Zoning By-Law

| Township of Emo

COUNCIL ADOPTION OCTOBER 15, 2013

FOTENN PLANNING & URBAN DESIGN

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Zoning By-Law
| Township of Emo

COUNCIL ADOPTION OCTOBER 15, 2013

THE CORPORATION OF THE TOWNSHIP OF EMO

BY-LAW NUMBER 2013-06

Being a by-law to adopt a Zoning By-law for the Corporation of the Township of Emo and Repeal By-law Number 98-13.

The Council of the Corporation of the Township of Emo, in accordance with the provisions of the *Planning Act*, RSO 1990, as amended, hereby enacts as follows:

1) That the Township of Emo Zoning By-law 2013-06, consisting of the attached text and schedules (maps) is hereby adopted with the following amendments:

   a) That Schedule A-1 – Village of Emo Settlement Area be amended as shown on Figure 1.

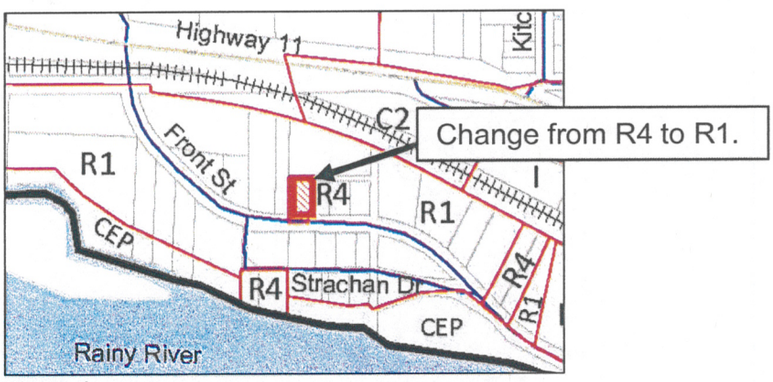

Figure 1

   b) That Schedule A-1 – Village of Emo Settlement Area be amended as shown on Figure 2.

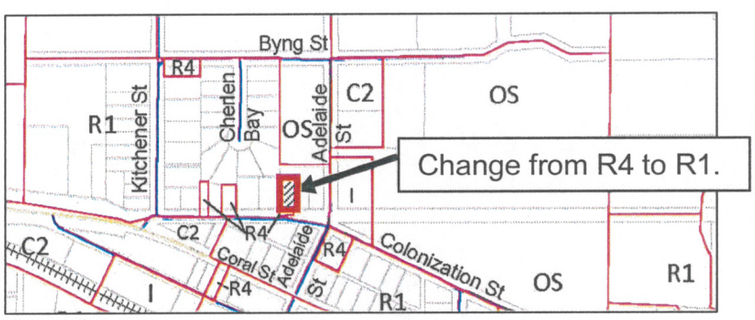

Figure 2

   c) That Schedule A-1 – Village of Emo Settlement Area be amended as shown on Figure 3.

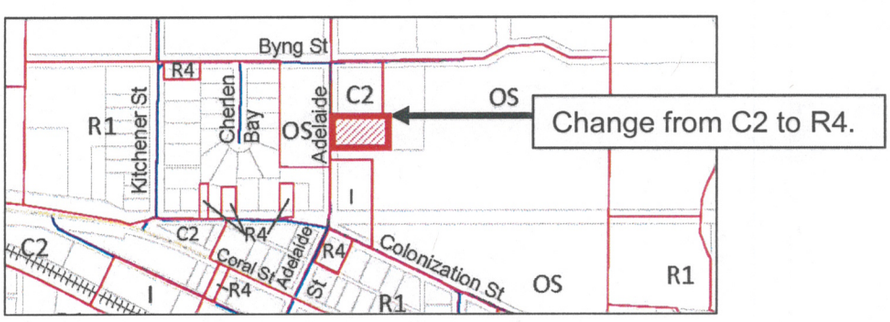

Figure 3

d) That Schedule A-1 – Village of Emo Settlement Area be amended as shown on Figure 4.

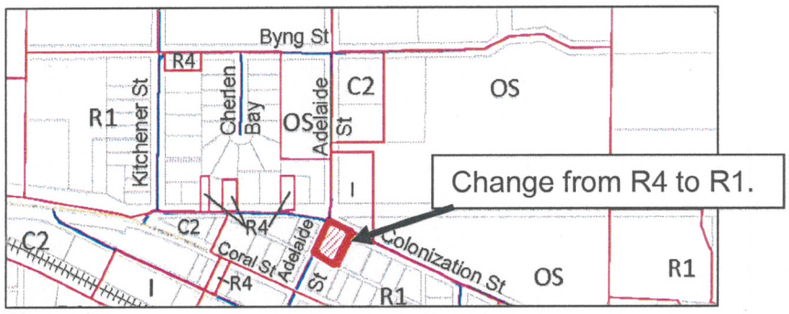

Figure 4

e) That Schedule A-1 – Village of Emo Settlement Area be amended as shown on Figure 5.

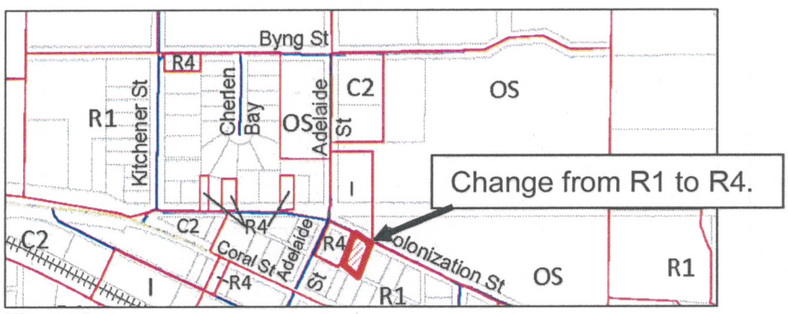

Figure 5

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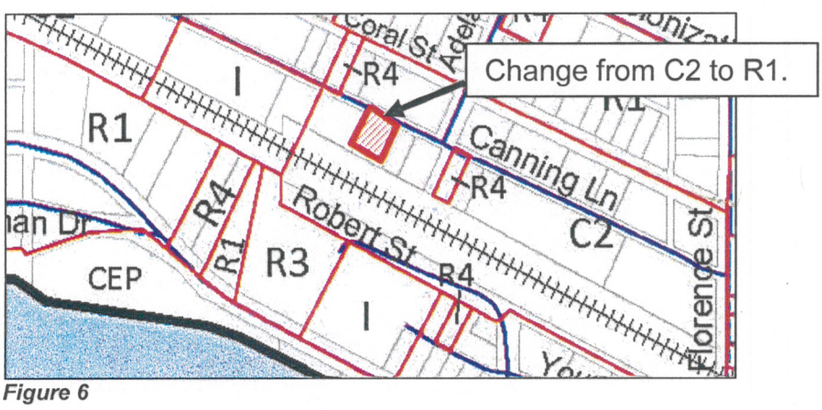

Figure 6

g) That Schedule A-1 – Village of Emo Settlement Area be amended as shown on Figure 7.

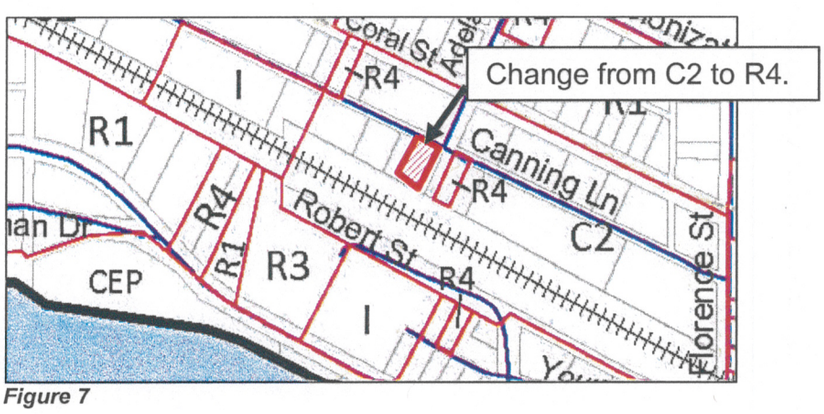

Figure 7

h) That Schedule A-1 – Village of Emo Settlement Area be amended as shown on Figure 8.

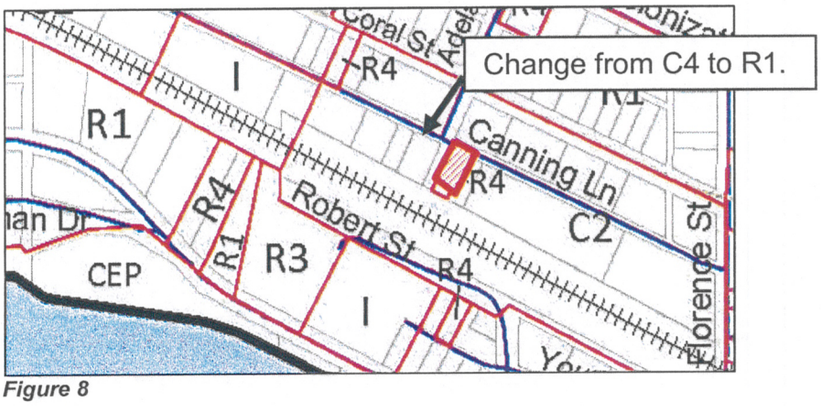

Figure 8

i) That Schedule A-1 – Village of Emo Settlement Area be amended as shown on Figure 9.

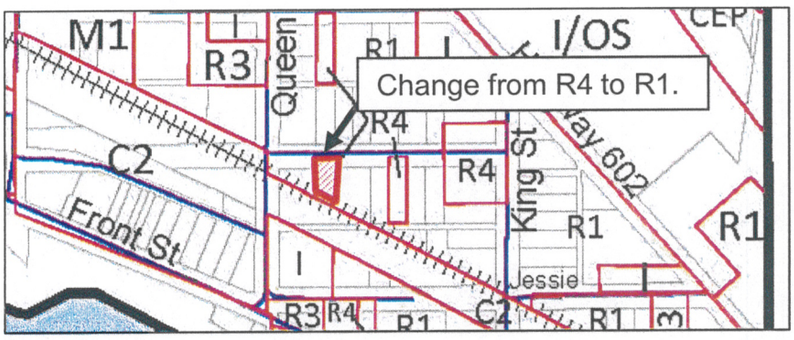

Figure 9

j) That Schedule A-1 – Village of Emo Settlement Area be amended as shown on Figure 10.

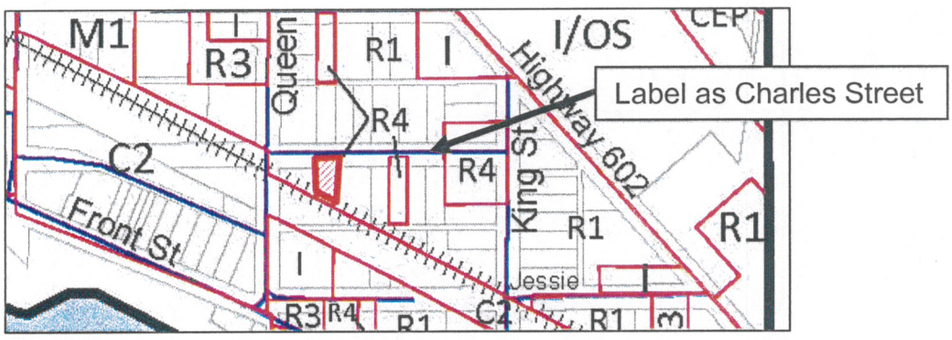

Figure 10

k) That Schedule A-1 – Village of Emo Settlement Area be amended as shown on Figure 11.

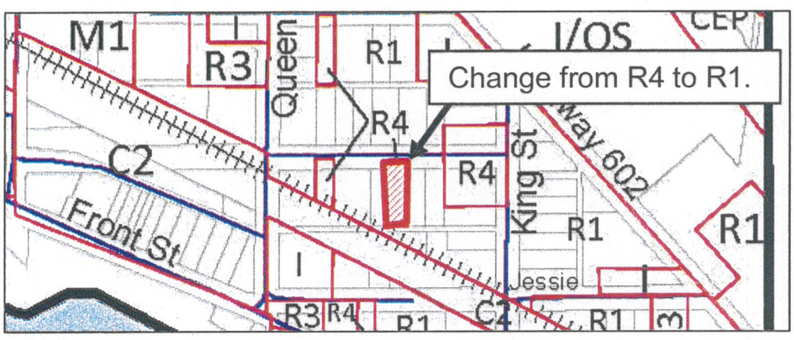

Figure 11

l) That Schedule A-1 – Village of Emo Settlement Area be amended as shown on Figure 12.

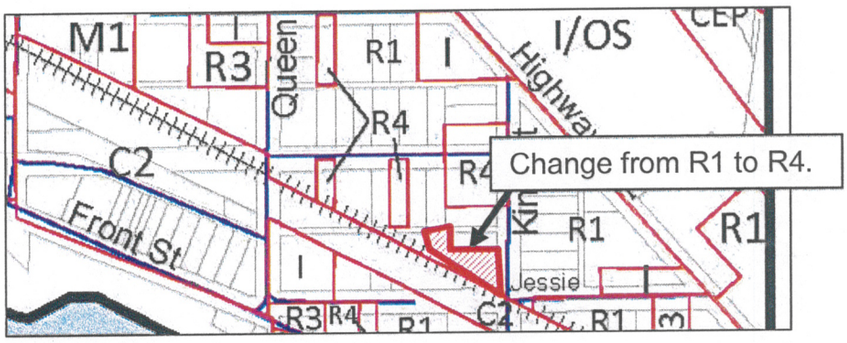

Figure 12

m) That Schedule A-1 – Village of Emo Settlement Area be amended as shown on Figure 13.

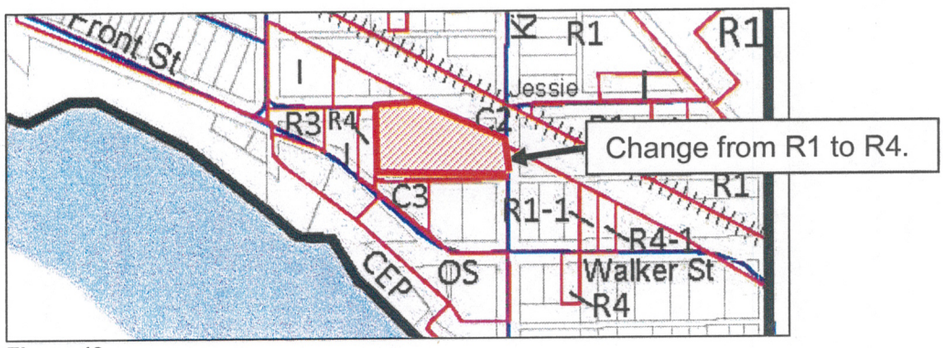

Figure 13

n) That Schedule A-1 – Village of Emo Settlement Area be amended as shown on Figure 14.

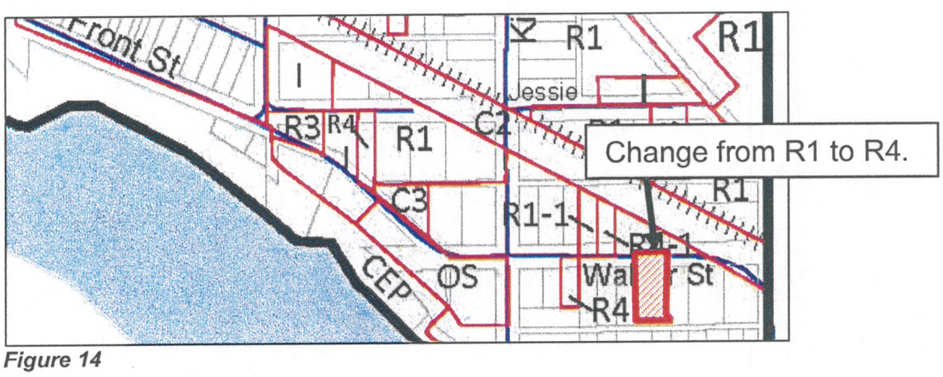

Figure 14

2) That the Zoning By-law 2013-06 of the Township of Emo hereby supersedes the Township of Emo Zoning By-law 98-13;

3) That Township of Emo By-law Number 98-13, as amended, is hereby repealed.

4) That this By-law shall take effect and come into force upon third and final reading thereof.

READ A FIRST AND A SECOND TIME ON THIS 5TH DAY OF FEBRUARY, 2013.

READ A THIRD TIME AND FINALLY PASSED ON THIS 15TH DAY OF OCTOBER, 2013.

The Corporation of the Township of Emo

Vincent Sheppard, Mayor

Brenda Cooke, CAO/Clerk-Treasurer

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SECTION 1 INTERPRETATION AND ADMINISTRATION

1.1 TITLE

This By-law shall be known as the "Zoning By-law" of The Corporation of the Township of Emo.

1.2 APPLICATION

The provisions of this By-law shall apply to all lands within the boundaries of The Township as now or hereafter are legally constituted.

1.3 SCOPE

No lands shall be used and no buildings or structures shall be erected, altered, enlarged or used within the Township of Emo except in compliance with the provisions of this By-law.

1.4 MINIMUM REQUIREMENTS

In interpreting and applying the provisions of this By-law, they are held to be the minimum requirements for the promotion of the health, safety, comfort, convenience, and general welfare of the inhabitants of the Township.

1.5 INTERPRETATION OF BY-LAW

1.5.1 DEFINITIONS

In this By-law, unless the context requires otherwise, the definitions set out in Section 2 shall apply. Where a term is not defined, its common usage shall apply.

1.5.2 NUMBER AND GENDER

In this By-Law, unless the contrary intention is indicated, words used in the singular shall include the plural and words used in the male gender shall include the female gender and vice versa.

1.5.3 MEANING OF USE

Unless the context otherwise requires, the expressions "use" or "to use" in this By-law include anything done or permitted by the owner or occupant of any land or buildings, directly or indirectly or by or through any trustee, tenant, servant, or agent, acting for, or with the knowledge or consent of such owner or occupant, for the purpose of making use of the said land or building.

1.5.4 MEANING OF SHALL

In this By-law, the word "shall" shall always be construed as mandatory.

1.5.5 MEASUREMENTS

Measurements of length and area used in this By-law are given in metric units (e.g. metres, hectares).

1.5.6 PRIMARY ZONES

Primary zones are the basic structural unit of this Zoning By-law and identify a land use category with permitted uses and regulations. Primary zones are indicated by a set of symbols, for example R1 represents the Residential 1 (R1) Zone in this By-law.

1.5.7 EXCEPTION ZONES AND TEMPORARY USE BY-LAWS

Where a zone classification is followed by a dash and a number (e.g. RU-1), this denotes an Exception Zone. Lands so zoned shall be subject to all of the provisions of the zone represented by the

classification except as otherwise provided by the Exception provisions, which are listed as separate subsections within the parent zone.

In some cases, temporary use by-laws have been passed by the Township to allow temporary uses pursuant to Section 39 of the *Planning Act*, R.S.O. 1990, C.P. 13. Temporary uses are shown on the zoning schedules as exceptions and details concerning the temporary use are included in the exception text within the specific zone category.

1.5.8 HOLDING ZONES

1. Holding zones are created by adding a capital H in brackets - (H) - to the zone code on the Zoning Schedules. This has the effect of allowing the uses set out in the corresponding text of the by-law at some time in the future. A Holding symbol is removed once specified conditions, which are identified in the exception provisions, are met (e.g. such as conditions related to environmental, transportation, servicing matters), in accordance with Section 36 of the *Planning Act*, as amended.

2. No land shall be used in a Holding Zone (H), except for the following purposes:
   - Accessory Uses
   - Existing Uses

3. The following zone provisions apply to accessory buildings on lands zoned with the H symbol:

	Provision
a) Maximum Lot Coverage	10 percent
b) Maximum Height	10.5 metres
c) Minimum Floor Area	70 square metres
d) Minimum Front Yard	7.5 metres
e) Minimum Side Yard	7.5 metres
f) Minimum Rear Yard	7.5 metres

1.6 USE OF ZONE SYMBOLS

The symbols listed shall be used to refer to land, buildings and structures and uses thereof permitted by this By-law in the said zones, and wherever in this By-law the word "Zone" is used preceded by any of the said symbols, such zones shall mean any area within the Township of Emo delineated on the Zoning Schedules and designated therein by the said symbol.

1.7 INTERPRETATION OF ZONE BOUNDARIES

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

a. Unless otherwise shown, the boundary of the zones as shown on the Zoning Schedules and the centre lines of the road allowance or lot lines and the projection thereof;
b. Where zone boundaries are indicated as approximately following lot lines shown on a plan of subdivision, such lot lines shall be deemed to be the said boundary;
c. Where zone boundaries are indicated as approximately parallel to the line of any road and the distance from such road is not indicated, such zone boundaries shall be construed as being parallel to such road and the distance therefrom shall be determined by the use of the scale shown on the Zoning Schedules;
d. Unless otherwise indicated, a road, lane, railroad, or railway right-of-way or watercourse included on the Zoning Schedules, is included within the zone of the adjoining property on either side thereof; and where such road, lane, right-of-way or watercourse serves as a boundary between two or more different zones, a line midway in such road, lane, right-of-way or watercourse and extending in the general direction of the long division thereof is considered the boundary between zones, unless specifically indicated otherwise;

e. In the event a dedicated road, lane or right-of-way shown on the zone maps is closed, the property formerly in said road lane or right-of-way shall be included within the zone of the adjoining property or either side of the said closed road lane right-of-way and the zone boundary shall be the former centre line of the closed road, lane or right-of-way;
f. Where any zone boundary is left uncertain after application of the preceding provisions, then the boundary line shall be determined according to the scale on the Zoning Schedules in the office of the Chief Building Official; and
g. Wherever it occurs, the limit of the Township of Emo is the boundary of the zone adjacent to it.

1.8 CONFLICT

In the event of a conflict between this By-law and amendments thereto and any other general or special by-law of the Township, the most restrictive By-law shall prevail.

1.9 STRUCTURE

This Zoning By-law is composed of twenty (20) sections:

- Section 1: Interpretation and Administration
- Section 2: Definitions
- Section 3: Establishment of Zones
- Section 4: General Provisions
- Sections 5-19: Zone Provisions
- Section 20: Zoning Schedules

1.10 ADMINISTRATION

This By-law shall be administered by the Chief Building Official and/or such other persons or persons as the Council of the Township of Emo designates.

1.11 LICENSES AND PERMITS

No person shall be entitled to a permit, certificate, or license where the said permit is required for a proposed use of land or a proposed erection, alteration, enlargement or use of any building or structure that is in violation of any provisions of this By-law.

1.12 BUILDING TO BE MOVED

No building, residential or otherwise, shall be moved within the limits of the Township or shall be moved into the Township a location beyond the Township limits, without a permit from the Chief Building Official.

1.13 REPEAL OF EXISTING BY-LAWS

From the coming into force of this By-law, all previous by-laws passed under Section 34 of the *Planning Act* or a predecessor thereof, shall be deemed to have been repealed except to the extent that any of the said by-laws prohibits the use of any land, building or structure for a purpose that is also prohibited by this By-law.

1.14 APPLICATION OF OTHER BY-LAWS

Nothing in this By-law shall serve to relieve any person from the obligation to comply with the requirements of any other By-law of the Township, in force from time to time, or the obligation to obtain any license, permit, authority or approval required under any By-law of the Township.

1.15 VALIDITY

Should any section, clause or provision of this By-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the By-law shall not be affected.

1.16 VIOLATIONS AND PENALTIES

1. Every person who uses any lot, or erects or uses any building or structure or any part of any lot, building or structure, in a manner contrary to any requirement of this Bylaw, or who causes or permits such use or erection, or who contravenes any provision of this By-law or causes or permits a contravention, shall be guilty of an offence and upon conviction therefore, shall be liable:
    a. on a first conviction to a fine of not more than $25,000; and
    b. on a subsequent conviction to a fine of not more than $10,000 from each day or part thereof upon which the contravention has continued after the day on which the conviction was first made.
2. Where a corporation is convicted under this Section, the maximum penalty that may be imposed is:
    a. on a first conviction, a fine of not more than $50,000; and ii) on a subsequent conviction, a fine of not more than $25,000 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.
3. Every such penalty as set out in this Section shall be recoverable under the Section 67 of the *Planning Act*, 1990 and/or the *Provincial Offenses Act* and/or any other legislation applicable.

1.17 REMEDIES

In case any buildings or structure or any part thereof is to be erected, altered, reconstructed or extended, or any lot is being used or is to be used, in contravention of any requirement of this By-law, such contravention may be restrained by action at the instance of any rate-payer or of the Township, pursuant to the provisions of the *Planning Act* and/or the *Municipal Act* and/or any other legislation applicable.

SECTION 2 DEFINITIONS

For the purpose of this By-law, the definitions and interpretations given herein shall govern.

Abandoned
Means the failure, in the opinion of the Chief Building Official, to proceed expeditiously with construction work or to undertake construction work during any continuous 12 month period.

Abattoir
Means a building, structure or lot or part thereof, used for the slaughter of livestock, poultry or other animals for purpose of processing or rendering.

Accessory Building or Structure
Means a detached building or structure that is not used for human habitation except where a residential use is a permitted accessory use, but the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to a principal use or building and located on the same lot therewith and includes a detached private garage, carport, detached deck and dock.

Accessory Apartment
Means self-contained apartments created through converting part of or adding on to a building containing a commercial use.

Accessory Dwelling Unit
Means a detached dwelling unit on a commercial lot.

Accessory Use
Means a use naturally and normally incidental to, subordinate to, or exclusively devoted to a principal use and located on the same lot therewith.

Aggregate
Means gravel, sand, clay, rock, or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes.

Agricultural Services
Means the use of lands, structure or building for the purposes of buying and selling commodities and services that are necessary to support agricultural operations, including livestock sales barn, but does not include any manufacturing, assembling, processing, warehousing or construction uses.

Agricultural Use
Means the cultivation of land, including nursery 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 accommodate for full-time labour when the size and nature of the operation requires additional employment.

Airport or Aircraft Landing Area
Means the use of land, including water, runway, or other facility designed, used or intended to be used, either publicly or by any person or persons, for the landing or taking off of aircraft, including all necessary taxiways, aircraft storage, tie-down areas, hangars and other necessary buildings, structures and open spaces.

Alter
When used in reference to a building or structure or part thereof, means to change the use or the external dimensions of such building or structure or to change the type of construction of the exterior walls or roof thereof.

Notwithstanding the above, when used in reference to a lot, the word "alter" means to increase the width, depth or area thereof or to decrease the width, depth or area of any required yard, setback, landscaped open space, or parking area, or to change the location of any boundary of such lot with respect to a road or lane, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise; or

Notwithstanding the above, when used in reference to a use, to discontinue and replace a use with a use which is defined herein as being distinct from the discontinued use.

Animal Hospital
Means a “Veterinary Clinic” as defined in this By-law.

Animal Shelter
Means a building or portion thereof where small domestic animals/pets, birds, livestock or farm animals are given temporary shelter, where minor treatment is given, and includes a public pound and crematorium but does not include an animal hospital, a veterinary clinic or any establishment engaged primarily in the retail sale of animals or in the breeding or training of animals for gain or profit.

Apartment Dwelling
Means a residential dwelling unit located within a commercial use building or an apartment building.

Arcade
Means an establishment, or parts of an establishment, containing three or more arcade machines operated for gain, including where the operation of such arcade machines for gain is an accessory use or is not the primary use of the establishment.

Arena
Means a facility for sport activities and includes ice surfaces for hockey and curling and other surfaces for any sporting activity.

Assembly Hall
Means a building, or part thereof, in which facilities are provided for such purposes as meetings for civic, educational, political, recreational, religious or social purposes and, without limiting the generality of the foregoing, may include such facilities as a banquet hall or private club.

Attached
Means a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.

Attic
Means the space between the ceiling of the top storey and the roof or between a dwarf wall and a sloping roof.

Automobile Service Station
Means a building or part of a building or a clearly defined space on a lot used primarily for the retail sale or some or all of lubrication oils, gasoline, diesel fuel and propane for motor vehicles, and may include the sale of automobile accessories, and the servicing and repairing essential to the operation of motor vehicles, but does not include a car washing establishment.

Automobile Wrecking Yard or Scrap Metal Yard
A place where motor vehicles are wrecked or disassembled and resold.

Bake Shop
Means a bakery where the prepared food products of such bakery are offered for retail sale on the same premises.

Basement or Cellar
Means that portion of a building between two floor levels which is more than 50% below the ground level at the exterior walls.

Bed and Breakfast Establishment
Means a single-detached dwelling in which not more than 4 habitable rooms for overnight lodging are provided for gain, with breakfast included, to persons other than the lessee, tenant or owner of said dwelling, or any member of the his household, but shall not include a hotel, motel, tourist commercial establishment, trailer camp or hunt camp.

Boarding House
Means “Rooming House” as defined in this By-law.

Boat House
Means a detached accessory building or structure constructed for the purpose of sheltering or storage of boats or other form of water transportation and accessories, but it shall not include a dwelling unit.

Buffer Strip
Means an area of land used for no other purpose than for the erection of a fence, or the planting and maintaining of a continuous row of natural evergreens or a continuous unpierced hedgerow of natural shrubs and the remainder of which is to be used for landscaping.

Building
Shall include any structure, whether temporary or permanent, used or intended for sheltering any use or occupancy, but shall not include a boundary wall or fence or any vehicle as defined herein.

Building Area
Means the greatest horizontal area of a storey above grade within the outside surface of exterior walls or within the outside surface of exterior walls and the centre line of firewalls.

Builders’ Supply Outlet
Means a commercial establishment used for milling, storage, or wholesaling of a broad range of building materials and tools.

Business
Means a building in which one or more persons are employed in the management, direction, or conducting of a business or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatments.

By-law Enforcement Officer
Means a person appointed by Council and charged with the duty of enforcing the provisions of the Zoning By-law and any amendments hereto.

Cabin
Means a "cottage" as defined in this By-law.

Campground
Means a parcel of land used for short-term occupancy by campers using travel trailers, tents, tent trailers, or other moveable dwellings, rooms or sleeping quarters of any kind for short-term occupancy.

Carport
Means “garage” as defined in this By-law.

Car Wash
Means an establishment where motor vehicles are washed, cleaned or polished for compensation, including a coin wash, but does not include a service station or vehicle repair shop where car washing is incidental to the operation of such service station or vehicle repair shop.

Cemetery
Means a cemetery or columbarium within the meaning of the *Cemetery Act* as amended from time to time.

Clinic
Means a building or structure that is used or intended for use by one or more physicians, dentists, chiropractors and/or drugless practitioners for the purpose of consultation, diagnosis and office treatment, but does not include short and long-term patient care facilities.

Club, Private
Means a building or part thereof used as a meeting place for members of an organization not operated for profit or of an athletic, social or recreational club not operated for profit.

Club, Commercial
Means a building or part thereof used as a meeting place for members of an organization operated for profit or of an athletic, social or recreational club operated for profit.

Commercial Storage Facility
Premises where individual enclosed areas are made available to the public for keeping or storing goods or commodities, but does not include any hazardous material or fuel storage.

Commercial Use
Means the use of land or buildings for the purpose of buying and/or selling commodities and supplying services separate from such uses as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.

Community Centre
Means a building used primarily for community activities and not used for commercial purposes, the control of which is vested in the Township, a local board, or commission.

Conservation Use
Means the preservation, protection and improvement of the components of the natural environment through a comprehensive management and maintenance program administered by a public authority for individual or public use.

Contractor's Yard
Means a yard and associated buildings of any general contractor or builder where equipment and materials are stored or where a contractor performs shop or assembly work but shall not include aggregate material.

Convenience Store
Means a retail store serving the daily or occasional needs of the residents of the immediate area with a variety of good such as groceries, meats, dairy products, patent medicines, sundries, tobacco, stationery, hardware, magazines and/or newspapers.

Cottage
Means a detached building used as an occasional and seasonal residential dwelling for recreation, rest or relaxation by one household, but not occupied continuously or as a principal residence or as a year-round permanent dwelling.

Council
Means the Council of the Corporation of the Township of Emo.

Day Nursery
A day nursery operated for pre-school age children within the meaning of the *Day Nurseries Act*, R.S.O., 1980, c.111 as amended.

Demolition
Means the removal of a building or any part thereof.

Detached
Means not attached.

Development
Means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*, but does not include:

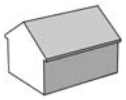
a. activities that create or maintain infrastructure authorized under an environmental assessment process;
b. works subject to the *Drainage Act*; or
c. for the purposes of policy 2.1.3(b), underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 2.1.4(a).

Dock
Means a structure on land or in the water to be used for transferring goods or passengers to or from a boat or airplane. This definition includes a launching ramp or boatlift but does not include any building used for human habitation.

Drive-through Facility
Means an establishment that provides or dispenses products or services, through an attendant or an automated machine, to persons remaining in vehicles that are in designated stacking aisles. A drive-through facility may be in combination with other uses, such as a bank, restaurant or gas station.

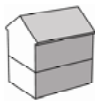
Dwelling
Means a combination of rooms in which a kitchen, living quarters and sanitary conveniences are provided for habitation for the exclusive use of the residents and with a private entrance from outside the building or from a common hallway or stairway inside. It may include a modular home constructed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

Single-detached
Means a separate building or factory built twin-wide or double-wide modular home designed, used, or intended to be used for occupancy as a single dwelling unit. This definition shall not include a mobile home as defined herein.



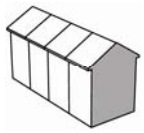
Semi-detached
Means a building that is divided vertically into 2 dwelling units designed or intended to be used for occupancy as a single dwelling unit and which dwelling units may be held in separate ownership. This definition shall not include a mobile home as defined herein.

Dwelling, Duplex
Means a building that is divided horizontally into 2 dwelling units, each of which has an independent entrance either directly or through a common vestibule.



Dwelling, Double Duplex
Means 2 attached duplex dwellings.

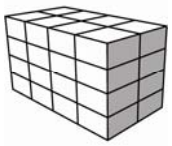
Dwelling, Townhouse
Means the whole of a residential use building containing three or more dwelling units that are divided vertically, each of which has an independent entrance.



Dwelling, Street Townhouse
Means a townhouse or rowhouse dwelling which has direct access and frontage along a public street. Each dwelling unit may be located on a separate lot. For street townhouses, the maximum number of attached units shall be 8 units.

Dwelling, Triplex
Means a building that is divided horizontally into 3 separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.

Apartment Building
Means a building that contains 4 or more dwelling units, which units have one or more common entrances from road level and are served by a common corridor, and the occupants of which units have the right to use in common the corridors, stairs, elevators, yards or one or more of them.



Bachelor
Means a dwelling unit in which only one room or part thereof contains sleeping accommodation, and which room is used as a living or dining room or both, as well as for sleeping purposes, but does not mean or include a dwelling unit containing one or more rooms designed exclusively for sleeping accommodation.

Secondary Dwelling Unit
Means a self-contained dwelling unit created by either an interior renovation within an existing dwelling, or as an exterior addition, provided that one entire face of the addition is attached to the principal dwelling, and shall not be considered a second dwelling on the lot for the purposes of this By-law.

Dwelling, Multiple
Means a building used, designed, or intended to be used for occupancy as 3 or more dwelling units independently of each other.

Dwelling Unit
Means a residential unit that:

a. consists of a self-contained set of rooms located in a building or structure;
b. is used or intended for use as a residential premises
c. contains kitchen and bathroom facilities that are intended for the use of the unit only; and
d. is not a mobile home or any vehicle.

Easement
Shall have the meaning attributed to it in the definition of "Right-of-Way".

Entertainment Facility
Means a building or facility for the use of a motion picture or other theatre, arena, auditorium, public hall, bingo hall, billiard or pool room, arcade, bowling alley, ice or roller skating rink and does not include an adult entertainment establishment.

Erect
Means to build, construct, reconstruct, install, enlarge, extend or alter material or repair a building or structure. “Erect” shall include the relocation of a building or structure, the installation of a building unit fabricated or removed from elsewhere, the demolition or removal of a building or any part thereof and any physical operation such as excavating, filling, grading or draining preparatory to building construction or reconstruction.

Existing
Means existing as of the date of the final passing of this By-law.

Fairground
Means the use of land, buildings, or structures for the purpose of holding agricultural fairs including displays, exhibiting, livestock shows, sporting events, midway amusements, and concession stands; temporary overnight accommodations associated with fairground uses is permitted.

Farm Help House
Means a building located on the same lot and accessory to an agricultural use and which is provided and maintained by the owners of the lot for the accommodation of persons employed in the agricultural operation by the owner of the lot.

Financial Institution
Means a commercial establishment such as a bank, trust company, credit union or other similar business or institution where money is deposited, kept, lent and exchanged.

Flea Market
Means an occasional market held in an open air or building structure, where groups of individual sellers display and offer goods for sale to the public, but does not include a garage sale.

Flood Fringe
Means the outer portion of the flood plain between the floodway and the limit of the regulatory flood.

Flood Plain
Means the area, usually low lands, adjoining a watercourse which has been, or may be covered by flood water.

Floodproofing
Means the combination of structural changes and/or adjustments incorporated into the basic design and/or construction or alteration of individual buildings, structures or properties subject to flooding so as to reduce or eliminate flood changes. The word "floodproofed" has a corresponding meaning.

Floodway
Means the channel of a watercourse and that inner portion of the flood plain where flood depths and velocities are generally higher than those experienced in the flood fringe. The floodway represents that area required for the safe passage of flood flows and that area where flood depths and velocities are considered as such that they pose a potential threat to life and property.

Floor Area
Means the sum of the areas of all of the floors of a building or structure measured from the outside of all outside walls, exclusive of any terrace, veranda, unfinished attic, basement, cellar, open or enclosed porch or sunroom, unless such sunroom or enclosed porch is an integral part of the building and habitable in all seasons.

Floor Area, Ground
Means the floor area of the lowest storey of a building approximately at or just above the finished grade level excluding any basement, which area is measured between the exterior faces of the exterior walls at the floor level of such storey.

Forestry Use
Means the raising and harvesting of wood and, without limiting the generality of the foregoing, includes the raising and cutting of fuel wood, pulp wood, lumber, holiday trees, and other forest products.

Fuel Depot
Means a lot where bulk storage of fuel, including petroleum products and propane takes place and where wholesaling and retailing of these products is carried on.

Funeral Home
Means a building designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the internment or cremation and for accessory meetings.

Garage
Means a building or portion of a building designed for the storage of private passenger motor vehicles wherein no service for profit is rendered; where such structure is attached to the main building, it shall be deemed to be part of the main building and not an accessory building.

Garden Suite
Means a self contained temporary dwelling that is accessory to the main dwelling unit with its own kitchen, bathroom and living area which is designed to be portable and is sometimes referred to as a "granny flat". This may include a mobile home.

Gas Bar
Means a lot containing gasoline, diesel fuel or propane dispensing devices and a structure used for the sale of fuel and lubricants for vehicles.

Golf Course
Means a public or private area operated for the purposes of playing golf and does not include golf driving ranges.

Golf Driving Range
Means a public or private area for the purpose of practicing golf driving techniques and is equipped with distance markers, lighting, safety nets, parking areas, and can include golf equipment rental facilities and washrooms, but does not include a golf course.

Grade
Means the average level of finished ground adjoining a building at all exterior walls.

Grain Elevator and Grain Drying Facility
Means buildings or structures associated with the processing, dryings, storage, or transshipment of grain.

Greenhouse, Commercial
Means a building for the growing of flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such greenhouses, but are sold directly from such lot at wholesale or retail.

Group Home
Means a single housekeeping unit in a residential dwelling in which a maximum of 10 persons (excluding supervisory staff or the receiving family) live under responsible supervision consistent with the particular requirements of its residents. The group home shall conform with the Township By-laws and shall be licensed and/or approved by the Province of Ontario.

Guest Cabin
Means a dwelling unit for guest accommodation accessory to a seasonal residential dwelling which contains no provision for cooking or any water or sewage treatment systems and is not used year-round for human habitation.

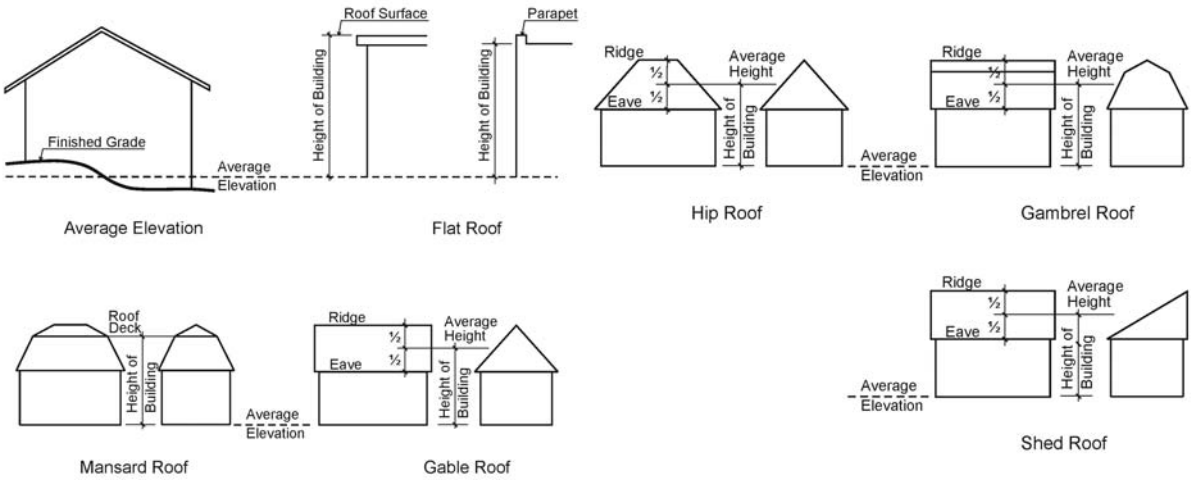
Habitable Room
Means a room in a dwelling used for human occupancy but does not include a bathroom, toilet room, serving or storage pantry, laundry and corridor.

Hazard Land
Means land which exhibits, or potentially exhibits, a hazardous condition as a result of its susceptibility to flooding, erosion, subsidence, inundation, as the presence of organic soils or steep slopes, or where, by reason of its low lying marshy or unstable character, the cost of construction of satisfactory waterworks, sewage or drainage facilities is prohibitive. Hazard lands include areas where the operation of mines or former mines has left the lands in a hazardous state, lands where contaminants may have been spilled or placed and filled lands.

Health Centre
Means a building or structure that is used or intended for use by one or more physicians, dentists, chiropractors and/or drugless practitioners for the purpose of consultation, diagnosis and office treatment. Health Centre includes short and long-term patient care facilities and urgent care, but does not include 24 hour urgent care.

Height
When used with reference to a building or structure, means the vertical distance in metres between the horizontal plane through the established grade and a horizontal plane through:

a. the highest point of the roof assembly in the case of a building with a flat or deck roof;
b. the average level of a sloped roof, provided that a roof having a slope of less than 20 degrees with the horizontal shall be considered a flat roof;
c. the deck roof line, in the case of a mansard roof;
d. the average level between eaves and ridges in the case of roof type not mentioned above.



Highway
Shall be considered to be synonymous and have the meaning as defined for "Road".

Home Day Care
Means a dwelling unit where a maximum of 6 children, who are not residents of the dwelling, are provided temporary care, guidance, or both for a continuous period, not exceeding 24 hours.

Home Industry
Means a gainful occupation including a carpentry shop, a craft shop, a metal working shop, a plumbing shop, an electrical shop, a welding shop, conducted in whole or in part in an accessory building to a permitted dwelling unit.

Home Occupation
Means an occupation or profession which is conducted entirely within a dwelling unit, and may include consulting businesses and hairstyling.

Hotel
Means premises used by a business establishment used mainly for the purposes of catering to the needs of the travelling public by furnishing sleeping accommodations of not less than 5 guest rooms, and may include an accessory restaurant, operations licensed under the *Liquor License Act* and/or meeting rooms.

Hunt Camp
Means an area where one or more buildings and/or tents are used for sleeping, accommodations, the preparation and serving of food and/or sports or recreation facilities and are intended for uses as a base camp for hunting, fishing, trapping, mining or forestry. A hunt camp is to be used on a temporary or seasonal basis, and is not a commercial facility.

Industrial Use
Means the use of land, buildings or structures primarily for manufacturing, processing and assembling of goods or raw materials warehousing and bulk storage of goods and repair and servicing of goods, including transportation terminals.

Heavy Industrial Use
Means uses of a heavy industrial nature including:

a. the manufacture or processing of products from raw materials;
b. the production or use of flammable, explosive or other hazardous materials;
c. the storage of these products and materials; or
d. a wrecking yard.

Light Industrial Use
Means uses of a light industrial nature, including:

a. warehousing or distribution of finished parts or finished products;
b. the manufacture from previously prepared materials of finished parts or finished products;
c. factory or assembly-line processes that involve the manufacture, processing, assembly or packaging of finished parts or finished products made from previously prepared materials; or
d. the repair or servicing of such products.

Institutional Use
Means the use of land, buildings or other structures for some public or social purpose and may include governmental, religious, educational, charitable, philanthropic, hospital, emergency services uses, a firehall or other similar uses.

Kennel
Means any lot, building or structure on or within which 4 or more domesticated animals of more than 4 months of age are housed, groomed, bred, boarded, trained or sold, and which may offer minor medical treatment but does not include a veterinary clinic or animal hospital.

Landscaped Area
Means an area not built upon and not used for any purpose other than as a landscaped area, which may include grass, shrubs, flowers, trees, vegetables, herbs and similar types of vegetation and appurtenances, but does not include parking areas, parking lots, driveways or ramps.

Lane
Means a public thoroughfare or way, not more than 9 metres wide, which affords only secondary means of access to abutting lots.

Library
A library, branch library or distribution station to which the provisions of the *Public Libraries Act* apply, as amended.

Liquid Waste Disposal Facility
Means a site which has received a Certificate of Approval under the *Environmental Protection Act*, or such equivalent approval as may exist from time to time under this or any other successor legislation, to allow the site to be used for the purpose of disposing liquid waste materials.

Loading Space
Means a space or bay located on a lot which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise or materials used in connection with the main use of the lot or any buildings thereto, and which has unobstructed access to a road or lane.

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

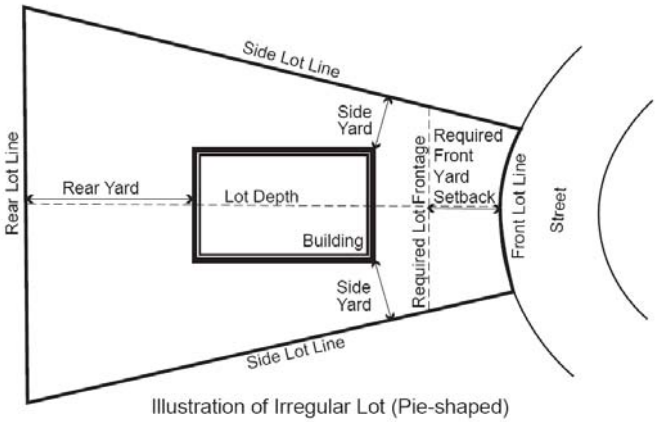


Illustration of Irregular Lot (Pie-shaped)

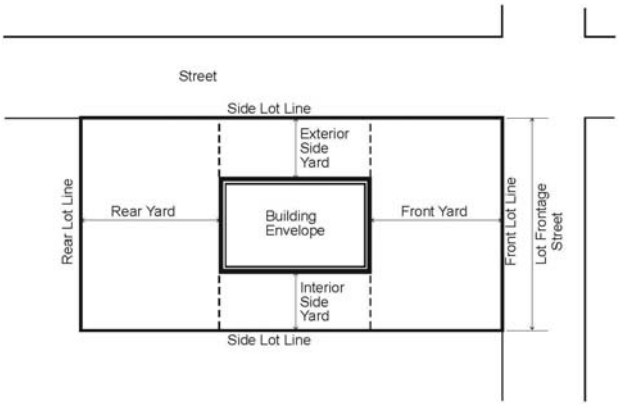


Illustration of Corner Lot (Parallel Lot Lines)

a. Which is a whole lot within a Registered Plan of Subdivision, or lot within a Plan of Condominium other than a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a By-law passed pursuant to Section 50 of the *Planning Act*, S.O., 1990, c. P.13, as amended; or
b. Which is a legally separated parcel of land in existence on the date of passing of this By-law without the owner holding the fee or the equity or redemption in, or power or right to grant, assign or exercise a power of appointment with respect to any abutting land; or
c. The description of which is the same as in a deed which has received final consent to a conveyance pursuant to Section 50 of the *Planning Act*, S.O., 1990, c. P. 13, as amended.
d. Which is the whole remnant retained by an owner or owners after a conveyance is made with final consent pursuant to Section 40 of the *Planning Act*, S.O., 1990, c. P. 13, as amended, but for the purpose of this paragraph no parcel or tract of land ceases to be a lot by reason only of the fact that a part or parts of it has or have been conveyed to or acquired by the Township of Emo, Her Majesty in the Right of Ontario or Her Majesty in the Right of Canada; or,

e. Which is the subject of an order of the Minister of Municipal Affairs pursuant to the provisions of Section 57 of the *Planning Act*, S.O., 1990, c. P.13, as amended.
f. A lot includes the following subtypes:

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

Interior: A lot other than a corner lot.

Irregular: A lot where any interior angle formed by any two lot lines is other than ninety (90) degrees.

Through: A lot bounded on opposite sides by streets.

Waterfront: Means a lot which abuts a shoreline and may or may not also abut a street or lane.

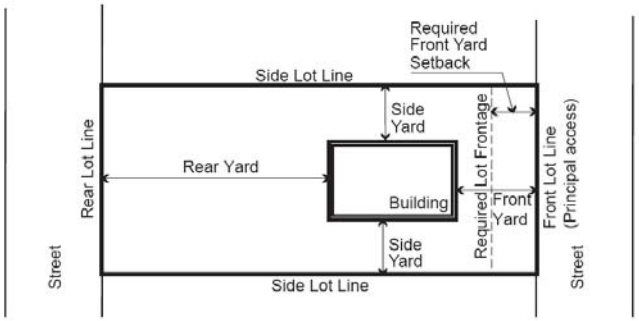


Illustration of Through Lot

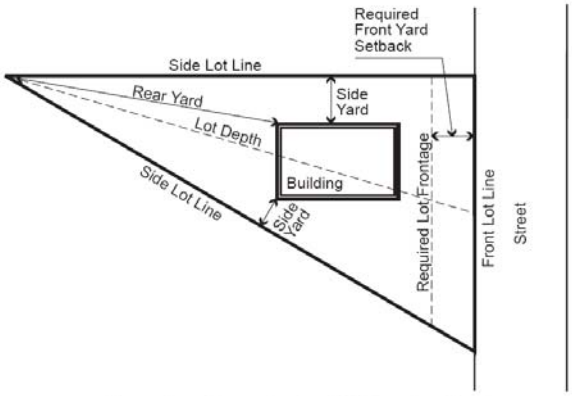


Illustration of Irregular Lot (No Rear Lot Line)

Lot Area
The total horizontal area within the lot lines of a lot or if an island, the area of land above the normal high water mark.

Lot Coverage
Means the combined area of all buildings or structures, but not including an outdoor swimming pool on the lot, measured at the level of the lowest storey above grade, including all porches and verandas, open or covered areas, but excluding open, unenclosed terraces at grade, steps, cornices, eaves, bay windows, chimney breasts, corbelling and similar projections and open parking areas.

Lot Depth
Means the horizontal distance measured between the midpoint of the front lot line and the midpoint of the rear lot line.

Lot Frontage
Means the horizontal distance between the side lot lines of a lot measured at right angles.

a. Where such lot lines are not parallel, the lot frontage shall be measured perpendicularly to the line joining the midpoint of the front and midpoint of the rear lot lines at a point 7.5 metres back from the front lot line.
b. Where the side lines meet, the lot frontage shall be measured perpendicularly to the line joining the apex of the triangle formed by the side lot lines and the midpoint of the front lot line at a point measured 7.5 metres back from the front lot line.
c. Where the front lot lines are curved, the lot frontage shall be measured along the line between the interior side lot line and the intersection or the tangents to the street line, drawn through the front lot line and exterior side lot line.

Lot Lines
Means the boundary lines of a lot defined as follows:

a. **Front Lot Line** means:
   i) in the case of an interior lot, the lot line dividing the lot from the road;
   ii) in the case of a corner lot, the shorter lot line abutting the road unless each lot line is of qual length, in which case the front lot line shall be the lot line where the principal access to the lot is provided;
   iii) in the case of a through lot, the front lot line shall be the lot line where the principal access to the lot is provided;
   iv) in the case of a waterfront lot, either the shoreline or the streetline shall be deemed the front lot line.
b. **Rear Lot Line** means the lot line farthest from and opposite the front lot line.
c. **Side Lot Line** means a lot line other than a front or rear lot line.
d. **Side Lot Line, Exterior** means a side lot line that is also a street line.

Main Building
Means the building or structure in which is conducted the principal use for which the lot is used.

Main Wall
Means the exterior front, side or rear wall of a building, and all structural members essential to the support of a fully enclosed space or roof.

Manufacturing, Light
The assembly or repair or fabrication of goods and materials utilizing materials which have been manufactured in another location and which does not produce waste water in excess of 4500 litres per day, chemical by-products or utilize an area for open storage of goods or materials except for equipment or vehicles which are for sale, lease or hire.

Marina
Means a commercial establishment where a boathouse, boat storage, boat repair facilities boat rental, pier, dock or jetty facilities, or any combination thereof, are available for marine craft and may include a pump for the fuelling of marine craft and a building or structure for the sale or repair of marine craft and accessories.

Mineral Aggregate Operation
Means an operation which includes extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral Mining Operation
Means operations, land and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use, as regulated by the *Mining Act*.

Mineral Exploration
Means the exploration for metallic minerals such as gold, copper and nickel or the exploration for non-metallic minerals such as mica and salt talc.

Mobile Home
Means 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 a travel trailer or tent trailer or trailer otherwise designed.

Mobile Home Park
Means a lot managed by a mobile home park operator, for the permanent placement of one or more mobile homes or factory built park model homes or double-wide homes on individual mobile home sites, and may include a park or place of recreation.

Mobile Home Site
Means a parcel of land within a mobile home park which is serviced and intended for the placement of one mobile home.

Modular Home, Double-Wide or Twin-wide
Means a mobile home where the two halves of the unit have been joined and placed on a permanent foundation, such as a poured concrete or mortared concrete block foundation.

Modular Dwelling
Means a prefabricated single-detached dwelling being so constructed or assembled that the shortest side of such dwelling is not less than 6 metres in width.

Motel
Means one or more buildings for the purpose of catering to the needs of the traveling public by furnishing sleeping accommodation, provided that each guest room may be entered from a separate entrance to the outside.

Navigable Waterway
Means a navigable body of water or stream as deemed under the *Beds of Navigable Waters Act* and includes any body of water which is capable in its natural state or at normal water level of being navigated by floating vessels for the purpose of transportation, recreation or commerce.

Non-Complying
Means a use, building, or structure which is existing but does not meet, comply or agree with the regulations of this By-law, but is a permitted use, building or structure within the zone in which it is located.

Non-Conforming
Means a use, building or structure which is existing but which is not permitted in the zone in which it is located.

Non-Residential
When used with reference to a building, structure or use, means designed, intended or used for purposes other than those of a dwelling.

Nursing Home
Means a place where accommodation and care are provided for one or more persons, who, by reason of age or infirmity, are in need of same.

Obnoxious Use
Means an offensive trade within the meaning of the *Public Health Act* or any use which is offensive or dangerous by reason of the emission of odour, smoke, dust, noise, gas fumes, vibration or refuse matter.

Open Storage
Means the storage of goods, merchandise or equipment in the open air and in unenclosed portions of buildings which are open to the air on one or more sides.

Park, Private
Means a park controlled or owned by a private individual, group or organization and which may not be open to the public.

Park, Public
Means a park controlled or owned by the Township or a public authority and which is normally open to the public.

Parking Lot
Means an area for the parking of vehicles and may include aisles, parking spaces and related entrance and exit lanes, but shall not include any part of a road.

Parking Space
Means an area 3 metres by 6 metres enclosed in a building, or unenclosed, and set aside for the temporary storage of a vehicle.

Parking, Tandem
Means the parking of two or more vehicles one behind another in a row.

Peat Extraction and Processing
Means an operation that includes associated facilities used in extraction, processing or transport of peat resources.

Permitted
Means permitted by this By-law.

Person
Shall include an individual, an association, a firm, a partnership, a corporation, a trust, a incorporated company, an organization, a trustee or agent and their heirs, executers or other legal representatives of a person to whom the same can apply according to law.

Personal Service Establishment
Means a building or part thereof in which persons are employed in furnishing services and otherwise administering to individual and personal needs and may include the premises of a barber, hairdresser, beautician and shoe repair establishment, laundromat and dry cleaning establishment but shall not include an adult entertainment parlour. The sale of merchandise shall be permitted only as an accessory use to the personal service provided.

Place of Worship
Includes, but is not limited to churches, chapels, temples, parish halls and synagogues including offices for the administration of the religious institution, convents, seminaries, monasteries, rectories, parsonages, parish houses, and associated day nursery.

Portable Asphalt Plant
Means a small, portable facility:

a. 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; and
b. which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable Concrete Plant
Means a small, portable facility:

a. with equipment designed to mix and/or crush cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
b. which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Professional Office
Means a building or part thereof in which a legal, medical, or other professional service is performed or consultation is given including, but not so as to limit the generality of the foregoing, the offices of a lawyer, architect, a surveyor, an engineer or an accountant, but does not include a personal service establishment, a business office, a veterinarian's clinic, an animal hospital or shelter.

Public Authority
Means any Federal or Provincial agency, school board, public utility commission, transportation commission, public library board, board of parks management, board of health, board of commissioners of police, planning board or other board or commission or committee or local authority established or exercising any power or authority under any general or special statute of Ontario or Canada with respect to any of the affairs or purposes of the Township or any portion thereof and includes any committee or local authority established by By-law of the Township and Ontario Hydro.

Public Services
Means the buildings, structures and other related works necessary for supplying water, gas, oil, electricity, steam, hot water, telephone services, telecommunication services, sewage collection and treatment facilities and other services provided by a public authority.

Recreation Use
Means the use of land for parks, playgrounds, nature trails, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, golf courses, picnic areas, swimming pools, day camps, community centres, skiing and other similar uses, together with necessary and accessory buildings and structures, but does not include a track for racing animals, motor vehicles, snowmobiles, all terrain vehicles or motorcycles.

Recreational Vehicle or Boat Sales and Service Establishment
Means a building or place where new or used recreational vehicles, trailers, snowmobiles, boats, and accessories are sold, rented, or repaired.

Redevelopment
Means the creation of new residential units on land previously used for residential or non-residential purposes, where demolition of the previous structure is to take place or has taken place.

Renovate
Means to restore by improving or repairing to an earlier condition.

Restaurant
Means a building used for the purpose of serving food and/or refreshments including a licensed establishment, and may include take-out food facilities as an accessory use.

Retail Store
Means a building or part of a building where goods, wares, merchandise or articles are offered or kept for sale at retail directly to the public and includes storage on or about the premises and shall include a garden centre, pharmacy, grocery store, and a post office.

Retirement Home
A residential use building containing rooming units or a combination of rooming and dwelling units, providing residence mostly to senior citizens who do not require assistance with daily living, and which may provide accessory health, personal service, and recreational services to serve the residents of the home.

Riding Stable
An area used as an educational centre for horse training, handling, care, or for the lodging of horses.

Right-of-Way
Means any right, liberty or privilege in, or along or under land which a person may have with respect to any land in the Township.

Road
Means a public highway under the jurisdiction of the Township or the Province or as shown on a plan of subdivision with respect to which a subdivision agreement has been entered into which affords the principal means of access to abutting lots, but does not include a public lane or right-of-way.

Road Allowance
Means land held under public ownership for the purpose of providing a road.

Rooming House
Means a building containing rooming units, and which may also contain dwelling units and an accessory administration office.

Rooming Unit
A room, or a suite of rooms, that constitutes a separate, independent residential occupancy, but which is not self-contained and which requires access to other parts of the principal dwelling or building intended to serve the residents, including shower or bathtub facilities, kitchens, eating areas or bathrooms.

Salvage Yard
Means a lot, building or structure used for wrecking, dismantling, storing or selling used goods, wares or materials including, but not so as to limit the generality of the foregoing, rags, bones, bottles, metals, clothing, furniture, paper, machinery, building materials, vehicles and parts thereof.

School
Means a school under the jurisdiction of a Board as defined in the *Education Act* a college, a university or any other education establishment including, but not necessarily restricted to, a nursery school or a boarding school having accessory dormitory facilities.

School, Commercial
Means a school operated by one or more persons for gain or profit.

School, Private
Means a school, other than a public school or a commercial school, under the jurisdiction of a private board or trustees or governors, a religious organization or charitable institution.

Seaplane Base
Means the use of land, buildings, or structures for the purposes of docking, storing or repairing seaplanes and for the supplying of associated services.

Seasonal Camp
Means an establishment that is owned and operated by a private club or organization for the boarding and lodging of children during the summer months only, and may include such recreational activities as boating, swimming, crafts, riding, archery, etc.

Secondary Dwelling Unit
Means a self-contained residential unit with kitchen and bathroom facilities within a single-detached, semi-detached or townhouse dwelling or within a structure accessory to a single-detached, semi-detached or townhouse dwelling.

Service Shop
Means a building or part thereof used for the sale or repair of household articles and includes radio, television and appliance repair shops, but does not include industrial or manufacturing uses or vehicle repair shops.

Service Station
Means “Automobile Service Station” as defined in this By-law.

Setback from Top of Bank
Means the horizontal distance from the point of the slope or bank where the downward inclination of the land begins or the upward inclination of the land levels off to the nearest part of any main wall of any building or structure.

Setback from Water
Means the horizontal distance between the normal or controlled high water mark of any navigable waterway and the nearest part of any main wall of any building or structure.

Sewage Treatment Centre
Means a facility for the receiving and processing of sewage including residential, commercial and industrial waste.

Shopping Centre
Shall mean a building or group of buildings planned, designed, developed or managed as a unit, having off-road parking provided on the same lot, and which building or buildings contain one or more retail stores, and offices.

Shoreline
Means any lot line or portion thereof which abuts a navigable waterway.

Small Scale Commercial / Industrial Use
Shall mean the use of land or buildings for the purpose of buying and/or selling commodities and supplying services separate from such uses as warehousing, transport terminals, construction and other similar uses. The use shall be limited in area to not more than 93 square meters.

Solid Waste Disposal Facility
Means a facility providing for the long-term storage or destruction of solid waste, and includes a landfill site or an incinerator.

Storey
Means that portion of a building:

a. which is situated between the surface of any floor and the surface of the floor next above it and if there is no floor above it, that portion between the surface of any floor and the ceiling above it; and
b. which is more than 50% above the average finished grade; and
c. which has a height of not less than 2 metres and includes an attic having not less than 2 metres headroom for at least 50% of the attic floor area.

Storey, First
Means the lowest storey of a building whereby the ceiling is at least 1.5 metres above finished grade.

Street
Shall be considered to be synonymous and have the meaning as defined for "Road".

Structure
Means anything that is erected, built or constructed of parts joined together and which is fixed to or supported by the soil but not a terrace, patio, sign, boundary wall, fence, bridge or culvert.

Swimming Pool, Indoor
Means a pool located within a building or enclosed structure that is either detached or attached to the main building.

Swimming Pool, Outdoor
Means an in-ground or above ground pool that is not located within a building or structure.

Tavern
Means a building, where alcoholic beverages are sold to be consumed on the premises and shall include all such buildings operating or liable to be licensed under the *Liquor License Act* as amended or revised from time to time.

Taxi Stand
Means a lot or building used as a dispatch office and the parking of taxis and/or limousines when not engaged in transporting persons or goods.

Temporary Buildings
The temporary use of buildings and structures, including mobile homes, incidental to and accessory for lawful construction work, shall be permitted in all zones, but only for so long as the same are necessary for the construction work subject to an agreement with the Township.

Tourist Commercial Establishment
Means a tourist commercial use that operates throughout all or part of the year and that has facilities for serving meals and furnishing equipment, supplies or services to persons in connection with recreational purposes.

Trailer
Means a vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by a motor vehicle and capable of being used for temporary living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked up or that its running gear is removed. This definition shall not include a mobile home as defined herein.

Trailer Park
Means any land upon which any travel trailer tent, or tent trailer is used or intended to be used for temporary occupation.

Use
When used as a noun, means the purpose for which any land, building or structure is designed, used or intended to be used.

Use, Continuous
Means the continuous use of a lot, building or structure, notwithstanding a change of ownership of the property where the use is located. The use shall further be deemed to be continuous if, after having ceased, the same use recommenced within a period of one year from the date of cessation, and/or if a structure is destroyed or damaged, it is rebuilt or repaired for the same use within a period of one year from the date of its destruction or damage. This is in addition to the protection afforded by Section 34(9) of the *Planning Act*.

Vehicle
Includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, motorized snow vehicle and any vehicle drawn, propelled or driven by any kind of power.

Vehicle Repair Shop
Shall mean a building or part thereof which contains facilities for the repair and maintenance of vehicle and/or recreational vehicles on the premises, and in which vehicle accessories are sold and vehicle maintenance and repair operations are performed in return for remuneration, but does not any establishment engaged in the retail sale of vehicle fuels.

Veterinary Clinic
Means the use of land, including water, runway, or other facility designed, used or intended to be used, either publicly or by any person or persons, for the landing or taking off of aircraft, including all necessary taxiways, aircraft storage, tie-down areas, hangars and other necessary buildings, structures and open spaces.

Warehouse
Means a building or part thereof which is used primarily for the housing, storage, adapting for sale, packaging or distribution of goods, wares, merchandise, foodstuff, substances, articles or things, and includes the premises of a warehouseman, but does not include a fuel depot.

Waste Processing and Transfer Facility
Means a facility where waste is sorted, recycled, processed or temporarily stored prior to transfer off site and may include a source separated organics and biosolids processing and storage facility.

Watercourse
Means the natural channel for a stream of water and for the purpose of this By-law, includes any watercourse shown on Schedules A and *A-1* of this By-law.

Water Frontage
Means the boundary of a lot directly abutting an original shoreline reserve.

Wildlife Management
Means the management of species native to the immediate area. This may include stream enhancement, planting of browse or shelter species, nesting boxes, nesting islands, ponds, dugouts and trees.

Yard
Means an open space on the same lot with a main building or structure, unoccupied and unobstructed from the ground to the sky, except as otherwise permitted by this By-law. In determining yard measurements the minimum horizontal distance between the nearest wall of the main building or structure and the respective lot lines measured perpendicular from the lot line shall be used:

1. **Front Yard** means a yard extending across the full width of a lot between the front lot line and nearest main wall of the main building or structure on the lot;

2. **Rear Yard** means a yard extending across the fall width of a lot between the rear lot line and the nearest main wall of the main building or structure on the lot;

3. **Side Yard** means a yard between the nearest side wall of the main building or structure on the lot and the side lot line and extending from the front yard to the rear yard;

4. **Exterior Side Yard** means a side yard immediately adjoining a public or private street or abutting a reserve on the opposite side of which is located a private or public street; and

5. **Interior Side Yard** means a yard extending from the front yard to the rear yard and from the interior side lot line to the nearest part of the principal building, structure or excavation on the lot.

Zone
Means a designated area of land shown on Schedule A and A-1 hereto.

SECTION 3 ESTABLISHMENT OF ZONES

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

- Rural Zone (RU)
- Residential 1 Zone (R1)
- Residential 2 Zone (R2)
- Residential Multiple Zone (R3)
- Mobile Home Residential Zone (R4)
- Mobile Home Park Zone (MHP)
- Highway Commercial Zone (C1)
- General Commercial Zone (C2)
- Neighbourhood Commercial Zone (C3)
- Industrial Zone (M1)
- Aggregate Industrial Zone (MX)
- Mineral Mining Zone (MM)
- Institutional Zone (I)
- Waste Disposal Site Zone (WD)
- Open Space Zone (OS)
- Conservation and Environmental Protection Zone (CEP)

SECTION 4 GENERAL PROVISIONS

4.1 ACCESSORY BUILDINGS, STRUCTURES AND USES

1. General Provisions
Accessory uses, buildings or structures are permitted subject to the provisions of this By-law for the particular zone in which the said building, structure, or use is located, and provided that the accessory building, structure or use:

    a. shall not be used for human habitation, except where a residential use is a permitted accessory use;
    b. in a residential, commercial or industrial zone shall not be located in the front yard or the exterior side yard;
    c. in the Rural and Agricultural zones, farm help houses must respect the minimum yard setbacks;
    d. shall not exceed 10 percent coverage of the total lot area;
    e. in a residential zone, shall not exceed 4.5 metres in height, or contain more than one storey, except that where a dwelling unit is a permitted accessory use it shall not exceed 6.0 metres in height, or contain more than two storeys. In all other zones the maximum height shall not exceed 7.0 metres;
    f. shall not be considered as an accessory building or structure if attached to the main building in any way;
    g. shall not be considered an accessory building or structure if located completely underground;
    h. shall not be built closer than 1.2 metres to any side or rear lot line except where a lot abuts a lane, the accessory building or structure may be located up to 0.5 metres from the said lane; and
    i. may be permitted in the front yard of a lot having frontage on a lake or river, subject to the setback requirements outlined in the Setback from Navigable and Non-Navigable Watercourses, Hazard Land and Township Surface Drains Section of this By-law.

2. Commercial Accessory Uses
Notwithstanding any other provisions of this By-law, where a commercial use is permitted as an accessory use in an industrial zone, it shall:

    a. not exceed 40 percent of the total floor area if located in the main building, and shall not exceed a maximum floor area of 278.0 square metres if located in an accessory building.

3. Guest Cabins
Where a guest cabin is permitted on a lot, the following provisions shall apply:

    a. no cooking facilities are located in the building;
    b. the building is not connected to a sewage system or pressurized water system;
    c. the building has an area of 23.0 square metres or less:
    d. the building has a height not greater than 4.5 metres; and,
    e. the building complies with all of the setbacks that apply to the principal building on the lot.

4. Ground-Mounted Solar Panels
Notwithstanding the yard and setback requirements of the By-law to the contrary and provision 1 of this Section, ground-mounted solar panels may be permitted in any zone provided that:

    In residential zones:
    a. it is setback at least 1.0 metre from a lot line; and
    b. it may be located in a front or exterior side yard within the RU zone.

In non-residential zones:

a. in a yard abutting a residential zone, it is setback at least 1.0 metre from a lot line; and
b. in all other cases, there are no restrictions.

5. Swimming Pool, Indoor
Notwithstanding any other provisions of this By-law, an indoor swimming pool is permitted on lots with a principal residential dwelling located in the R1, R2, R3, R4, RU and AG zones provided that:

a. the total lot coverage of all accessory swimming pool buildings or structures shall not exceed 15 percent of the total lot area; and
b. the swimming pool shall only be permitted in the interior side yard or rear yard.

6. Swimming Pool, Outdoor
Notwithstanding any other provisions of this By-law, an enclosed swimming pool is permitted on lots with a principal residential dwelling located in the R1, R2, R3, R4, RU and AG zones subject to the following:

a. a fence shall be erected in compliance with the Township of Emo Fence By-law.
b. the swimming pool shall only be permitted in the interior side yard and the rear yard.
c. the walls of the pool are a minimum of 1.5 metres from the interior side or rear lot lines; and
d. any filter, pumps, or similar operating machines shall be a minimum distance of 0.6 metres from any lot line and a minimum distance of 3.0 metres from the main building.

4.2 AUTOMOBILE WRECKING YARDS AND SCRAP METAL YARDS

Where land is used for the purpose of an automobile wrecking yard or scrap metal yard or similar use, the storage of derelict automobiles, scrap metal, junk and other material shall not be carried out in that part of the land designated herein as the front yard, side yard or rear yard. A natural or artificial screen or buffer strip shall be provided to obscure the subject property from the street on which the lands abut and from any adjoining properties to the side or rear of the property and shall be a minimum of 6.0 metres in width in compliance with the Buffer Strip Section of this By-law.

4.3 BED AND BREAKFAST ESTABLISHMENTS

Where permitted, a bed and breakfast establishment shall be subject to the requirements of the zone in which it is located and the following:

a. be permitted only within an existing single-detached dwelling;
b. be clearly secondary to the main residential use;
c. be operated by a resident of the dwelling in which the bed and breakfast establishment is located;
d. not contain more than 4 guest rooms; and
e. in the Residential Zones, no outdoor display or advertising shall be permitted, other than a non-illuminated sign which shall not exceed 1.5 square metres in area indicating the name of the bed and breakfast establishment.

4.4 BUFFER STRIP

A buffer strip shall be used for no other purpose than for the erection of a fence or the planting of a continuous row of natural evergreens or natural shrubs, immediately adjacent to the lot line or portion thereof along which such buffer strip is required hereunder, the remainder of the strip shall be landscaped and planted with ornamental shrubs, flowering shrubs, flower beds or a combination thereof:

a. where a buffer strip is required in any zone, it shall be of a minimum width as specified in the regulations for that zone.
b. a buffer strip shall be located within the zone for which it is required.

4.5 CORNER LOT SIGHT RESTRICTIONS

Notwithstanding any other provisions of this By-law, and except in a Commercial Zone on a corner lot, within the triangular space included between the street lines for a distance of 6.0 metres from the point of intersection, no building or structure including a fence or sign shall be erected and no shrubs or foliage shall be planted or maintained which obstruct the view of a driver or a vehicle approaching intersection.

4.6 DANGEROUS USES

No land, building or structure shall be used in the Township of Emo for the industrial manufacture or distribution of coal oil, rock oil, fuel oil, burning fluid gas, naphtha, benzene, gasoline, dynamite, dualene, nitroglycerine, gunpowder, petroleum products or other combustible or inflammable or liquid material which is likely to create danger to health, or danger from fire or explosion except as otherwise specifically provided for in this By-law.

4.7 DRIVE-THROUGH FACILITY

1. The minimum queuing space requirements for drive-through facilities within a designated queuing lane are as follows.

Use Associated with Drive-Through Facility	Minimum Required Spaces
Restaurant	5
Gas Bar	3
Car wash	2 per bay
All Other Uses	3

Queuing Space Requirements

2. All queuing spaces shall be rectangular in shape, with a minimum length of 6.0 metres and a minimum width of 3.0 metres.

Queuing Lane Requirements

3. Where drive-through service facilities are permitted, queuing lanes are required and shall be exclusive of any other parking space and aisle requirements contained within this By-law and shall be provided in accordance with the provisions of this Section.

4. Where multiple queuing lanes are required on a lot, the queuing space requirements shall be provided for each individual queuing lane in compliance with the Queuing Space Requirements.

5. Queuing 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.

4.8 EXISTING LOTS

An existing vacant lot, having less than minimum frontage or lot area required by this By-law, may be developed for all uses in the appropriate zone, provided all other regulations of this By-law are satisfied; and

a. such lots can be safely serviced; and
b. such lots have a minimum frontage of 7.5 metres on a road.

4.9 FARM HELP HOUSE

Notwithstanding any other provision in this By-law, where a Farm Help House is permitted, the following provisions shall apply:

	Provision
a) Minimum Front Yard	15.0 metres
b) Minimum Side Yard	4.5 metres
c) Minimum Exterior Side Yard	15.0 metres
d) Minimum Rear Yard	15.0 metres
e) Maximum Height	10.5 metres
f) Minimum Dwelling Unit Area	45 square metres
g) Maximum Dwelling Unit Area	60 square metres

4.10 GARDEN SUITES

Notwithstanding anything to the contrary in this By-law, Garden Suites shall be permitted as temporary residential accommodation for a maximum of twenty (20) years pursuant to Section 39 of the *Planning Act* and shall be considered accessory to a permitted single-detached dwelling according to the following provisions:

a. one Garden Suite may be authorized per lot;
b. the Garden Suite shall not be permitted to separate by consent from the main residential dwelling on the lot;
c. the Garden Suite shall be serviced from the main dwelling on the lot, subject to the approval of the Northwestern Health Unit where required;
d. the establishment of any new Garden Suite shall be subject to the passage of a Temporary Use By-law. The use shall not exceed twenty (20) years plus one (1) day from the date of the passing of the by-law.
e. the Garden Suite shall be one (1) storey, having a height not to exceed 4.6 metres;
f. the Garden Suite shall not be constructed or arranged as to constitute a travel trailer;
g. a mobile home may be used as a Garden Suite.

As per the *Planning Act* regulations for Garden Suites, Council shall require the owner of the suite or any other person to enter into an agreement with the Township dealing with such matters related to the temporary use of the Garden Suite as the council considers necessary or advisable, including:

a. the installation, maintenance and removal of the Garden Suite;
b. the monetary or other form of security that the council may require for actual or potential costs to the Township related to the Garden Suite; and
c. connection to existing services (sewer, water, hydro, septic, well).

4.11 GROUP HOMES

A group home, licensed by the appropriate Provincial Ministry, shall be permitted within any permitted single-detached dwelling, semi-detached or duplex dwelling, subject to the following provision:

a. When a residential use building is converted to a group home, the group home must occupy the whole of the building including all attached units within the building.

4.12 HEIGHT

The height regulations shall not apply to any ornamental dome, chimney, communications tower, power transmission tower, storage silo, barn, cupola, steeple, church spire, water storage tank, elevator enclosure, flag pole, television or radio antennae, grain elevator, windmill or weather monitoring device.

4.13 HOME INDUSTRY

Where a home industry is permitted, it shall:

a. have at least one permanent resident of the dwelling unit engaged in the business;
b. have not more than two persons, other than the owner, employed on a full-time basis;

c. in the Residential 1, Residential 2, Residential Multiple zones have no external display or advertising, other than a non-illuminated sign which is a maximum size of 1.5m^2;
d. any external storage of materials, containers or finished products shall be screened, fenced or buffered from view to maintain an attractive appearance;
e. be conducted entirely in an accessory building to a single detached dwelling. The home industry shall not occupy more than 100.0 m^2;
f. be clearly secondary to the main residential use and not change the character of the dwelling unit as a private residence or create or become a nuisance due to such matters as noise, smell, hours of operation or traffic generation;
g. be located on the same lot as the residential use; and
h. have adequate area on the lot that is suitably separated and buffered from the main residential use for the parking and storage of all vehicles associated with the home industry.

4.14 HOME OCCUPATION

Where a home occupation is permitted, it shall:

a. have at least one permanent resident of the dwelling unit engaged in the business;
b. in the Residential 1, Residential 2, Residential Multiple zones, have no external display or advertisement other than a non-illuminated sign which is a maximum size of 1.5 m^2;
c. have no external storage of materials, containers or finished products;
d. not change the character of the dwelling as a private residence or create or become a nuisance;
e. not occupy more than 25% of the floor area of the dwelling unit including in the floor area any basement area used as living quarters and any basement area used for home occupation;
f. there shall be no goods, wares, or merchandise other than those produced on the premises, offered or exposed for sale or rent on such premises;
g. have not more than one employee who is not a permanent resident of the dwelling unit.

4.15 LAND WITHOUT BUILDINGS

Where land is used for or in connection with any use but without any buildings or structures therein, all yards required by the By-law on a lot in the respective use zone shall be provided and maintained as yards and the applicable regulations shall apply, except where the land or lot is used for agriculture, gardening or open space purposes not prohibited by this By-law in such use zone.

4.16 LOADING SPACES

The owner of every building or structure erected for any purpose involving the receiving, shipping, loading or unloading of persons, animals, goods, wares, merchandise or raw materials shall provide and maintain loading spaces on the lot accordingly.

1. Loading spaces are required under this By-law in accordance with the Loading Space Requirement Table.

Minimum Gross Floor Area of Building	Minimum number of loading spaces required
0 – 300 square metres	0
301 – 2,300 square metres	1
2,301 – 7,400 square metres	2
Over 7,400 square metres	3

2. Each loading space shall have a minimum width of 3.5 metres, a minimum length of 9 metres and a minimum vertical clearance of 4.2 metres, and each space shall be visibly designated and marked;

3. Driveways used for ingress and egress shall be clearly marked.

4. The loading space(s) shall be located in the interior side or rear yard unless such space or spaces are removed from the street line a minimum distance of 15.0 metres.

5. 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 gross floor area, as it existed at such date, is not increased by more than 300.0 square metres. If an addition is made to the building or structure, which increases the gross floor area, then additional loading spaces shall be provided as required by this Section, in accordance with the provisions of the loading Space Requirement Table for such addition.

4.17 MOBILE HOMES

Mobile homes shall only be permitted where specifically listed as permitted within a particular zone. Mobile Homes shall be permitted as a Garden Suite as per the Garden Suite Section of this By-law.

4.18 NON-CONFORMING USES

1. The provisions of this By-law shall not apply or prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this by-law providing such use has been continuous since that date; nor to prevent the erection or use for any purpose prohibited by this By-law of any building or structures the plans for which have, prior to the date of the passing of the By-law, been approved by the Chief Building Official so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the erection of such building or structure is commenced within two years after the date of the passing of the By-law, and such building or structure is completed forthwith after the erection thereof is commenced.

4.19 NON-COMPLIANCE WITH MINIMUM LOT OR YARD REQUIREMENTS

1. Alterations to Non-Complying Buildings and Structures
   Nothing in this By-law shall prevent the enlargement, renovation or repair of an existing legal non-complying building or structure provided such enlargement, renovation or repair shall not increase any existing non-compliance with an applicable zoning provision.

2. Use of Undersized Lots
   Where a lot having less than the minimum lot area or frontage required by this By-law, exists on the date of passing of this By-law or is increased in area or frontage but still does not meet the minimum area or frontage requirements of this By-law, such lot may be used for a purpose permitted in the zone in which it is located provided that all other applicable provisions in this By-law are met.

3. Rebuilding or Repair Permitted
   Nothing in this By-law shall prevent the rebuilding or repair of a non-complying use provided that the building or structure is built to its prior gross floor area or to a gross floor area which would not further contravene any of the regulations of this By-law, at its prior location on the lot or at a location on the lot that would not further contravene any of the regulations of this By-law and provided further that if the use is altered in any way that the use would not further contravene any of the regulations of this By-law.

4.20 PARKING REQUIREMENTS

The owner of land or of a building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain parking spaces for the sole use of the owner, occupant, or other persons entering upon or making use of the said premises, from time to time.

4.20.1 PARKING SPACE REQUIREMENTS

1. Parking spaces are required under this By-law, in accordance with the Parking Space Requirement Table. Where the calculation of required spaces exceeds a whole space by more than 0.25, the required number of spaces shall be the next whole number.

2. Where a building or structure accommodates more than one use, the required parking spaces shall be the sum of the required parking spaces for each use.

3. Where a building or structure has deficient parking spaces at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require the deficiency be made up prior to the construction of any addition. However, no addition may be built and no change in use may occur, the effect of which would increase the number of deficient parking spaces.

Use	Minimum Number of Parking Spaces Required
assembly hall, auditorium, restaurant, theater, arena, community centre and private club	where there are fixed seats, 1 space for every 5 seats or for every 3.0 metres of bench space; where there are no fixed seats, 1 space for each 9.0 square metres of floor area devoted to public use
bed and breakfast establishment and rooming house	1.5 spaces for every 2 rooms rented
bowling alley	3 spaces per bowling lane
clinic	6 spaces per practitioner
curling rink	4 spaces per curling sheet
dwelling unit – single-detached, semi-detached, duplex, double duplex, townhouse, street townhouse, triplex, apartment building, bachelor, secondary dwelling unit	1.5 space per dwelling unit rounded to the next highest number
golf course	4 spaces per hole
golf driving range	1 space for every 2 persons who can be accommodated at one time
group home	1 space for every 49 square metres of floor area with a minimum of 2 spaces
home occupation and home industry	1 space for each 28 square metres of floor area or fraction thereof devoted to said use in addition to the parking required for the dwelling
hospital, nursing home	1 space for every 4 beds
hotel, motel, tavern	1 space per rental unit, plus 1 additional space for each 9.0 square metres of floor area devoted to public uses such as restaurants, taverns and other eating places associated with motels and staff houses
industrial uses	1 space for each 93 square metres of floor area or for each 3 employees whichever is greater
library	a minimum of 10 spaces or 1 space per 28 square metres of building floor space, whichever is greater
marina	1 space per 28 square metres of retail floor area plus 1 space for each boat slip
place of worship	1 space for every 6 seats or 4.0 metres of bench space of its maximum seating capacity
professional office	1 space per 28 square metres of floor area

Use	Minimum Number of Parking Spaces Required
retail store	1 space per 28 square metres of retail floor area
retirement home	1 space per dwelling unit
riding stable	1 space for every 4 horses available for public riding
schools	1 space for each teaching staff member, plus 1 additional space for each 20 square metres of auditorium or gymnasium floor space

4. Barrier-Free Parking Spaces
Barrier-free parking spaces shall be provided as follows:

Total Number of Parking Spaces	Required Number of Barrier-Free Spaces
0-9	0
10-99	1
100-199	2
200 plus	3

4.20.2 DESIGN OF SPACES

1. Each parking space shall be a minimum of 3.0 metres by 6.0 metres and shall be provided with unobstructed access to a street by a driveway, aisle or lane.

2. Barrier-Free Parking Spaces shall be a minimum of 3.7 metres by 6.0 metres.

4.20.3 DESIGN OF PARKING LOTS

1. Where in this By-law parking areas designed for 4 or more vehicles are required or permitted:

    a. adequate drainage facilities shall be provided and maintained in accordance with the requirements of the Township;
    b. the parking area and approaches shall be surfaced with concrete, asphalt, crushed stone, gravel or a combination thereof with a stable surface treated to prevent the raising of dust or loose particles;
    c. the lights used for illumination of parking areas shall be so arranged as to divert the light away from adjacent lots;
    d. parking areas shall be within 90 metres of the location which it is intended to serve and shall be situated in the same zone; and
    e. a strip of land not less than 3 metres wide lying within the lot in which the parking area is located and along all boundaries of said area shall be used for landscaping, excluding those areas used as entrances and exits.
    f. the parking area and any loading area shall be screened from any abutting residential use by a landscaped buffer strip, in compliance with the Buffer Strip Section of this By-law.

2. No person shall, within any Residential Zone, use any part of any front yard except the driveway for the parking or temporary storage of tent trailers, motor homes, travel trailers, truck campers, school buses, converted buses, fifth wheel units or motorized snow vehicles; and

3. Tandem parking of vehicles is permitted to accommodate the parking requirements for single-detached dwellings, semi-detached dwelling units, duplex units, townhouse dwelling units, mobile homes, group homes, home occupations and home industries.

4.21 PERMITTED ENCROACHMENTS IN YARDS

Every part of any yard required by this By-law shall be open and unobstructed by any structure, other than a fence, deck or patio from the ground to the sky, provided however that those structures listed in the following table shall be permitted to project into the yards as per the following table:

Structure	Yard in Which Projection is Permitted	Maximum Permitted Projection
Balconies	Front and rear yards for single-detached, semi-detached and duplex dwellings; any yard for apartment buildings	2.0 metres
Canopies over entrances	Front and rear yards only	3.0 metres
Fire escapes, and exterior staircases	Rear yard only	1.5 metres
Gate house	Any yard in a commercial or industrial zone	1.0 metres from property boundary
Open roofed porches not exceeding one storey in height; covered terraces	Any yard	2.5 metres including eaves and cornices
Sills, belt courses, cornices, eaves, gutters, chimneys, parapets or pilasters	Any yard	0.5 metres
Bay Windows	Front and rear yards only	1.0 metres

4.22 PERMITTED PUBLIC USES

This By-law permits the use of land in any zone, construction or re-construction, of any building or structure for the purposes of the provision of public services by the Township or of any telephone company, cable company, transportation or other public utility owned, operated or authorized by or for the Township, any department of the Federal or Provincial Governments, including TransCanada Pipeline, Hydro One or any conservation authority established by the Government of Ontario provided that:

a. the use, building or structure complies with the provisions of that zone;
b. any building or structure is designed and maintained in general harmony with the buildings and structures in that zone; or
c. there is no exterior storage of goods, materials or equipment in any Residential zone.

4.23 PROHIBITED USES

Notwithstanding other provisions contained in this By-law, no land or building in any zone shall be used for any purpose which from its nature or from the materials used is declared to be a health hazard under the *Health Protection and Promotion Act* without the consent of the local Medical Officer of Health as provided in that Act.

4.24 NOXIOUS TRADE

1. Except as may otherwise be specifically permitted under this By-law, no use shall be permitted which, from its nature or the materials used therein, is defined as a noxious trade, business or manufacturer under the Health Protection and Promotion Act, R.S.O., 1990, as amended, and the Regulations passed thereunder.

4.25 ROAD FRONTAGE REQUIRED

No person shall erect any building or structure for permanent, year-round or full-time use unless the lot upon which such building or structure is to be erected, except as otherwise specifically permitted by this By-law, has lot frontage upon a road which has been assumed by the Township, province of

Ontario or some other road authority, and is maintained year round by such authority in such a manner so as to permit its use by vehicular traffic.

1. Notwithstanding the foregoing, a building or structure may be erected upon a lot within a registered plan of subdivision in accordance with the provisions of a subdivision agreement in respect of such plan by subdivision notwithstanding that the roads within such plan of subdivision have not been assumed and are not being maintained by the Township.

2. Notwithstanding anything to the contrary in this clause, buildings and structures accessory to agricultural, forestry and mining uses, but not for human habitation or occupation are permitted in appropriate zones where publicly maintained road frontage is not available.

4.26 SECONDARY DWELLING UNIT

Any secondary dwelling units shall be developed in accordance with the following provisions:

a. A maximum of one secondary dwelling unit shall be permitted in single-detached dwellings where permitted by this By-law, provided that:
    i) It does not change the streetscape character along the street where it is located;
    ii) It is not a stand-alone, principal unit capable of being severed;
    iii) It only exists with, and must be contained within the same building as, its principal dwelling unit; and
    iv) A building permit is required prior to the establishment of a secondary dwelling unit and must follow the requirements of the *Ontario Building Code*.
b. The doorway entrance that leads to a secondary dwelling unit is limited to locations on the ground floor only, except where building and fire codes dictate otherwise.
c. Parking for the secondary dwelling unit shall be provided in accordance with the parking provisions in this By-law.
d. Notwithstanding any other provision in this By-law, the required parking space for a secondary dwelling unit may be stacked behind the required parking space of the principal dwelling in the driveway. The creation of the secondary dwelling unit must not eliminate a required parking space for the principal dwelling unit.
e. Where a secondary dwelling unit is located on a lot, no rooming units are permitted on the lot.
f. Secondary dwelling units must not be limited by, nor included in, any density control requirement, including for example, number of dwelling units and unit per hectare counts.

4.27 SEPARATION DISTANCES

New non-farm residential dwellings shall be located away from existing intensive agricultural uses such as livestock or poultry buildings or liquid manure storage structures in accordance with the Minimum Distance Separation I Criteria and new intensive agricultural operations shall be located away from existing non-farm residential dwellings in accordance with the Minimum Distance Separation II Criteria of the Ministry of Agriculture, Food and Rural Affairs.

4.28 GAS BARS

Fuel pumps and fuel pump islands may be located in any required yard; however no portion of any fuel pump island shall be erected closer than 6.0 metres from any road allowance:

a. the minimum distance from the intersection of the front and side lot line to the nearest ingress or egress ramp shall not be less than 9.0 metres;
b. the maximum width of a curb ramp at the front or side lot line shall not be more than 7.0 metres;
c. the minimum distance between the ramps shall not be less than 9.0 metres;
d. a canopy or roof may be erected over fuel pumps and fuel pump islands or may be extended from the main building to the pump island, however a minimum setback of 3.0 metres is required between the extent of the canopy or the roof and any lot line;

e. where the lot is a corner lot, no portion of any canopy or roof shall be located within any sight triangle.

4.29 SERVICES REQUIRED

Notwithstanding any other provisions of this By-law, no lands shall be used nor any building or structure erected or used thereon unless:

a. public sanitary sewer and water services are available and capable of servicing the said land, buildings or structures; or
b. the requirements of the Northwestern Health Unit and the Ministry of the Environment are met for the use of private water supply and sewage treatment services for the servicing of said land, buildings or structures.

4.30 SETBACKS ON PROVINCIAL HIGHWAYS

1. Where the following types of development are proposed in proximity to provincial highways, a permit shall be obtained from the Ministry of Transportation:

Type of development	Distance within which an MTO Permit is required
Building, structure, entrance or any road	45 m of the limit of any highway 180 m of the centre point of any intersection (on King's Highways) 395 m of the centre point of any interchange (on controlled-access highways)
Sign	400 m of the limit of the highway
Major developments or uses (i.e. shopping centre, stadium, fair ground, race track, drive-in theatre or any other purpose that causes persons to congregate in large numbers)	800 m of the limit of the highway

4.31 SETBACK FROM NAVIGABLE AND NON-NAVIGABLE WATERCOURSES, HAZARD LAND AND TOWNSHIP SURFACE DRAINS

Notwithstanding any other provisions of this By-law, a building in any zone along the Rainy River is required to be no nearer than 30 m from the top of the bank. Buildings along the La Vallee River and their tributaries or next to municipal drainage are required to have a minimum 15 m setback from the top of the bank.

4.32 SPECIAL USES PERMITTED

Nothing in this By-law shall prevent the use of land or the use or erection of a building or structure for:

a. a scaffold or other temporary building or structure incidental to construction in progress on premises for which a building permit has been granted, until such time as the work has been finished or abandoned;
b. a sign having an area of not more than 4.7 square metres incidental to construction in progress on premises for which a building permit has been granted, until such time as the work has been finished or abandoned;
c. a street sign or street light or yard light;
d. an authorized sign or signal;

e. a public election list or other proclamation of governmental authority; or
f. a sign erected to fulfill the conditions of a registered subdivision agreement.

4.33 STRUCTURES IN WATER

No person shall erect, alter or use any structure located in a navigable water except in compliance with the *Lakes and Rivers Improvement Act and the Navigable Waters Act* as revised or amended from time to time.

4.34 TELEVISION DISH ANTENNAE

Any television dish antennae larger than 1 metre in diameter shall not be located in the front yard on any lot.

4.35 TEMPORARY BUILDINGS

The temporary use of buildings and structures, including mobile homes, incidental to and necessary for lawful construction work shall be permitted in all zones, but only for as long as the same are necessary for the construction work subject to an agreement with the Township.

4.36 TRUCK, BUS AND COACH BODIES OR TRAILERS OR TENTS USED FOR HUMAN HABITATION

Except as expressly permitted by this By-law no truck, bus, railroad car, caboose, coach or streetcar body shall be used for human habitation whether the same is mounted on wheels or not. Except as expressly permitted by this By-law, the use of tents and trailers for human habitation is prohibited provided; however, this provision shall not prevent the occasional accommodation of guests in a Residential Zone.

4.37 WAYSIDE PITS AND QUARRIES

Where in this By-law, a wayside pit and quarry is permitted in a particular zone, it shall not be located:

a. within 90.0 metres of an existing residential use;
b. in the Conservation and Environmental Protection Zone; and
c. in an area where environmental disruption would occur.

4.38 YARD AND OPEN SPACE PROVISIONS FOR ALL ZONES

No part of a yard or other open space required abutting any building for the purpose of complying with the provisions of this By-law shall be included as part of a yard or other open space similarly required for another building.

SECTION 5 RURAL ZONE (RU) REGULATIONS

5.1 PERMITTED USES

No land shall be used in the Rural Zone (RU) except for the following purposes:

- Agricultural Service
- Agricultural Use
- Conservation Use
- Dwelling, Single-detached
- Farm Help House
- Forestry Use
- Fuel Depot
- Garden Suite
- Grain Elevator and Grain Drying Facility
- Greenhouse, Commercial
- Guest Cabin
- Home Industry
- Home Occupation
- Hunt Camp
- Kennel, Animal
- Manufacturing, Light
- Mineral Exploration
- Mobile Home
- Peat Extraction and Processing
- Portable Asphalt Plant
- Light Industrial Use
- Recreational Use
- Riding Stable
- Secondary Dwelling Unit
- Small Scale Commercial
- Wildlife Management

5.2 ZONE PROVISIONS

The following zone provisions shall apply to the permitted uses in the RU Zone:

		Provision
a)	Minimum Lot Area	4.0 hectares
b)	Minimum Lot Frontage	100.0 metres
c)	Maximum Lot Coverage	10.0 percent
d)	Minimum Front Yard	15.0 metres
e)	Minimum Side Yard	7.5 metres
f)	Minimum Exterior Side Yard	15.0 metres
g)	Minimum Rear Yard	15.0 metres
h)	Maximum Height	10.5 metres
i)	Minimum Dwelling Unit Area	60.0 square metres

5.3 USE SPECIFIC PROVISIONS

Notwithstanding Section 5.2, the following provisions shall apply to the uses listed in the following:

	Provision Per Use	
	Single-detached Dwelling	Agricultural Service / Light Industrial Uses / Small Scale Commercial Use / Home Industry
a) Minimum Lot Area	1.2 hectares	1.2 hectares
b) Minimum Lot Frontage	90.0 metres	90.0 metres
c) Maximum Lot Coverage	10 percent	15 percent
d) Minimum Front Yard	15.0 metres	15.0 metres
e) Minimum Side Yard	7.5 metres	15.0 metres
f) Minimum Exterior Side Yard	15.0 metres	15.0 metres
g) Minimum Rear Yard	15.0 metres	15.0 metres
h) Maximum Height	10.5 metres	10.5 metres
i) Minimum Ground Floor	65.0 square metres	60.0 square metres

SECTION 6 RESIDENTIAL 1 ZONE (R1) REGULATIONS

6.1 PERMITTED USES

No land shall be used in the Residential 1 Zone (R1) except for the following purposes:

- Dwelling, Modular
- Dwelling, Single-detached
- Garden Suite
- Group Home
- Home Industry
- Home Occupation
- Secondary Dwelling Unit

6.2 ZONE PROVISIONS

The following zone provisions shall apply to the permitted uses in the R1 Zone:

	Provision from the Main Building	
	Single-detached Dwelling, Group Home	Modular Dwelling
a) Minimum Lot Area	650 square metres	400 square metres
b) Minimum Lot Frontage	18.0 metres	12.0 metres
c) Maximum Lot Coverage	35 percent	30 percent
d) Minimum Front Yard	7.5 metres	7.5 metres
e) Minimum Side Yard	2.0 metres	2.0 metres
f) Minimum Exterior Side Yard	4.5 metres except where the entrance to a garage faces an exterior side yard the minimum side yard for the garage shall be 6.0 metres	4.5 metres
g) Minimum Rear Yard	9.0 metres	7.5 metres
h) Maximum Dwelling Height	10.5 metres	4.0 metres
i) Minimum Dwelling Unit Area	80 square metres	45.0 square metres

6.3 EXCEPTION ZONES

1. Notwithstanding Provision 6.2 d of this By-law, on lands shown as R1-1, the following provision shall apply:
    - Minimum Front Yard: 2.5 metres

SECTION 7 RESIDENTIAL 2 ZONE (R2) REGULATIONS

7.1 PERMITTED USES

No land shall be used in the Residential 2 Zone (R2) except for the following purposes:

- Dwelling, Duplex
- Dwelling, Semi-detached
- Dwelling, Single-detached
- Group Home
- Home Occupation
- Modular Dwelling
- Secondary Dwelling Unit

7.2 ZONE PROVISIONS

The following zone provisions shall apply to the permitted uses in the R2 Zone:

	Provision for the Main Building			
	Single-detached Dwelling	Semi-detached Dwelling	Duplex Dwelling, Group Home	Modular Dwelling
a) Minimum Lot Area	465 square metres	372 square metres per unit	650 square metres	400 square metres
b) Minimum Lot Frontage	15.0 metres	12.2 metres per unit	18.0 metres	12.0 metres
c) Maximum Lot Coverage	30 percent	40 percent	35 percent	30 percent
d) Minimum Front Yard	7.5 metres	7.5 metres	7.5 metres	7.5 metres
e) Minimum Side Yard	1.2 metres	1.2 metres, no side yard is required for common vertical wall dividing one unit from another.	2.0 metres	2.0 metres
f) Minimum Exterior Side Yard	3.0 metres except where the entrance to a garage faces an exterior side yard the minimum side yard for the garage shall be 6.0 metres	3.0 metres on each side, except that where an entrance to a garage faces an exterior side yard, the exterior side yard shall be 6.0 metres	4.5 metres on each side, except that where an entrance to a garage faces an exterior side yard, the exterior side yard shall be 6.0 metres	4.5 metres
g) Minimum Rear Yard	7.5 metres	7.5 metres	9.0 metres	7.5 metres
h) Maximum Dwelling Height	10.5 metres	10.5 metres	10.5 metres	4.0 metres
i) Minimum Dwelling Unit Area	80 square metres	80 square metres	80 square metres	45.0 square metres

SECTION 8 RESIDENTIAL MULTIPLE ZONE (R3) REGULATIONS

8.1 PERMITTED USES

No land shall be used in the Residential Multiple Zone (R3) except for the following purposes:

- Apartment Building
- Dwelling, Single-detached (existing)
- Dwelling, Semi-detached (existing)
- Dwelling, Duplex (existing)
- Dwelling, Double Duplex
- Dwelling, Townhouse
- Dwelling, Street Townhouse
- Dwelling, Triplex
- Nursing Home
- Rooming House
- Secondary Dwelling Unit

8.2 USE SPECIFIC PROVISIONS

Zone provisions for existing single detached, semi-detached and duplex dwellings shall be in accordance with the provisions for these uses as set out in Section 7.2 of this By-law.

The following zone provisions shall apply to the permitted uses in the R3 Zone:

	Provision Per Use					
	Double Duplex Dwelling	Town-house Dwelling	Street Townhouse Dwelling	Triplex Dwelling	Apartment Building, Nursing Home	Rooming House
a) Minimum Lot Area	744 square metres	285 square metres	230 square metres	690 square metres	690 square metres	650 square metres
b) Minimum Lot Frontage	12.2 metres	30 metres	6.7 metres	21.0 metres	30.0 metres	18.0 metres
c) Maximum Lot Coverage	40 percent	40 percent	40 percent	35 percent	35 percent	35 percent
d) Minimum Front Yard	7.5 metres	7.5 metres	6.0 metres	7.5 metres	7.5 metres	7.5 metres
e) Minimum Side Yard	4.5 metres	7.5 metres. No interior side yard is required between the common vertical wall dividing one unit from another.	2.0 metres for end units. No interior side yard is required between the common vertical wall dividing one unit from another.	4.5 metres	6.0 metres, except that where the interior lot line abuts an R1, R2, or R4 Zone, a minimum side yard equal to the building height is required to a maximum of 10.5 metres	2.0 metres
f) Minimum Exterior Side Yard	4.5 metres	4.5 metres	4.5 metres	6.0 metres	7.5 metres	4.5 metres
g) Minimum Rear Yard	9.0 metres	7.5 metres	7.5 metres	9.0 metres	7.5 metres, except that where the rear lot line abuts an R1, R2, or R4 Zone, a minimum rear yard equal to the building height is required to a maximum of 10.5 metres	9.0 metres
h) Minimum Distance Between Apartment Buildings on the Same Lot					20 metres	
i) Minimum Landscaped Open Space	20 percent	25 percent		20 percent	30 percent	30 percent
j) Maximum Dwelling Height	10.5 metres	10.5 metres	10.5 metres	10.5 metres	10.5 metres	10.5 metres
k) Minimum Dwelling Unit Area	80 square metres	80 square metres	80 square metres	60 square metres	45 square metres	110 square metres

SECTION 9 MOBILE HOME RESIDENTIAL ZONE (R4) REGULATIONS

9.1 PERMITTED USES

No land shall be used in the Mobile Home Residential Zone (R4) except for the following purposes:

- Mobile Home
- Modular Dwelling

9.2 USE SPECIFIC PROVISIONS

The following zone provisions shall apply to the permitted uses in the R4 Zone:

	Provision
a) Minimum Lot Area	400 square metres
b) Minimum Lot Frontage	12.0 metres
c) Maximum Lot Coverage	30 percent
d) Minimum Front Yard	7.5 metres
e) Minimum Side Yard	2.0 metres
f) Minimum Exterior Side Yard	4.5 metres
g) Minimum Rear Yard	7.5 metres
h) Maximum Dwelling Height	4.0 metres
i) Minimum Dwelling Unit Area	45 square metres

9.3 EXCEPTION ZONES

1. Notwithstanding Provision 9.2 of this By-law, on lands zoned as R4-1, the following provisions shall apply:
    - Minimum Lot Area: 366 square metres
    - Minimum Lot Coverage: 33 percent
    - Minimum Front Yard: 3.5 metres
    - Minimum Side Yard: 2.0 on one side and 4.3 metres on the other side
    - Minimum Rear Yard: 2.5 metres

SECTION 10 MOBILE HOME PARK ZONE (MHP) REGULATIONS

10.1 PERMITTED USES

No land shall be used in the Mobile Home Park Zone (MHP) except for the following purposes:

- Mobile Home

10.2 ZONE PROVISIONS

The following zone provisions shall apply to the permitted uses in the MHP Zone:

	Provision
a) Minimum Lot Area	2.0 hectares
b) Minimum Site Area per Unit	275 square metres
c) Minimum Lot Frontage	90 metres
d) Maximum Lot Coverage	30 percent
e) Minimum Front Yard	9.0 metres
f) Minimum Side Yard	7.5 metres
g) Minimum Exterior Side Yard	9.0 metres
h) Minimum Rear Yard	9.0 metres
i) Minimum Landscaped Open Space	10 percent
j) Maximum Dwelling Height	4.0 metres
k) Minimum Dwelling Unit Area	45 square metres

SECTION 11 HIGHWAY COMMERCIAL ZONE (C1) REGULATIONS

11.1 PERMITTED USES

No land shall be used in the Highway Commercial Zone (C1) except for the following purposes:

- Accessory Dwelling Unit or Mobile Home for a caretaker, owner or manager of a permitted use in association with the following uses:
- Agricultural Services
- Animal Hospital
- Automobile Service Station
- Builders' Supply Outlet
- Business or Professional Office
- Club, Commercial
- Club, Private
- Community Centre
- Drive-through Facility
- Entertainment Facility
- Financial Institution
- Flea Market
- Funeral Home
- Hotel
- Motel
- Personal Service Establishment
- Recreational Vehicle or Boat Sales and Service Establishment
- Restaurant
- Retail Store
- Shopping Centre
- Tavern
- Taxi Stand
- Tourist Commercial Establishment
- Vehicle Repair Shop

11.2 ZONE PROVISIONS

The following zone provisions shall apply to the permitted uses in the C1 Zone:

	Provision
a) Minimum Lot Area ▪ Unserviced ▪ Serviced	 1.2 hectare no minimum required
b) Minimum Lot Frontage ▪ Unserviced ▪ Serviced	 50.0 metres No minimum required
c) Minimum Lot Coverage ▪ Unserviced ▪ Serviced	 30 percent 50 percent
d) Minimum Front Yard	15 metres
e) Minimum Side Yard	10.0 metres
f) Minimum Exterior Side Yard	10.0 metres
g) Minimum Rear Yard	10.0 metres
h) Minimum Landscaped Open Space	20 percent
i) Maximum Building Height	10.5 metres
j) Minimum Floor Area	60 square metres
k) Buffer Strip	Where a Highway Commercial Zone (C 1) abuts a

	Provision
	residential, institutional or open space zone, a buffer strip shall be provided along the property line having a minimum width of 3.0 metres

11.3 USE SPECIFIC PROVISIONS

1. Notwithstanding Section 11.2, the following provisions shall apply to Automobile Service Stations and Vehicle Repair Shops:

	Provision
a) Minimum Lot Area ▪ Unserviced ▪ Serviced	 0.8 hectare 1400 square metres
b) Minimum Lot Frontage ▪ Unserviced ▪ Serviced	 36.0 metres 25.0 metres
c) Minimum Lot Coverage	35 percent
d) Minimum Front Yard	15.0 metres
e) Minimum Side Yard	4.5 metres
f) Minimum Exterior Side Yard	7.5 metres
g) Minimum Rear Yard	7.5 metres
h) Minimum Landscaped Open Space	10 percent
i) Minimum Landscaped Open Space	20 percent
j) Maximum Building Height	10.5 metres
k) Minimum Floor Area	40 square metres
l) Buffer Strip	Where an automobile service station or Vehicle Repair Shop abut a residential, Institutional or open space use, a buffer strip shall be provided along the property line having a minimum width of 3.0 metres
m) Open storage	Open storage is prohibited, except merchandise offered for sale

2. Notwithstanding Section 11.2, the following provisions shall apply to Accessory Dwelling Units:

	Provision
a) Minimum Front Yard	15.0 metres
b) Minimum Side Yard	4.5 metres
c) Minimum Exterior Side Yard	6.0 metres
d) Minimum Rear Yard	7.5 metres
e) Minimum Dwelling Unit Area	45 square metres

SECTION 12 GENERAL COMMERCIAL ZONE (C2) REGULATIONS

12.1 PERMITTED USES

No land shall be used in the General Commercial Zone (C2) except for the following purposes:

- Apartment Dwelling
- Automobile Service Station
- Bake Shop
- Builders' Supply Outlet
- Business or Professional Office
- Club, Commercial
- Club, Private
- Community Centre
- Contractor's Yard
- Convenience Store
- Drive-through Facility
- Entertainment Facility
- Financial Institution
- Funeral Home
- Gas Bar
- Manufacturing, Light
- Motor Vehicle or Recreation Vehicle Sales, Leasing and Storage Establishment
- Parking Lot
- Personal Service Establishment
- Restaurant
- Retail Store
- School, Commercial
- Shopping Centre
- Tavern
- Taxi Stand
- Vehicle Repair Shop

12.2 ZONE PROVISIONS

The following zone provisions shall apply to the permitted uses in the C2 Zone:

	Provision
a) Minimum Lot Area	No minimum required
b) Minimum Lot Frontage	No minimum required
c) Maximum Lot Coverage	60 percent
d) Minimum Front Yard	6.0 metres
e) Minimum Side Yard	2.0 metres
f) Minium Exterior Side Yard	4.5 metres
g) Minimum Rear Yard	6.0 metres
h) Minimum Landscaped Open Space	none
i) Maximum Height	10.5 metres
j) Minimum Floor Area	60 square metres
k) Buffer Strip	Where abutting a residential, institutional or open space zone, a 3.0 metres buffer strip shall be provided.

12.3 USE SPECIFIC PROVISIONS

1. Notwithstanding Provision 12.2 of this By-law, Manufacturing, Light uses shall not exceed 50 percent of the floor area and the products manufactured are primarily for retail sale on the premises.

2. Notwithstanding Provision 12.2 of this By-law, the following zone provisions shall apply to Apartment Dwellings within a commercial building:

	Provision
a) Minimum Amenity Area	9 square metres per dwelling unit
b) Minimum Dwelling Unit Area	
i. Bachelor unit	45 square metres
ii. One Bedroom	55 square metres
iii. Two Bedroom	65 square metres
c) Location within a commercial building	Above or behind the commercial use

12.4 EXCEPTION ZONES

Notwithstanding Provision 12.1 of this By-law, no land shall be used on lands shown as C2-1 except for the following uses:

- Apartment dwelling
- Bake Shop
- Builders' Supply Outlet
- Business
- Community Centre
- Convenience Store
- Dwelling, Single-detached
- Financial Institution
- Funeral Home
- Personal Service Establishment
- Restaurant
- Retail Store

SECTION 13 NEIGHBOURHOOD COMMERCIAL ZONE (C3) REGULATIONS

13.1 PERMITTED USES

No land shall be used in the Neighbourhood Commercial Zone (C3) except for the following purposes:

- Apartment Dwelling for a caretaker, owner or manager in association with the following uses:
- Convenience Store
- Personal Service Establishment

13.2 ZONE PROVISIONS

The following zone provisions shall apply to the permitted uses in the C3 Zone:

	Provision
a) Minimum Lot Area	700 square metres
b) Minimum Lot Frontage	15.0 metres
c) Maximum Lot Coverage	40 percent
d) Minimum Front Yard	7.5 metres
e) Minimum Side Yard	3.0 metres, except where the interior side yard abuts a Residential Zone, 4.5 metres is required
f) Minimum Exterior Side Yard	4.5 metres
g) Minimum Rear Yard	7.5 metres, except where the rear yard abuts a Residential Zone, 12 metres is required
h) Minimum Landscaped Open Space	20 percent
i) Maximum Height	10.5 metres
j) Minimum Floor Area	60 square metres
k) Open storage	None permitted

13.3 ZONE PROVISIONS FOR ACCESSORY USES

1. The following provisions shall apply to Apartment Dwellings within a commercial building:

	Provision
a) Minimum Amenity Area	9 square metres per dwelling unit
b) Minimum Dwelling Unit Area	
i. Bachelor unit	45 square metres
ii. One Bedroom	55 square metres
iii. Two Bedroom	65 square metres
c) Location within a commercial building	Above or behind the commercial use

SECTION 14 INDUSTRIAL ZONE (M1) REGULATIONS

14.1 PERMITTED USES

No land shall be used in the Industrial Zone (M1) except for the following purposes:

- Accessory Dwelling Unit or Mobile Home for a caretaker, owner or manager, and / or retail use in association with the following uses:
- Abattoir
- Automobile Wrecking Yard or Scrap Metal Yard
- Airport or Aircraft Landing Area
- Commercial Storage Facility
- Contractor's Yard
- Light Industrial Use
- Manufacturing, Light
- Open Storage
- Portable Asphalt Plant
- Public Services
- Warehouse

14.2 ZONE PROVISIONS

The following zone provisions shall apply to the permitted uses in the M1 Zone:

	Provision
a) Minimum Lot Area i. Unserviced ii. Serviced	 1.2 hectare 4000 square metres
b) Minimum Lot Frontage i. Unserviced ii. Serviced	 40.0 metres 30.0 metres
c) Maximum Lot Coverage i. Unserviced ii. Serviced	 35 percent 50 percent
d) Minimum Front Yard	15 metres
e) Minimum Side Yard	10 metres
f) Minimum Exterior Side Yard	10 metres
g) Minimum Rear Yard	10 metres
h) Minimum Landscaped Open Space	10 percent
i) Maximum Building Height	12 metres
j) Minimum Floor Area	140 square metres
k) Buffer Strip	3,0 metres where the lot abuts a residential, institutional or open space zone
l) Open Storage	may be located in an interior side yard and rear yard and shall be screened from adjacent streets by means of fencing and / or landscaping features. Open storage shall not a permitted within 9.0 metres of a residential zone.

14.3 ZONE PROVISIONS FOR ACCESSORY USES

1. The following provisions shall apply to Accessory Dwelling Units and Mobile Homes:

	Provision
a) Minimum Front Yard	15.0 metres
b) Minimum Side Yard	4.5 metres
c) Minimum Exterior Side Yard	6.0 metres
d) Minimum Rear Yard	7.5 metres
e) Minimum Dwelling Unit Area	45 square metres
f) Minimum Landscaped Open Space	10.5 metres

2. Notwithstanding any provision to the contrary, retail use area shall comprise a maximum of 5 percent of the ground floor area or 278 square metres, whichever is greater.

SECTION 15 AGGREGATE EXTRACTION (MX) ZONE REGULATIONS

15.1 PERMITTED USES

No land shall be used in the Aggregate Extraction Industrial (MX) Zone except for the following purpose:

- Mineral Aggregate Operation
- Open Storage

15.2 ZONE PROVISIONS

The following zone provisions shall apply to the permitted uses in the MX Zone:

	Provision
a) Minimum Lot Area	4.0 hectares
b) Minimum Lot Frontage	100.0 metres
c) Minimum Excavation Setback I. front lot line II. from road allowance III. from abutting lands used for residential, institutional, commercial or recreational uses	 15.0 metres 30.0 metres 300.0 metres
d) Minimum Setback for Building, Equipment, Machinery, or Stockpiling I. from lot line II. from road allowance III. from lands used or zoned for residential purposes	 30.0 metres 30.0 metres 90.0 metres
e) Buffer Strip	Where an aggregate use abuts a residential, institutional, commercial or open space use, a buffer strip together with screening measures shall be provided along the property line having a minimum width of 6.0 metres
f) Retail Use Area	80 square metres
g) Open storage	230 square metres

SECTION 16 MINERAL MINING ZONE (MM) REGULATIONS

16.1 PERMITTED USES

No land shall be used in the Mineral Mining (MM) Zone except for the following purposes:

- Mineral Mining Operation
- Open Storage

16.2 ZONE PROVISIONS

The following zone provisions shall apply to permitted uses in the MM Zone:

	Provision
h) Minimum Lot Area	4.0 hectares
i) Minimum Lot Frontage	100.0 metres
j) Minimum Excavation Setback IV. front lot line V. from road allowance VI. from abutting lands used for residential, institutional, commercial or recreational uses	 15.0 metres 30.0 metres 300.0 metres
k) Minimum Setback for Building, Equipment, Machinery, or Stockpiling IV. from lot line V. from road allowance VI. from lands used or zoned for residential purposes	 30.0 metres 30.0 metres 90.0 metres
l) Buffer Strip	Where an mining use abuts a residential, institutional, commercial or open space use, a buffer strip together with screening measures shall be provided along the property line having a minimum width of 6.0 metres
m) Retail Use Area	80 square metres
n) Open storage	230 square metres

SECTION 17 INSTITUTIONAL ZONE (I) REGULATIONS

17.1 PERMITTED USES

No land shall be used in the Institutional Zone (I) except for the following purposes:

- Animal Shelter
- Arena
- Assembly Hall
- Cemetery
- Club, Private
- Community Centre
- Institutional Use
- Place of Worship
- Public Service
- School
- School, Private

17.2 ZONE PROVISIONS

The following zone provisions shall apply to the permitted uses in the I Zone:

	Provision
a) Minimum Lot Area	
i. Unserviced	1.2 hectares
ii. Serviced	No minimum required
b) Maximum Lot Coverage	50 percent
c) Minimum Front Yard	7.5 metres
d) Minimum Side Yard	5.0 metres
e) Minimum Rear Yard	7.5 metres
f) Maximum Building Height	10.5 metres

SECTION 18 WASTE DISPOSAL ZONE (WD) REGULATIONS

18.1 PERMITTED USES

No land shall be used in the Waste Disposal Zone (WD) except for the following purposes:

- Solid Waste Disposal Facility
- Waste Processing and Transfer Facility

18.2 ZONE PROVISIONS

The following zone provisions shall apply to the permitted uses in the WD Zone:

	Provision
a) Minimum Lot Area	20.0 hectares
b) Minimum Lot Frontage	100.0 metres
c) Minimum Front Yard	30.0 metres
d) Minimum Side Yard	30.0 metres
e) Minimum Rear Yard	30.0 metres
f) Maximum Building Height	10.5 metres
g) Minimum Landscaped Area	20 percent

SECTION 19 OPEN SPACE ZONE (OS) REGULATIONS

19.1 PERMITTED USES

No land shall be used in the Open Space Zone (OS) except for the following purposes:

- Campground
- Cemetery
- Conservation Use
- Dock
- Fairground
- Golf Course
- Golf Driving Range
- Marina
- Park, private
- Park, public
- Recreation Use
- Trailer Park
- Wildlife Management

19.2 ZONE PROVISIONS

The following zone provisions shall apply to the permitted uses in the OS Zone:

Zoning Mechanism	Provision
a) Minimum Lot Area i. Unserviced ii. Serviced	 0.4 hectares No minimum required
b) Minimum Lot Frontage i. Unserviced ii. Serviced	 30.0 metres No minimum required
c) Maximum Lot Coverage	15 percent
d) Minimum Front Yard	10.0 metres
e) Minimum Side Yard	10.0 metres
f) Minimum Rear Yard	10.0 metres
g) Maximum Building Height	10.5 metres
h) Maximum Floor Area	50.0 square metres

SECTION 20 CONSERVATION AND ENVIRONMENTAL PROTECTION ZONE (CEP) REGULATIONS

20.1 PERMITTED USES

No land shall be used in the Conservation and Environmental Protection Zone (CEP) except for the following purposes:

- Agricultural Use
- Conservation Use
- Dwellings existing at the date of the passing of this By-law, and uses, buildings and structures accessory thereto, but not conversions or enlargements thereof
- Forestry Use
- Mineral Exploration
- public and private parks, including playgrounds, picnic facilities, sport fields, tennis courts, golf course, outdoor natural rinks and docks.
- Public Services
- Wildlife Management

20.2 FILL

No fill shall be placed on or removed from land in the Conservation and Environmental Protection Zone (CEP) whether originating on such lands or elsewhere.

SECTION 21 ZONING SCHEDULES

This Section includes the two (2) zoning schedules (maps) for the entire Township of Emo labeled:

- Schedule A – Township of Emo;
- Schedule A-1 – Village of Emo Settlement Area.

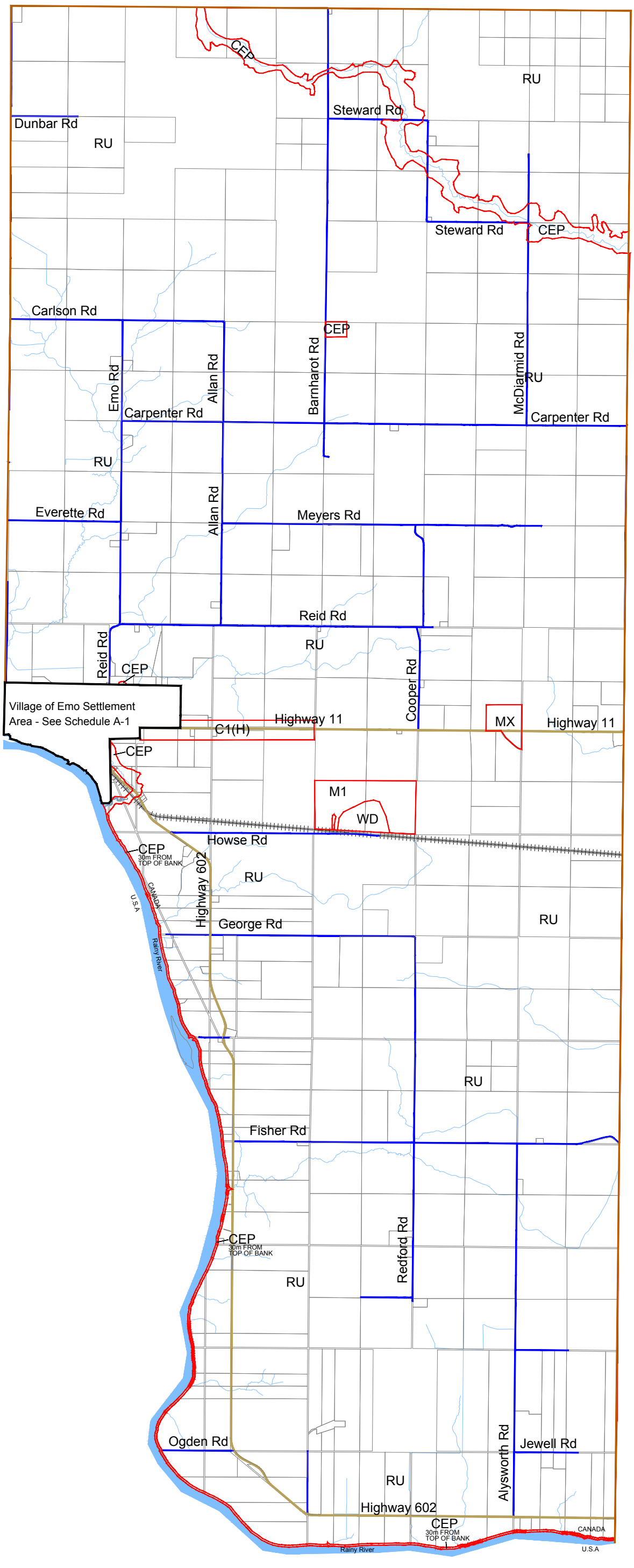
TOWNSHIP OF EMO

ZONING BY-LAW
SCHEDULE A

Council Adoption October 15, 2013

Village of Emo Settlement Area
Zone Boundary
RU - Rural Zone
C1 - Highway Commercial Zone
M1 - Industrial Zone
MX - Aggregate Extraction Zone
WD - Waste Disposal Zone
CEP - Conservation and Environmental Protection Zone
H - Holding Zone

Transportation
Provincial Highway
Township Roads
CN Railway



FOTENN PLANNING & URBAN DESIGN

500m 1000m 1500m 2000m 2500m

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Digital Map Created By:

CGIS Spatial Solutions
52 South Street
Perth, ON K7H 2G7
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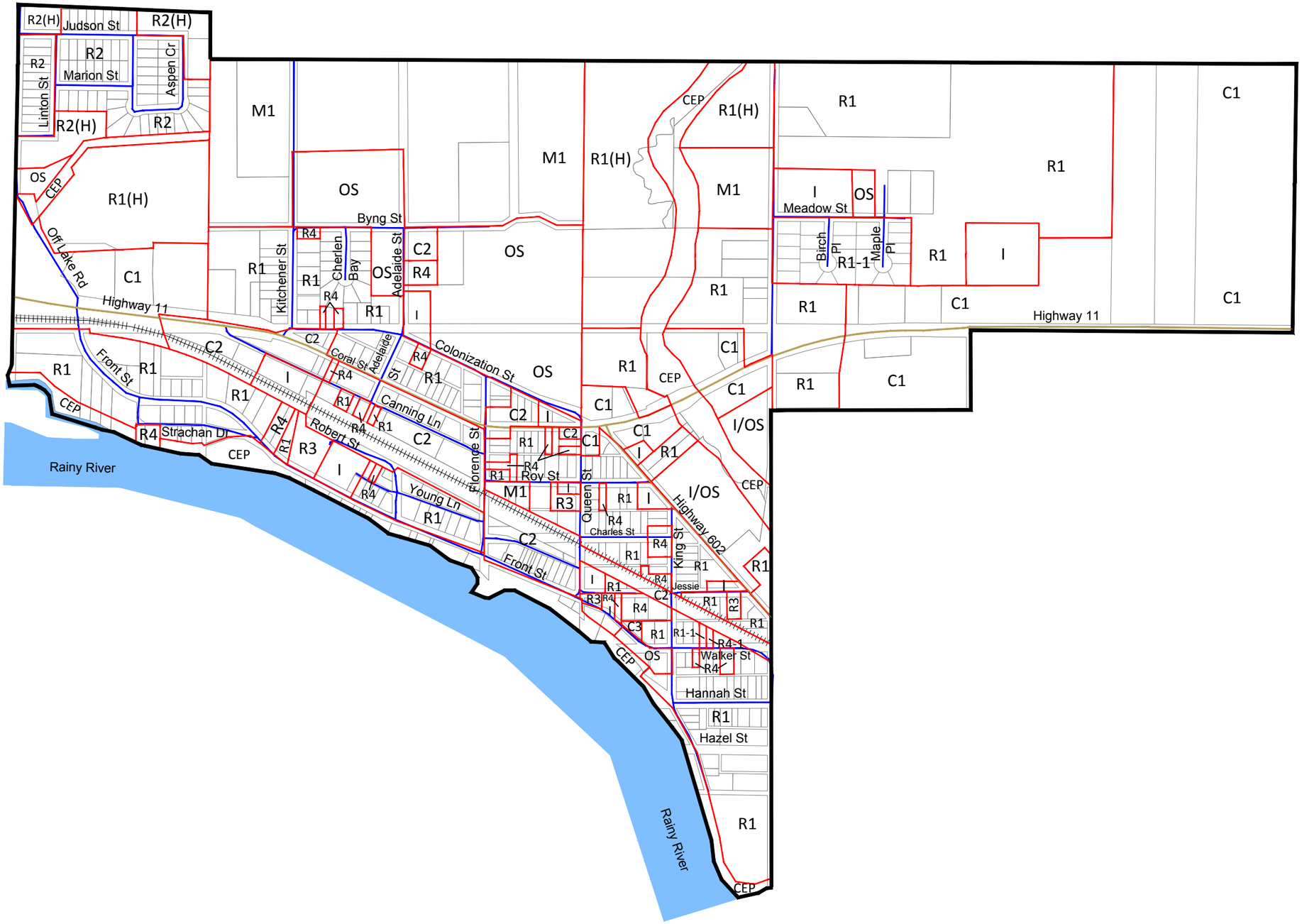

TOWNSHIP OF EMO

ZONING BY-LAW

SCHEDULE A-1 - Village of Emo Settlement Area

Council Adoption October 15, 2013

Village of Emo Settlement Area
Zone Boundary

R1 - Residential 1 Zone
R2 - Residential 2 Zone
R3 - Residential Multiple Zone
R4 - Mobile Home Residential Zone
MHP - Mobile Home Park Zone
C1 - Highway Commercial Zone
C2 - General Commercial Zone
C3 - Neighbourhood Commercial Zone
M1 - Industrial Zone
I - Institutional Zone
OS - Open Space Zone
CEP - Conservation and Environmental Protection Zone
H - Holding Zone

Transportation
Provincial Highway
Railway

FOTENN PLANNING & URBAN DESIGN

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Perth, ON K7H 2G7
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100m 200m 300m 400m 500m

N

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