change]**

“Medical Clinic”, shall mean a building or part thereof, used exclusively by physicians, dentists, drugless practitioners, their staff and patients for the purpose of consultation, diagnosis and office treatment. Without limiting the generality of the foregoing, a clinic may include administrative offices, waiting and treatment rooms, laboratories and dispensaries directly associated with the clinic, but shall not include accommodations for in-patient care or operating rooms nor include a veterinary clinic as defined herein. **[New]**

“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. **[No change]**

“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. **[No change]**

“Motor Vehicle”, shall mean any equipment self-propelled by an engine or motor mounted on the vehicle. **[No change]**

“Museum”, shall mean an institution that is established for the purpose of acquiring, conserving, studying, interpreting, assembling and exhibiting to the public for its instruction and enjoyment, a collection of artifacts of historical interest. **[Modified]**

N

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

“Non-Complying”, shall mean a building or structure existing as of the date of the passing of this By-law which does not comply with the regulations in this By-law. **[Modified]**

“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. **[No change]**

“Nutrient Unit”, shall mean the amount of nutrients that give a fertilizer replacement value of the lower of 43 kg of nitrogen or 55 kg of phosphate as nutrient (as defined in O. Reg. 267/03 made under the Nutrient Management Act, 2002). **[New]**

O

“Office”, means a building or part of a building in which a business is conducted or a profession is practiced including associated clerical, administrative, consulting, advisory or training services, but does not include a medical clinic, or veterinary clinic. **[Modified]**

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

“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 an integral part of its manufacturing operation shall in no way be construed to be a Salvage, Recycling or Scrap Yard. **[No change]**

P

“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. **[No change]**

“Parking Aisle”, means a portion of a parking area which abuts parking spaces to which it provides access and which is not used for the parking of vehicles. **[New]**

“Parking Area”, means an area provided for the parking of motor vehicles and may include aisles, parking spaces and related ingress and egress lanes but shall not include any part of a public street and may include a private garage. **[New]**

“Parking Lot”, shall mean an area located on a lot which contains four or more parking spaces. **[No change]**

“Parking Space”, means an area exclusive of any aisles or ingress or egress lanes, for the temporary parking or storage of motor vehicles, and may include a private garage or residential driveway. **[Modified]**

“Parochial School”, shall mean a private school supported by a religious organization. **[No change]**

“Permitted”, shall mean permitted by this By-law. **[No change]**

“Personal Service Shop”, shall mean a building or part of a building in which professional or personal services are provided for gain including but not limited to cosmetic services, a barber, a tailor, a shoe repair service, spas, tanning salons, and wine and/or beer making establishments. The accessory sale of merchandise shall be permitted only as an accessory use to the service provided. Personal service shops shall not include sexually oriented establishments. **[Modified]**

“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. **[No Change]**

“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. **[No change]**

“Place of Worship”, shall mean a building used by a religious congregation or organization and dedicated exclusively to worship and related religious, social and

charitable activities and may include a rectory or manse, a church hall, an auditorium, a convent, an office for religious leaders, a children's activity room, day care facility, educational or recreational uses, and an attached dwelling unit for a religious leader as accessory uses. **[Modified]**

"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. **[No Change]**

"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. **[No change]**

"Private Club and 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 season or periodic use. **[No Change]**

"Private Home Day Care", shall mean the temporary care of six 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. **[Modified]**

"Public Transportation Depot", shall mean a place where busses and trains are boarded and disembarked by fare-paying passengers, but does not include a bus stop. **[No change]**

Q

"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. **[No change]**

R

"Recreational Trailer", means any portable unit so constructed as to be suitable for attachment to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle; and which is capable of being used for the temporary living, sleeping, or eating accommodations, but not occupied continuously or as a principal residence. It may

include travel trailers, tent trailers, motor homes, camper pick-ups, or camper vans. It does not include a mobile home. **[New]**

“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. **[No change]**

“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. **[No change]**

“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 retirement home, 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. **[Modified]**

“Restaurant”, shall mean a building or structure or part thereof, where food or refreshments are prepared and offered for retail sale to the public for immediate consumption either on or off the premises, but does not include a catering service. **[Modified]**

“Retail Store”, means a building or structure or part thereof in which food, goods, wares, merchandise, substances, or articles are offered or kept for sale at retail, but does not include an automobile sales establishment or an automobile service/gas station. **[Modified]**

S

“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. **[No change]**

“School”, means a school under the jurisdiction of a school board as defined by Provincial legislation. **[New]**

“Scientific Research Establishment”, means an establishment where scientific or medical experiments, tests, or investigations are conducted, and where drugs, chemicals, glassware, or other substances or articles pertinent to such experiments, tests, or investigations are manufactured or otherwise prepared for use on the premises. **[New]**

“Section 59 Notice”, refers to the requirements under Section 59 of the Clean Water Act, which requires issuance of a notice from the Township’s Risk Management Official before permitting an activity that is considered a restricted land use as identified in the Source Protection Plans. **[New]**

“Setback”, means the horizontal distance from the lot line, measured at right angles, to the nearest part of any building or structure on the lot exclusive of any yard encroachments permitted on the lot. **[Modified]**

“Sewage System and/or Holding Tank”, shall mean a system that stores and/or treats human waste on-site and shall include, but not be limited to, greywater systems, cesspools, leaching bed systems and associated treatment units, and holding tanks, and shall not include sewage treatment plants. **[New]**

“Shipping Container” means an intermodal freight container that is designed for the transportation and storage of goods and materials which are loaded onto trucks, trains or ships for the purpose of moving of goods and materials. For the purpose of this definition a shipping container does not have wheels and does not include a truck body, trailer or transport trailer. **[New]**

“Significant Drinking Water Threat”, shall mean a drinking water threat that, according to a risk assessment, poses or has the potential to pose a significant risk (Source: Clean Water Act). **[New]**

“Small On-Site Sewage System and/or Holding Tank”, shall mean a system that stores and/or treats human waste on-site with a design flow of less than or equal to 10,000 litres per day and subject to approval under the Building Code Act or the Ontario Water Resources Act. These systems shall include, but not be limited to, greywater systems, cesspools, leaching bed systems and associated treatment units, and holding tanks, and shall not include sewage treatment plants. **[New]**

“Social Service Establishment” means a building or structure in which clerical, administrative, consulting, counseling, distributive, and recreation functions for a non-profit social service agency are conducted, but does not include facilities in which overnight accommodation is provided. **[New]**

“Stacking Lane”, means the portion of a parking area exclusively used as an unobstructed internal space for queuing motor vehicles utilizing a drive-thru establishment. **[New]**

“Storey”, means that portion of a building which is situated between the top of any floor and the top of the floor next to it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it. A storey includes an attic having a height of more than 2 metres for at least 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. **[Modified]**

“Storey, Half”, shall mean that portion of a building with a sloping roof having a height of more than 2 metres for at least one-half but less than two-thirds of the area of the floor next below. **[No change]**

“Street”, shall mean a public thoroughfare, other than a lane, which is maintained by a public road authority and which is open and passable during all seasons. **[Modified]**

“Street Line”, means the limit of the street allowance and is the dividing line between a lot and a street. **[No change]**

T

“Temporary Building”, shall mean a building intended for removal or emolition within a prescribed time specified on a building permit not to exceed 2 years from the day of permit issuance. **[No change]**

“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. **[No Change]**

“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. **[No Change]**

“Tractor Trailer”, means a truck consisting of a self propelled cab designed to have temporarily attached thereto, a trailer consisting of one or more axles designed to be pulled by the cab for the purpose of carrying goods or materials. Both the cab and trailer component individually or together are considered a tractor trailer for the purposes of apply the provisions of this by-law. **[New]**

“Transport Establishment”, means the use of land, buildings, structures or parts thereof, where trucks and transports or buses are rented, leased, serviced, repaired, loaded or unloaded, kept for hire, stored or parked for dispatching as common carriers, or where goods are temporarily stored for further shipment. **[Modified]**

“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 except a mobile home. **[No Change]**

U

“**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. **[Modified]**

“**Use**”, means the purpose for which a lot or a building or structure, or any combination thereof, is designed, arranged, intended, occupied, or maintained and "uses" shall have a corresponding meaning. "Use" when used as a verb, or "to use", shall have a corresponding meaning. **[New]**

V

“**Veterinary Clinic**”, means a building or part thereof wherein animals of all kinds are treated or kept for treatment by a registered veterinarian within the meaning of Provincial legislation, and includes facilities where animals can be temporarily boarded while undergoing treatment. Accessory uses, such as the retailing of pets and pet supplies, are also permitted. **[Modified]**

W

“**Warehouse**”, shall mean a building, or part thereof, which is used for the storage or wholesaling of goods or material. **[No Change]**

“**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. **[No Change]**

“**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. **[No Change]**

“**Watercourse**”, shall mean the natural channel for a stream and shall include the natural channel for intermittent streams. **[No Change]**

“**Wayside Pit or 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. **[No Change]**

“**Wholesale**”, means a building or part of a building in which goods, wares, merchandise or articles are offered or kept for sale to persons for resale purposes and/or to industrial or commercial users. **[Modified]**

Y

“**Yard**”, means a space appurtenant to a building, structure or excavation, located on the same lot as the building, structure or excavation, and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted elsewhere in this By-law. **[Modified]**

“**Yard, Front**”, means a yard extending from side lot line to side lot line and from and parallel to the street line, to the nearest wall of building or structure on the lot, disregarding open or uncovered terraces or steps or minor architectural projections. **[Modified]**

“**Yard, Rear**”, means a yard extending from side lot line to side lot line and from rear lot line (or apex of the side lot lines if there is no rear line), to the nearest part of the main building or structure on the lot, disregarding open or uncovered terraces or steps or minor architectural projections. **[Modified]**

“**Yard, Side**”, means a yard, extending from the required front yard to the required rear yard and from the side lot line to the nearest part of the main building or structure on the lot, disregarding open or uncovered terraces or steps or minor architectural projections. In the case of a lot with no rear lot line, the side yard shall extend from the front yard to the opposite side yard. **[Modified]**

“**Yard, Side – Exterior**”, means a side yard immediately adjoining a public street. **[Modified]**

“**Yard, Side – Interior**”, means a side yard other than an exterior side yard. **[New]**

“**Yard, Required**”, means a yard with the minimum front yard depth, rear yard depth, or side yard width as required by this By-law. A required side yard shall extend from the required front yard to the required rear yard. **[New]**

SECTION 4 – GENERAL PROVISIONS

4.1 Accessory Buildings

- .1 Unless otherwise provided for in this By-law, no accessory building shall be used for human habitation. **[No change from 5.4.1]**
- .2 An accessory building may be located in the required rear yard or a required interior side yard. **[Modified 5.4.2]**
- .3 The maximum building height for an accessory building shall be 5 m where a minimum rear yard or interior side yard of 1.5 m is provided. **[New]**
- .4 Notwithstanding Section 4.1.3, where a minimum rear yard or interior side yard of 3 m is provided the maximum building height for an accessory building shall be 6 m. **[New]**
- .5 The maximum lot coverage for accessory buildings shall be 10% of the lot, which shall be included as part of the maximum lot coverage of the zone. **[New]**
- .6 No accessory building shall be constructed or established on any lot or site until the main building has commenced construction, except for “Construction Uses” permitted by Section 4.4. of this By-law. **[New]**
- .7 Detached accessory buildings located within the Lakeshore Settlement Area and 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. **[Modified 16.3.2]**

4.2 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. **[No change from 5.23]**
- b) Each guest room shall have a minimum building floor area of 10.5 square metres. **[No change from 5.23]**
- c) Guest rooms shall not be permitted within an attic. **[No change from 5.23]**

- d) A bed and breakfast establishment shall have a maximum of 3 guest rooms for overnight accommodation. **[No change from 5.23]**

4.3 Condominiums

.1 Standard Condominiums

Internal lot lines created by:

- a) A registration of a plan of condominium; or
- b) A plan or plans of condominium registered on all or a portion of a lot which is part of a comprehensively planned development subject to a Development Agreement pursuant to Section 41 of the Planning Act;

shall not construed to be lot lines for the purposes of zoning regulations provided that all applicable regulations of this by-law relative to the whole lot and its external lot lines, existing prior to any condominium plan registration are strictly observed.

.2 Vacant Land Condominiums

More than one single detached, semi-detached, duplex or street townhouse dwelling shall be permitted on a lot provided that each dwelling has direct access to an internal private driveway or road that is a common element in a registered Condominium connecting to a public street and that each dwelling is located on a 'unit' in a Vacant Land Condominium. For purposes of this regulation, the front lot line for each Unit in a Vacant Land Condominium shall be deemed to be that lot line abutting the internal driveway portion of the common element, and the dwelling on such a Unit shall comply with all applicable zoning regulations, including but not limited to setbacks, lot area, lot width and parking.

.3 Common Element Condominiums

Notwithstanding Section 4.12 of this by-law, single detached, semi-detached, duplex or street townhouse dwellings shall be permitted on lots without frontage on a public street provided that all such dwellings are located on Parcels of Tied Lands (POTL's) to a Common Elements Condominium (CEC) consisting of at least a private driveway connecting to a public street.

Where lands have been comprehensively planned and are subject to an approved Site Plan and a Development Agreement pursuant to Section 41 of the Planning Act, any zoning deficiencies resulting from the creation of the POTL's, shall be deemed to conform to the regulations of the by-law provided that:

- a) All applicable regulations of the by-law relative to the whole lot and its external lot lines, existing prior to any condominium plan registration are complied with, and
- b) Each dwelling unit shall have an unobstructed access at grade or ground floor level, having a minimum width of 0.9 metres, from the front yard to the rear yard of the lot either by:
 - i. Direct access on the lot without passing through any portions of the dwelling unit; or
 - ii. Direct access through the dwelling unit without passing through a living or family room, dining room, kitchen, bathroom, bedroom, or recreation room or any hallway that is not separated by a door to such room; or,
 - iii. Access over adjacent lands, if the lands are not owned by the Township of Huron-Kinloss or the County of Bruce, are secured by a registered easement or are a common element of the condominium.

Any additions or alteration to the dwelling; accessory structures such as sheds; and yard projections such as porches, balconies, decks, and pools, added subsequent to the registration of the condominium, which are not shown on the approved Site Plan must comply with the applicable zoning regulations for the type of dwelling contained within the POTL. For the purposes of this regulation, the front lot line shall be deemed to be that lot line abutting the internal driveway or primary internal walkway. **[New]**

4.4 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. **[No change from 5.16]**

4.5 Construction Uses

Any part of a lot, other than a sight visibility triangle regulated in Section 4.29, 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. **[No change from 5.12]**

4.6 Dwelling, Accessory Secondary Unit

Where a dwelling, accessory secondary unit is permitted in a residential zone by this By-law, such Dwelling, Accessory Secondary Unit shall only be constructed or used in accordance with the following:

- a) Located within a single detached dwelling, a semi-detached dwelling or a street fronting townhouse dwelling and not permitted within an accessory building and/or structure.
- b) A maximum of one (1) dwelling, accessory secondary unit per lot is permitted, and shall be accessory to the main dwelling.
- c) Driveway access to both the main dwelling and the dwelling, accessory secondary unit shall be limited to one access so that no new entrance from the street shall be created, except as permitted by Section 5.1.10 [Driveways].
- d) One parking space will be provided for the dwelling, accessory secondary unit, in addition to the required parking for the main dwelling.
- e) Access to the dwelling, accessory secondary unit shall be by an entrance from the side or rear yard.
- f) A home business shall not be permitted within a dwelling, accessory secondary unit. **[New]**

4.7 Dwelling, Secondary Farm Residence

Secondary farm residence dwellings may be permitted subject to all the provisions of this By-law and the following:

- a) Shall be restricted to one additional dwelling unit used for the accommodation of full-time farm help, or for occupants engaged in full-time operation of the farm, or for retiring farmers;
- b) Shall be situated on lots having an area of greater than 30 ha;
- c) Where a second single detached dwelling is proposed, shall be situated within the existing farm building cluster a maximum distance of 30 metres from the main dwelling.
- d) A home business shall not be permitted within a secondary farm residence dwelling.
- e) The secondary farm residence shall not be considered for future severance from the farm operation. **[New]**

4.8 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. **[No change from 5.5.1]**

- .2 Unenclosed porches and covered or uncovered steps and patios may project into the 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. **[No change from 5.5.2]**
- .3 Exterior stairways may project into a required rear yard but not more than 1.5 metres. **[No change from 5.5.3]**
- .4 Open steel fire escapes may project into any required side or rear yard but not more than 1.5 metres. **[No change from 5.5.4]**
- .5 Balconies may project into any required yard but not more than 1.5 metres. **[No change from 5.5.5]**
- .6 Awnings shall be permitted in any required yard. **[No change from 5.5.6]**

4.9 Existing Lots

Existing lots with less than the required lot area or lot frontage shall be deemed to comply with the lot area and/or lot frontage requirements of this By-law and may be used, and buildings erected or altered thereon, for the purposes permitted in the zone in which they are situated, 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. **[Modified from 5.8]**

4.10 Expropriations & Dedications

- .1 If the acquisition of land, by registration on title on or after the day this by-law is approved, to widen a street or to provide a site visibility triangle in non-compliance with regulations existing on the date of acquisition and respecting lot area, lot width or yards, a building or use shall be deemed to comply with such regulations only in the circumstances which follows:
 - a) Where the building or use existing at the date of the acquisition;
 - b) Where a building or use is proposed to be developed by the same owner who conveyed the land for street widening or site visibility triangle; or
 - c) Where the building or use is proposed to be developed in strict accordance with an approved site plan applied for by a previous owner, which required the conveyance of land for street widening or corner visibility triangle;

Provided that:

- i. Where the lot is rezoned after the acquisition of land for street widening or site visibility triangle, no greater benefit shall be obtained than that which could be obtained based on the zoning in effect on the date of such acquisition; and
 - ii. The provisions of this section shall not apply in circumstances where the conveyance of land for street widening or site visibility triangle is a requirement or a subdivision of land approval.
- .2 If the acquisition of land to widen a street or to provide a site visibility triangle results in non-compliance with regulations not listed in 4.10.1 and existing on the date of acquisition, the non-compliance with those regulations shall be deemed to comply where the building or use legally existed on the date of the acquisition. **[Modified from 5.9]**

4.11 Farm Home Industry

- .1 Where permitted, a farm home industry may be conducted within a dwelling unit, a farm residence, a farm building or an accessory building. **[No change from 5.21]**
- .2 A farm home industry shall include a carpentry shop, a contractor or tradesperson establishment, a welding shop, a machine shop, a plumbing shop, an electrical shop, furniture fabrication, assembly and repair, tool and equipment repair shop, small engine repair, farm implement repair, or a use of a similar nature to those listed above. **[Modified from 5.21]**
- .3 The farm home industry must employ at least one person who dwells on the property and may employ one additional employee. **[No change from 5.21.a]**
- .4 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. **[No change from 5.21.b]**
- .5 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. **[No change from 5.21.c]**
- .6 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. **[No change from 5.21.d]**

- .7 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. **[No change from 5.21.e]**

4.12 Frontage on a Street

No person shall erect any building or structures in any zone unless:

- a) The lot upon which such building or structure is to be erected fronts upon an street, or
- b) Such building or structure fronts upon an street having a perpendicular width of less than 20 meters and such building is setback a minimum distance of 10 metres from the centerline 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. **[Modified from 5.7]**

4.13 Height Restriction & Exemption

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. **[No change from 5.27]**

4.14 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 students at any one lesson, tailoring, weaving, painting, sculpting, furniture refinishing or repair, and molding or otherwise making or repairing of garden or household ornaments, articles of clothing, personal effects or toys provided that:

- a) The home business is located only within the dwelling unit.
- 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) 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. **[No change from 5.19]**

4.15 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 agencies, 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) 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.
- d) 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. **[No change from 5.20]**

4.16 Kennels

Where a kennel is listed as a permitted use, the kennel shall comply with the following regulations:

- a) The kennel must be located on a farm, and shall be secondary to the agricultural use.
- b) The kennel must employ at least one person who dwells on the property and may employ one additional employee.
- c) A kennel must be appropriate for rural servicing and be compatible with agricultural uses.
- d) A kennel must comply with all applicable by-laws and regulations such as noise and parking regulations.
- e) A kennel and all associated structures (such as buildings, structures, fencing, and runs) must be setback a minimum of 300 metres from any settlement area boundary and 150 metres from all property lines.
- f) A kennel shall not occupy a combined area exceeding 2% of the lot area, to a maximum of 0.4 hectares in area. **[New]**

4.17 Minimum Distance Separation (MDS) I – New Non-Farm Uses

Notwithstanding any other yard or setback provision of this By-law to the contrary, no residential, institutional, commercial, industrial or recreational use, located on a separate lot and permitted within a zone, shall be erected or altered unless it complies with the Province of Ontario's Minimum Distance Separation (MDS I) Formulae, as amended.

A new residential, institutional, commercial, industrial or recreational use located on an existing lot of record will comply with the Province of Ontario's Minimum Distance Separation (MDS I) Formulae, as amended. **[Modified from Section 5.24]**

4.18 Minimum Distance Separation (MDS) II – New or Expanding Livestock Facilities

Notwithstanding any other yard or setback provision of this By-law to the contrary, no livestock facility shall be erected or expanded unless it complies with the Province of Ontario's Minimum Distance Separation (MDS II) Formulae, as amended. **[Modified from Section 5.24]**

4.19 Non-Complying Uses

Where a building or structure was legally established and is permitted by the provisions of the zone in which such building or structure or driveway is located but does not meet the zone provisions with respect to lot area, yards, lot frontage, parking or any other provisions of this By-law applicable to that zone, the said building or structure shall be deemed to comply with the By-law and may be enlarged, extended, reconstructed, repaired or renovated provided that the enlargement, extension, reconstruction, repair or renovation does not further reduce the compliance of that building or structure, with the provision(s) of the By-law to which it does not comply and all other applicable provisions of this By-law are complied with.

In the case of a rezoning or severance, permitted and legally established existing buildings or structures or driveway shall be deemed to comply with any applicable zone provisions, except parking requirements, resulting from such rezoning or severance. **[Modified from Section 5.10]**

4.20 Non-Conforming Uses

- .1 The provisions of this By-law shall not apply to prevent the use of and land, building or structure for any purpose prohibited by this By-law if such land, building or structure was lawfully established and used for such purpose on the date of passing of this By-law, and provided that it continues to be used for that

purpose and all other applicable provisions of this By-law are complied with. **[Modified from Section 5.11.a]**

- .2 The provisions of this By-law shall not apply to prevent the erection or use for a purpose prohibited by this By-law of any building or structure, for which a building permit has been issued by the Chief Building Official prior to the date of passing of this By-law, so long as the building or structure 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. **[Modified from Section 5.11.b]**
- .3 Nothing in this By-law shall prevent the strengthening to a safe condition, the repair or renovation of any building or structure or part of any building or structure which use does not conform with the provisions of this By-law so long as such repair or renovation does not increase the height, size or volume or change the use of such building. **[Modified from Section 5.11.c]**

4.21 Number of Dwellings Per Lot

Unless otherwise provided for in this By-law, in any zone where a single detached dwelling, semi-detached dwelling or duplex dwelling is permitted, not more than one such building or structure or dwelling shall be permitted on a lot. **[Modified from Section 5.14]**

4.22 Outdoor Storage Regulations

- .1 Where outdoor storage is permitted by this By-law, such outdoor storage shall be located only within the interior side or rear yards. **[Modified from Section 5.30.a]**
- .2 The minimum setback from any lot line for outdoor storage shall be not less than the required minimum interior side or rear yard regulation of the zone in which the outdoor storage is located. **[Modified from Section 5.30.b]**
- .3 If the outdoor storage is located in an industrial zone, the minimum setback of any outdoor storage shall be 3 metres from the interior side or rear lot line, where such interior side or rear lot line abuts an industrial zone. **[No change from Section 5.30.c]**
- .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. **[No change from Section 5.30.d]**

4.23 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. **[No change from Section 5.6]**

4.24 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 the 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. **[No change from Section 5.28]**

4.25 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. **[No change from Section 5.2]**

4.26 Setbacks – 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 33 metres from the centerline 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 centerline of the Provincial or County Road, whichever is lesser.
- b) Within 30 metres of an existing dwelling where 4.26.a would not apply, the minimum setback requirement shall be the average of the setback of the existing dwelling and 33 metres from the centerline of the Provincial or County Road, or 33 metres from the Provincial or County Road, whichever is the lesser. **[No change from Section 5.26.1]**

.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. **[No change from Section 5.26.2]**

4.27 Setbacks – Street Exemption

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. **[No change from Section 5.13]**

4.28 Setbacks – Watercourse and Municipal Drain

.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 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. **[No change from Section 5.25]**

4.29 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 centerline 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 at a distance of 10 metres back from the point of intersection of the said street lines. **[No change from Section 5.29.1]**

.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 centerline 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 from the point of 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. **[No change from Section 5.29.2]**

.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 centerline 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 of Section 4.29.3.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 4.29.1 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. **[No change from Section 5.29.3]**

4.30 Shipping Containers

Notwithstanding the other regulations of this By-law the following provisions shall apply to shipping containers:

- a) Shall only be permitted in the AG1, AG2 and M2 Zones.
- b) Shall not be permitted as the sole structure on any property.
- c) Shall only be permitted for the use of accessory storage to a permitted use, and shall not be used for human habitation, display, advertising, screening, or fencing;
 - i) Notwithstanding the above, a shipping container may be permitted for the transportation of goods and materials within the M2 Zone.
- d) Shall only be located to the side or rear of the permitted use provided that is:
 - i) Screened from view from the street and abutting properties;
 - ii) Complies with the lot coverage and setback requirements of the Zone;
 - iii) Not be located in any required yard; and
 - iv) Not located in any required parking areas or landscape buffer.
- e) Shall be in a condition free from rust, peeling paint and any other form of visible deterioration.
- f) Shall not exceed a height of 3 metres and a length of 12 metres, and shall not be stacked one on top of the other.
- g) The maximum number of shipping containers on any property shall be limited to 2:
 - i) Notwithstanding the above, when used for the transportation of goods and materials within the M2 Zone no maximum shall apply.
- h) Shall comply with the requirements of the Ontario Building Code.
- i) Notwithstanding the above, a shipping container may be permitted for temporary storage on construction sites in accordance with Section 4.5 [Construction Uses]. **[New]**

4.31 Sourcewater Protection

.1 Identification of Vulnerable Areas

- a) Vulnerable Areas as illustrated on the maps attached hereto as Schedule 'B' represent Wellhead Protection Areas (WHPAs) and the associated level of vulnerability for municipal water sources serving the Township.
- b) A WHPA illustrates three time-related capture zones including a 100-metre radius surrounding the well (WHPA-A), 2 year travel time for water to enter the well (WHPA-B), and 5 year travel time for water to enter the well (WHPA-C).
- c) The degree of vulnerability of a WHPA is represented in Schedule B by a vulnerability score. The vulnerability score can range from 1 to 10, with 10 being the most vulnerable. WHPAs that are considered to be the most vulnerable to surface activities are assigned a vulnerability score of 8 to 10, with the degree of vulnerability generally decreasing the further away from the well. **[New]**

.2 Use Prohibitions and Regulations within Vulnerable Areas

- a) Notwithstanding the land uses permitted by the underlying zone category in this By-law, any land use, except a solely residential land use, that involves one of the following significant drinking water threat activities shall be prohibited until it is determined by the Township's Risk Management Official that the use does not represent a significant drinking water threat or a Section 59 Notice has been issued in accordance with the Clean Water Act, 2006:
 - i) Waste disposal sites within the meaning of Part IV of the Environmental Protection Act.
 - ii) The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage.
 - iii) The application of agricultural source material to land.
 - iv) The storage of agricultural source material to land.
 - v) The management of agricultural source material.
 - vi) The application of non-agricultural source material to land.
 - vii) The handling or storage of non-agricultural source material.
 - viii) The application of commercial fertilizer to land.
 - ix) The handling and storage of commercial fertilizer.
 - x) The application of pesticide to land.
 - xi) The handling and storage of pesticide.
 - xii) The application of road salt.
 - xiii) The handling and storage of road salt.

- xiv) The storage of snow.
- xv) The handling and storage of fuel.
- xvi) The handling and storage of a dense non-aqueous phase liquid (excluding incidental volumes for personal/domestic use).
- xvii) The handling and storage of an organic solvent.
- xviii) The management of runoff that contains chemicals used in the de-icing of aircraft.
- xix) The use of land as livestock grazing or pasturing land, an outdoor confinement area or farm-animal yard.
- xx) An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body.
- xxi) An activity that reduces the recharge of an aquifer. **[New]**

.3 Sewage Systems and Holding Tanks within Vulnerable Areas

- a) Notwithstanding any other provisions of this By-law to the contrary, the following shall apply to WHPAs with a vulnerability score of 10 as identified on Schedule B:
 - i) A new or replacement of a small on-site sewage system and/or holding tank shall be located on the same property but where possible sited outside the limits of the WHPA with a vulnerability score of 10 as identified on Schedule 'B'.
 - ii) New development relying on a large on-site sewage system and/or holding tank shall be prohibited where the large on-site sewage system and/or holding tank would be of a significant drinking water threat. **[New]**

4.32 Storage of Unused Motor Vehicles

Unless otherwise permitted by this By-law, motor vehicles without affixed and validated license plates for the current year shall not be parked or stored in any zone other than within a completely enclosed building. **[No change from Section 5.31]**

4.33 Surplus Farm Residence Severance

Where the County of Bruce has approved the severance of a surplus farm residence, Special Provision AG1-25.1 shall apply to the retained farm parcel and AG3-25.2 shall apply to the severed residential property. **[New]**

4.34 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. **[No change from Section 5.17]**

4.35 Unimproved Streets

On unimproved streets 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. **[Modified from Section 5.18]**

4.36 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, Environmental Protection zone or an Open Space zone. **[No change from Section 5.32]**

SECTION 5 – PARKING, STACKING & LOADING AREA REGULATIONS

5.1 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 other **persons** entering upon or making **use** of the said premises from time to time, **parking spaces** and **parking areas** as follows:

Use	Parking Requirement (<i>Gross floor area (GFA)</i> unless otherwise specified)
Any other use not specifically listed below	1 space per 46.5 m ² GFA [New]
Assembly Hall and Banquet Hall	1 space for every 8 fixed seats and 1 space for every 20 m ² GFA [No change]
Automobile Body/Repair Shop	4 spaces per repair bay [Modified]
Automobile Service/Gas Station	4 spaces per repair bay, with a minimum of 3 spaces [Modified]
Automobile Sales Establishment	1 space per 40 m ² GFA [New]
Automotive Wrecking Establishment	1.5 spaces per employee [No change]
Bed and Breakfast Establishment	1 space per room used for accommodation purposes; in addition to the required parking for the dwelling unit . [New]
Commercial School	1 space per 28 m ² GFA [New]
Commercial Use , not otherwise specified herein	1 space per 30 m ² GFA [Modified]
Community Centre	1 space per 28 m ² GFA [New]
Contractor's or Tradesman's Establishment	1 space per 50 m ² GFA [New]
Day Care Facility	1 space per classroom plus 1 space for each office [No change]
Dwellings including: Apartments, Converted Commercial	1.5 spaces per dwelling unit [Modified]
Dwellings including: Accessory Second Units	1 space per dwelling unit [New]
Dwellings including: Single Detached, Semi-Detached, Duplex, Townhouse and/or Triplex	2 spaces per dwelling unit [No change]

Dwelling including: Mobile Home	2 spaces per dwelling unit [No change]
Elementary School	1.25 spaces per classroom [No change]
Financial Institution	1 space per 40 m ² GFA [No change]
Funeral Home	1 space per 25 m ² GFA [Modified]
Government Administration Building	1 space per 40 m ² GFA [No change]
Hospital	1 space per bed [No change]
Hotel or Motel	1 space per guest room [Modified]
Industrial Use	1 space per 90 m ² GFA [Modified]
Kennel	1 space per 25 m ² GFA [New]
Long Term Care Facility	1 per 3 beds [New]
Medical Clinic	1 space per 30 m ² GFA [No change]
Office	1 space per 40 m ² GFA [No change]
Personal Service	1 space per 45 m ² GFA [Modified]
Recreation Use , not otherwise specified herein	1 space per 200 m ² of GFA [No change]
Restaurant	1 space per 15 m ² GFA [Modified]
Retail Store	1 space per 20 m ² GFA [New]
Secondary School	5 spaces per classroom [New]
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 [No change]
Veterinary Clinic	1 space per 20 m ² GFA [No change]
Warehouse	1 space per 200 m ² GFA [Modified]
Wholesale Outlet	1 space per 80 m ² GFA [Modified]

5.1.2 Parking for More Than One Use in a Building

When a building or structure accommodates more than one use, the parking space requirement for the whole building shall be the aggregate sum of the requirements for each of the separate parts of the building occupied by the separate types of uses, unless otherwise provided for in this By-law. **[Modified from Section 5.35.2.a]**

5.1.3 Calculation of Off-street Parking Spaces

Where the calculation of off-street parking requirements results in a fraction, then the number of parking spaces to be provided will be rounded to the next highest whole number. **[Modified from Section 5.35.2.b]**

5.1.4 Location of Required Off-street Parking Spaces

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.

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. **[No change from Section 5.35.4]**

5.1.5 Parking Space Size and Parking Aisle Requirements

Each off-street parking space and parking lot shall be provided in accordance with the following minimum specifications:

Parking Angle	90°	75°	60°	45°	Parallel
Stall Width	2.75 m	2.75 m	2.75 m	2.75 m	2.75 m
Stall Length	6 m	6 m	6 m	6 m	6 m
Aisle Width	6 m	6 m	6 m	4 m	4 m
Minimum Driveway Width	One-Way Traffic: 3.5 m Two-Way Traffic: 6 m	One-Way Traffic: 3.5 m Two-Way Traffic: 6 m	One-Way Traffic: 3.5 m Two-Way Traffic: 6 m	One-Way Traffic: 3.5 m Two-Way Traffic: 6 m	One-Way Traffic: 3.5 m Two-Way Traffic: 6 m
Maximum Driveway Width	9 m	9 m	9 m	9 m	9 m

[Modified from Section 5.35.3 & 5.35.8.a]

5.1.6 Additions to Existing Uses

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 and would require an additional number of parking spaces, then such additional parking spaces shall be provided to the number required for such change. **[No change from Section 5.35.7]**

5.1.7 Parking of Commercial Motor Vehicles, Tractor Trailers and Buses in Residential Zones

No person shall use any lot, building or structure for the parking or storage of any tractor trailer, including either the cab and/or trailer, commercial vehicle or bus in a Residential Zone except as permitted in the following:

1. Such parking or storage of one commercial vehicle where the owner of the commercial vehicle is the owner or occupant of such lot, building or structures, and provided the vehicle shall not exceed 2722 kg gross vehicle weight or not exceed a length of 9 m or not exceed a height of 2 m.
2. Such parking for a tractor trailer or commercial vehicle is attending a residential premises on a temporary and short-term basis for the purposes of delivery and service. **[Modified from Section 5.35.6]**

5.1.8 Parking of Recreational Vehicles in Residential Zones

The storage or parking of a recreational trailer, boat, snowmobile, accessory trailer, or similar recreational vehicles, shall be permitted in a Residential Zone or on a lot used for residential purposes, provided that:

1. The length of such recreational trailer, boat or snowmobile or accessory trailer does not exceed 9 m;
2. Such recreational trailer, boat or snowmobile or accessory trailer may be located in the rear yard or interior side yard provided it is located no closer than 1 m to the lot line;
3. The owner or occupant of any lot or building shall not store or park more than three of the vehicles listed above;

4. Notwithstanding Section 5.1.8.3, the limitations imposed therein shall not restrict the number of vehicles that are fully enclosed within a garage or dwelling unit provided that such vehicles are owned by the occupant of such lot.
5. Notwithstanding any of the above provisions, driveway parking for the purposes of loading recreational vehicles will be permitted. **[New]**

5.1.9 Accessible Parking

Where the parking requirements for any land use is 3 or more spaces, 1 space of the first 10 spaces required, plus 1 space of every additional 50 spaces or portion thereof, shall be provided as an accessible parking space. **[Modified from Section 5.35.5]**

Accessible parking spaces shall be:

- a minimum width of 4 m and a minimum length of 6 m;
- hard-surfaced and level;
- located near and accessible to an entrance; and
- identified by a sign with the International Symbol of Accessibility.

Notwithstanding the above, accessible parking spaces are not required for single detached, semi-detached or duplex dwellings. **[Modified from Section 5.35.5]**

5.1.10 Driveways

- .1 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. **[No change from Section 5.35.8.b]**
- .2 Every lot shall be limited to the following number of driveways:
 - a) Up to the first 30 metres of frontage measured along the street line not more than one driveway.
 - b) For each additional 30 metres of frontage measured along the street line – not more than 1 additional driveway to a maximum of three driveways. **[No change from Section 5.35.8.c]**
- .3 Parking areas and associated driveway systems serving any use, other than detached dwellings, duplex dwellings, semi-detached dwellings and street-fronting townhouses, 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. **[Modified from Section 5.35.8.d]**

5.1.11 Landscaping

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. **[No change from Section 5.35.9]**

5.2 Stacking Requirements

All **drive-thru establishments** shall comply with the following **stacking lane** regulations: **[New]**

TYPE OF DRIVE-THRU	MINIMUM STACKING LANE
Drive-thru restaurant	10
Automobile Service/Gas Station gas bar (per pump island)	2
All other drive thru types (including car washes)	4

5.2.1 Stacking Space Size

All stacking spaces shall be rectangular in shape, with a minimum size of 2.75 m wide by 6 m long. **[New]**

5.2.2 Stacking Lane Marking

Stacking lanes shall be unobstructed and shall be clearly delineated by pavement markings or physical barriers, and shall be independent of the balance of the **parking area**. **[New]**

5.3 Loading Space Requirements

Any **lot, building** or **structure used** for any purpose, other than an agricultural use, involving the receiving, shipping, loading or unloading of **persons**, animals, or things, shall provide on the same **lot** and not forming part of a **street** or **lane**, loading or unloading facilities in accordance with the following schedule: **[Modified from Section 5.36]**

GROSS FLOOR AREA	MINIMUM NUMBER OF LOADING SPACES REQUIRED
Commercial Zones	
Less than 185.8 m ² (2,000 ft ²)	0 spaces
185.8 m ² to 929 m ² (2,001 ft ² – 10,000 ft ²)	1 space
Greater than 929 m ² (10,000 ft ²)	2 spaces
Industrial Zones	
Less than 464.5 m ² (5,000 ft ²)	0 spaces
464.5 m ² to 2,322.5 m ² (5,001 ft ² – 25,000 ft ²)	1 space
Greater than 2,322.5 m ² (25,000 ft ²)	2 spaces

5.3.1 Loading Space Size

A **loading space** shall be 9 m long, 3.5 m wide and having a vertical clearance of at least 4.5 m. **[No change from Section 5.36.3]**

5.3.2 Loading Space Access

Each **loading space** shall be provided with one or more unobstructed driveways of not less than 6 m in width. Such driveway shall be contained within the **lot** on which the spaces are located and are accessible from a **street** or **lane**. No part of such driveway shall be **used** for the parking or temporary storage of vehicles. **[Modified from Section 5.36.2]**

5.3.3 Loading Space Location

No loading space shall be located in the required front yard nor shall any required off-street parking space be considered 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. **[No change from Section 5.36.4]**

5.3.4 Additions to Existing Use

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. **[No change from Section 5.36.5]**

5.3.5 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. **[No change from Section 5.36.6]**

SECTION 6 – GENERAL AGRICULTURE (AG1) ZONE

6.1 Permitted Uses

Within any General Agriculture Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.1) **[No change]**
- **Agriculture** **[No change]**
- **Bed and Breakfast Establishment** **[No change]**
- **Conservation** **[No change]**
- **Dwelling, Single Detached** **[New]**
- **Dwelling, Secondary Farm Residence** (Section 4.7) **[New]**
- **Farm Business** (Section 6.4) **[New]**
- **Farm Home Industry** (Section 6.4) **[Modified]**
- **Home Business** – Domestic and Household Arts **[No change]**
- **Home Business** – Professional **[No change]**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

6.2 Regulations

Within any General Agriculture Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

6.2.1	Minimum Lot Area	370,000 m ² (37 ha) [No change]
6.2.2	Minimum Lot Frontage	100 m [No change]
6.2.3	Minimum Front Yard	20 m [No change]
6.2.4	Minimum Rear Yard	20 m [No change]
6.2.5	Minimum Interior Side Yard	20 m [No change]
6.2.6	Minimum Exterior Side Yard	20 m [No change]

6.3 Regulations for Residential Uses

Notwithstanding the above regulations, Single Detached and Secondary Farm Residence Dwellings shall be subject to the following regulations:

6.3.1	Minimum Front Yard	10 m [No change]
6.3.2	Minimum Rear Yard	10 m [No change]
6.3.3	Minimum Interior Side Yard	5 m [No change]
6.3.4	Minimum Exterior Side Yard	10 m [New]
6.3.5	Maximum Building Height	10 m [No change]

6.4 Area Limits for Non-Agricultural Uses

The associated buildings, structures, parking and loading areas of farm home industries, and farm businesses shall not occupy a combined area exceeding 2% of the lot area, to a maximum of 0.4 hectares in area. **[New]**

SECTION 7 – AGRICULTURAL COMMERCIAL/INDUSTRIAL (AG2) ZONE

7.1 Permitted Uses

Within any Agricultural Commercial/Industrial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.1) **[New]**
- **Agricultural-Related Business** **[New]**
- **Agricultural Service Establishment** **[New]**
- **Licensed Medical Marihuana Facility** **[New]**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

7.2 Regulations

Within any Agricultural Commercial/Industrial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

7.2.1	Minimum Lot Area	4,000 m ² (0.4 ha) [New]
7.2.2	Minimum Lot Frontage	30 m [New]
7.2.3	Minimum Front Yard	15 m [New]
7.2.4	Minimum Rear Yard	10 m [New]
7.2.5	Minimum Interior Side Yard	5 m [New]
7.2.6	Minimum Exterior Side Yard	15 m [New]
7.2.7	Maximum Lot Coverage	20% [New]
7.2.8	Maximum Building Height	15 m [New]

SECTION 8 – AGRICULTURAL RESIDENTIAL (AG3) ZONE

8.1 Permitted Uses

Within any Agricultural Residential Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.1) **[New]**
- **Bed and Breakfast Establishment** **[New]**
- **Dwelling, Single Detached** **[New]**
- **Home Business – Domestic and Household Arts** **[New]**
- **Home Business – Professional** **[New]**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

8.2 Regulations

Within any Agricultural Residential Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

8.2.1	Minimum Lot Area	4,000 m ² (0.4 ha) [New]
8.2.2	Minimum Lot Frontage	30 m [New]
8.2.3	Minimum Front Yard	10 m [New]
8.2.4	Minimum Rear Yard	10 m [New]
8.2.5	Minimum Interior Side Yard	5 m [New]
8.2.6	Minimum Exterior Side Yard	10 m [New]
8.2.7	Maximum Lot Coverage	30% [New]
8.2.8	Maximum Building Height	10 m [New]

8.3 Existing and Proposed Livestock Barns

Notwithstanding the provisions of Section 8.1 to the contrary, an existing barn may be used or a new barn may be established subject to the following table: **[New]**

Minimum Lot Size (Hectares)	Maximum Number of Nutrient Units Permitted	Minimum Distance Separation required from the barn to the nearest residential, commercial, institutional building or structure, excluding uses on the same property
0.4	1	85
0.8	2	85
1.2	3	85
1.6+	4	85

SECTION 9 – RURAL (RU) ZONE

9.1 Permitted Uses

Within any Rural Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.1) **[New]**
- **Agriculture** **[New]**
- **Bed and Breakfast Establishment** **[New]**
- **Conservation** **[New]**
- **Dwelling, Single Detached** **[New]**
- **Dwelling, Secondary Farm Residence** **[New]**
- **Farm Business** **[New]**
- **Farm Home Industry** **[New]**
- **Home Business – Domestic and Household Arts** **[New]**
- **Home Business – Professional** **[New]**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

9.2 Regulations

Within any Rural Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

9.2.1	Minimum Lot Area	200,000 m ² (20 ha) [New]
9.2.2	Minimum Lot Frontage	100 m [New]
9.2.3	Minimum Front Yard	20 m [New]
9.2.4	Minimum Rear Yard	20 m [New]
9.2.5	Minimum Interior Side Yard	20 m [New]
9.2.6	Minimum Exterior Side Yard	20 m [New]

9.3 Regulations for Residential Uses

Notwithstanding the above regulations, Single Detached and Secondary Farm Residence Dwellings shall be subject to the following regulations:

9.3.1	Minimum Front Yard	10 m [New]
9.3.2	Minimum Rear Yard	10 m [New]
9.3.3	Minimum Interior Side Yard	5 m [New]
9.3.4	Minimum Exterior Side Yard	10 m [New]
9.3.5	Maximum Building Height	10 m [New]

SECTION 10 – ENVIRONMENTAL PROTECTION (EP) ZONE

10.1 Permitted Uses

Within any Environmental Protection Zone, no *person* shall *use* any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except one or more of the following *uses*:

- *Accessory Use* (Section 4.1) **[New]**
- *Conservation* **[No change]**
- *Dwelling, Existing Single Detached* **[New]**
- *Existing Agriculture* **[No change]**
- *Forestry* **[New]**
- *Home Business*, within an *Existing Single Detached Dwelling* **[New]**
- *Outdoor Recreation* **[New]**
- *Park* **[No change]**

Notwithstanding the above list, permitted *uses* may be restricted through the General Provisions (Section 4).

Within the land zoned EP on Schedule “A-1” Lucknow, the uses existing as of October 20, 2008 are permitted uses and minor alterations or replacement will be permitted subject to the approval of the Saugeen and Maitland Valley Conservation Authority. **[No change]**

10.2 Regulations

Notwithstanding Section 10.1, no new buildings shall be permitted except those related to flood control. **[No change]**

SECTION 11 – OPEN SPACE (OS) ZONE

11.1 Permitted Uses

Within any Open Space Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.1) **[New]**
- **Conservation** **[New]**
- **Existing Agriculture** **[New]**
- **Forestry** **[New]**
- **Outdoor Recreation** **[New]**
- **Park** **[New]**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

11.2 Regulations

Within any Open Space Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

11.2.1	Minimum Front Yard	6 m [New]
11.2.2	Minimum Side Yard, Interior	One half of the building height from each side, but not less than 4m [New]
11.2.3	Minimum Side Yard, Exterior	6 m [New]
11.2.4	Minimum Rear Yard	7.5 m or one half of the building height, whichever is greater [New]
11.2.5	Minimum Lot Coverage	40% [Modified]

SECTION 12 – RESIDENTIAL ONE (R1) ZONE

12.1 Permitted Uses

Within any Residential One Zone, no *person* shall *use* any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except one or more of the following *uses*:

- *Accessory Use* (Section 4.1) **[No change]**
- *Bed and Breakfast Establishment* (Section 4.2 and Section 12.3) **[Modified]**
- *Dwelling, Accessory Second Unit* (Section 4.6 and Section 12.2) **[New]**
- *Dwelling, Single Detached* **[No change]**
- *Home Business – Domestic and Household Arts* **[No change]**
- *Home Business – Professional Uses* **[No change]**

Notwithstanding the above list, permitted *uses* may be restricted through the General Provisions (Section 4).

12.2 Accessory Second Unit Dwelling

Notwithstanding the permitted uses in Section 12.1, an Accessory Second Unit Dwelling shall not be permitted within the Lakeshore Settlement Area, as shown on Schedule 'A'.

12.3 Bed and Breakfast Establishments

Notwithstanding the permitted uses in Section 12.1, a Bed and Breakfast Establishment shall not be permitted within the Lakeshore Settlement Area, as shown on Schedule 'A'.

12.4 Regulations

Within any Residential One Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

	Provisions	Settlement Areas		
		Lucknow/Ripley	Hamlet ¹	Lakeshore
12.4.1	Minimum Lot Area	600 m ² [No change]	4,000 m ² [No change]	Municipal Water: 1,850 m ² [No change] Private Services: 6,000 m ² [No change]
12.4.2	Minimum Lot Frontage	17 m [Modified]	40 m [No change]	30 m [No change]
12.4.3	Minimum Lot Frontage, Corner Lot	20 m [Modified]	46 m [Modified]	
12.4.4	Minimum Front Yard	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the front lot line [Modified]	7.5 m [No change]	7.5 m [No change]
12.4.5	Minimum Rear Yard	7.5 m [Modified]	7.5 m [Modified]	7.5 m [No change]
12.4.6	Minimum Interior Side Yard	1.5 m [No change]	1.5 m [No change]	3 m [No change]
12.4.7	Minimum Exterior Side Yard	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the exterior side lot line [Modified]	7.5 m [No change]	3 m [No change]
12.4.8	Minimum Side Yard, Unattached Garage	3 m [No change]	3.0 m [No change]	---
12.4.9	Maximum Lot Coverage	40% [No change]	20% [No change]	30% [No change]
12.4.10	Maximum Building Height	10 m [No change]	10 m [No change]	10 m [Modified]

¹Hamlets include: Amberley, Holyrood, Kinlough, Kinloss, Pine River and Whitechurch

SECTION 13 – RESIDENTIAL TWO (R2) ZONE

13.1 Permitted Uses

Within any Residential Two Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.1) **[No change]**
- **Bed and Breakfast Establishment** (Section 4.2) **[No change]**
- **Dwelling, Accessory Second Unit** (Section 4.6 and 13.2) **[New]**
- **Dwelling, Duplex** **[No change]**
- **Dwelling, Group Home** **[No change]**
- **Dwelling, Triplex** **[No change]**
- **Dwelling, Semi-Detached** **[No change]**
- **Dwelling, Single Detached** **[No change]**
- **Home Business – Domestic and Household Arts** **[No change]**
- **Home Business – Professional Uses** **[No change]**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

13.2 Accessory Second Unit Dwelling

Notwithstanding the permitted uses in Section 13.1, an Accessory Second Unit Dwelling shall not be permitted within the Lakeshore Settlement Area, as shown on Schedule 'A'.

13.3 Regulations

Within any Residential Two Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

13.3.1 Regulations for Single Detached, Duplex & Semi-Detached Dwellings

	Regulation	Single Detached & Duplex Dwelling	Semi-Detached Dwelling
13.3.1.1	Minimum Lot Area	470 m ² [Modified]	235 m ² (per unit) [Modified]
13.3.1.2	Minimum Lot Frontage	12 m [No change]	7.5 m (per unit) [Modified]
13.3.1.3	Minimum Lot Frontage, Corner Lot	15 m [No change]	20 m [Modified]
13.3.1.4	Minimum Front Yard	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the front lot line [Modified]	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the front lot line [Modified]
13.3.1.5	Minimum Rear Yard	7.5 m [Modified]	7.5 m [Modified]
13.3.1.6	Minimum Interior Side Yard	1.5 m [No change]	1.5 m [No change] Side Yard may be reduced to 0 m along the common lot line where a Semi-Detached Dwelling has been equally divided to provide individual ownership to each Dwelling Unit. [No change]
13.3.1.7	Minimum Exterior Side Yard	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the exterior side lot line [Modified]	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the exterior side lot line [Modified]
13.3.1.8	Maximum Lot Coverage	40% [No change]	40% [No change]
13.3.1.9	Maximum Building Height	10 m [No change]	10 m [No change]

13.3.2 Regulations for Triplex Dwellings:

	Provision	Triplex
13.3.2.1	Minimum Lot Area	1,000 m ² [No change]
13.3.2.2	Minimum Lot Frontage	15 m [Modified]
13.3.2.3	Minimum Lot Frontage, Corner Lot	20 m [Modified]
13.3.2.4	Minimum Front Yard	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the front lot line [Modified]
13.3.2.5	Minimum Rear Yard	7.5 m [Modified]
13.3.2.6	Minimum Interior Side Yard	1.5 m [No change]
13.3.2.7	Minimum Exterior Side Yard	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the exterior side lot line [Modified]
13.3.2.8	Maximum Lot Coverage	40% [No change]
13.3.2.9	Maximum Building Height	10 m [No change]

SECTION 14 – RESIDENTIAL THREE (R3) ZONE

14.1 Permitted Uses

Within any Residential Three Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.1) **[No change]**
- **Dwelling, Accessory Second Unit** (Section 4.6 and Section 14.2) **[New]**
- **Dwelling, Apartment** **[No change]**
- **Dwelling, Group Home** **[No change]**
- **Dwelling, Townhouse – Cluster** **[No change]**
- **Dwelling, Townhouse – Street Fronting** **[No change]**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

14.2 Accessory Second Unit Dwelling

Notwithstanding the permitted uses in Section 14.1, an Accessory Second Unit Dwelling shall not be permitted within the Lakeshore Settlement Area, as shown on Schedule 'A'.

14.3 Regulations

Within any Residential Three Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

	Provision	Street Fronting Townhouse	Cluster Townhouse	Apartment
14.3.2.1	Minimum Lot Area	148 m ² (per unit) [Modified]	148 m ² (per unit) [Modified]	275 m ² (per unit) [No change]
14.3.2.2	Minimum Lot Frontage	5.5 m (per unit) [Modified]	15 m [Modified]	15 m [Modified]
14.3.2.3	Minimum Lot Frontage, Corner Lot	12.5 m [Modified]	--- [Modified]	--- [Modified]
14.3.2.4	Minimum Front Yard	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the front lot line [Modified]	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the front lot line [Modified]	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the front lot line [Modified]
14.3.2.5	Minimum Rear Yard	7.5 m [Modified]	7.5 m [Modified]	7.5 m [Modified]
14.3.2.6	Minimum Interior Side Yard	1.5 m Side Yard may be reduced to 0m along the common lot line where a Street Fronting Townhouse Dwelling has been equally divided to provide individual ownership to each Dwelling Unit. [No change]	2.5 m [Modified]	8 m [No change]
14.3.2.7	Minimum Exterior Side Yard	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the exterior side lot line [Modified]	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the exterior side lot line [Modified]	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the exterior side lot line [Modified]
14.3.2.8	Maximum Lot Coverage	40% [No change]	50% [No change]	50% [No change]
14.3.2.9	Maximum Building Height	10 m [No change]	10 m [No change]	15 m [No change]

SECTION 15 – LIFESTYLE COMMUNITY RESIDENTIAL (LCR) ZONE

15.1 Permitted Uses

Within any Lifestyle Community Residential Zone, no *person* shall *use* any *lot* or *erect*, *alter* or *use* any *building* or *structure* for any purpose except one or more of the following *uses*:

- *Accessory Use* (Section 4.1) **[No Change]**
- *Associated Community Facilities* **[No Change]**
- *Dwelling, Single Detached* **[No Change]**
- *Land Lease Community* **[No Change]**
- *Land Lease Community Home* **[No Change]**
- *Mobile Home* **[No Change]**
- *Mobile Home Park* **[No Change]**

Notwithstanding the above list, permitted *uses* may be restricted through the General Provisions (Section 4).

15.2 Regulations

Within any Lifestyle Community Residential Zone, no *person* shall *use* any *lot* or *erect*, *alter* or *use* any *building* or *structure* for any purpose except in accordance with the following requirements:

	Provision	Condominium/Land Lease	Mobile Home Park
Community			
15.2.1	Minimum Lot Area	N/A	4 ha [No Change]
15.2.2	Minimum Lot Width	15 m [No Change]	30 m [No Change]
15.2.3	Minimum Front, Exterior, Side and Rear Yards	N/A	7.5 m [No Change]
15.2.4	Minimum Open Space	N/A	10% [No Change]
15.2.5	Maximum Density	N/A	25 mh/ha [No Change]
Dwellings			
15.2.6	Minimum Lot Area	465 m ² [No Change]	550 m ² [No Change]
15.2.7	Minimum Lot Width	15 m [No Change]	12 m [No Change]
15.2.8	Minimum Front, Exterior Side Yard	6.0 m [No Change]	5 m [No Change]
15.2.9	Minimum Side Yard	1.5 m [No Change]	2 m [No Change]
15.2.10	Minimum Rear Yard	7.5 m [No Change]	3 m [No Change]

15.2.11	Maximum Building Height	8 m [No Change]	5 m [No Change]
15.2.12	Minimum Ground Floor Area	N/A	40 m ² [No Change]
15.2.13	Maximum Ground Floor Area	N/A	N/A
15.2.14	Maximum Lot Coverage	40% [No Change]	20% [No Change]

15.3 Additional Provisions – Community Development

All lifestyle community developments 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. **[No Change]**

SECTION 16 – GENERAL COMMERCIAL (GC) ZONE

16.1 Permitted Uses

Within any General Commercial Zone, no *person* shall *use* any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except one or more of the following *uses*:

- *Accessory Use* (Section 4.1) **[No Change]**
- *Assembly Hall* **[No Change]**
- *Business or Professional Office* **[No Change]**
- *Commercial School* **[New]**
- *Convenience Store* **[New]**
- *Day Care Facility* **[No Change]**
- *Dry Cleaning Establishment* **[No Change]**
- *Dwelling, Apartments* (see Section 16.2) **[New]**
- *Financial Institution* **[No Change]**
- *Food or Grocery Store* **[No Change]**
- *Funeral Home* **[No Change]**
- *Government Administration Building* **[No Change]**
- *Hotel or Motel* **[No Change]**
- *Institutional Use* **[New]**
- *Laundromat* **[No Change]**
- *Liquor Retail Outlet* **[No Change]**
- *Personal Service Shop* **[No Change]**
- *Place of Entertainment* **[No Change]**
- *Public Transportation Depot and Bus Stop* **[No Change]**
- *Restaurant* **[No Change]**
- *Retail Store* **[No Change]**
- *Veterinary Clinic* **[No Change]**

Notwithstanding the above list, permitted *uses* may be restricted through the General Provisions (Section 4).

16.2 Regulations for Apartment Dwellings:

Apartments are only permitted to the rear of a commercial use on the ground floor and/or on the upper floors of commercial establishments. Commercial uses must occupy

the front façade of the ground floor and no accessory second unit shall be permitted in the same building or structure. **[New]**

16.3 Regulations

Within any General Commercial Zone, no *person* shall *use* any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the following requirements:

	Provision	Full Municipal Services	Municipal Water	No Municipal Services
16.3.1	Minimum Lot Area	500 m ² [No Change]	1,400 m ² [No Change]	4,000 m ² [No Change]
16.3.2	Minimum Lot Frontage	9 m [No Change]	30 m [No Change]	40 m [No Change]
16.3.3	Minimum Lot Frontage, Corner Lot	15 m [No Change]	33 m [No Change]	43 m [No Change]
16.3.4	Minimum Front Yard	0 m [No Change]	0 m [No Change]	7.5 m [No Change]
16.3.5	Minimum Rear Yard	10 m [No Change]	10 m [No Change]	10 m [No Change]
16.3.6	Minimum Interior Side Yard	0 m [No Change]	3 m [No Change]	5 m [No Change]
16.3.7	Minimum Exterior Side Yard	6 m [No Change]	7.5 m [No Change]	7.5 m [No Change]
16.3.8	Maximum Lot Coverage	50% [No Change]	30% [No Change]	20% [No Change]
16.3.9	Maximum Building Height	12 m [Modified]	12 m [Modified]	12 m [Modified]
16.3.10	Minimum Gross Floor Area for Retail	70 m ² [No Change]	70 m ² [No Change]	70 m ² [No Change]
16.3.11	Maximum Gross Floor Area for Retail	1,000 m ² [New]	1,000 m ² [New]	1,000 m ² [New]

SECTION 17 – HIGHWAY COMMERCIAL (HC) ZONE

17.1 Permitted Uses

Within any Highway Commercial Zone, no *person* shall *use* any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except one or more of the following *uses*:

- *Accessory Use* (Section 4.1) **[No Change]**
- *Automobile Body/Repair Shop* **[No Change]**
- *Automobile Sales Establishment* **[No Change]**
- *Automobile Service/Gas Station* **[No Change]**
- *Automobile Washing Establishment* **[No Change]**
- *Business or Professional Office* **[New]**
- *Catering Establishment* **[New]**
- *Drive-Thru Establishment* **[New]**
- *Financial Institution* **[New]**
- *Food or Grocery Store* **[New]**
- *Funeral Home* **[New]**
- *Hotel or Motel* **[No Change]**
- *Liquor Retail Outlet*
- *Place of Entertainment* **[No Change]**
- *Public Transportation Depot and Bus Stop* **[New]**
- *Rental Establishment* **[No Change]**
- *Restaurant* **[No Change]**
- *Retail Store* **[New]**
- *Wholesale Establishment* **[No Change]**
- *Veterinary Clinic* **[New]**

Notwithstanding the above list, permitted *uses* may be restricted through the General Provisions (Section 4).

17.2 Regulations

Within any Highway Commercial Zone, no *person* shall *use* any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the following requirements:

	Provision	Full Municipal Services	Municipal Water	No Municipal Services
17.2.1	Minimum Lot Area	2,000 m ² [No Change]	3,000 m ² [No Change]	4,000 m ² [No Change]
17.2.2	Minimum Lot Frontage	30 m [No Change]	30 m [No Change]	40 m [No Change]
17.2.3	Minimum Front Yard	15 m [No Change]	20 m [No Change]	20 m [No Change]
17.2.4	Minimum Rear Yard	6 m [No Change]	9 m [No Change]	10 m [No Change]
17.2.5	Minimum Interior Side Yard	4.5 m [No Change]	10 m [No Change]	10 m [No Change]
17.2.6	Minimum Exterior Side Yard	4.5 m [No Change]	10 m [No Change]	10 m [No Change]
17.2.7	Maximum Lot Coverage	40% [Modified]	30% [Modified]	20% [No Change]
17.2.8	Maximum Building Height	12 m [Modified]	12 m [Modified]	12 m [Modified]
17.2.9	Minimum Gross Floor Area for Retail	185.8 m ² [Modified]	185.8 m ² [Modified]	185.8 m ² [Modified]

SECTION 18 – HAMLET MIXED USE (HMU) ZONE

18.1 Permitted Uses

Within any Hamlet Mixed Use Zone, no *person* shall *use* any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except one or more of the following *uses*:

- *Accessory Use* (Section 4.1) **[New]**
- *Assembly Hall* **[New]**
- *Automotive Service/Gas Station* **[New]**
- *Business or Professional Office* **[New]**
- *Day Care Facility* **[New]**
- *Dry Cleaning Establishment* **[New]**
- *Dwelling, Apartments* (see 18.2) **[New]**
- *Dwelling, Converted Commercial* **[New]**
- *Financial Institution* **[New]**
- *Food or Grocery Store* **[New]**
- *Government Administration Building* **[New]**
- *Hotel or Motel* **[New]**
- *Laundromat* **[New]**
- *Liquor Retail Outlet* **[New]**
- *Medical Clinic* **[New]**
- *Personal Service Shop* **[New]**
- *Restaurant* **[New]**
- *Retail Store* **[New]**
- *Veterinary Clinic* **[New]**

Notwithstanding the above list, permitted *uses* may be restricted through the General Provisions (Section 4).

18.2 Regulations for Apartment Dwellings:

Apartments are only permitted on the upper floors of commercial establishments. Commercial uses must occupy the entire ground floor and no accessory second unit shall be permitted in the same building or structure. **[New]**

18.3 Regulations

Within any Hamlet Mixed Use Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

18.3.1	Minimum Lot Area	4,000 m ² (0.4 ha) [New]
18.3.2	Minimum Lot Frontage	30 m [New]
18.3.3	Minimum Front Yard	7.5 m [New]
18.3.4	Minimum Rear Yard	10 m [New]
18.3.5	Minimum Interior Side Yard	5 m [New]
	Where the interior side lot line abuts a Residential Zone or lands used for residential purposes, the minimum interior side yard shall be 7.5 m, unless abutting uses are both residential. [New]	
18.3.6	Minimum Exterior Side Yard	7.5 m [New]
18.3.7	Maximum Lot Coverage	20% [New]
18.3.8	Maximum Building Height	10 m [New]
18.3.9	Maximum Gross Floor Area for Retail	500 m ² [New]

SECTION 19 – RESORT/RECREATIONAL COMMERCIAL (RRC) ZONE

19.1 Permitted Uses

Within any Resort/Recreational Commercial Zone, no **person** shall **use** any **lot** or **erect**, **alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.1) **[No Change]**
- **Campground** **[No Change]**
- **Commercial Recreation** **[No Change]**
- **Marina** **[No Change]**
- **Hotel or Motel** **[No Change]**
- **Park** **[No Change]**
- **Private Clubs and Day Camps** **[No Change]**
- **Restaurant** **[No Change]**
- **Tent** **[No Change]**
- **Travel Trailers** **[No Change]**
- **Tourist Lodging** **[No Change]**
- **Cabins and Cottages** **[No Change]**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

19.2 Regulations

Within any Resort/Recreational Commercial Zone, no **person** shall **use** any **lot** or **erect**, **alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

19.2.1	Minimum Lot Area	4,000 m ² (0.4 ha) [No Change]
19.2.2	Minimum Lot Frontage	30 m [No Change]
19.2.3	Minimum Front Yard	15 m [No Change]
19.2.4	Minimum Rear Yard	15 m [No Change]

19.2.5	Minimum Side Yard	15 m [No Change]
19.2.6	Maximum Building Height	10 m [No Change]
19.2.7	Maximum Density of Campsites	30 per hectare [No Change]
19.2.8	Minimum Campsite Area	232 m ² [No Change]
19.2.9	Minimum Campsite Frontage	15 m [No Change]

SECTION 20 – INSTITUTIONAL (I) ZONE

20.1 Permitted Uses

Within any Institutional Zone, no *person* shall *use* any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except one or more of the following *uses*:

- *Accessory Use* (Section 4.1) **[No change]**
- *Assembly Hall* **[No change]**
- *Banquet Hall, Accessory* to a *Community Centre* **[No change]**
- *Cemetery* **[No change]**
- *Commercial School* **[New]**
- *Day Care Facility* **[No change]**
- *Emergency Services Facility* **[No change]**
- *Government Administration Building* **[No change]**
- *Group Home* **[No change]**
- *Hospital* **[No change]**
- *Institutional Use* **[New]**
- *Library* **[No change]**
- *Museum* **[No change]**
- *Recreational Facility* **[No change]**

Notwithstanding the above list, permitted *uses* may be restricted through the General Provisions (Section 4).

20.2 Regulations

Within any Institutional Zone, no *person* shall *use* any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the following requirements:

	Provision	Full Municipal Services	Municipal Water	No Municipal Services
20.2.1	Minimum Lot Area	600 m ² [No Change]	1,800 m ² [No Change]	4,000 m ² [No Change]
20.2.2	Minimum Lot Frontage	15 m [No Change]	30 m [No Change]	40 m [No Change]
20.2.3	Minimum Front Yard	7.5 m [No Change]	7.5 m [No Change]	7.5 m [No Change]
20.2.4	Minimum Rear Yard	10 m [No Change]	10 m [No Change]	10 m [No Change]

20.2.5	Minimum Interior Side Yard	1.5 m [No Change]	5 m [No Change]	5 m [No Change]
20.2.6	Minimum Exterior Side Yard	6 m [No Change]	6 m [No Change]	6 m [No Change]
20.2.7	Maximum Lot Coverage	30% [No Change]	20% [No Change]	10% [No Change]
20.2.8	Maximum Building Height	10 m [No Change]	10 m [No Change]	10 m [No Change]

SECTION 21 – LIGHT INDUSTRIAL (M1) ZONE

21.1 Permitted Uses

Within any Light Industrial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Retail Store, Wholesale Outlet, Showroom and Office** (Section 21.3) **[New]**
- **Accessory Use** (Section 4.1) **[No Change]**
- **Commercial School** **[No Change]**
- **Contractor or Tradesperson Establishment** **[Modified]**
- **Licensed Medical Marihuana Facility** **[New]**
- **Light Industrial Use** **[No Change]**
- **Scientific Research Establishment** **[New]**
- **Warehouse** **[No Change]**
- **Warehouse, Mini Storage** **[No Change]**
- **Wholesale** **[No Change]**
- **Veterinary Clinic** **[New]**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

21.2 Regulations

Within any Light Industrial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

	Provision	Full Municipal Services	Municipal Water
21.2.1	Minimum Lot Area	1,500 m ² (0.15 ha) [No Change]	2,000 m ² (0.2 ha) [No Change]
21.2.2	Minimum Lot Frontage	30 m [No Change]	40 m [No Change]
21.2.3	Minimum Front Yard	15 m [No Change]	15 m [No Change]

21.2.4	Minimum Rear Yard	10 m [No Change]	10 m [No Change]
21.2.5	Minimum Side Yard	5 m [No Change]	5 m [No Change]
	Where the <i>interior side lot line</i> abuts a Residential Zone or lands in <i>use</i> for residential purposes, the minimum <i>interior side yard</i> shall be 7.5 m. [New]		
21.2.6	Maximum Lot Coverage	30% [No Change]	30% [No Change]
21.2.7	Minimum Ground Floor Area	70 m ² [No Change]	70 m ² [No Change]
21.2.8	Maximum Building Height	15 m [No Change]	15 m [No Change]

21.3 Restrictions on Gross Floor Area for Accessory Uses

An accessory office shall have a maximum gross floor area of 40% of the gross floor area used by the main use.

An accessory retail store, wholesale outlet, or showroom shall have a maximum gross floor area no greater than 30% of the gross floor area of the main use. [New]

SECTION 22 – GENERAL INDUSTRIAL (M2) ZONE

22.1 Permitted Uses

Within any General Industrial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Abattoir [No Change]**
- **Accessory Use** (Section 4.1 and Section 22.3) **[No Change]**
- All Uses Permitted in the M1 Zone **[New]**
- **Agricultural-Related Business [New]**
- **Agricultural Service Establishment [New]**
- **Automobile Body/Repair Shop [New]**
- **Automobile Service/Gas Station [New]**
- **Automotive Wrecking Establishment [No Change]**
- **Emergency Services Facility [No Change]**
- **Fuel Storage Establishment [Modified]**
- **Industrial Use [No Change]**
- **Outdoor Storage, Accessory to Primary Use [No Change]**
- Terminals for Storage and Handling of Freight **[No Change]**
- **Transport Establishment [Modified]**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

22.2 Regulations

Within any General Industrial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

	Provision	Full Municipal Services	Municipal Water	No Municipal Services
22.2.1	Minimum Lot Area	1,850 m ² [No Change]	3,000 m ² [No Change]	4,000 m ² [No Change]
22.2.2	Minimum Lot Frontage	20 m [No Change]	30 m [No Change]	40 m [No Change]
22.2.3	Minimum Front Yard	9 m [No Change]	9 m [No Change]	9 m [No Change]
22.2.4	Minimum Rear Yard	7.5 m [No Change]	7.5 m [No Change]	7.5 m [No Change]

22.2.5	Minimum Side Yard	5 m [Modified]	5 m [Modified]	5 m [Modified]
22.2.6	Maximum Lot Coverage	30% [Modified]	30% [Modified]	30% [Modified]
22.2.7	Maximum Building Height	15 m [Modified]	15 m [Modified]	15 m [Modified]

22.3 Restrictions on Gross Floor Area for Accessory Uses

An accessory office shall have a maximum gross floor area of 40% of the gross floor area used by the main use.

An accessory retail store, wholesale outlet, or showroom shall have a maximum gross floor area no greater than 30% of the gross floor area of the main use. **[New]**

SECTION 23 – EXTRACTIVE RESOURCE (ER) ZONE

23.1 Permitted Uses

Within any Extractive Resource Zone, no *person* shall *use* any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except one or more of the following *uses*:

- *Pit* [No Change]
- *Quarry* [No Change]
- *Processing of Extracted Aggregate, Quarry Stone* [No Change]
- *Portable Asphalt Plant* [No Change]
- *Concrete Batching Plant* [No Change]
- *Agriculture* [No Change]

Notwithstanding the above list, permitted *uses* may be restricted through the General Provisions (Section 4).

23.2 Prohibited Uses

Notwithstanding Section 23.1, accessory residential uses shall be prohibited within the ER Zone. [No Change]

SECTION 24 – FUTURE DEVELOPMENT (FD) ZONE

24.1 Permitted Uses

Within any Future Development Zone, no *person* shall *use* any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except one or more of the following *uses*:

- *Existing Agricultural Uses* **[New]**
- *Existing Dwelling, Single Detached* **[New]**
- *Home Occupation, Domestic and Household Arts* **[New]**
- *Home Business – Professional* **[New]**

Notwithstanding the above list, permitted *uses* may be restricted through the General Provisions (Section 4).

24.2 Prohibited Uses

Notwithstanding Section 24.1, a livestock facility shall be prohibited within the FD Zone. **[New]**

24.3 Regulations

Alteration and/or enlargement of an existing single detached dwelling shall be in accordance with the regulations of the Agricultural Residential (AG3) Zone. **[New]**

SECTION 25 – SPECIAL PROVISIONS

The following provisions shall have effect notwithstanding anything else in this By-law and the other provisions of this By-law shall be deemed to be amended insofar as is necessary to give effect thereto.

25.1 Farm Parcel from a Surplus Farm Residence Severance

Notwithstanding the provisions of the General Agriculture (AG1) Zone, where the County of Bruce has approved the severance of a surplus farm residence property:

- a) The appropriate Zone Map in this by-law shall be annotated to reflect Special Provision 25.1 for the retained farm parcel;
- b) A detached dwelling is not permitted on the retained farm parcel zoned AG1-25.1; and
- c) The retained farm parcel shall be deemed to comply with the minimum lot area and lot frontage provisions of the General Agriculture (AG1) Zone. **[New]**

25.2 Surplus Residence Parcel from a Surplus Farm Residence Severance

Notwithstanding the provisions of the General Agriculture (AG1) Zone, where the County of Bruce has approved the severance of a surplus farm residence property:

- a) The appropriate Zone Map in this by-law shall be annotated to reflect AG3-25.2 for the surplus farm residence parcel; and
- b) The surplus farm residence parcel shall be deemed to comply with the minimum lot area and lot frontage provisions of the Agricultural Residential (AG3) Zone. **[New]**

25.3 Notwithstanding the provisions of the General Agriculture (AG1) Zone, on those lands identified with Special Provision 25.3 a parochial school serving the horse-drawn carriage community is permitted and all residential use is prohibited. **[Former AG-66]**

25.4 Notwithstanding the provisions of the General Agriculture (AG1) Zone, on those lands identified with Special Provision 25.4 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 the permitted uses identified in Section 6.1. **[Former AG-88]**

25.5 Notwithstanding the provisions of the General Agriculture (AG1) Zone, within the land identified with Special Provision 25.5, 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. **[Former AR-2]**

- 25.6** Notwithstanding the provisions of the Future Development (FD) Zone, within the land identified with Special Provision 25.6, 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 AG1 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. **[Former AR-5]**
- 25.7** Notwithstanding the provisions of the General Agriculture (AG1) Zone, within the land identified with Special Provision 25.7, the existing gun club is permitted. **[Former AR-6]**
- 25.8** Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.8 may be used for purposes in compliance with the 'AG1' 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) **[Former AR-10]**
- 25.9** Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.9 shall be used in compliance with the 'AG1' zone provisions contained in this By-law, excepting however that:
- i) The number of entrances onto Bruce Road 1 shall be limited to two (2) entrances. Entrances shall be defined as a vehicular passageway connected to Bruce Road 1 providing ingress and egress from the lot. (2015-77) **[Former AR-12]**
- 25.10** Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.10 shall be used in compliance with the 'AG1' zone provisions contained in this By-law, excepting however that:
- i. In addition to the uses permitted in Section 6.1 'Farm Business' a 'Feed and Seed' business shall be permitted;
 - ii. The Feed and Seed Business shall be subject to the following conditions:
 - a) The Feed and Seed business may be conducted within an Accessory Building with a maximum building floor area of 930 square metres (10,000 square feet);

- b) With the exception of five (5) additional employees, the Feed and Seed business is to be carried out only by the person who resides in the farm residence;
 - c) The side, front and rear yard setbacks of the Accessory Building shall be no more than 20 metres;
 - 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 the street; and,
 - 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 and is non-flashing and shall be permitted in the front yard.
- iii. All other Permitted Uses and policies of Section 6.0 (General Agriculture) shall apply. (2016-82) **[Former AR-14]**

25.11 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.11 as described as Part of Lot 36, Concession 6, Huron the processing and sale of dairy products is permitted. **[Former AG-2]**

25.12 Notwithstanding the provisions of the General Agriculture (AG1) Zone, within the land identified with Special Provision 25.12 as described as Part of Lot 5, Concession 5, Kinloss a millwright establishment is permitted as a Farm Home Industry in accordance with the provisions of Section 4.11 and Section 6.2 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. **[Former AG-3]**

25.13 Notwithstanding the provisions of the General Agriculture (AG1) Zone, within the land identified with Special Provision 25.13 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.
- b) Part of Lot 35, Concession 4, Huron. **[Former AG-4]**

25.14 Notwithstanding the provisions of the General Agriculture (AG1) Zone, within the land identified with Special Provision 25.14 and as described below, no buildings are permitted.

a) Part of Lot 28, Concession 6, Kinloss. (2010-76) **[Former AG-5]**

25.15 Notwithstanding the provisions of the General Agriculture (AG1) Zone, within the land identified with Special Provision 25.15 as described as Part of Lot 3, Concession 1, Kinloss, the service and repair of farm equipment and trucks is permitted. **[Former AG-6]**

25.16 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.16 shall be used for a single detached dwelling in accordance with the 'AG1' 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)

[Former AG-7]

25.17 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.17 shall be used for a single detached dwelling in accordance with the 'AG1' 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 4.28 "Setbacks – Watercourse and Municipal Drain" 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) **[Former AG-8]**

25.18 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.18 shall only be used for the purposes of 'Farm Implement and Equipment Establishment' in accordance with the 'AG1' 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 IMPLEMENT & 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)

[Former AG-9]

25.19 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.19 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 Section 6.2;
- iii) Section 4.21 Number of Dwellings per Lot shall not apply;

iv) Section 4.34 Two or More Uses on a Lot shall not apply. (2002-41)
[Former AG-11]

25.20 Notwithstanding the provisions of the General Agriculture (AG1) Zone, within the land identified with Special Provision 25.20 as described as Part of Lots 26 and 27, Concession 3, Huron, the existing grain handling and drying facility is permitted. (OMB approved) **[Former AG-24]**

25.21 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.21 shall be used in accordance with the 'AG1' 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 9.29m² 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 9.29m² detached shed shall be no less than as it existed on the date of passage of the By-law. (2005-84) **[Former AG-26]**

25.22 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.22 may also be used for a 'Farm Lot' purposes in compliance with the 'AG1' 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 Rear 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. (2006-100) (2006-144) **[Former AG-57]**

25.23 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.23 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) **[Former AG-63]**

25.24 Notwithstanding the provisions of the General Agriculture (AG1) Zone, within the land identified with Special Provision 25.24 a church serving the

horse-drawn carriage community is permitted and all residential use is prohibited.

- a) Part of Lot 14, Concession 7, Kinloss 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. (*By-law No. 23-1996*)
[Former AG-67]

25.25 Notwithstanding the provisions of the General Agriculture (AG1) Zone, within the land identified with Special Provision 25.25 and as described below, the existing institutional use is permitted and all residential use is prohibited:

- a) Part of Lot 5, Concession 11, Huron, the existing use is the Purple Grove Community Centre.
- b) Part of Lot 13, Range 1 South, Kinloss, the existing use is the Kinloss Community Centre. **[Former AG-69]**

25.26 Notwithstanding the provisions of the General Agriculture (AG1) Zone, within the land identified with Special Provision 25.26 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.
- b) Part of Lot 36, Concession 4, Huron.
- c) Part of Lot 36, Concession 2, Huron. **[Former AG-70]**

25.27 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.27 shall be used in accordance with the 'AG1' 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 and 2009-115) **[Former AG-71]**

25.28 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.28 and described as North Part Lot 8, Concession 6, geographic Township of Huron, may be used for 'Farm Lot' purposes in compliance with the 'AG1' 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) **[Former AG-73]**

25.29 Notwithstanding the provisions of the General Agriculture (AG1) Zone, within the land identified with Special Provision 25.29 shall be used in compliance with the 'AG1' 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) **[Former AG-74]**

25.30

Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.30 as described as Part Lot 17, Concession 8, geographical Township of Kinloss, shall be used in compliance with the 'AG1' zone provisions contained in this By-law, excepting however:

- i) In addition to the permitted uses in the AG1 zone, a "Industrial Use" shall also be permitted as a 'Farm Home Industry';
- ii) The maximum 'Ground Floor Area' of the 'Farm Home Industry' and buildings accessory to the 'Farm Home Industry' shall be no greater than 605m² (6516 sq. ft.);
- iii) The 'Minimum Side Yard' for any/all principal building and buildings accessory to the 'Farm Business' shall be no less than 10.67 metres (35 feet);
- iv) Three (3) parking spaces shall be provided;
- v) The principle buildings and buildings accessory to the 'Farm Home Industry' shall be located within 100 metres (328 ft.) of a Single Detached Dwelling if one is located on the lot;
- vi) 'Outdoor Storage' is not permitted unless fully enclosed by a fence or other appropriate enclosure in order that such 'Outdoor Storage' is not visible from the street;
- vii) No display or storage of finished goods, equipment, etc. is permitted in the 'Front Yard';
- viii) No display or storage of finished goods, equipment, etc. is permitted in the 'Front Yard';
- ix) No advertising, other than a plate or sign which is no larger than 0.4 square metres (4.3 square feet) in area, non-flashing, is permitted in the 'Front Yard';
- x) The 'Minimum Lot Area' shall be no less than 20.24 ha (50 ac);
- xi) Buildings and structures existing as of May 8, 2017 which do not comply with the provisions of this By-law are hereby recognized. All future buildings and structures or additional to existing buildings and structures, shall comply with the 'AG1 – General Agriculture' and 'General' provisions of this By-law. **[Former AG-76]**

25.31

Notwithstanding the provisions of the General Agriculture (AG1) Zone, within the land identified with Special Provision 25.31 the existing residential lots are permitted. **[Former AG-77]**

25.32

Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.32 may be used for 'Non-farm Lot' purposes in compliance with the 'AG1' 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) **[Former AG-86]**

25.33 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.33 may be used for 'Non-farm Residential' purposes in compliance with the 'AG1' 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) **[Former AG-90]**

25.34 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.34 may be used for purposes in compliance with the 'AG1' 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 'AG1' 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) **[Former AG-91]**

25.35 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.35 may be used only for:

- i) a single detached residential use. (2012-09) **[Former AG-92]**

25.36 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.36 may be used for purposes in compliance with the 'AG1' 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) **[Former AG-94]**

25.37 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.37 may be used for purposes in compliance with the 'AG1' 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) **[Former AG-95]**

25.38 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.38 and a Holding Zone may be used for purposes in compliance with the 'AG1' 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) **[Former AG-96]**

25.39

Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.39 may be used for purposes in compliance with the 'AG1' 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) **[Former AG-98]**

25.40 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.40 may be used for purposes in compliance with the 'AG1' 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 'AG1' 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) **[Former AG-99]**

25.41 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.41 may be used for purposes in compliance with the 'AG1' 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) **[Former AG-102]**

25.42 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.42 may be used for purposes in compliance with the 'AG1' 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 4.17 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) **[Former AG-103]**

25.43 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.43 may be used for the purposes

in compliance with the 'AG1' zone provisions contained in this By-law, excepting however, that:

- i) A 'single detached dwelling' shall be permitted;
- ii) Minimum lot area shall be 1.0 ha (2.47 ac);
- iii) Minimum lot width shall be no less than 62.0 m (203.4 ft.);
- iv) Minimum rear yard setback shall be no less than 3.0 m (10.0 ft.) for the existing barn; and,
- v) The number of livestock units shall be limited to 1.24 livestock units per ha (0.5 units per ac). (2013-98) **[Former AG-104]**

25.44 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.44 may be used for the purposes in compliance with the 'AG1' zone provisions contained in this By-law, excepting however, that:

- i) On-farm diversified uses and agri-tourism uses, including farm tours; a farm market and café; an event centre with commercial kitchen for cooking classes, food preparations for the café or catering weddings or other events; and, a health and beauty spa are also permitted;
- ii) The minimum side yard to a commercial building shall be 0 metres (0 ft.) from the westerly boundary of the 'AG-105' zoned area on the property. (2014-65) **[Former AG-105]**

25.45 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.45 may be used for the purposes in compliance with the 'AG1' Zone provisions contained in this By-law, excepting however, that:

- i) A 'Parochial School' servicing the horse-drawn carriage community is permitted and all residential use is prohibited;
- ii) The minimum lot frontage shall be 21 metres;
- iii) The minimum lot area shall be 1580 square metres. (2014-76) **[Former AG-106]**

25.46 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.46 with a Holding Provision may be used for the purposes in compliance with the 'AG1' Zone provisions contained in this By-law, excepting however, that:

- i) No residential use shall be permitted;
- ii) Site alteration and development shall not be permitted prior to removal of the 'H - holding' provision. Council may consider removal of the 'H - Holding' in accordance with the Planning Act, R.S.O. 1990, once it is satisfied that an Archaeological Assessment has been provided by a qualified individual and that the Ministry of Culture, Tourism and Sport has accepted and registered the assessment, if required. (2015-10) **[Former AG-107]**

25.47 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.47 may be used for the purposes in compliance with the 'AG1' 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 hectare (0.5 units per acre);
- ii) Notwithstanding Section 4.17 (ii) the Minimum Distance Separation I setback shall be no less than 132 metres (433 feet) to a livestock facility located at W Part Lot 22, Concession 8, geographic Township of Huron, [3636 Bruce Road 6], Township of Huron-Kinloss. (2015-10) **[Former AG-108]**

25.48 Prior to the removal of the 'H – Holding' provision, lot grading; excavation; site alteration and development shall be prohibited. Council may consider removal of the 'H – Holding' provision in accordance with the Planning Act, R.S.O.1990, only upon:

- a) Approval by the Zoning Administrator that an Archaeological Assessment has been:
 - i. Conducted by an archaeologist licensed in the Province of Ontario; and,
 - ii. Confirmed by the appropriate Ministry to have been accepted into the Ontario Public Register of Archaeological Reports.
- b) Confirmation to the satisfaction of the Zoning Administrator that the recommendations of the archaeological report (if any) have been implemented. (2015-56) **[Former AG-110]**

25.49 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.49 shall be used in compliance with the 'AG1' zone provisions contained in this By-law, excepting however that:

- i) That, in addition to the permitted uses in the 'AG1' Zone, a 'machine shop' be a permitted use on the property subject to the 'Farm Home Industry' provisions in Section 4.11;
- ii) That total Building Floor Area of the 'Farm Home Industry' located in an accessory building shall be no larger than 265 m²;
- iii) The accessory building containing the 'Farm Home Industry' shall be located no further than 45 m away from the building cluster as determined by the Chief Building Official; and,
- iv) All other policies of Section 4.11 Farm Home Industry and Section 6.0 AG1 – General Agriculture Zone shall apply. **[Former AG-112]**

25.50 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.50 shall be used in compliance with the 'AG1' zone provisions contained in this By-law, excepting however that:

- i. A parochial school serving the horse-drawn carriage community is permitted and all residential uses is permitted;
- ii. That the side yard be no less than 18 m; and,
- iii. That the front yard be no less than 15 m. (2016-45) **[Former AG-114]**

25.51 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.51 shall be used in compliance with the 'AG' zone provisions contained in this By-law, excepting however that:

- i. The number of nutrient units shall be limited to 1.25 units per hectare;
- ii. The Minimum Distance Separation between the subject lands and the barns located at Lot 35, Concession 4, geographic Township of Greenock, Municipality of Brockton, shall be no less than 110 metres; and,
- iv. Buildings and structures existing as of November 14, 2016 which do not comply with the provisions of this By-law are hereby recognized. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of the By-law.

[Former AG-118]

25.52 Notwithstanding the provisions of the Environmental Protection (EP) Zone, within the land identified with Special Provision 25.52 the permitted uses shall be limited to passive recreation and only structures accessory for flood and/or erosion control purposes. (2001-88 and 2001-89) **[Former EP-1 & EP-2]**

25.53 Notwithstanding the provisions of the Environmental Protection (EP) Zone, within the land identified with Special Provision 25.53 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. **[Former EP-3]**

25.54 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.54 may be used for purposes in compliance with the 'AG1' Zone excepting however, that the number of livestock units shall be limited to 2.48 nutrient units per ha (1 nutrient unit per ac). **[Former AR-9, AG-19, AG-21, AG-71, AG-85, AG-111]**

25.55 Notwithstanding the provisions of the Environmental Protection (EP) Zone, the land identified with Special Provision 25.55 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,
- v) Any development and/or alteration shall be reviewed by Maitland Valley Conservation Authority. (2011-93) **[Former EP-5]**

25.56 Notwithstanding the provisions of the Extractive Resource (ER) Zone, the land identified with Special Provision 25.56 shall be used in accordance with the 'ER' zone provisions contained in this By-law, excepting however that:

- i) Section 4.21 Number of Dwellings per Lot shall not apply;
- ii) Section 4.34 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) **[Former ER-1]**

- 25.57** Notwithstanding the provisions of the Extractive Resource (ER) Zone, the land identified with Special Provision 25.57 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 990 as amended. (2003-13) **[Former ER-2]**
- 25.58** Notwithstanding the provisions of the Open Space (OS) Zone, the land identified with Special Provision 25.58 a waste disposal site shall be permitted and all residential uses are prohibited.
- a) Part of Lots 19 and 20, Concession 5, Huron.
 - b) Part of Lot 16, Concession 6, Kinloss. **[Former OS-1]**
- 25.59** Notwithstanding the provisions of the Open Space (OS) Zone, the land identified with Special Provision 25.59 and as described below, a golf course with clubhouse and maintenance buildings is permitted.
- a) Part of Lot 36 & 37, Concession 12, Huron
 - b) Part of Lots 21 and 22, Range 3 South and Part of Lot 11, Concession 12, Kinloss **[Former OS-2]**
- 25.60** Notwithstanding the provisions of the Open Space (OS) Zone, the land identified with Special Provision 25.60 as described as Part of Lots 20, 21, 22, 23, 24 and 25, Range 2, S.D.R. Kinloss shall only be used for the purpose of a church camp as it existed on the 6th day of August, 1985. (By-law No. 15- 1985). **[Former OS-3]**
- 25.61** Notwithstanding the provisions of the Open Space (OS) Zone, the land identified with Special Provision 25.60 and described as Part of Lot 21, Range 1 South a wilderness campground to accommodate unserviced campsites for short term use associated with the Silver Lake Campground is permitted. **[Former OS-4]**
- 25.62** Notwithstanding the provisions of the General Agricultural (AG1) zone, on those lands identified with Special Provision 25.62 shall be used in accordance with the 'AG1' zone provisions contained in this By-law excepting however that:
- i) The number of nutrient units shall be limited to 1.25 units per hectare;
 - ii) Buildings and structures existing as of May 8, 2017 which do not comply with the provisions of this By-law are hereby recognized. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of this By-law. **[Former AG-119 & AG-120]**

- 25.63** Notwithstanding the provisions of the General Agricultural (AG1) zone, on those lands identified with Special Provision 25.63 shall be used in accordance with the 'AG1' zone provisions contained in this By-law excepting however that:
- i) The number of nutrient units shall be limited to 1.25 units per hectare;
 - ii) Buildings and structures existing as of March 13, 2017 which do not comply with the provisions of this By-law are hereby recognized. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of this By-law. **[Former AG-117]**
- 25.64** Notwithstanding their 'OS' Zoning designation, those lands described as Part of Lots 36 and 37, Concession 12, in the Township of Huron and identified with Special Provision 25.64 may be used for residential purposes in compliance with the 'R1' Zone provisions contained in this By-law, excepting however that:
- i) The 'Minimum Lot Area' shall be 0.86 acres;
 - ii) The 'Minimum Lot Frontage' shall be 285 feet;
 - iii) For the purposes of this Subsection, 'Lot Area' shall be defined as the total horizontal area within the lot lines of the lot. (18-94) **[Former OS-7]**
- 25.65** Notwithstanding the provisions of the Institutional (I) Zone, the land identified with Special Provision 25.65 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
 - b) Part of Block P, Mill Site No. 3, Village of Lucknow **[Former I-1]**
- 25.66** Notwithstanding the provisions of the Institutional (I) Zone, the land identified with Special Provision 25.66 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
 - b) Part Lot 54, Concession 1, Kinloss **[Former I-2]**
- 25.67** Notwithstanding the provisions of the Institutional (I) Zone, the land identified with Special Provision 25.67 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 20.2 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 5.1 Parking Requirements shall not apply; and
- e) a planting area in accordance with Section 4.24 or a solid wood fence shall be constructed along the full length of the rear (westerly) lot line. (2002-37) **[Former I-4]**

25.68 Within the land zoned **I-25.68(f)**, hospitals, day care facilities and the residential uses in Section 20.1 are not permitted. **[Former I-5]**

25.69 Notwithstanding their 'I(f)' Zoning designation, those lands delineated as '**I-25.69(f)**' 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) **[Former I-6]**

25.70 Notwithstanding the provisions of the Residential (R1) Zone, within the land identified with Special Provision 25.70 a health and beauty spa is permitted. **[Former R1-2]**

25.71 Notwithstanding the provisions of the Residential (R1) Zone, within the land identified with Special Provision 25.71 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. **[Former R1-3]**

25.72 Notwithstanding the provisions of the Residential (R1) Zone, within the land identified with Special Provision 25.72 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) **[Former R1-4]**

25.73 Notwithstanding the provisions of the Residential (R1) Zone, within the land identified with Special Provision 25.73 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 (*By-law 2004-29*) **[Former R1-5]**

25.74 Notwithstanding the provisions of the Residential (R1) Zone, within the land identified with Special Provision 25.74 the existing truck transportation terminal is permitted. **[Former R1-6]**

25.75 Notwithstanding the provisions of the Residential (R1) Zone, within the land identified with Special Provision 25.75 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 12.3 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 (*By-law 2002-37*)

[Former R1-7]

25.76 Notwithstanding the provisions of the Residential (R1) Zone, within the land identified with Special Provision 25.76 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 12.3. **[Former R1-8]**

25.77 Notwithstanding the provisions of the Residential (R1) Zone, within the land identified with Special Provision 25.77 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*) **[Former R1-10]**

25.78 Notwithstanding the provisions of the Residential (R1) Zone, within the land identified with Special Provision 25.78 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*)

[Former R1-11]

25.79 Notwithstanding the provisions of the Residential (R1) Zone, within the land identified with Special Provision 25.79 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. (*2012-09*)

[Former R1-12]

25.80 Notwithstanding the provisions of the Residential (R1) Zone, within the land identified with Special Provision 25.80 may be used for purposes in compliance with the 'R1' zone provisions contained in this By-Law, excepting however that:

- i) Minimum lot frontage is reduced to no less than 285. m (93.5 ft.);
- i) Section 4.28 Watercourse Setbacks shall not apply. (2005-28)
[Former R1-13]

25.81 Notwithstanding the provisions of the Residential (R1) Zone, within the land identified with Special Provision 25.81 may be used for purposes in compliance with the 'R1' zone provisions contained in this By-law, excepting however that:

- i) The 'Minimum Lot Area' shall be no less than 368 square metres (3961 square feet); and,
- ii) The minimum setbacks for all buildings and structures shall be less than as they existed on the date of passage of this By-law. (2005-32) **[Former R1-14]**

25.82 Notwithstanding the provisions of the Residential (R1) Zone, within the land identified with Special Provision 25.82 shall be used for Detached Residential uses in accordance with the 'R1' zone provisions, excepting however that:

.1 Permitted Uses

Permitted uses shall be limited to the following:

Residential Uses

- 'Land Lease Community'
- 'Land Lease Community Home'
- Buildings and Structures accessory to a 'Land Lease Community Home'
- Home Occupation, Professional Use
- Home Occupation, Domestic and Household Arts

Non-Residential Uses

- Accessory Buildings and Structures including a 'Community Centre(s)' and Maintenance buildings
- Park

.2 Definitions

The following definitions apply within the 'R1-15-h' zone:

- a) '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 'co-operative community' or 'condominium corporation' shall also be defined as a 'Land Lease Community' for the purpose of this By-law.
- b) 'Land Lease Community Home' 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.
- c) 'Land Lease Community Lot' shall mean a parcel of land within a 'Land Lease Community', intended for occupancy by

a 'Land Lease Community Home', and having access to or frontage on a 'Private Access Right-of-Way' but is not capable of having an interest in land conveyed pursuant to the Planning Act.

- d) 'Private Access Right-of-Way' shall mean an internal paved access road the 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 'Land Lease Community Home', 'Park and Community Centre.
- e) 'Lot Line' shall mean the boundary of a 'Land Lease Community Lot'.
- f) 'Front Lot Line' and 'Exterior Lot Line' shall mean the boundary line along the 'Private Access Right-of-Way' designed and intended for, or used for, the passage of vehicles.
- g) 'Side Lot Line' shall mean any boundary of a 'Land Lease Community Lot' other than a Front Lot Line, Exterior Lot Line or Rear Lot Line.
- h) 'Rear Lot Line' shall mean the boundary line farthest from and opposite to the Front Lot Line.
- i) 'Maximum Ground Floor Area' shall mean the total of the ground floor area of a 'Land Lease Community Home' measured by the outside walls and shall include a private garage, carport, verandah, porch or sunroom.

.3 Land Lease Community – Site Regulations

A 'Land Lease Community' shall be subject to the following site regulations:

- (a) Minimum Total Lot Area 22.3 hectares
- (b) Maximum # of 'Land Lease Community Homes' 150

.4 Access & Roads

Each 'Land Lease Community Lot' shall have frontage on a 'Private Access Right-of-Way' a minimum width of 16 metres (52.5 ft.). A 'Private Access Right-of-Way' shall be defined as an 'Improved Street' and/or 'Street (Public)' for the purposes of establishing setbacks for all buildings and structures.

.5 Services

Each Land Lease Community Home located within a Land Lease Community shall be connected to a municipal water and sewage disposal system and shall be provided with solid waste disposal, storm drainage, electrical service, street lighting, telephone and road maintenance.

.6 Land Lease Community Lot – Site Regulations

A land Lease Community Lot shall be subject to the following Site Regulations:

- (a) Minimum Land Lease Community Lot area 467 square metres
- (b) Minimum Land Lease Community Lot 14.457 metres

- Frontage
- (c) Maximum Number of Land Lease Community Homes per Land Lease Community Lot 1 Land Lease Community Home per Land Lease Community Lot
- (d) Minimum Building Setbacks:
- i) Front/Exterior Yard 5.5 metres
- ii) Side Yard 1.2 metres
- iii) Rear Yard 7.0 metres
- (e) Maximum Building Height 5.46 metres (18 ft.)
- (f) Maximum Lot Coverage 40.6%
- (g) 'Maximum Ground Floor Area' – Land Lease Community Home 232.25 square metres
- (h) Required # of Off-Street Parking Spaces Minimum of one off-street parking space
- .7 Additions/Enlargements and Accessory Structures: Residential Use
 Additions/enlargements to a 'Land Lease Community Home' shall be permitted provided that the yard setback and lot coverage provisions for the 'land lease Community Home Lot are maintained. No more than one (1) accessory building or structure, being no larger than 5.9 m² (64 sq. ft.), shall be permitted on a 'Land Lease Community Home Lot'.
8. Accessory Buildings, Structures & Uses: Non-Residential Use
 Buildings and structures accessory to the 'land Lease Community' shall be permitted in accordance with the provisions of Section 4.1 'Accessory Buildings'. Accessory buildings and structures shall conform to subsection 6(d) (e) and (f) above.
- .9 Minimum Building & Structure Setback from 'Environmental Protection – EP' Zone
 Notwithstanding Section 4.28 'Watercourse Setbacks', all buildings and structures shall be located no closer than 12.0 metres to a 'Watercourse'. For the purposes of this By-law, a pond, lake or other similar body of water shall be considered to be a 'Watercourse'. **[Former R1-15]**

25.83 Notwithstanding the provisions of the Residential (R1) Zone, the land identified with Special Provision 25.83 shall be used in accordance with the 'R1' provisions excepting however, that:

- i) The 'Minimum Lot Frontage' shall be no less than 27.5 metres (90.2 feet)
- ii) The 'Minimum Lot Area' shall be no less than 1645 square metres (17,707 square feet). **[Former R1-16]**

25.84 Notwithstanding the provisions of the Residential (R1) Zone, the land identified with Special Provision 25.84 shall be used in accordance with the 'R1' provisions, excepting however, that:

- i) The 'Minimum Lot Frontage' shall be no less than 30.0 metres (98.4 feet);
- ii) The 'Minimum Lot Area' shall be no less than 1800 square metres (19,376 square feet). **[Former R1-17]**

- 25.85** Notwithstanding their 'R1' zone, those lands delineated as '**R1-18**' on Schedule 'A' to this By-law, shall be used in accordance with the 'R1' provisions, excepting however, that:
- i) The 'Minimum Lot Frontage' shall be no less than 27.0 metres (88.6 feet). (2006-120) **[Former R1-18]**
- 25.86** Notwithstanding their 'R1' zone, those lands delineated as '**R1-25.86-H**' shall be used in accordance with the 'R1' provisions. The 'H Holding' restriction may be removed upon connection/provision of municipal sewer and/or municipal water service to the lot. No building or structure shall be permitted until such time as the 'H Holding' restriction is removed. (2015-43) **[Former R1-20]**
- 25.87** Notwithstanding their 'R1' zoning, those lands delineated as 'R1-25.87' shall be used in compliance with the 'R1' zone provisions contained in this By-law, excepting however:
- i) The minimum lot width shall be 20 metres (66 ft);
 - ii) The minimum lot area shall be +/- 0.24 ha (0.6 ac);
 - iii) Two (2) off-street parking spaces shall be required; and,
 - iv) Buildings and structures existing as of March 13, 2017 which do not comply with the provisions of this By-law are hereby recognized. All future buildings and structures, or additions to existing buildings and structures, shall comply with the 'R1 – Residential' and 'General' provisions of this By-law. (2017-35) **[Former R1-21]**
- 25.88** Notwithstanding their 'R1' zoning, those lands delineated as 'R1-25.88' shall be used in compliance with the 'R1' zone provisions contained in this By-law, excepting however:
- i) The minimum lot area shall be 0.16 ha (0.39 ac);
 - ii) The minimum lot width shall be 40.2 m (132 ft);
 - iii) The shed existing on the property as of March 13, 2017 shall only be used for storage purposes;
 - iv) The driveway and/or parking spaces shall not be located off of Bruce Road 86;
 - v) Two (2) off-street parking spaces shall be required; and
 - vi) Buildings and structures existing as of March 13, 2017 which do not comply with the provisions of this By-law are hereby recognized. All future buildings and structures, or additions to existing buildings and structures, shall comply with the 'R1 – Residential' and 'General' provisions of this By-law. (2017-37) **[Former R1-22]**
- 25.89** Notwithstanding their 'R2' zoning designation, those lands delineated as '**R2-25.89**' on Schedule 'A' to this by-law may be used in compliance with the 'R2' zone provisions contained in this By-law, excepting however that:
- i) The 'Minimum Front Yard Setback' shall be no less than 6.98 m. (2008-53) **[Former R2-33]**
- 25.90** Notwithstanding the provisions of the Residential (R3) Zone, within the land identified with Special Provision 25.90 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 5.1.11 Parking Requirements – Landscaping shall not apply;
- h) Notwithstanding Section 5.1.4 Provisions and Location of Spaces, parking spaces may be located in the interior side yard; and
- i) The lands shall be subject to Site Plan Control. (2005-50) **[Former R3-1]**

25.91

Notwithstanding the provisions of the Residential (R3) Zone, within the land identified with Special Provision 25.91 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; and, the minimum west side yard setback shall be no less than 11.8 m;
- 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 5.1.11 Off-street Parking Requirements – Landscaping shall not apply;
- i) Notwithstanding Section 5.1.4 Provisions and Location of Spaces, parking spaces may be located in the interior side yard; and
- j) The lands shall be subject to Site Plan Control. (2005-50) **[Former R3-2]**

25.92

Notwithstanding the provisions of the Residential (R3) Zone, the land identified with Special Provision 25.92 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 5.1.11 *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) **[Former R3-3]**

- 25.93** Notwithstanding the provisions of the Residential (R3) Zone, the land identified with Special Provision 25.93 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 5.1.11 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) **[Former R3-4]**
- 25.94** Notwithstanding the provisions of the Residential (R3) Zone, the land identified with Special Provision 25.94 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) **[Former R3-5]**
- 25.95** Notwithstanding the provisions of the Residential (R3) Zone, the land identified with Special Provision 25.95 may also be used for a 'lodging house' subject to the 'Apartment' Regulations in Section 14.3 . (2012-09) **[Former R3-6]**
- 25.96** Within the land zoned **R1-25.96** buildings will be permitted on lots fronting a private road and the application of all regulations for the Residential (R1) Zone shall apply in the same manner as a lot fronting on a public street. **[Former LR-1]**
- 25.97** Notwithstanding the provisions of the Residential (R1) Zone, the land identified with Special Provision 25.97 may be used for purposes in compliance with the 'R1' 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) **[Former LR-3]**
- 25.98** Notwithstanding the provisions of the Residential (R1) Zone, the land identified with Special Provision 25.98 may be used for purposes in compliance with the 'R1' zone provisions contained in this By-law, excepting, however that:
- i) For the purposes of interpretation of the provisions of 'R1-25.98' Zone, the front lot line shall be the west lot line in proximity to Lake Huron;
 - ii) Two 'single detached dwellings' shall be permitted;
 - iii) The minimum side yard shall be 1.22 metres (4 ft.);

- iv) The maximum height for a detached accessory building shall be 5.33 metres;
- v) The minimum setback on the west side of the private road to buildings and structures shall be 6 metres;
- vi) The minimum setback on the east side of the private road to buildings and structures shall be 4.5 metres (2014-64) **[Former LR-4]**

25.99 Notwithstanding the provisions of the Residential (R1) Zone, the land identified with Special Provision 25.99 shall be used in compliance with the 'R1' zone provisions contained in this By-law, excepting however that:

- i. The 'Minimum Lot Frontage' shall be no less than 16.67 m (57.9 ft);
- ii. That the side yard for the cottage shall be no less than as it existed on June 27, 2016 and that any enlargements to the building shall conform to this by-law; and,
- iii. That the shed be permitted to be located in the front yard. **[Former LR-6]**

25.100 Notwithstanding the provisions of the Lifestyle Community Residential (LCR) Zone, the land identified with Special Provision 25.100 a Land Lease Community consisting of 150 single detached dwellings and associated community facilities is permitted in accordance with the provisions set out below:

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
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Minimum Land Lease Community Home Lot Area	437m ²
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Minimum Land Lease Community Lot Home Width	1.8m
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Maximum Lot Coverage	30%
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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 9.3m²

e) Environmental Protection Zone Setback

All buildings and structures shall be located in accordance with the provisions of Section 4.28 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”.

(2005-96 and 2015-34) **[Former LCR-1]**

25.101

Notwithstanding the provisions of the Lifestyle Community Residential (LCR) Zone, the land identified with Special Provision 25.101 all buildings and structures are prohibited and all lot grading and site alteration is prohibited. The ‘H-Holding’ provision maybe removed once the following condition has been met:

- i) All requirements of the Maitland Valley Conservation Authority in regard to environmental site planning and/or regulatory issues. The ‘H – Holding’ provision may be removed from each Unit individually. (2013-62) **[Former LCR-2]**

25.102

Within the lands zoned ‘GC-25.102’ 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 ‘GC-25.102’ zone, a ‘commercial business’ will be permitted on the 1st storey facing a street and in the basement storey facing the rear yard. All dwelling units shall be above the 1st storey or on the 1st 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

Provisions	Full Municipal Services
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 5.1, the minimum off-street parking requirement for a 'dwelling unit' shall be 1 space per unit. (2009-71) **[Former VC-1]**

25.103

Within lands zoned 'GC-25.103' 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 'GC-25.103' zone, a 'commercial business' will be permitted on the 1st storey facing a street and in the basement storey. All dwelling units shall be above the 1st storey or on the 1st 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 5.1, the minimum off-street parking requirement for a dwelling unit shall be 1 space per unit. (2009-71) **[Former VC-2]**

25.104

Within the land zoned 'GC-25.104' 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 5.1, the minimum off-street parking requirement for a 'hotel' shall be 1 space per unit. (2009-72)
[Former VC-3]

25.105

Within the land zoned 'GC-25.105' 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 'GC-25.105' zone, commercial uses will be permitted on the 1st storey facing a street and in the basement storey facing the rear and interior side yards. All dwelling units shall be above the 1st storey or on the 1st 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

Provisions	Full Municipal Services
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 5.1, the minimum off-street parking requirements for a dwelling unit shall be 1 space per unit. (2009-72)
[Former VC-4]

25.106

Within the land zoned as 'GC-25.106' on Schedule "A" to this by-law, only the following use shall be permitted:

- i) Permitted Uses
Parking Lot (2009-72) **[Former VC-6]**

25.107 Within the land zoned as 'GC-25.107' 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) **[Former VC-7]**

25.108 Notwithstanding the provisions of the Highway Commercial (HC) Zone, the land identified with Special Provision 25.108 may be used for purposes in compliance with the 'HC' 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 5.1.11 Landscaping shall apply. (2011-50) **[Former SC-1]**

25.109 Notwithstanding the provisions of the Highway Commercial (HC) Zone, the land identified with Special Provision 25.109 shall be used in compliance with the 'HC' zone provisions contained in this By-law, excepting however that:

- i. Outdoor display areas, meaning the portion for the lot used for the display or exhibition of products associated with the principle use of the lot, may be located in the Front and/or Exterior Side Yard;
- ii. Outdoor display areas may have a 0 (zero) metres setback from the lot line provided they do not inhibit sight triangles;
- iii. Fencing shall not be required; and,
- iv. Buildings and structures existing as of November 14, 2016, which do not comply with the provisions of this By-law are hereby recognized. All future buildings and structures or additions to existing buildings and structures, shall comply with the provisions of this By-law. (2016-110) **[Former HC-4]**

25.110 Within the land zoned **RRC-25.110-H** described as Lot 25 and Block "A", Range 3, S.D.R., Kinloss, as shown on Schedule "A" known as Fisherman's Cove Park.

In addition to the permitted uses in Section 19.1, 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 3, 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. **[Former RRC-1-H]**

25.111 Within the land zoned **RRC-25.111** described as Part of Lots 19 and 20, Lots 21 to 26, Range 2, S.D.R. Kinloss 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. **[Former RRC-2]**

25.112 Notwithstanding their ‘M1’ zone, those lands delineated as ‘**MI-25.112**’ in this by-law shall be used in accordance with the ‘M1’ zone provisions contained in this By-law excepting however that:

- i) The permitted uses shall be limited to a ‘Builders or Contractors Yard’ and a ‘Single Detached Dwelling’;
- ii) Minimum front yard setback shall be no less than 13.0 metres for all buildings and structures existing on the date of passage of this By-law;
- iii) The number of entrances onto Bruce Road 1 shall be limited to two (2) entrances. Entrances shall be defined as a vehicular passageway connected to Bruce Road 1 providing ingress and egress from the lot;
- iv) Section 4.22 Outdoor Storage Regulations applies; and,
- v) The subject lands shall be subject to Site Plan Control. (2015-77) **[Former M1-1]**

25.113 Notwithstanding the provisions of the Light Industrial (ML) Zone, on the land identified with Special Provision 25.113 the establishment for the storage, grading and handling of seed, feed and fertilizer, together with an accessory office is permitted. **[Former ML-1(f)]**

25.114 On the land identified with Special Provision 25.114 and described as Part of the West Half of Lot 10, Concession 8, Kinloss, a buggy repair shop is a permitted use. **[Former MR-1]**

25.115

The land identified with Special Provision 25.115 shall be used in compliance with the 'AG2' zone provisions contained in this By-law, excepting however that:

- i. The Permitted uses shall be limited to the following: 'Agricultural Produce Auction', 'Agricultural Products Primary Processing', 'Agricultural Products Secondary Processing', a 'Single Detached Dwelling' and 'accessory buildings and structures';
- ii. For the purposes of this by-law, an 'Agricultural Produce Auction, shall mean lands, buildings and structures used for the purpose of selling and buying of fruit, vegetables and flowers for wholesale purposes. The use shall also include an administration office and open outdoor storage limited to the operation of the facility;
- iii. For the purposes of this By-law, 'Agricultural Products Primary Processing' shall mean the use of lands, buildings or structures where orchard, berry, row or field crops are washed, cleaned, screened, sifted, graded, waxed or crushed but excludes any further processing;
- iv. For the purposes of this By-law, 'Agricultural Products Secondary Processing' shall mean the use of lands, buildings or structures where agricultural produce including orchard, berry, row, field crops, meat and poultry products, are washed, cleaned, dusted, waxed, cooked, steamed, fermented or otherwise prepared and packaged and may include the storage and sale of the finished product on the premises but shall not include an abattoir or any other use defined herein;
- v. An 'Agricultural Products Primary Processing' or an 'Agricultural Products Secondary Processing' or a 'Single Detached Dwelling' Permitted Use shall not be located any closer than 500 m to the designated active fill area as it existed on July 27, 2015 of the Kinloss Landfill Site located on Part Lot 16, Concession 6, [690 Kairshea Avenue], geographic Township of Kinloss; and,
- vi. All other provisions of Section 7 (Agricultural Commercial/Industrial Zone) shall apply. **[Former MR-2]**

25.116

The land identified with Special Provision 25.116 may be used for the purposes of an 'automobile wrecking yard', and an accessory dwelling unit, if located above the first storey and forming an integral part of the building containing a permitted non-residential use, in addition to the uses permitted in Section 7.1, and in compliance with the 'AG2' zone provisions, excepting however that:

- i) The minimum lot frontage shall be 195 metres;
- ii) The minimum lot area shall be 5 hectares. (2012-09) **[Former MR-3]**

25.117

On those lands identified with Special Provision 25.116 shall be used in compliance with the 'AG2' zone provisions contained in this By-law, excepting however:

- i) The Permitted Uses shall be limited to the following: 'Millwork Shop', 'Single Detached Dwelling' and 'Accessory Buildings and Structures';

- ii) For the purposes of this By-law a 'Millwork Shop' shall be defined as a place, building or structure in which any type of woodwork is produced in a mill;
- iii) The maximum 'Ground Floor Area' of the 'Millwork Shop' and buildings accessory to the Millwork Shop shall be no greater than 956 m² (10, 290 square feet);
- iv) Three (3) parking spaces shall be provided;
- v) 'Outdoor Storage' is not permitted unless fully enclosed by a fence or other appropriate enclosure in order that such 'Outdoor Storage' is not visible from the street;
- vi) 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, is permitted in the Front Yard;
- vii) Notwithstanding Section 4.28, the setback for buildings and structures may be reduced to zero (0) metres from the 'Environmental Protection' zone;
- viii) The Minimum Distance Separation shall be no less than 138 metres as measured from the lot line boundary to the barns located at Part Lot 16, Concession 12, geographic Township of Kinloss, Township of Huron-Kinloss [174 Hayes Lake Avenue];
- ix) Buildings and structure existing as of January 9, 2017 which do not comply with the provisions of this By-law are hereby recognized. All future buildings and structures, or additions to existing buildings and structures, shall comply with the 'AG2 – Agricultural Commercial/Industrial' and 'General Agriculture' provisions of this By-law. **[Former MR-4]**

25.118 Notwithstanding their 'OS' zoning designation, lands identified with Special Provision 26.118 may be used for Institutional purposes, in accordance with the 'OS' zoning provisions, excepting however that:

- (i) Non-Residential Uses shall be limited to a 'golf course', 'golf driving range'; and, buildings, structures and uses accessory to a permitted use;
- (ii) Non-Residential Uses – Site Regulations: Building setbacks shall be 30 metres (98.4 feet) from any lot line;
- (iii) '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;
- (iv) '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. (2001-88) **[Former OS1-3]**

25.119 Notwithstanding their 'OS' zoning designation, lands identified with Special Provision 26.119 may be used for Institutional purposes, in accordance with the 'OS' 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 4.6;
- (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.

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. (2001-89) **[Former OS1-4-H]**

25.120 Notwithstanding the provisions of the Agricultural Residential (AG3) zone, those lands identified with Special Provision 25.120 shall only be used for a single detached dwelling and accessory buildings/structures and no livestock shall be permitted on the property. **[New]**

25.121 Notwithstanding the provisions of the Future Development (FD) zone, on those lands identified with Special Provision 25.121 the existing farm building may be used for the purposes of a livestock assembly yard. **[Former AR-2]**

25.122 Notwithstanding the provisions of the Future Development (FD) zone, on those lands identified with Special Provision 25.122 shall be used in accordance with the 'FD' zone provisions contained in this By-law excepting however that:

- i) A temporary seasonal residential structure to accommodate a worker or one employee associated with the Bruce Botanical Food Garden shall be permitted;
- ii) The temporary structure shall comply with the Ontario Building Code or is manufactured to a recognized standard to the satisfaction of the Chief Building Official;
- iii) For the purposes of this By-law, a temporary structure shall not be occupied between the months of November to March, inclusive. **[New]**

25.123

Notwithstanding the provisions of the Open Space zone, the lands identified with Special Provision OS-H-25.123 shall only be used in compliance with the following:

i) Permitted Uses shall be limited to the following

- i) 'Special Event' as defined below
- ii) 'Camping' as defined below
- iii) 'Private Club' as defined below
- iv) 'Banquet Hall' as defined below
- v) 'Outdoor Recreation' but not including a 'Golf Course'
- vi) Community events such as fireworks, outdoor movie screenings, special occasion events such as 'egg hunt', 'halloween haunted house', etc.
- vii) Buildings and structures accessory to a Permitted Use.

'Special Event' means an outdoor activity, festival, concert, event, exhibition or function of any nature or kind, including those done outside but under a tent or other non-permanent building or structure, held one time per calendar year during the month of August only for a period not exceeding ninety-six (96) consecutive and cumulative hours at which more than 200 people are anticipated to be, or are in, attendance. A Special Event may include camping for no more than 564 campsites and ancillary uses such as food and craft vendors and alcohol sales.

'Camping' shall mean a lot or lands used for the parking and use of no more than 100 motor homes, travel trailers, tent-trailers, tents or similar transportable accommodation. Off-season storage of travel trailers, tent trailers, motor homes or similar transportable accommodations shall not be permitted.

'Private Club' 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.

"Banquet Hall" shall mean a building or part thereof, used for gathering together no more than 199 persons for specific functions including the consumption of food and drink. Full kitchen facilities shall be provided on the premises.

ii) 'Temporary Fencing', shall be erected, when requested by an abutting property owner. 'Snow fencing' or a similar equivalent shall be considered to be 'Temporary Fencing';

iii) Provisions applicable to all 'OS-25.123' Permitted Uses:

Minimum setback to ALL property lines for ALL Buildings and Structures (permanent and non-permanent), portable generators, and vehicles of any type including tour buses and transports	10 metres
Maximum building height for ALL Buildings and Structures (permanent and non-permanent)	10 metres
Minimum setback between ALL Non-Permanent buildings and structures, portable generators, vehicles of any type including tour buses and transports and a 'Dwelling' as it existed as of July 10, 2017	20 metres
Maximum number of PERMANENT Buildings or Structures	3
Minimum setback between 'camping' and a dwelling existing as of July 10, 2017	20 metres
Minimum setback between 'camping' and Walter Street or Washington Street'	10 metres
Minimum Internal private roadway width (metres)	7.0

iii) Section 5.1 'Parking, Stacking & Loading Regulations' shall not apply;

iv) 'Outdoor Storage' as per Section 4.22 shall not be permitted.

v) The 'H Holding' zone provision shall be applied as follows:

a) No permanent buildings or structures shall be permitted until receipt by the Zoning Administrator of an Archaeological Assessment that has been:

- 1) Conducted by an archaeologist licensed in the Province of Ontario; and,
- 2) Confirmation from the appropriate Ministry that the Assessment has been accepted into the Ontario Public Register of Archaeological Reports and,
- 3) Confirmation to the satisfaction of the Zoning Administrator that the recommendations (if any) of the Assessment have been implemented.

b) The 'Private Club' and/or 'Banquet Hall' shall not be permitted until clause (v(a)) regarding the completion of an Archaeological Assessment has been satisfied AND full municipal services including: electrical, water and sewer service are available at the property line. (By-law No. 2017-88)

[Former T-OS-7]

25.124 Notwithstanding the Open Space zone, the lands identified with Special Provision 25.124, shall only be used in compliance with the following:

i) Permitted Uses shall be limited to the following:

- Camping for no more than 649 campsites and only during a ‘Special Event’ as defined below
- ‘Outdoor Recreation’ but not including a ‘Golf Course’

‘Special Event’ means an outdoor activity, festival, concert, event, exhibition or function of any nature or kind, including those done outside but under a tent or other non-permanent building or structure, held one time per calendar year during the month of August only for a period not exceeding ninety-six (96) consecutive and cumulative hours at which more than 200 people are anticipated to be, or are in, attendance. (By-law No. 2017-88) **[Former T-OS-8]**

25.125 Notwithstanding the Open Space zone, the lands identified with Special Provision 25.125, shall only be used in compliance with the following:

i) Permitted Uses shall be limited to the following

- ‘Special Event’ as defined below
- ‘Outdoor Recreation’ but not including a ‘Golf Course’

‘Special Event’ means an outdoor activity, festival, concert, event, exhibition or function of any nature or kind, including those done outside but under a tent or other non-permanent building or structure, held one time per calendar year during the month of August only for a period not exceeding ninety-six (96) consecutive and cumulative hours at which more than 200 people are anticipated to be, or are in, attendance. Camping shall not be permitted.

ii) ‘Temporary Fencing’, shall be erected, when requested by an abutting property owner. ‘Snow fencing’ or a similar equivalent shall be considered to be ‘Temporary Fencing’;

iii) Permanent buildings and structures shall not be permitted.

iv) Provisions applicable to all ‘OS-25.125’ Permitted Uses:

Minimum setback to ALL property lines for ALL Non-permanent buildings and structures, portable generators, and vehicles of any type including tour buses and transports	10 metres
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Maximum building height for ALL Non-Permanent Buildings and Structures	10 metres
Minimum setback between ALL Non-Permanent buildings and structures, portable generators, vehicles of any type including tour buses and transports and a 'Dwelling' as it existed as of July 10, 2017	20 metres

v) Section 5.1 'Parking, Staking & Loading Regulations' shall not apply;

vi) 'Outdoor Storage' as per Section 4.22 shall not be permitted. (By-law No. 2017-88) **[New]**

25.126 Notwithstanding the provisions of the Highway Commercial (HC) Zone, the land identified with Special Provision 25.126 may be used for industrial uses in accordance with the provisions of Section 22.2.