

Prepared for:

TOWNSHIP OF BURPEE AND MILLS
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Township of Burpee and Mills

Zoning By-law 2025-03



Township of Burpee and Mills

Zoning By-law 2025-03

Table of Contents

1.0	Authorization and Administration	1
2.0	Interpretation	4
2.1	General	4
2.2	Certain Words	4
2.3	Interpretation of Similar Permitted Uses	4
2.4	Technical Revisions	4
2.5	Zones	5
2.6	Schedules	5
2.7	Zone Boundaries	5
2.8	Closings	5
2.9	Zoning Symbols	6
3.0	Definitions	7
4.0	General Provisions	30
4.1	Accessory Uses	30
2.	Additional Residential Units	30
3.	Garages.....	31
4.	Garden Suites.....	31
5.	Portable Shelters	31
6.	Private Swimming Pools	31
7.	Recreational Vehicles	31
8.	Truck, Bus and Coach Bodies.....	32
9.	Shipping Containers	32
4.2	Automobile Service Stations and Gas Bars	32
4.3	Building Repair and Reconstruction	33
4.4	Buildings to be Moved	33
4.5	Cannabis Processing Facility	33
4.6	Change of Use	33
4.7	Corner Visibility Triangle.....	33
4.8	Dwelling Unit in Non-residential Building or Lot	34
4.9	Frontage on a Public Road or Street	34
4.10	Height Exceptions	34
4.11	Home Industries	34
4.12	Home Occupations.....	35
4.13	Minimum Distance Separation.....	35
4.14	Multiple Uses on One Lot	35
4.15	Non-Conforming Uses	36
4.16	Non-Complying Uses	37
4.17	Number of Dwelling Units on One Lot.....	37
4.18	Planting Strip.....	37
4.19	Properties with More than One Zone	38
4.20	Public Uses Permitted	38
4.21	Short Term Rentals	38
4.22	Special Uses Permitted	38
4.23	Uses Prohibited.....	39
4.24	Uses Restricted.....	39
4.25	Waste Disposal Zone Setbacks.....	39
4.26	Waterfront Setbacks and Vegetative Buffer	39

Township of Burpee and Mills

Zoning By-law 2025-03

	1.	Setbacks from Lakes	39
	2.	Setbacks from Lake Huron	39
	4.27	Yard and Setback Encroachments Permitted	40
	4.28	Yard Exception – Terrain Unsuitability	41
5.0		Parking	42
	5.1	Off-street Parking Requirements	42
	5.2	Parking Space Requirements	42
	5.3	Parking Area Requirements	44
	5.4	Location	44
	5.5	Ingress and Egress	44
	5.6	Addition to a Building or Structure	44
	5.7	Buffer Area	45
	5.8	Drive Through	45
	5.9	Illumination	45
	5.10	Parking Area Surface	45
	5.11	Use of Parking Spaces and Areas	45
	5.12	Accessible Parking	45
	5.13	Loading Space Requirements	47
6.0		Settlement (S) Zone	48
	6.1	Permitted Uses	48
	6.2	Zone Provisions	48
	6.3	Additional Zone Provisions	49
	6.4	Special Exception Zones	49
7.0		Shoreline Residential (SR) Zone	50
	7.1	Permitted Uses	50
	7.2	Zone Provisions	50
	7.3	Additional Zone Provisions	50
	7.4	Special Exception Zones	50
8.0		General Commercial (C) Zone	52
	8.1	Permitted Uses	52
	8.2	Zoning Provisions	52
	8.3	Additional Zone Provisions	52
	8.4	Special Exception Zones	53
9.0		Commercial Recreational (CR) Zone	54
	9.1	Permitted Uses	54
	9.2	Zone Provisions	54
	9.3	Additional Zone Provisions	54
	9.4	Special Exception Zones	54
10.0		Agricultural (A) Zone	55
	10.1	Permitted Uses	55
	10.2	Zone Provisions	55
	10.3	Additional Zone Provisions	55
	10.4	Special Exception Zones	56
11.0		Rural (R) Zone	58
	11.1	Permitted Uses	58
	11.2	Zone Provisions	58
	11.3	Additional Zone Provisions	58
	11.4	Special Exception Zones	60
12.0		Recreational (O1) Zone	64

Township of Burpee and Mills

Zoning By-law 2025-03

12.1	Permitted Uses.....	64
12.2	Zone Provisions	64
12.3	Additional Zone Provisions	64
12.4	Special Exception Zones	64
13.0	Conservation (O2) Zone	65
13.1	Permitted Uses.....	65
13.2	Zone Provisions	65
13.3	Additional Zone Provisions	65
13.4	Special Exception Zones	65
14.0	Pit and Quarry (Q) Zone	66
14.1	Permitted Uses.....	66
14.2	Zone Provisions	66
14.3	Additional Zone Provisions	66
14.4	Special Exception Zones	66

THE CORPORATION OF THE TOWNSHIP OF BURPEE AND MILLS

Bylaw No. 2025-03

Being a bylaw to repeal and replace Bylaw Nos. 80-9 and 96-01 and amendments thereto.

A Bylaw of the Corporation of the Township of Burpee and Mills; regulating the use of all land, and the density, size, location, and use of all buildings and structures within its municipal boundary.

WHEREAS Section 34 of the *Planning Act* provides authority to Municipal Councils to enact bylaws regarding the use of lands and the erection and use of buildings or structures within the municipality;

AND WHEREAS Section 24 of the *Planning Act* provides that no Zoning Bylaw may be passed that does not conform to the Official Plan of the District of Manitoulin;

AND WHEREAS an Official Plan for the District of Manitoulin was approved on October 29th, 2018;

AND WHEREAS Section 26 of the *Planning Act* requires that Municipal Zoning Bylaws be amended to conform to the Official Plan;

AND WHEREAS it is now deemed necessary and expedient to enact a new Zoning Bylaw for the Township of Burpee and Mills which will be in conformity with the Official Plan;

AND WHEREAS an Open House in accordance with the *Planning Act* was held on February 26, 2025 for the purpose of giving the public an opportunity to review and ask questions about the proposed Zoning Bylaw;

AND WHEREAS a Public Meeting in accordance with the *Planning Act* was held on March 5, 2025;

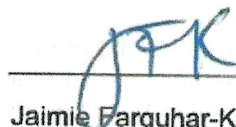
NOW THEREFORE the Council of the Corporation of the Township of Burpee and Mills pursuant to Section 34 of the *Planning Act*, enacts as follows:

1. Bylaw Nos. 80-9 Township of Burpee Zoning Bylaw and 96-01 Township of Mills Zoning Bylaw, and amendments thereto, are hereby repealed at such time as the new Zoning Bylaw for the Township comes in full force and effect; and
2. Bylaw No. 2025-03 Township of Burpee and Mills Zoning Bylaw shall come into force in accordance with the provisions of the *Planning Act*.

READ a first, second, and third time and finally passed this 3rd day of June, 2025



Ken Noland, Reeve
Reeve



Jaimie Farquhar-Kay
Clerk-Treasurer

SEAL

Township of Burpee and Mills

Zoning By-law 2025-03

1.0 Authorization and Administration

1.1 Title

This By-law shall be known as the "Zoning By-law for the Township of Burpee and Mills" or By-law No. 2025-03.

1.2 Defined Area

This By-law applies to all land included on Schedules B1 and B2 to this By-law within the boundaries of the Township of Burpee and Mills, herein after known as the Township, and to the adjoining shores of various lakes and rivers including land covered by water wherever there is or may be erected any jetty, boathouse, pier or other building or structure.

1.3 Effective Date

This By-law shall come into effect on the day it is passed by the Township subject to the appeal provisions of the *Planning Act*.

1.4 Scope

No building, structure or land shall be used, and no building or structure shall be hereafter erected within that portion of the Planning Area as now or henceforth legally constituted to which this By-law applies except in conformity with the provisions of this By-law.

1.5 Administration and Enforcement

This By-law shall be administered by the Council or such other person as the Township shall designate, and no permit for the use of land or for the erection of any building or structure or approval of any municipal license within the area to which this By-law applies, shall be issued where the proposed use, building or structure would be in violation of any provision of this By-law.

1.6 Application and Plans

In addition to the requirements of this Zoning By-law, every application for a building permit shall be accompanied by plans, drawn to an appropriate scale and based upon an actual survey and showing:

1. the true shape and dimensions of the lot to be used or upon which it is proposed to erect any building or structure;
2. the proposed location, height and dimensions of the building, structure or work in respect of which the permit is applied for;
3. the location of every building or structure already erected on or partly erected on such lot, and the location of every use, building or structure upon adjacent lots;
4. the proposed location of parking spaces, loading spaces, driveways, landscaping areas or planting strips as may be required; and
5. other such information as may be necessary to determine whether or not every such building, structure and work conforms to the requirements of this By-law.

Township of Burpee and Mills

Zoning By-law 2025-03

Every such application shall be signed by the owner of the lot or the owner's agent duly authorized thereunto in writing and by the Chief Building Official and such application shall set forth in detail the current and proposed use of the lot and any building or structure thereon, together with all information necessary to determine whether or not every such proposed use of land, building or structure conforms with the requirements of this By-law.

1.7 Conformity

No land to which this By-law applies shall hereafter be used and no building or structure shall hereafter be erected or used except in accordance with the general and special provisions of this By-law, but nothing in this By-law prevents the use of any land, building or structure for any use prohibited by this By-law if such land, building or structure was lawfully used for such purpose on the day this By-law comes into effect.

1.8 Licenses, Permits and Other By-laws

Nothing in this By-law shall exempt any person from complying with requirements of the building By-law or any other By-law in force within the Township or from obtaining any permit, license, permission, authority or approval required by this or any other By-law of the Township or by any other law in force from time to time.

1.9 Greater Restrictions

This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions.

1.10 Inspection

The authority having jurisdiction to enforce this By-law from time to time is hereby authorized, after reasonable notice to the owner or assessed owner, occupant or apparent occupant of the property in question, to enter at all reasonable hours for the purposes of inspection.

1.11 Violation and Penalty

1. Pursuant to Section 429 of the *Municipal Act, R.S.O., 2001, Chapter 25* and to Section 67 of the *Planning Act, R.S.O., 1990, Chapter P13*, as amended respectively, every person who contravenes any of the provisions of the Zoning By-law shall upon conviction thereof, forfeit and pay a penalty not exceeding \$25,000 exclusive of costs for each offence, and on a subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted. All of the provisions of which shall apply, except any term of imprisonment for default of the payment of the fine and costs imposed under this By-law shall not exceed six (6) months. The imposition of the penalty for contravention of this By-law shall not excuse the condition or matter resulting in such contravention or permit it to continue.
2. In addition to any penalty provided by this By-law, any contravention may be restrained by action at the instance of any ratepayer or of the Township to the provisions of Section 45 of the *Planning Act, R.S.O., 1990, Chapter P13*, as amended, in that behalf.

Township of Burpee and Mills

Zoning By-law 2025-03

1.12 Repetition of Offences

The conviction of an offender upon a breach of any of the provisions of this By-Law, shall not prevent prosecution against the same offender upon any subsequent breach of the same or any other provision of this By-Law.

1.13 Remedies

Where any building or structure is or is proposed to be erected, reconstructed, extended or enlarged, or any building or structure or part thereof is or is proposed to be used, or any land is or is proposed to be used, in contravention of any requirements of this By-law such contravention may be restrained by action at the instance of any ratepayer or of the Township pursuant to the provisions of the *Planning Act*.

1.14 Validity

Should any section, or part of a section, of this By-law for any reason be held to be invalid, it is the intention that all the remaining provisions shall remain in full force and effect.

Township of Burpee and Mills

Zoning By-law 2025-03

2.0 Interpretation

2.1 General

In their interpretation and application, the provisions of this By-law shall be held to be the minimum requirement adopted for the promotion of the public health, safety, convenience or general welfare. Whenever the requirements of this By-law are at variance with the requirements of any other By-law, the most restrictive, or the By-law imposing the higher standards, shall govern and apply. Nothing in this By-law shall be construed to exempt any person from complying with the requirements of any other By-law of the Township or from any law of the Province of Ontario or of Canada.

2.2 Certain Words

In this By-law, words used in the present tense include future; words in the singular number include the plural; words in the plural include the singular number; and the word "used" includes "arranged, designed or intended to be used"; the word "shall" is mandatory and not discretionary.

Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunction "and", "or", or "either-or", the conjunction shall be interpreted as follows:

1. "and" indicates that all connected items, conditions, provisions or events shall apply in any combination;
2. "or" indicates that the connected items, conditions, provisions or events may apply single or in combination; and
3. "either-or" indicates that the connected items, conditions, provisions or events shall apply single but not in combination.

2.3 Interpretation of Similar Permitted Uses

Uses other than those hereinafter specifically mentioned as uses in each of the zones, may be permitted therein, provided such uses are similar to those specifically mentioned and are, in the opinion of Council, or a designate of Council, not more obnoxious or detrimental to the welfare of the community, than the permitted uses specifically mentioned in the respective zone.

2.4 Technical Revisions

Revisions may be made to this by-law without the need for a zoning by-law amendment in the following cases:

1. correction of grammar, punctuation or typographical errors, or revisions to format in a manner that does not change the intent of a provision;
2. adding or revising technical information on maps or schedules that does not affect the zoning of lands including, but not limited to, matters such as updating and correcting infrastructure information, keys, legends, or title blocks; and
3. changes to appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, historical or reference information, page numbering, footers, and headers,

Township of Burpee and Mills

Zoning By-law 2025-03

which do not form a part of this by-law and are editorially inserted for convenience of reference only.

2.5 Zones

For the purpose of this By-law all land within the boundaries of the Township is hereby divided and established into Zones which are shown on the attached Schedules by the accompanying symbols:

Zone	Symbol	Section
Settlement	S	6.0
Shoreline Residential	SR	7.0
General Commercial	C	8.0
Commercial Recreational	CR	9.0
Agricultural	A	10.0
Rural	R	11.0
Recreational	O1	12.0
Conservation	O2	13.0
Pit and Quarry	Q	14.0

2.6 Schedules

Schedules B1 and B2 attached hereto, together with notations and references shown thereon, are hereby declared to form part of this By-law.

2.7 Zone Boundaries

1. The extent and boundaries of all zones are shown on Schedules B1 and B2, and for such zones, the provisions of this By-law shall respectively apply.
2. Boundaries between zones shall be determined as follows:
 - a) Where a zone boundary is indicated as following a street or lane or highway, the boundary shall be the centre line of such street or lane or highway, and in the event of the closing of such street or lane or highway, the zone boundary shall be the former centre line of the said street or lane or highway;
 - b) Where a street or lane or highway, electrical transmission line right-of-way or water course is included in the zoning maps, it shall, unless otherwise indicated, be included in the zone of the adjoining property on either side thereof;
 - c) Where an electrical transmission line right-of-way or water course is included on the zoning map and serves as a boundary between two or more different zones, the line midway on such right-of-way or water course and extending in the general direction of the long division thereof shall be considered the boundary between zones unless specifically indicated otherwise; and
 - d) Where a zone boundary is indicated as following the limits of a geographic township, the limit shall be the zone boundary.

2.8 Closings

In the event a dedicated street or lane shown on Schedules B1 and B2 of this By-law is closed, the property formerly in such street or lane shall be included within the zone of the adjoining

Township of Burpee and Mills

Zoning By-law 2025-03

property on either side of such closed street, or lane. If a closed street or lane is the boundary between two or more different zones, the new zone boundaries shall be the former centre line of the closed street or lane.

2.9 Zoning Symbols

1. The symbols listed in Section 2.5 may be used to refer to any of the uses of land, buildings or structures permitted by this By-law (including the zoning schedules) in the said zones, and the intent of the By-law is that the associated zone regulations apply.

a) Special Exception Zones

Where a zone symbol is followed by a dash and a number (for example "C-1"), the lands so designated shall be subject to all of the provisions of the zone represented by such symbol, except as otherwise provided by the special exception provisions. These special provisions are listed separately under the appropriate special exception section of the parent zone (e.g. C) in the text of this By-law.

b) Holding Zones

Any zone classification may be placed in a Holding Zone by adding to the zone symbol the letter "h". No development is permitted on lands where the "h" symbol appears until the applicable conditions have been met and the "h" is lifted by an amendment to this By-law under Section 36 of the *Planning Act*.

c) Temporary Use By-laws

Temporary use By-laws may have been passed by the Township to allow temporary uses pursuant to Section 39 of the *Planning Act*. Temporary uses are shown on the schedules as special exceptions and details concerning the temporary use are included in the special exception text within the specific zone category.

Township of Burpee and Mills

Zoning By-law 2025-03

3.0 Definitions

In this By-law, unless the context otherwise requires:

ACCESSORY BUILDING shall mean a detached building located on the same lot as the main building, the use of which is incidental or secondary to that the main building and which is not used for human habitation, and may include a private garage, a boathouse, a tool shed, a storage building, or a warehouse.

ACCESSORY USE shall mean a use that is normally incidental, subordinate and exclusively devoted to a principal use located on the same lot therewith.

ACCESS DRIVEWAY shall mean the area between the travelled portion of a roadway and an off-street parking or loading facility used by motor vehicles for access to and from such facilities but does not include an aisle.

ADULT ENTERTAINMENT BUSINESS shall mean any premises or part thereof including a retail store, entertainment parlour, or other business in which the principal trade provided, in pursuance of a trade, calling, business, occupation, goods, or services appeals to or is designed to appeal to erotic or sexual appetites or inclinations.

AGRICULTURAL USE shall mean the use of land, buildings or structures for:

1. The growing of crops, including cannabis, including all related activities such as soil preparation, manure or fertilizer spreading, planting, spraying, irrigating, harvesting, and also including the storage and sale of crops;
2. The raising, boarding, keeping and sale of all forms of livestock, except dogs, including all related activities such as breeding, training, feeding, and grazing, and including the raising of fish;
3. The production of animal and plant products such as milk, eggs, wool, fur, honey, maple sugar bush, or woodlots including related activities such as the collection, storage, and sale of the products;
4. A commercial greenhouse or nursery garden, including storage and sale of the products; and/or
5. The use and storage of all forms of equipment or machinery needed to accomplish the foregoing activities.

AGRICULTURE RELATED USE shall mean a farm-related commercial or farm-related industrial use that is directly related to farm operations in the area, supports agriculture, benefits from being in close proximity to farm operations, and provides direct products and/or services to farm operations as a primary activity.

AISLE shall mean the area used by motor vehicles for access to and from all off-street parking or loading facilities, but does not include an access driveway.

AIRFIELD shall mean land used for the purpose of the landing, storing, taxiing and taking-off of private aircraft as the primary function or accessory to a residential use, but not an airport under the regulation of the Ministry of Transport.

Township of Burpee and Mills

Zoning By-law 2025-03

AIRPORT shall mean any land, lot of buildings used for the purpose of landing, sorting, taxiing, and taking-off of private or commercial aircraft, pursuant to the regulations of the Ministry of Transport.

AIR TREATMENT CONTROL shall mean the functional use of an industrial grade multi-stage carbon filtration system, or similar technology, to reduce and/or treat the emission of pollen, dust and odours expelled from a facility and sized accordingly in comparison to the facility it serves as designed by a qualified person(s).

ALTER shall mean any alteration in a bearing wall or partition, column, beam, girder or other supporting member of a building or structure or any alteration in the area or volume of a building or structure.

ANIMAL HOSPITAL shall mean the premises of a veterinary surgeon where animals, birds or other livestock are treated or kept.

AUTOMOBILE SERVICE STATION shall mean a building or premise where petroleum products and new supplies, parts and accessories are kept for sale to service motor vehicles, snowmobiles, farm implements and machinery, and is also used for automobile washing, automobile repairs, the storing, sale or offering for sale at retail of any automotive fuels, lubricants and automobile accessories.

BASEMENT shall mean one or more *storeys* of a *building* located below the *first storey*.

BASEMENT, WALKOUT shall mean that portion of a building which is partly underground, but which has more than 50% of the floor area not greater than 0.5 m below grade, and which has an entrance and exit at ground level. This definition shall only apply in an area where the natural terrain permits construction of a walkout basement.

BED AND BREAKFAST ESTABLISHMENT shall mean a dwelling unit or portion thereof, in which the proprietor resides and supplies for hire or gain to other persons, particularly tourists, on a temporary or day to day basis, lodging with or without meals, and shall provide for no more than four (4) guest rooms used or maintained for the accommodation of the public and shall be clearly secondary to the use of the dwelling unit as a private residence. A Bed and Breakfast Establishment shall not include a boarding house, hotel, motel, or tourist cabin establishment.

BOATHOUSE means a building or structure or part thereof located on land abutting a waterbody or shoreline allowance and not more than one storey in height, used for the storage of private boats and equipment accessory to their use and accessory to a residential use, part of may not include sleeping accommodations.

BOARDING HOUSE shall mean any house or building in which the proprietor resides and occupies floor space for the purposes of the boarding house as his residence, and supplies for hire or gain to other persons, lodging with or without meals in rooms furnished by the proprietor with necessary furnishings and includes a rooming house, but does not include a hotel or apartment house.

BREWERY shall mean a building or structure thereof that is used for the self-contained manufacturing, production, storage, bottling, canning and shipping of beer, authorized by a

Township of Burpee and Mills

Zoning By-law 2025-03

licence issued by the Alcohol and Gaming Commission of Ontario, and can be associated with a restaurant. Self-contained means that the emission of odour fumes, noise, cinder, vibration, heat, glare or electrical interference is not possible.

MICROBREWERY OPERATION shall mean a facility at which manufacturing of handcrafted ales and lagers beer from raw materials (malt, hops, water and yeast) are produced on the premises with a commercial and certified brewing system. Operations will further include the cold storage of beer products manufactured on site, and retail and distribution sales of those beer products. The facility may include a hospitality and tasting area, but shall not include a restaurant, an eating establishment, tavern, bar, night club, or takeout food service.

BUILDING shall mean any structure, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment, other than a fence or wall.

BUILDING LINE shall mean a line lying in the interior of a lot drawn parallel to a lot line for the purpose of establishing the minimum distance that must exist between a building or structure erected upon the land and a lot line.

BUILDING, MAIN shall mean that building the nature of the use of which is determined by the Zone of the lot upon which it is authorized to be constructed or upon which it is constructed.

BUILDING SETBACK shall mean the least horizontal distance permitted between a lot line of a lot and the nearest portions of any building envelope on such lot.

BUILDING INSPECTOR shall mean the officer or employee of the Township from time to time charged by the Corporation with the duty of administering the provisions of the Building By-law.

BUSINESS OR PROFESSIONAL OFFICE shall mean an office in which business is carried on or any profession is practiced.

CAMP shall mean one or more non-commercial buildings used for sleeping accommodation and the preparation and servicing of food to individuals or groups engaged in sports or recreation activities and is intended for recreation purposes on a temporary or seasonal basis.

CAMPGROUND shall mean any parcel of land used or maintained for campers who provide their own sleeping facilities such as tents or travel trailers but such campers are provided with sanitary facilities by the campground management.

CANNABIS PROCESSING FACILITY shall mean a building or structure or part thereof equipped with Air Treatment Control that is used for growing, producing, processing, testing, destroying, packaging and/or shipping cannabis authorized by a federal license or registration.

CARPORT shall mean a sheltered or covered parking area.

Township of Burpee and Mills

Zoning By-law 2025-03

CARWASH shall mean a building, or part thereof, which is used, or designed to be used, for the washing of motor vehicles by mechanical means or by hand labour methods.

CELLAR shall mean that portion of a building which is partly or entirely underground but has more than one-half of its height from finished floor to finished ceiling below the average finished grade level adjacent to the exterior walls of a building.

CEMETERY shall mean land that is reserved or used for interring the dead or placing or burying the remains, or ashes of human bodies, but does not include a funeral home. A cemetery may include a structure for the cremation of human remains and may include the facilities for storing ashes of human remains that have been cremated or the interment of the dead in sealed crypts or compartments.

CHILD CARE CENTRE shall mean a place designed and operated for the purpose of temporary care and custody of children and which falls under the jurisdiction of the *Child Care and Early Years Act, 2014*, and its successors.

CLINIC shall mean a public or private building used for medical, surgical, dental, physiotherapeutic, chiropractic or other human health treatment by one or more practitioners, the building may include administrative offices, waiting rooms, and laboratories.

CLUB shall mean a building or part of a building used as a meeting place for members of an organization and includes a lodge, fraternity, a sorority house and a labour union hall.

COMMERCIAL shall mean the use of land, building or structure for the purpose of buying and selling commodities and supplying of services as distinguished from such uses as manufacturing or assembling of goods, warehousing, transportation terminals, construction and other similar uses.

COMMERCIAL FISHING OPERATION shall mean a building or buildings offered for rent to tourists on a short-term basis when they want to stay and catch fish and the owner or proprietor lives on site.

COMMERCIAL PARKING FACILITY shall mean an area of land, other than a street or a lane, used for the parking of motor vehicles and available for public or private use in which there may be compensation for such use, and for the purpose of this By-law, a commercial parking facility shall constitute the only use of a lot.

COMMERCIAL VEHICLE shall mean a motor vehicle having attached thereto, a truck or delivery body, and includes, but is not limited to, any vehicle on which is displayed commercial lettering or commercial license plates, ambulances, fire apparatus, hearses, casket wagons, mobile food outlets, buses, cube vans, tilt and load trucks, dump trucks, tow trucks, buses, tractors used for hauling purposes on the highways and construction equipment which is self-propelled or designed to be towed.

Township of Burpee and Mills

Zoning By-law 2025-03

COMMUNITY CENTRE shall mean any tract of land, or building, or buildings, or any part of any buildings used for community activities whether used for commercial purposes or not, and the control of which is vested in the Corporation, a local board or agent thereof except that in the case of a Community Centre located within a Mobile Home Park, the control of such use may be vested in the owners of the Mobile Home Park.

COMMUNICATIONS FACILITY shall mean an installation which transmits, receives and/or relays communications such as a microwave relay tower, telephone or telegraph line, cellular telephone tower, radio or television broadcast tower, or similar facility.

COMPOSTING FACILITY shall mean an open windrow waste processing facility in which leaf and yard waste is processed into compost through an aerobic biological process, conducted under controlled, engineered conditions designed to produce stabilized humus.

CONCRETE PLANT shall mean a structure that combines various ingredients to form concrete. A concrete plant shall include a ready-mix plant and central mix plant.

CONSERVATION USE shall mean the preservation and protection of the components of the natural environment through management and maintenance for both the individual and society's use, both in the present and in the future.

CONSTRUCTION shall mean to do anything in the erection, installation or extension or material alteration or repair of a building or sign and includes the installation of a building unit or sign fabricated or moved from elsewhere.

CORNER VISIBILITY TRIANGLE shall mean a triangular area free of buildings or structures, which is formed within a corner lot by the intersecting street lines or the projections thereof and a straight line connecting them within a distance from their point of intersection.

CORPORATION shall mean the Township of Burpee and Mills.

CONFECTIONARY AND VARIETY SHOP shall mean a retail establishment which deals primarily in goods required by the inhabitants of a residential district to meet their day-to-day needs, but shall not include a store catering primarily to the requirements of a commercial district.

CONTRACTORS ESTABLISHMENT shall mean the business of a contractor or a construction company used for the storage and maintenance of equipment used by the contractor or company, and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business, but does not include the wholesale or retail sale of building supplies or home improvement supplies.

COUNCIL shall mean the Council of the Corporation of the Township of Burpee and Mills.

Township of Burpee and Mills

Zoning By-law 2025-03

DECK shall mean a structure with no roof or walls, except guards, which is constructed on piers, a foundation or cantilevered above grade for use as an outdoor living space, attached or accessory to a dwelling unit.

DEVELOPMENT shall mean the construction, erection or placing of one or more buildings or structures on land in the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot.

DRY INDUSTRY shall mean an industry which by nature of its operation, process, or fabrication of raw materials or service rendered does not require a water supply other than that available from within the limits of the lot upon which the use is located, does not discharge effluent from the limits of the lot upon which the use is located or discharge effluent from the limits of said lot and from which the only sewage effluent to be dispersed of within the limits of the said lot will be that produced from normal sanitary and eating facilities required for the employees.

DWELLING shall mean a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, and containing one or more dwelling units.

UNIT, ADDITIONAL RESIDENTIAL shall mean a separate dwelling unit which is either located in a single detached dwelling, semi-detached dwelling, rowhouse or an accessory building or structure.

DWELLING, APARTMENT shall mean a building consisting of 5 or more dwelling units, which units have a common entrance from the street level and the occupants of which have the right to use in common halls and/or stairs and/or elevators and yards.

DWELLING, CONDOMINIUM TOWNHOUSE shall mean a townhouse dwelling unit, as defined in this By-Law, constructed and maintained under the provisions of the *Condominium Act*.

DWELLING, CONVERTED shall mean a single detached dwelling altered to contain two or more self contained dwelling units.

DWELLING, DUPLEX shall mean a building of 2 or more storeys that is divided horizontally into two dwelling units each of which has an independent entrance either directly or through a common vestibule.

DWELLING, MULTIPLE shall mean a building designed, intended and used for occupancy by three or more families living independently of each other but shall exclude an apartment dwelling and a row-house dwelling.

DWELLING, SEASONAL shall mean a dwelling constructed as a secondary place of residence for seasonal vacations and recreational purposes and not as a principal place of residence of the owner or occupant thereof.

Township of Burpee and Mills

Zoning By-law 2025-03

DWELLING, SEMI-DETACHED shall mean a building that is divided vertically into two dwelling units each of which has an independent entrance either directly or through a common vestibule.

DWELLING, SINGLE DETACHED shall mean a completely detached dwelling unit.

DWELLING, ROWHOUSE shall mean a building that is divided vertically into 3 or more dwelling units, each of which has independent entrances, to a front and rear yard immediately abutting the front and rear walls of each dwelling unit.

DWELLING UNIT shall mean one room or a group of rooms in a building used or designed or intended to be used only as a single, independent and separate housekeeping establishment and,

1. in which food preparation and sanitary facilities are provided for the exclusive use of the residents of the dwelling unit, and
2. which has a private entrance from outside the building or from a common hallway or stairway inside the building, but
3. does not mean or include a tent, or a room or suite of rooms in a boarding or rooming house, in a hotel, motel, motor hotel, tourist cabin establishment, bed and breakfast establishment or a guest cabin.

GARDEN SUITE shall mean a temporary, one-unit, self-contained, and portable detached residential structure that is clearly ancillary to and on the same lot as a single or semi-detached dwelling, and excludes a trailer as defined herein.

MOBILE HOME shall mean a single family dwelling which has been manufactured in a factory remote from the site where it is intended to be used and transported to the site for installation on a prepared foundation and which unit complies with all applicable standards of the Canadian Standards Association and for the purposes of this By-law shall be considered a single family detached dwelling.

MODULAR HOME shall mean a single detached dwelling which has been manufactured in a factory remote from the site where it is intended to be used and transported to the site for installation on a prepared foundation and which unit complies with all applicable standards of the Canadian Standards Association, and for the purpose of this By-Law shall be considered as a single detached dwelling.

TINY HOME shall mean a small, private and self-contained dwelling unit less than 36 sqm. A tiny home shall be considered a single detached dwelling, unless it is on wheels, in which case it shall be considered a mobile home.

EATING ESTABLISHMENT shall mean a building or part of a building where food is offered for sale or sold to the public for consumption therein and includes a restaurant, cafe, tea or lunch room, dairy bar, coffee shop or refreshment room or stand but does not include a boarding or lodging house.

Township of Burpee and Mills

Zoning By-law 2025-03

EDUCATIONAL INSTITUTION shall mean the use of land, building or structures for an elementary or secondary school, private school, university or community college authorized by the Province of Ontario.

EMERGENCY VEHICLE DISPATCH CENTRE shall mean a building or place used for the storage, cleaning, incidental maintenance and dispatch of police, fire and ambulance vehicles and employees.

ERECT shall mean to build, construct, reconstruct, alter and relocate, and without limiting the generality of the foregoing shall be taken to include any preliminary physical operations, such as excavating, berming, grading, piling, cribbing, filling or draining structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

ESTABLISHED GRADE shall mean with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building and when used with reference to a structure shall mean the average elevation of the finished grade of the ground immediately surrounding such structures, exclusive in both cases of any artificial embankment or entrenchment and when used with reference to a street, road or highway means the elevation of the street, road or highway established by the Corporation or other designated authority.

EXISTING shall mean existing as of the date of the final passing of this By-law.

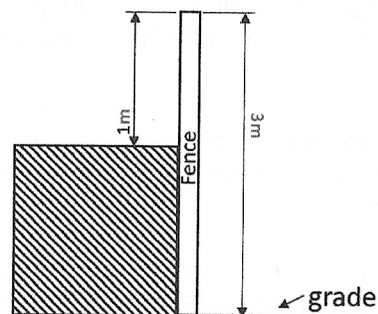
FARM IMPLEMENT DEALER OR DEALERSHIP shall mean a building or place used for the storage and sale of farm-related equipment and farm-related vehicles.

FENCE shall mean a structure which forms a barrier for enclosing, bounding, delineating or protecting land. If the elevation of the land impacts the height of the fence from one side to the other, than the average fence height taken from the base to the top of the fence on either side of the fence will be used as the fence height.

The average fence height is taken from the base to the top of the fence on either side

$$1\text{m} + 3\text{m} = 4\text{m}$$
$$4\text{m} / 2 = 2\text{m}$$

The fence height is 2m



Fence height is measured from grade to the top of the fence.

The fence height is 2m

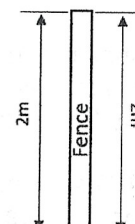


Figure 1: Fence Height

Township of Burpee and Mills

Zoning By-law 2025-03

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

FLOOD PLAIN shall mean the horizontal area below the high water mark of a watercourse (including a drainage canal) or lake or as defined by the Ministry of Natural Resources or the area within 30 m of the centre line of a watercourse whichever distance is greater.

FLOOR AREA, DWELLING shall mean with reference to a building, the total habitable floor area within a building which area is measured between the exterior faces of the exterior walls or from the centre line of a common or party wall, but excluding any private garage, breezeway, porch or verandah, balcony, sun room, attic, basement or cellar, except that where the natural terrain permits a walkout basement, 25% of the floor area of the walkout basement may be considered as habitable floor area.

FLOOR AREA, GROSS shall mean the aggregate of the floor areas of all the storeys of a building including the floor area of any basement but not of any cellar, and which floor areas are measured between the exterior faces of the exterior walls of the building at each floor level but excluding car parking areas within the building and for the purposes of this clause, the walls of an inner court shall be deemed to be exterior walls.

FLOOR AREA, GROUND shall mean the floor area of the lowest storey of a building approximately at or first above the average finished grade level, excluding any basement or cellar, which area is measure between the exterior faces of the exterior walls at the floor level of such storey, but excludes car parking areas within the building, and for the purpose of this paragraph the walls of an inner court shall be deemed to be exterior walls.

FLOOR AREA, RETAIL shall mean the gross floor area of a commercial building devoted to retail purposes.

FORESTRY shall mean the general raising and harvesting of wood, and without limiting the generality of the foregoing, shall include logging, the raising and cutting of fuel wood, pulp wood, Christmas trees, and other forest products; but does not include the processing of raw material into wood products or by-products

FUNERAL HOME shall mean a building, or part thereof, designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation.

GARAGE ATTACHED shall mean a private garage, accessory to a dwelling unit on the same lot and attached by a common wall and/or common roof structure; provided however, for the purpose of determining lines of setback and side yard, an attached garage shall be considered part of the main building. Also, for the purposes of this definition, a wall between a house and an attached garage may be considered "common" as long as at least 40% of the length of the attached garage wall is common with the dwelling wall.

Township of Burpee and Mills

Zoning By-law 2025-03

GARAGE, PRIVATE shall mean an accessory building or portion of a building which is designed or used for the sheltering of private motor vehicles and the storage of household equipment incidental to residential occupancy and in which there are no facilities for repairing or servicing of such vehicles for remuneration or commercial use.

GARDEN CENTRE shall mean retail store comprised of an outdoor or indoor area used primarily for the display and retail sale of plants, gardening and landscaping supplies and equipment but does not include the propagation of plants.

GARDEN NURSERY An establishment engaged in the propagation and retail sale of plants, garden and landscaping supplies, and accessories.

GASOLINE BAR shall mean one or more pump islands, each consisting of one or more gasoline pumps, and shelter having a floor area of not more than 10 sqm, excluding washrooms, which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles and shall not be used for repairs, oil changes, or greasing.

GOLF COURSE shall mean a public or private area operated for the purpose of playing golf and includes a par 3 or larger golf course but does not include driving ranges, miniature golf courses and similar uses.

GREENHOUSE, COMMERCIAL shall mean a building for the growing of flowers, fruits, vegetables, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such greenhouse, but are sold directly from such lot at wholesale or retail.

GROUP HOME shall mean residential accommodation in which up to ten persons (excluding supervisory staff) live under responsible supervision consistent with the particular requirements of its residents which includes support functions for daily living.

GUEST CABIN shall mean a dwelling unit for guest accommodation accessory to a seasonal dwelling and which contains no provisions for cooking.

GUEST ROOM shall mean a room or suite of rooms used or maintained for the accommodation of the public and which contains no provisions for cooking.

HABITABLE ROOM shall mean a room in a dwelling used or intended to be used primarily for human occupancy.

HAZARD LANDS shall mean any land having inherent environmental hazards, such as poor drainage, organic soils, floor susceptibility, erosion, steep slopes or any other natural or manmade physical conditions which effectively create unsuitable or adverse conditions for construction or development, or conditions unsafe to the public.

HEIGHT with reference to a building, height means the vertical distance between the established grade level at the front elevation of such building to:

1. The highest point of the roof surface or the parapet, whichever is greater of the flat roof;

Township of Burpee and Mills

Zoning By-law 2025-03

2. The deckline or decline of a mansard roof; or
3. The main level between eaves and ridges of a gabled, hip, gambrel, or other type of pitched roof.

In calculating the height of a building, any construction used as an ornament or for the mechanical operation of the building such as a chimney, tower, cupola or steeple shall not be included.

HIGH WATER MARK shall mean the normal original water mark of any body of water as measured by an Ontario Land Surveyor unless such high water mark has been altered by the construction of a public dam or dams, in which case the measurement shall be from the high water mark as controlled by such dam or dams.

HOBBY FARM shall mean a parcel of land which includes the principal residence and barns, sheds, pens, and similar accessory buildings which are used for the sole purpose of the persons residing at the residence and are not for commercial agricultural purposes.

HOME INDUSTRY shall mean the gainful occupation conducted in whole or in part of the dwelling or in whole or part of an accessory building by the residents and includes uses such as an animal hospital, or an electrical, woodworking, welding, plumbing, sheet metal machine or auto repair shop.

HOME OCCUPATION shall mean any occupation for gain or support conducted entirely within a dwelling unit by the residents and may include a service or repair shop, a personal service shop, the office of a doctor, dentist, lawyer, or a real estate agent, insurance agent, planner, architect, or engineer, but a clinic, a hospital, a nursing home, a tea room and an animal hospital shall not be deemed to be home occupations.

HOSPITAL shall mean any institution, building or other premises established for the treatment of persons afflicted with or suffering from sickness, disease or injury, for the treatment of convalescent or chronically ill persons that is approved under the *Public Hospitals Act* as a public hospital.

HOTEL/MOTEL/HOSTEL shall mean a building or part of a building or a group of buildings used primarily for the purpose of providing overnight guest room accommodation to the travelling public, with or without accessory restaurants, dining rooms or refreshment rooms, and includes any establishment containing guest rooms which is defined as a hotel or motel in the *Hotel Registration of Guests Act, R.S.O. 1990, Chapter H.17*, but does not include any residential use.

HUNT CAMP shall mean a building used for sleeping accommodation, the preparation of serving of food. The hunt camp is to be used on a temporary or seasonal basis and is not a commercial facility.

INDUSTRIAL USE shall mean the use of land, buildings, or structure for the manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage of goods and related accessory uses.

INDUSTRIAL USE, LIGHT shall mean an industrial use engaged in, or used for:

Township of Burpee and Mills

Zoning By-law 2025-03

1. Producing apparel and finished textile products, other than the production of synthetic fibers;
2. Warehousing or storing of goods or materials indoors;
3. Printing, duplicating or bookbinding;
4. Manufacturing finished paper and allied products other than processing wood pulp;
5. Producing cosmetics, drugs and other pharmaceuticals supplies;
6. Manufacturing finished lumber products, light metal products, light machinery, computer software, electronic products, finished plastic-ware, porcelain, earthenware, glassware or similar articles including, without limiting the generality of the foregoing, furniture, housewares, monument, toys, musical instruments, jewelry, watches, precision instruments, filters, radios and electronic components, but does not include a tannery or any industrial use accessory to an extractive use; or
7. Research laboratories.

KENNEL shall mean a building or structure where animals, birds or other livestock intended or used as domestic household pets are kept or boarded and the operation is registered by the Canadian Kennel Club.

LANDFILL SITE shall mean any land approved by the Province upon, into or in which waste may be deposited or processed.

LANDSCAPING shall mean:

1. any combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving, screening or other architectural elements, all of which are designed to enhance the visual amenity of a property and/or to provide a screen to mitigate any objectionable adjacent land use; and
2. does not include parking areas, patios, walkways, driveways or ramps.

LANE shall mean a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.

LAUNDROMAT shall mean a building or structure where the services of coin-operated laundry machines, using only water, detergents and additives that are made available to the public for the purpose of laundry cleaning.

LIQUOR OR BEER OUTLET shall mean a retail store regulated by the Provincial Government where liquor and/or beer are sold.

LOADING SPACE shall mean an unencumbered area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area:

1. is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle, and such parking shall not be for the purpose of sale or display;
2. is suitable for the temporary parking of one commercial motor vehicle;
3. is not upon or partly upon any street or lane; and

Township of Burpee and Mills

Zoning By-law 2025-03

4. has adequate access to permit ingress and egress of a commercial motor vehicle from a street by means of driveways, aisles, maneuvering areas or similar areas, no part of which shall be used for the temporary parking or storage of one or more motor vehicles.

LONG TERM CARE HOME shall mean "long term care home" as defined in the *Long-Term Care Homes Act, 2007*, and its successors.

LOT shall mean a parcel of land, whether such parcel is described in a registered deed or is shown on a registered plan of subdivision including any of its parts which are subject to right-of-way or easement that is capable of being legally conveyed.

LOT AREA shall mean the total horizontal area within the lot lines of a lot.

LOT, CORNER shall mean a lot situated at the intersection of and abutting on 2 or more streets provided that the angle of intersection of such streets is not more than 135 degrees.

LOT COVERAGE shall mean that percentage of the lot area, covered by all buildings above ground level, and shall not include that portion of such lot area which is occupied by a building or portion thereof which is completely below ground level, and for the purpose of this definition the lot coverage in each zone shall be deemed to apply only to that portion of such lot which is located within said zone.

LOT DEPTH shall mean the horizontal distance between the front and rear lot lines. Where these lot lines are not parallel, the lot depth shall be the length of a line joining the midpoints of the front and rear lot lines.

LOT FRONTAGE shall mean the horizontal distance between the side lot lines measured at right angles. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured by a line 7.5 m back from and parallel to the chord of the lot frontage. For the purpose of this By-law the chord of the lot frontage is a straight line joining the two points where the side lot lines intersect the front lot lines.

LOT, INTERIOR shall mean a lot situated between adjacent lots and having access to one street.

LOT LINE shall mean any boundary of a lot.

LOT LINE, EXTERIOR SIDE shall mean a lot line which abuts the street on a corner lot.

LOT LINE, FRONT shall mean the lot line that divides the lot from the street, but:

1. in the case of a corner lot with two street lines of equal lengths the lot line that abuts the wider street or abuts a Provincial Highway shall be deemed to be the front lot line, and in the case of both streets being under the same jurisdiction,

Township of Burpee and Mills

Zoning By-law 2025-03

- or of the same width, the Municipality may designate either street line as the front lot line;
2. In the case of a corner lot abutting a 0.3 m reserve the lot so abutting the 0.3 m reserve shall be deemed an exterior side lot line and the other line abutting the street shall be deemed the front lot line;
 3. in the case of a through lot the longer boundary dividing the lot from the street shall be deemed to be the front lot line and the opposite shorter boundary shall be deemed to be the rear lot line. In case each of such lot lines should be of equal length the Municipality may designate either street line as the front lot line;
 4. In the case of a lot with water frontage on a navigable stream, river or lake, the front lot line shall be either the line of the established high water mark of such stream, river or lake, or the line of the inner limit of the original road allowance along the shore of such stream, river or lake, which ever provides for the greater lot frontage as defined in this By-law.
 5. In the case where a lot is greater than 10 ha (25 ac), that has a frontage on a waterbody and main road or highway, the Municipality may decide in consultation with the landowner which lot line shall be deemed the front lot line.

LOT LINE, REAR shall mean the lot line opposite the front lot line.

LOT, RECORD OF shall mean a lot or parcel of land that can legally be conveyed and which includes lots on a registered plan of subdivision, parcels created by consent in accordance with the Planning Act or any other distinct and separate holding, the deed to which is registered in the Land Registry Office and which lot or parcel of land was legally created prior to the date of passing of this By-law. For the purpose of this definition, lots of record shall not include those lots on a registered plan of subdivision which has been deemed not to be a registered plan of subdivision for the purposes of Section 29(2) of the Planning Act R.S.O. 1970.

LOT LINE, INTERIOR SIDE shall mean the lot line other than an exterior side, front, or rear lot line.

LOT, THROUGH shall mean a lot bounded on two opposite sides by streets, provided however, that if any lot qualifies as being both a "lot, corner" and a "lot, through" as hereinbefore defined, such lot shall be deemed a "lot, corner" for the purpose of this By-law.

MANUFACTURING shall mean an establishment primarily engaged in the fabricating, processing, finishing, refinishing, assembly, or similar production of various articles and commodities, and includes custom workshops, factories, mills, industrial shops, and similar production facilities. This definition shall include cannabis processing facilities.

MARINA shall mean a commercial establishment where a boathouse, boat storage, boat repair facilities, boat rental, pier, dock or jetty facilities or any combination of the foregoing are available for all types of marine – pleasure craft and may include a gasoline pump for the fueling of marine craft and a building or structure for the sale of marine craft, accessories and/or refreshments.

Township of Burpee and Mills

Zoning By-law 2025-03

MOBILE HOME PARK shall mean an area set aside for the use of mobile homes in which communal sewer, water and hydro resources are provided and in which community laundry, social, local commercial and recreation facilities may be located and which is licensed for the purpose by the Municipality.

MOTOR VEHICLE SALES AREA shall mean a place comprised of land or a building or both, the purpose of which is for the display or sale, or both, of new and/or used motor vehicles; but does not include an automobile wrecking or salvage yard or scrap yard.

MUNICIPALITY shall mean the Corporation of the Township of Burpee and Mills.

NON-COMPLYING shall mean an existing lot or building or buildings which does not comply with one or more of the zone provisions or standards for the zone within which said lot or buildings are located.

NON-CONFORMING shall mean a use that is not permitted in the zone in which it is located.

NURSING HOME shall mean a building in which the proprietor supplies for hire or gain, lodging with or without meals and, in addition provides nursing, medical, or similar care and treatment, if required and includes a rest home or convalescent home, and any other establishment required to operate under the appropriate statute and includes a long term care facility.

OBNOXIOUS USE shall mean an offensive use or trade within the meaning of the Public Health Act or any use which is a nuisance by reason or emission, or the creation of odours, gases, dirt, smoke, noise, vibration, fumes, cinders, soot, waste, or the depositing or leaving of unsightly objects or chattels on land.

OPEN SPACE shall mean an unoccupied space open to the sky except such land as is used or required for parking purposes by this By-law, and may include any facility park or recreation area, owned, operated or maintained in whole or in part by any public authority for public use, and shall include neighbourhood, community, regional and special parks or areas.

OUTDOOR DISPLAY shall mean the merchandise or goods exhibited or advertised for immediate sale and which is located on the lot exterior to a building.

OPEN STORAGE means the storage of goods, merchandise, or equipment outside of a building or structure on a lot or portion thereof, including such uses as automobile and trailer sales lots, building materials supply yards but does not include the outdoor display of a limited number of samples of the goods, merchandise or equipment for the purpose of sales and advertisement, or the storage of vehicles or equipment for sale or repair. This definition shall not include the open storage of goods or equipment incidental to the residential occupancy of a lot.

PARK shall mean an area of land designed for the purposes of passive or active leisure activities and may include thereon one or more athletic fields, field houses, bleachers, swimming pools, wading pools, skateboarding areas, bandstands, outdoor skating rinks, or refreshment rooms.

Township of Burpee and Mills

Zoning By-law 2025-03

PARKING AREA OR PARKING AREA shall mean an area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area:

1. comprises all parking spaces of at least the minimum number required according to the provisions of this By-law, and all driveways, aisles, manoeuvring areas, entrances, exits, and similar areas used for the purpose of gaining access to and egress from the said parking spaces; and
2. is provided and maintained in accordance with all applicable provisions of this By-law.

PARKING SPACE shall mean an area of not less than 19 sqm exclusive of any aisles or ingress or egress lanes, usable for the temporary parking or storage of motor vehicles, and may include a private garage.

PERSONAL SERVICE SHOP shall mean a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, such as a barber's shop, a hairdressing establishment, a shoe-shine shop, depots for collecting dry cleaning and/or laundry and other similar services.

PIT shall mean an opening or excavation or working of the ground for the purpose of searching for or removal of mineral, soil, rock, quartz, limestone, earth, clay, sand or gravel, and any roasting, smelting furnace, mill, work or place, used in connection with crushing, reducing, smelting, refining, or treating any of the substances listed in this definition and all ways, works, plant, building and premises either below or above the ground and belonging to or used in connection with all activities listed in this definition, and also includes a quarry.

PLACE OF ENTERTAINMENT means a motion picture or other theatre, arena, auditorium, public hall, billiard or pool room, bowling alley, ice or roller skating rink, dance hall, music hall, bingo halls, amusement arcades, but does not include any place of assembly otherwise defined or classified herein.

PLACE OF ASSEMBLY shall mean a building or part thereof in which facilities are provided for such purposes as meeting for civic, theatrical, musical, political, religious or social purposes and shall include, without limiting the generality of the foregoing, an auditorium, banquet hall, concert hall, gymnasium, opera house, playhouse or other similar uses.

PLACES OF WORSHIP shall mean a building dedicated to religious worship and may include such accessory uses as a nursery school, an assembly hall, a school of religious education, covenant, monastery or parish hall.

PLANT, ASPHALT OR CONCRETE shall mean an industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction, and includes

Township of Burpee and Mills

Zoning By-law 2025-03

the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises and the storage and maintenance of required equipment.

PORTABLE ASPHALT PLANT shall mean a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material and includes stockpiling and storage of bulk materials used in the process. Such facility is not of permanent construction and is designated to be dismantled and moved to another location as required.

PORTABLE SHELTER shall mean a prefabricated structure usually constructed with metal, wood, or plastic frame and covered with a tarpaulin or other similar type of fabric or plastic cover, used primarily for the storage of a vehicle and other items.

PORTABLE STORAGE CONTAINER, see SHIPPING CONTAINER

PRINCIPAL USE shall mean the primary purpose for which a lot, building or structure is used or intended to be used.

PRIVATE HOME DAYCARE shall mean a facility for the temporary care of five children or five senior citizens of less for compensation located in a private residence as a household occupation.

PRIVATE ROAD shall mean a private right-of-way over private property that affords access to abutting lots and is not maintained by a public body.

PUBLIC ACCESS POINT means public land designated by the Crown and developed and maintained as a public access to a water body.

PUBLIC AUTHORITY shall mean the Council or any School Board, or other board or commission or committee of the Township established or exercising any power or authority under any general or special statutes of Ontario with respect to any of the affairs or purposes of the Township or a portion thereof, and includes any committee or local authority established by By-law of the Township.

PUBLIC BUILDING shall mean any building or structure owned or leased by the municipal corporation, the Province of Ontario or the Government of Canada and in which government activities are carried out.

PUBLIC USE shall mean a lot, building or structure that is broadly used for public benefit.

PUBLIC UTILITY shall mean a waterworks, a water supply system, sewage works, electrical power or energy generating transmission or distribution system, street lighting system, natural or artificial gas works or supply system, a transportation system or a telephone system, and includes any lands, buildings or equipment required for the administration or operation of any such system.

Township of Burpee and Mills

Zoning By-law 2025-03

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

RECREATIONAL FACILITY shall mean the use of lands, buildings or structures designed and equipped for the conduct of athletic and recreational pursuits that have a similar requirement of, or characteristic of the principal institutional use that is offered public.

RECREATIONAL VEHICLE means any vehicle so constructed that it is no wider than 2.5m and is suitable for being attached to a motor vehicle for the purpose of being drawn or is self-propelled and is capable of being used on a short-term recreational basis for living, sleeping, or eating accommodation of persons. The term "recreational vehicles" includes the following: motor homes, travel trailers, tent trailers, campers.

RECREATIONAL VEHICLE SALES AND SERVICE ESTABLISHMENT shall mean a place comprised of land or a building or both, the purpose of which is for the display or sale, or both, of new and/or used recreational vehicles, in conjunction with which there may be facilities for the servicing of such vehicles.

RECYCLING CENTRE shall mean a building or an area where used material is separated prior to shipment to others who will use those materials to manufacture new products.

RENEWABLE ENERGY GENERATING FACILITY shall mean a system that generates electricity from a renewable energy source, inclusive of a dam, powerhouse, solar power collectors or installations, transmission lines, and all associated lands, improvements and infrastructure required for its operation, for the generation and transmission of electricity therefrom.

RENOVATION shall mean the repair and restoration of a building to good condition, but shall not include its replacement.

RESTAURANT shall mean a building or structure or part thereof where food is prepared and offered for sale to the public for consumption within the building or structure but does not include a drive-in restaurant.

RESTAURANT CART means a building or trailer, that may be mobile or stationary, used on a seasonal basis for the preparation and cooking of a limited selection of meals and the sale of such food and refreshments to the public for consumption on a patio, outdoor seating area, or for consumption off the premises.

RESTAURANT, DRIVE-IN shall mean premises consisting of a building or structure, together with a parking lot, from which food, refreshments, dairy products or beverages are offered for sale or sold to the public for consumption either in automobiles parked on the parking lot or for consumption elsewhere on the premises, but not necessarily within such building or structure, and does not include a building or structure where food, refreshments, dairy products or beverages are offered for sale or sold to the public only for consumption within the building or structure or off the premises.

Township of Burpee and Mills

Zoning By-law 2025-03

RESTAURANT, TAKE-OUT means an establishment in which meals are sold to the public, but no place for consumption of the food is provided.

RETAIL STORE shall mean a building or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public at retail value. This includes a gift shop and cannabis retail store.

RIGHT-OF-WAY shall mean an area of land that is legally described in a registered deed for the provision of private access to abutting lots and does not include a public road, street or highway.

SALVAGE OR SCRAP YARD shall mean any land, building or part thereof used for the storage or disassembly of motor vehicles, machinery, bottles and other scrap material and salvage, and, if in conjunction therewith the crushing or scrapping of metal or the retail sale of used motor vehicle parts or accessories.

SECONDARY USE shall mean the use or uses that are not the original intended or primary use for any building or structure where the minimum required area shall be 55 sqm.

SELF STORAGE FACILITY shall mean a building or group of buildings used for the indoor storage of household goods, wares, substances, or articles but shall not include a cartage depot, transportation depot or warehouse. A shipping container, truck body, bus coach, streetcar body, railway car or other similar body or containers, whether on wheels or not, shall not be used as part of a Self-Storage Facility.

SERVICE OR REPAIR SHOP shall mean a building or part of a building not otherwise classified or defined in this By-law and whether conducted in conjunction with a retail establishment or not, for the servicing, repairing or renting, of articles, goods, materials, but does not include the manufacture or assembly of articles, goods or materials, bicycles, wheel chairs, orthopaedic and prosthetic appliances and articles for fabric mending, window glazing, metal replanting, painting and refinishing furniture and other household goods and includes a key shop, hat cleaner's shop, a custom picture framing shop, the business of renting small tools and appliances, costumes, chairs, tables, musical instruments and public address systems and other like articles and equipment, but shall not include the renting of automobiles, trucks, construction equipment or other similar articles.

SENSITIVE LAND USE shall mean buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built-up environment. Examples of sensitive land uses may include residences, education or health facilities.

SETBACK shall mean the distance between a lot line and the nearest wall of any building or structure and extending the full width or length of the lot.

SHIPPING CONTAINER shall mean a reusable enclosed metal structure manufactured to be utilized in the transporting, shipping, and storing of goods and having the original intended benefit to be transferred from one mode of transport to another without the requirement of being

Township of Burpee and Mills

Zoning By-law 2025-03

unloaded. This shall include intermodal shipping containers, sea containers, storage containers, transport truck trailers, and straight truck trailer boxes, but does not include any vehicle defined herein. This shall also include those containers where the original doors and/or door closures have been removed, leaving the container not fully enclosed.

SHORT TERM RENTAL ACCOMMODATION shall mean all or part of a dwelling unit used to provide sleeping accommodations, and may or may not include cooking facilities, for any rental period that is less than 28 consecutive days in exchange for payment. This excludes hotels, motels and B&Bs.

SITE PLAN shall mean a scaled drawing showing the relationship between the lot lines and the uses, buildings or structures existing or proposed on a lot, including such details as parking areas, driveways, walkways, landscaped areas, building areas, minimum yards, building heights, floor areas, densities and areas for special uses.

SOLAR FARM shall mean any device or combination of devices employed in the collection of direct solar radiation for the purpose of heating or cooling a building, heating water, generating electricity or otherwise converting solar rays into usable forms of energy.

SPECIAL OCCASION TENT OR STRUCTURE shall mean an outdoor venue that can accommodate a variety of special events including but not limited to concerts, festivals, fundraising activities, ceremonies and wedding receptions and provides temporary covered open space.

STOREY shall mean that portion of a building between any floor and the floor, ceiling or roof next above, provided that any portion of a building partly below grade level shall not be deemed a storey unless its ceiling is at least 1.8 m above average grade and provided also that any portion of a storey exceeding 4 m in height shall be deemed an additional storey for each 4 m or fraction thereof of such excess.

STOREY, HALF shall mean the portion of a building located wholly or partly within a sloping roof, having a floor area of not less than one-third or more than two-thirds of the floor area of the storey next below, sidewalls not less than 1.2 m in height and a ceiling with a minimum height of 2.3 m over an area equal to at least 50% of its floor area.

STREET OR ROAD shall mean a public highway as defined by *The Municipal Act* and *The Highway Traffic Act* and shall exclude a lane or any private right-of-way or unopened road allowance, or any street which is shown on a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under Section 29 of *The Planning Act*, or which has not been assumed by the Municipality.

STRUCTURE shall mean anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil and/or any other structure. For the purposes of this By-law, a fence not exceeding 1.5 m tall shall not be deemed to be a structure.

SWIMMING POOL shall mean an artificial body of water intended and used primarily for bathing, swimming and diving but shall not include a natural, dug or dammed pond which is intended primarily for aesthetic or agriculture purposes.

Township of Burpee and Mills

Zoning By-law 2025-03

TAVERN shall mean a building or part thereof where, in consideration of payment therefore, liquor, beer, or wine or any combination thereof, are served for consumption on the premises, with or without food.

TEMPORARY USE shall mean the use of land or the erection or use of building or structure for a construction camp, work camp, tool shed, scaffold, or other building or structure incidental to and necessary for such construction work which has not been finished or abandoned.

TOURST CABIN ESTABLISHMENT shall mean an establishment comprising land and buildings under single ownership where individual cabins are offered for rent to tourists on a short term basis. Such cabins may include food preparation facilities. In addition, a permanent residence for the owner or proprietor may be located on the site.

TOURIST ESTABLISHMENT shall mean commercial establishment designed for the travelling or vacationing public, and that has facilities for accommodation and may serve meals or provide kitchen facilities and may furnish equipment, supplies or services to persons for recreational purposes. A permanent residence for the owner or proprietor may be located on the site.

TOURIST TRAILER PARK shall mean an establishment comprising land or premises under single ownership, licensed by the Municipality and used for the parking of tourist or travel trailers on a temporary or seasonal basis and operating under The Tourist Information Act and The Act Respecting the Regulations of Tourist Camps and where community laundry, social, local commercial and recreational facilities may be located.

TRAILER shall mean any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purposes of being drawn or propelled by the said motor vehicle and capable of being used for living, sleeping or eating accommodation or the transport of a boat, tent or materials, notwithstanding that such vehicle is jacked up or that it's running gear is removed.

TRAVEL TRAILER see **RECREATIONAL VEHICLE**

USE shall mean the purpose for which any land, building, structure or premises, or part thereof, is arranged, designed or intended to be used, or is or may be occupied or maintained and the word 'used' has a corresponding meaning.

VEHICLE shall mean a motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, or as otherwise defined under the *Motor Vehicle Amendment Act*.

VETERINARY ESTABLISHMENT shall mean a building established for the purpose of medically or surgically treating domestic animals, birds, livestock, or wildlife.

WAREHOUSING shall mean a building or part of a building used for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for a wholesale or retail commercial outlet but shall not include facilities for a truck or transport terminal or yard.

WASTE shall mean ashes, garbage, refuse, domestic waste, industrial waste, or municipal refuse and such other materials as are designated in regulations under the *Environmental Protection Act, R.S.O. 1990*, as amended.

Township of Burpee and Mills Zoning By-law 2025-03

WASTE DISPOSAL SITE shall mean any land approved by the Ministry of the Environment upon, into or in which waste may be deposited or processed.

WATERCOURSE shall mean a natural channel for a stream and, for the purpose of this By-law, includes a natural channel for an intermittent stream and all watercourses, whether or not shown on the Schedules.

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

YARD shall mean an open, uncovered space on a lot adjacent to a main building, except a court, and unoccupied by buildings or structures except as specifically permitted elsewhere in this By-law. In determining yard measurements, the minimum horizontal distance from the respective lot lines shall be used.

YARD, EXTERIOR shall mean the side yard of a corner lot which side yard extends from the front lot line and the nearest main wall of any building or structure.

YARD, FRONT shall mean a yard extending across the full width of a lot between the front lot line and the nearest wall of any building or structure on the lot.

YARD, INTERIOR shall mean a yard extending from the front yard to the rear yard of a lot between an interior side lot line and the nearest wall of any building or structure on the lot.

YARD, REAR shall mean a yard extending across the full width of a lot between the rear lot line and the nearest wall of any main building or structure on the lot

YARD, REQUIRED shall mean that part of a yard which is located adjacent to a lot line, has the minimum yard depth required herein, and does not contain any buildings, structures, or parking areas except where specifically permitted herein.

Township of Burpee and Mills Zoning By-law 2025-03

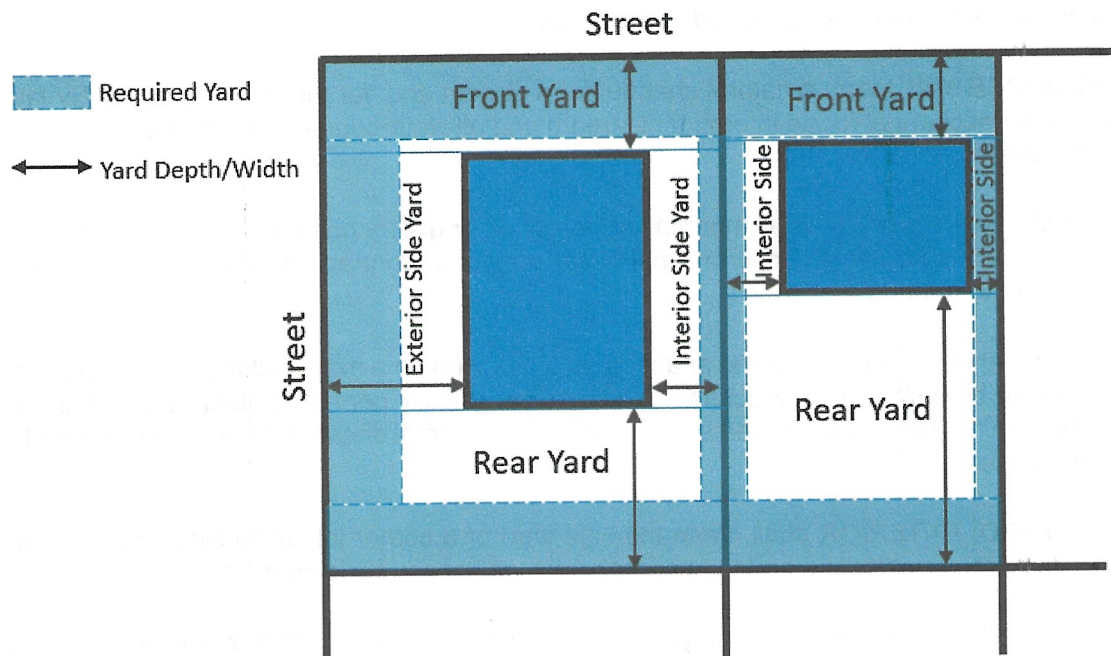


Figure 2: Illustration of Yards and Required Yards

YURT shall mean a temporary shelter made of canvas, nylon or other such material, including associated, poles, pegs and ropes, that may be disassembled and easily moved, and that is not permanently affixed to the site but shall not include a recreational vehicle or any other structure otherwise defined or classified in this By-law.

ZONE shall mean an area of district of land shown on the schedules of this By-law and which are subject to special restrictions.

Township of Burpee and Mills

Zoning By-law 2025-03

4.0 General Provisions

4.1 Accessory Uses

1. The following provisions shall apply to permitted accessory buildings in each respective zone:
 - a) Accessory buildings shall not be used for human habitation except where a dwelling is a permitted accessory use.
 - b) The accessory building shall not be erected prior to the erection of a permitted dwelling on the same lot except where it is necessary for the storage of tools and materials for use in connection with the construction of such dwelling and no accessory building shall be used prior to the erection of such dwelling for any purpose other than such storage.
 - c) The accessory building shall not be built closer to the front lot line than the minimum distance required by this By-law for the principal building on the lot.
 - d) An accessory building shall not be considered an accessory building if attached to the principal building by a common wall, or if enclosed within the structure of the principal building.
 - e) Unless otherwise noted in this By-law the accessory structure shall have the same setbacks as the principal building, and shall not occupy more than 10% of the lot area.
 - f) Accessory uses and buildings shall maintain a minimum 2 m setback from the main building in all zones.
 - g) No accessory building shall exceed an area of 60 sqm in any Settlement (S) Zone.
 - h) The use of any accessory building or structure other than a Guest Cabin for human habitation is not permitted except where a dwelling is a permitted accessory use.
 - i) The use of any accessory building or structure for the keeping of animals, other than domestic pets, is not permitted in the Settlement (S) Zone.
 - j) Where the lot abuts a navigable waterway, a boathouse, dock or wharf, as an accessory building or structure, may be erected in the front yard, interior side yard, exterior side yard, or rear yard provided that the approval of any other governmental authority having jurisdiction has been obtained and that it is not located closer than 6 m to the side lot line or does not encroach on adjacent frontage when the lot boundaries are extended into the water.
2. Additional Residential Units
 - a) Where these uses are permitted, they are subject to the following provisions:
 - i. One additional residential dwelling unit is permitted in a single detached dwelling unit, semi-detached dwelling unit, or rowhouse dwelling unit, and one accessory dwelling unit is permitted in a building or structure accessory to the aforementioned units;
 - ii. The additional residential unit is designed and located in such a manner to not have an impact on the streetscape or character of the surrounding neighborhood;
 - iii. Additional residential units shall be subject to the corresponding zone provisions if located in the primary structure;

Township of Burpee and Mills

Zoning By-law 2025-03

- iv. Additional residential units in an accessory structure shall be subject to the general provisions for accessory uses;
- v. An additional residential unit is permitted on private services, provided it can be demonstrated that the private sewage disposal system can accommodate the change in use; and
- vi. Additional residential units are prohibited from being severed from the lot containing the primary dwelling unit.

3. Garages

- a) Detached garages shall be located behind the main wall of the dwelling.

4. Garden Suites

- a) Where these uses are permitted, they are subject to the following provisions:
 - i. No more than an amount equal to 40% of the gross floor area of the principal dwelling use, may be developed for a garden suite;
 - ii. 1 parking space per garden suite is required;
 - iii. Garden suites must maintain a minimum of 2 m setback from the primary dwelling.

5. Portable Shelters

- a) Portable shelters are permitted year-round, subject to the following provisions:
 - i. A maximum of two (2) portable shelters are permitted on a property
- b) Portable shelters must be located a minimum of 3 m from the rear, interior and/or exterior side property lines; and
- c) Portable shelters shall be included in the lot coverage calculations.

6. Private Swimming Pools

- a) A swimming pool erected in any zone shall be permitted in the side yard of any lot provided that:
 - i. No part of such pool shall be located closer to any lot line or street line than the minimum distance required for the principal building located on such lot;
 - ii. The maximum height of such pool shall be one and 1.5 m above the average finished grade level of the ground both adjoining and within four and 4.5 m of such pool; and
 - iii. Any building or structure, other than the main building, required for changing clothing or for pumping or filtering facilities, or other similar accessory uses, shall be in accordance with the provisions applicable to accessory buildings on such lot.
- b) A swimming pool as an accessory use to a permitted residential or rural use shall be permitted in the rear yard of any lot provided that no part of such pool shall be located closer to any lot line or street line than the minimum distance required for an accessory building located on such lot.

7. Recreational Vehicles

Township of Burpee and Mills

Zoning By-law 2025-03

- a) Recreational vehicles must be stored and used in accordance with By-law 02-22 to License Trailers in the Township of Burpee and Mills, or its successors.

8. Truck, Bus and Coach Bodies

- a) No truck, bus, coach or street car body, or structure of any kind other than a dwelling unit erected and used in accordance with this and all other By-laws of the Corporation shall be used for human habitation with the Township of Burpee and Mills whether or not the same is mounted on wheels.

9. Shipping Containers

- a) Shipping Containers are only permitted in the following zones: Agricultural (A), Rural (R), and Pit and Quarry (Q) with a minimum lot area of 10 ha [25 ac].
b) No storage container shall be used for habitable space.
c) A maximum of 1 storage containers per 10 ha [25 ac] is permitted on a lot.
d) Shipping Containers must be stored and used in accordance with the Township's Shipping Container By-law.

4.2 Automobile Service Stations and Gas Bars

1. Where automobile service stations and gas bars are permitted in this By-law, the following provisions shall apply

	Interior Lot	Corner Lot
Lot Frontage (min)	60 m	60 m
Lot Depth (min)	45 m	60 m

2. No portion of any pump island on an automobile service station or gasoline bar lot shall be located closer than 6 m from the street line of any street;
3. The minimum distance from the intersection of two street lines to the nearest ingress or egress ramp shall be not less than 9 m;
4. The maximum width of a curb ramp at the street line shall be not more than 9 m and the minimum width not less than 8 m;
5. The distance between ramps shall not be less than 9 m;
6. The minimum distance between the property line of the lot at the street line and the nearest ramp shall be 3 m;
7. The area included between ramps or between ramps and a street line or property line as required by this By-law shall not be used for any purpose other than landscaping; and
8. The following minimum provisions shall apply to buildings and pumps associated with this use:

- | | |
|---------------|-------|
| a) Front Yard | 7.5 m |
| b) Side Yard | 4.5 m |
| c) Rear Yard | 7.5 m |

Township of Burpee and Mills

Zoning By-law 2025-03

4.3 Building Repair and Reconstruction

1. Nothing in this section prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner, provided that the minimum frontage or area, or the minimum front, side or rear yards required by this section are not further reduced or its original use altered.
2. Nothing in this section prevents the strengthening or restoration to a safe condition of any building or structure or part of any such building or structure that is a non-complying and/or non-conforming use provided that:
 - a) Such repair or reconstruction does not further contravene the provisions of this By-law, because of a change in the height, size or volume, or by changing the use of such building or structure; and;
 - b) If the building is a dwelling house in any zone other than a Settlement (S) zone, it shall comply with all of the requirements set out in Section 11.2 for a Residential use in the Rural (R) zone.

4.4 Buildings to be Moved

In all zones, no building, residential or otherwise normally requiring a building permit for construction shall be moved within the area covered by this By-law or shall be moved into the limits of the area covered by this By-law without a permit from the Chief Building Official or Building Inspector.

4.5 Cannabis Processing Facility

1. Cannabis Processing Facilities shall also be subject to the following provisions:
 - a) Such facilities shall be permitted as accessory to an agricultural use.
 - b) Setbacks for any facility shall be a minimum of 300 m from any sensitive land uses as defined in this By-law.
 - c) All such facilities shall be equipped with approved Air Treatment Control as defined in this By-law.
 - d) All storage shall be in a fully enclosed building.
 - e) Development in relation to the establishment or expansion of a Cannabis Processing Facility may be subject to Site Plan Control.

4.6 Change of Use

A use of a lot, building or structure which, under the provisions hereof, is not permissible within the zone in which such lot, building or structure is located, shall not be changed except to a use which is permissible within such zone.

4.7 Corner Visibility Triangle

On a corner lot, a fence, sign, hedge, shrub, bush or tree, or any other structure or vegetation shall not be erected or permitted to grow to a height greater than 1 m above the grade of the streets that abut the lot within the triangular area included within the street line for a distance of 6 m from their point of intersection.

Township of Burpee and Mills

Zoning By-law 2025-03

4.8 Dwelling Unit in Non-residential Building or Lot

1. No person shall use any lot, or erect, alter or use any building or structure for the purpose of a separate dwelling unit on a lot zoned other than for residential uses, or within a portion of a non-residential building except in accordance with the following regulations:
 - a) One single dwelling unit for use by the owner or operator shall be permitted with a private water supply and sewage system where such have been approved by the Ministry of the Environment, or appropriate regulatory authority.
 - b) The dwelling unit shall have a minimum floor area of 56 sqm or a separate structure, shall have a minimum floor area of 100 sqm;
 - c) The dwelling unit shall have a separate washroom or bathroom and kitchen facilities from those of the non-residential use
 - d) The dwelling units shall have a separate building entrance to that provided for non-residential use;
 - e) The dwelling use shall have a separate parking space as provided in Section 5 of this By-law;
 - f) the gross floor area of the residential portion of a non-residential building in a Commercial Zone shall not exceed fifty per cent (50%) of the lot area.
2. Notwithstanding the provisions of this By-law, no dwelling unit shall be located in a non-residential building that is used for an Automobile Service Station defined in Section 3 of this By-law.

4.9 Frontage on a Public Road or Street

1. No person shall erect any building or structure in any zone unless the following can be met:
 - a) the lot upon which such building or structure is to be erected fronts upon an open and maintained public road or street and has access or a legal right-of-way which is registered on title.
2. Notwithstanding the foregoing, a seasonal dwelling may be erected on any lot created on an island in a Shoreline Residential (SR) Zone.

4.10 Height Exceptions

1. Notwithstanding the height provisions, nothing in this By-law shall apply to prevent the erection of a church spire, belfry, clock tower, chimney, farm building or structure other than a dwelling, silo, water tank, windmill, radio, radar, or television tower or antenna, or drive-in theatre screen.

4.11 Home Industries

1. Where a home industry is a permitted use, the following provisions shall apply:
 - a) Only one person residing in the said dwelling, plus two other people who may or may not reside in the dwelling, may conduct the said household industry.
 - b) The home industry shall clearly be secondary to the main residential use.
 - c) The residential character of the dwelling unit shall not be changed.

Township of Burpee and Mills

Zoning By-law 2025-03

- d) There shall be no advertising other than a plate or unilluminated sign no larger than 1.22 m by 2.44 m;
- e) There shall be no open storage or outdoor display of materials or equipment.
- f) The household industry shall not create or become a nuisance because of noise, fumes, dust, odour and traffic or otherwise interfere with the enjoyment of the residential amenities of the neighbourhood.
- g) The lot shall be an existing lot with a minimum frontage of 60 m and minimum lot depth of 120 m.
- h) Such use shall maintain a setback that is a minimum of 15 m greater than the setback required by this By-law for the main building of the lot.

4.12 Home Occupations

1. Where a home occupation is a permitted use, the following provisions shall apply:
 - a) Only one person residing in the said dwelling, may conduct the said household occupation.
 - b) The floor area devoted to the said household occupation shall not be more than 25% of the total floor area of the dwelling.
 - c) There shall be no advertising other than an unilluminated plate or sign with a maximum area of 1 sqm, to indicate to persons outside that any part of the dwelling, dwelling unit or lot is being used for a purpose other than residential.
 - d) The home occupation shall clearly be secondary to the main residential use.
 - e) The residential character of the dwelling unit shall not be changed.
 - f) The household occupation shall not create or become a public nuisance because of noise, noxious odours or emission of smoke, traffic or parking.
 - g) Such home occupation shall not interfere with television or radio reception
 - h) There shall be no open storage or outdoor display of materials or finished products, and no machinery or instrument shall be used in conducting the household occupation that is not normally used in a residence or is not compatible with a residential area.

4.13 Minimum Distance Separation

1. Notwithstanding any other yard or setback provision in this By-law to the contrary, no building housing livestock or manure handling facility shall be erected unless it complies with the Minimum Distance Separation (MDS) Formulae as developed by the Ontario Ministry of Agriculture and Rural Affairs, as amended from time to time.
2. The following are exempt from MDS:
 - a) Approved residential development proposed by building permit on existing lots of record; and
 - b) Construction of a new residential dwelling that is replacing a dwelling destroyed in whole or in part, by a catastrophe, provided that the new dwelling is located no closer to an existing livestock facility than prior to the catastrophe.

4.14 Multiple Uses on One Lot

Notwithstanding any other provisions of this By-law, where any land, building or structure is used for more than one permitted use, all provisions of this By-law shall be complied with for each use,

Township of Burpee and Mills

Zoning By-law 2025-03

except in the case of lot area, lot frontage, coverage and minimum yard requirements in which case the most restrictive or stringent requirement shall apply.

4.15 Non-Conforming Uses

1. Nothing in this By-law shall prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the By-law, so long as it continues to be used for that purpose.
2. This By-law is not intended to apply to prevent the erection or use for a purpose prohibited by the By-law of any building or structure the plans for which have, prior to the day of passing of the By-law, been approved by the Chief Building Official or Building Inspector, 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 any such building or structure is commenced within 2 years after the date of the passing of this By-law and such building or structure is completed within a reasonable time after the erection thereof is commenced.
3. Nothing in this By-law shall prevent the reconstruction, renovation, repair or strengthening to a safe condition of any building or structure or part of any such building or structure which does not comply with the provisions of this By-law.
4. Where a building has been erected prior to the date of the passing of this By-law on a lot having less than the minimum frontage and/or area, or having less than the minimum setback and/or interior side yard and/or exterior side yard and/or rear yard required by this By-law, the said building may be enlarged, reconstructed, repaired or renovated provided that:
 - a) The enlargement, reconstruction, repair or renovation does not further reduce a minimum front yard and/or interior or exterior side yard and/or rear yard provision established in the by-law; and
 - b) All other applicable provisions of this By-law are complied with.
5. A lot held as a single lot prior to the passing of this By-law may be built upon, even though said lot is of such size that it cannot comply with the minimum frontage and/or depth and/or area required by this By-law, provided that in the case of a lot in the Rural (R) Zone such lot has not less than 15 m of frontage and not less than 900 sqm of area. Such lot shall require the approval of the Ministry of the Environment or its designated agent prior to the issuance of a building permit and the proposed use must comply with all other applicable provisions of this By-law.
6. Nothing in this By-law shall apply to prevent the alteration of a residential building existing at the date of passing of this By-law in a Commercial Zone, provided that such alteration does not contravene any of the provisions of this By-law for such use in the Settlement (S) Zone.
7. The provisions of this By-law shall not apply to prevent the reconstruction or continued use of any building or structure that is damaged or destroyed, either by voluntary or involuntary means, provided that:
8. Nothing in this By-law shall prevent Council from acquiring or disposing of any land, building or structure used or erected for a purpose prohibited by the By-law or for the acquisition or disposition of any vacant land having a frontage or depth less than the minimum prescribed for the erection of a building or structure in the defined area in which the land is situated. Nothing in this By-law shall prevent Council from disposing of any

Township of Burpee and Mills

Zoning By-law 2025-03

such land, building or structure or prevent Council from exchanging any such land for any other land within the Township.

9. A non-conforming use of a lot, building or structure shall not be changed except to a use which is permissible within such zone, or such other uses as may be approved under Section 45 of the *Planning Act, R.S.O. 1990, Chapter P. 13*.
10. A non-conforming use shall be considered to be terminated once the use ceases and the property is used for a permitted use.
11. Portable shelters, recreational vehicles, mobile home sites and shipping containers are not subject to the provisions of legal non-conforming uses.

4.16 Non-Complying Uses

1. Where a legal non-complying building or structure is damaged, destroyed or demolished, the building or structure may be reconstructed within its original location provided that:
 - a) The situation of non-compliance is not further increased; and
 - b) All other provisions of the By-law are complied with.

Efforts should be made to have the rebuilding of buildings or structures comply with all applicable setbacks and yard provisions of the applicable zones.

2. A legal non-complying building or structure may be enlarged or extended provided the situation of non-compliance is not further increased and it complies with all other provisions of the By-law.

4.17 Number of Dwelling Units on One Lot

Not more than one single detached dwelling unit shall be erected on one lot except in the Agricultural (A) Zone or Rural (R) zone where a second residence may be erected to provide accommodation for a farm labourer, and where additional residential units are permitted, in compliance with Section 4.1.1.

4.18 Planting Strip

1. A planting strip/vegetative buffer or a fence shall be provided on or near any property line where a commercial or industrial property abuts upon a residential property or zone. The vegetative buffer/planting strip or fence shall be provided in accordance with the following regulations:
 - a) Shall maintain a minimum vegetative buffer/planting strip of 3 m.
 - b) A vegetative buffer/planting strip shall be used for no other purpose than a continuous fence or hedge row of evergreens or shrubs, not less than one and 1.5 m high immediately adjoining the lot line or portion thereof along which such planting strip is required herein, provided that no fence or hedgerow shall be required or permitted to a height in excess of 1 m closer to a street line than the required yard depth.
 - c) In all cases where ingress and egress driveways or walks extend through a planting strip, it shall be permissible to interrupt the strip within 3 m of the edge of such driveway or within one and 1.5 m of the edge of such walk.
 - d) A Planting strip referred to in this subsection may form part of any landscaped open space required by this By-law.

Township of Burpee and Mills

Zoning By-law 2025-03

4.19 Properties with More than One Zone

Where a lot is divided into more than one zone, each such portion of said lot shall be considered separately for the purposes of determining zone provisions such as lot area, lot frontage, required front yard, required side and rear yards and each such portion shall conform to the provisions of the appropriate zone, but no lot shall have more than one dwelling unit on the whole except as specifically provided in this By-law.

4.20 Public Uses Permitted

1. The provisions of this By-law shall not apply to the use of any land or to the erection or use of any building or structure for the purpose of public utility or service by the Township and/or any Public Authority, or Ministry of the Government of Ontario or Canada, including the Hydro One and Ontario Power Generation, or any telephone, telegraph, broadband or cellular or gas company, provided that where such land, building or structure is located in any zone:
 - a) no goods, material or equipment shall be stored in the open except as permitted in such zone;
 - b) the lot coverage and yard requirements described for such zones shall be complied with;
 - c) parking and loading requirements as contained in this By-law shall be complied with.
2. Nothing in this By-law shall prevent, in any zone, the installation of a watermain, sanitary sewer, storm sewer, gas main, pipeline or overhead or underground hydro and telephone line provided that the location of such pipe or line has been approved by the Corporation.

4.21 Short Term Rentals

1. Where short term rentals are permitted in all or part of a residential building, the following provisions apply:
 - a) Parking shall be provided in accordance with Section 5.
 - b) The short-term rental use does not change the character of the residential dwelling, nor become a nuisance to the area in terms of parking, noise, or other factors.
 - c) Such short-term rental is licenced in accordance with the Township's Short Term Rental by-law. as,

4.22 Special Uses Permitted

1. The following uses are permitted in all Zones within the Corporation:
 - a) Temporary camps used in the construction of public works but only for so long as it is necessary for such works as may be constructed adjacent to the camp and only until such time as the work is completed, or abandoned, or
 - b) A tool shed, scaffold or other building or structure incidental to construction on the premises where it is situated and only as long as it is necessary for the work in progress and until the work is completed or abandoned.

"Abandoned" in this section shall mean the failure to proceed expeditiously with the construction of a work, specifically abeyance of construction for six (6) months.

Township of Burpee and Mills

Zoning By-law 2025-03

4.23 Uses Prohibited

1. Notwithstanding any other provisions contained in this By-law, the following uses are prohibited in the Municipality:
 - a) No use shall be permitted which from its nature or the materials used therein is declared by the Local Board of Health or Council of the Corporation to be a noxious trade, business or manufacture under The Public Health Act or regulations, thereunder, Chapter 377, R.S.O. 1970, as amended.
 - b) The use of any land or lot for the purpose of a tourist trailer park or the use of a tourist trailer, or mobile home for human habitation except as specifically provided by this By-law.
 - c) The use of any land or lot for the purposes of a track for the commercial racing of animals, motor vehicles or motorcycles or go-carts or snowmobiles except by a club or organization which is licensed by the Municipality for such uses.
 - d) The use of any land or lot for the purpose of a scrap or salvage yard except as specifically provided by this By-law.
 - e) The use of any land or lot for the purpose of a waste disposal area, landfill site, or dump except for public landfill sites owned and/or operated by the Township of Burpee and Mills.
 - f) No land, building or structure shall be used for such Commercial or Industrial purpose as is likely to create a public nuisance or danger to health or danger from fire or explosion, except in accordance with the provisions of or regulations under The Gasoline Handling Act.

4.24 Uses Restricted

1. Notwithstanding any other provision contained in this By-law, the following uses are prohibited within 300 m of the Settlement (S) Zone.
 - a) The manufacture or storage of fertilizers from human or animal wastes.
 - b) The slaughtering of animals.

4.25 Waste Disposal Zone Setbacks

Residential dwellings are prohibited within 500 m of any waste disposal facility.

4.26 Waterfront Setbacks and Vegetative Buffer

1. Setbacks from Lakes

- a) No building other than a marina or boathouse shall be constructed within 30 m of a lake unless a natural yard extending back from the shore a distance of 20 m is left in its natural state in which case the building setback may be reduced to 20 m.

2. Setbacks from Lake Huron

- a) No person shall erect any habitable building or structure in any zone abutting Lake Huron less than 15 m measured horizontally from the 100 year flood contour identified on Schedules B1 and B2 of this By-law unless:

Township of Burpee and Mills

Zoning By-law 2025-03

- i. The building or structure is located at least 61 m from the high water mark; and
- ii. The building is flood-proofed to 179.6 m Canadian Geodetic Vertical Datum (CGVD1928).

3. Shoreline Vegetative Buffer

- a) The marine shore road allowance around all waterbodies extends 20 m from the shoreline. The marine shore road allowance, and the required front yard setback is to remain vegetated, and will be considered the shoreline vegetative buffer.
- b) A maximum of 25% of the shoreline vegetative buffer, to a maximum width of 15 m may be cleared.
- c) Restoration of the natural vegetation and shoreline characteristics may be required as a condition of development or redevelopment.

4.27 Yard and Setback Encroachments Permitted

1. Except for accessory buildings, structures or uses, every part of any yard required by this By-law shall be open and unobstructed by any structure from the ground to the sky provided however that those structures listed in the following table shall be permitted to project for the specified distances into required yards as follows:

Structure or Feature	Applicable Yard(s)	Required setback or Permitted Encroachment
Sills, Belt Courses, eaves, gutters, chimneys, awnings, pilasters, canopies and generators	Any yard	May encroach 0.6 m into the required yard
Window Bays	Front, and Rear yard	May encroach 1.0 m into the required front, rear yard
Fire Escapes, Exterior Staircases	Rear and Side yards	May encroach 1.2 m into the required rear and side yards
Balconies	Front, Rear and Side Yards	May encroach 1.5 m into the required yard
Porches not exceeding 1.8 m in height	Front, Rear and Exterior Side Yard	May encroach 1.5 m into the required yards
Air Conditioners	Rear, Interior Side and Exterior Side Yard	May encroach 0.6 m into the required yards
Deck located at 2 feet or above	Rear Yard	May encroach 5.0 m into the required yard and maintain a minimum setback of 1.5 m to the rear lot line.
	Front and Exterior Side Yard	May encroach 1.6 m into the required yards
	Interior Side Yard	No encroachment permitted.
Gate (guard) House	Front and Side Yard	In the Industrial Zone shall maintain a 5 m front and side yard setback

Township of Burpee and Mills

Zoning By-law 2025-03

2. Encroachments are not permitted on any shoreline property.
3. Notwithstanding the provisions of this By-law to the contrary, where a detached single detached dwelling or accessory use thereto is to be erected in a built-up area where there is an established building line, such dwelling or accessory use may be erected closer to the street line or the centre line of the road or street, as the case may be, than required by this By-law provided such dwelling or accessory use is not erected closer to the street line or to the centre line of the road or street, as the case may be, than the established building line on the date of passing of this By-law and further provided that in no case shall any building be erected closer than 3 m from the front lot line and need be no greater than setback regulations prescribed in the zone in which it is situated.

For the purposes of this subsection “the established building line” means the average setback of the existing building. A building line is considered to be established when at least 3 buildings have been erected on any side of a continuous 300 m of land with street frontage.

4.28 Yard Exception – Terrain Unsuitability

Where in this By-law, a front, side or rear yard is required, and part of the area of the lot is usually covered by water or marsh or swale or is beyond the rim of a river bank or watercourse or between the top and toe of a cliff or embankment having a slope of 30 degrees or more from the horizontal, then the required yard shall be measured from the nearest main wall of the main building or structure on the lot to the edge of said area covered by water or marsh, or to the rim of said river bank or watercourse, or to the top of the said cliff or embankment if such area is closer than the lot line.

Township of Burpee and Mills

Zoning By-law 2025-03

5.0 Parking

5.1 Off-street Parking Requirements

In connection with the construction, erection, enlargement or increase in the volume of any building type, provisions shall be made for off-street parking on the same lot as the building in accordance with the following regulations and minimum parking requirements.

5.2 Parking Space Requirements

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

Land Use	Use of Land	Required Number of Parking Spaces
Residential	Additional Residential Unit, Garden Suite	1 space per dwelling unit
	Bed and Breakfast	2 spaces per dwelling unit
	Boarding House	2 spaces per dwelling unit
	Group Home	2 spaces per dwelling unit
	Short-Term Rentals	1 space per rental bed/unit
	Single Detached, Semi-Detached, Duplex, Seasonal	2 space per dwelling unit
	Rowhouse, Apartment, Multiple	2 space per dwelling unit
Commercial	Business or Professional Office, including a home occupation	1 space per 28 sqm of office floor area
	Clinic	5 spaces per practitioner
	Confectionary or Variety Shop	1 space for every 9.5 sqm of total floor area
	Hotel, Motel, or Tourist Establishment	1 space per guestroom and 1 additional space for each 9.5 sqm of floor area devoted to public use
	Funeral Home, Restaurant, Club, Place of Entertainment or Place of Assembly	1 parking space for every 5 seats or 3 meters of bench space. Where there are no fixed seats, 1 space for each 9.5 sqm of floor area devoted to public use
	Marina	1 space for every 20 sqm of total retail floor area, plus 1 space for each boat slip provided

Township of Burpee and Mills

Zoning By-law 2025-03

Land Use	Use of Land	Required Number of Parking Spaces
	Other Commercial Uses	1 space for every 19 sqm of total floor area
Institutional	Educational Institution	1.5 spaces for each teaching area, plus 1 separate bus loading area per 2 teaching areas
	Emergency Vehicle Dispatch Center	1 space per 30 sqm of gross floor area
	Hospital, Nursing Home	1 space for each 2 beds or 40 sqm whichever is greater, plus 1 additional space for each resident doctor or resident employee
	Place of Worship	1 space per 5 seats or 3 m of bench space. Where there are no fixed seats, 1 space for per 9.5 sqm of floor area devoted to public use
Industrial	Building Supply Outlet, Bulk Fuel Storage, Contractors Yard, Home Industry, Motor Vehicle Repair Shop, Fabricating Shop, Processing Establishment, Manufacturing, Welding Shop	1 space for each 100 sqm of floor area up to 1,850 sqm plus 1 additional space for every 450 sqm of floor area over 1,850 sqm including any basement area if used for industrial use
	Cannabis Processing Facility	1 space per 90 sqm of gross floor area plus 1 space per 30 sqm of gross floor area of an accessory office.
Any other use not specified on this table		1 space per 20 sqm of gross floor area

2. If the calculation of the required parking spaces results in a fraction, the required parking spaces shall be the next higher whole number.
3. Where any land or building accommodates more than one use, the total parking space requirement for such land or building shall be the aggregate sum of the requirements for each individual use.
4. Any parking spaces required to be provided by this By-law shall be exclusive of the parking spaces used or intended to be used for the storage or parking of motor vehicles or major recreational vehicles for sale or rental.
5. Where off-street parking spaces are required to be provided for the use of visitors, such parking spaces shall be clearly defined or identified as being reserved for the exclusive use of such visitors.
6. No portion of any access driveway shall be located closer than 9.0 m to the intersections of two street lines or their projections.

Township of Burpee and Mills

Zoning By-law 2025-03

5.3 Parking Area Requirements

1. Parking areas shall conform to the following requirements:
 - a) each parking space shall have a minimum width of 3 m and depth of 6 m;
 - b) each parking space shall be provided with unobstructed access to a street by a driveway, aisle, lane or private road;
 - c) any parking area designed to serve water access lots shall have a minimum area of 50 sqm for each lot to be served and no parking shall be permitted within 8 metres of the high water mark or within 3 metres of any lot line abutting a lot in a Residential Zone;
 - d) for any parking area in a Commercial or Industrial Zone which is required to be used in winter, an additional area equal to 20% of the required area shall be provided for snow storage.

5.4 Location

1. The parking area shall be located on the same lot as the use it is intended to serve except in the case of a water access lot where the parking area shall be located in a zone where such use is permitted by this By-law.
2. Notwithstanding the yard and setback provisions of this By-law to the contrary uncovered surface parking areas, in other than residential use areas, shall be permitted in any required yard or in the area between the road or street line and the required setback provided no part of any parking area, other than a driveway, is located closer than 1 m to any road or street line. On a residential lot no parking shall be permitted in the required front yard of such lot except on a driveway with a maximum width of 6 m.

5.5 Ingress and Egress

1. Ingress and egress, to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways at least 4 m but not more than 9 m in perpendicular width.
2. The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 9 m.
3. The minimum distance between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 8 m.
4. The minimum angle of intersection between a driveway and a street line shall be 60 degrees.
5. Every lot shall be limited to the following number of driveways:
 - a) up to the first 30 m of frontage, not more than 2 driveways; and
 - b) for each additional 30 m of frontage, not more than 1 additional driveway.

5.6 Addition to a Building or Structure

When a building or structure has insufficient parking area at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require that the deficiency be made up prior to the construction of any addition. No addition may be built, however, and no change of use may occur, the effect of which would be an increase in that deficiency.

Township of Burpee and Mills

Zoning By-law 2025-03

5.7 Buffer Area

Where a parking area is situated in the Settlement (S) Zone and is designed to accommodate more than 6 automobiles, a strip of land not less than 3 m wide, around the periphery of the said parking area and within the lot in which said parking area is located shall not be used for any purpose other than landscaping but this shall not prevent the provision of entrances nor exits to said parking area across the strip.

5.8 Drive Through

The entrance for a drive through function must provide for the progressive movement of cars and shall be sufficient to accommodate stacking for not less than 10 cars on said lot, starting at the last window, and that the drive through function does not inhibit the use of the necessary required parking spaces. Stacking spaces for drive through or drive-in uses may not be counted as required off-street parking spaces.

5.9 Illumination

Where parking areas are illuminated, lighting fixtures shall be so arranged that no part of any fixture shall be more than 9 m above the finished grade of the parking area. Fixtures shall be so designed and installed that the light is directed downward and deflected away from adjacent lots, roads and streets.

5.10 Parking Area Surface

In a Commercial or Industrial Zone, a parking area and driveway connecting the parking area with a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles. They shall, before being used, be constructed of crushed stone, slag, gravel, crushed brick (or tile), cinders, asphalt, concrete, Portland cement binder or like material and with provisions for drainage facilities.

5.11 Use of Parking Spaces and Areas

1. Any area where off-street parking is permitted under this By-law shall be used for no other parking purpose than for the parking of operative passenger vehicles and commercial vehicles used in operations incidental to the permitted uses on the lot, all bearing currently valid licence plates.
2. For the purposes of this subsection "commercial motor vehicle" shall mean any commercial vehicles as defined in the Highway Traffic Act.
3. Notwithstanding the foregoing, no person shall within any Settlement (S) Zone use any part of any front yard except in the driveway for the parking of temporary storage of tent trailers, motor homes, land cruisers, truck campers, boats or motorized snow vehicles.
4. No person shall, in any Settlement (S) Zone use any tourist or travel trailer for the purpose of providing temporary or permanent living or eating accommodation.

5.12 Accessible Parking

1. Provisions of accessible parking spaces shall be compliant with the *Ontario Integrated Accessibility Standards Regulation 191/11* or its successors.

Township of Burpee and Mills Zoning By-law 2025-03

2. In the case of multiple residential (i.e., apartment dwellings), Commercial, Industrial and Institutional uses, accessible parking spaces shall be provided in accordance with the following table:

Total Parking Spaces Required	Accessible Spaces Required (minimum)		
	Total	Type A	Type B
Up to 37	1	1	
38-62	2	1	1
63-86	3	1	2
87-133	4	2	2
134-166	5	2	3
167-200	6	3	3
Each additional 50 spaces thereof	1 additional space		

- Where an even number of accessible parking spaces are provided, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space must be provided.
- Where an odd number of accessible parking spaces are provided, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the off-numbered space, may be a Type B parking space.
- Accessible parking spaces shall be of the following two types:
 - Type A: minimum width of 3.4 m
 - Type B minimum width of 2.4 m
- An access aisle may be shared by two accessible parking spaces and must have a minimum width of 1.5 m.

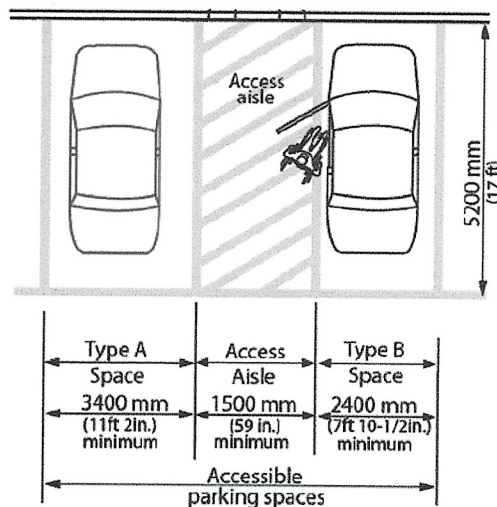


Figure 3: Accessible parking spaces and access aisle

Township of Burpee and Mills

Zoning By-law 2025-03

5.13 Loading Space Requirements

1. The owner or occupant of any lot, building or structure erected or used for any purpose involving the receiving, shipping, loading or unloading of persons, animals, goods, wares, and merchandise and raw materials, shall provide and maintain at the premises on the lot occupied by the building or structure and not forming part of the street or lane, within the zone in which such use is located 1 loading or un-loading space that conforms to the following:
 - a) A minimum length of 9 m
 - b) A minimum width of 3.7 m
 - c) A minimum vertical clearing distance of 4.5 m
 - d) A minimum of 1 loading space for every 500 sqm of floor
2. Access to loading or unloading spaces shall be by means of a driveway with a minimum width of 6 m.
3. The driveways, loading and unloading spaces shall be constructed and maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles and with provisions for drainage facilities.
4. The loading space or spaces required shall be located in the interior side or rear yard unless set back from the street line a minimum distance of 25 m.
5. When a building or structure has insufficient loading space at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require that the deficiency be made up prior to the construction of any addition. No addition may be built, however, and no change of use may occur, the effect of which would be an increase in that deficiency.

Township of Burpee and Mills

Zoning By-law 2025-03

6.0 Settlement (S) Zone

6.1 Permitted Uses

Residential

Additional Residential Unit
Bed and Breakfast Establishment
Boarding House
Converted Dwelling
Duplex Dwelling
Group Home
Home Occupation
Seasonal Dwelling
Semi-Detached Dwelling
Single Detached Dwelling

Marina

Motel
Motor Vehicle Sales Area
Personal Service Shop
Place of Entertainment
Recreational Vehicle Sales and
Service Establishments
Service of Repair Shops
Retail Store
Tavern

Commercial

Automobile Service Station
Business or Professional Office
Clinic
Club
Confectionary and Variety Shop
Eating Establishment
Farm Implement Dealer
Financial Establishment
Funeral Home
Hotel

Institutional

Cemetery
Place of Worship
Educational Institution
Emergency Vehicle Dispatch Center
Hospital
Nursing Home
Place of Assembly
Playground
Park

6.2 Zone Provisions

Use	Provision	Required
Residential	Lot Area (min)	1,858 sqm
	Lot Frontage (min)	30.5 m
	Front Yard (min)	15 m
	Rear Yard (min)	3 m
	Interior Side Yard (min)	3 m (1)
	Exterior Side Yard (min)	9 m
	Lot Coverage (max)	30%
	Building Height (max)	10 m
	Ground Floor Area (min)	44 sqm
Commercial	Lot Area (min)	1,858 sqm
	Lot Frontage (min)	30.5 m
	Front Yard (min)	15 m
	Rear Yard (min)	7.5 m
	Interior Side Yard (min)	9 m
	Exterior Side Yard (min)	9 m

Township of Burpee and Mills

Zoning By-law 2025-03

Institutional	Lot Coverage (max)	50%
	Building Height (max)	11 m
	Lot Area (min)	1,858 sqm
	Lot Frontage (min)	30.5 m
	Front Yard (min)	15 m
	Rear Yard (min)	7.5 m
	Interior Side Yard (min)	9 m
	Exterior Side Yard (min)	9 m
	Lot Coverage (max)	30%
	Building Height (max)	10 m

(1) 0 m setback is required for semi-detached dwelling along the adjoining wall.

6.3 Additional Zone Provisions

1. A dwelling unit is permitted as an accessory use to the principal commercial use, building or structure identified in Section 6.1 except for an automobile service station, motor vehicle sales area, recreational vehicle sales and service establishments, and service of repair shop. The dwelling unit shall be located above or behind the main commercial use.

6.4 Special Exception Zones

SECTION / ZONE	Amending By-Law / Location	Permitted Uses	Special Provisions
S-1	By-law 81-8; Lot 37, Con VI, Burpee	Notwithstanding the minimum lot frontage and minimum lot area requirements, one Bell Canada switch relay box is permitted	
S-2	Bylaw 2023-05; Part Lot 36-37, Con VI, Burpee	A maximum of 4 canvas tents (bell tents/glamping tents) to be rented on a seasonal basis from June to September of each year	

Township of Burpee and Mills

Zoning By-law 2025-03

7.0 Shoreline Residential (SR) Zone

7.1 Permitted Uses

Residential Uses

Bed and Breakfast

Group Home

Home Occupation

Seasonal Dwelling

Existing Single Detached Dwelling with frontage on a year-round maintained Township road.

Recreational Uses

Playground

Public Beach

Public Boat Launching Area

Public Dock Facility

7.2 Zone Provisions

Use	Provision	Required
Residential	Lot Area (min)	4,046 sqm
	Lot Frontage (min)	46 m
	Front Yard (min)	9 m
	Rear Yard (min)	3 m
	Interior Side Yard (min)	7.5 m
	Exterior Side Yard (min)	9 m
	Lot Coverage (max)	15%
	Building Height (max)	10 m
	Ground Floor Area (min)	44 sqm for a seasonal dwelling or 56 sqm for a permanent dwelling

7.3 Additional Zone Provisions

1. The minimum lot frontage for playgrounds and picnic areas in a Shoreline Residential (SR) Zone shall be 46 m.

7.4 Special Exception Zones

SECTION / ZONE	Amending By-Law / Location	Permitted Uses	Special Provisions
SR-1	By-law 00-08; Lot 17, Con IX, Mills; Pts 1-8 31R2966		Lot area for severed properties (min): established in By-law 00-08

Township of Burpee and Mills

Zoning By-law 2025-03

SR-2	By-law 2013-10; Lot 15, Con XI, Mills; RM47010	Seasonal dwelling	Front yard (min): 5m
SR-3	By-law 02-20; Lot 24, Con 1, Mills; Part 2 31R-2238 Except Pt 1 31R-2315; (On the Lake Wolsey causeway NE of Evansville)	Beer and wine brewing business in an accessory garage as a home industry.	

Township of Burpee and Mills

Zoning By-law 2025-03

8.0 General Commercial (C) Zone

8.1 Permitted Uses

Automobile Service Station
Building Supply Establishment
Business or Professional Office
Dwelling Unit in accordance with Section 4.8 of this by-law
Eating Establishment
Farm Implement Dealer
Hotel
Marina
Motel
Personal Service Shop
Recreational Vehicle Sales and Service Establishment
Service or Repair Shop
Restaurant, Drive-In
Retail Store
Tavern

8.2 Zoning Provisions

Use	Provision	Required
Commercial	Lot Area (min)	1,858 sqm
	Lot Frontage (min)	30.5 m
	Front Yard (min)	15 m
	Rear Yard (min)	7.5 m
	Interior Side Yard (min)	4.5 m
	Exterior Side Yard (min)	9 m
	Lot Coverage (max)	50%
	Building Height (max)	10 m
Automobile Service Station	Lot Area (min)	1,858 sqm
	Lot Frontage (min)	30.5 m
	Front Yard (min)	15 m
	Rear Yard (min)	7.5 m
	Interior Side Yard (min)	6 m
	Exterior Side Yard (min)	9 m
	Lot Coverage (max)	25%
	Building Height (max)	10 m

8.3 Additional Zone Provisions

1. A dwelling unit is permitted as an accessory use to the principal commercial use, building or structure identified in Section 8.1 except for an automobile service station, farm implement dealer, and recreational vehicles sales area. The dwelling unit shall be located above or behind the main commercial use.

Township of Burpee and Mills

Zoning By-law 2025-03

2. Open storage is prohibited on any yard within the General Commercial (C) Zone used for commercial purposes which abuts a lot where the principal use is a residential use.

8.4 Special Exception Zones

Reserved.

Township of Burpee and Mills

Zoning By-law 2025-03

9.0 Commercial Recreational (CR) Zone

9.1 Permitted Uses

Business and Professional Office
Commercial Campground
Commercial Trailer Park
Dwelling unit in accordance with the provisions of Section 4.8 of this by-law
Hotel
Marina
Motel
Restaurant
Retail stores
Tourist Cabin Establishment
Tourist Establishment

9.2 Zone Provisions

Provision	Required
Lot Area (min)	8,300 sqm
Lot Frontage (min)	76 m (1)
Front Yard (min)	15 m
Rear Yard (min)	9 m
Interior Side Yard (min)	4.5 m
Exterior Side Yard (min)	9 m
Lot Coverage (max)	30%
Building Height (max)	10 m

(1) Where a lot abuts a body of water, the minimum lot frontage shall be 76 m.

9.3 Additional Zone Provisions

1. A dwelling unit is permitted as an accessory use to the principal commercial use, building or structure identified in Section 9.1. The dwelling unit shall be located above or behind the main commercial use.
2. Open storage is prohibited on any yard within the Commercial Recreational (CR) Zone used for commercial purposes which abuts a lot where the principal use is a residential use.

9.4 Special Exception Zones

Reserved.

Township of Burpee and Mills

Zoning By-law 2025-03

10.0 Agricultural (A) Zone

10.1 Permitted Uses

Agricultural Use
Agriculture-Related Use
Bed and Breakfast
Conservation Use
Existing Single Detached Dwelling
Farm Produce Storage Facility
Home Industry
Home Occupation
Nursery or a Farm Greenhouse
Private Airfield
Single Detached Dwelling accessory to an agricultural use

10.2 Zone Provisions

Use	Provision	Required
Agricultural, including accessory buildings and structures	Lot Area (min)	40 ha
	Lot Frontage (min)	134 m
	Front Yard (min)	15 m
	Rear Yard (min)	15 m
	Interior Side Yard (min)	15 m
	Exterior Side Yard (min)	15 m
	Lot Coverage (max)	-
	Ground Floor Area for single dwelling	55 sqm
Residential	Front Yard (min)	15 m
	Rear Yard (min)	15 m
	Interior Side Yard (min)	3 m
	Exterior Side Yard (min)	15 m
	Lot Coverage (max)	15%
	Building Height (max)	10 m

10.3 Additional Zone Provisions

- The following provisions apply to a wayside pit or quarry:
 - Where two pits are located on abutting properties the pits may be excavated to the abutting property line.
- Notwithstanding the provisions established in Section 11.2 of this By-law, where a lot used for rural use abuts a lot on which the principal use is a residential use, no buildings or structure on the rural use lot shall be located within 30 m of the residential lot.
- Notwithstanding any other section of this By-law, no person shall use any land or erect, alter or use any building or structure for the purpose of a private airfield as defined in this By-law except in accordance with the following provisions:

Township of Burpee and Mills

Zoning By-law 2025-03

- a) No lot having less than 10 ha shall be used for a private airfield;
- b) 1 accessory building for the purpose of parking or storing an aircraft shall be permitted on a lot, but shall be separate from, and located not less than 15 m from any non-residential building, and 30 m from any building used for residential purposes; and
- c) No land used for the purpose of a private airfield shall be located closer than 200 m of any residential dwelling unit located on an adjacent property held in separate ownership.

10.4 Special Exception Zones

SECTION / ZONE	Amending By-Law / Location	Permitted Uses	Special Provisions
A-1	By-law 03-11; Lot 8, Con VIII, Mills	Agri-tourism activities, i.e. petting farm, nature/hiking trails, cross country skiing, animal/boarding kennel	
A-2	Multiple locations By-law 93-1; Lot 36, Con 5, Burpee; Part 1, Plan 31R-2501 By-law 2003-10; Lot 26, Con VII, Burpee; Part 1, Plan 31R-3196	Non-farm related dwelling unit	
A-3	Reserved.		
A-4	By-law 2023-08; Lot 10, Con IX, Burpee		Workshop (+/-19.4 m x +/-12.1 m), equipment storage building (+/-15.84 m x +/-9.7 m), and shed (+/-5.0 m x +/-2.6 m) permitted in the front yard of the existing dwelling
A-5	Reserved.		
A-6	By-law 83-4; Lot 36, Con V, Burpee	Auto body shop may be used for the buying, selling, storing, trading, leasing, repairing of vehicles and related parts	A planting strip with a minimum width of 3 m and a minimum height of 1.5 m, and as described in Section 4.18 of this By-law, shall be developed and maintained by the owner of the subject property.

Township of Burpee and Mills

Zoning By-law 2025-03

SECTION / ZONE	Amending By-Law / Location	Permitted Uses	Special Provisions
A-7	By-law 91-11; Lot 26, Con VI, Burpee	20' by 23' Dog and Cat Boarding Kennel	The planting strip shall be located in such a way that stored vehicles are screened from view from the public road and adjacent properties. Front, rear, and side yard (min): as per Schedule 2, By-law 91-11

Township of Burpee and Mills

Zoning By-law 2025-03

11.0 Rural (R) Zone

11.1 Permitted Uses

Rural

Agricultural Use
Agricultural-Related Uses
Animal Hospital
Bed and Breakfast Establishment
Commercial Fishing Operation
Conservation Use
Home Industry
Hunt Camp
Farm Produce Storage Facility
Forestry Use
Kennel
Nursery or a Farm Greenhouse
Parking and Servicing of School Buses

Private Airfield
Wayside or Borrow Pit

Rural Residential

Seasonal Dwellings
Home Occupations
Single Detached Dwellings

Institutional/Recreational

Educational Institution
Cemetery
Golf Course
Park
Place of Worship
Playground

11.2 Zone Provisions

Use	Provisions	Required
Agricultural, Agricultural-related, cemetery, conservation use, hunt camp, commercial fishing establishment, specialized farm use, wayside pit and quarry	Lot Area (min)	40 ha for agricultural and agricultural-related uses or 10 ha for all other uses
	Lot Frontage (min)	134 m
	Distance of any building or structure from any lot line (min)	15 m
	Lot Coverage (max)	5%
	Ground Floor Area for a use, building or structure (min)	55 sqm
Home Industries, Home Occupations, Park, Playground, Public Use, Public Utility, Seasonal Dwelling, Single Detached Dwelling	Lot Area (min)	1,858
	Lot Frontage (min)	30 m
	Front Yard (min)	15 m
	Rear Yard (min)	7.5 m
	Interior Side Yard (min)	3 m
	Exterior Side Yard (min)	15 m
	Lot Coverage (max)	15%
	Building Height (max)	9 m

11.3 Additional Zone Provisions

- Notwithstanding any other provisions of this By-law, no person shall erect a hunt camp within 305 m of a lake and on a lot of less than 10 ha in area.

Township of Burpee and Mills

Zoning By-law 2025-03

2. The following provisions apply to a wayside pit or quarry:
- a) The edge of excavation shall maintain a minimum 61 m setback from any lot line of the adjoining property and public road.
 - b) Where two pits are located on abutting properties the pits may be excavated to the abutting property line.
3. Notwithstanding the provisions outlined in section 12.2, where a lot used for rural purposes abuts a lot on which the principal use is a residential use no building or structure on the rural use lot shall be located within 30 m of the residential use lot.
4. Where a commercial fishing operation is carried out on a rural use lot, buildings and structures related to such operation may be erected up to that portion of any lot line that abuts water.

11.4 Special Exception Zones

SECTION / ZONE	Amending By-Law / Location	Permitted Uses	Special Provisions
R-1	By-law 96-04; Lot 8, Con VI, Mills	A travel trailer to be used as a hunt camp	
R-2	By-law 84-5; Lot 29, Con III, Burpee	A mobile home (10' by 52') for use as a hunt camp	Front, rear, and side yard (min): as per Schedule 2, By-law 84- 5
R-3	By-law 88-9; Lot 14, Con V, Burpee	A 7' by 38' mobile home for use as a hunt camp	Front, rear, and side yard (min): as per Schedule 2, By-law 88- 9

Township of Burpee and Mills

Zoning By-law 2025-03

SECTION / ZONE	Amending By-Law / Location	Permitted Uses	Special Provisions
R-4	By-laws 94-9, 95-2; Lot 25, Con VIII, Burpee; Plan 31R-2621, Parts 1-5		<ul style="list-style-type: none"> i) Front yard (min): 15 m from the contour of the escarpment as depicted by the Impact Assessment Report ii) Removal of living, mature trees from the face of the escarpment or within 15 m of the contour of the escarpment is prohibited. iii) Buildings more than 10 m in height above existing grade is prohibited within 60 m of the escarpment. iv) Excavation or other construction of the face of the escarpment for roads or other non-habitable structures is prohibited. v) Blasting within 60 m of the contour of the escarpment is prohibited. vi) Construction of buildings other than single-storey, seasonal dwellings and related accessory buildings (e.g. garages, shed, etc.) constructed according to part 9 of the Ontario Building Code is prohibited within 60 m of the contour of the escarpment.

Township of Burpee and Mills

Zoning By-law 2025-03

SECTION / ZONE	Amending By-Law / Location	Permitted Uses	Special Provisions
R-5	By-law 95-4; Lot 23, Con VIII, Burpee; Plan 31R-2646, Part 1		<ul style="list-style-type: none"> i) Front yard (min): 15 m from the contour of the escarpment as depicted by the Impact Assessment Report ii) Extensive removal of living, mature trees from the face of the escarpment is prohibited. Removal of trees and other vegetation in the area of buildings is restricted. iii) Buildings more than 10 m in height above existing grade is prohibited within 60 m of the escarpment. i) Excavation or other construction of the face of the escarpment for roads or other non-habitable structures is prohibited. ii) Construction of buildings other than single-storey, seasonal dwellings and related accessory buildings (e.g. garages, shed, etc.) constructed according to part 9 of the Ontario Building Code is prohibited within 60 m of the contour of the escarpment.

Township of Burpee and Mills

Zoning By-law 2025-03

SECTION / ZONE	Amending By-Law / Location	Permitted Uses	Special Provisions
R-6	By-law 2019-06; Lot 15, Con VIII, Burpee; 17400 Hwy 540		One garage accessory to a dwelling is permitted to be located in front of the dwelling with front yard (min) 55.8 m Accessory garage height (max) 5.79 m
R-7	Reserved.		
R-8	By-law 05-008; Lot 7, Con IX, Mills	Seasonal dwelling	Ground floor area (min): 36 sqm
R-9	By-law 2014-09; Lot 11, Con V, Mills		Garage permitted in front yard with setback (min) 30 m
R-10	By-law 2014-06; Lot 7, Con V, Mills	Seasonal dwelling	Floor area (min): 44.6 sqm
R-11	By-law PENDING; Lot 16, Con VIII, Mills	Private cemetery	Note: condition of consent approval B16- 24

Township of Burpee and Mills

Zoning By-law 2025-03

12.0 Recreational (O1) Zone

12.1 Permitted Uses

An area of land where the primary use is for public or private recreation

Campground

Club

Dwelling Unit or Units in accordance with Section 4.8 of this By-law

Educational Institution

Emergency Vehicle Dispatch Center

Golf Course

Place of Worship

Playground

Place of Assembly

12.2 Zone Provisions

Provision	Required
Front Yard (min)	9 m
Rear Yard (min)	3 m
Interior Yard (min)	3 m
Exterior Yard (min)	9 m
Lot Coverage (max)	20%

12.3 Additional Zone Provisions

Reserved.

12.4 Special Exception Zones

Reserved.

Township of Burpee and Mills

Zoning By-law 2025-03

13.0 Conservation (O2) Zone

13.1 Permitted Uses

Agricultural use, excluding buildings
Conservation Area
Flood Control and Erosion Protection Uses
Forestry Use, excluding buildings and structures
Nursery Garden
Outdoor Recreational Uses excluding buildings and golf courses
Recreational Trail
Wildlife and/or Fish Management Area

13.2 Zone Provisions

Provision	Required
Lot Area (min)	40 ha for an agricultural use or 1.2 ha for all other permitted uses
Lot Frontage (min)	46 m
Distance of any building or structure from any lot line (min)	15 m
Lot Coverage (max)	20%

13.3 Additional Zone Provisions

1. Dwelling units and accessory dwelling units are prohibited in the Conservation (O2) Zone.

13.4 Special Exception Zones

Reserved.

Township of Burpee and Mills

Zoning By-law 2025-03

14.0 Pit and Quarry (Q) Zone

14.1 Permitted Uses

Aggregate Storage Areas
Agricultural Uses, excluding buildings and structures
Asphalt Plant
Concrete Batching Plant
Pit and/or Quarry
Sand and Gravel Pit Operation
Washing, Screening, Crushing and Storage of Sand, Gravel, Ballast, Stone, Aggregates, Clays, Brick, Peat, and other surface and subsurface resource materials
Accessory and associated operations

14.2 Zone Provisions

Provision	Required
Lot Area (min)	40 ha for agricultural uses only
Front Yard (min)	30 m
Rear Yard (min)	30 m
Interior Side Yard (min)	30 m
Exterior Side Yard (min)	30 m
Building Height (max)	20 m

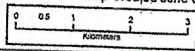
14.3 Additional Zone Provisions

1. Notwithstanding any other provisions of this By-law, a temporary mobile work camp consisting of mobile homes or other structures designed to be made mobile may be located and used on a lot in the Pit and Quarry (Q) Zone as a use accessory to a pit or quarry operation or to a use permitted in Section 14.1.
2. No person shall establish any of the uses permitted under Section 14.1 within:
 - a) 65 m of any residential use on another lot;
 - b) 50 m of any street

14.4 Special Exception Zones

Reserved.

Municipality of Burpee-Mills
Draft Zoning By-law No. 2025-03
Schedule B1 - Township of Burpee
 Map Created June 3rd 2025



Legend

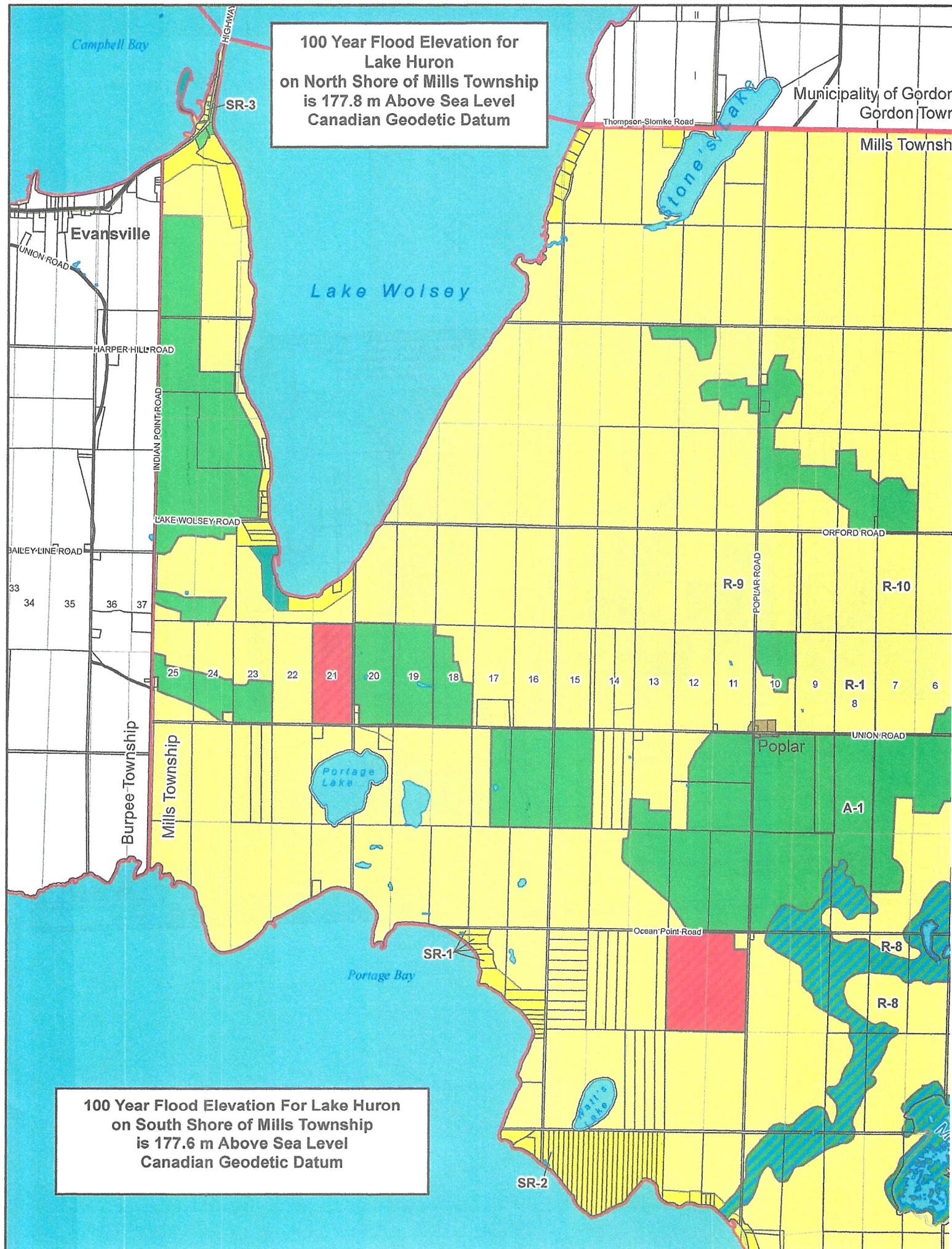
Lake	Municipal Boundary	Zone	C - General Commercial
Parcel	Township Boundary	A - Agricultural	R - Rural
Original Lot	Conservation Reserve	CR - Commercial Recreational	S - Settlement
Highway	Provincial Park	O2 - Conservation	SR - Shoreline Residential
Local Road			

100 Year Flood Elevation on South Shore of Lake Huron for Burpee Township is 177.8 m Above Sea Level Canadian Geodetic Datum

100 Year Flood Elevation on South Shore of Lake Huron for Burpee Township is 177.8 m Above Sea Level Canadian Geodetic Datum

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100 Year Flood Elevation for
Lake Huron
on North Shore of Mills Township
is 177.8 m Above Sea Level
Canadian Geodetic Datum



100 Year Flood Elevation For Lake Huron
on South Shore of Mills Township
is 177.6 m Above Sea Level
Canadian Geodetic Datum