

# TOWNSHIP OF HURON - KINLOSS

## ZONING BY-LAW



BY-LAW #2018-98  
August 13, 2018



### OFFICE CONSOLIDATION – May 2026

The amending by-laws have been combined with the original by-law for convenience only. This consolidation is not a legal document. Certified copies of the original by-laws should be consulted for interpretations and applications of the by-laws on this subject. The by-law numbers referenced in this consolidation refer to the bylaws that amended the principal by-law number 2018-98

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(Note: Appendices are for informational purposes only, and do not form part of the Zoning By-law)

# **SECTION 1 – INTRODUCTION & TITLE**

## **1.1 Introductory Statement**

This document is the Township of Huron-Kinloss Comprehensive Zoning By-law (By-law 2018-98), as amended. The By-law replaces all previous Zoning By-laws in the jurisdiction.

### **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.

## **1.2 Title**

This By-law shall be known as the "ZONING BY-LAW" of the Corporation of the Township of Huron-Kinloss.

# **SECTION 2 – ADMINISTRATION & ZONES**

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## **2.1 Application**

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

## **2.2 Effective Date**

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

## **2.3 Validity**

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to be the intention that all the remaining provisions of the said By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions shall have been declared to be invalid.

## **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*.

## **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.

## **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.

## **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.

## **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 as the Zoning Administrator, which may include the Chief Building Official.

## **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:

| <b>ZONES</b>                       | <b>SYMBOLS</b> |
|------------------------------------|----------------|
| General Agriculture                | AG1            |
| Agricultural Industrial/Commercial | AG2            |
| Agricultural Residential           | AG3            |
| Agricultural Rural                 | AG4            |
| 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             |

## **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 Chief Building Official in consultation with the appropriate agency, which may include the conservation authority, 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.
8. Where a lot has two or more of its parts classified in different zones, then the provisions for each zone shall apply to each part as if said part was a separate lot excepting the following:
  - i. Where a portion of a lot is zoned 'EP' and / or 'OS' such portion may be used to satisfy any yard setback requirements of the principal portion.
  - ii. Where a portion of a lot is partially within the 'EP' and / or 'OS' Zone, that portion of the lot within the 'EP' and/or 'OS' Zone may be used if required in calculating the Minimum Lot Area provided that the 'EP' and /or 'OS' lands comprise no more that 90% of the required Minimum Lot Area.

Explanatory Note:

If a lot is within two zones, the boundary between the two zones should not be considered to be a lot line for setback purposes.

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.

## **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.

## **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 uses, existing uses, and accessory uses thereof, shall be permitted as interim uses on lands in a "Holding Zone", until the Holding Symbol "H" is removed and any applicable conditions met.

**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,  
c. Includes engagement with the Saugeen Ojibway Nation in accordance with its process and standards.

- 2) Confirmation to the satisfaction of the Zoning Administrator that the recommendations of the archaeological report (if any) have been implemented.
- 3) Where a Consent for lot creation or lot enlargement application has been approved by the County of Bruce, or its delegate, and/or when a Minor Variance is approved by the Township of Huron-Kinloss. The appropriate Zone Map in this By-law shall be updated to recognize areas of the land that are within an area identified as having "High Archaeological Potential" in the Bruce County screening maps and may be zoned with a "-H1" holding. The "-H1" holding may be removed in accordance with Section 2.12 1).

These provisions shall come into effect upon approval of the applicable application and without requiring amendment to this by-law, subject to a delegation by-law.

The appropriate zoning map will not be updated with a -H1 Holding where:

- a) An archeological assessment has been conducted by an archaeologist in the Province of Ontario, that includes engagement with the Saugeen Ojibway Nation in accordance with its process and standards, confirmed by the appropriate Ministry to have been accepted into the Ontario Public Register of Archaeological Reports and the recommendations of the assessment implemented to the satisfaction of the Zoning Administrator.
- b) It has been demonstrated, in consultation with the Saugeen Ojibway Nation, and to the satisfaction of the Zoning Administrator, that deep ground disturbance has recently occurred.
- c) In consultation with the Saugeen Ojibway Nation, a Minor Variance that does not facilitate new construction.
- d) The re-creation of original township lots.

## **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.

## **2.14 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' and was established through the *Huron-Kinloss Dynamic Beach Study – Phase II (April 2008) & Phase III (August 2010) prepared for the Township of Huron-Kinloss by W.F. Baird & Associates Coastal Engineers Ltd.*

In accordance with the recommendations of the Baird & Associates studies, the elevation of the minimum building opening to habitable space should not be lower than the following:

- a) 181.5 m GSC (Geodetic Survey of Canada) for opening located less than or equal to 30 m from the 100-year flood level;
- b) 179.5 m GSC for openings located 45 m from the 100-year flood level; or
- c) Linearly interpolated between 181.5 m GSC and 179.5 m GSC for openings located between 30 m and 45 m respectively from the 100-year flood level.

Site alteration to accommodate residential development will only be permitted with the approval of the Township and Conservation Authority, and will be subject to setback and minimum elevation requirements.

## **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.

## **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.

Any minor variance applications approved under the previous Zoning By-law remain in effect where conditions of the approval remain met.

## 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.

**“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.

**“Aggregate Processing Facility”**, means a facility used to process, crush, screen, wash, store/stockpile, and/or sort aggregate resources, and includes an asphalt batching plant, a concrete batching plant, a cement manufacturing plant, a brick and tile manufacturing plant, an aggregate transfer station, and stockpiling/blending of recycled aggregate resources.

**“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, and value-retaining facilities. Agriculture does not include a kennel.

**“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.

**“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.

**“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.

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

**“Asphalt Batching 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.

**“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.

**“Associated Community Facilities”** shall mean those facilities normally associated with lifestyle communities, which may include (but not be limited to) a community centre.

**“Attached”**, when used in reference to a building, means a building otherwise complete in itself which depends for structural support or complete enclosure upon a division wall or division wall shared in common with adjacent building or buildings.

**“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.

**“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.

**“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.

**“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.

**“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.

## **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.

**“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.

**“Bed and Breakfast Establishment”**, shall mean a building or part of a building within a single detached dwelling that 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.

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

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

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

**“Building Height”**, shall mean the vertical distance between the average grade around 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.

**“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.

## C

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

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

**“Cannabis Production and Processing Facility”**, shall mean lands, buildings or structures used for producing, processing, testing, destroying, packaging and/or shipping of cannabis authorized by an issued license or registration by the Federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

**“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.

**“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.

**“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.

**“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.

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

**“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*.

**“Child Care”** means the temporary care for, or supervision of, a child including providing for a child’s safety, well-being or development, in the absence of the child’s parent and for a continuous period that does not exceed 24 hours, in accordance with the *Child Care and Early Years Act*, 2014 including any amendments, or its successor.

**“Child Care Centre”** means a business that has obtained the proper licensing from the province to operate a licensed child care centre for the provision of temporary care for or supervision of a child including providing for a child’s safety, well-being or development, in the absence of the child’s parent and for a continuous period that does not exceed 24 hours, in accordance with the *Child Care and Early Years Act*, 2014 including any amendments, or its successor.

**“Child Care, Home”** means ‘Child Care’ provided in a single detached dwelling, semi-detached dwelling or duplex dwelling by one or more child care provider(s) that is regulated by a home child care agency.

**“Child Care, Unlicensed”** means ‘Child Care’ provided in a single detached dwelling, semi-detached dwelling or duplex dwelling that is not ‘Home Child Care’ or a ‘Child Care Centre’, or a private school within the meaning of the *Education Act*

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

**“Commercial Business”**, shall mean the activity of providing goods and services for purchase to the public.

**“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.

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

**“Commercial 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.

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

**“Concrete Batching Plant”**, shall mean a building or structure with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process.

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

**“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.

**“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.

**“Corporation”**, means the Corporation of the Township of Huron-Kinloss.

**“Council”**, means the Council of the Corporation of the Township of Huron-Kinloss.

**“County”**, means the Corporation of the County of Bruce.

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

## D

**“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.

**“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.

**“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.

**“Dwelling, Additional Residential Unit”** means a residential dwelling unit either wholly contained within a ‘Dwelling, Single Detached’, a ‘Dwelling, Semi-detached’ or a ‘Dwelling, Street Facing Townhouse’, or wholly contained within an accessory building on a lot containing a ‘Dwelling, Single Detached’, a ‘Dwelling, Semi-detached’ or a ‘Dwelling, Street Facing Townhouse’.

**“Dwelling, Additional Residential Unit on Farm”**, means one additional dwelling unit located on a farm on which a ‘Dwelling, Single Detached Farm Residence’ is already established. A ‘Dwelling, Additional Residential Unit On Farm’ may be located within a ‘Dwelling, Single Detached Farm Residence’, a non-agricultural accessory building, or may be in the form of a second ‘Dwelling, Single Detached Farm Residence’ on the lot.

**“Dwelling, Apartment”**, shall mean the whole of a building or structure that contains four 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.

**“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.

**“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.

**“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.

**“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.

**“Dwelling, On Farm Labour”** means a building or part of a building as an agricultural use for the temporary accommodation of full-time farm labour on the farm that contains such a residence when the size and nature of the operation requires additional employment. Farm labour residences may be a permanent building or temporary building such as trailer or mobile home, which may have one or more living units containing sleeping, kitchen and/or bathroom facilities that may be shared. The dwelling for on farm labour shall be located on a parcel of land that is part of the extended farm operation and, if present, within the farm building cluster.

**“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.

**“Dwelling, Single Detached”**, shall mean a building containing one dwelling unit. This does not include mobile homes, camping trailers or house trailers.

**“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.

**“Dwelling, Stacked Townhouse”**, shall mean a residential dwelling in which a minimum of 3 dwelling units are attached at the main wall above and below grade, and in which 1 unit is located above or below another unit, no more than 3 storeys in height, with no common enclosed corridor system.

**“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.

**“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.

**“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.

## **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.

**“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.

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

## **F**

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

**“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.

**“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.

**“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.

**“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.

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

**“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.

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

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

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

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

**“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.

**“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 internment or cremation.

## **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.

**“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.

**“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.

**“Government Administration Building”**, shall mean a place providing government services.

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

**“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.

## **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.

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

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

**“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 any other establishment otherwise defined or classified in this By-Law. Accessory uses may include a restaurant, a lounge, a convenience store, a gift store, a recreation facility and permanent staff quarters.

**“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.

**“Human Habitation”** shall mean the occupation of a building by a person or persons for overnight accommodation, regardless of whether sanitary cooking facilities are present

## 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.

**“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.

**“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, retirement home, nursing home, school, or child care centre.

## 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 in accordance with the Township’s Kennel By-law.

## L

**“Lakeshore Settlement Area”** shall mean those areas consisting of a predominantly residential and seasonal residential uses along the Lake Huron Shoreline, some of which are fully services and some of which are partially services. The Lakeshore Settlement Area is identified as such on Schedule ‘A’ to this By-law and designated Lakeshore Residential in the Huron-Kinloss Official Plan.

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

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

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

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

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

**"Library"**, shall mean a library, branch library, or library distributing station that is approved under the Provincial legislation.

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

**“Livestock 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.

**“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.

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

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

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

**“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.

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

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

**“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.

**“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, septic systems shall not be considered.

**“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.

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

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

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

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

**“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. In the case of a through lot, the lot line where the principal access to the lot is

provided shall be deemed to be the front lot line.

**“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.

**“Lot Line, Side”**, means a lot line other than a front or rear lot line.

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

## **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.

**“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.

**“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.

**“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.

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

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

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

**“Municipal Drain”**, means a watercourse or sewer which carries storm surface water and drainage as defined by the *Ontario Drainage Act*.

**“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.

## 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.

**“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.

**“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.

**“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).

## 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.

**“On-Farm Diversified”**, Means uses that are secondary to the principal agricultural use of the property and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses and uses that produce value-added agricultural products. On-farm diversified uses may include accessory retail of goods produced on the property or goods produced on local farms. Examples include: Value-added uses that could use feedstock from outside the surrounding agricultural area (e.g., processor, packager, winery, cheese factory, bakery), veterinary clinic, sawmill, welding or woodworking shop, manufacturing/fabrication, equipment repair, seasonal storage of boats or trailers, farm market, antique business, seed supplier, tack shop, Café/small restaurant, cooking classes, food store, wineries, craft breweries, cideries and distilleries, ground-mounted solar facilities.

**“Outdoor Recreation”**, shall mean the use of premise for the conduct of outdoor sports, including playgrounds; parks, gardens, picnic areas; and other passive leisure activities but

shall not include commercial recreation.

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

## **P**

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

**“Parking 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.

**“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.

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

**“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.

**“Parochial School”**, shall mean a private school supported by a religious organization.

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

**“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.

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

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

**“Place of Worship”**, shall mean a building 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, child care centre, educational or recreational uses, and an attached dwelling unit for a religious leader as accessory uses.

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

**“Private Club 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.

**“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.

## **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.

## **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.

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

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

are offered for rent or lease.

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

**“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.

**“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.

## **S**

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

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

**“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.

**“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.

**“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.

**“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.

**“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.

**“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*).

**“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.

**“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.

**“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.

**“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.

**“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.

**“Street, Class One”**, shall mean streets with a minimum right-of-way width of 20 metres under the jurisdiction of the Corporation, to which the Corporation within reasonable limits will provide a level of municipal services as is customarily practiced by the Corporation.  
OR

Shall mean streets having a perpendicular width of less than 20 metres under the jurisdiction of the Corporation, to which the Corporation within reasonable limits will provide a level of municipal services as is customarily practiced by the Corporation.

For the purposes of this By-law, County and Provincial Roads shall be considered to be Class 1 Streets.

**“Street, Class Two”**, shall mean streets under the jurisdiction of the Corporation to which the Corporation provides “limited services” including snow clearance or ploughing or is not of a reasonable standard of construction and may not provide year round access.

**“Street, Private”**, shall mean streets or lanes not under the jurisdiction of the Corporation. The Corporation may not provide any level of municipal services as is customarily practiced by the Corporation.

**“Street Line”**, means the limit of the street allowance and is the dividing line between a lot and a street.

## T

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

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

**“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.

**“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.

**“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.

**“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.

## 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.

**“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.

## **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.

## **W**

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

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

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

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

**“Wayside Pit or 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.

**“Wholesale Outlet”**, 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.

## **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.

**“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.

**“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.

**“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.

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

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

**“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.

# **SECTION 4 – GENERAL PROVISIONS**

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## **4.1 Accessory Buildings**

- .1 Unless otherwise provided for in this By-law, no accessory building shall be used for human habitation.
- .2 An accessory building may be located in any yard except the required front and required exterior side yard. On lots which adjoin a body of water within the Lakeshore Settlement Area, a garage may be located within the required front yard, no less than 3.0 m from the front lot line, and shall meet other applicable provisions of this By-law.
- .3 The minimum front yard and exterior yard setback shall comply with the minimum front and exterior side yard setback requirements of the applicable zone. The minimum rear yard or interior side yard setback for accessory buildings shall be 1.5 m.
- .4 The maximum building height for an accessory building shall be 6 m.
- .5 The maximum lot coverage for all accessory buildings shall be 10% of the lot area. This shall be calculated separately from the primary structure, which has separate lot coverage requirements.
- .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 4.5 of this By-law.
- .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.
- .8 Where the lot is a through lot, the accessory structure may be located in the required rear yard with a minimum rear yard setback of 3 m.

## **4.2 Bed and Breakfast Establishment**

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

- a) The bed and breakfast establishment is carried out by a person who resides in the dwelling except for employment services that are necessary for housekeeping

purposes.

- b) Each guest room shall have a minimum building floor area of 10.5 square metres.
- c) Guest rooms shall not be permitted within an attic.
- d) A bed and breakfast establishment shall have a maximum of 3 guest rooms for overnight accommodation.

## **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 be 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.

#### **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.

#### **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.

#### **4.6 Dwelling, Additional Residential Unit**

Except as provided by Section 4.7 (Dwelling, Additional Residential Unit On Farm), where listed as a permitted use (refer to “Uses Permitted” sections of this By-law), a ‘Dwelling, Additional Residential Unit’ shall be permitted, subject to the following provisions:

- a) Where full municipal services are provided, up to two ‘Dwelling, Additional Residential Unit’ per lot of record shall be permitted;
- b) Where private or partial municipal services are provided, one ‘Dwelling, Additional Residential Unit’ per lot of record shall be permitted if the lot area is  
  
0.4 hectares or greater, two ‘Dwelling, Additional Residential Unit’ shall be permitted if the lot area is 0.6 hectares or greater. Within the Lakeshore Area as identified on Schedule ‘A’ a ‘Dwelling, Additional Residential Unit’ is not permitted on partial municipal or private services;
- c) Applicable permits under the Ontario Building Code are required to be issued by the Chief Building Official;
- d) Shall connect to water and septic or sewer services;
- e) Shall only be permitted where sufficient water service and sewer or septic capacity exists or can be made available;
- f) In the case of a ‘Dwelling, Semi-Detached’ or ‘Dwelling, Street Facing Townhouse’, each principal dwelling unit must be located on a separate lot of record;
- g) In the Rural Recreation Area and Inland Lake Development designation (Silver Lake and Purvis Lake Areas), only one Additional Residential Unit may be permitted, and only within a building containing a primary residential dwelling;
- h) When permitted to be located within a detached accessory building, only one ‘Dwelling, Additional Residential Unit’ is permitted per lot in a detached accessory building;
- i) Where located in an accessory building the ‘Dwelling, Additional Residential Unit’ may be located in a new or existing detached accessory building and shall be in accordance with the provisions of Section 4.1;
- j) Any ‘Dwelling, Additional Residential Unit’ shall be located within a maximum distance of 30 m from the principal dwelling;
- k) The ‘Additional Residential Unit’ must share the parking and yards provided for the principal dwelling unit, and no new driveway may be created;
- l) Requires conservation authority approval in areas identified in the flood fringe overlay;

- m) 'Home Occupation' is not permitted in a 'Dwelling, Additional Residential Unit'; and,
- n) The combined total of a principal residential unit, additional residential unit(s), and a garden suite shall not exceed three units on a lot.
- o) The total lot coverage of all buildings and structures on a lot containing an Additional Residential Unit on full municipal services may be 45%, except for lands located within the flood fringe overlay which may permit the total lot coverage in accordance with the underlying zone.
- p) The total lot coverage of all buildings and structures on a lot containing an Additional Residential Unit on full municipal services may be 45%, except for lands located within the flood fringe overlay which may permit the total lot coverage in accordance with the underlying zone.

#### **4.7 Dwelling, Additional Residential Unit On Farm**

A 'Dwelling, Additional Residential Unit On Farm' shall be permitted together with a 'Dwelling, Single Detached Farm Residence' in the AG1 and AG4 zones, subject to all the provisions of this By-law and the following:

- a) Shall be located within 30 metres of the 'Dwelling, Single Detached Farm Residence';
- b) Applicable permits under the Ontario Building Code are required to be issued by the Chief Building Official;
- c) It only exists along with the 'Dwelling, Single Detached Farm Residence' and shall not be considered for future severance;
- d) Must share the parking and yards provided for the 'Dwelling, Single Detached Farm Residence' unit, and no new driveway may be created;
- e) May be located within a 'Dwelling, Single Detached Farm Residence', or may be located in a new, or existing, accessory building;
- f) Where the 'Dwelling, Additional Residential Unit On Farm' is proposed to be erected outside of the 'Dwelling, Single Detached Farm Residence', it shall meet applicable MDS guidelines; except where such detached dwelling unit is located no closer to existing livestock facility than the existing 'Dwelling, single detached' on the same lot.
- g) In the Rural Recreation Area and Inland Lake Development designation (Silver Lake and Purvis Lake areas), only one Additional Residential Unit may be permitted, and only within a building containing a primary residential dwelling.
- h) Requires conservation authority approval in areas identified in the flood

fringe overlay;

- i) The combined total of a “Dwelling, Single Detached Farm Residence”, a ‘Dwelling, Additional Residential Unit On Farm’, and ‘Dwelling, Garden Suite’ may not exceed three units on a lot; and, only one ‘Dwelling, Additional Residential Unit’ is permitted per lot in a detached accessory building.
- j) A home business shall not be permitted within a ‘Dwelling, Additional Residential Unit On Farm’.

#### **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 0.762 metres.
- .2 Open or Roofed Porches, Decks not exceeding one storey in height may project into any yard 1.5 metres including any steps provided that no porch, deck or patio extends closer than 1.5 metres to any lot line.
- .3 Exterior stairways and fire escapes may project into a required interior side and rear yard but not more than 1.5 metres provided that no part of the structure extends closer than 1.5 metres to any lot line.
- .4 Attached garages, covered decks and uncovered decks may project into any required interior side yard not more than 1.5 metres provided a maximum building height of 6 meters and minimum of 1.5 metres setback is provided and a minimum of 3 metres setback is provided on the opposite side.
- .5 Balconies may project into any required yard but not more than 1.5 metres provided that no part of the structure extends closer than 1.5 metres to any lot line.
- .6 Awnings shall be permitted in any required yard.

#### **4.9 Existing Lots**

Existing lots with less than the required lot area or lot frontage or other dimensional requirement shall be deemed to comply with those 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 or otherwise altered through one or more consents approval under the *Planning Act*, including lot additions or boundary adjustments between undersized parcels, shall continue to be

deemed to be an existing lot notwithstanding that it remains deficient in one or more zoning standards.

For greater certainty, a lot addition or boundary adjustment involving an undersized lot that remains deficient after the conveyance shall not be deemed to create a new non-complying lot, but rather shall be deemed to reduce the extent of non-compliance.

Where lands are conveyed or exchanged between two or more undersized lots through consent approval under the *Planning Act*, each resulting lot shall continue to be deemed an existing lot, and any resulting deficiencies shall not be interpreted as creating new non-complying lots.

#### **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.

#### **4.11 Farm Home Industry**

- .1 A farm home industry / farm business shall be permitted where it is located on a farm, is secondary to the principle agricultural use of the property, is limited in area, and is compatible with and does not hinder the surrounding agricultural operations.
- .2 Where permitted, a farm home industry / farm business may be conducted within a dwelling unit, a farm residence, a farm building or an accessory building.
- .3 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.
- .4 The farm home industry must employ at least one person who dwells on the property and may employ one additional employee.
- .5 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.
- .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.
- .7 No display of goods or advertising as per the Township of Huron-Kinloss Sign By-Law.
- .8 The total area of a property occupied by a farm business / farm home industry site and buildings shall not exceed 2% of the lot area, to a maximum area of 1.0 ha.

#### **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 a class one street

#### **Frontage on a Class One Street**

No person shall erect any building or structure, or increase the height, size or volume of existing structures, in any zone, unless the lot upon which such building or structure is to be erected fronts upon a Class One Street; or, in the case of a lot on a Registered Plan of subdivision / Registered Plan of Condominium, unless a 'Subdivider's Agreement' with the Corporation is in effect. (see Section 4.25)

## **Frontage on a Class Two Street / Private Street**

No person shall erect any new building or structure where the lot upon which such building or structure is to be erected fronts upon a Class Two Street or Private Street.;

Existing buildings or structures may be enlarged, extended, reconstructed or renovated where the lot upon which such building or structure is located fronts a Class Two Street or Private Street.

## **Private Street Classification**

A 'Private Street' shall be considered to be a 'street' for the purposes of determining setbacks for this By-law.

## **Street Lines for Private Streets**

The closest edge of a 'private street', right-of-way, easement etc. shall be considered as the 'street line' for the purposes of determining setbacks, for lots accessed by means of a 'private street', right-of-way, easement etc.

### **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.

### **4.14 Home Business – Domestic and Household Arts**

Where listed as a permitted use, one home business for domestic or household art may include but not limited to uses such as; home child care; academic tutoring or private instruction, music dance, arts and crafts to not more than six students at any one lesson; garment making and tailoring; textile arts; painting and sculpting; furniture refinishing or repair; fabrication, customization, repair of household items - garden ornaments, personal accessories or toys, sale of goods – crafts, or products that are made, assembled or substantially modified on the premises and the sale of produce grown on the property provided that:

- a) With the exception of one additional employee, the domestic household business is carried out only by a person who resides in the dwelling unit.
- b) All goods, wares, or merchandise offered for sale or rent must be produced by residents of the principal residential dwelling.
- c) The home business shall be clearly secondary to the principal residential use of the lot and/or building or part thereof, and shall not change the residential

character of the lot and/or building or part thereof;

- d) A maximum of 25 percent of the building floor area of the dwelling unit is devoted to the home business.
- e) Where the home business is located within an accessory building, not more than 50 square metres shall be devoted to such use;
- f) One off-street parking space is provided for every twenty square metres of floor area occupied by the home business;
- g) No mechanical equipment is used except that which is reasonably consistent with the use of a dwelling;
- h) There shall be no outdoor storage or display of goods or materials, containers, finished products, or mechanical equipment shall be permitted.
- i) There shall be no externally visible indicators that a home business is being conducted within the lot except for a plate or sign which is no larger than 0.4 square metres (4.3 square feet) in area, non-flashing; and
- j) The home business shall not create or become a nuisance in any regard to noise, odours, vibrations, traffic generation, refuse, parking or otherwise interfere with the enjoyment of the adjacent neighbourhoods or lands.

#### **4.15 Home Business – Professional Uses**

Where listed as a permitted use, one 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) The home business shall be clearly secondary to the principal residential use of the lot and/or building or part thereof, and shall not change the residential character of the lot and/or building or part thereof;
- c) Where the home business is located within an accessory building, not more than 50 square metres shall be devoted to such use;
- d) One off-street parking space is provided for every twenty square metres of floor area occupied by the home business.
- e) A maximum of 25 percent of the building floor area of the dwelling unit shall be devoted to the home business.
- f) No Mechanical equipment is used except that is reasonably consistent with the use of a dwelling;

- g) There shall be no externally visible indicators that a home business is being conducted within the lot except for display of goods or advertising on a plate or sign which is no larger than 0.4 square metres (4.3 square feet) in area, non-flashing; and;
- h) The home business shall not create or become a nuisance in regard to noise, odours, vibrations, traffic generation, refuse, parking or otherwise interfere with the enjoyment of the adjacent neighbourhoods or lands.

#### **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 600 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.

#### **4.17 Minimum Distance Separation (MDS)**

Notwithstanding any other provisions of this By-law to the contrary, all new land uses, including the creation of lots, lands to be rezoned to permit a residential, institutional, commercial, industrial, recreational or non-farm dwelling use will comply with the Provincial Minimum Distance Separation I (MDS I) Guidelines (as amended from time to time). The application of MDS I does not apply to dwellings on lots that existed prior to March 1, 2017 and are 4 ha or less in area as provided in “The Minimum Distance Separation Document” – Publication 853 as amended.

#### **4.18 Minimum Distance Separation (MDS) I - New Non- Farm Uses**

Notwithstanding any provisions of this By-law to the contrary, a residential, institutional, commercial, industrial or recreational use, or non-farm dwelling use to be located upon a

vacant and existing lot of record, or a new lot created by a Land Division Committee, must comply with the Minimum Distance Separation I (MDS I) Guidelines (as amended from time to time).

#### **4.19 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, permitted and/or expanded unless it complies with the Province of Ontario's Minimum Distance Separation (MDS II) Formulae, as amended.

For the purposes of preparing an MDS I or MDS II calculation, a cemetery which is closed, which receives low levels of visitation, or where no place of worship is present shall be considered a Type A land use (ie., Less sensitive use).

#### **4.20 Horse-Drawn Transportation**

Any lot containing a dwelling unit may be used for the keeping of two (2) horses, provided:

- a) Such horse provides the primary means of transportation for the occupants of the dwelling unit;
- b) All manure shall be contained in an enclosed building and manure shall be removed from the property at regular intervals to a suitable location in an Agricultural Zone;
- c) The building or structure in which the horse is kept or in which the manure is enclosed shall be set back from the interior side and rear lot lines the distance required for accessory structures; and;
- d) The minimum distance separation (MDS) requirements shall not apply in Settlement Areas.

#### **4.21 On-Farm Diversified Use**

On-farm diversified uses are accessory to principal farming operations may be permitted subject to the following criteria:

- a) An on-farm diversified use shall only be permitted accessory to a farm Operation on the same lot.
- b) On-farm diversified use(s) shall not exceed a combined total of either one (1) hectare or two percent (2%) of the area of the lands on which the use is proposed, whichever is lesser.
- c) The gross floor area of all buildings or structures used for an on-farm diversified use shall not exceed twenty percent (20%) of the land area, as stated in b) above.
- d) The land area and the area of existing buildings or structures used for an on-farm

diversified use may be discounted at the rate of fifty percent (50%). Where an on-farm diversified use uses the same footprint as a demolished agricultural building, the land area for the on-farm diversified use may be similarly discounted by fifty percent (50%).

- e) One hundred percent (100%) of the area needed for parking areas and outdoor storage for the on-farm diversified use shall be included in the area calculation.
- f) Where an on-farm diversified use uses an existing farm laneway, or parking area, the area of the laneway or parking area shall not be included in the area calculations.
- g) Services required for the proposed use are provided on the same lot, to the satisfaction of the Township of Huron-Kinloss, and shall not have any negative impacts on neighboring and surrounding land uses.
- h) Uses shall not limit, and shall be compatible with, surrounding agricultural uses and shall not have any negative impacts on neighboring and surrounding land uses.
- i) Do not cause traffic or safety concerns and provide safe access onto an open and maintained public road.
- j) On-farm diversified uses that include agri-tourism and farm experience activities shall be directly related to the principle agricultural use.
- k) Production lands which are used for the growing of crops and are simultaneously used as part of an activity area, such as a corn maze, shall not be included in the area calculations for the on-farm diversified use. However, these activity areas shall not exceed five percent (5%) of the total lot area of the subject lands. Where production land is used for the purposes of a pick-your-own operation, such lands shall not be included in the area calculations for the on-farm diversified use, but areas for the purpose of additional retail or visitor amenities shall be included.
- l) An on-farm diversified use shall be subject to the Minimum Distance Setbacks (MDS) Guidelines, except where an On-farm diversified use does not generate a significant number of visitors and/or includes agri-tourism or food services or provides accommodation on site.
- m) The on-farm diversified use must meet all applicable requirements of the Ontario Building Code, the Ontario Fire Code, and requires an approved building permit to legally establish the use.
- n) Requirements related to the size and scale of an on-farm diversified use are intended to limit the use to ensure that it remains secondary to the principal farm operation. The provisions of this section are considered cumulative maximums regardless of the number of diversified uses proposed on the property.
- o) An agricultural event may be considered an on-farm diversified use and shall be subject to all requirements within Subsection 6.4 of the By-Law. Agricultural events that are beyond the scale of an on-farm diversified use (2% of the farm to a maximum of 1 hectare) shall only be permitted on a temporary basis through a zoning by-law amendment. Any such agricultural event shall be subject to the provision of required parking on-site at a rate of 1 space per 25m<sup>2</sup> of event area.

As a wide variety of uses may qualify as an on-farm diversified use, parking requirements shall be applied based on the type of use(s) proposed in accordance with Section 5. Where similar uses exist in Section 5.1 the more restrictive parking requirements shall apply.

#### **4.22 Non-Complying Uses (By-Law No 2019-123)**

Where a building or structure was lawfully used and is permitted by the provisions of the zone in which such building or structure is located but does not meet the zone provisions with respect to lot area, yards, setbacks, 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. For greater clarity, where a building or structure does not comply with required yard or setback, no additional gross floor area may be constructed within the required yard or setback.

In the case of a rezoning or severance, permitted and legally established existing buildings or structures or driveways shall be deemed to comply with any applicable zone provisions, except parking and loading requirements, resulting from such rezoning or severance.

#### **4.23 Non-Conforming Uses**

- .1 The provisions of this By-law shall not apply to prevent the use of and land, buildings or structures for any purpose prohibited by this By-law if such land, building or structure was lawfully 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.
- .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.
- .3 Nothing in this By-law shall prevent the strengthening to a safe condition, the repair or renovation of any legal non-conforming 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.
- .4 A detached dwelling which legally existed on the date of passing of this By-Law, and is located in any 'GC' – General Commercial Zone, 'EP' – Environmental Protection

Zone, may be altered or enlarged in accordance with the 'R1' – Residential One zone provisions. Written approval from the Conservation Authority is required for dwellings in the EP zone and Conservation Authority regulated areas.

#### **4.24 Number of Dwellings Per Lot**

Unless otherwise provided for in this by-law in any zone where detached dwellings are permitted, not more than one primary detached dwelling shall be permitted on a lot, excepting however the instance in which an existing residential dwelling is to be replaced by the construction of a new residential dwelling on the same lot, the existing dwelling may be occupied or used as provisional accommodation during the construction of the new dwelling, provided the existing dwelling is demolished within six months of receiving occupancy for the new dwelling.

#### **4.25 Outdoor Storage Regulations**

- .1 Where outdoor storage is permitted by this By-law, such outdoor storage shall not be located within required front or exterior side yards, unless it is for the temporary display of goods for sale. This regulation does not apply to properties zoned AG1 or AG4, provided the outdoor storage is located outside the required front yard or exterior side yard.
- .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.
- .3 Where 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.
- .4 Any outdoor storage shall be screened from view of the street and any adjacent residential or institutional use.
- .5 In the case where an outdoor storage area abuts a residential zone, a solid fence or vegetative buffering equivalent to a solid fence having a minimum height of the storage height shall be required to be provided along the entire property line abutting such residential zone.
- .6 Outdoor storage is permitted up to a maximum height of 5 metres.

#### **4.26 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.

#### **4.27 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.

#### **4.28 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, within settlement and Lakeshore areas, no building shall be erected within 33 metres from the centerline of any Provincial or County Road unless written permission has been obtained from the applicable road authority;

- 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 4.28.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.

.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.

#### **4.29 Setbacks – Street Exemption**

Notwithstanding front yard requirements, 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.

Notwithstanding any other section of this By-law to the contrary, where an existing main building or structure is located within the required front yard or required exterior yard setback as established in this By-law, additions to the existing main building or structure may be permitted with an equal or greater setback, subject to all other applicable regulations of this By-law.

#### **4.30 Setbacks – Watercourse, Municipal Drain and Environmental Protection Zone**

Notwithstanding any other provisions of this By-law, no person shall erect any building in any zone which is:

##### **.1 Drains**

In the case of an open or closed municipal drain, the setback shall be in accordance with the maintenance corridor provided in the Engineer's Drainage Report. Where no setback is identified in the report, the following shall apply:

- a) No closer than 7.5 m from the centerline of a closed municipal drain.  
or,
- b) No closer than 15 m from the top of bank of an open municipal drain.  
Or,
- c) Notwithstanding 4.30.1.a) or 4.30.1.b) the setback from a municipal drain in a settlement area shall be 3 metres from the centerline of a closed municipal drain or 3 metres from top of bank of an open municipal drain.

##### **.2 Watercourse**

No closer than 30 metres, or as determined through technical studies (i.e. slope stability study, floodplain study, environmental impact study) in consultation with the Conservation Authority, from the top of bank for yards abutting the Eighteen Mile

River, Pine River, Clark Creek, Royal Oak Creek, Kinloss Creek, Lucknow River or any of their tributaries.

### **.3 Environmental Protection Zone**

No closer than 8 m of the edge of an environmental protection zone boundary unless permitted by the appropriate Conservation Authority.

#### **4.31 Sight Visibility Triangle**

##### **.1 Corner Lots on Municipal Streets**

On corner lots, no building, structure, fence, or landscaping shall be established, nor any parking spaces be established, in any manner that would otherwise obstruct vision between 0.5 metres above grade and 3.0 metres above grade, in the area measuring 7.5 metres along each projected street line of the corner lot and beginning at the point of intersection of the two streets which the corner lot has frontage on, excepting only that this section shall not apply to a 'principal building' in the General Commercial Zone (GC).

##### **.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.

##### **.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.

#### **4.32 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].

#### **4.33 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.

##### **.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 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 V 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) 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.
  - xx) An activity that reduces the recharge of an aquifer
  - xxi) The use of land as livestock grazing or pasturing land, an outdoor confinement area or farm-animal yard.
- b) Within the Saugeen Source Protection Plan Area illustrated in Schedule B, Section 4.31.2 a) shall not apply to solely residential land uses that involve the following significant drinking water threat activities:
- i) Waste disposal sites within the meaning of Part V 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 management of runoff that contains chemicals used in the de-icing of aircraft.
- xvi) The use of land as livestock grazing or pasturing land, an outdoor confinement area or farm-animal yard.

### .3 Individual Septic Systems

- 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) New lots created through severance or plan of subdivision shall be serviced by municipal sanitary sewers or where an on-site septic system can be located outside the limits of the WHPA with a vulnerability score of 10 as identified on Schedule 'B'.
  - ii) Where no municipal sanitary sewers exist and where septic systems already exist, new or replacement private septic systems shall be located as far as practically possible from the wellhead while remaining in compliance of the Ontario Building Code.

### .4 Waste Disposal Sites within Vulnerable Areas

- a) Notwithstanding any other provisions of this By-law to the contrary, the following uses shall be prohibited within WHPAs with a vulnerability score of 8 or 10 as identified on Schedule B, where they would be a significant drinking water threat:
  - i) Land disposal of petroleum refining waste within the meaning of clause (d) of the definition of "land disposal" in section 1 of Regulation 347 (General – Waste Management) R.R.O. 1990 made under the *Environmental Protection Act*.
  - ii) Land disposal of municipal waste, hazardous waste, liquid industrial waste, or commercial waste within the meaning of clauses (a) and (b) of the definition of "land disposal" in section 1 of Regulation 347 (General – Waste Management) R.R.O. 1990 made under the *Environmental Protection Act*.

- iii) Land disposal of liquid industrial waste, industrial waste, or commercial waste within the meaning of clause (c) of the definition of “land disposal” in section 1 of Regulation 347 (General – Waste Management) R.R.O. 1990 made under the *Environmental Protection Act*.

#### **4.34 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.

#### **4.35 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 to all uses.

#### **4.36 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.

#### **4.37 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.

#### **4.38 Disposal Areas**

- .1 No building or structure erected and used for human habitation shall be located closer than:
  - a) 150 metres (492 ft.) from any area zoned for and containing a ‘sewage treatment plant’ or.
  - b) 50 metres (164 ft.) from any area zoned for and containing a ‘communal sewage disposal system’.

Applicable to disposal areas within or outside of the limits of the Corporation.

- .2 No building or structure erected and used for human habitation shall be located closer than 500 metres (1640 ft.) from the fill area as defined in a Certificate of

Approval from the Ministry of Environment, Conservation and Parks for an open municipal or private 'solid waste disposal site' or a 'composting facility', either within or outside of the limits of the Corporation.

- .3 Additions, enlargements and alterations to existing buildings and structures within the required setback identified in Section 4.31 shall be permitted in accordance with the applicable zoning designation.

#### **4.39 Minor Lot Enlargement**

- .1 Where a Consent for a minor lot enlargement is granted by the County of Bruce, or it's delegate, the zoning of the receiving lands shall extend to incorporate the lands which are severed and merged. This shall not apply to remove areas from the Environmental Protection (EP) Zone, the Environmental Protection Special (EP-1) Zone, the flooding (f) suffix, the Dynamic Beach (db) suffix, or to remove '-H' Holding zones where applicable. The resulting lot area and frontage of the retained parcel is deemed to comply with the provisions of this Zoning By-law.

These provisions shall come into effect upon approval of a consent, and without requiring amendment to this by-law, subject to a delegation by-law.

This section also applies when lands are closed and conveyed or created by the Municipality (e.g. in the event of a road closure).

# 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:

- a) Notwithstanding the requirements of the subsequent table, no parking spaces shall be required for non-residential uses within the 'GC' general Commercial Zone and one parking space shall be provided per residential unit. This includes Hotels and Motels in a GC zone, which shall only be required to provide 1 parking space per housekeeping unit, sleeping unit or guest room.
- b) All identified uses shall provide parking in accordance with the provisions of the by-law, except that parking requirements (and associated maneuvering aisles) may be reduced if supported through a site-specific parking study and approved by the Zoning Administrator or designate.

| Use                                                    | Parking Requirement ( <i>Gross floor area</i> (GFA) unless otherwise specified)                                      |
|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| Any other <b>use</b> not specifically listed below     | 1 space per 46.5 m <sup>2</sup> GFA                                                                                  |
| <b>Assembly Hall</b> and <b>Banquet Hall</b>           | 1 space for every 8 fixed seats and 1 space for every 20 m <sup>2</sup> GFA                                          |
| <b>Automobile Body/Repair Shop</b>                     | 4 spaces per repair bay                                                                                              |
| <b>Automobile Service/Gas Station</b>                  | 4 spaces per repair bay, with a minimum of 3 spaces                                                                  |
| <b>Automobile Sales Establishment</b>                  | 1 space per 40 m <sup>2</sup> GFA                                                                                    |
| <b>Automotive Wrecking Establishment</b>               | 1.5 spaces per employee                                                                                              |
| <b>Bed and Breakfast Establishment</b>                 | 1 space per room used for accommodation purposes; in addition to the required parking for the <b>dwelling unit</b> . |
| <b>Child Care Centre</b>                               | 1 space per classroom plus 1 space for each office                                                                   |
| <b>Commercial School</b>                               | 1 space per 28 m <sup>2</sup> GFA                                                                                    |
| <b>Commercial Use</b> , not otherwise specified herein | 1 space per 30 m <sup>2</sup> GFA                                                                                    |

|                                                                                                     |                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| <b>Community Centre</b>                                                                             | 1 space per 28 m <sup>2</sup> GFA                                                                                                |
| <b>Contractor's or Tradesman's Establishment</b>                                                    | 1 space per 50 m <sup>2</sup> GFA                                                                                                |
| Dwellings including: <b>Apartments, Converted Commercial</b>                                        | 1 spaces per <b>dwelling unit</b>                                                                                                |
| Dwellings including: <b>Additional Residential Unit</b>                                             | 1 space per <b>dwelling unit</b>                                                                                                 |
| Dwellings including: <b>Single Detached, Semi-Detached, Duplex, Townhouse</b> and/or <b>Triplex</b> | 1 space per <b>dwelling unit</b>                                                                                                 |
| Visitor: <b>Dwelling units not otherwise specified</b>                                              | 1 space per 4 <b>dwelling units</b>                                                                                              |
| Dwelling including: <b>Mobile Home</b>                                                              | 1 space per <b>dwelling unit</b>                                                                                                 |
| Elementary <b>School</b>                                                                            | 1.25 spaces per classroom                                                                                                        |
| <b>Financial Institution</b>                                                                        | 1 space per 40 m <sup>2</sup> GFA                                                                                                |
| <b>Funeral Home</b>                                                                                 | 1 space per 25 m <sup>2</sup> GFA                                                                                                |
| <b>Government Administration Building</b>                                                           | 1 space per 40 m <sup>2</sup> GFA                                                                                                |
| <b>Hospital</b>                                                                                     | 1 space per bed                                                                                                                  |
| <b>Hotel or Motel</b>                                                                               | 1 space per guest room                                                                                                           |
| <b>Industrial Use</b>                                                                               | 1 space per 90 m <sup>2</sup> GFA                                                                                                |
| <b>Kennel</b>                                                                                       | 1 space per 25 m <sup>2</sup> GFA                                                                                                |
| <b>Long Term Care Facility</b>                                                                      | 1 per 3 beds                                                                                                                     |
| <b>Medical Clinic</b>                                                                               | 1 space per 30 m <sup>2</sup> GFA                                                                                                |
| <b>Office</b>                                                                                       | 1 space per 40 m <sup>2</sup> GFA                                                                                                |
| <b>Personal Service</b>                                                                             | 1 space per 45 m <sup>2</sup> GFA                                                                                                |
| <b>Recreation Use</b> , not otherwise specified herein                                              | 1 space per 200 m <sup>2</sup> of GFA                                                                                            |
| <b>Restaurant</b>                                                                                   | 1 space per 15 m <sup>2</sup> GFA                                                                                                |
| <b>Retail Store</b>                                                                                 | 1 space per 20 m <sup>2</sup> GFA                                                                                                |
| Secondary <b>School</b>                                                                             | 5 spaces per classroom                                                                                                           |
| <b>Trailer Park and Campground</b>                                                                  | 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 |
| <b>Veterinary Clinic</b>                                                                            | 1 space per 20 m <sup>2</sup> GFA                                                                                                |

|                         |                                    |
|-------------------------|------------------------------------|
| <b>Warehouse</b>        | 1 space per 200 m <sup>2</sup> GFA |
| <b>Wholesale Outlet</b> | 1 space per 80 m <sup>2</sup> GFA  |

### 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.

### 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.

### 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.

Surface parking areas shall be permitted in the required yards of the zones contained in the by-law as follows.

**OS, Commercial, EP, Institutional** - all yards provided that no part of any parking area, and other than a driveway, is located closer than 1 metre to any street line and no closer than 1.5 metres from any property line abutting a residential zone.

**Residential-except Dwelling Apartment** - all yards provided that no part of any parking area, other than a driveway is located closer than 1.5 metre to any street line and provided further that no more than the greater of 50% of the width of a front yard or exterior yard as measured along a front lot line or exterior lot line, or the minimum width of a driveway, shall be devoted to parking areas.

**Residential-Dwelling Apartment** - all yard provided that no part of any parking area, other than a driveway, is located closer than 4.5 metres to any street line and no closer

than 1.5 metres to any side lot line.

**Industrial** - Off street parking is permitted in any required yard provided there is a 1 m setback to property line(s), this shall not supersede the requirements of any required planting areas (Section 4.27) or Landscaping (Section 5.3.5).

#### **5.1.5 Parking Space Size and Parking Aisle Requirements**

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

| Parking Angle                                    | 90°                                             | 75° | 60° | 45° | Parallel |
|--------------------------------------------------|-------------------------------------------------|-----|-----|-----|----------|
| Stall Width                                      | 2.75 m                                          |     |     |     |          |
| Stall Length                                     | 6 m                                             |     |     |     |          |
| Aisle Width                                      | 6 m                                             |     |     | 4 m |          |
| Minimum Driveway Width (single- / semi-detached) | 3.0 m                                           |     |     |     |          |
| Minimum Driveway Width (other uses)              | One-Way Traffic: 3.5m<br>Two-Way Traffic: 6.0 m |     |     |     |          |
| Maximum Driveway Width                           | 9.0 m                                           |     |     |     |          |
| Street setback for parking area                  | 3.0 m                                           |     |     |     |          |

#### **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.

#### **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. Temporary parking of school buses for school bus drivers is exempt.
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.

#### **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. The zone or lot shall currently contain at least one residential dwelling;
6. Notwithstanding any of the above provisions, driveway parking for the purposes of loading recreational vehicles will be permitted.

#### **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.

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, street facing townhouses or duplex dwellings.

### 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.
- .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.
  - c) On a corner lot one additional driveway may be permitted from an exterior side yard for each 30m of street line.
  - d) Where a single lot of record contains multiple Dwelling, Street Fronting Townhouse, one driveway is permitted per unit.
- .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.

### 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. See also Section 4.24 of this By-law for details related to Planting Area.

## 5.2 Stacking Requirements

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

| TYPE OF DRIVE THRU                                              | MINIMUM STACKING LANE |
|-----------------------------------------------------------------|-----------------------|
| Drive-thru <b>restaurant</b>                                    | 10                    |
| <b>Automobile Service/Gas Station</b> 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.

### 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**.

## 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:

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

### 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.

### **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.

### **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.

### **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. See also Section 4.24 of this By-law for details related to Planting Area.

# SECTION 6 – GENERAL AGRICULTURE (AG1) ZONE

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## 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 6.3)
- **Agriculture**
- **Bed and Breakfast Establishment**
- **Conservation**
- **Dwelling, Single Detached Farm Residence**
- **Dwelling, Additional Residential Unit On Farm** (Section 4.7)
- **Farm Business** (Section 6.4)
- **Farm Home Industry** (Section 6.4)
- **Home Business** – Domestic and Household Arts
- **Home Business** – Professional
- **Dwelling Units for On-farm Labour** – Accessory to agriculture, in a single building containing a maximum of 6 dwelling units, and on a lot 20 hectares or greater.
- **On Farm Diversified** - Accessory to agriculture

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 <sup>2</sup> (37 ha) |
| 6.2.2 | Minimum Lot Frontage       | 100 m                          |
| 6.2.3 | Minimum Front Yard         | 20 m                           |
| 6.2.4 | Minimum Rear Yard          | 20 m                           |
| 6.2.5 | Minimum Interior Side Yard | 20 m                           |
| 6.2.6 | Minimum Exterior Side Yard | 20 m                           |

### 6.3 Regulations for Residential Uses and Parochial Schools

Notwithstanding the above regulations, Single Detached Farm Residence, Additional Residential Unit on Farm, Parochial Schools and Accessory Use shall be subject to the following regulations:

|              |                                          |                                                                                                       |
|--------------|------------------------------------------|-------------------------------------------------------------------------------------------------------|
| <b>6.3.1</b> | <b>Minimum Front Yard</b>                | 10 m                                                                                                  |
| <b>6.3.2</b> | <b>Minimum Rear Yard</b>                 | 10 m                                                                                                  |
| <b>6.3.3</b> | <b>Minimum Interior Side Yard</b>        | 5 m                                                                                                   |
| <b>6.3.4</b> | <b>Minimum Exterior Side Yard</b>        | 10 m                                                                                                  |
| <b>6.3.5</b> | <b>Maximum Building Height</b>           | 10 m                                                                                                  |
| <b>6.3.6</b> | <b>Maximum Accessory Building Height</b> | 8 m<br>Where an accessory building is 6 m in height or less, the provisions of section 4.1 may apply. |

### 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.

# SECTION 7 – AGRICULTURAL COMMERCIAL/INDUSTRIAL (AG2) ZONE

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## 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 7.2)
- **Agricultural-Related Business**
- **Agricultural Service Establishment**

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 <sup>2</sup> (0.4 ha)                                                                          |
| 7.2.2 | Minimum Lot Frontage              | 30 m                                                                                                   |
| 7.2.3 | Minimum Front Yard                | 15 m                                                                                                   |
| 7.2.4 | Minimum Rear Yard                 | 10 m                                                                                                   |
| 7.2.5 | Minimum Interior Side Yard        | 5 m                                                                                                    |
| 7.2.6 | Minimum Exterior Side Yard        | 15 m                                                                                                   |
| 7.2.7 | Maximum Lot Coverage              | 20%                                                                                                    |
| 7.2.8 | Maximum Building Height           | 15 m                                                                                                   |
| 7.2.9 | Maximum Accessory Building Height | 15 m<br>Where an accessory building is 6 m in height or less, the provisions of section 4.1 may apply. |

# SECTION 8 – AGRICULTURAL RESIDENTIAL (AG3) ZONE

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## 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 8.2)
- **Bed and Breakfast Establishment**
- **Dwelling, Single Detached**
- **Dwelling, Additional Residential Unit** (Section 4.6)
- **Farm Business**
- **Home Business – Domestic and Household Arts**
- **Home Business – Professional**

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 <sup>2</sup> (0.4 ha) |
| 8.2.2 | Minimum Lot Frontage       | 30 m                          |
| 8.2.3 | Minimum Front Yard         | 10 m                          |
| 8.2.4 | Minimum Rear Yard          | 10 m                          |
| 8.2.5 | Minimum Interior Side Yard | 5 m                           |
| 8.2.6 | Minimum Exterior Side Yard | 10 m                          |
| 8.2.7 | Maximum Lot Coverage       | 30%                           |
| 8.2.8 | Maximum Building Height    | 10 m                          |

|       |                                          |                                                                                                      |
|-------|------------------------------------------|------------------------------------------------------------------------------------------------------|
| 8.2.9 | <b>Maximum Accessory Building Height</b> | 8 m<br>Where an accessory building is 6 m in height or less, the provisions of section 4.1 may apply |
|-------|------------------------------------------|------------------------------------------------------------------------------------------------------|

### **8.3 Existing and Proposed Livestock Barns**

Notwithstanding the provisions of Section 8.1 to the contrary, in addition to Section 4.19 - MDS, an existing barn may be used or a new barn may be established provided that the keeping of any livestock shall be accessory and subordinate to the primary residential use, to the satisfaction of the Township of Huron-Kinloss.

# SECTION 9 – AGRICULTURAL RURAL (AG4) ZONE

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## 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 9.3)
- **Agriculture**
- **Bed and Breakfast Establishment**
- **Conservation**
- **Dwelling, Single Detached Farm Residence**
- **Dwelling, Additional Residential Unit On Farm** (Section 4.7)
- **Farm Business**
- **Farm Home Industry**
- **Home Business – Domestic and Household Arts**
- **Home Business – Professional**
- **Dwelling Units for On-Farm Labour** – Accessory to agriculture, in a single building containing a maximum of 6 dwelling units, and on a lot 20 hectares or greater
- **On Farm Diversified** - Accessory to agriculture

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 <sup>2</sup> (20 ha) |
| 9.2.2 | Minimum Lot Frontage       | 100 m                          |
| 9.2.3 | Minimum Front Yard         | 20 m                           |
| 9.2.4 | Minimum Rear Yard          | 20 m                           |
| 9.2.5 | Minimum Interior Side Yard | 20 m                           |
| 9.2.6 | Minimum Exterior Side Yard | 20 m                           |

### 9.3 Regulations for Residential Uses and Parochial Schools

Notwithstanding the above regulations, Single Detached Farm Residence, Additional Residential Unit on Farm, Parochial Schools, and Accessory Use shall be subject to the following regulations:

|              |                                          |                                                                                                       |
|--------------|------------------------------------------|-------------------------------------------------------------------------------------------------------|
| <b>9.3.1</b> | <b>Minimum Front Yard</b>                | 10 m                                                                                                  |
| <b>9.3.2</b> | <b>Minimum Rear Yard</b>                 | 10 m                                                                                                  |
| <b>9.3.3</b> | <b>Minimum Interior Side Yard</b>        | 5 m                                                                                                   |
| <b>9.3.4</b> | <b>Minimum Exterior Side Yard</b>        | 10 m                                                                                                  |
| <b>9.3.5</b> | <b>Maximum Building Height</b>           | 10 m                                                                                                  |
| <b>9.3.6</b> | <b>Maximum Accessory Building Height</b> | 8 m<br>Where an accessory building is 6 m in height or less, the provisions of section 4.1 may apply. |

# SECTION 10 – ENVIRONMENTAL PROTECTION (EP) ZONE

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## 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**:

- **Conservation**
- **Cross Country Ski Facility**
- **Conservation Area**
- **Existing Agriculture**
- **Forestry**
- **Outdoor Recreation, provided no buildings or structures**
- **Park, provided no buildings or structures**

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 Maitland Valley Conservation Authority.

## 10.2 Regulations

Notwithstanding any other provisions and definitions of this By-Law, all buildings and structures shall be prohibited in an ‘Environmental Protection (EP)’ zone except for the following:

1. Those necessary for flood and/or erosion control purposes in accordance with this section
2. Unenclosed picnic shelters
3. Washroom facilities associated with a Public Park or Conservation Area
4. Buildings for essential public services
5. Boat Launching and Docking; and,

Buildings, structures, or appurtenances that are essential for the provision of public services and that cannot be feasibly located in another zone, and which have received approval from any appropriate approval authority.

Existing buildings and structures, as of the date of adoption of this by-law, shall be permitted including any minor repairs or alterations to existing buildings or structures in accordance

with the following:

1. Strengthening to a safe condition of any building or structure which is existing as of the effective date of this by-law; or
2. Extension or addition to any building or structure which is existing as of the effective date of this by-law, provided that such extension or addition does not contravene any of the provisions of this By-law, including all applicable requirements of the underlying zone; or
3. Replacement of any building or structure which is existing as of the effective date of this By-law and which is destroyed by fire or act of nature, providing that such replacement does not increase the height, size, or change the use of such building or structure, and provided that such replacement shall comply with all applicable requirements of the underlying zone.
4. In the case of non-conforming uses in natural hazard, including shoreline areas, reconstruction may occur in a different location provided it is further from the source of the natural hazard including the shoreline. Height and volume may be increased for the purpose of addressing floodproofing or other hazards.

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

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

# **SECTION 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)
- **Conservation**
- **Existing Agriculture**
- **Forestry**
- **Outdoor Recreation**
- **Park**

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:

|               |                                    |                                                                      |
|---------------|------------------------------------|----------------------------------------------------------------------|
| <b>11.2.1</b> | <b>Minimum Front Yard</b>          | 6 m                                                                  |
| <b>11.2.2</b> | <b>Minimum Side Yard, Interior</b> | One half of the building height from each side, but not less than 4m |
| <b>11.2.3</b> | <b>Minimum Side Yard, Exterior</b> | 6 m                                                                  |
| <b>11.2.4</b> | <b>Minimum Rear Yard</b>           | 7.5 m or one half of the building height, whichever is greater       |
| <b>11.2.5</b> | <b>Minimum Lot Coverage</b>        | 40%                                                                  |

# SECTION 12 – RESIDENTIAL ONE (R1) ZONE

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## 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)
- **Bed and Breakfast Establishment** (Section 4.2 and Section 12.3)
- **Dwelling, Additional Residential Unit** (Section 4.6 and Section 12.2)
- **Dwelling, Duplex (Section 12.2)**
- **Dwelling, Single Detached**
- **Dwelling, Semi-Detached (Section 12.2)**
- **Home Business – Domestic and Household Arts**
- **Home Business – Professional Uses**
- **Residential Care Facility**
- **Dwelling, Triplex (Section 13.3.2)**
- **Dwelling, Townhouse – Street Fronting (maximum 3 units) (Section 14.3)**
- **Child Care Centre**
- **School**

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

## 12.2 Dwellings Within the Lakeshore Settlement Area

Notwithstanding the permitted uses in Section 12.1, where full municipal water and sewer services are not provided, a Dwelling, Additional Residential Unit, Semi-Detached, Duplex, Triplex, Dwelling, Townhouse, 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 for Single Detached Dwellings

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 <sup>1</sup>                                                                                                                 | Hamlet <sup>2</sup>  | Lakeshore                                 |
| 12.4.1 | Minimum Lot Area                 | 470 m <sup>2</sup>                                                                                                                          | 4,000 m <sup>2</sup> | Municipal Water:<br>1,850 m <sup>2</sup>  |
|        |                                  |                                                                                                                                             |                      | Private Services:<br>6,000 m <sup>2</sup> |
| 12.4.2 | Minimum Lot Frontage             | 15 m                                                                                                                                        | 40 m                 | 30 m                                      |
| 12.4.3 | Minimum Lot Frontage, Corner Lot | 15 m                                                                                                                                        | 46 m                 |                                           |
| 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         | 7.5 m                | 7.5 m                                     |
| 12.4.5 | Minimum Rear Yard                | 7.5 m                                                                                                                                       | 7.5 m                | 7.5 m                                     |
| 12.4.6 | Minimum Interior Side Yard       | 1.5 m                                                                                                                                       | 1.5 m                | 3 m                                       |
| 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 | 4.5 m                | 3 m                                       |
| 12.4.8 | Maximum Lot Coverage             | 45%                                                                                                                                         | 25%                  | 30%                                       |
| 12.4.9 | Maximum Building Height          | 10 m                                                                                                                                        | 10 m                 | 8 m                                       |

<sup>1</sup> Partially-services lots shall be subject to the regulations for Hamlets

<sup>2</sup> Hamlets include: Amberley, Holyrood, Kinlough, Kinloss, Pine River and Whitechurch

## 12.5 Regulations for Duplex and Semi-Detached Dwellings

|        | Regulation                       | Duplex Dwelling                                                                                                                 | Semi-Detached Dwellings                                                                                                                                                       | Partial or Private Services                                                                                                                                          |
|--------|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12.5.1 | Minimum Lot Area                 | 470 m <sup>2</sup>                                                                                                              | 235 m <sup>2</sup> (per unit)                                                                                                                                                 | 4,000 m <sup>2</sup> or 2,000 m <sup>2</sup> for each Semi-Detached Unit to be erected on a separate lot of record.                                                  |
| 12.5.2 | Minimum Lot Frontage             | 15 m                                                                                                                            | 7.5 m (per unit)                                                                                                                                                              | 40 m or 20 m for each Semi-Detached Unit to be erected on a separate lot of record.                                                                                  |
| 12.5.3 | Minimum Lot Frontage, Corner Lot | 15 m                                                                                                                            | 7.5 m (per unit)                                                                                                                                                              | 40 m <b>or</b> 20 m for each Semi-Detached Unit to be                                                                                                                |
| 12.5.4 | 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 front lot line | 4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to front lot line                                               | 7.5 m                                                                                                                                                                |
| 12.5.5 | Minimum Rear Yard                | 7.5 m                                                                                                                           | 7.5 m                                                                                                                                                                         | 7.5 m                                                                                                                                                                |
| 12.5.6 | Minimum Interior Side Yard       | 1.5 m                                                                                                                           | 1.5 m<br><br><b>Side Yard</b> may be reduced to 0 m the common lot line where a Semi-Detached Dwelling equally divided to provide individual ownership to each Dwelling Unit. | 1.5 m<br><br><b>Side Yard</b> may be reduced to 0 m the common lot line where a Semi-Detached equally divided to provide individual ownership to each Dwelling Unit. |
| 12.5.7 | Minimum Exterior Side Yard       | 1.5 m, except no part of any building used to accommodate                                                                       | 4.5 m, except no part of any building used to                                                                                                                                 | 4.5 m                                                                                                                                                                |

|               |                                |                                                              |                                                                          |      |
|---------------|--------------------------------|--------------------------------------------------------------|--------------------------------------------------------------------------|------|
|               |                                | off-street parking closer than 6 m to exterior side lot line | accommodate off-street parking closer than 6 m to exterior side lot line |      |
| <b>12.5.8</b> | <b>Maximum Lot</b>             | 45%                                                          | 45%                                                                      | 25%  |
| <b>12.5.9</b> | <b>Maximum Building Height</b> | 10 m                                                         | 10 m                                                                     | 10 m |

# SECTION 13 – RESIDENTIAL TWO (R2) ZONE

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## 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)
- **Bed and Breakfast Establishment** (Section 4.2)
- **Dwelling, Additional Residential Unit** (Section 4.6 and 13.2)
- **Dwelling, Duplex**
- **Dwelling, Group Home**
- **Dwelling, Triplex**
- **Dwelling, Semi-Detached**
- **Dwelling, Single Detached**
- **Dwelling, Townhouse – Street Fronting (Section 14.3)**
- **Home Business – Domestic and Household Arts**
- **Home Business – Professional Uses**
- **Residential Care Facility**
- **Child Care Centre**
- **School**

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

## 13.2 Dwelling, Additional Residential Unit

Notwithstanding the permitted uses in Section 13.1, except where full township services are provided, a Dwelling, Additional Residential Unit 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 <sup>2</sup>                                                                                                                          | 235 m <sup>2</sup> (per unit)                                                                                                                                                                |
| 13.3.1.2 | Minimum Lot Frontage             | 12 m                                                                                                                                        | 7.5 m (per unit)                                                                                                                                                                             |
| 13.3.1.3 | Minimum Lot Frontage, Corner Lot | 15 m                                                                                                                                        | 20 m                                                                                                                                                                                         |
| 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         | 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                                                          |
| 13.3.1.5 | Minimum Rear Yard                | 7.5 m                                                                                                                                       | 7.5 m                                                                                                                                                                                        |
| 13.3.1.6 | Minimum Interior Side Yard       | 1.5 m                                                                                                                                       | 1.5 m<br><br><b>Side Yard</b> 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. |
| 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 | 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                                                  |
| 13.3.1.8 | Maximum Lot Coverage             | 45%                                                                                                                                         | 45%                                                                                                                                                                                          |
| 13.3.1.9 | Maximum Building Height          | 10 m                                                                                                                                        | 10 m                                                                                                                                                                                         |

### 13.3.2 Regulations for Triplex Dwellings:

|                 | <b>Provision</b>                        | <b>Triplex</b>                                                                                                                              |
|-----------------|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <b>13.3.2.1</b> | <b>Minimum Lot Area</b>                 | 470 m <sup>2</sup>                                                                                                                          |
| <b>13.3.2.2</b> | <b>Minimum Lot Frontage</b>             | 15 m                                                                                                                                        |
| <b>13.3.2.3</b> | <b>Minimum Lot Frontage, Corner Lot</b> | 20 m                                                                                                                                        |
| <b>13.3.2.4</b> | <b>Minimum Front Yard</b>               | 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         |
| <b>13.3.2.5</b> | <b>Minimum Rear Yard</b>                | 7.5 m                                                                                                                                       |
| <b>13.3.2.6</b> | <b>Minimum Interior Side Yard</b>       | 1.5 m                                                                                                                                       |
| <b>13.3.2.7</b> | <b>Minimum Exterior Side Yard</b>       | 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 |
| <b>13.3.2.8</b> | <b>Maximum Lot Coverage</b>             | 45%                                                                                                                                         |
| <b>13.3.2.9</b> | <b>Maximum Building Height</b>          | 10 m                                                                                                                                        |

# SECTION 14 – RESIDENTIAL THREE (R3) ZONE

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## 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)
- **Dwelling, Additional Residential Unit** (Section 4.6 and Section 14.2)
- **Dwelling, Apartment**
- **Dwelling, Group Home**
- **Dwelling, Townhouse – Cluster**
- **Dwelling, Townhouse – Street Fronting**
- **Dwelling, Townhouse – Stacked**
- **Residential Care Facility**

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

## 14.2 Dwelling, Additional Residential Unit

Notwithstanding the permitted uses in Section 14.1, a Dwelling, Additional Residential Unit 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:

|                 | <b>Provision</b>                        | <b>Street Fronting Townhouse</b>                                                                                                                                                                 | <b>Cluster Townhouse</b>                                                                                                                    | <b>Apartment</b>                                                                                                                            |
|-----------------|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <b>14.3.2.1</b> | <b>Minimum Lot Area</b>                 | 148 m <sup>2</sup> (per unit)                                                                                                                                                                    | 148 m <sup>2</sup> (per unit)                                                                                                               | 650 m <sup>2</sup> or 100m per unit where less than 6 units.                                                                                |
| <b>14.3.2.2</b> | <b>Minimum Lot Frontage</b>             | 5 m (per unit)                                                                                                                                                                                   | 15 m                                                                                                                                        | 15 m                                                                                                                                        |
| <b>14.3.2.3</b> | <b>Minimum Lot Frontage, Corner Lot</b> | 12.5 m                                                                                                                                                                                           | ---                                                                                                                                         | ---                                                                                                                                         |
| <b>14.3.2.4</b> | <b>Minimum Front Yard</b>               | 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                                                              | 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         | 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         |
| <b>14.3.2.5</b> | <b>Minimum Rear Yard</b>                | 7.5 m                                                                                                                                                                                            | 7.5 m                                                                                                                                       | 7.5 m                                                                                                                                       |
| <b>14.3.2.6</b> | <b>Minimum Interior Side Yard</b>       | 1.5 m<br><br>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. | 2.5 m                                                                                                                                       | 8 m                                                                                                                                         |
| <b>14.3.2.7</b> | <b>Minimum Exterior Side Yard</b>       | 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                                                      | 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 | 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 |
| <b>14.3.2.8</b> | <b>Maximum Lot Coverage</b>             | 45%                                                                                                                                                                                              | 50%                                                                                                                                         | 50%                                                                                                                                         |
| <b>14.3.2.9</b> | <b>Maximum Building Height</b>          | 10 m                                                                                                                                                                                             | 10 m                                                                                                                                        | 15 m                                                                                                                                        |

# 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)
- **Associated Community Facilities**
- **Dwelling, Single Detached**
- **Land Lease Community**
- **Land Lease Community Home**
- **Mobile Home**
- **Mobile Home Park**

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   |
|------------------|-----------------------------------------------------|------------------------|--------------------|
| <b>Community</b> |                                                     |                        |                    |
| <b>15.2.1</b>    | <b>Minimum Lot Area</b>                             | N/A                    | 4 ha               |
| <b>15.2.2</b>    | <b>Minimum Lot Width</b>                            | 15 m                   | 30 m               |
| <b>15.2.3</b>    | <b>Minimum Front, Exterior, Side and Rear Yards</b> | N/A                    | 7.5 m              |
| <b>15.2.4</b>    | <b>Minimum Open Space</b>                           | N/A                    | 10%                |
| <b>15.2.5</b>    | <b>Maximum Density</b>                              | N/A                    | 25 mh/ha           |
| <b>Dwellings</b> |                                                     |                        |                    |
| <b>15.2.6</b>    | <b>Minimum Lot Area</b>                             | 465 m <sup>2</sup>     | 550 m <sup>2</sup> |
| <b>15.2.7</b>    | <b>Minimum Lot Width</b>                            | 15 m                   | 12 m               |
| <b>15.2.8</b>    | <b>Minimum Front, Exterior Side Yard</b>            | 6.0 m                  | 5 m                |
| <b>15.2.9</b>    | <b>Minimum Side Yard</b>                            | 1.5 m                  | 2 m                |

|                |                                  |       |                   |
|----------------|----------------------------------|-------|-------------------|
| <b>15.2.10</b> | <b>Minimum Rear Yard</b>         | 7.5 m | 3 m               |
| <b>15.2.11</b> | <b>Maximum Building Height</b>   | 8 m   | 5 m               |
| <b>15.2.12</b> | <b>Minimum Ground Floor Area</b> | N/A   | 40 m <sup>2</sup> |
| <b>15.2.13</b> | <b>Maximum Ground Floor Area</b> | N/A   | N/A               |
| <b>15.2.14</b> | <b>Maximum Lot Coverage</b>      | 40%   | 20%               |

### **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.

# SECTION 16 – GENERAL COMMERCIAL (GC) ZONE

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## 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)
- **Assembly Hall**
- **Business or Professional Office**
- **Child Care Centre**
- **Commercial School**
- **Convenience Store**
- **Dry Cleaning Establishment**
- **Dwelling, Apartments** (see Section 16.2)
- **Financial Institution**
- **Food or Grocery Store**
- **Funeral Home**
- **Government Administration Building**
- **Hotel or Motel**
- **Institutional Use**
- **Laundromat**
- **Liquor Retail Outlet**
- **Personal Service Shop**
- **Place of Entertainment**
- **Public Transportation Depot and Bus Stop**
- **Restaurant**
- **Retail Store**
- **Veterinary Clinic**

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.

### 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 <sup>2</sup>      | 1,400 m <sup>2</sup> | 4,000 m <sup>2</sup>  |
| 16.3.2  | Minimum Lot Frontage                | 9 m                     | 30 m                 | 40 m                  |
| 16.3.3  | Minimum Lot Frontage, Corner Lot    | 15 m                    | 33 m                 | 43 m                  |
| 16.3.4  | Minimum Front Yard                  | 0 m                     | 0 m                  | 7.5 m                 |
| 16.3.5  | Minimum Rear Yard                   | 10 m                    | 10 m                 | 10 m                  |
| 16.3.6  | Minimum Interior Side Yard          | 0 m                     | 3 m                  | 5 m                   |
| 16.3.7  | Minimum Exterior Side Yard          | 6 m                     | 7.5 m                | 7.5 m                 |
| 16.3.8  | Maximum Lot Coverage                | 50%                     | 30%                  | 20%                   |
| 16.3.9  | Maximum Building Height             | 12 m                    | 12 m                 | 12 m                  |
| 16.3.10 | Minimum Gross Floor Area for Retail | 70 m <sup>2</sup>       | 70 m <sup>2</sup>    | 70 m <sup>2</sup>     |
| 16.3.11 | Maximum Gross Floor Area for Retail | 1,000 m <sup>2</sup>    | 1,000 m <sup>2</sup> | 1,000 m <sup>2</sup>  |

# SECTION 17 – HIGHWAY COMMERCIAL (HC) ZONE

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## 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)
- **Automobile Body/Repair Shop**
- **Automobile Sales Establishment**
- **Automobile Service/Gas Station**
- **Automobile Washing Establishment**
- **Business or Professional Office**
- **Catering Establishment**
- **Drive-Thru Establishment**
- **Financial Institution**
- **Food or Grocery Store**
- **Funeral Home**
- **Hotel or Motel**
- **Liquor Retail Outlet**
- **Place of Entertainment**
- **Public Transportation Depot and Bus Stop**
- **Rental Establishment**
- **Restaurant**
- **Retail Store**
- **Wholesale Outlet**
- **Veterinary Clinic**

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 <sup>2</sup>    | 3,000 m <sup>2</sup> | 4,000 m <sup>2</sup>  |
| 17.2.2 | Minimum Lot Frontage                | 30 m                    | 30 m                 | 40 m                  |
| 17.2.3 | Minimum Front Yard                  | 15 m                    | 20 m                 | 20 m                  |
| 17.2.4 | Minimum Rear Yard                   | 6 m                     | 9 m                  | 10 m                  |
| 17.2.5 | Minimum Interior Side Yard          | 4.5 m                   | 10 m                 | 10 m                  |
| 17.2.6 | Minimum Exterior Side Yard          | 4.5 m                   | 10 m                 | 10 m                  |
| 17.2.7 | Maximum Lot Coverage                | 40%                     | 30%                  | 20%                   |
| 17.2.8 | Maximum Building Height             | 12 m                    | 12 m                 | 12 m                  |
| 17.2.9 | Minimum Gross Floor Area for Retail | 185.8 m <sup>2</sup>    | 185.8 m <sup>2</sup> | 185.8 m <sup>2</sup>  |

# SECTION 18 – HAMLET MIXED USE (HMU) ZONE

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## 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)
- *Assembly Hall*
- *Automotive Service/Gas Station*
- *Business or Professional Office*
- *Child Care Centre*
- *Dry Cleaning Establishment*
- *Dwelling, Apartments* (see 18.2)
- *Dwelling, Converted Commercial*
- *Dwelling, existing Single Detached*
- *Financial Institution*
- *Food or Grocery Store*
- *General Store / Convenience Store*
- *Government Administration Building*
- *Laundromat*
- *Liquor Retail Outlet*
- *Medical Clinic*
- *Personal Service Shop*
- *Restaurant*
- *Retail Store*
- *Veterinary Clinic*

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.

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

# SECTION 19 – RESORT/RECREATIONAL COMMERCIAL (RRC) ZONE

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## 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)
- **Campground**
- **Commercial Recreation**
- **Marina**
- **Hotel or Motel**
- **Park**
- **Private Clubs and Day Camps**
- **Restaurant**
- **Tent**
- **Travel Trailers**
- **Tourist Lodging**
- **Cabins and Cottages**

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 <sup>2</sup> (0.4 ha) |
| 19.2.2 | Minimum Lot Frontage | 30 m                          |
| 19.2.3 | Minimum Front Yard   | 15 m                          |
| 19.2.4 | Minimum Rear Yard    | 15 m                          |

|               |                                     |                    |
|---------------|-------------------------------------|--------------------|
| <b>19.2.5</b> | <b>Minimum Side Yard</b>            | 15 m               |
| <b>19.2.6</b> | <b>Maximum Building Height</b>      | 10 m               |
| <b>19.2.7</b> | <b>Maximum Density of Campsites</b> | 30 per hectare     |
| <b>19.2.8</b> | <b>Minimum Campsite Area</b>        | 232 m <sup>2</sup> |
| <b>19.2.9</b> | <b>Minimum Campsite Frontage</b>    | 15 m               |

# **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)
- **Assembly Hall**
- **Banquet Hall, Accessory** to a **Community Centre**
- **Cemetery**
- **Child Care Centre**
- **Commercial School**
- **Dwelling, Duplex** (Section 12.2)
- **Dwelling, Group Home**
- **Dwelling, Semi-Detached** (Section 12.5)
- **Dwelling, Single Detached** (Section 12.5)
- **Dwelling, Townhouse – Cluster** (Section 14.3)
- **Dwelling, Townhouse – Street Fronting** (Section 14.3)
- **Dwelling, Triplex** (Section 13.3.2)
- **Emergency Services Facility**
- **Government Administration Building**
- **Hospital**
- **Institutional Use**
- **Library**
- **Museum**
- **Recreational Facility**
- **Residential Care Facility**

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:

|               | <b>Provision</b>            | <b>Full Municipal Services</b> | <b>Municipal Water</b> | <b>No Municipal Services</b> |
|---------------|-----------------------------|--------------------------------|------------------------|------------------------------|
| <b>20.2.1</b> | <b>Minimum Lot Area</b>     | 600 m <sup>2</sup>             | 1,800 m <sup>2</sup>   | 4,000 m <sup>2</sup>         |
| <b>20.2.2</b> | <b>Minimum Lot Frontage</b> | 15 m                           | 30 m                   | 40 m                         |
| <b>20.2.3</b> | <b>Minimum Front Yard</b>   | 7.5 m                          | 7.5 m                  | 7.5 m                        |
| <b>20.2.4</b> | <b>Minimum Rear Yard</b>    | 7.5 m                          | 7.5 m                  | 7.5 m                        |
| <b>20.2.5</b> | <b>Minimum Interior</b>     | 1.5 m                          | 5 m                    | 5 m                          |
| <b>20.2.6</b> | <b>Minimum Exterior</b>     | 6 m                            | 6 m                    | 6 m                          |
| <b>20.2.7</b> | <b>Maximum Lot Coverage</b> | 45%                            | 30%                    | 30%                          |
| <b>20.2.8</b> | <b>Maximum Building</b>     | 10 m                           | 10 m                   | 10 m                         |

# SECTION 21 – LIGHT INDUSTRIAL (M1) ZONE

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## 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)
- **Accessory Use** (Section 4.1)
- **Commercial School**
- **Contractor or Tradesperson Establishment**
- **Light Industrial Use**
- **Scientific Research Establishment**
- **Warehouse**
- **Warehouse, Mini Storage**
- **Wholesale Outlet**
- **Veterinary Clinic**

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 <sup>2</sup> (0.15 ha) | 2,000 m <sup>2</sup> (0.2 ha) |
| 21.2.2 | Minimum Lot Frontage | 30 m                           | 40 m                          |
| 21.2.3 | Minimum Front Yard   | 6 m                            | 6 m                           |
| 21.2.4 | Minimum Rear Yard    | 7.5 m                          | 7.5 m                         |

|               |                                                                                                                                                                         |                   |                   |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|
| <b>21.2.5</b> | <b>Minimum Side Yard</b>                                                                                                                                                | 5 m               | 5 m               |
|               | 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. |                   |                   |
| <b>21.2.6</b> | <b>Maximum Lot Coverage</b>                                                                                                                                             | 75%               | 50%               |
| <b>21.2.7</b> | <b>Minimum Ground Floor Area</b>                                                                                                                                        | 70 m <sup>2</sup> | 70 m <sup>2</sup> |
| <b>21.2.8</b> | <b>Maximum Building Height</b>                                                                                                                                          | 15 m              | 15 m              |

### **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.

# SECTION 22 – GENERAL INDUSTRIAL (M2) ZONE

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## 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**
- **Accessory Use** (Section 4.1 and Section 22.3)
- All Uses Permitted in the M1 Zone
- **Agricultural-Related Business**
- **Agricultural Service Establishment**
- **Automobile Body/Repair Shop**
- **Automobile Service/Gas Station**
- **Automotive Wrecking Establishment**
- **Emergency Services Facility**
- **Fuel Storage Establishment**
- **Industrial Use**
- **Outdoor Storage**, Accessory to Primary Use
- Terminals for Storage and Handling of Freight
- **Transport Establishment**

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 <sup>2</sup>    | 3,000 m <sup>2</sup> | 4,000 m <sup>2</sup>  |
| 22.2.2 | Minimum Lot Frontage | 20 m                    | 30 m                 | 40 m                  |
| 22.2.3 | Minimum Front Yard   | 9 m                     | 9 m                  | 9 m                   |

|               |                                |       |       |       |
|---------------|--------------------------------|-------|-------|-------|
| <b>22.2.4</b> | <b>Minimum Rear Yard</b>       | 7.5 m | 7.5 m | 7.5 m |
| <b>22.2.5</b> | <b>Minimum Side Yard</b>       | 5 m   | 5 m   | 5 m   |
| <b>22.2.6</b> | <b>Maximum Lot Coverage</b>    | 65%   | 30%   | 30%   |
| <b>22.2.7</b> | <b>Maximum Building Height</b> | 15 m  | 15 m  | 15 m  |

### **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.

# SECTION 23 – EXTRACTIVE RESOURCE (ER) ZONE

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## 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**:

- ***Aggregate Processing Facility***
- ***Agriculture***
- ***Asphalt Batching Plant***
- ***Concrete Batching Plant***
- ***Pit***
- ***Quarry***
- ***Wayside Pit or Quarry***

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

## 23.2 Regulations

Details regarding site configuration and yard setbacks shall be regulated in accordance with the Aggregate Resources of Ontario Provincial Standards and the applicable *Aggregate Resources Act* Site Plans.

## 23.3 Prohibited Uses

Notwithstanding Section 23.1, accessory residential uses shall be prohibited within the ER Zone.

# SECTION 24 – FUTURE DEVELOPMENT (FD) ZONE

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## 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**:

- ***Accessory use to an existing single detached dwelling***
- ***Existing Agricultural Uses***
- ***Existing Dwelling, Single Detached***
- ***Home Occupation, Domestic and Household Arts***
- ***Home Business – Professional***

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.

## 24.3 Regulations

Alteration and/or enlargement of an existing single detached dwelling and/or an accessory use to an existing single detached dwelling shall be accordance with the regulations of the Agricultural Residential (AG3) Zone.

# **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**

Where a consent for the severance of a surplus farm dwelling property has been approved, the following provisions shall have effect:

Notwithstanding the provisions of the General Agriculture (AG1) Zone, on those lands identified with Special Provision 25.1:

- a) A detached dwelling is not permitted on a retained farm parcel zoned AG1-25.1;
- b) The retained farm parcel shall be deemed to comply with the minimum lot area and lot frontage provisions of the General Agriculture (AG1) Zone provided that the lot is not reduced below 4.0 hectares;
- c) Where a dwelling does not exist on the remnant agriculture parcel, the appropriate Zone Map in this By-law shall be updated to recognize the subject lands as zoned Agricultural General Special (AG1-25.1);
- d) The appropriate Zone Map in this By-law shall be updated recognize areas of land amended for areas of the land that are that are within areas noted as “High Archaeological Potential” in the Bruce County screening maps, these areas may be zoned with a -H1 holding in accordance with Section 2.12.
- e) These provisions shall come into effect upon approval of a consent for a surplus farm dwelling severance, and without requiring amendment to this by-law, subject to a delegation by-law.

## **25.2**

\*

### **Surplus Residence Parcel from a Surplus Farm Residence Severance**

Where a consent for the severance of a surplus farm dwelling

property the following provisions shall have effect:

Notwithstanding the provisions of the Agriculture Residential (AG3) Zone, on those lands identified with Special Provision 25.2:

- a) 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;
- b) Notwithstanding the Agriculture Residential (AG3) Zone provisions to the contrary, the height, yard setbacks, lot coverage, and ground floor area for legally existing buildings and structures are recognized;
- c) The appropriate Zone Map in this By-law shall be updated to recognize the subject lands as zoned Agriculture Residential Special (AG3.25.2) Zone;
- d) The appropriate Zone Map in this By-law shall be updated to recognize areas of the land that are within an area noted as "High Archaeological Potential" in the Bruce County screening maps and may be zoned with a -H1 holding in accordance with Section 2.12.
- e) These provisions shall come into effect upon approval of a consent for a surplus farm dwelling severance, and without requiring amendment to this by-law, subject to a delegation by-law.

### **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.

- i) A minimum front yard setback of 10 metres is permitted.

### **25.4**

\*

Notwithstanding the provisions of the Zoning By-law, 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 the applicable parent zone regulations.

### **25.5**

*Not used - Intentionally left blank*

### **25.6**

#### ***By-law No. 24-1990 KINLOSS CON 1 LOTS 51 & 52***

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:

- i) the total ground floor area of the entire kennel shall not exceed 184 square metres; and,
- ii) 'total ground floor area' shall be defined as all of that portion of the kennel which is fully enclosed by walls and a roof.

**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.

**25.8**

***By-law No. 2012-74 CON A PT LOT 60 RP; 3R641 PART 2***

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.

**25.9**

***By-law No. 2015-77 PLAN 240 PARK LOTS 207 TO 209 [1647 Bruce Rd 1]***

Notwithstanding the provisions of the Residential One (R1) Zone, the land identified with Special Provision 25.9 shall be used in compliance with the 'R1' 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.

**25.10**

***By-law No. 2016-82 CON 1 PT OF LOT 11 & 12 [220 Bruce Rd 86]***

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.

## **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.

## **25.12**

### ***By-law No. 24-1994 KINLOSS CON 5 PT OF LOT 5***

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.

**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.

- i) Part of Lots 34 and 35, Concession 10, Huron.
- ii) Part of Lot 35, Concession 4, Huron.

**25.14*****By-law No. 2010-76 CON 10 W PT LOT 19 [Statters Lake Ave]***

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.

- i) Part of Lot 28, Concession 6, Kinloss.

**25.15*****By-law No. 2007-51 KINLOSS CON 1 PT LOTS 3 & 4***

Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.15 shall be used in accordance with the AG1 zone, excepting however that:

- i) The minimum lot area shall be no less than 4.05 hectares.

**25.16*****By-law No. 2001-97 CON 1 LOTS 62, 63 & 64***

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.

**25.17*****By-law No. 2001-98 CON 5 LOT 24***

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.

**25.18*****By-law No. 2001-109 CON 1 S PT LOTS 21, 22 & 23***

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 IMPEMENT & EQUIPMENT ESTABLISHMENT" shall mean the use of land, buildings or structures for the repair and servicing of agricultural equipment and machinery, and the repair and servicing of farm plated vehicles and trailers used in direct association by an agricultural operation, but shall not include any other automobile or commercial motor vehicle use defined in this By-law.

**25.19*****By-law No. 2002-41 CON 12 PT LOT 9 & 10***

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.

**25.20*****By-law No.2000-29 HURON CON 3 PT OF LOTS 26 & 27***

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*)

**25.21      *By-law No. 2005-84 CON 2 PT OF LOT 37***

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 9.29m<sup>2</sup> detached shed shall be no less than as it existed on the date of passage of the By-law;
- v) The distance between the detached dwelling and the 9.29m<sup>2</sup> detached shed shall be no less than as it existed on the date of passage of the By-law.

**25.22      *By-law No. 2006-100 & By-law No. 2006-144 CON 4 W PT OF LOT 25***

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.

**25.23      *By-law No. 2007-49 CON 4 LOT 25***

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.

**25.24                    *By-law No. 1988-17 & By-law No. 1996-23***

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.

- i) 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*)
- ii) Part of Lot 3, Concession 11, Kinloss. (*By-law No. 23-1996*)

**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:

- i) Part of Lot 5, Concession 11, Huron, the existing use is the Purple Grove Community Centre.
- ii) Part of Lot 13, Range 1 South, Kinloss, the existing use is the Kinloss Community Centre.

**25.26                    *Not used - Intentionally left blank***

**25.27                    *By-law No. 2007-51 & By-law No. 2009-115 KINLOSS CON 1 PT LOTS 3 & 4***

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.

**25.28      *By-law No. 2007-94 HURON CON 6 N PT LOT 8***

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).

**25.29      *By-law No. 2008-85 CON 5 LOT 14 [759 Kairshea Ave]***

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.

**25.30      *By-law No. 2017-68 CON 8 PT OF LOT 17 RP; 8772 PART 2 [2054 Bruce Rd 6]***

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 605m<sup>2</sup> (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.

#### **25.31**

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Notwithstanding the provisions of the Agricultural Residential (AG3) Zone, within the land identified with Special Provision 25.31 the existing residential lots are permitted.

#### **25.32**

##### ***By-law No. 2010-93 RANGE 1 NDR LOTS 13,14 & 15 [4286 Highway 9]***

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.

#### **25.33**

##### ***By-law No. 2011-44 CON 5 LOT 37 [43 Concession 6 W]***

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.

**25.34      *By-law No. 2011-46 CON 1 PT LOTS 37 TO 40 [44 Paradise Lake St.]***

Notwithstanding the provisions of the Agriculture Rural (AG4) Zone, the land identified with Special Provision 25.34 may be used for purposes in compliance with the 'AG4 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 'AG4' zone;
- ii) Minimum lot area shall be no less than 31 hectares; and,
- iii) The lands shall be subject to Site Plan Control.

**25.35      *By-law No. 2024-100 [904 Highway 21, Huron]***

Notwithstanding their 'AG3' Zoning designation, those lands delineated as 'AG3-25.35' on Schedule 'A' to this By-law shall be used in accordance with the 'AG3' Zone provisions contained in this By-law, excepting however, that:

- i) One (1) Additional Residential Unit shall be permitted on the subject lands having a minimum lot area no less than 2,100 square metres.
- ii) Any buildings and structures existing as of October 16, 2024, which do not comply with the provisions of the By-law are hereby recognized as being in compliance with the zoning. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of the By-law.

**25.36      *By-law No. 2011-110 CON 4 LOTS 9 & 10 [1106 Grey Ox Ave]***

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.

**25.37                    *By-law No. 2011-113 CON 9 LOT 5 [797 Statters Lake Ave]***

Notwithstanding the provisions of the Agriculture Residential (AG3) Zone, the land identified with Special Provision 25.37 may be used for purposes in compliance with the 'AG3' 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.

**25.38                    *By-law No. 2012-35 CON 11 PT LOT 37 RP; 3R5720 PT 3 & 4 [2285 Concession 12]***

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.

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.

**25.40                    *By-law No. 2012-75 CON 8 PT LOT 18 RP; 3R2723 PART 11***

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'.

**25.41                    *By-law No. 2013-14 RANGE 1 NDR LOTS 11 & 12 [4326 Highway 9]***

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.

**25.42                    *By-law No. 2013-35 CON 3 LOT 33 [2783 Concession 4]***

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).

**25.43                    *By-law No. 2013-98 CON 12 S PT LOT 8 [1114 Concession 12]***

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).

**25.44                    *By-law No. 2014-65 CON 1 PT OF LOTS 37 & 38 [760 Bruce Rd 86]*  
*By-Law No. 2024-37 CON 1 PT LOTS 37 to; 40 [760 Bruce Rd 86]***

Notwithstanding the provisions of the Agriculture Rural (AG4) Zone, the land identified with Special Provision 25.44 may be used for the purposes in compliance with the 'AG4 zone provisions contained in this By-law, excepting however, that:

- i) The following on-farm diversified uses shall be permitted: 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; a health and beauty spa; nanobrewery; and, a maximum of three (3) farm vacation cabins each with a maximum ground floor area of 56 square meters are permitted. The cabins shall be designed to be portable, and the maximum length of rental term shall be 10 days;
- ii) For the purposes of this by-law a 'Nanobrewery' shall be defined as the use of buildings, structures and/or facilities devoted to the manufacturing of less than 300,000 litres per year, cooling, bottling, storage, consumption, sale, transporting of beer and beer-related products, whether alcoholic or non-alcoholic, in compliance with ongoing, relevant provincial and/or federal policy and regulations. A nanobrewery may also include the preparation, offering for sale, and consumption of food or drinks including alcoholic drinks; entertainment and hosting of events; and tours of the facility.
- iii) 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.

**25.45      *By-law No. 2014-76 CON 8 LOT 16 [2126 Bruce Rd 6]***

Notwithstanding the provisions of the Environmental Protection (EP) Zone, the land identified with Special Provision 25.45 may be used for the purposes in compliance with the 'EP' 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.

**25.46      *By-law No. 2015-10 CON 7 LOT 22 [3631 Bruce Rd 6]***

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.

**25.47      *By-law No. 2015-10 CON 7 LOT 22 [3631 Bruce Rd 6]***

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.

**25.48      *By-law No. 2015-56 CON 10 LOTS 16 & 17***

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:

- i) 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.
- ii) Confirmation to the satisfaction of the Zoning Administrator that the recommendations of the archaeological report (if any) have been implemented.

**25.49      *By-law No. 2015-72 CON 8 LOT 1 [843 Huron-Kinloss]***

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 m<sup>2</sup>;
- 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.

**25.50      *By-law No. 2016-45 CON 2 LOT 19 [880 South Kinloss Ave]***

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.

**25.51      *By-law No. 2016-106 CON 2 NDR RANGE 1 & 2 PT OF LOTS 13 TO 15  
[1855 Bruce Rd 1 & 4286 Highway 9]***

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.

**25.52                    *By-law No. 2001-88 3RD RANGE S DURHAM ROAD LOTS 21 AND 22***  
***By-law No. 2001-89 CON 12 PT LOT 11***

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.

**25.53                    \***

Notwithstanding the provisions of the Environmental Protection (EP) Zone, within the land identified with Special Provision 25.53 the existing commercial / warehouse uses are permitted. Any expansion of these uses will be in accordance with the appropriate General Commercial 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.

**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).

**25.55                    *By-law No. 2011-93 CON 1 N PT LOT 61 [119 Bruce Road 1]***

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.

**25.56                    *By-law No. 2002-41 CON 12 PT LOTS 9 AND 10***

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.

**25.57                    *By-law No. 2003-13 CON 1 PT OF LOTS 53, 54 AND 55***

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.

**25.58                    \***

Notwithstanding the provisions of the Open Space (OS) Zone, the land identified with Special Provision 25.58 shall only be used for a waste disposal site, and all residential uses are prohibited.

- i) Part of Lots 19 and 20, Concession 5, Huron.
- ii) Part of Lot 16, Concession 6, Kinloss.

**25.59           \* *HURON CON 12 PT OF LOTS 36 AND 37***

Notwithstanding the provisions of the Open Space (OS) Zone, the land identified with Special Provision 25.59 and as described below shall only be used for a golf course with clubhouse and maintenance buildings.

- i)       Part of Lot 36 & 37, Concession 12, Huron

**25.60           *By-law No. 15-1985***

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 6<sup>th</sup> day of August, 1985.

**25.61           \***

Notwithstanding the provisions of the Open Space (OS) Zone, the land identified with Special Provision 25.61 and described as Part of Lot 21, Range 1 South shall only be used for a wilderness campground to accommodate unserviced campsites for short term use associated with the Silver Lake Campground is permitted.

**25.62           *By-law No. 2017-66 CON 10 LOT 4 [816 Statters Lake Ave]*  
*By-law No. 2017-67 CON 5 E PT OF LOT 18 [2039 Concession 6 E]***

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.

**25.63           *By-law No. 2017-38 CON 10 LOT 28 [2094 Concession 10]***

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.

#### **25.64**

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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 only 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.

#### **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.

- i) Part of Lot 15, Concession 7, Huron
- ii) Part of Block P, Mill Site No. 3, Village of Lucknow

#### **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.

- i) Part of Lot 14, Concession 7, Huron
- ii) Part Lot 54, Concession 1, Kinloss

#### **25.67**

#### ***By-law No. 2002-37 PLAN 142 LOT 59 AND PT LOTS 157 & 158***

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:

- i) 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;
- ii) the minimum rear yard shall be 1.524 metres;
- iii) the minimum exterior side yard shall be 0.3 metres
- iv) Section 5.1 Parking Requirements shall not apply; and
- v) 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.

**25.68**

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Within the land zoned I-25.68(f), hospitals, child care centres and the residential uses in Section 20.1 are not permitted.

**25.69**

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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)

**25.70**

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

**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:

- i) A home business shall not be permitted as part of any dwelling unit contained within the converted dwelling;
- ii) The minimum gross floor area for a dwelling within a converted dwelling shall be 40 square metres.

**25.72**

***By-law No. 2010-101 LAKE RANGE LOT 65***

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%.

**25.73      *By-law No. 2004-29 PLAN 43 PT OF PARK LOT 19 RP 3R4334 PART 10***

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:

- i) the minimum interior side yard setback shall be 7.6 metres; and
- ii) the minimum exterior side yard shall be 3.0 metres

**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.

**25.75      *By-law No. 2002-37 PLAN 142 LOT 59 AND PT LOT 157 & 158***

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:

- i) the minimum lot width shall be 15.5 metres; and
- ii) the minimum front yard shall be 5.79 metres

**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.

**25.77      *By-law No. 2017-93 PLAN 232 PT LOTS 216, 217 AND 218 [32 Huron St]***

Notwithstanding the provisions of the Residential (R2) Zone, within the land identified with Special Provision 25.77 may be used for the purposes in compliance with the 'R2' Zone provisions contained in this by-law, excepting, however, that:

- i)      The minimum exterior side yard shall be no less than 4.5 metres
- ii)     Section 4.25 'Setbacks from Provincial and County Roads and Railways' shall not apply.

**25.78      *By-law No. 2017-93 PLAN 232 PT LOTS 216, 217 AND 218 [32 Huron St]***

Notwithstanding the provisions of the Residential (R2) Zone, within the land identified with Special Provision 25.78 may be used for purposes in compliance with the 'R2' Zone provisions contained in this By-law, excepting however, that:

- i)      the minimum front yard shall be no less than 4.5 metres; and
- ii)     the minimum rear yard shall be no less than 1.5 metres.

**25.79      *By-law No. 2012-09 CON 7 PT OF LOT 16***

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.

**25.80      *By-law No. 2005-28 CON A PT LOTS 53 AND 54***

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.);
- ii)     Section 4.28 Watercourse Setbacks shall not apply.

**25.81            *By-law No. 2005-32 PLAN 20 E PT LOT 53 AND N PT LOT 54***

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)

**25.82            *Not used - Intentionally left blank***

**25.83            *By-law No. 2006-120 CON A PT LOTS 53 AND 54***

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).

**25.84            *By-law No. 2006-120 CON A PT LOTS 53 AND 54***

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).

**25.85            *By-law No. 2006-120 CON A PT LOTS 53 AND 54***

Notwithstanding their 'R1' zone, those lands delineated as 25.85 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).

**25.86      *By-law No. 2015-43 CON 7 PT LOT 14 AND PT LOTS 283 TO 285  
PLAN 264 [3305 Bruce Road 6]***

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.

**25.87      *By-law No. 2017-35 PLAN 231 LOT 4, 45 and 46 [1242 Bruce Rd 1]***

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.

**25.88      *Not used - Intentionally left blank***

**25.89      *By-law No. 2008-53 CON A PT OF LOT 6 RP 3R3292 PART 1 [228  
Huron Rd]***

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.

**25.90      *By-law No. 2005-50 PLAN 252 PT LOT 232 PARK S/S***

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:

- i) the minimum lot width shall be 25.4 metres;

- ii) the minimum east side yard shall be 4.9 metres and the minimum west side yard shall be 7.2 metres;
- iii) the minimum rear yard shall be 1.8 metres;
- iv) the minimum front yard setback shall be 8.8 metres;
- v) the maximum lot coverage shall be 37.3%;
- vi) a “planting area” shall be located along the east side and front lot lines;
- vii) Section 5.1.11 Parking Requirements – Landscaping shall not apply;
- viii) Notwithstanding Section 5.1.4 Provisions and Location of Spaces, parking spaces may be located in the interior side yard; and
- ix) The lands shall be subject to Site Plan Control.

**25.91      *By-law No. 2005-50 PLAN 252 PT LOT 232 PARK S/S***

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:

- i) the minimum lot width shall be 5.0 metres;
- ii) 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;
- iii) the minimum rear yard setback shall be 8.8 metres;
- iv) the minimum setback from the front lot line shall be 1.8 metres
- v) 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;
- vi) the maximum lot coverage shall be 27.2%
- vii) a “planting area” shall be located along the east side and rear lot lines;
- viii) Section 5.1.11 Off-street Parking Requirements – Landscaping shall not apply;
- ix) Notwithstanding Section 5.1.4 Provisions and Location of Spaces, parking spaces may be located in the interior side yard; and
- x) The lands shall be subject to Site Plan Control.

**25.92      *By-law No. 2007-46 PLAN 100 PT LOT 33 PARK S/S RP 1R879 PART 1***

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.

**25.93      *By-law No. 2007-46 PLAN 100 PT LOT 33 PARK S/S RP 1R879 PART 1***

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.

**25.94      *By-law No. 2010-47 CON 8 PT LOT 16 HURON W/S RP 3R6303 [97 Huron St]***

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.

**25.95      *By-law No. 2012-09 CON 7 PT OF LOT 16***

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.

**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. Notwithstanding Section 4.33 of this By-law, year-round or permanent dwellings are permitted on lots fronting a private road

**25.97*****By-law No. 2011-34 CON A PT LOT 1 [117 Lake Range Dr]***

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.

**25.98*****By-law No. 2014-64 CON A PT OF LOT 15 RP 3R3798 PARTS 1 TO 3; RP 3R3750 PART 16 [613 Lakeside Trl]***

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

**25.99*****By-law No. 2016-73 CON A PT OF LOT 8 [717 & 719 Victoria Rd]***

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.

**25.100**

***By-law No. 2005-95 CON A PT OF LOTS 65,66 & 67; PLAN M-28 PT OF BLOCKS A & C; PLAN M-101 BLOCK 9 [Part of Clarence Cr] – Inverlyn Estates***

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

**.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
- Associated Community Facilities
- 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 be defined as a 'Street' for the purposes of lot width and yard setbacks, and 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 Frontage                                 | 14.457 metres                                            |
| (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 m<sup>2</sup> (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'.

**25.101      *By-law No. 2013-62 CON 1 PT LOTS 41 TO 46 RP 3R9294 PART 1, RP 3R6506 PART 1, RP 3R6896 PARTS 1 AND 3 [61 & 93 Paradise Lake St]***

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.

**25.102      *By-law No. 2009-71 – Ripley Market Square (Granary/ Market Terrace & Suites)***

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', 'child care centre', '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 1<sup>st</sup> storey facing a street and in the basement storey facing the rear yard. All dwelling units shall be above the 1<sup>st</sup> storey or on the 1<sup>st</sup> storey at the rear or side yard, directly above the commercial business.
- iii) No more than 25% of a commercial business shall be used as a

dwelling unit and only the operator of the commercial business shall occupy the dwelling unit. A Change-of-Use permit will be required from the Chief Building Official prior to the creation of the dwelling unit.

iv) Regulations

| 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                      |

- v) Despite the provisions of Section 5.1, the minimum off-street parking requirement for a 'dwelling unit' shall be 1 space per unit.

**25.103      *By-law No. 2009-71 – Ripley Market Square (Granary/ Market Terrace & Suites)***

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', 'child care centre', '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 1<sup>st</sup> storey facing a street and in the basement storey. All dwelling units shall be above the 1<sup>st</sup> storey or on the 1<sup>st</sup> storey, directly above a commercial use.
- iii) No more than 25% of a 'commercial business' shall be used as a dwelling unit and the operator of the commercial business shall only occupy the dwelling unit. A Change-of-Use permit will be required from the Chief Building Official prior to the creation of the dwelling unit.

iv) Regulations:

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

- v) Despite the provisions of Section 5.1, the minimum off-street parking requirement for a dwelling unit shall be 1 space per unit.

**25.104      *By-law No. 2009-72 – Ripley Market Square (Parking & Feed Mill)***

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)

**25.105      *By-law No. 2009-72 – Ripley Market Square (Parking & Feed Mill)***

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', 'child care centre', '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 1<sup>st</sup> storey facing a street and in the basement storey facing the rear and interior side yards. All dwelling units shall be above the 1<sup>st</sup> storey or on the 1<sup>st</sup> storey, directly above a commercial use.

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

iv) Regulations

| 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)

**25.106 By-law No. 2009-72 – Ripley Market Square (Parking & Feed Mill)**

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

**25.107      *By-law No. 2009-72 – Ripley Market Square (Parking & Feed Mill)***

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', 'child care centre', 'financial establishment', 'government administration building', 'laundromat', 'personal service shop', 'place of entertainment', 'post office', 'restaurant' and 'retail store'. (2009-72)

**25.108      *By-law No. 2011-50 CON 1 PT LOT 71 [6 Ashfield-Huron]***

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.

**25.109      *By-law No. 2016-110 PLAN 36 LOTS 288 TO 292 & PARK PT LOT 42 [701 Campbell St & 529 Montgomery Ln]***

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.

**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.

Notwithstanding the permitted uses in Section 19.1, a Four-Season Recreational Resort is permitted subject to the following definitions, uses and regulation:

- i) 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;
- ii) Accessory buildings and structures are permitted;
- iii) A maximum of 700 sites are permitted;
- iv) No site, building, structure or sewage system shall be located closer than 30 metres to the high water mark of Otter Lake;
- v) The development of this recreational resort and commercial campground shall be serviced by private communal water and sewage disposal systems;
- vi) 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.

**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:

- i) A seasonal campground;
- ii) A maximum of 21 existing seasonal cottages; and
- iii) A maximum of 110 travel trailer sites.

**25.112**

***By-law No. 2015-77 PLAN 240 PARK LOTS 207 TO 209 [1635 & 1647 Bruce Rd 1]***

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)

#### 25.113

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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.

#### 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.

#### 25.115

##### ***By-law No. 2015-62 CON 5 PT LOT 15 [733 Kairshea Ave] – Bruce Huron Produce Auction***

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 means 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.

**25.116      *By-law No. 2012-09 1ST RANGE NORTH DURHAM RD PT OF LOT 3***

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;
- iii) The minimum lot area shall be 5 hectares.

**25.117      *By-law No. 2017-06 CON 12 PT LOT 16 [174 Hayes Lake Ave]***

On those lands identified with Special Provision 25.117 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 m<sup>2</sup> (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.

**25.118      *By-law No. 2001-88 3RD RANGE SOUTH DURHAM RD LOTS 21 & 22***

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.

**25.119      *By-law No. 2001-89 CON 12 PT LOT 11***

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 license(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.

## **25.120**

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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.

## **25.121**

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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.

## 25.121-T

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Notwithstanding the provisions of their 'OS – Open Space' Zoning designation, those lands delineated as 'FD-25.121-T' on Schedule 'A' to this By-law shall be used in accordance with the 'FD-25.121' Zone provisions contained in this By-law, excepting however, that:

### Permitted Uses:

- Special Event as defined below
- Camping during a Special Event as defined below
- Outdoor Recreation but not including a Golf Course
- Accessory Use(s) to a permitted use (Section 4.1, where alternative provisions are not addressed below)

### Definitions:

'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 on a permanent or temporary stage, or within any other non-permanent building or structure, held a maximum of four times per calendar year. Each event shall not last more than five consecutive days. A Special Event may include camping involving a maximum of 1,750 campsites within the areas zoned OS-25.123, OS-25.124, and FD-25.121-T combined. Ancillary uses such as food and craft vendors and alcohol sales shall also be permitted.

'Camping' shall mean lands used for the parking and use of 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.

'Outdoor Recreation' shall mean the use of the premise for the conduct of outdoor sports, including playfields, parks, gardens, picnic areas, and other passive leisure activities but shall not include commercial recreation.

### Provisions:

- i. 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';
- ii. 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 meters;
- iii. Portable buildings used in conjunction with a 'Special Event' for purposes of a ticket booth, camping registration, and similar uses, shall be permitted for the duration of the event;
- iv. Maximum building height for all buildings and structures (non-permanent): 10 meters;

- v. Minimum setback between all non-permanent buildings and structures, portable generators, and vehicles of any type during a “special event” including tour buses and transports and a dwelling as it existed as of July 10, 2017: 20 meters;
- vi. Minimum setback between camping and a dwelling existing as of July 10, 2017: 20 meters;
- vii. Minimum setback between camping and Walter Street or Washinton Street: 10 meters;
- viii. Minimum Internal private roadway width: 7.0 meters;
- ix. Section 5.1 ‘Parking, Stacking & Loading Regulation’ shall not apply;
- x. Activities which result in ground disturbance such as lot grading; excavation; and/or construction shall not be permitted.

## **25.122**

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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.

## **25.123**

### ***By-law No. 2023-15 – Lucknow Kinsmen ‘Graceland’***

Notwithstanding their ‘OS – Open Space’ Zoning designation, those lands delineated as ‘OS-25.123’ on Schedule ‘A’ to this By-law shall be used in accordance with the ‘OS’ Zone provisions contained in this By-law, excepting however, that:

#### Permitted Uses:

- ‘Special Event’ as defined below
- ‘Banquet Hall’ as defined below
- ‘Camping’ during a Special Event as defined below
- ‘Private Club’ as defined below
- ‘Outdoor Recreation’ but not including a ‘Golf Course’
- Outdoor Storage in association with a permitted use(s)

- Community events such as fireworks, outdoor movie screenings, special occasion events such as 'egg hunt', 'Halloween haunted house', etc.

Definitions:

**'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 on a permanent or temporary stage, or within any other non-permanent building or structure, held a maximum of four (4) times per calendar year. Each event shall not last more than five consecutive days. A Special Event may include camping involving a maximum of 1,550 campsites within the area zoned OS-25.123 and OS-25.124 combined. Ancillary uses such as food and craft vendors and alcohol sales shall also be permitted.

**'Camping'** shall mean a lot or lands used for the parking and use of 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.

**'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.

**'Camping'** shall mean lands used for the parking and use of 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.

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

Provisions:

- i) **‘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’;
- ii) 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;
- iii) A shipping container used as an electrical building shall be permitted on a permanent basis, and notwithstanding ii) above, shall be permitted in the location where it existed on December 1, 2024;
- iv) Portable buildings used in conjunction with a ‘Special Event’ for purposes of a ticket booth, camping registration, and similar uses, shall be permitted on a year round basis;
- v) Maximum building height for all buildings and structures (permanent and non-permanent): 10 metres;
- vi) Minimum setback between all non-permanent buildings and structures, portable generators, and vehicles of any type during a ‘Special Event’ including tour buses and transports and a dwelling as it existed as of July 10, 2017: 20 metres;
- vii) Maximum number of permanent buildings or structures: 3;
- viii) Minimum setback between camping and a dwelling existing as of July 10, 2017: 20 metres;
- ix) Minimum setback between camping and Walter Street or Washington Street: 10 metres;
- x) Minimum Internal private roadway width: 7.0 metres;
- xi) Section 5.1 ‘Parking, Stacking & Loading Regulations’ shall apply;
- xii) **‘Outdoor Storage’** shall be limited to an area not exceeding 700 square metres and shall be subject to Section 4.22 excepting however that a setback from a lot line of 0 metres shall be allowed provided the reduced setback does not apply to a lot line abutting an open public road or residential zone. ‘Outdoor Storage’ shall only be permitted if ‘Outdoor Storage’ does not exist on lands zoned ‘OS-25.125’;
- xiii) Mitigation measures to prevent negative impacts to the areas of the property zoned Environmental Protection (EP) and OS-25.124(f) shall be implemented to the satisfaction of the Township of Huron-Kinloss.

Notwithstanding their 'OS – Open Space' Zoning designation, those lands delineated as 'OS-25.124-H1' on Schedule 'A' to this By-law shall be used in accordance with the 'OS' Zone provisions contained in this By-law, excepting however, that:

Permitted Uses:

- Special Event as defined below
- Camping during a Special Event as defined below
- Outdoor Recreation but not including a golf course
- Community events such as fireworks, outdoor movie screenings, special occasion events such as 'egg hunt', 'Halloween Haunted house' etc.

Definitions:

**'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 on a permanent or temporary stage, or within any other non-permanent building or structure, held a maximum of four times per calendar year. Each event shall not last more than five consecutive days. A Special Event may include camping involving a maximum 1,550 campsites within the areas zoned OS-25.123 and OS-25.124 combined. Ancillary uses such as food and craft vendors and alcohol sales shall also be permitted.

**'Camping'** shall mean lands used for the parking and use of 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.

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

Provisions:

- i) Minimum setback to all property lines for all buildings and structures (permanent or non-permanent), portable generators, and vehicles of any type including tour buses and transports: 10 metres;
- ii) Portable buildings used in conjunction with a 'Special Event' for purposes of a ticket booth, camping registration, and similar uses, shall be permitted on a year round basis;
- iii) Maximum building height for all buildings and structures

- (permanent and non-permanent): 10 metres;
- iv) Section 5.1 'Parking, stacking & Loading Regulations' shall not apply;
  - v) Outdoor storage as per Section 4.22 shall not be permitted;
  - vi) No camping or comparable accommodation is permitted within the areas zoned OS-25-125(f) flood hazard; and,
  - vii) Mitigation measures to prevent negative impacts to the areas of the property zoned Environmental Protection (EP) and OS-25.124(f) shall be implemented to the satisfaction of the Township of Huron-Kinloss.

## **25.125      *By-law 2025-06 Lucknow Kinsmen Graceland***

Notwithstanding their 'OS – Open space' Zoning designation, those lands delineated as 'OS-25.125' on Schedule 'A' to this By-law shall be used in accordance with the 'OS' Zone provisions contained in this By-law, excepting however, that:

### Permitted Uses:

- Special Event as defined below;
- Banquet Hall;
- Private Club as defined below;
- Outdoor Recreation but not including a Golf Course;
- Community events such as an 'egg hunt', 'Halloween haunted house', etc.; and,
- Childcare Centre

### Definitions:

**'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 on a permanent or temporary stage, or within any other non-permanent building or structure, held a maximum of four times per calendar year. Each event shall not last more than five consecutive days. Ancillary uses such as food and craft vendors and alcohol sales shall also be permitted.

**'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.

**'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. Included as part of the private club is a principal building that serves

as an office and hospitality lounge during the music event, which may include showers and washrooms for the performers involved in the festival and a kitchen for the caterer providing food to the performers, producers, and similar people. The hospitality lounge will also serve as a childcare centre throughout the year and a meeting room for the private club and other organizations throughout the year.

**‘Outdoor Recreation’** shall mean the use of the premise for the conduct of outdoor sports, including playfields, parks, gardens, picnic areas, and other passive leisure activities, but shall not include commercial recreation.

Provisions:

- i) 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’;
- ii) Permanent buildings, except for the permanent stage, shall be connected to full municipal services;
- iii) Minimum setback to all property lines for all buildings and structures (permanent and non-permanent), portable generators, and vehicles of any type during a ‘Special Event’ including tour buses and transports: 10 metres;
- iv) Portable buildings used in conjunction with a ‘Special Event’ for purposes of a ticket booth, camping registration, and similar uses, shall be permitted on a year-round basis;
- v) Maximum building height for all buildings and structures (permanent and non-permanent): 10 metres;
- vi) Minimum setback between all non-permanent buildings and structures, portable generators, and vehicles of any type during a ‘Special Event’ including tour buses and transports and a dwelling as it existing as of July 10, 2017: 20 metres;
- vii) Maximum number of permanent buildings or structures: 2;
- viii) With the exception of Section 5.1.11 ‘Landscaping’, Section 5.1 ‘Parking, Stacking & Loading Regulations’ shall not apply;
- ix) ‘Outdoor Storage’ as per Section 4.22 shall be limited to an area not exceeding 700 square metres and shall only be permitted if ‘Outdoor Storage’ does not exist on lands zoned ‘OS-25.123’;
- x) No camping is permitted; and,
- xi) The childcare centre shall be located within the principal

building. An outdoor play area shall also be permitted.

**25.126**

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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.

**25.127**

***By-law No. 2017-113 CON 3 PT OF LOT 36 [403 Highway 21]***

Notwithstanding the provisions of the Agricultural Residential (AG3) Zone, the land identified with Special Provision 25.127 shall be used in accordance with the AG3 zone regulations, excepting however:

- i. A 'commercial business' shall be a permitted use and that this 'commercial business' be limited to the sale of antiques.
- ii. That this 'commercial business' be subservient to the residential use of the property and use a maximum of 49% of the structure.
- iii. That outdoor display of antiques related to the 'commercial business' is permitted in the front yard. Outdoor storage is not permitted.
- iv. That 10 parking spaces shall be provided

**25.128**

***By-law No. 2017-112 CON 12 LOT 28 [1922 Concession 12]***

Notwithstanding the provisions of the Agricultural Residential (AG3) Zone, the land identified with Special Provision 25.128 shall be used in accordance with the AG3 zone regulations, excepting however:

- 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.

**25.129**

***By-law No. 2017-130 PLAN 31 PT OF LOT 242 AND PT OF LOT 259 [558 Campbell St]***

Notwithstanding the provisions of the General Commercial (GC) Zone, lands identified with Special Provision 25.129 shall be used in accordance with the GC zone regulations, excepting however that a new residential use may be located in the ground floor, facing the road shall be permitted in the existing building.

**25.130      *By-law No. 2017-131 PLAN 43 PT PARK LOTS 13 & 20, PT HAVELOCK ST RP; 3R4334 PART 2 TO 6***

Notwithstanding the provisions of the General Industrial (M1) Zone, lands identified with Special Provision 25.130 shall be used in accordance with the M1 zone regulations, excepting however:

- i. A 'commercial school' is a permitted use.

**25.131      *By-law No. 2018-08 CON 1 PT OF LOT 11 [210 Bruce Rd 86]***

Notwithstanding the provisions of the Residential One (R1) Zone, lands identified with Special Provision 25.131 shall be used in accordance with the R1 zone regulations, excepting however:

- i. The minimum lot area shall be +/- 0.08 ha (0.2 ac);
- ii. The minimum lot width shall be +/- 20.12 m (66 ft);

**25.132      *By-law No. 2018-09 CON 9 LOT 18 AND PT LOT 19 [1687 Concession 10]***

Notwithstanding the provisions of the Agricultural Residential (AG3) Zone, lands identified with Special Provision 25.132 shall be used in accordance with the AG3 zone regulations, excepting however:

- i. The number of nutrient units shall be limited to 1.25 units per hectare;
- ii. The minimum lot width shall be +/- 6.5 m.
- iii. Buildings and structures existing as of January 8, 2018 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.

**25.133      \***

Notwithstanding the provisions of the Hamlet Mixed Use (HMU) Zone, lands identified with Special Provision 25.133 may be used for a County of Bruce storage yard and garage.

**25.134      *By-law No. 2016-58 CON 1 N PT OF LOTS 51 & 52 [1029 South Kinloss Ave]***

Notwithstanding the provisions of the Agricultural Rural (AG4) Zone, lands identified with Special Provision 25.134 and 25.134(H) shall be

used accordance with the AG4 zone regulations, excepting however:

- i. The existing livestock facility shall be permitted;
- ii. The number of nutrient units shall be limited to 1.25 units per hectare; and,
- iii. Buildings and structures existing as of May 25, 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.

Prior to removal of the 'H – Holding' provision on lands delineated 25.134- H, 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, 1990, only upon:

- i. 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 Registry of Archaeological report.
- ii. Confirmation to the satisfaction of the Zoning Administrator that the recommendations of the archaeological report (if any) have been implemented.

**25.135**

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Notwithstanding the provisions of this By-law, any new buildings or structures on lands identified with Special Provision 25.135 shall only be permitted subject to completing a Scoped Environmental Impact Study (EIS), in accordance with the Township of Huron-Kinloss or County of Bruce Official Plans to the satisfaction of the Township in consultation with the County and the applicable Conservation Authority.

**25.136**

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Notwithstanding the provisions of the Agricultural Commercial / Industrial (AG2) Zone, lands identified with Special Provision 25.136 shall only be used for an existing single detached dwelling and automobile and agricultural equipment repair shops within the buildings and structures existing as of the date of passing of this By-law.

**25.137**

***By-law No. 2017-93 PLAN 232 PT LOTS 216, 217 AND 218 [32***

***Huron St]***

Notwithstanding the provisions of the Residential Two (R2) Zone, lands identified with Special Provision 25.137 shall be used in accordance with

- i. 'Minimum Lot Area' shall be no less than 400 m<sup>2</sup>;
- ii. 'Minimum Lot Width - Corner Lot' shall be no less than 14 m; and
- iii. 'Minimum Side Exterior Yard' shall be no less than 3 m.

**25.138      *By-Law No. 2018-120 CON 1 S PT OF LOTS 1,2 &3 [1676 Bruce Rd 86]***

No Special Provisions for AG1-25.138 given in By-law.

**25.139      *By-Law No. 2019-04 CON 2 LOT 19 [896 South Kinloss Ave]***

Notwithstanding their 'AG3 – Agricultural Residential' zoning, those lands delineated as AG-3-25.139' on Schedule 'A' to this By-law shall be used in compliance with the 'Agriculture Residential' zone provisions contained in this By-law, excepting however:

- i.          The maximum front yard shall be 18m;
- ii.         The minimum west side yard shall be 20 m
- iii.        The maximum west side yard shall be 40 m

**25.140      *By-Law No. 2019-50 CON 11 PT LOT 11 [1176 Bruce Rd 1]***

Notwithstanding their 'AG4 – Agriculture Rural' zoning, those lands delineated as 'AG-4-25.140' on Schedule 'A' to this By-law shall be used in compliance with the zone provisions contained in this By-law, except where in conflict with the following in which case the following shall prevail:

- i)    The minimum lot area shall be 4.0 ha;
- ii)   The existing buildings with the existing yards are permitted.

**25.141      *By-Law No. 2019-49 CON 6 LOT 14 [774 Kairshea Ave]***

Notwithstanding the 'AG4 – Agriculture Residential' zoning, those lands delineated as 'AG4-15.141' on Schedule 'A' to this By-law shall be used in compliance with the zone provisions contained in this By-law, except where in conflict with the following:

- i) The minimum lot area shall be 8 ha;

**25.142      *By-Law 2019-048 & 2024-11 Entirety of Legal Plan 3M-254 [901-991 Bogdanovic Way]***

Notwithstanding their 'R1' zoning, those lands delineated as 'R1-25.142-H' on Schedule 'A' to this By-law shall be used in compliance with the 'R1' zone provisions contained in this By-law, excepting however:

- i) 'Minimum Lot Area' shall be no less than 990 square metres;
- ii) 'Minimum Lot Frontage' shall be no less than 23.5 metres;
- iii) 'Minimum Interior Side Yard' shall be no less than 1.5 metres;
- iv) That Section 5.1.5 "Street setback for parking area" not apply;
- v) That notwithstanding Section 5.1.5, a maximum driveway width for a single/semi-detached be 10 metres at street line for all lots save and except Lots 42 & 20 as identified on legal Plan 3M-254;
- vi) That Lots 42 & 20 as identified on legal Plan 3M-254 are permitted a driveway width of 9 metres;
- vii) That the driveways constructed as of February 5<sup>th</sup>, 2024, are hereby recognized and are permitted to be replaced at the same width; and
- viii) All future construction, buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of the By-law.

The 'H-Holding' provision may be removed once the following conditions have been met:

- i) Road facilities have been completed to ensure adequate and appropriate access;
- ii) The plan of subdivision has received draft plan approval; and
- iii) A satisfactory agreement has been entered into by the Township and the property owner.

**25.143      *By-law No. 2019-127 CON 9 LOT 14 [423 Statters Lake Ave]***

- i) The Minimum Distance Separation (MDS I) setback between the new residence proposed on the new lot at Lot 14, Concession 9 shall be no less than +/-162 m to the barns located on the retained lot at Lot 14, Concession 9, geographic Township of Kinloss and Part Lot 14, Concession 10, geographic Township of Kinloss.
- ii) Notwithstanding Section 9.2 Regulations, the minimum lot area shall be no less than +/- 4 ha (9.88 ac.). All other provisions apply.

**25.144      *By-law No. 2020-49 CON 7 PT LOT 16 [19 Huron St]***

Notwithstanding Section 4.15 Home Business- Professional Uses the property shall be permitted:

- i) To use an accessory building for a Home Business- Professional Use
- ii) This building shall not exceed +/- 200 sq. m. in size.
- iii) The number of professionals permitted shall be limited to five (5) in

- addition to the occupants of the dwelling on the property.
- iv) Accessory to the main use, the sale of health products and other relevant wares shall be permitted.

**25.145      *By-law No. 2020-92 RANGE 3 SDR LOTS 14 TO 15 [380 Guest Ave]***

Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision AG1-25.145 shall be used in compliance with the 'AG1' zone provisions contained in this By-law, excepting however that:

- i) That a secondary farm residence dwelling for an occupant engaged in full-time operation of the farm is permitted. This residence shall be required to be located in the established building cluster and shall be subject to the provisions contained in Section 4.7 Dwelling, Additional Residential Unit On Farm, of the Comprehensive Zoning By-law.
- ii) That the secondary farm residence dwelling is not eligible for severance from the farm.
- iii) Prior to the issuance of a building permit for the secondary farm residence dwelling, the owner shall demonstrate that safe access to the dwelling across the Black Creek Municipal Drain and its associated flooding and erosion hazards can be provided to the satisfaction of the Municipality and the Saugeen Valley Conservation Authority.
- iv) Prior to the issuance of a Certificate of Occupancy, any required upgrades to the driveway or culvert at the Black Creek Municipal Drain required to provide safe access in accordance with clause iii) of this subsection be implemented and verified to the satisfaction of the Municipality and the Saugeen Valley Conservation Authority.
- v) That the lands on which the symbol H1 are shown are subject to the provisions contained in Section 2.12 Holding Zones of the Comprehensive Zoning By-law.

**25.146      *By-law No. 2020-46 CON A PT LOT 60 [2435 Concession 12] – Aintree Trailer Park***

- i) That two (2) four-season dwellings be permitted for the exclusive use of the owners(s) or caretaker(s) of the business.

**25.147      *By-law No. 2020-47 CON 8 PT LOT 16 HURON W SEC; M49 PCL PLAN 2***

Notwithstanding the provisions of the Lifestyle Community Residential (LCR) zone, the land identified with Special Provision 25.147-H shall be used in compliance with the 'LCR' zone provisions contained in this By-law, excepting however that:

- i) That the exterior side yard shall be no less than +/- 4.5m.
- ii) That the H-Holding Zoning provision may be removed upon:
  - a) The registration of a Subdivision Agreement to the satisfaction of the Township of Huron-Kinloss that includes details such as: Final Site Design, a Stormwater Management Plan including Final Grading, Water and Sewer Services and Road Construction and Assumption.
  - b) That the overall density of the subject lands is demonstrated to be no less than +/- 12 units/ ha.

**25.148      *By-law No. 2020-93 CON 9 LOT 2 [915 Statters Lake Ave]***

Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.148-H1 shall be used 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;
- ii) The side yard setback be no less than 10.2 m;
- iii) The front yard setback be no less than 15.6 m;
- iv) When the 'Parochial School' use is no longer required by the horse-drawn carriage community that the institutional use be discontinued and the land be returned to agricultural use to the satisfaction of the Zoning Administrator; and
- v) That the lands on which the symbol H1 are shown are subject to the provisions contained in Section 2.12 Holding Zones of the Comprehensive Zoning By-law.

**25.149      *By-law No. 2020-104 PLAN 36 PARK LOT 46 TO 50; ALBERT W/S***

Notwithstanding the provisions of the Residential One (R1) and Residential Three (R3) Zones, the land identified with Special Provision R1-25.149-H and R3-25.149-H shall be used in compliance with the zone provisions contained in this By-law, excepting however that:

- i) On those lands delineated as R1-25.149-H on Schedule 'A' to this By-Law, the:
  - a) 'Minimum Lot Frontage' for Lots 1 & 10 (corner lots) shall be no less than 18.3 m; and
  - b) 'Minimum Lot Frontage' for Lots 2 to 9 inclusive (interior lots) shall be no less than 16.1 m.
- ii) Prior to removal of the 'H – Holding' provision, 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, once:

- a) Water of sufficient quality and quantity is available and can be constructed to service the proposed development as approved by the appropriate authority;
- b) Public sanitary services can be constructed with the design being approved by the appropriate authority;
- c) Stormwater management services can be constructed with the design being approved by the appropriate authority;
- d) Road facilities have been completed to ensure adequate and appropriate access;
- e) A plan of subdivision has been submitted and has received draft plan approval;
- f) A satisfactory agreement has been entered into by the Township and the property owner; and
- g) The overall density of the subject lands is demonstrated to be between 14.1 and 15.8 units per gross developable hectare.

**25.150**      ***By-law No. 2021-62 CON 12 S PT LOT 21 [1634 Concession 12]***  
 Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision AG1-25.150 shall be used in compliance with the 'AG1' zone provisions contained in this By-law, excepting however that:

- i) The lot size shall be no less than 2.4 ha.

**25.151**      ***By-law No. 2021-61 & By-law No.2021-124 CON 3 LOT 36 TO 37 [382 Whitechurch St]***

Notwithstanding the provisions of the Agriculture Residential (AG3) Zone, the land identified with Special Provision AG3-25.151-H shall be used in compliance with the 'AG3' zone provisions contained in this By-law, excepting however that:

- i) The permitted Home Business - Professional use be limited to the construction of roof trusses;
- ii) The Home Business - Professional use allow the construction of roof trusses and the storage of equipment and materials necessary for the business in an accessory building no greater than 805 sq. m.;
- iii) Any buildings and structures existing as of June 14, 2021 which do not comply with the provisions of the By-law are hereby recognized as being in compliance with the zoning. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of the By-law;
- iv) Prior to removal of the 'H - Holding' provision, 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, once:
  - a) A site plan agreement has been entered into and has been

accepted by the Township of Huron-Kinloss.

**25.152      *By-law No. 2021-79 KINLOSS CON 1 PT LOT 11 RP; 3R10247 PART 1 [49 & 55 Whitechurch St]***

Notwithstanding the provisions of the Residential One (R1) Zone, the land identified with Special Provision R 1-25.152 shall be used in compliance with the 'R 1' zone provisions contained in this By-law, excepting however that:

- i) The minimum lot area shall be +/-3,043.00 sq. m.

**25.153      *By-law 2021-155 CON 9 W PT LOT 29 [2145 Concession 10]***

Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special AG1-25.153 shall be used in compliance with the 'AG1' zone provisions contained in the By-law, excepting however that:

- i) That a secondary farm residence is permitted;
- ii) That notwithstanding Section 4.7 Dwelling, Additional Residential Unit On Farm, a secondary farm residence is permitted on farm with an area 20 ha;
- iii) That a home business is not permitted;
- iv) That the secondary farm residence shall be constructed in the building cluster to the satisfaction of the Chief Building Official.

**25.154      *By-Law No. 2022-25 PLAN 706 PT LOTS 2 & 3 E; HURON RD PT LOT 12 N [268 Huron Rd.]***

Notwithstanding the provisions of the Residential (R1) Zone, the land identified with Special Provision R1-25.154 shall be used in compliance with the 'R1' zone provisions contained in this By-law, excepting however that:

- i) That the lot area shall be no less than 975 sq. m.;
- ii) That the lot frontage shall be no less than 21 m.;
- iii) An accessory building, structure or use shall be permitted prior to a principal building, structure or use being erected to the satisfaction of the Chief Building Official; and
- iv) Any buildings and structures existing as of February 7, 2022 which do not comply with the provisions of the By-law are hereby recognized as being in compliance with the zoning. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of the By-law;
- v) Development shall be serviced by an advanced tertiary sewage disposal system that achieves at least 50% nitrate removal and meets the specifications of the CAN/BNQ 3680-600 standard, as

amended from time to time or by connection to a Municipal sewage disposal system

**25.155      *By-law No. 2021-156 CON 10 PT LOT 27 [2056 Concession 10]***

Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision AG1-25.155 shall be used in compliance with the 'AG1' zone provisions contained in this By-law, excepting however that:

- i) That the lot area shall be no less than 34 ha;
- ii) Any buildings and structures existing as of November 8, 2021 which do not comply with the provisions of the By-law are hereby recognized as being in compliance with the zoning. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of the By-law;

**25.156      *By-Law No. 2022-25 PLAN 706 PT LOTS 2 & 3 E; HURON RD PT LOT 12 N [172 Seneca St]***

Notwithstanding the provisions of the Residential (R1) Zone, the land identified with Special Provision R1-25.156 shall be used in compliance with the 'R1' zone provisions contained in this By-law, excepting however that:

- i) That the lot area shall be no less than 1002 sq. m.;
- ii) That the lot frontage shall be no less than 16 m.; and
- iii) Any buildings and structures existing as of February 7, 2022 which do not comply with the provisions of the By-law are hereby recognized as being in compliance with the zoning. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of the By-law;
- iv) Development shall be serviced by an advanced tertiary sewage disposal system that achieves at least 50% nitrate removal and meets the specifications of the CAN/BNQ 3680-600 standard, as amended from time to time or by connection to a Municipal sewage disposal system.

**25.157      *Not used - Intentionally left blank***

**25.158      *By-law No. 2021-121 CON 8 PT LOT 9 [2394 Bruce Rd 6]***

Notwithstanding the provisions of the Residential One (R1) Zone, the land identified with Special Provision R1-25-158-H shall be used in compliance with the 'R1' zone provisions contained in this By-law, excepting however that:

- i) A Home Business – Professional use shall be permitted in an accessory building and that the accessory building shall be no greater than 1,000 sq. m;
- ii) The permitted Home Business – Professional use shall be limited to the repair and sales of agricultural driveline components;
- iii) The residential property can be used for the keeping of horses without applying Minimum Distance Separation requirements provided such horses are the primary means of transportation for the occupants of the dwelling unit and all manure can be appropriately stored away from sensitive land uses and appropriately disposed of. The maximum number of horses permitted on the property shall be determined to the satisfaction of the Township of Huron-Kinloss; and
- iv) Prior to removal of the 'H – Holding' provision, 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, once a site plan agreement has been entered into and has been accepted by the Township of Huron-Kinloss.

**25.159      *By-law No. 2021-121 CON 8 PT LOT 9 [2388 Bruce Rd 6]***

Notwithstanding the provisions of the Residential One (R1) Zone, the land identified with Special Provision R1-25.159-H shall be used in compliance with the 'R1' zone provisions contained in this By-law, excepting however that:

- i) The residential property can be used for the keeping of horses without applying Minimum Distance Separation requirements provided such horses are the primary means of transportation for the occupants of the dwelling unit and all manure can be appropriately stored away from sensitive land uses and appropriately disposed of. The maximum number of horses permitted on the property shall be determined to the satisfaction of the Township of Huron-Kinloss; and
- ii) Prior to removal of the 'H – Holding' provision, 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, once a site plan agreement has been entered into and has been accepted by the Township of Huron-Kinloss.

**25.160      *By-law No. 2022-76 CON 12 S PT LOT 10 [406 Hayes Lake Ave]***

Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision AG1-25.160 shall be used in compliance with the 'AG1' zone provisions contained in this By-law, excepting however that:

- i) A detached dwelling is not permitted;
- ii) That the lot frontage shall be no less than 19 m.

**25.161      *By-law No. 2022-108 CON 12 PT OF LOT 1 [Part of 25 Huron-Kincardine E]***

Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision AG1-25.161 shall be used in compliance with the 'AG1' zone provisions contained in this By-law and may be used for the permitted uses, excepting however that:

- i) That the lot area shall be no less than 21 hectares.

**25.162      *By-law No. 2022-109 CON 11 LOT 14 [251 Hayes Lake Ave]***

Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision 25.162-H1 shall be used 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;
- ii) The front yard setback be no less than 12 m;
- iii) When the 'Parochial School' use is no longer required by the horse-drawn carriage community that the institutional use be discontinued and the land be returned to agricultural use to the satisfaction of the Zoning Administrator; and
- iv) That the lands on which the symbol H 1 are shown are subject to the provisions contained in Section 2.12 Holding Zones of the Comprehensive Zoning By-law.

**25.163      *By-law No. 2022-110 CON A PT LOT 51 [136 & 137 Boiler Beach Rd]***

Notwithstanding the provisions of the Resort/Recreational Commercial (RRC) Zone, the land identified with Special Provision RRC-25.163 shall be used in compliance with the 'RCC' zone provisions contained in this Bylaw, excepting however that:

- i) That the lot area shall be no less than 2589 sq. m. ;
- ii) That the lot frontage shall be no less than 45 m.; and
- iii) Any buildings and structures existing as of June 13, 2022 which do not comply with the provisions of the By-law are hereby recognized as being in compliance with the zoning. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of the By-law; and any future development will comply with Provincial criteria for nitrates, this may require updates to existing septic services.

**25.164      *By-law No. 2022-110 CON A PT LOT 51 [136 & 137 Boiler Beach Rd]***

Notwithstanding the provisions of the Residential (R1) Zone, the land identified with Special Provision R1-25.164 shall be used in compliance

with the 'R1' zone provisions contained in this By-law, excepting however that:

- i) That the lot area shall be no less than 782 sq. m;
- ii) That the lot frontage shall be no less than 13 m;
- iii) Any buildings and structures existing as of June 13, 2022 which do not comply with the provisions of the By-law are hereby recognized as being in compliance with the zoning. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of the By-law; and,
- iv) Development shall be serviced by an advanced tertiary sewage disposal system that achieves at least 50% nitrate removal and meets the specifications of the CAN/BNQ 3680-600 standard, as amended from time to time or by connection to a Municipal sewage disposal system.

**25.165      *By-law No. 2022-131 CON 11 PT OF LOT 26 RP; 3R5490 PART 1 [1183 Sideroad 25]***

Notwithstanding the provisions of the General Agriculture (AG1) Zone, the land identified with Special Provision AG1-25.165 shall be used in compliance with the 'AG1' zone provisions contained in this By-law and may be used for the permitted uses, with the additional permitted uses of weddings and other private events, including catered events, instructional events, ceremonies, retreats and receptions. Notwithstanding the provisions of Section 6.4 to the contrary, temporary lawn parking areas, portable washrooms and temporary shade structures may occupy up to 35% of the lot area.

**25.166      *By-law No. 2022-107 CON 8 PT LOT 16 HURON W SEC; M49 PCL PLAN 2 [29,30,31,33,35,37,39 & 41 McTavish Cr]***

Notwithstanding the provisions of the Lifestyle Community Residential (LCR) Zone, the land identified with Special Provision LCR-25.166 shall be used in compliance with the 'LCR' zone provisions contained in this Bylaw, excepting however that:

- i) The permitted uses shall include:
  - Accessory Use (Section 4.1)
  - Associated Community Facilities
  - Dwelling, Single Detached
  - Dwelling, Semi-detached
  - Dwelling, Townhouse
  - Land Lease Community
  - Land Lease Community Home
  - Life Lease Community
  - Life Lease Community Home
  - Mobile Home

- Mobile Home Park
- ii) **'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'.
- iii) **'Land Lease Community Home'**, shall mean a building or structure containing one or more dwelling units 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.
- iv) **'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.
- v) **'Life Lease Community'**, shall mean a parcel of land containing two or more 'Life Lease Community Homes' and which is owned by the 'Life Lease Community' occupants and the developer or a third party.
- vi) **'Life Lease Community Home'**, shall mean a separate building or structure containing one or more dwelling units occupied by one or more persons and constructed for permanent use where those persons hold the right to occupy the unit or units and ancillary rights related to the 'Life Lease Community'. A 'Life Lease Community Home' shall not include a park model trailer, mobile home, camping trailers or a trailer house.

**25.167      *By-law No. 2022-107 CON 8 PT LOT 16 HURON W SEC; M49 PCL PLAN 2 [29,30,31,33,35,37,39 & 41 McTavish Cr]***

Notwithstanding the provisions of the Lifestyle Community Residential (LCR) Zone, the land identified with Special Provision LCR-25.167 shall be used in compliance with the 'LCR' zone provisions contained in this Bylaw, excepting however that:

- i) That the exterior side yard shall be no less than +/- 4.5m.
- ii) The permitted uses shall include:
  - Accessory Use (Section 4.1)
  - Associated Community Facilities
  - Dwelling, Single Detached
  - Dwelling, Semi-detached
  - Dwelling, Townhouse
  - Land Lease Community
  - Land Lease Community Home
  - Life Lease Community
  - Life Lease Community Home
  - Mobile Home

- Mobile Home Park
- iii) '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'.
- iv) 'Land Lease Community Home', shall mean a building or structure containing one or more dwelling units 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.
- v) '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.
- vi) 'Life Lease Community', shall mean a parcel of land containing two or more 'Life Lease Community Homes' and which is owned by the 'Life Lease Community' occupants and the developer or a third party.
- vii) 'Life Lease Community Home', shall mean a separate building or structure containing one or more dwelling units occupied by one or more persons and constructed for permanent use where those persons hold the right to occupy the unit or units and ancillary rights related to the 'Life Lease Community'. A 'Life Lease Community Home' shall not include a park model trailer, mobile home, camping trailers or a trailer house.

**25.168      *By-law No. 2022-158 PLAN 226 PT LOTS 1 & 2 [206 Bruce Rd 86]***

Notwithstanding the provisions of the Residential (R1) Zone, the land identified with Special Provision R1-25.186 shall be used in compliance with the 'R1' zone provisions contained in this By-law, excepting however that:

- i) The minimum lot area shall be 0.14 ha;
- ii) The minimum lot width shall be 40.2 m (132 ft);
- iii) The driveway and/or parking spaces shall not be located off of Bruce Road 86;
- iv) Two (2) off-street parking spaces shall be required; and
- v) Buildings and structures existing as of September 12, 2022 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 Bylaw.

**25.169      *By-law No. 2022-194 KINLOSS CON 1 PT LOTS 37 TO 40 [760 Bruce Road 86]***

Notwithstanding the provisions of the Agriculture Rural (AG4) Zone, the land identified with Agriculture Rural Special (AG4-25.169) shall be used in compliance with the 'AG4' zone provisions contained in this By-law, excepting however that:

- i. A second Dwelling for permanent year-round use shall be permitted;
- ii. There shall be no more than two (2) dwellings on the subject property.

**25.170      *By-law No. 2023-16 CON 5 W PT OF LOT 27 E PT OF LOT 28 and CON 5 E PT OF LOT 27***

Notwithstanding the provisions of the General Agriculture (AG1) Zone, the lands identified with Special Provision AG1-25.170 shall be used in compliance with the 'AG1' zone provisions contained in this By-law and may be used for the permitted uses, excepting however that the minimum lot area for the lot shall be 25.2 hectares.

**25.171      *By-law No. 2023-16 CON 5 W PT OF LOT 27 E PT OF LOT 28 and CON 5 E PT OF LOT 27***

Notwithstanding the provisions of the General Agriculture (AG1) Zone, the lands identified with Special Provision AG1-25.171 shall be used in compliance with the 'AG1' zone provisions contained in this By-law and may be used for the permitted uses, excepting however that the minimum lot area for the lot shall be 24 hectares.

**25.172      *By-law No. 2023-13 CON 14 PT OF LOT 12 W/S ROSS ST RP; 3R1910 PT PART 2 RP 3R1961 PART 1 RP; 3R1982 PART 2 [412 Ross St]***

Notwithstanding the provisions of the Residential Three (R3) Zone, or any other provisions of this By-law to the contrary, the lands identified with Special Provision R3-25.172 and R3-172(f) shall be used in compliance with the 'R3' zone provisions contained in this By-law and may be used for the permitted uses, excepting however that:

- i) Parking will be provided at a rate of 1.9 spaces per unit;
- ii) A lot frontage of 12.1 metres is recognized;
- iii) An interior side yard setback of 0.5 metres is recognized; and,
- iv) A rear yard setback of 4.5 metres is recognized.

**25.173      *By-law No. 2023-70 CON A PT LOT 52, PT LOT 53 RP; 3R924 PART 1 TO 2 [126 Boiler Beach Rd]***

Notwithstanding their 'R1' Zoning designation, those lands delineated as 'R1-25.173-H1' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however, that:

- i) The minimum lot frontage shall be no less than 19 metres;
- ii) The minimum lot area shall be no less than 822 square metres;
- iii) Any buildings and structures existing as of June 12, 2023 which do not comply with the provisions of the By-law are hereby recognized as being in compliance with the zoning. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of the By-law;
- iv) In areas of high archeological potential, lot grading, excavation, and/or construction shall not be permitted unless the Holding (H) zone provision is removed; and,
- v) Development shall be serviced by an advanced tertiary sewage disposal system that achieves at least 50% nitrate removal and meets the specifications of the CAN/BNQ 3680-600 standard, as amended from time to time or by connection to a Municipal sewage disposal system.

**25.174      *By-law No. 2023-11 CON A PT OF LOT 7 RP; 3R9664 PART 1 [219 Lake Range Dr] and HURON CON A PT LOT 7 RP; 3R10132 PART 1 [414 Winnebago Rd]***

Notwithstanding the provisions of Section 2.10, Interpretation of Zone Boundaries, the area zoned as EP-25.174 includes the area 70 metres from the rear lot line for the entire width of the lot. No buildings or structures are permitted within the EP-25.174 zone.

**25.175      *By-law No.2023-45 CON 1 PT LOT 47 RP; 3R1415 PART 1 [2586 Bruce Rd 86]***

Notwithstanding the provisions of the Agricultural Residential (AG3) Zone, the land identified with Agricultural Residential Special (AG3-25.175) shall be used in compliance with the 'AG3' zone provisions contained in this By-law, excepting however that:

- i) A second dwelling for permanent year-round use shall be permitted;
- ii) There shall be no more than two (2) dwellings on the subject property;
- iii) The rear yard setback shall be no less than 4 metres;
- iv) The lot area shall be no less than 2800 square metres.

**25.176      *By-law No. 2023-70 CON A PT LOT 52, PT LOT 53 RP; 3R924 PART 1 TO 2 [126 Boiler Beach Rd]***

Notwithstanding their 'R1' Zoning designation, those lands delineated as 'R1-25.176-H1' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however, that:

- i) The minimum lot frontage shall be no less than 19 metres;

- ii) The minimum lot area shall be no less than 786 square metres;
- iii) Any buildings and structures existing as of June 12, 2023 which do not comply with the provisions of the By-law are hereby recognized as being in compliance with the zoning. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of the By-law;
- iv) In areas of high archaeological potential, lot grading, excavation, and/or construction shall not be permitted unless the Holding (H) zone provision is removed; and,
- v) Development shall be serviced by an advanced tertiary sewage disposal system that achieves at least 50% nitrate removal and meets the specifications of the CAN/BNQ 3680-600 standard, as amended from time to time or by connection to a Municipal sewage disposal system.

**25.177      *By-law No. 2023-71 CON 2 PT LOT 16 RP; 3R9355 PARTS 1 AND 2 [2264 Concession 2]***

Notwithstanding their 'AG1' Zoning designation, those lands delineated as 'AG1-25.177' on Schedule 'A' to this By-law shall be used in accordance with the 'AG1' Zone provisions contained in this By-law, excepting however, that:

- i) The following on-farm diversified uses shall be permitted: construction and excavation and snow removal business; and associated outdoor storage of construction equipment, fleet vehicles, and materials related to construction and excavation.

**25.178      *By-law No. 2023-108 CON 11 N PT LOTS 11 & 12 [369 Hayes Lake Ave]***

Notwithstanding their 'R1' Zoning designation, those lands delineated as 'AG4-25.178' on Schedule 'A' to this By-law shall be used in accordance with the 'AG4' Zone provisions contained in this By-law, excepting, however, that the minimum lot area shall be no less than 19 hectares.

**25.179      *By-law No. 2023-136 [1942 Concession 2 - CON 2 LOT 8 and CON 3 PT LOTS 8 & 9]***

Notwithstanding their 'AG3' Zoning designation, those lands delineated as 'AG3-25.179' on Schedule 'A' to this By-law shall be used in accordance with the 'AG3' Zone provisions contained in this By-law, excepting however, that:

- i) Any buildings and structures existing as of December 11, 2023, which do not comply with the provisions of the By-law are hereby recognized as being in compliance with the Zoning By-law. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of the By-law.

**25.180      *By-law No. 2024-52 [2514 Bruce Road 86]***

Notwithstanding their 'AG3' Zoning designation, those lands delineated as 'AG3-25.180' on Schedule 'A' to this By-law shall be used in accordance with the 'AG3' Zone provisions contained in this By-law, excepting however, that:

- i) Buildings and structures existing as of May 13, 2024, which do not comply with height, yard setbacks, lot coverage, and ground floor area provisions of the Zoning 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.
- ii) The minimum lot frontage shall be no less than 20 metres.

**25.181      *By-law No. 2024 [76 24 Park St, Ripley]***

Notwithstanding the provisions of the Residential (R3) Zone, the land identified with Special Provision R3-25.181 shall be used in compliance with the 'R3' zone provisions contained in this By-law, excepting however that:

- i) That the minimum rear yard for each unit in a Townhouse dwelling on a private road shall be no less than 6.4 metres;
- ii) The minimum interior side yard setback for each end unit in a Townhouse dwelling on a private road shall be no less than 2.0 metres;
- iii) The minimum interior side yard setback for each interior unit in a Townhouse dwelling on a private road sharing a common wall with another unit shall be 0 metres;
- iv) That the minimum lot frontage for each unit in a townhouse dwelling on a private road shall be no less than 11.3 metres; and,
- v) That the stormwater management facility shall also be permitted.
- vi) That a maximum of 48 units be permitted on the lands subject to the application.

**25.182      *By-law No. 2024-90 [1232 Bruce Road 1, Huron]***

Notwithstanding their 'R1' Zoning designation, those lands delineated as 'R1-25.182' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however, that:

- i) One (1) Additional Residential Unit shall be permitted on the subject lands having a minimum lot area no less than 1,575 square metres.
- ii) The development shall be serviced by an advanced tertiary sewage disposal system that achieves at least 50% nitrate removal and meets the specifications of CAN/BNQ 3680-600 standard, as amended from time to time or by connection to a Municipal sewage

disposal system.

- iii) Any buildings and structures existing as of September 09, 2024 which do not comply with the provisions of the By-law are hereby recognized as being in compliance with the zoning. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of the By-law.

**25.183      *By-Law No. 2025-46 [65 Sideroad 20 South]***

Notwithstanding their 'AG3' Zoning designation, those lands delineated as 'AG3-25.183' on Schedule 'A' to this By-Law shall be used in accordance with the 'AG3' Zone provisions contained in this By-Law, excepting however, that:

- i) Any buildings and structures existing as of April 23, 2025, which do not comply with the provisions of the By-Law are hereby recognized as being in compliance with the zoning. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of the By-Law.

Note: The H1 zoning provision addresses areas of high archaeological potential per Section 2.12.

**25.184      *By-Law No. 2025-07 [1048 Bruce Road 1]***

Notwithstanding their 'AG1' Zoning designation, those lands delineated as 'AG1-25.184' and 'AG1-25.184-H1' on Schedule 'A' to this By-law shall be used in accordance with the 'AG1' Zone provisions contained in this By-law, excepting however, that:

- i) A minimum lot area of +/- 10 hectares is permitted

**25.185      *By-Law No. 2025-32 [196 Bruce Road 86]***

Notwithstanding their 'R1' Zoning designation, those lands delineated as 'R1-25.185' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however, that:

- i) A minimum lot frontage of +/- 36 m is permitted.
- ii) A minimum lot area of +/- 0.22 ha is permitted.
- ii) Buildings and structures existing as of March 18, 2025 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.

Note: Registered development agreement for the existing residence to be serviced by an advanced tertiary sewage disposal system that meets the specifications of the CAN/BNQ 3680-600 standard, as

amended from time to time.

**25.186      *By-Law No. 2025-32 [196 Bruce Road 86]***

Notwithstanding their 'R1' Zoning designation, those lands delineated as 'R1-25.186-H' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however, that:

- i) A minimum lot frontage of +/- 20 m is permitted.
- ii) A combined minimum lot area of +/- 2.5 hectares is permitted within the AG1-25.187-H1 and R1-25.186-H Zones.
- iii) Prior to the removal of the 'H – Holding' provision, 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, once the following condition as been met:
  - a. A detailed site plan has been received to the satisfaction of the Zoning Administrator of the Township of Huron-Kinloss, including, but not limited to, the locations of future buildings and structures.

**25.187      *By-Law No. 2025-32 [196 Bruce Road 86]***

Notwithstanding their 'AG1' Zoning Designation, those lands delineated as 'AG1-25.187-H1' on Schedule 'A' to this By-law shall be used in accordance with the 'AG1' Zone provisions contained in this By-law, excepting however, that:

- i) A combined minimum lot area of +/- 2.5 hectares is permitted within the AG1-25.187-H1 and R1-25.186-H zones.

**25.188      *By-Law No. 2025-104 [2072 Bruce Road 6]***

Notwithstanding their 'AG4' Zoning designation, those lands delineated as 'AG4-25.188' on Schedule 'A' shall be used in accordance with the 'AG4' Zone provisions contained in this By-Law, excepting however, that:

- i) The easterly interior side yard setback for the existing manure storage and barn shall be no less than 12.9m.
- ii) Buildings and structures existing as of October 15, 2025 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.

**25.189      *By-Law No. 2026-08 [106 Ritchie Dr]***

Notwithstanding their 'R' Zoning designation, those lands delineated as 'R1-25.189' and 'R1-25.189 (db)' on Schedule 'A' to this By-law shall be

used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however, that:

- i) A minimum lot frontage of +/- 26 m is permitted.
- ii) A minimum lot area of +/- 1,299 is permitted.

Note: A registered development agreement on title for the proposed residence to be serviced by an advance tertiary sewage disposal system that meets the specifications of the CAD/BNQ 3680-600 standard, as amended from time to time.

**25.190      *By-Law No. 2026-08 [106 Ritchie Dr]***

Notwithstanding their 'R' Zoning designation, those lands delineated as 'R1-25.190' on Schedule 'A' to this By-law shall be used in accordance with the 'R1' Zone provisions contained in this By-law, excepting however, that:

- i. A minimum lot frontage of +/- 26 m is permitted.

Note: A registered development agreement on title for the proposed residence to be serviced by an advance tertiary sewage disposal system that meets the specifications of the CAD/BNQ 3680-600 standard, as amended from time to time.

**25.191      *By-Law No. 2026-10 [606 Statters Lake Ave]***

Notwithstanding their 'AG2' Zoning designation, those lands delineated as 'AG2-25.191' and 'AG2-25.191-H1' on Schedule 'A' to this By-law shall be used in accordance with the 'AG2' Zone provisions contained in this By-law, excepting however, that:

- i) An Abattoir is permitted in addition to the general permitted uses of the AG2 Zone.

Note: The H1 zoning provision addresses areas of high archaeological potential per Section 2.12.

**25.192      *By-Law No. 2026-15 [3365 Bruce Road 6 & 86 William St. S. – Ripley Industrial Park]***

Notwithstanding their 'HC' Zoning designation, those lands delineated as 'HC-25.192' and 'HC-25.192-H' on Schedule 'A' to this By-law shall be used in accordance with the 'HC' Zone provisions contained in this By-law, excepting however, that:

- i) Permitted uses shall not include an Automobile

- Washing Establishment, Hotel or Motel.
- ii) Permitted Uses in addition to those of the general HC Zone:
    - Medical Clinic
    - Personal Service Shop
    - Commercial School
    - Convenience Store
    - Dry Cleaning Establishment
    - Government Administration Building
  - iii) A minimum interior side yard setback of 3 metres is permitted.
  - iv) A minimum front yard setback of 6 metres is permitted.
  - v) A maximum lot coverage of 75% is permitted.
  - vi) Off street parking is permitted in any required yard provided there is a 1m setback to property line(s), this shall not supersede the requirements of any required Planting Areas (Section 4.24) or Landscaping (Section 5.3.5).
  - vii) Setbacks - Provincial and County Roads and Railways (Section 4.25) - shall not apply.
  - viii) A -H Holding Provision shall be applied within what were the required setbacks of Section 4.25 which may be lifted upon submission of Site Plan(s) and Engineered Lot Grading and Drainage Plan(s) which demonstrate positive drainage from any proposed buildings with no impacts to the County storm water management system and no impacts to snow plowing operations.

**25.193      *By-Law No. 2026-15 [Industrial Areas – Ripley Industrial Park]***

Notwithstanding their 'M1' Zoning designation, those lands delineated as 'M1' and 'M1-25.193-H' on Schedule 'A' to this By-law shall be used in accordance with the 'M1' Zone provisions contained in this By-law, excepting however, that:

- i) A rear yard setback of 7.5 metres is permitted.
- ii) A front yard setback of 6 metres is permitted.
- iii) A maximum lot coverage of 75% is permitted.
- iv) Off street parking is permitted in any required yard provided there is a 1m setback to property line(s), this shall not supersede the requirements of any required Planting Areas (Section 4.24) or Landscaping (Section 5.3.5).
- v) Setbacks - Provincial and County Roads and Railways (Section 4.25) - shall not apply.
- vi) A -H Holding Provision shall be applied within what were the required setbacks of Section 4.25 which may be lifted upon submission of a Site Plan and Engineered Lot Grading and Drainage Plan which demonstrates positive drainage from any proposed buildings with no impacts to the County storm water

- management system and no impacts to snow plowing operations.
- vii) Outdoor Storage is permitted in accordance with the Outdoor Storage Regulations (Section 4.22).
    - a. Any outdoor storage shall be screened from view from the street and any adjacent non-industrial zoned properties.
    - b. Outdoor storage is permitted up to a maximum height of 10m

**25.194      *By-Law No. 2026-13 [60 Baseline & 90 Baseline]***

Notwithstanding their 'AG1' Zoning designation, those lands delineated as 'AG1 – 25.194' and 'AG1-194-H1' on Schedule 'A' to this By-law shall be used in accordance with the 'M1' Zone provisions contained in this By-law, excepting however, that:

- i) A minimum lot area of +/-18.3 ha is permitted.

Note: The H1 zoning provision addresses areas of high archaeological potential per Section 2.12.

# **SCHEDULE 'A'**

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## **SCHEDULE 'B'**

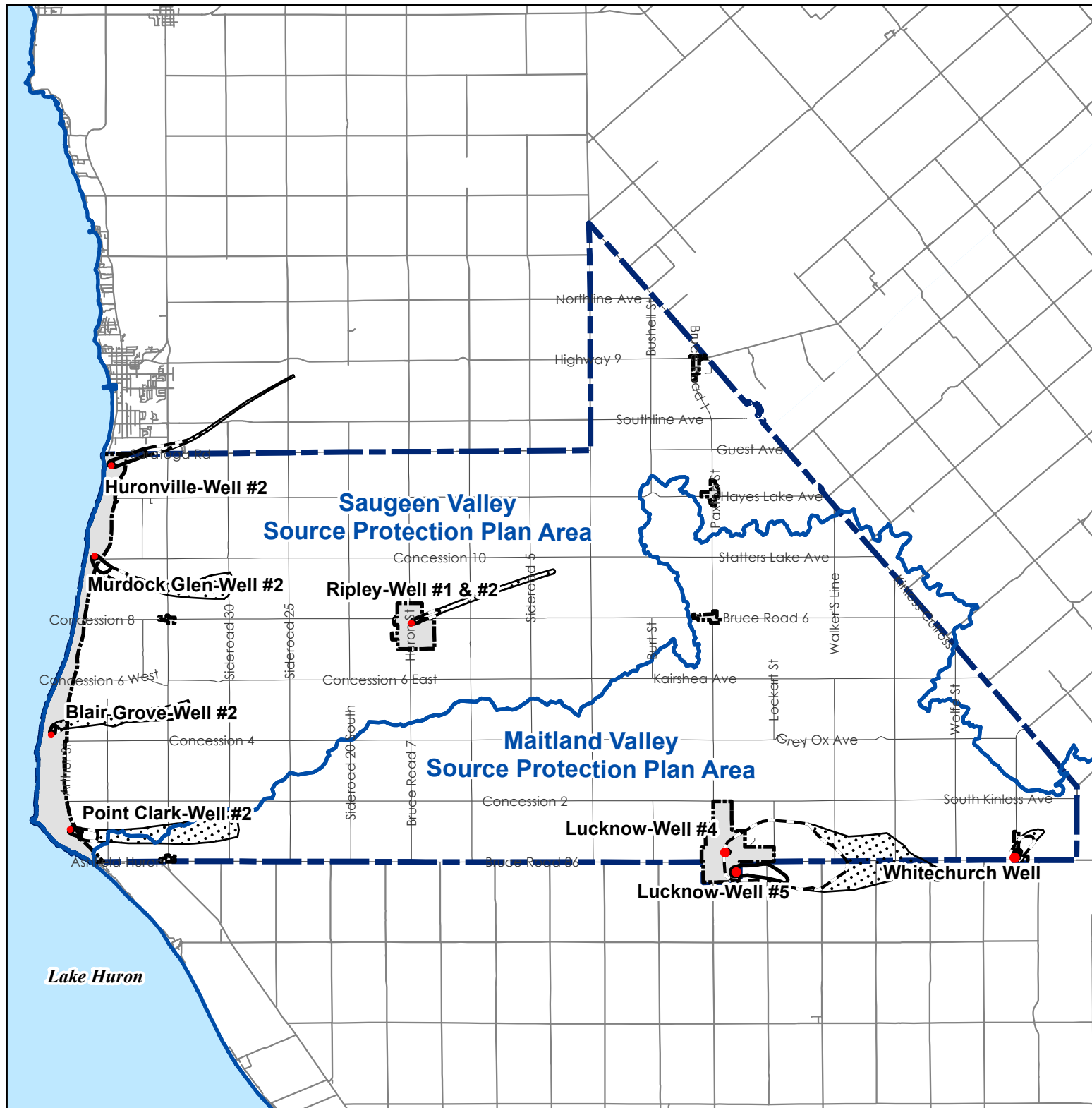
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# Township of



## Schedule 'B'

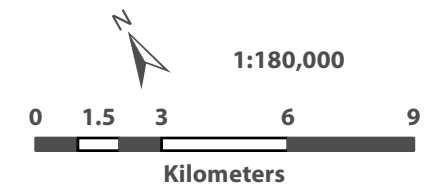
### Zoning By-law 2018-98 Wellhead Protection Areas



#### Legend

- Township Boundary
- Settlement Boundary
- Source Protection Area Boundary
- Wellhead Protection Area
  - WHPA - A
  - WHPA - B
  - WHPA - C
  - WHPA - D

**NOTE:**  
The Source Water Protection policies of Section 2.9.3 of this Plan do not apply to lands outside of the Settlement Area boundary. Lands outside of the Settlement Area boundary must conform to the policies of the Bruce County Official Plan.



**Sources**  
Produced using basemap data provided by the County of Bruce © 2013. Information under license with Saugeen Valley Conservation Authority © 2015; Maitland Valley Conservation Authority © 2010; MNR © 2011, Township of Huron-Kinloss © 2011

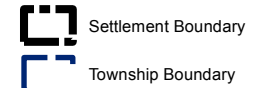
# Township of



## Schedule 'B-1'

### Zoning By-law 2018-98 Wellhead Protection Areas Lucknow

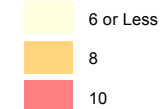
#### Legend



#### Wellhead Protection Area



#### Vulnerability Score



**NOTE:**  
The Source Water Protection policies of Section 2.9.3 of this Plan do not apply to lands outside of the Settlement Area boundary. Lands outside of the Settlement Area boundary must conform to the policies of the Bruce County Official Plan.



1:25,000

0 250 500 1,000

Meters

**Sources**  
Produced using basemap data provided by the County of Bruce © 2013. Information under license with Saugeen Valley Conservation Authority © 2015; Maitland Valley Conservation Authority © 2010; MNRF © 2011, Township of Huron-Kinloss © 2011

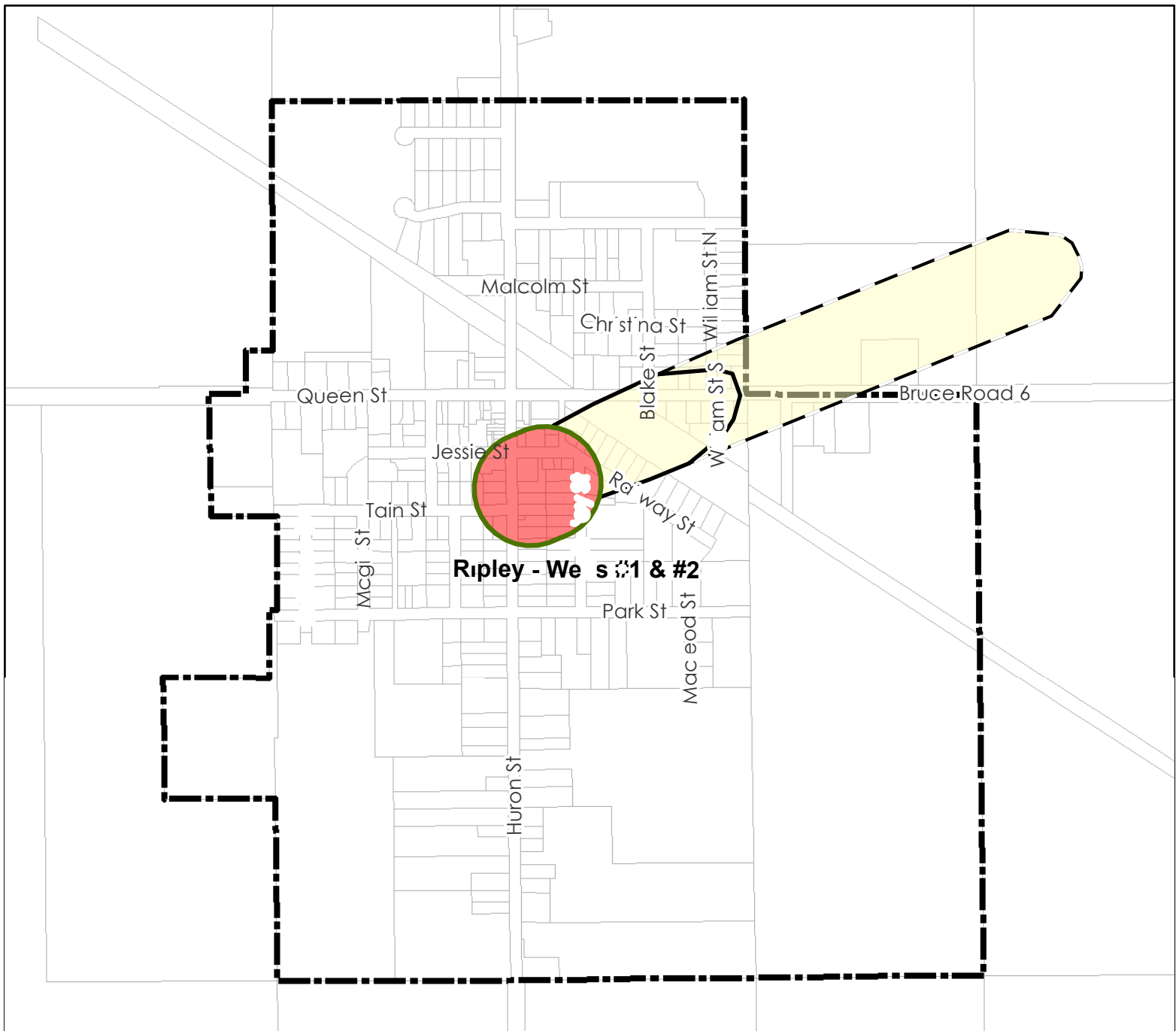
Lucknow - Well #4

Lucknow - Well #5

St Helens Line

Harper Line

Lucknow Line



## Legend

 Settlement Boundary

 Township Boundary

### Wellhead Protection Area

 WHPA - A

 WHPA - B

 WHPA - C

### Vulnerability Score

 6 or Less

 8

 10

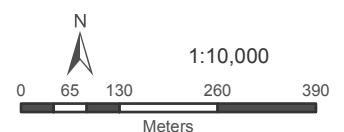
**NOTE:**  
The Source Water Protection policies of Section 2.9.3 of this Plan do not apply to lands outside of the Settlement Area boundary. Lands outside of the Settlement Area boundary must conform to the policies of the Bruce County Official Plan.

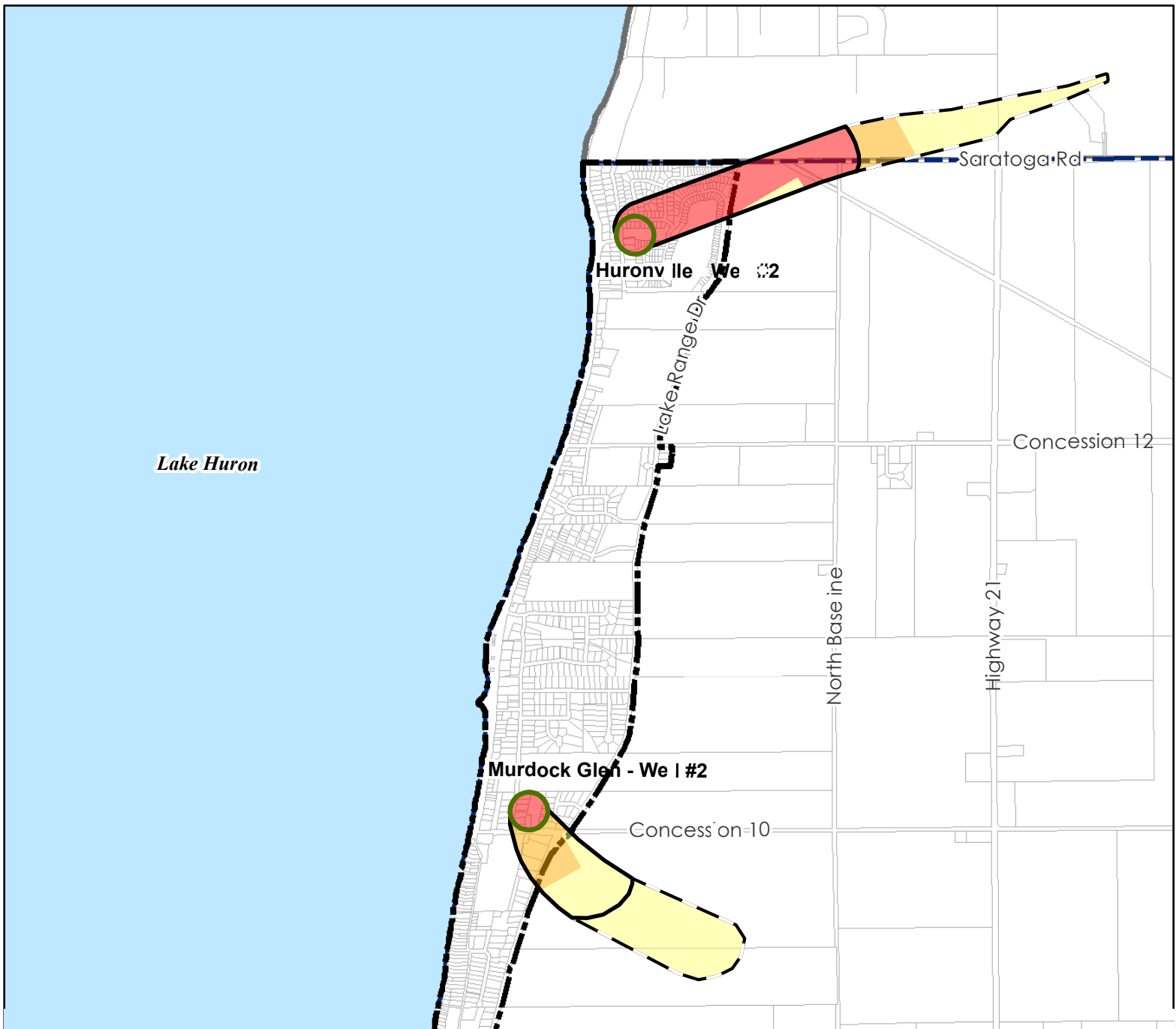
Township of



## Schedule 'B-2' Zoning By-law 2018-98 Wellhead Protection Areas

Ripley





## Legend

■ Settlement Boundary

□ Township Boundary

### Wellhead Protection Area

□ WHPA - A

□ WHPA - B

□ WHPA - C

### Vulnerability Score

□ 6 or Less

□ 8

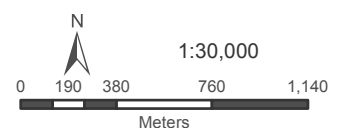
□ 10

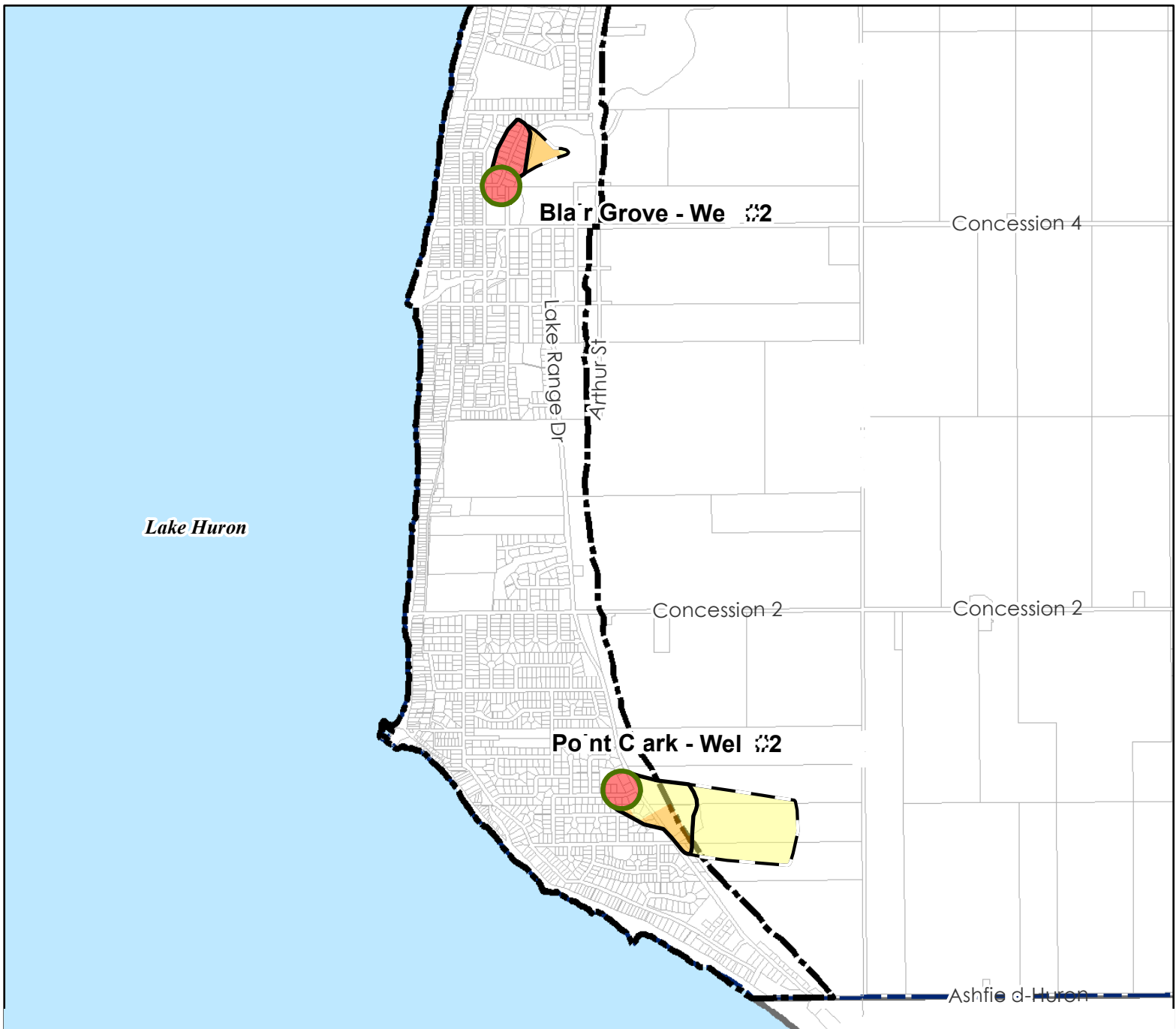
NOTE:  
The Source Water Protection policies of Section 2.9.3 of this Plan do not apply to lands outside of the Settlement Area boundary. Lands outside of the Settlement Area boundary must conform to the policies of the Bruce County Official Plan.

Township of



## Schedule 'B-3' Zoning By-law 2018-98 Wellhead Protection Areas Lakeshore Urban Area North





## Legend

Settlement Boundary

Township Boundary

### Wellhead Protection Area

WHPA - A

WHPA - B

WHPA - C

### Vulnerability Score

6 or Less

8

10

**NOTE:**  
The Source Water Protection policies of Section 2.9.3 of this Plan do not apply to lands outside of the Settlement Area boundary. Lands outside of the Settlement Area boundary must conform to the policies of the Bruce County Official Plan.

Township of



## Schedule 'B-4'

### Zoning By-law 2018-98

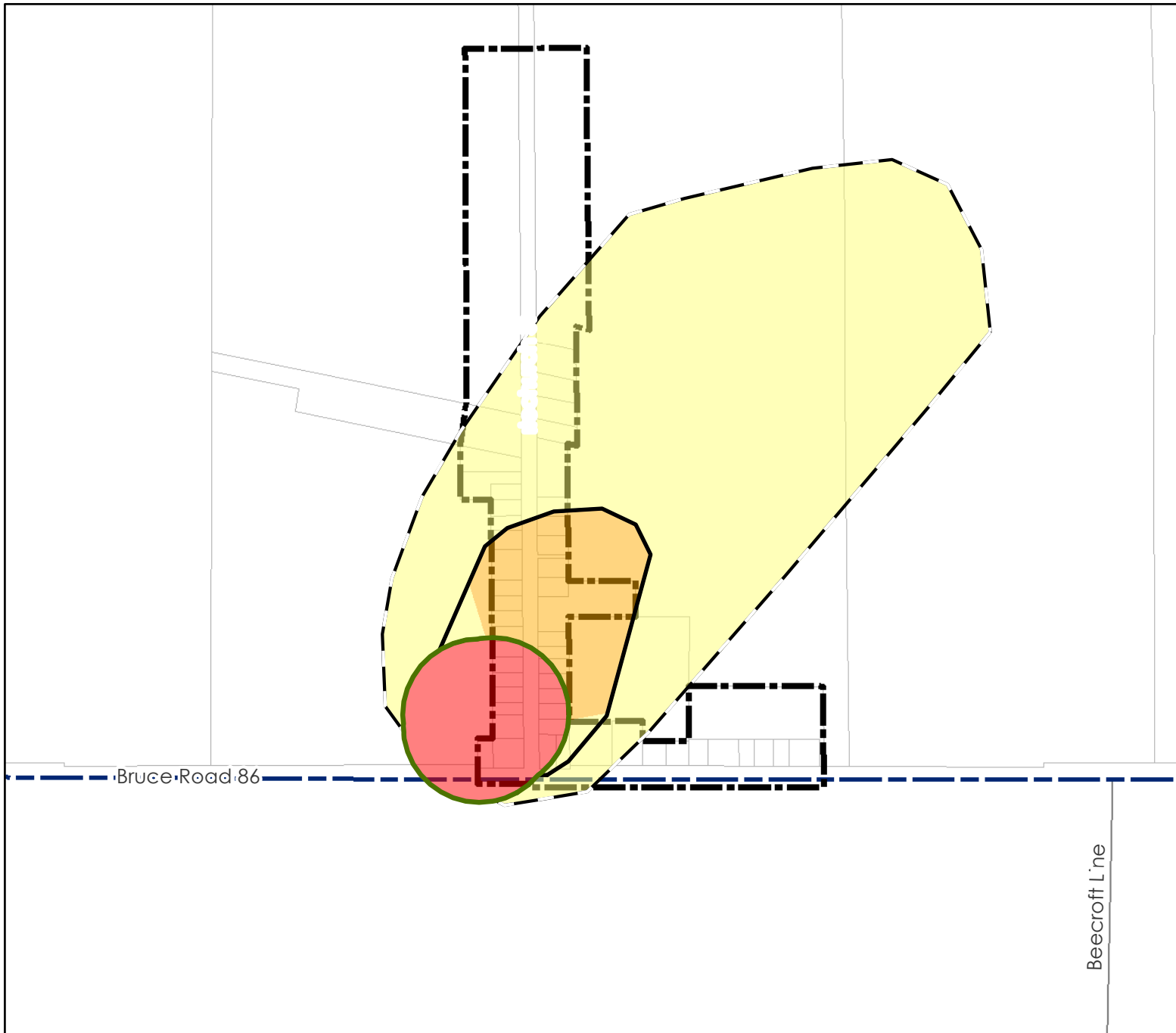
### Wellhead Protection Areas

### Lakeshore Urban Area South



1:30,000

0 50 100 200 300  
Meters



## Legend

-  Township Boundary
-  Settlement Boundary

## Wellhead Protection Area

-  WHPA - A
-  WHPA - B
-  WHPA - C

## Vulnerability Score

-  6 or Less
-  8
-  10

**NOTE:**  
The Source Water Protection policies of Section 2.9.3 of this Plan do not apply to lands outside of the Settlement Area boundary. Lands outside of the Settlement Area boundary must conform to the policies of the Bruce County Official Plan.

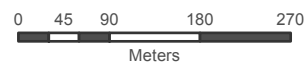
Township of



# Schedule 'B-5' Zoning By-law 2018-98 Wellhead Protection Areas Whitechurch



1:7,500

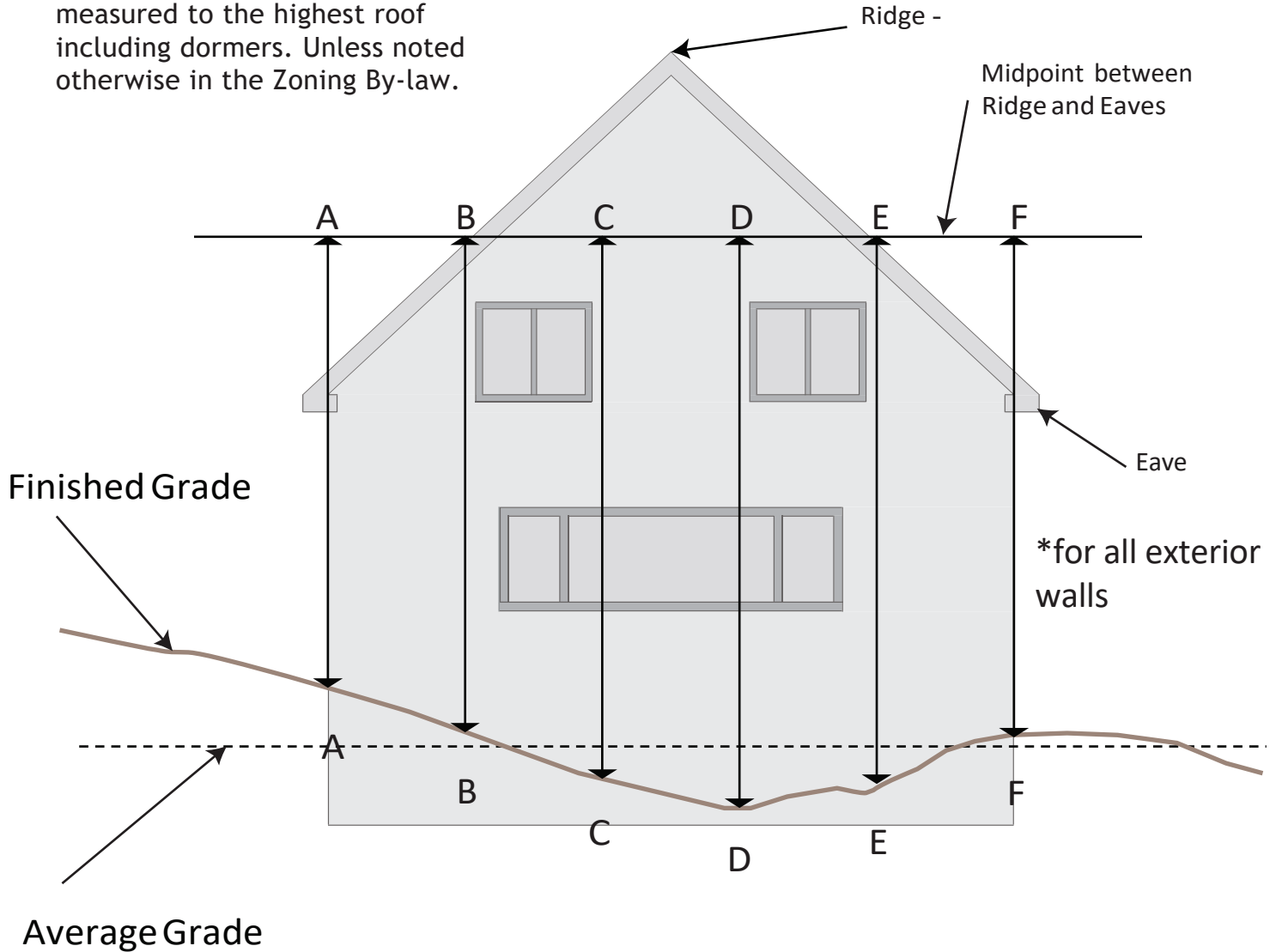


## **APPENDIX 'A'**

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## Building Height - Average Grade

\*in all cases height of building is measured to the highest roof including dormers. Unless noted otherwise in the Zoning By-law.

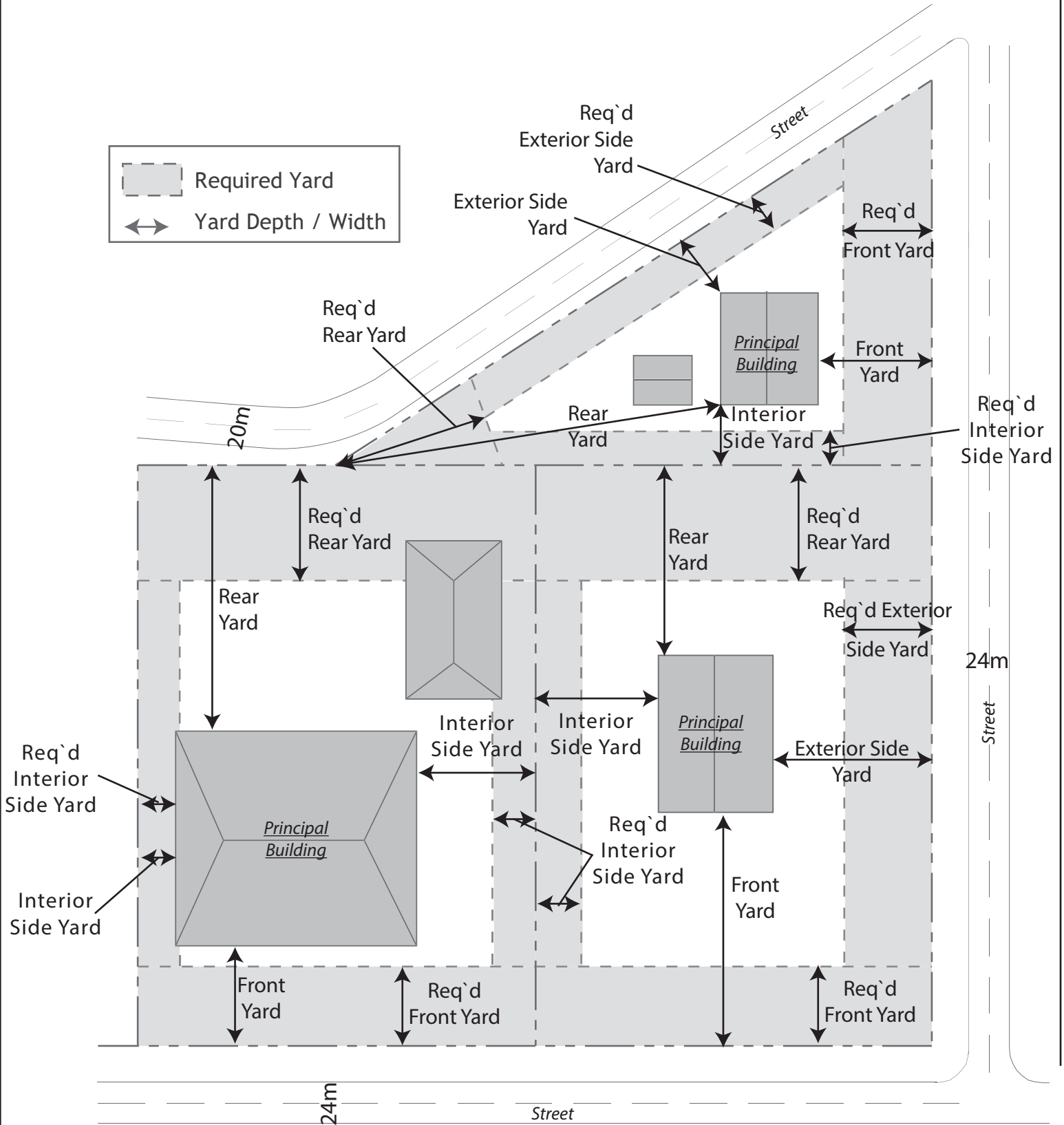
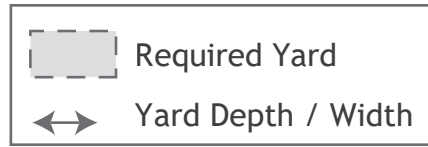


Example:

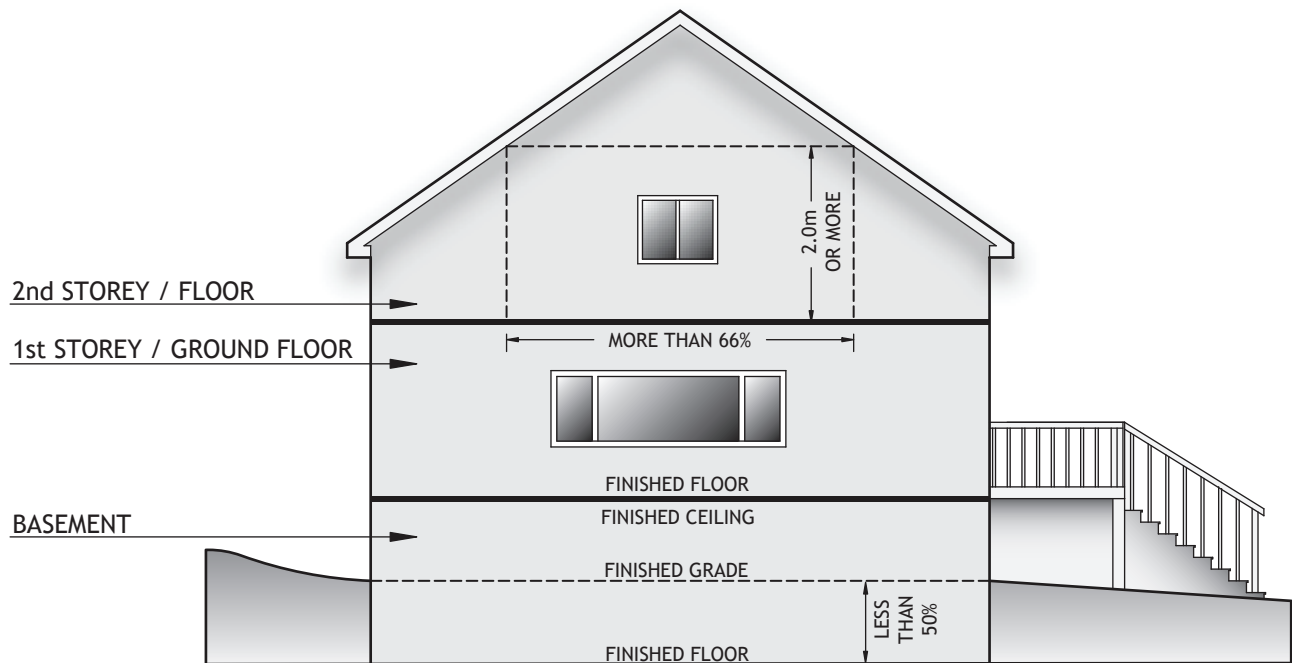
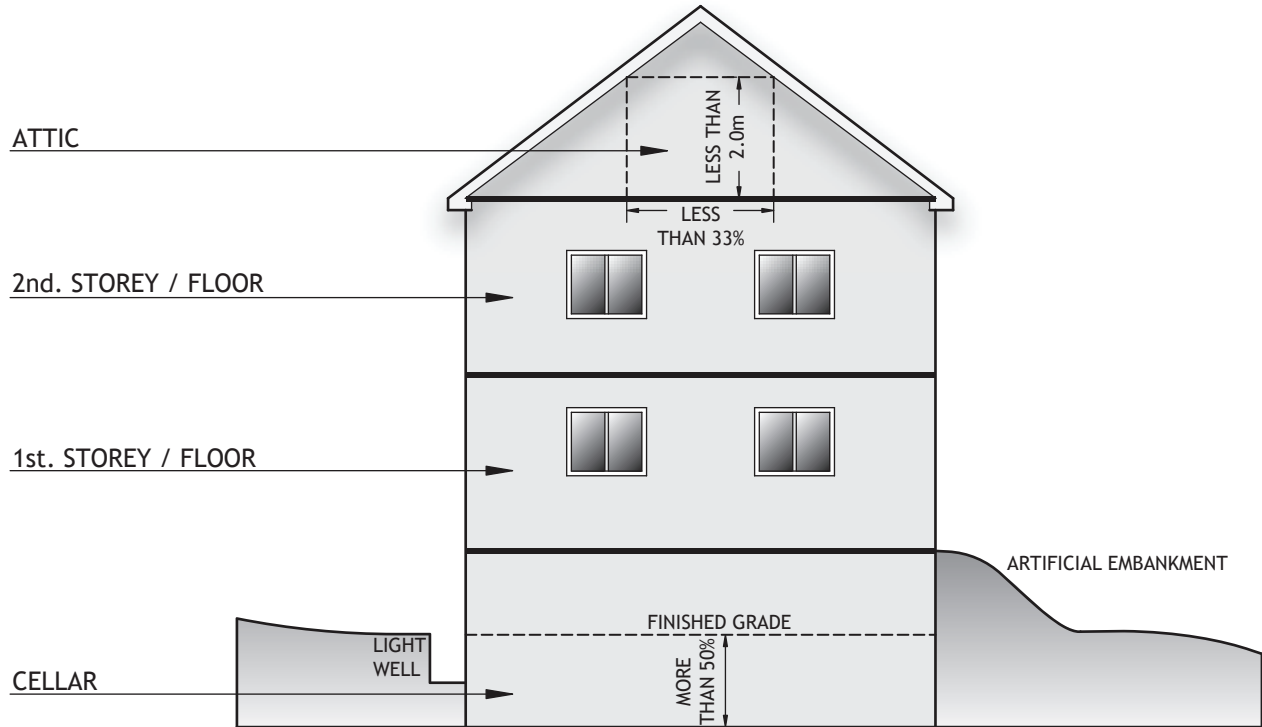
$$\frac{A + B + C + D + E + F}{6} = \text{Average Grade of Exterior Wall}$$

$$\frac{\text{sum of average grade of all exterior walls}}{\text{\# of exterior walls}} = \text{Average Grade}$$

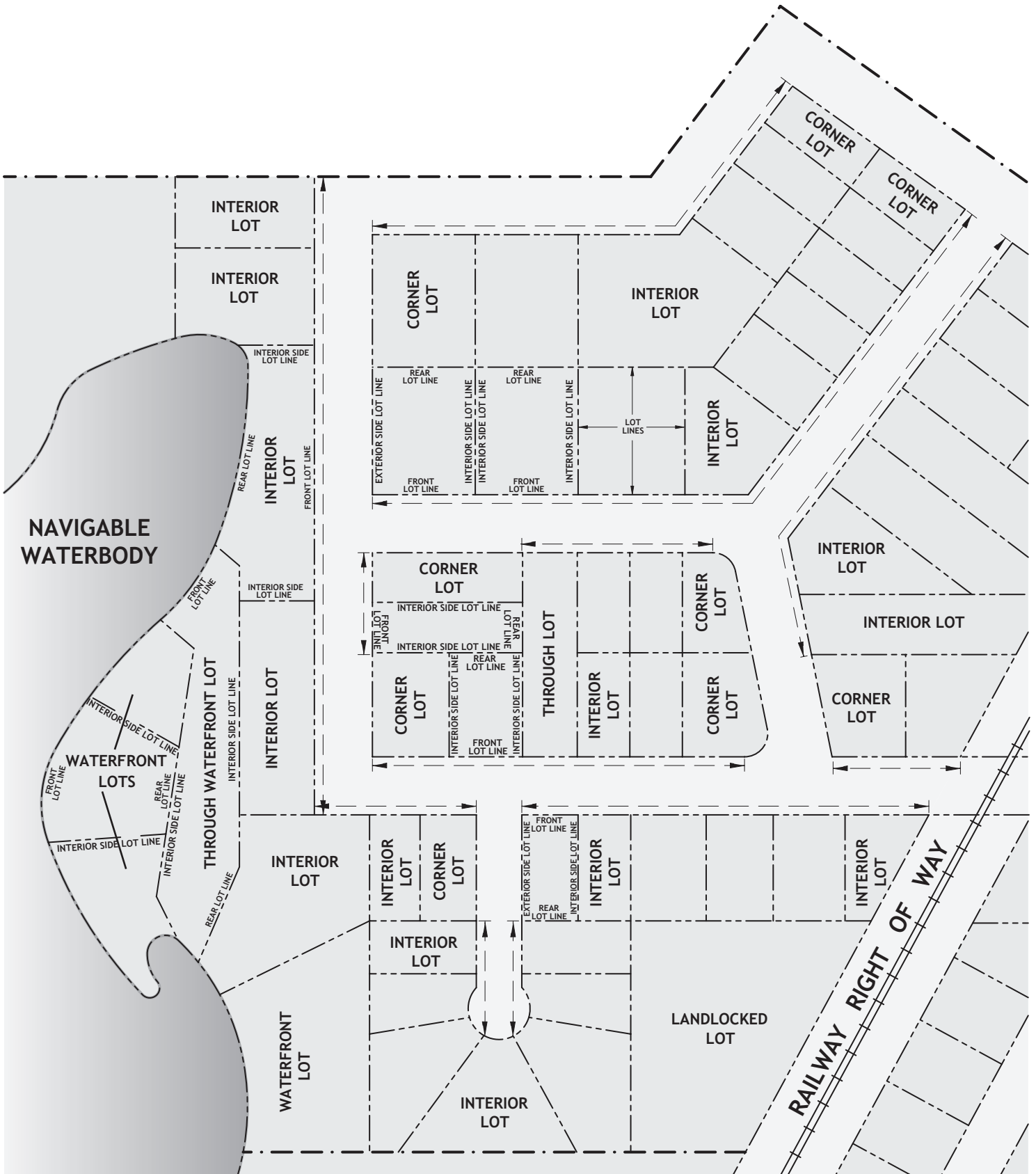
# REQUIRED YARDS



# STOREY DEFINITIONS



# LOTS AND STREET FRONTAGE

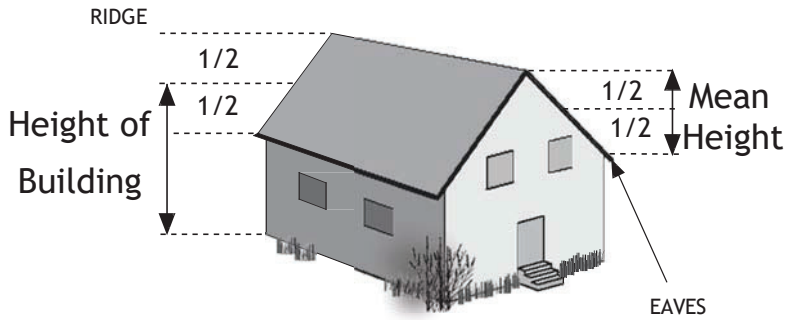


STREET FRONTAGE

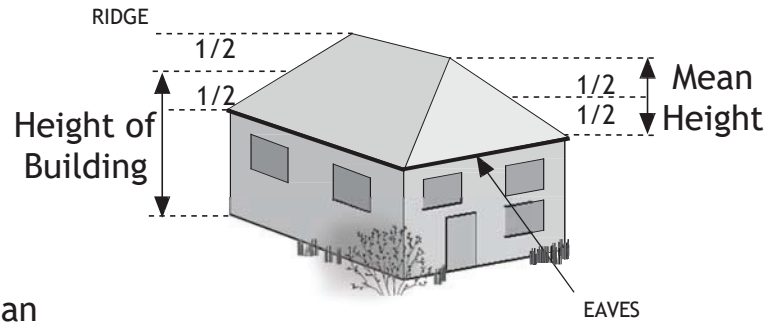
# BUILDING HEIGHT

\*In all cases height of building is measured to the highest roof including dormers. Unless noted otherwise in the Zoning By-law.

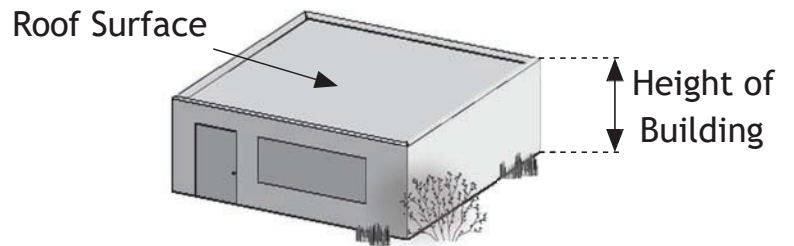
## GABLE ROOF



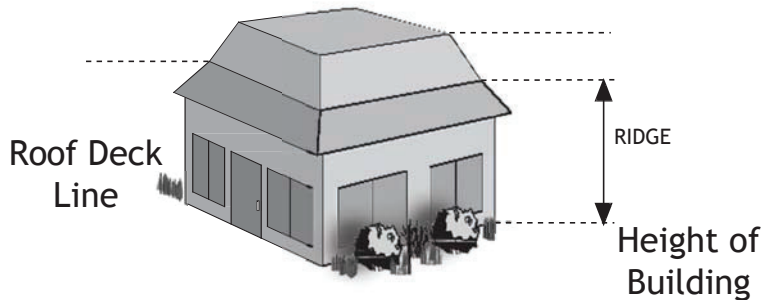
## HIP ROOF



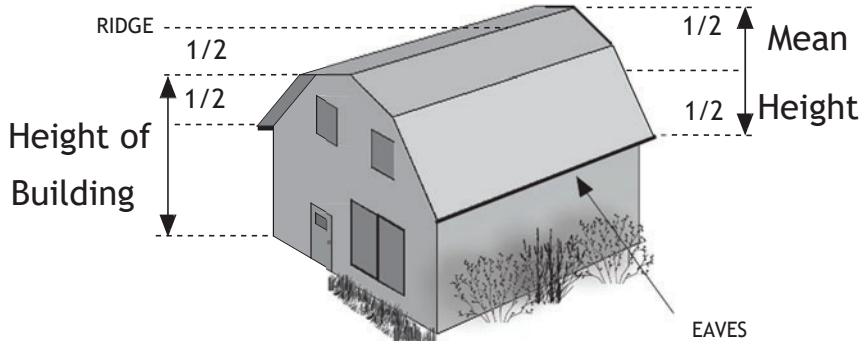
## FLAT ROOF



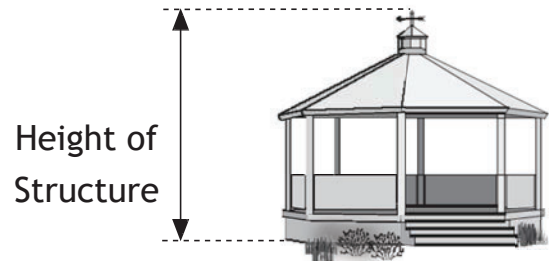
## MANSARD ROOF



## GAMBREL ROOF

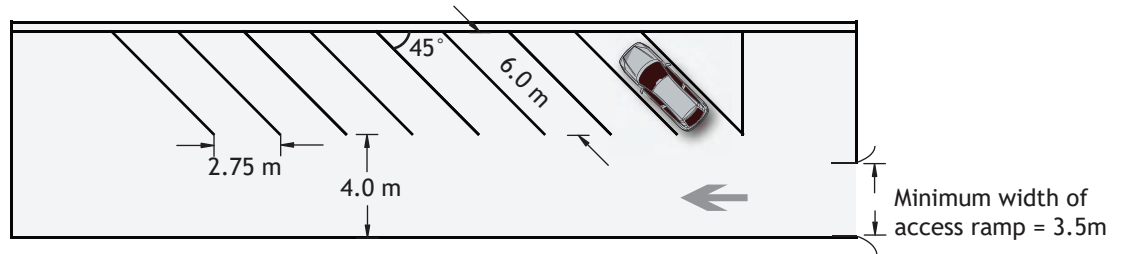


## ACCESSORY STRUCTURE

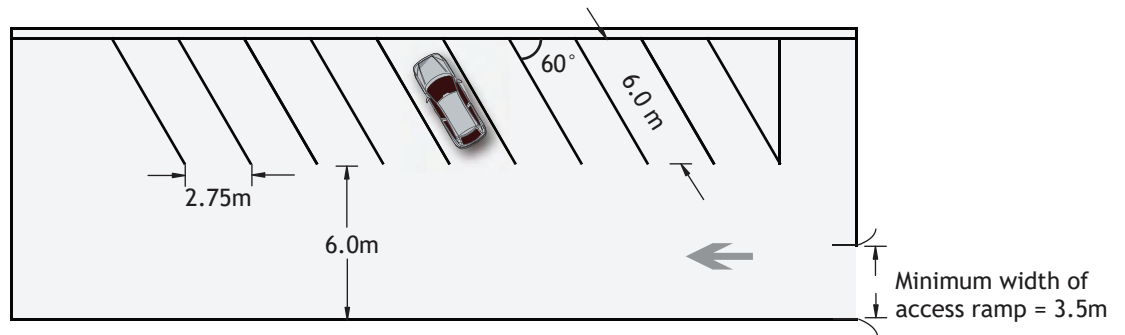


# PARKING SPACE SIZE AND PARKING AISLE REQUIREMENTS

0 - 45 degree angle



45 - 60 degree angle



60 - 90 degree angle

