# Zoning By-Law

## 2011-52

As adopted by Council
October 25, 2011

**By-law 2011-52 consolidated with amendments to July 11, 2023**

Township of Central Frontenac

Tunnock Consulting Ltd.

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**THE CORPORATION OF THE TOWNSHIP OF CENTRAL FRONTENAC**
**By-law No. 2022-61**

**BEING A BY-LAW TO AMEND BY-LAW No. 2011-52**

**WHEREAS** pursuant to the provisions of the Planning Act, Section 34, the Council of a Municipality may enact by-laws regulating the use of lands and the erection of buildings or structures thereon;

**AND WHEREAS** the Council has reviewed and updated By-law 2011-52 in compliance with Section 26 (9) of the Planning Act which requires the update of a zoning by-law to be undertaken within three years after the revision of the official plan;

**NOW THEREFORE** the Council of the Corporation of the Township of Central Frontenac enacts as follows:

1. That the format of the text of the amendment to By-law 2011-52 shall and hereby consists of the following method:
   A. All wording shown in red script constitutes amended wording added to By-law 2011-52, and;

   B. All wording shown in strikeout (~~strikeout~~) constitutes wording that has been deleted from By-law 2011-52;

2. That the revisions that constitute the text of the amendment as described in Section 1 above are set out in Schedule A to and forming part of this by-law.

3. That Schedules A1 through A5 to By-law 2011-52 are hereby rescinded and replaced by a series of new schedules A1, A2, A3, A4 and A5 which are hereby deemed to form part of Schedule A to this by-law.

4. That By-law 2011-52 is deemed to include all amendments thereto.

5. That the final formatting of By-law 2011-52 as amended shall include any changes to the numbering and formatting required to implement the provisions of Section 1 above.

6. That this by-law shall take force and effect subject to the requirements of the *Planning Act*.

**Read a first time this 25th day of October, 2022.**

**Read a second and third time and finally passed this 25th day of October, 2022.**

Frances Smith
**Frances Smith, Mayor**

Cathy MacMunn
**Cathy MacMunn, CAO/Clerk**

**SCHEDULE 'A' TO BY-LAW # 2022-61**

# The Corporation of the Township of Central Frontenac Comprehensive Zoning By-law

## Foreword

This Zoning By-law affects all lands within the Township of Central Frontenac. Any new development or redevelopment must comply with the requirements of the By-law before a building permit can be issued. Applicants are encouraged to pre-consult with the Township on how the zoning requirements apply. Applicants who plan to submit a planning application under the Planning Act are required to pre-consult with the Township.

Changes to the requirements contained in this By-law may be made with the approval of the Township as provided for under the Planning Act. Significant changes may be made through the zoning by-law amendment process. Minor variations may be granted by the Township's Committee of Adjustment. Both processes require formal applications to be submitted to the Municipality and both involve mandatory public notification.

Should you have any questions about the interpretation of the wording of this by-law or the process involved to obtain relief from its provisions, please contact the Township Office.

# The Corporation of the Township of Central Frontenac

# By-law No. 2011-52

Being a By-law to regulate the use of land, buildings and structures within the Township of Central Frontenac;

WHEREAS authority is granted pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, to Councils of Municipalities to enact by-laws regarding the use and the erection and use of buildings or structures within the municipality;

AND WHEREAS the Township of Central Frontenac has conducted a review of the zoning by-law pursuant to Section 26 of the Planning Act in association with the five-year review of the Official Plan and deems it appropriate to enact a new zoning by-law;

NOW THEREFORE the Council of the Corporation of the Township of Central Frontenac enacts as follows:

That Sections 1-5 and Schedules A1-A5 as follows, are hereby deemed to be and to constitute the zoning by-law for the Township of Central Frontenac;

That this by-law shall come into force and take effect subject to the provisions of the Planning Act.

Read a first and second time this 25th day of October, 2011.

Read a third time and adopted this 25th day of October 2111.

_____ _____

Mayor Clerk

Certified that the above is a true copy of By-law No. 2011-52 as enacted and passed by the Council of the Corporation of the Township of Central Frontenac on the 25thday of October, 2011.

_____

**Clerk**

## HOW TO USE THIS BY-LAW

**Step 1 – LOCATE YOUR PROPERTY AND DETERMINE THE ZONE**
Use the zoning schedules (maps) at the end of this document to locate the property you are interested in. Identify the zone symbol that applies to that property. Zone examples include R1, RM, RW, C, CR, CL, M1, M2, M3, MX, WMF, R, LSR and EP.

**Step 2 – DETERMINE WHAT USES ARE PERMITTED IN THE ZONE**
Use one of the Zone lists to determine what uses are permitted in the Zone you have identified. (Note: Section 5.2 of the text also identifies the name of the zone that corresponds to a zone symbol.) The uses in the lists are listed alphabetically. Run your finger down the first column to find the use you are interested in. If you find the use you are interested in, it is permitted in the Zone. Otherwise, it is not permitted in that Zone.

**Step 3 – DETERMINE WHAT ZONE REQUIREMENTS APPLY**
Once the use is determined to be permitted, move down to the Zone Requirements section. In this section, it will indicate what the minimum requirements will be, i.e., minimum lot area, frontage etc. These standards will help you determine where you can locate a building or structure on your lot.

**Step 4 – DETERMINE IF ANY GENERAL PROVISIONS APPLY**
Development of the property may be affected by Section 4 – General Provisions. General Provisions can apply to any zone anywhere in the municipality. This section contains provisions that apply to such matters as Accessory Uses, Height Exceptions, Home Based Businesses, Frontage on a Public Street, Special Setbacks, etc. Use this section to determine how a particular land use or building might be affected.

**Step 5 – CLARIFY TERMS AND THE MEANING OF A USE**
Throughout the by-law some words are shown in black italicized script. These words are defined in Section 3 – Definitions. If you are unsure as to what a particular word means or what the scope of a permitted use includes, then refer to the alphabetical list of definitions to assist you. This section also contains illustrations which are intended to help with understanding the definition.

# Section 1 ADMINISTRATION

**Explanatory Note**
Section 1 identifies the administrative controls and requirements of the By-law. It names the By-law, states its relationship with other By-laws, defines the area to which the By-law applies, how the By-law is to be enforced, etc. In essence, it identifies the legal parameters within which the By-law functions.

## 1.1 Title

This By-law shall be known as the Zoning By-law or By-law No. 2011-52 of the Corporation of the Township of Central Frontenac.

## 1.2 Application and Building Permits

In addition to the requirements of the Township of Central Frontenac Building By-law, every application for a building permit shall be accompanied by information required to determine compliance with this By-law. The regulations of this By-law must be met before a building permit is issued by the ***Municipality*** for the ***erection*** of any ***building*** or ***structure***. A site plan, drawn to scale shall be submitted with any required information needed to issue a building permit or to determine compliance with this By-law and shall include any or all of the following items as determined at the sole discretion of the ***Municipality*****:**

**1.** The true dimensions and/or legal description of the ***lot*** to be built upon or otherwise ***used***.

**2.** The proposed location, ***height*** and dimensions of any ***building***, ***structure*** or ***use*** proposed for such ***lot***.

**3.** The ***setbacks*** of all ***existing*** and proposed ***buildings*** or ***structures*** from the nearest ***lot lines***, the dimensions of ***yards***, the location of landscaping, the location and dimensions of ***parking spaces*** (conventional and ***barrier-free***), parking ***aisles***, ***parking areas*** and ***loading spaces*** as required by this By-law.

**4.** The location of all ***existing buildings*** or ***structures*** on the ***lot***, including the ***lot area***, ***lot coverage*** of ***existing*** and proposed structures and the separation distances between any ***main building*** and an ***accessory building***.

**5.** The location of ***buildings***, ***structures***, ***sewage disposal systems*** and/or wells on abutting properties;

**6.** The average slope for the proposed ***building envelope***.

7. Where the proposed ***building*** is to be used for residential purposes, the location of all ***livestock facilities*** within 0.75 km [0.46 miles] of the proposed ***dwelling.*** [See also **Section 4.26.4**]

8. A statement, signed by the owner disclosing the exact use of all ***existing*** and proposed ***uses*** of land, ***buildings*** or ***structures*** and such other information as may be required to determine whether the uses conform to the requirements of this by-law.

## 1.3 Defined Area

The provisions of this By-law shall apply to all lands within the municipal boundaries of the Corporation of the Township of Central Frontenac.

## 1.4 Enforcement

This By-law shall be administered by the ***Clerk*** or such other ***persons*** as may from time to time be designated by Council, and no permit for the use of land or for the erection or use of any ***building*** or ***structure*** or approval of application for any municipal license within the jurisdiction of the ***Council*** shall be issued or given where the proposed ***building, structure*** or ***use*** would be a violation of any provision of this By-law.

## 1.5 Penalty

Every ***person*** who violates any of the provisions of this By-law is guilty of an offense and upon conviction is liable to the fine(s) as provided for under the *Planning Act, R.S.O., 1990, c. P.13,* as amended.

## 1.6 Validity

Should any Section or part of a Section of this By-law or Schedule hereto be declared by a court of competent jurisdiction to be invalid, the same shall not affect the provisions of this By-law as a whole or any part thereof other than the part declared to be invalid.

## 1.7 Other By-laws, Licenses, Permits and Regulations

Nothing in this By-law shall exempt any ***person*** from complying with the requirements of any other By-law in the Municipality, or from applying for and obtaining any permit, license, permission, authority or approval required by this or any other By-law or regulation of the Corporation or by any other law in force from time-to-time, or any requirement of the Province of Ontario or the Government of Canada.

## 1.8 Conflict

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

## 1.9 Interpretation

1. **Legislation Act**

The Legislation Act applies to this By-law.

**2. Definitions**

Definitions are given in this By-law to aid in the understanding and implementation of the intent and meaning of the By-law. They are not to be used to avoid an obligation imposed by the By-law or any requirement enacted in a substantive provision of the By-law.

**3. Citation**

This By-law may be cited by its long title ("A By-law to Regulate the Use of Land, Buildings and Structures within the Township of Central Frontenac"), its short title ("Township of Central Frontenac Zoning By-law") or its by-law number (By-law 2011-52), and any such citation is to be taken as meaning the By-law as amended.

**4. Gender Neutrality**

This By-law is gender neutral and, accordingly, any reference to one gender includes any other and non-binary.

**5. Grammar**

In this By-law, words in the singular include the plural, and words in the plural include the singular. The word "shall" is mandatory. Words in the present tense include the future tense.

**6. References**

Appendices, examples, footnotes, glossaries, headings, indices, marginal notes and references to former enactments or enabling legislation after a section or other division of the By-law, do not form part of the By-law and are inserted for convenience of reference only.

**7. Measurement Units**

This By-law utilizes the metric system to establish measurements when such measurements form part of a regulation or a requirement. (*Imperial measurements are provided for the convenience of the reader and are not a legal part of this By-law.*) Where linear distances other than those referring to vertical measurements are specified, such linear distances are to be measured on a horizontal plane. The metric measurements contained in this By-law are the only measurements to be used in determining compliance with the By-law.

## 1.10 Level of Accuracy

All calculations of the regulations of this By-law shall be to one decimal place, and in no case shall there be a rounding to such decimal place. In the event of any conflict between the zone regulations of this By-law, the more restrictive regulation(s) shall apply.

## 1.11 Defined Terms

All defined terms are shown in ***bold italicised script*** throughout this By-law.

## 1.12 Diagrams and Figures

This By-law contains a number of diagrams and figures which are intended to assist with the interpretation of the By-law; however, they do not form part of this by-law unless otherwise stated.

## 1.13 Reference to Legislation

Where this Zoning By-law makes reference to legislation, then the references shall be deemed to mean the statute currently in force and any amendments thereto and all applicable regulations thereunder.

## 1.14 Effective Date

This By-law shall take effect from the date of its passage by Council, subject to the provisions of the *Planning Act.*

## 1.15 Pre-Consultation

Applicants are required to consult with the Township prior to submission of the following applications:

1. Application for Consents
2. Application for a Minor Variance or Permission
3. Application for Site Plan Control
4. Application for Official Plan and Zoning By-law Amendments
5. Application for Part-Lot Control or Validation of Title.

Without a pre-consultation meeting and/or submission of all required information or material, the Township of Central Frontenac may deem an application incomplete. (By-law 2008-256)

## 1.16 Technical Revisions to the Zoning By-law

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 or typographical errors or revisions to format in a manner that does not change the intent of the By-law.

2. Adding or revising technical information on the zoning maps or schedules that does not affect the zoning of lands including, but not limited to, matters such as updated and correcting infrastructure information, keys, legends or title blocks.

3. Changes to appendices, headings indices, marginal notes, table of contents, illustrations, historical or reference information, page numbering, footers or headers, which do not form part of this By-law and are editorially inserted for convenience or reference only.

# Section 2 CONFORMITY REQUIREMENTS

**Explanatory Note**
This short section establishes the authority of the By-law. It requires that all land uses, buildings and structures must comply with this Zoning By-law.

## 2.1 Compliance

No land, ***building*** or ***structure*** shall be ***used*** and no ***building*** or ***structure*** shall be ***erected*** or enlarged, ***altered*** or placed for any purpose within the area defined by this By-law, except as specifically, or by necessary implication, authorized by this By-law and in conformity with all the applicable provisions of this By-law.

## 2.2 Compliance of Severances

Subject to the granting of such minor variances as may be approved, no lands shall be severed from any ***existing lot*** if the effect of an approval for severance is to cause the original, adjoining, remaining or new ***building***, ***structure***, ***lot*** or ***use*** of land to be in contravention of any provision of this By-law.

## 2.3 Application to Building

Where a ***use*** does not take place within a ***building***, but a regulation in this By-law imposes a requirement premised on the ***use*** being in a building, the requirement applies, with necessary modifications, as though the actual area occupied by the ***use*** was in a ***building***.

## 2.4 Committee of Adjustment

Pursuant to the provisions of Sections 44 and 45 of the *Planning Act*, a duly appointed Committee of Adjustment is authorized to grant relief to any of the provisions of this By-Law, by way of granting a minor variance or by giving a permission for the enlargement or extension of a ***non-conforming*** use or to permit a change of ***use*** of a ***non-conforming*** use to a similar or more compatible use.

Criteria for evaluating Minor Variances (section 45(1) of the *Planning Act*):

1. The general intent and purpose of the Official Plan are maintained;
2. The general intent and purpose of the Zoning By-law are maintained;
3. The variance is minor; and
4. The proposed use of the land, ***building*** or ***structure*** is desirable for the appropriate ***development*** of the land.

An application must successfully meet all of the four tests or criteria above to be approved. Where

a proposed variance is not minor or cannot satisfy all of the criteria for a minor variance, an amendment to this zoning by-law will be required.

In addition to the criteria set out in Section 45 (1) of the *Planning Act*, described above, the following additional criteria shall be considered in the review of applications for a minor variance: Development must generally conform to policies and zoning for a ***shoreline buffer zone***.

**Explanatory Note (Minor Variance Applications)**

The Committee of Adjustment, as appointed by Council, is duly authorized under Section 45 of the Planning Act, upon the application of the owner of any land, building or structure affected by this By-law, to grant a minor variance from the provisions of this By-law as in its opinion is desirable for the appropriate use of the land, building or structure if the general intent of the Zoning By-Law and Official Plan are maintained. Minor variances may, for example, be granted to the lot area, lot frontage, setbacks, height of buildings, parking provisions or any other standard set out in this By-Law.

**Explanatory Note (Zoning By-law Amendments)**

The Zoning By-law may be amended where the proposed amendment complies with the Township's Official Plan, the County of Frontenac Official Plan and is consistent with the Provincial Policy Statement. In accordance with the requirements of the Planning Act, the usual procedure for amendments involves the following steps:

**1.** The person or public body wishing to change the Zoning By-law pre-consults with the municipality in accordance with Township By-law 2008-256 (Mandatory Pre-consultation) and then files an application to the Council of the Corporation of the Township of Central Frontenac to amend the Zoning By-law (subsection 34(10.0.1) of the Planning Act). The application form is on the municipal website: http://www.centralfrontenac.com.

**2.** Council determines whether the application is a 'complete' application based on a recommendation from staff. Additional information, reports or studies may be required to support the proposed amendment. Council has 30 days from the date of application to determine whether the application is complete (s. 34(10.1-10.3)). Incomplete applications may be refused or deferred until the required information or studies are submitted.

**3.** Once the application is considered complete, Council circulates to prescribed agencies and bodies a Notice of Complete Application (s. 34(10.4)). If Council deems an application incomplete or does not make a decision within 30 days from the date of application, the person or public body may appeal to the Ontario Land Tribunal to determine whether the application is complete (s. 34(10.5).

**4.** If an application is considered complete, Council advertises that a Public Meeting will be held in order to consider the amendment to the Zoning By-law. Advertisement is given 20 days in advance of the meeting (s. 34(12-13, 14.1)). Council may hold as many meetings as is necessary to consider the application.

**5.** Council holds a Public Meeting and evaluates the appropriateness of the proposed amendment. Council considers the proposal's conformity with the Official Plan, the Provincial Policy Statement and, conformity with the provisions of the requested zone, adequacy of services, suitability of the proposed use in the proposed location, agency comments, public comments, etc. If the application is satisfactory, the amending by-law is passed by Council.

**6.** Within 15 days of approval or refusal of the application, the Clerk will give written notice of the approval or refusal of the application by advertisement to the applicant and to those who made written request to receive notice of a decision (s. 34(10.9, 18)) (Note: applications which are suspended or for which there is no action on for more than six months may be deemed to have expired.).

**7.** If Council approves the application, any person who stated their opinion on record prior to the application being approved may appeal the decision of Council to the Ontario Land Tribunal within 20 days of notice being given of approval to the amendment to the Zoning By-law (s. 34(19)) if they object to Council's decision. No appeals are permitted for any dwelling defined as an additional residential unit. (*More Homes Built Faster Act, 2022*)

**8.** .If Council refuses to approve the application or Council does not make a decision within 90 days from the date the application is deemed complete, the person or public body may appeal to the Ontario Land Tribunal within 20 days of the notice of decision of refusal of the application or within 20 days of the lapsing of the 90-day period (s. 34(11, 11.0.2)).

**9.** An amendment to the Zoning By-law comes into effect after the 20-day appeal period if there are no appeals (s. 34(21)).

**10.** If a decision or lack of decision is appealed to the Ontario Land Tribunal, the amendment does not come into effect and the Tribunal can make any decision the Council of the Township could have made in regard to the specific application (s. 34(26)).

**11.** Whether a by-law is approved by Council or the Ontario Land Tribunal, the effective day of the by-law is retroactive to the day it was adopted.

**12.** Where a decision is not made by Council within the prescribed time period of the Planning Act, Council is required to refund a portion or all of the application fee as follows:

A. 50% if no decision is made within 90 days from the date of a complete application (s. 34(11), or 120 days (s. 34(11.0.0.0.1) for concurrent official plan and zoning by-law amendment.

B. 75% if no decision made within 150 days from the date of a complete application (s. 34(11), or 180 days (s. 34(11.0.0.0.1) for concurrent official plan and zoning by-law amendment.

C. 100% if no decision made within 210 days from the date of a complete application (s. 34(11), or 240 days (s. 34(11.0.0.0.1) for concurrent official plan and zoning by-law amendment.

# Section 3 DEFINITIONS

**Explanatory Note**
For the purpose of this By-law, the definitions and interpretations given in this Section shall govern. In this By-law, the word "shall" is mandatory and not directory; words in the singular include the plural, words in the plural include the singular; the word "used" includes "arranged", "designed" or "intended to be used". The word "occupied" shall include "designed to be occupied" and "arranged to be occupied".

## 3.1 Definitions

Definitions of words and phrases used in this By-law that are not included in the list of definitions in Section 3 shall have the meanings that are commonly assigned to as defined in a dictionary.

## 3.A

**Abattoir**
Means a ***building*** or ***structure*** specifically designed to accommodate the penning and slaughtering of live animals and the preliminary processing of animal carcasses and may include the packing, treating, refrigeration and sale of the product on the premises.

**Accessory**
When used to describe a ***use***, ***building*** or ***structure***, means a ***use***, ***building*** or ***structure*** naturally or normally incidental, subordinate and exclusively devoted to a ***principal use***, ***building*** or ***structure*** and located on the same ***lot*** therewith. [See **Figure 3.1**]

Examples of accessory buildings or structures are a detached garage, a storage shed, a storage container, a swimming pool, a shoreline structure or a satellite dish. Examples of accessory uses are a home based business, an apartment above a store, or a retail outlet within a manufacturing plant.

**Accessory Building –** see **Accessory**

**Accessory Structure –** see **Accessory**

**Accessory Use –** see **Accessory**

**Adult Entertainment Parlour**
Means any ***building*** or part thereof in which are provided, in pursuance of a trade, calling, business or occupation, any goods or services appealing or designed to appeal to erotic or sexual appetites or inclinations.

Figure 3.1: Accessory Building and Main Building

**Adventure Game**
Means an outdoor sport or ***recreation commercial establishment*** operated commercially in which participants engage in games mimicking combat-type roles and which may include the use of paint ball or similar equipment.

**Adverse Effects**

Means one or more of:

**1.** Impairment of the quality of the natural environment for any use that can be made of it;

**2.** Injury or damage to property or plant or animal life;

**3.** Harm or material discomfort to any ***person***;

**4.** An adverse affect on the health of any ***person***;

**5.** Impairment of the safety of any ***person***;

**6.** Rendering any property or plant or animal life unfit for human use;

**7.** Loss of enjoyment of normal use of property; and

**8.** Interference with normal conduct of business.

**Aggregate**
Means gravel, sand, clay, earth, shale, limestone, dolostone, sandstone, marble, granite, rock other than metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act* or the *Aggregate Resources Act*.

**Agri-tourism Uses**
Means those farm-related tourism uses, including limited accommodation such as a ***bed and breakfast establishment***, that promote the enjoyment, education or activities related to the farm operation.

**Agriculturally Related Commercial/Industrial Uses**
Means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services as a primary activity including but not limited to animal husbandry services, produce or grain storage facilities, farm machinery outlets and fertilizer depots.

**Agricultural Use**
Means the ***use*** of land, ***building***(s) or ***structure***(s) for:

**1.** The growing of crops, including but not limited to nursery, biomass and horticultural crops and all related activities such as soil preparation, manure or fertilizer spreading, planting, spraying, grain drying, irrigating, harvesting and also including the storage and sale of the crops produced on the lands.

**2.** Animal husbandry including the raising, boarding, and keeping of all forms of livestock and fish, and all related activities such as breeding, training, feeding, manure storage and grazing;

**3.** Agro-forestry, maple syrup production.

**4.** The production of animal products including but not limited to milk, eggs, wool, fur, or honey, and all related activities such as the collection, storage and sale of the products produced on the lands;

**5.** The ***use*** and storage of all forms of equipment or machinery needed to accomplish the foregoing activities including value-retaining facilities.

***Agricultural use*** shall not be construed to include commercial activities related to agriculture such

as ***abattoirs***, tanneries and ***retail outlets***, or manufacturing and processing activities involving ***farm*** crops or animal products such as cheese factories, grain mills or retail seed sales, but may include the production and incidental sale of maple syrup.

[See also ***Maple Syrup Processing Establishment***, **Section 4.14** and **Section 4.26.3**]

**Airfield/Aerodrome**
Means land, ***lot*** or ***buildings used*** for the purpose of landing, storing, taxiing or taking-off of private or commercial aircraft and associated ***uses***, ***buildings*** or ***structures*** installations and equipment ***accessory*** thereto, but shall not include a commercial airport or airport governed by the *Aeronautics Act* but shall be pursuant to the regulations of the appropriate authority.

**Aisle**
Means the travelled way by which ***motor vehicles*** enter and depart ***parking spaces*** or ***loading/delivery spaces*** or a ***parking area***. [See **Figure 3.2**]

Figure 3.2: Examples of Parking Aisle

## Alter

**1.** When used in reference to a ***building***, ***structure*** or part thereof, means:

**(a)** To change any one or more of the external dimensions of such ***building*** or ***structure***; or
**(b)** To change the type of construction of the exterior walls or roof of such ***building*** or ***structures***; or
**(c)** To change the ***use*** of such ***building*** or ***structure*** or the number or types of ***uses*** or ***dwelling units*** contained therein.

**2.** When used in reference to a ***lot*** means:

**(a)** To change the boundary of such ***lot*** with respect to a ***street*** or ***lane***; or

**(b)** To change any dimension or area, relating to such ***lot***; or

**(c)** To change the ***use*** of such ***lot*** or the number of ***uses*** located thereon.

**3.** When used in reference to a ***shoreline***:
Means to change, straighten, divert or interfere in any way with the channel of any ***water body*** or the lands surrounding the ***high-water mark*** of a ***water body***.

**4.** Altered and alteration shall have corresponding meanings.

**Ambulance Facility**
Means a ***building*** or part thereof where professional paramedics and personnel are stationed and their ***vehicle****s* and equipment are kept or stored.

**Anaerobic Digester**
Means a provincially regulated facility designed to convert agricultural and non-agricultural source materials (e.g., manure, milk washing materials, silage, organic food wastes) into an energy source (e.g., methane).

**Animal Shelter**
Means a ***commercial premise*** where animals, birds and other livestock are examined or treated and which may be kept on a short-term basis, and may include the ***premises*** of a veterinarian or veterinary surgeon, but does not include a ***commercial kennel***.

**Apartment Building –** see **Dwelling – Apartment**

**Archaeological Resources**
Includes artifacts, archaeological sites, marine archaeological sites, as defined under the *Ontario Heritage Act*. This identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

**Area of Natural and Scientific Interest (ANSI)**
Means areas of land and water containing natural landscapes or features that have been identified by the Ministry of Natural Resources as having life science or earth science values related to protection, scientific study or education.

**Art Gallery**
Means a ***building***, or part thereof or an area where paintings, sculptures or other works of art are exhibited or sold.

**Areas of Archaeological Potential**
Means areas with the likelihood to contain archaeological resources. Criteria to identify archaeological potential are established by the province. The *Ontario Heritage Act* requires archaeological potential to be confirmed by a licensed archaeologist.

**Asphalt Plant**
Means an industrial facility used for the production of asphalt for immediate use in the paving of ***roads*** and ***driveways*** and the damp-proofing of ***buildings*** or ***structures***.

**Assembly Hall -** see **Place of Assembly**

**Attached**
Means a ***building*** or ***structure*** otherwise complete in itself which is connected to, and which depends for structural support upon a division wall or walls shared in common with an adjacent ***building*** or ***buildings***.

**Attic**
Means that portion of a ***building*** immediately below the roof and wholly or partly within the roof framing.

**Auditorium -** see **Place of Assembly**

**Auto Body Shop**
Means a ***commercial premise*** where painting, refinishing, restoration, alterations or repairs are made to ***motor vehicles*** but does not include a ***salvage yard*** or ***auto repair garage***.

**Auto Rental Establishment**
Means ***commercial premise*** engaged in the rental of passenger automobiles, ***recreational vehicles*** or trucks and where such vehicles may be dropped off or picked up.

**Auto Repair Garage**
Means a ***building used*** for the storage, repair and servicing of ***motor vehicles*** performed for gain or profit.

**Auto Service Station**
Means a ***building*** and/or ***lot*** used for the sale of fuels or energy products for ***motor vehicles*** or ***recreational vehicles*** and may include an ***auto repair garage***, the renting, servicing, repairing, lubrication, cleaning and polishing of ***vehicles*** and the sale of automotive accessories and related products, but shall not include any other automotive use defined in this By-law. [See also ***Gasoline Bar***]

**Automotive Sales Establishment**
Means a ***commercial premise*** used for the display and sale of new and/or used ***motor vehicles*** and ***recreational vehicles*** and may include ***accessory uses*** such as an ***auto body shop***, ***auto repair garage***, the sale of ***motor vehicle*** accessories and related products and the leasing or renting of ***motor vehicles***, but shall not include any other defined automotive uses. [See also ***Recreational Vehicle Sales and Storage***]

**Automobile Wrecking Yard -** see **Wrecking or Salvage Yard**

**3.B**

**Back Lot**
Means a ***lot*** separated from a ***water body*** or watercourse by a ***street*** or ***private road*** and/or at least one (1) ***lot*** that has direct frontage on a ***water body***.

**Bake Shop**
Means a ***retail store*** where bakery products are offered for sale, some or all of which may be prepared on the ***premises***.

**Bakery**
Means a ***building*** or part thereof for producing, mixing, compounding or baking bread, biscuits, cakes or other baked products and may include an ***accessory retail store*** which sells goods manufactured on the ***premises***.

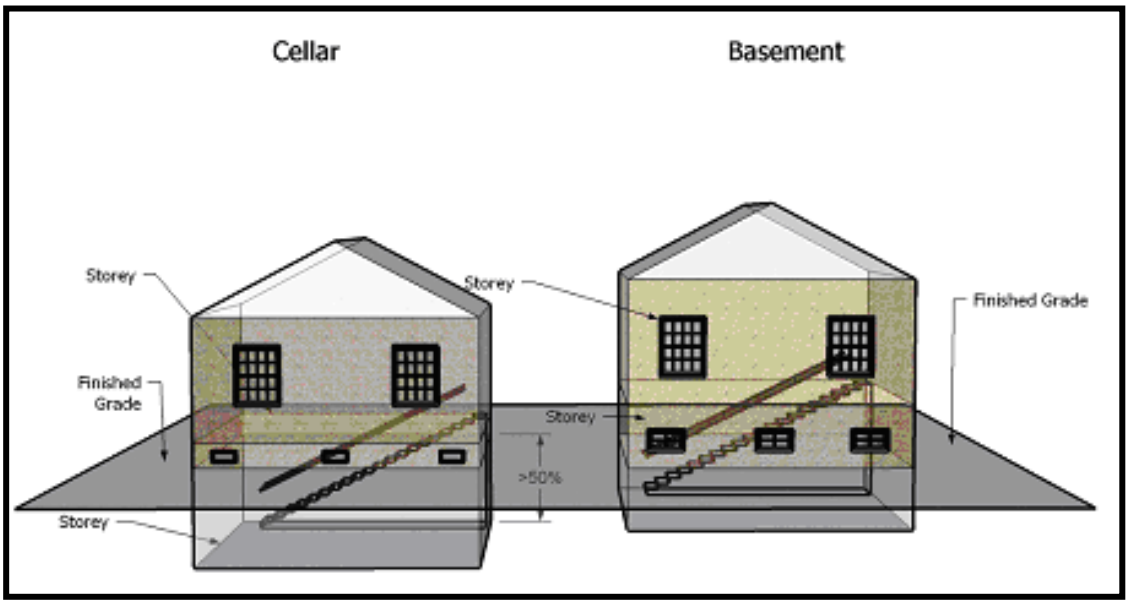
**Balcony**
Means an open platform projecting from the face of a building's wall, cantilevered or supported by columns or brackets and surrounded by a balustrade or railing.

**Bank or Financial Institution**
Means a chartered bank, finance company office, co-op, trust company, loan company or similar establishment.

**Barrier Free**
Means that which can be approached, entered and used by persons with physical or sensory disabilities.
.
**Barrier-Free Parking Space –** see **Parking Space, Barrier Free**

**Basement**
Means that portion of a ***building*** between two floors which is partly underground but which has at least one-half of its ***height*** from floor to ceiling above the adjacent finished grade. [See **Figure 3.3**]

Figure 3.3: Basement or Cellar




**Batch Plant, Asphalt or Concrete**
Means an industrial facility used for the production of asphalt and concrete products, ***used*** in building or construction and includes but is not limited to facilities for the administration or management of the business, the stockpiling of bulk materials used in the production process of finished products manufactured on the ***premises*** and the storage and maintenance of equipment.

**Bed and Breakfast Establishment**
Means a ***single detached dwelling*** in which no more than four (4) ***guest rooms*** are made available for the temporary accommodation of the travelling or vacationing public. Such an establishment shall be occupied by the owner or the lessee of the ***single detached dwelling*** or the lessee of the entire unit and may offer meals to those guests who purchase accommodation in the establishment, but shall not offer services to non-guests.

**Bingo Hall**
Means a ***building*** or ***premise*** or part thereof used for bingo or a bingo event.

**Boat House**
Means a ***building*** or ***structure*** or part thereof which is used for the storage of private boats and equipment ***accessory*** to their ***use***, as an ***accessory use*** to a ***residential use***, no part of which shall be used for any residential or commercial purpose.

**Boat Launch**
Means an area of land adjacent to a ***water body*** or watercourse that is used to launch and remove ***water vehicles*** from the water. Boat launches may be public or private.

**Boat Lift**
Means a mechanism for lifting boats from the water, or between water on different elevations and may include a roof.

**Boat Port**
Means an unenclosed, stand-alone roofed ***structure*** designed and used for the docking and storage of watercraft and equipment accessory to the use and operation of watercraft.

**Boat Slip**
Means a single mooring space for a boat, marine vessel or watercraft forming part of a dock, ***boat house*** or other mooring facility.

**Boat Slip, Transient**
Means a temporary mooring space that is provided for the use of visitors arriving and departing by a ***water vehicle*** which is moored in the said space for a maximum of seven (7) consecutive days.

**Boat Storage –** see **Recreational Vehicle Sales and Storage**

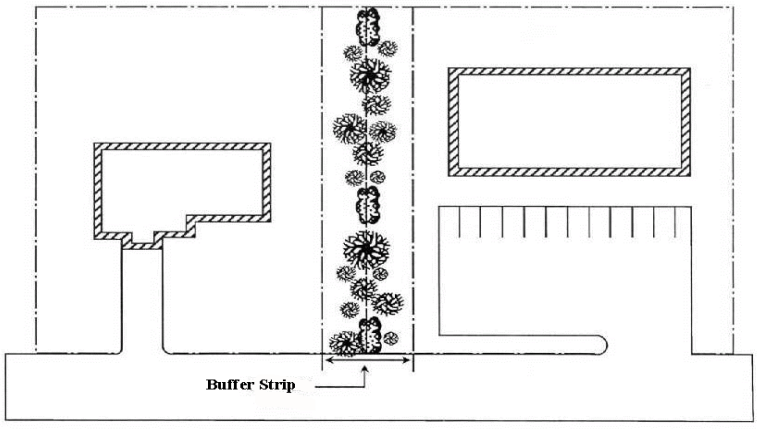
**Boat Repairs Garage –** see **Recreational Vehicle Repair Garage**

**Brewery or Winery** (see also ***Microbrewery*** and ***Distillery***)
Means a ***commercial premise used*** primarily for the manufacturing, processing and distribution of beer, cider and wine and may include an ***accessory retail outlet***.

**Buffer Strip**
Means a landscaped or planted area reserved for the purpose of screening or obstructing the view of ***buildings***, land or ***structures*** or shielding or blocking noise, lights or other nuisances by the planting of trees and shrubs or ***fences***. [See **Figure 3.4**]

**Building**
Means any ***structure used*** or intended for sheltering any ***use*** or occupancy. The word "building" shall include the whole of such structure or part thereof and shall include any building types as regulated by the *Ontario Building Code.*

Figure 3.4: Buffer Strip




**Building Envelope**
Means the buildable area on a ***lot***, as defined by all of the required ***yards*** and ***setbacks*** and the maximum ***height*** provisions, within which a ***building*** can be ***erected.*** [See **Figure 3.5**]

**Building, fortified** (see **Fortified Building)**

**Building Height –** see **Height**

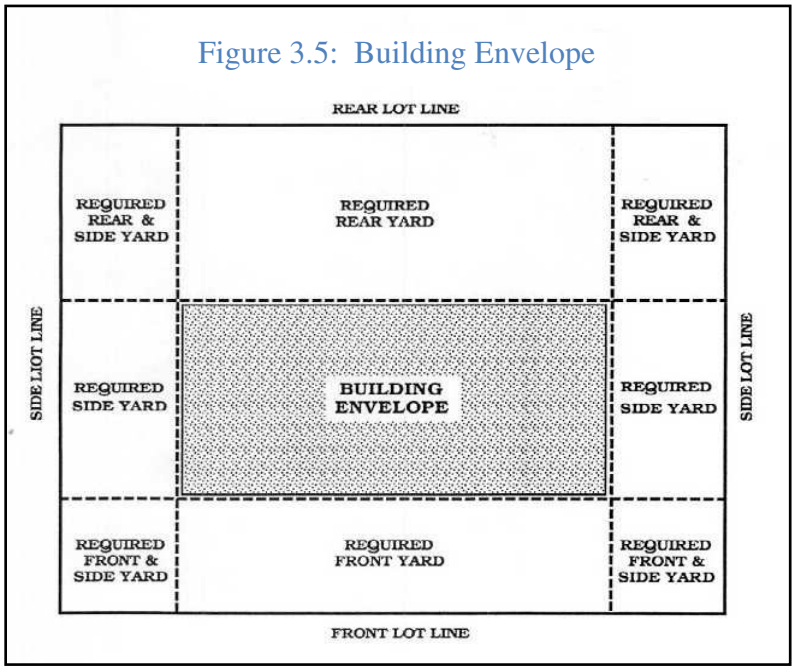
**Building Inspector –** see **Chief Building Official**

**Building, Main**
Means a ***building*** in which is conducted the ***principal uses*** of the ***lot*** on which it is situated. [See **Figure 3.6**]

**Building, Mixed Use**

Means a ***building*** containing more than one land *use* category (e.g., retail commercial and residential, ***office*** and residential, industrial and retail, etc.) that is designed and constructed as a single ***building***. [See also ***Live/Work Unit***]

Figure 3.5: Building Envelope




**Building Official –** see **Chief Building Official**

**Building Separation**
Means the least horizontal distance ***permitted*** between the nearest portions of the walls of any ***buildings*** on a ***lot.*** [See **Figure 3.7**]

Figure 3.6: Main Building

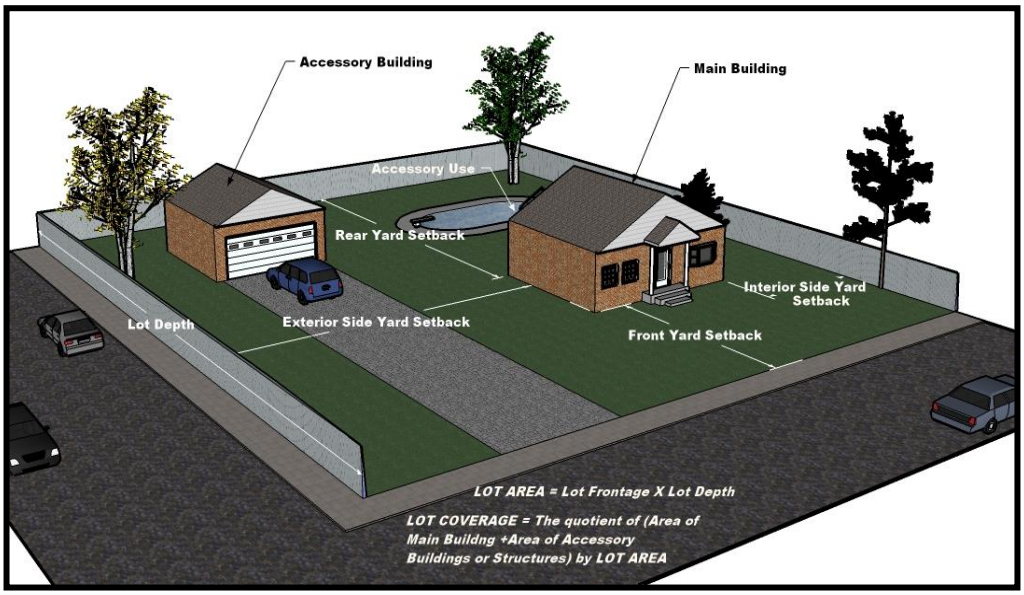
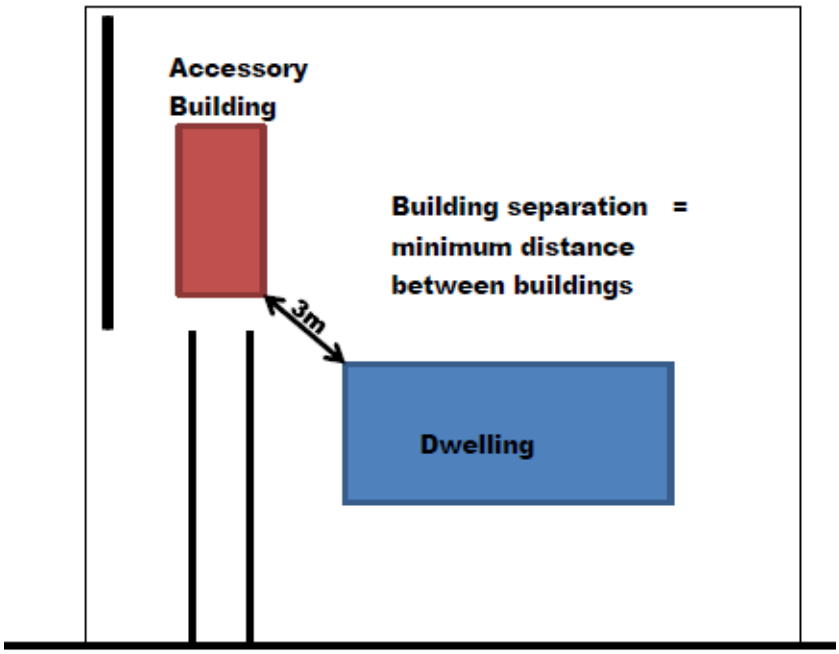


Figure 3.7: Building Separation




**Building, Temporary**
Means a ***building*** or ***structure*** intended for removal or demolition within a prescribed time not exceeding two years or as set out in a building permit.

**Building Supply Store**
Means a ***building*** where building supplies such as lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning, home improvement and similar goods are stored, displayed, or kept for retail sale. This definition shall not include a ***salvage yard***.

**Built Heritage Resource**
Means a ***building***, ***structure***, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are located on property that may be designated under Parts IV or V of the Ontario Heritage Act, or that may be included on local, provincial, federal and/or international registers**.**

**By-law Enforcement Officer**
Means an officer or employee of the ***Township*** charged with the duty of administering and enforcing the provisions of municipal by-laws.

## 3.C

**Call Centre**
Means a ***building*** or part thereof where incoming and/or outgoing calls are handled by people, telephones and computers which are related to customer support, credit services, card services,

telemarketing, interactive voice response, or similar services.

**Camp (Hunt Camp, Fishing Camp)**
Means a non-commercial ***building*** or ***structure*** intended to provide basic shelter and accommodation on a temporary basis for ***persons*** engaged in such activities as hunting, fishing, snowmobiling, hiking or other similar forms of recreation, but does not include a ***seasonal dwelling*** or ***tourist establishment or tourist cabin establishment.*** [See also **Section 4.6**]

**Campground**
Means an area of land, managed as a unit, providing short term accommodation for tents, ***recreational vehicles*** or rental cabins where a fee is charged for such accommodation, but shall not include ***mobile homes*** or a ***mobile home park***. A ***campground*** may include ***accessory uses***, ***buildings*** and ***structures*** such as an ***accessory dwelling, laundromat, convenience store***, pavilion, recreation hall, beach, the sale of propane fuels or firewood or other goods or supplies and equipment rentals that are ***accessory*** to the operation of the ***campground***.

**Campsite**
Means a plot or parcel of land within a ***campground*** intended for the exclusive temporary occupancy by a ***recreational vehicle,*** tent or similar transportable accommodation together with all yards and open space and may include on-site services such as a fire pit, electricity generation facilities and transmission and distribution systems, cable, water and sewage disposal.

**Cannabis**
Means a cannabis plant, including the phytocannabinoids produced by or found in such a plant regardless of whether that part has been processed or not and any substance or mixture of substances that contains or has on it and part of such a plant and any substance that is identical to a phytocannabinoid produced by or found in such a plant regardless of how the substance was obtained.

**Cannabis Retail Store or Dispensary**
Means any ***use*** of land, ***building, structure*** or part thereof used for the retail sale of ***cannabis*** and any product or substance produced in whole or part from ***cannabis***, and shall be deemed to include a licensed Ontario Cannabis Retailer under the Ontario Cannabis Retail Corporation Act, 2017.

**Canopy**
Means a roof-like ***structure*** projecting from the exterior face of a ***building*** or is a stand-alone structure over a pump island or ***gasoline bar***.

**Car Port**
Means a partially enclosed ***building*** or ***structure*** intended or which is used for the sheltering of one or more ***motor vehicles***. A car port ***attached*** to the ***main building*** is not an ***accessory*** structure. [See **Figure 3.8**]

**Car Shelter –** see **Temporary Car Shelter**

**Car Wash**
Means a ***commercial premise used*** for washing or cleaning of ***motor vehicles*** for gain or profit. A ***car wash*** may be an ***accessory use*** to a ***principal use*** (e.g., auto service station).

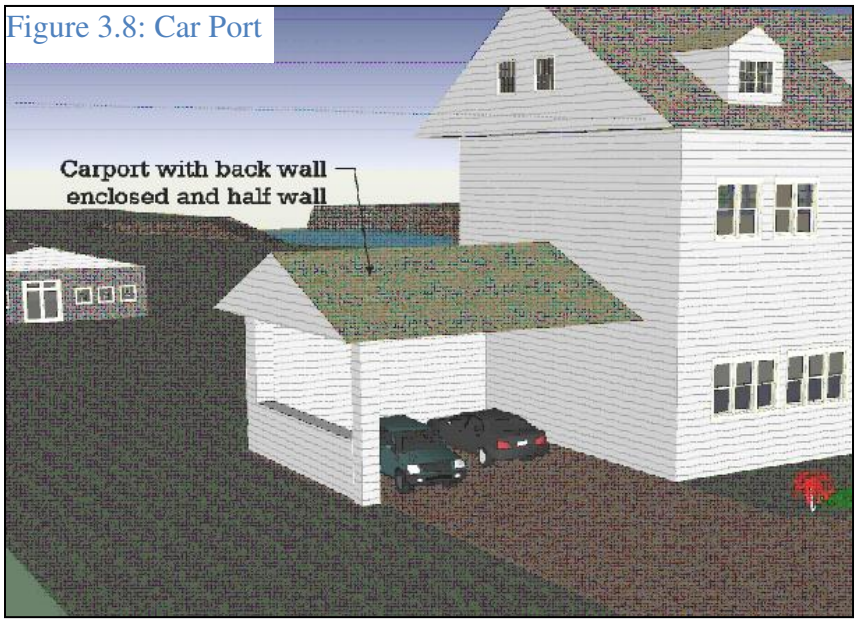


Figure 3.8: Car Port

**Catering Establishment**
Means a ***commercial premise*** or a ***home based business*** in which food and beverages are prepared for consumption off the premises and are not served to customers on the ***premises.***

**Cellar**
Means the portion of a ***building*** below the first floor, which is partly or wholly underground and which has more than one-half of its ***height*** from floor to ceiling below the finished grade. [See also "***Basement***" and **Figure** 3.3]

**Cemetery**
Means a ***cemetery*** within the meaning and as regulated by the *Funeral, Burial and Cremation Services Act, 2002* and includes a mausoleum, columbarium or other ***building*** or ***structure*** intended for the interment of human remains.

**Cemetery, Pet**
Means a ***use*** of land for the interment of animal remains of a domestic pet.

**Cheese Factory**
Means a ***commercial premise*** that stores, processes, sells or distributes cheese and cheese products produced on-site.

**Chief Building Official**
Means an officer or employee of the Corporation of the Township of Central Frontenac appointed to enforce the provisions of the *Building Code Act.*

**Chip Wagon –** see **Refreshment Sales Vehicle**

**Cinema –** see **Theatre**

**Clinic**
Means a ***building*** or part thereof ***used*** solely for the purpose of consultations, diagnosis and treatment of patients, by two (2) or more legally qualified medical professionals or health

practitioners (*e.g. physicians, dentists, optometrists, chiropodists, chiropractors or drugless practitioners, physiotherapists*), together with their qualified assistants and without limiting the generality of the foregoing, the ***building*** may include administrative ***offices***, waiting rooms, laboratories, pharmacies or dispensaries directly associated with the clinic.

**Club -** see **Private Club**

**Commercial Compost Facility**
Means the ***commercial use*** of land, ***building****s* or ***structure****s* for receiving and processing organic material and the storage, distribution and/or sale of compost materials produced at the facility. [See also "***Recycling Depot***" and "***Waste Management Facility***"]

**Commercial Greenhouse –** see **Greenhouse, Commercial**

**Commercial Mushroom Growing Operation**
Means land, ***buildings*** or ***structure****s* ***used*** for the growing of mushrooms for wholesale or retail sale.

**Commercial Use or Commercial Premise**
Means the ***use*** of land, ***building*****s** and ***structures*** for the purpose of buying and/or selling commodities and supplying services.

**Commercial Vehicle**
Means a ***motor vehicle*** having permanently attached thereto a truck or delivery body and includes ambulances, hearses, fire apparatus, police vehicles, motor buses and tractor trailers **used** for hauling purposes.

**Communal Services –** see **Private Communal Sewage Services and Private Communal Water Services**

**Community Centre -** see **Place of Assembly**

**Community Garden**
Means a site operated by community members and/or a community organization where lands are ***used*** for the growing of produce, flowers and native plants for non-profit use through individual or shared plots.

**Communications Facility**
Means an installation which transmits receives and/or relays communications such as a microwave relay tower, telephone line, cellular telephone tower, wireless internet tower, radio or television broadcast tower or similar facility approved by a federal regulator.

**Condominium**
Means a ***building*** or **buildings** or land or part thereof which is held in separate private ownership and where common elements are owned by the tenants in common (e.g., *recreational facilities, open space, outdoor areas,* etc.) and which is administered and maintained by a corporation

pursuant to the provisions of the *Condominium Act*. A condominium may be for a ***residential use***, ***commercial use*** or ***industrial use***.

**Conservation Use**
Means the ***use*** of lands which are intended to remain open in character with the priority use given to preservation of their ecological uniqueness, wildlife production and their natural features and may include non-commercial recreational uses only if conservation of the resource is not jeopardized.

**Construction Yard or Contractor's Yard**
Means the yard of a building contractor or company ***used*** as a depot for the storage and maintenance of equipment used by the contractor or company, and may include 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 crushing of virgin or recyclable aggregates or materials and the wholesale or retail sale of building supplies or home improvement supplies. [See also "***Equipment and Vehicle Storage Yard – Industrial***" and "***Lumber Yard***"]

**Continuum-of-Care Facility**
Means a ***building*** or a group of ***buildings*** which may include a senior citizens apartment, a nursing home, a long-term care facility, home for the aged and facilities associated with, and designed specifically to serve the senior or disabled population such as clinics, retirement homes, recreation centres, cafeterias and personal service establishments, and may also include independent senior's accommodation in separate structures/living units that share in services such as meals.

**Convenience Store**
Means a ***retail store*** or part thereof used primarily for the sale of grocery and confectionary items and incidentally for the sale of such other merchandise as is required to fulfill the day-to-day needs of a surrounding community.

**Corporation**
Means the Corporation of the Township of Central Frontenac except where reference is made in this By-law to a private corporation, in which case the definition shall mean a body corporate with share capital to which the *Business Corporations Act* applies.

**Council**
Means the Council of the Corporation of the Township of Central Frontenac.

**County**
Means the County of Frontenac.
**Coverage –** see **Lot Coverage**

**Crisis Care Facility**
Means a residential facility that is licensed and funded by the Province of Ontario, Government of Canada or an appointed agency, for the short term, temporary care of persons requiring immediate emergency shelter and aid who are living under supervision in a single housekeeping unit and who by reason of their emotional, mental, social or physical condition or legal status, require a group

living arrangement for their wellbeing.

**Cultural Heritage Landscape**
Means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an indigenous community. The area may include features such as ***buildings***, ***structures***, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the *Ontario Heritage* Act, or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms.

**Custom Workshop –** see **Workshop**

**3.D**

**Dairy**
Means a ***commercial premise*** that stores, processes, sells and distributes milk and milk products.

**Day Care, Private Home**
Means the ***use*** of a ***dwelling unit*** operated commercially for the temporary care of children.

**Day Lighting Triangle –** see **Sight Triangle**

**Day Nursery**
Means an establishment for pre-school-aged children governed by the *Child Care and Early Years Act.* [See also **Section 4.9**]

**Deck**
Means a ***structure*** abutting a ***dwelling*** or ***building*** with no roof or walls except for visual partitions and railings which is constructed on piers or a foundation above-grade for ***use*** as an outdoor living area.

**Detached**
When used in reference to a ***building*** or ***structure***, means a ***building*** or ***structure*** which is physically separated and not dependent on any other ***building*** or ***structure*** for structural support or enclosure.

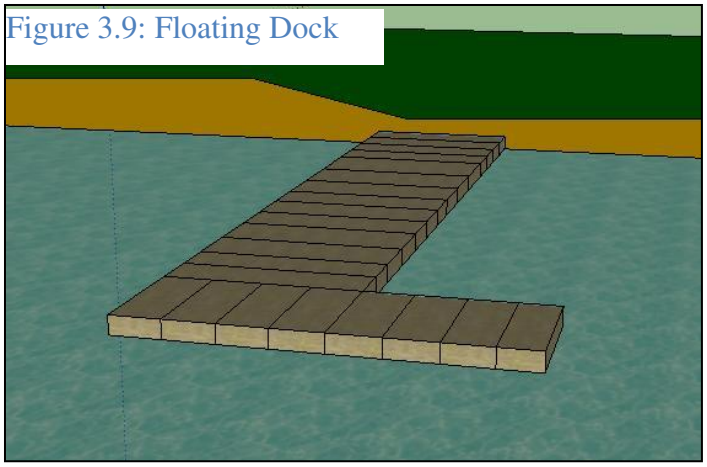
**Development**
Means the creation of a new ***lot***, a change in land ***use***, or the construction of ***buildings*** and ***structures*** requiring approval under the *Planning Act* and shall be taken to include ***redevelopment***, but does not include activities that create or maintain infrastructure authorized under an environmental assessment process, works subject to the *Drainage Act*, or underground or surface mining of minerals or advanced exploration on mining lands.

**Dish Antenna -** see **Satellite Dish/Receiver**

**Distillery**
Means an industry or ***commercial premise*** where alcoholic drinks and liquors are produced by the process of distilling.

**Dock, Floating**
Means an ***accessory structure*** used for the mooring of ***water vehicles*** which is designed to float freely on the surface of the ***water body*** and which may be secured or anchored to the ***shoreline.*** [See **Figure 3.9**]

Figure 3.9: Floating Dock



**Dock, Permanent**
Means an ***accessory structure*** **used** for the mooring of ***water vehicles*** which is secured or anchored to the ***shoreline*** and/or the bottom of the ***water body*** by concrete, metal or wood pillars or such other foundation, the design of which facilitates the construction of a more or less permanent ***structure***.

**Dog Park**
Means a ***park*** for dogs to exercise and play off-leash in a controlled environment under the supervision of their owners.

**Dog Run**
Means an enclosed outdoor extension of one or more dogs' individual living spaces in association with a ***kennel***.

**Drive-Through Facility**
Means a ***premise used*** to provide or dispense products or services through an attendant or a window or an automated machine, to persons remaining in ***motor vehicles*** that are in a designated ***stacking space***; and may be in combination with other land uses. Kiosks within a parking structure necessary for the operation of the parking facility or kiosks associated with a surface ***parking area*** are not considered drive-through facilities.

**Driveway**
Means a vehicular access connected to a ***public street*** or ***private road*** or thoroughfare, which provides ingress to and/or egress from a ***lot***, and may include a shared ***driveway*** but shall not include a ***lane*** as defined herein.

**Driving Range**
Means a public or private area operated for the purpose of developing golfing techniques, including miniature golf courses, but excluding a ***golf course***.

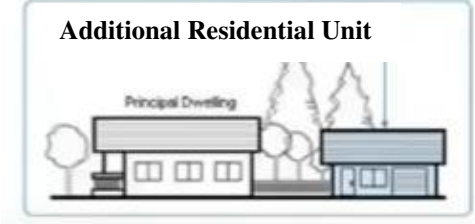
**Dry Cleaning Establishment**
Means a ***commercial premise*** wherein the business of dry cleaning, stain removal and/or pressing

of articles and/or goods of fabric is carried on.

**Duplex –** see **Dwelling – Duplex**

Figure 3.10: Examples of Additional Residential Unit

Figure 3.11: Additional Residential Unit – Basement and accessory Structure




**Dwelling**
Means any ***building*** or part of a ***building*** that is ***used*** or designed for use as a domestic establishment in which one or more ***persons*** may sleep and prepare and serve meals, but shall not include a ***hotel*** or ***motel***. ***Recreational vehicles*** shall not be considered ***dwellings*** except for the purposes of the ***minimum distance separation***.

**Dwelling – Accessory**
Means a fully-detached ***dwelling*** which is ***accessory*** to a ***permitted*** non-residential use.

**Dwelling - Additional Residential Unit**
Means an additional ***dwelling unit*** within a ***permitted***

***single detached dwelling***, ***semi-detached dwelling***, or ***row house*** that does not otherwise contain an ancillary ***residential unit***, and includes a ***dwelling unit*** in a ***detached building*** or ***structure*** ancillary to a ***single detached dwelling***, ***semi-detached dwelling***, or ***row house*** or up to three ***dwelling units*** in total. [See **Figures 3.10 and 3.11**]

**Dwelling – Apartment**
Means a ***building*** containing three (3) or more ***dwelling units*** but shall not include a ***row dwelling***.

**Dwelling – Converted**
Means a ***dwelling*** altered to contain no more than three (3) ***dwelling units*****,** with each self-contained ***dwelling unit*** having a floor space of not less than 55 $m^2$ [592 $ft.^2$].

**Dwelling – Duplex**
Means a ***building*** divided horizontally into two (2) ***dwelling units***, each unit of which has an independent entrance. [See **Figure 3.12**]

**Dwelling, Mobile Home**
Means any ***dwelling*** that is designed to be made mobile, and constructed or manufactured in accordance with standards set out in the *Building Code* and designed to provide a permanent residence for one or more ***persons,*** but does not include a ***recreational vehicle***.

**Dwelling, Modular Home**
Means a ***single detached dwelling*** consisting of one or more modules which meets CSA standard Z240.2.1 – Zone 2 or CSA Standard A277 – Zone 2 and which has been prefabricated or manufactured in a factory remote from the site where it is intended to be used and transported to the site for installation on a permanent foundation, but does not include a ***Mobile Home***, ***Recreational Vehicle***, or ***Park Model Trailer*** as otherwise defined.

**Dwelling – Park Model Trailer**
Means a manufactured ***building*** designed and constructed in conformance with CAN/CSA-Z241 Series M "Park Model Trailer", as set out in the Ontario Building Code, and is used or intended to be used as a seasonal recreational building of residential occupancy.

**Dwelling – Row or Townhouse**
Means a ***building*** consisting of a series of three (3) or more ***dwelling units*** but not more than eight (8) units in a continuous row divided vertically into separate units by a common wall above grade, and where each unit has an independent entrance each of which has an independent entrance at grade. [See **Figure 3.12**]

**Dwelling – Seasonal**
Means a ***dwelling*** constructed as a secondary place of residence which is not intended for, or ***used*** for, or constructed for year-round living (i.e., is not winterized or insulated) and is not the principal place of residence of the owner or occupier thereof (e.g., cottage).

**Dwelling – Semi-detached**
Means a ***building*** on a single foundation divided vertically into two (2) separate ***dwelling units*** by

a common wall. [See **Figure 3.12**]

**Dwelling – Single-detached**
Means a ***detached building*** containing one (1) principal ***dwelling unit***, and may include a ***modular home.*** [See **Figure 3.12**]

**Dwelling – Tiny House**
Means a ***detached dwelling*** which is site-built or prefabricated and designed to provide a permanent residence for one or more ***persons,*** and is a ***building*** mounted on a foundation where any wheels have been removed. A ***tiny house*** shall not include a ***recreational vehicle*** or ***park model trailer***. [See photos]

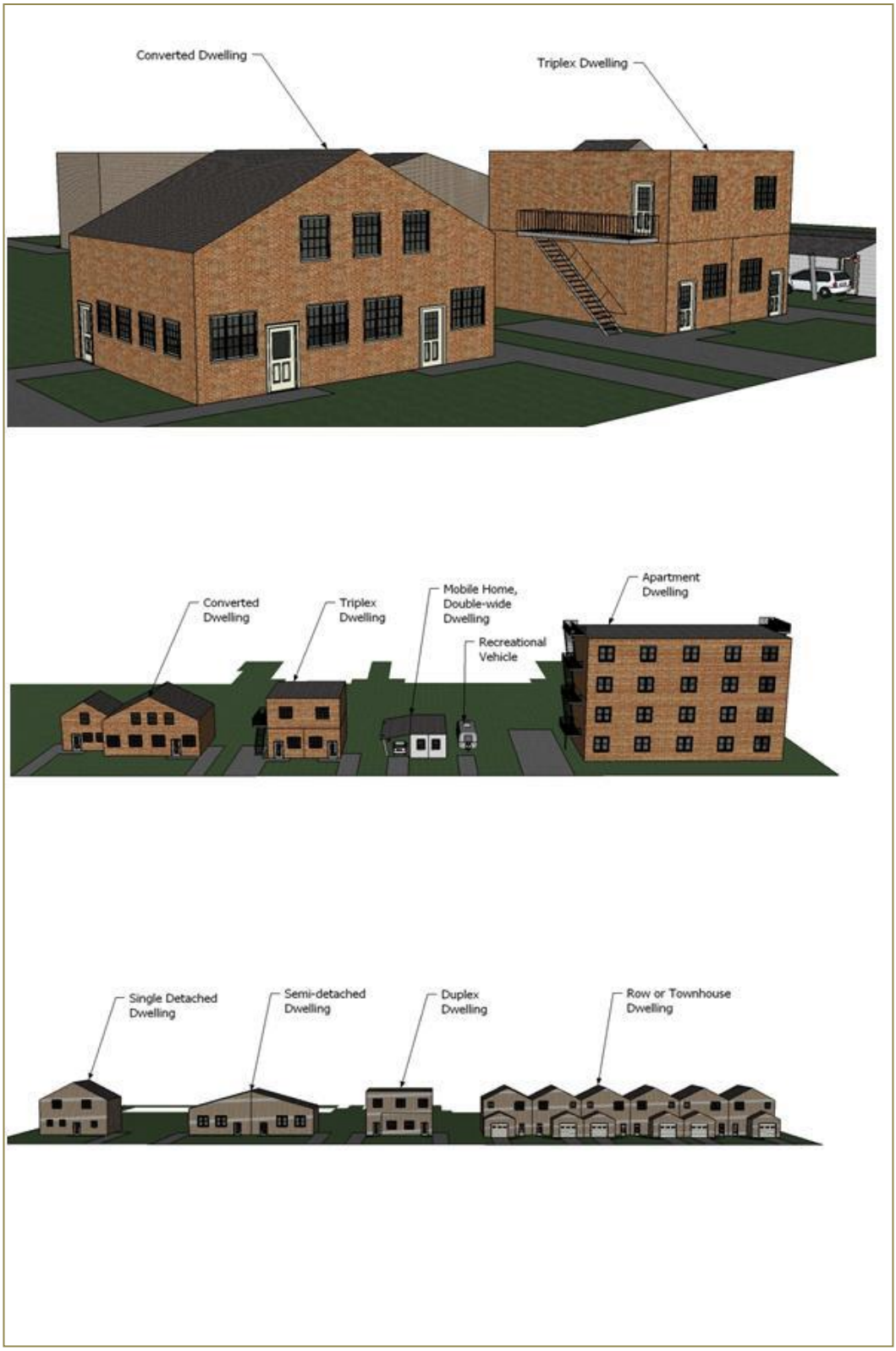
**Dwelling – Triplex**
Shall mean the whole of a ***dwelling*** that is divided horizontally and/or vertically into three separate ***dwelling units*** each of which has an independent entrance either directly from the outside or through a common entrance. [See **Figure 3.12**]

**Dwelling Unit**
Means a ***building*** or a portion thereof occupied or capable of being occupied as the home or residence of one or more ***persons***, where food preparation and sanitary facilities are provided, but shall not include any part of a boarding house, ***hotel, motel***, rental cottage or cabin, or similar commercial use of a private or semi-private ***building*** or ***structure***. Examples of **dwelling units** include a ***single detached dwelling***, an ***additional residential unit,*** and a single unit in a ***townhouse dwelling***. ***Sleep cabins***, and ***lofts-above-a-garage*** shall not be considered ***dwelling units*.**

**Dwelling Unit Area**
Means the ***net floor area*** of a ***dwelling unit*** measured within the interior faces of the exterior walls of the ***dwelling unit***. The unfinished floor area in the ***basement*** shall not be included in the calculations of the ***dwelling unit area***.

**Dwelling Unit, Bachelor or Studio**
Means a ***dwelling unit*** that does not have a specific room set aside for use as a bedroom, but is suitable as a residence.

Figure 3.12: Examples of Dwelling Types



**3.E**

**Easement**
Means the legal right acquired by contract to pass over, along, upon or under the lands of another and shall be deemed to include an easement for a water, sewer, gas or electricity generation facilities and transmission and distribution systems, communications facility, drainage works, and a street or road right-of-way.

**Electricity Generation Facilities and Transmission and Distribution Systems**
Means land, buildings, structures and facilities used for the production, installation, transmission and distribution of electrical power.

**Equestrian Establishment**
Means a ***commercial premise*** engaged in the operation of a horse-riding academy or horse-riding stables, horse training, handling care, and for the lodging of horses.

**Equipment Rental Establishment**
Means a ***commercial premise*** wherein the ***principal use*** is the rental of machinery, equipment, furniture, fixtures and other goods.

**Equipment and Vehicle Storage Yard - Industrial**
Means an uncovered area which is ***used*** for the storage of machinery and equipment for use in industrial and major construction undertakings, commercial ***vehicles***, and other similar goods requiring large areas for outside storage. Limited repair of such machinery, equipment, ***vehicles*** and goods may be ***permitted*** in a ***building*** provided such repair is clearly incidental and secondary to the storage use.

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

**Established Building Line**
Means the average ***setback*** from the ***street line*** of ***existing buildings*** on one side of a continuous 100 m [328.1 ft.] strip of land where three (3) or more of the ***lots*** having street ***frontage*** upon the said side of the street have been built upon. An ***established building line*** shall not apply to any shoreline property. [See **Figure 3.13**]

**Established Grade**
Means the average elevation of the finished level of the ground adjoining all of the walls of the ***building*** or ***structure*** exclusive of any artificial embankments or berms. [See **Figure 3.14**]

Figure 3.13: Established Building Line

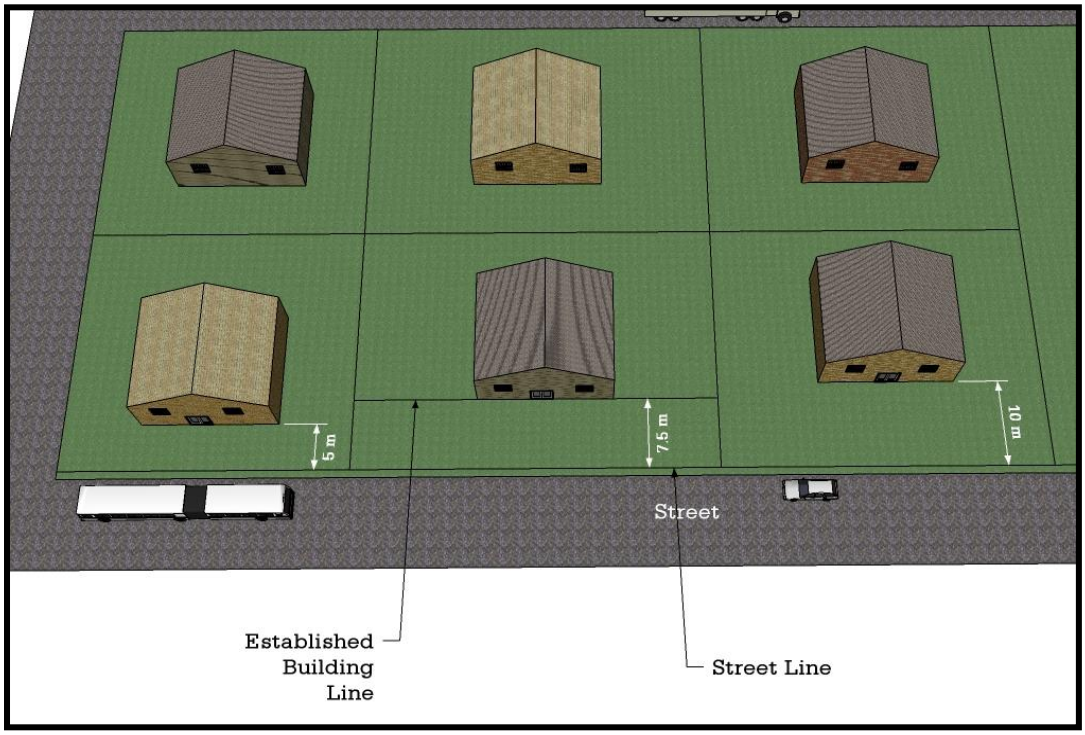
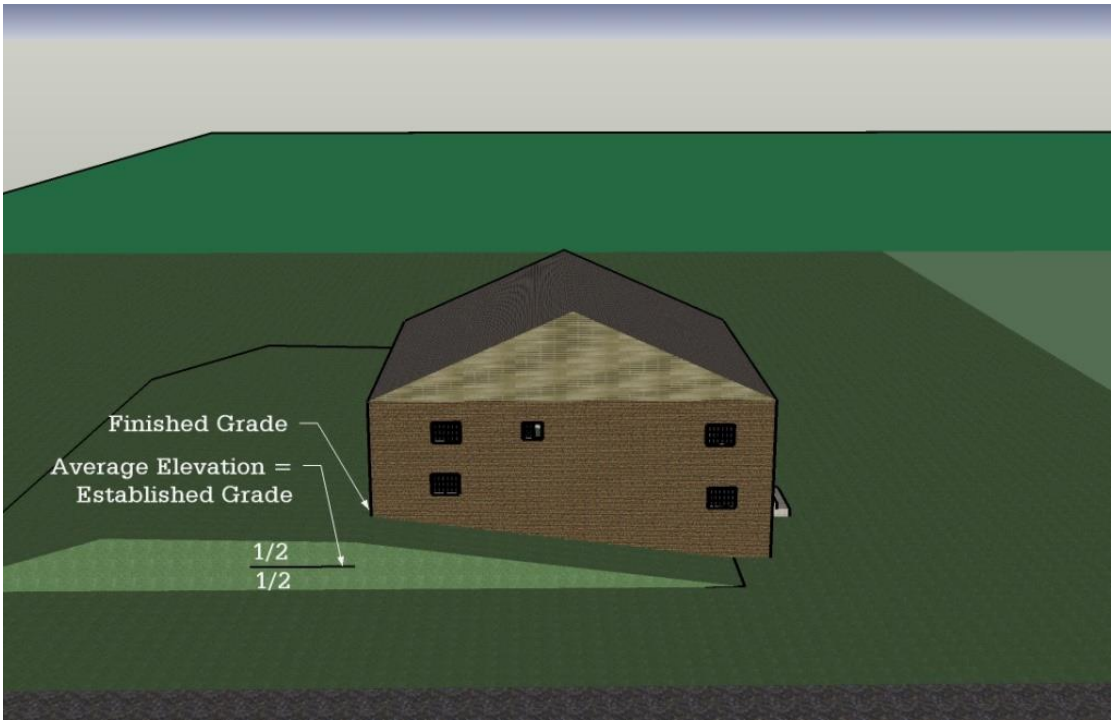



Figure 3.14: Established Grade



**Electrical Charging Station**
Means a piece of equipment that supplies electrical power for charging plug-in electric vehicles including electric cars, electric trucks, electric buses, neighborhood electric vehicles, and plug-in hybrids. [See photo]

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

**Exterior Side Lot Line –** see **Lot Line - Exterior Side**

**Exterior Side Yard –** see **Yard, Exterior Side**

**3.F**

**Factory Outlet**
Means a ***premise accessory*** to a ***permitted commercial use*** or ***industrial use*** where products and goods that are manufactured or produced on site by that ***commercial use*** or ***industrial use*** are kept for wholesale or retail sale on the same ***lot*** as the principal ***commercial use*** or ***industrial use.***

**Fairground**
Means land devoted to entertainment, agricultural and related exhibits, competitive events, food concessions, a carnival or midway which are conducted on a seasonal or temporary basis and may include grandstands, barns and other ***accessory buildings*** and ***structures*** normally associated with such a ***use***.

**Farm**
Means any land ***used*** for an ***agricultural use*** and includes apiaries, aviaries, berry or bush crops, breeding, raising, training or boarding of livestock, ***commercial greenhouse*****s**, farms devoted to the hatching, raising and marketing of chickens, turkeys or other fowl or game birds, animals, fish or frogs, farms for grazing, flower gardening, field crops, goat or cattle dairies, growing, raising, picking, treating and storing of vegetables or fruit produced on the premises, nurseries, orchards, riding stables, or uses or enterprises as are customarily carried on in the field of general agriculture.

**Farm, Hobby**
Means land on which a ***farm*** may be operated primarily for recreational purposes or for home consumption by the occupants of the ***dwelling*** on the same ***lot***, and which is clearly secondary and ***accessory*** to the ***permitted use***. A ***hobby farm*** may also include a ***farm produce outlet*****.**

**Farm, Livestock** – see **Livestock Facility**

**Farm, Mushroom –** see **Commercial Mushroom Growing Operation**

**Farm Produce Outlet**
Means a ***use accessory*** to a ***farm*** or a ***hobby farm*** which consists of the retail sale of agricultural

products produced on the farm where such outlet is located.

**Farm Related Commercial/Industrial Uses –** see **Agriculturally Related Commercial/Industrial Uses**

**Farm Vacation Establishment**
Means an ***accessory use*** in a private ***single detached dwelling*** in which ***guest rooms*** are provided for gain as temporary accommodation on a daily basis for the vacationing public interested in learning or participating in the operation of a ***farm***.

**Farmer's Market**
Means land, ***buildings*** and ***structures*** where the ***farm*** products primarily produced in the ***Township*** and surrounding area are sold at retail from covered or uncovered areas designed for individual retailers.

**1.** An occasional or periodic market or sales event held in an open area, which may include a street, or within a building or structure where independent sellers offer goods, new and used, for sale to the public, but not including private yard sales, and/or

**2.** A premise in which stalls or sales areas are set aside and which are intended for use by various individuals to sell goods, and/or

**3.** A building or open area where food preserves or fresh produce or prepared foods are sold, but does not include a restaurant.

**Farming Use –** see **Agricultural Use**

**Fence**
Means any barrier or ***structure*** constructed of chain link metal, wood, stone, metal, brick or other similar materials or combinations of such materials which is ***erected*** for the purpose of screening, safeguarding, retaining or enclosing property or delineating property lines. [See also **Section 4.15**]

**Fish Culture Station**
Means the use of a water body for the production of cold water or warmwater fish in a hatchery or rearing station.

**Fish Habitat**
Means the spawning grounds and nursery, rearing, food supply, and migration areas which fish depend directly or indirectly in order to carry out their life processes.

**Fishing Camp –** see **Camp (Hunt Camp, Fishing Camp)**

**Fitness Centre**
Means a ***commercial premise*** in which facilities are provided for recreational or health related activities including but not limited to weight training and exercise classes and may include associated facilities and services such as a lounge, washrooms, showers, and saunas, a day spa, an administrative office, a cafeteria and an ***accessory retail outlet*** for fitness-related attire, equipment

and dietary supplements.

**Flag Lot**
Means a ***lot*** with two distinctive parts:

**1.** The flag, which is the only area to be ***used*** for the ***building envelope***; and is located behind another ***lot***;

**2.** The pole, which connects the flag to a ***public street***, an provides the only ***lot frontage*** for the ***lot***, and

**3.** The pole and the flag are registered as one ***lot.*** [See photo]

**Flea Market**

Means:
A ***premise*** where goods are offered or kept for sale at retail to the general public but shall not include any other retail establishment otherwise defined herein;

**4.** An occasional or periodic market or sales event held in an open area, which may include a ***street***, or within a ***building*** or ***structure*** where independent sellers offer goods, new and used, for sale to the public, but not including private yard sales; and/or

**5.** A ***premise*** in which stalls or sales areas are set aside and which are intended for use by various individuals to sell goods; and/or

**6.** A ***building*** or open area where food preserves or fresh produce or prepared foods are sold, but does not include a ***restaurant***.

**7.** A flea market does not include a ***yard sale***.

**Floatplane Hangar**
Means an enclosed ***building*** either fixed or floating which is designed to house or keep a float plane**.**

**Floodline or Flood Elevation**

Means the topographic elevation above sea level established by a one-in-one-hundred-year storm as established by ***flood plain*** mapping or by the appropriate public authority.

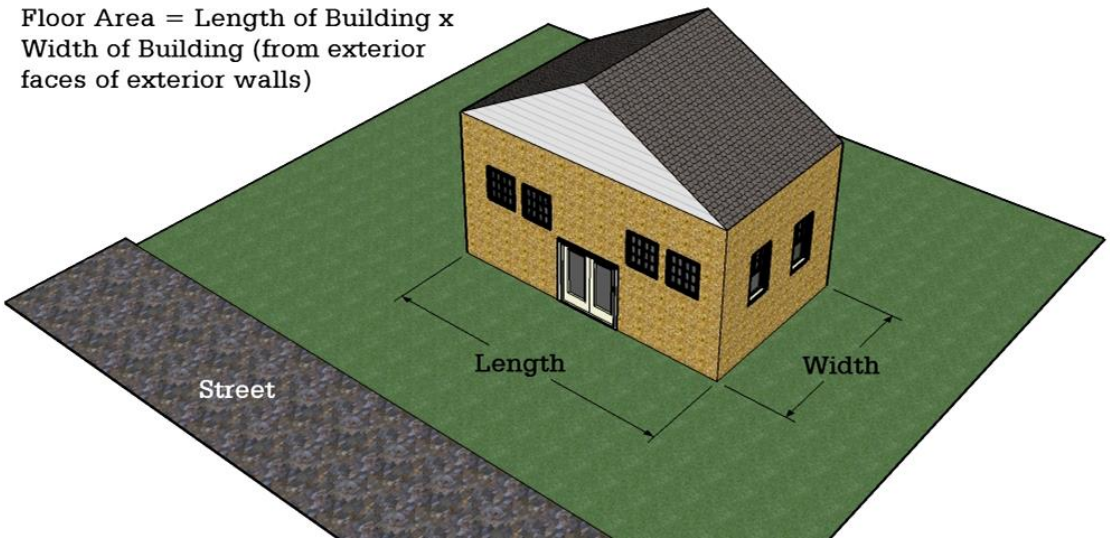
**Flood Plain**

Means, for river stream and small inland lake systems, the area, usually low lands adjoining a ***water body***, at a lower elevation than the ***floodline.***

**Flood Proofing**

Means a combination of structural changes and/or adjustments incorporated into the basic design and/or construction or alteration of individual ***buildings***, ***structures*** or properties subject to flooding so as to reduce or eliminate flood damages.

Figure 3.15: Gross Floor Area




**Floor Area - Gross**

Means the total area of all floors contained within a ***building*** measured between the exterior faces of the exterior walls of the ***building*** and where there are no walls the total area of a floor within the outer perimeter of the floor. [See **Figure 3.15**]

**Floor Area - Net**

Means usable or habitable space above or below grade, measured from the interior face of the exterior walls of the ***building*** or ***structure*** but shall not include:

**1.** Any **private garage**, **porch**, **veranda**, and unfinished **basement**, **cellar** or attic;

**2.** Any part of the ***building*** or ***structure*** below grade which is ***used*** for building services, storage or laundry facilities;

**3.** Any part of the ***building*** or ***structure used*** for the storage or parking of ***motor vehicles***; and

**4.** Any part of the ***building*** used in common by the tenants of the ***building*** such as a mall, ***aisle*** or hallway, elevator shaft or lobby, stairwell, any washroom, boiler room, maintenance room, mechanical or electrical room, and any automobile parking facilities provided within the ***building***.

**Forestry Use**
Means the general growing, management and harvesting of wood and shall include the growing and harvesting of fuel wood, pulpwood, lumber, Christmas trees, other forestry products and silviculture practices.

**Fortified Building**
Means a facility, ***building*** or ***structure*** or part thereof used, constructed and/or built with fortified elements or protective elements.

**Front Lot Line -** see **Lot Line, Front**

**Front Yard -** see **Yard, Front**

**Frontage -** see **Lot Frontage**

**Fuel Depot**
Means land, ***buildings*** or ***structures used*** for the bulk storage, distribution and sale of gasoline, propane, heating oil, motor oil and other fuel products.

**Full Municipal Sewage and Water Services –** see **Sewage Disposal and Water Systems**

**Funeral Parlour**
Means a ***commercial premise*** wherein undertaking services are offered and may include ***accessory*** activities such as the sale of caskets and funeral accessories, a chapel or parlour provided such activities are clearly secondary and incidental to the main undertaking service.

**3.G**

**Garage – Detached Private**
Means a fully enclosed ***accessory building*** or portion of a ***main building*** including a ***carport*** which is designed or ***used*** for parking or storage of one (1) or more ***motor vehicles*** of the occupants of the ***premises*** and in which there are no facilities for repairing or servicing of such ***vehicles*** for profit or gain.

**Garden Centre**
Means a ***commercial premise*** primarily ***used*** for the sale of plants, of gardening equipment, gardening products and planting and landscaping materials.

**Garden Suite**
Means a one-unit ***detached*** residential ***building*** containing sanitary and kitchen facilities that is

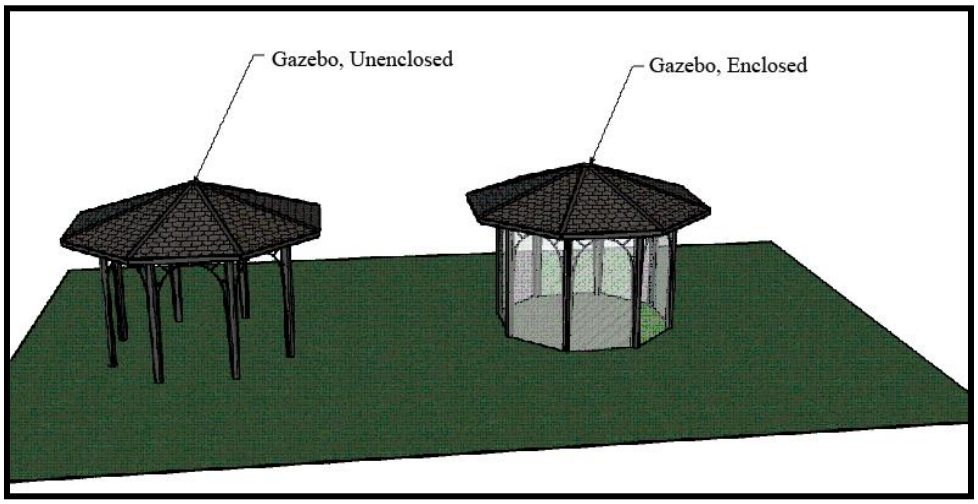
ancillary to an *existing* residential ***building*** and that is designed to be portable, but shall not include a ***recreational vehicle*****.**

**Gasoline Bar**
Means one or more pump-islands, each consisting of one or more gasoline/diesel/bio-fuel fuel pumps, and may include a propane retail sales service and an ***accessory building*** or ***structure used*** for transacting sales and may include the sale of automotive accessories and related products, tobacco, snacks and beverages, lottery tickets, newspapers and may include other ***accessory*** features such as a comfort station and ATM. [See also ***Auto Service Station***]

**Gasoline Card Lock Facility**
Means one or more pump islands designed for the retail sale of gasoline or diesel fuel using pumps which are operated automatically by credit or debit cards.

**Gazebo**
Means a

Figure 3.16: Gazebo




freestanding, roofed ***accessory structure*** which is not enclosed, except for transparent screening (e.g., glass, netting) and which is utilized for the purposes of relaxation in conjunction with a ***principal use*** but shall not include any other use or activity otherwise defined or classified herein. [See **Figure 3.16**]

**Geothermal Power Facility**
Means a heating facility such as a heat pump whose energy source is naturally created from the earth's crust.

**Golf Course**
Means a public or private area operated for the ***principal use*** of playing the sport of golf but may also include a ***driving range*** and such ***accessory buildings*** and ***structures*** as are necessary for the operation and maintenance of the golf course including club house facilities, a ***restaurant***, banquet, conference and other uses of a social, recreational and entertainment nature normally associated with golf course development.

**Granny Flat -** see **Garden Suite**

**Green Energy Industries**
Means a ***building*** or ***structure*** in which products are manufactured for the generation of electricity from non-polluting or renewable source (i.e., wind, sun, geothermal, biomass). Products manufactured by a renewable energy industry may include but are not limited to solar panels, wind turbines, geothermal equipment, and parts or components thereof.

**Green Roof**
Means a roof of a ***building*** where part of or the entire surface of the roof is intentionally covered with vegetative material. [See illustration]

**Greenhouse**
Means a ***building*** used for the growing of flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same *lot* containing such greenhouse.

**Greenhouse, Commercial**
Means a ***commercial premise used*** for the growing of flowers, vegetables, shrubs, trees, and similar vegetation for wholesale or retail sale. This definition shall not include any ***premises*** for the growing of mushrooms.

**Ground Floor**
Means the floor that is level with or immediately above grade.

**Group Home**
Means a single housekeeping unit in a residential ***dwelling***, which is registered with the ***Municipality***, in which ***persons*** (excluding supervisory or operating staff) live together under responsible supervision consistent with the requirements of its residents for a group living

arrangement and which is licensed and/or approved under Provincial Statutes and in compliance with municipal by-laws. [See also ***Crisis Care Facility***]

**Guest Cabin –** see **Sleep Cabin**

**Guest Room**
Means a room or suite of rooms, which contains no facilities for cooking and which is ***used*** or maintained for gain or hire by providing accommodation.

**3.H**

**Habitable Room**
Means a room in a ***dwelling used*** or intended to be ***used*** primarily for human occupancy.

**Habitat of Endangered and Threatened Species**
Means habitat within the meaning of Section 2 of the Endangered Species Act, 2007.

**Hereafter**
Means after the date of the passing of this By-law.

**Hazardous Lands**
Means property or lands that could be unsafe for development due to naturally occurring processes. Along river, stream and small inland lake systems, this means the lands in the ***flood plain***, or subject to a flooding hazard or erosion hazard and shall include unstable soils and unstable bedrock.

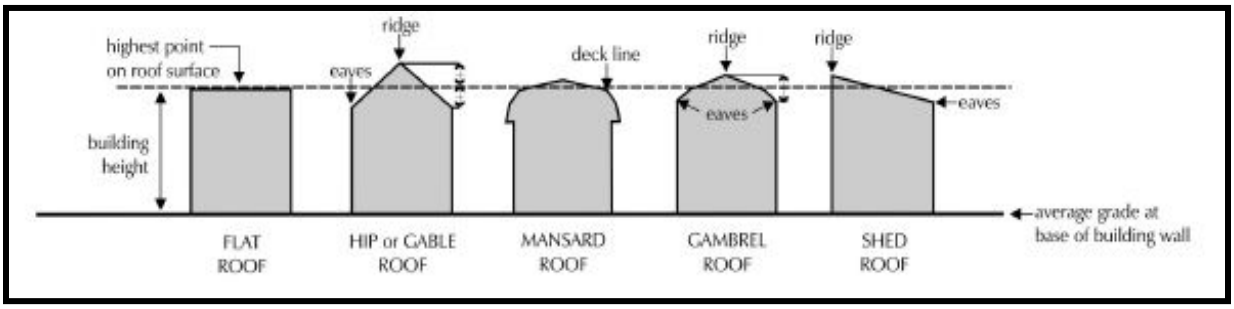
**Hazardous Sites**
Means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

**Hazardous Substances**
Means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

**Height**
Means the vertical distance between the ***established grade*** at the base of a ***building*** or ***structure*** and in the case of a flat roof, the highest point of the roof surface or parapet wall, whichever is the highest, or in the case of all other types of roofs, the mean height level between the base of the roof and highest point of the roof. [see **Figure 3.17**]

**Heliport or Helipad**

Figure 3.17: Height




Means a landing area or pad used for the landing and take-off of helicopters and shall include all necessary and incidental emergency services facilities, fuelling facilities and passenger and cargo facilities.

**Herein**
Means in this By-law, and shall not be limited to any particular section of this By-law.

**High Water Mark**
Means the mark made by the action of water under natural conditions on the shore or bank of a body of ***water body***, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark. Features shall also include a natural line or mark impressed on the bank or shore or rock, or other distinctive physical characteristics. [See also "***Shoreline***"]

**Highway**
Means a highway under the jurisdiction of the Province of Ontario.

**Hydro Corridor**
Means any land owned by Hydro One Networks Inc. or other publicly owned utility, the primary purpose of which is the distribution of electrical power and energy, and on which are located wires, cables, poles or towers.

**Hobby Farm –** see **Farm, Hobby**

**Holding Zone**
Means a ***zone*** established under the enabling authority of Section 36 of the *Planning Act* where uses may be permitted subject to meeting certain conditions set out in the ***Official Plan***.

**Home for the Aged –** see **Continuum-of-Care Facility**

**Home Based Business**
Means a privately operated legal occupation, enterprise or business which is carried out as a use clearly ***accessory use*** to a ***dwelling unit*** for pursuits conducted by the occupant thereof and any employees and is compatible with a domestic household. [See also **Section 4.20**] [See also

***Live/Work Unit***]

**Home Occupation –** see **Home Based Business**

**Hotel**
Means a ***building*** designed or ***used*** for the accommodation of the travelling and vacationing public, with or without ***accessory uses*** such as a ***restaurant,*** meeting rooms, ***swimming pool***, facilities for the temporary exhibition and sale of goods on an intermittent basis, ***premise*** licensed under the *Liquor License Act* and includes any establishment containing ***guest rooms*** which is defined as a "***Hotel***" in the *Hotel Registration of Guests Act, R.S.O.1990, H.17*and shall also include a ***motel*** and hostel.

**Hunt Camp –** see **Camp (Hunt Camp, Fishing Camp)**

**3.I**

**Individual On-Site Systems –** see **Sewage Disposal and Water Systems**

**Industrial Uses, Light - Class I Industry**
Means a place of business for a small-scale, self-contained plant or ***building*** which produces, manufactures, assembles or stores a product which is contained in a package and has a low probability of fugitive emissions such as noise, odour, dust and vibration. Such industries operate in the daytime only with infrequent movement of products and/or heavy trucks and no outside storage. Examples include: electronics manufacturing and repair, high technology industries, furniture repair and refinishing, beverage bottling, package and crafting services, small scale assembly, auto parts supply. 'Light Industrial Uses' or 'Class I Industry' is a classification and other ***uses*** defined in this By-law may be classified as such.

**Industrial Uses, Medium - Class II Industry**
Means a place of business for medium scale process and manufacturing with outdoor storage of wastes or materials and where there are periodic or occasional outputs of fugitive emissions e.g., noise, odour, dust and/or vibration. Shift operations occur and there is frequent movement of products and /or heavy trucks during daytime hours. 'Medium Industrial Uses' or 'Class II Industry' is a classification and other ***uses*** defined in this By-law may be classified as such.

**Industrial Uses, Heavy - Class III**
Means a place of business for uses characterized as having emissions such as noise, smoke, odour, fumes or vibrations or extensive outside storage as part of their normal operations. Such uses include sawmills, pulp and paper mills, refineries, smelting operations and similar uses which are intended to be secluded from residential or other ***sensitive land uses*** in order to limit any potential ***adverse effects*** on the environment or the surrounding areas and public health. 'Heavy Industrial Uses' or 'Class III Industry' is a classification and other ***uses*** defined in this By-law may be classified as such.

**Institutional Use**
Means the ***use*** of land, ***buildings*** and ***structures used*** for a non-profit, non-commercial purpose

for governmental, educational, charitable, fraternal, religious and other public services. This definition may include a municipal or government office, library, ***school***, college, university, health care facility, place of worship, convent, monastery or similar ***use***.

**Interior Lot –** see **Lot, Interior**

**Junk Yard -** see **Wrecking Yard**

**3.K**

**Kennel, Commercial**
Means a commercially operated ***building*** or ***structure*** where dogs, cats or other small animals are kept, trained, bred or boarded, but does not include an ***animal shelter***. [See also ***Animal Shelter***] [See also **Section 4.22**]

**3.L**

**Landscaped Open Space**
Means:
A combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity of a property and/or to provide a screen to mitigate any objectionable adjacent land use; and

Does not include ***parking area***s, traffic ***aisles*** or ***driveways*** or ramps for ***vehicles***. [See also "***Open Space***"]

**Lane**
Means:

**1.** A subsidiary thoroughfare providing access from within a ***lot***, principally from parking or ***loading spaces*** or from a lot to a ***public street***; or

**2.** A subsidiary public thoroughfare for the sole use of pedestrians and connecting ***public streets***, ***open spaces*** or ***buildings***.

**Laundromat**
Means a self-serving clothes washing establishment containing one or more washers and drying, ironing, finishing and other incidental equipment, and may include a laundry receiving depot.

**Library**
Means a ***building*** or part thereof where educational material (e.g., books, films, music, audio-visual, magazines) are made available for public display and are lent to the public.

**Licensed Cannabis Production Facility**

Means the ***use*** of land, ***buildings*** or ***structures*** for the cultivation, processing, testing, destructions, packaging and shipping of marijuana used for medical purposes as approved and regulated by Health Canada.

**Livestock Facility**
Means one or more barns or permanent *structures* with livestock-occupied portions, intended for keeping or housing of livestock. A ***livestock facility*** also includes all manure or material storage and ***anaerobic digesters***. [See ***Minimum Distance Separation Formulae*** Implementation Guidelines]

**Livestock Sales Outlet**
Means a ***building*** or ***structure*** where livestock are bought and sold.

**Live/Work Unit**
Means a single unit which is specifically designed to include both commercial/business floor space and a residential component that is occupied as the principal residence of the business operator. The business component may be located within the ***residential unit*** or an ***accessory building*** on the same ***lot***. ***Live/work units*** may be established through the conversion of an ***existing dwelling*** or ***commercial use*** or through new construction. [See illustration]

**Loading/Delivery Space**
Means a space or bay located on a ***lot*** or within a ***building*** which is used or intended to be ***used*** for the temporary parking of any ***commercial vehicle*** while loading or unloading goods, merchandise, or materials in connection with the use of the ***lot*** or any ***building*** thereon, and which has unobstructed access not necessarily in a straight line to a ***street***. Also means an unobstructed area of land which is used for the temporary parking of one or more commercial ***motor vehicles*** while merchandise or materials are being loaded or unloaded from such ***vehicle.***

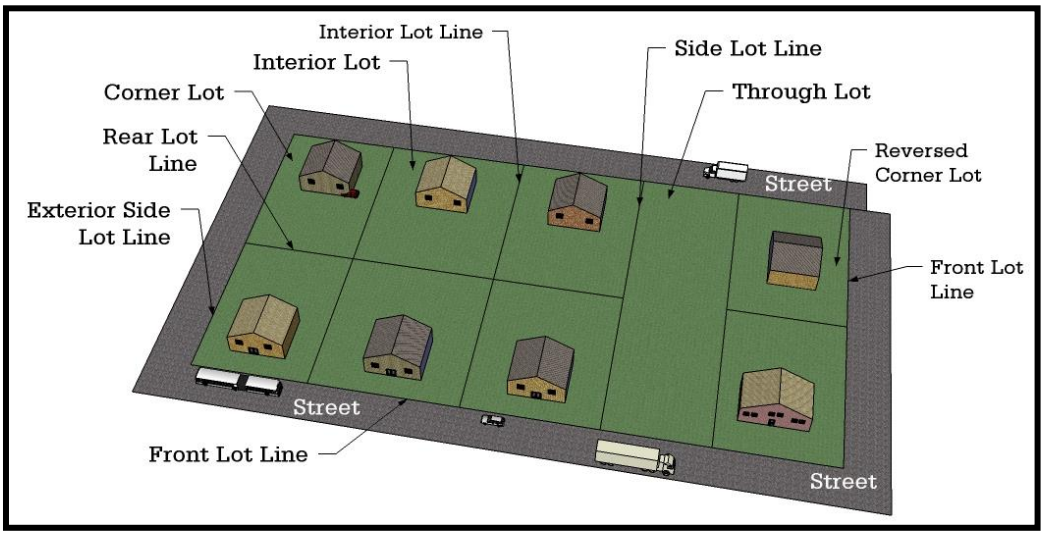
**Loft-Above-a-Garage**
Means the portion of a ***garage*** located above the ***vehicle*** storage area of the ***building*** and is used for sleeping accommodation in which cooking facilities shall not be provided but may contain sanitary facilities***.*** [See photo and also ***Sleep Cabin***]

**Log Hauling Operation**
Means an area of land and/or ***building*** of a logging contractor where equipment and materials are stored and may include repairs to logging equipment belonging to the logging operator or contractor.

**Logging Yard**
Means the ***use*** of land and ***accessory buildings*** and structures for the storage, packaging, sizing, splitting, grading and sorting, cutting, trucking, equipment repairing, shipping and receiving of commercial timber, sawdust and bark.

**Long Term Care Facility –** see **Continuum-of-Care Facility**

**Lot**
Means a parcel or tract of land, within a registered plan or subdivision or described in a deed or other legal document, that is capable of being legally conveyed in accordance with the *Planning Act*.




**Refreshment Sales Vehicle**
Means a ***vehicle*** or portable structure which may be licensed by the ***Municipality*** and is equipped for the preparation, storage, heating, cooking, cooling or sale of foodstuffs and beverages within or from the ***vehicle*** or portable structure and may include exterior seating (e.g., picnic tables) but does not include any structural additions that would render the ***vehicle*** or ***structure*** immovable.

**Lot Area**
Means the total horizontal area measured within the limits of the ***lot lines*** of the ***lot***.

**Lot, Corner**
Means a *lot* situated at an intersection of two (2) or more ***streets***, or at the intersection of two parts of the same street which have an interior angle or intersection of not more than one-hundred-and-thirty-five degrees (135º). [See **Figure 3.18**]

Where such ***street lines*** are curved, the angle of intersection of the street lines shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the ***side lot lines***. In the latter case, the corner of the ***lot*** shall be deemed to be that point on the ***street line*** nearest to the point of intersection of the said tangents. [See **Figure 3.18**]

Figure 3.18: Lot Definitions

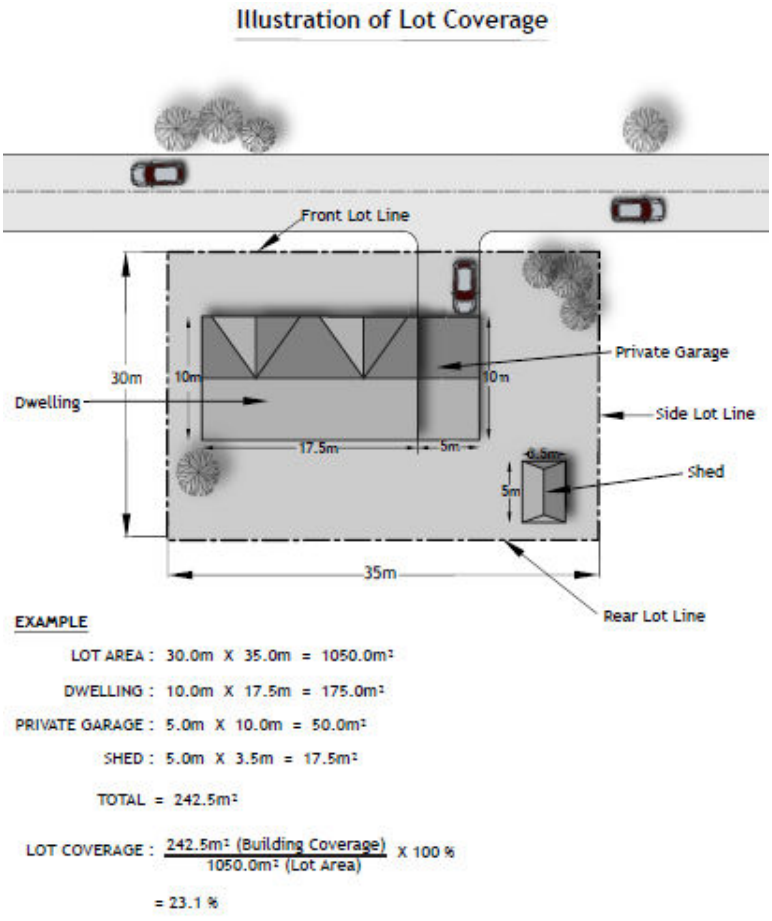
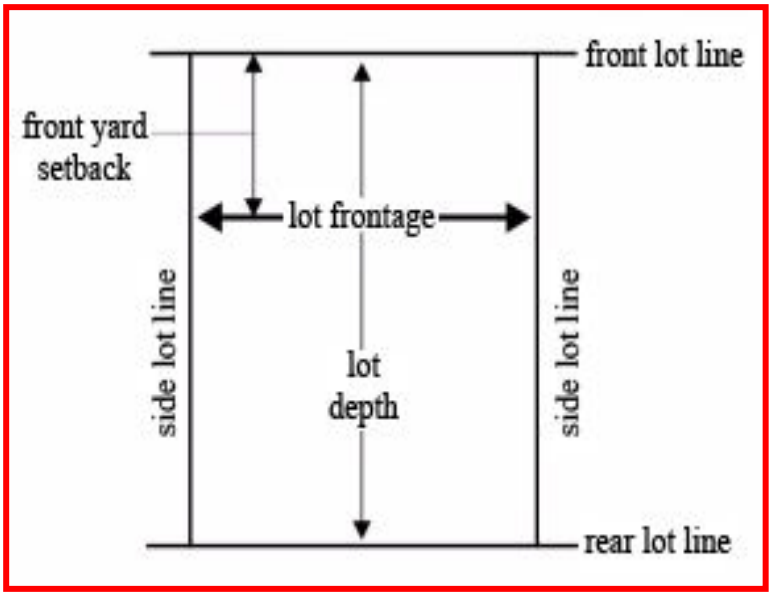



Figure 3.20: Lot Coverage

**Lot Coverage**
Means the percentage of the ***lot area*** covered by the ground floor area of all ***buildings*** located on the ***lot***, and shall include the land-based building area of a ***marine facility.*** [See **Figure 3.20**]

**Lot Depth**
Means the horizontal distance between the ***front*** and ***rear lot lines***. If the front and ***rear lot lines*** are not parallel, ***lot depth*** means the length of a straight line joining the middle of the ***front lot line*** with the middle of the rear lot line. If there is no ***rear lot line***, ***lot depth*** means the length of a straight line joining the middle of the ***front lot line*** with the apex of the triangle formed by the ***side lot lines.*** [See **Figure 3.19**]




**Lot Frontage**
Means the horizontal distance between the ***side lot lines***. Where such side ***lot lines*** are not parallel, it shall be the width of a ***lot*** measured between the intersections of the ***side lot lines*** with a line 7.5 m [24.6 ft.] back from and parallel or concentric

to the ***front lot line***. Arc distances shall apply on curved lines. [See **Figure 3.19**]

**Lot, Interior**
Means a ***lot*** other than a ***corner lot*** or *a* ***through lot*** which is situated between adjacent ***lots*** and has ***frontage*** on a ***public street.*** [See **Figure 3.18**]

**Lot Line**
Means a boundary line of a ***lot.*** [See **Figures 3.18** and **3.19**]

**Lot Line - Exterior Side**
Means a ***lot line*** located between the ***front*** and ***rear lot lines*** and dividing the ***lot*** from a ***street*** [See **Figure 3.18**].

**Lot Line, Front**
Means:

**1.** In the case of an ***interior lot***, the line dividing the ***lot*** from the street line, street allowance or ***private road.*** [See **Figures 3.18** and **3.19**]

**2.** In the case of a ***corner lot***, the shorter ***lot line*** abutting a ***street*** shall be deemed to be the ***front lot line***.

**3.** 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 and of the same width, the lot line where the principal access to the ***lot*** is provided shall be deemed to be the ***front lot line***.

**4.** In the case of a ***lot*** with water access only, the ***front lot line*** shall be on the water side. In the case of a through ***waterfront lot*** with water access only, the longest ***shoreline*** shall be deemed to be the ***front lot line***.

**5.** In case of a ***lot*** with frontage on a ***public street*** or ***private road*** and on a ***water body***, the ***front lot line*** shall be measured both on the ***street line*** and on the water side.

**6.** In the case of a ***corner lot*** abutting a 0.3 m [0.98 ft.] reserve or other reserve, the ***lot line*** so abutting the reserve shall be deemed an ***exterior lot line*** and the other ***lot line*** abutting the street shall be deemed to be the ***rear lot line***.

**7.** In the case of a ***private road***, the ***lot line*** adjacent to the ***private road*** shall be deemed to be the ***front lot line.***

**8.** In all other cases not described above, the ***front lot line*** shall be deemed to be where the principal access to the ***lot*** is approved.

**Lot Line, Interior Side**
Means a ***lot line*** other than a ***front, rear*** or ***exterior side lot line.*** [See **Figure 3.18**]

**Lot Line, Rear**
Means the ***lot line*** furthest from, and opposite to, the ***front lot line.*** [See **Figures 3.18** and **3.19**]

**Lot, Through**
Means a ***lot*** having a ***frontage*** on two parallel or approximately parallel ***streets.*** [See **Figure 3.18**].

**Lot, Waterfront**
Means a ***lot*** that abuts a navigable waterway or body of water. [See **Figure 3.21**]

**Lot, Width**
Means the average horizontal dimension between the two (2) longest opposite ***side lot lines***.

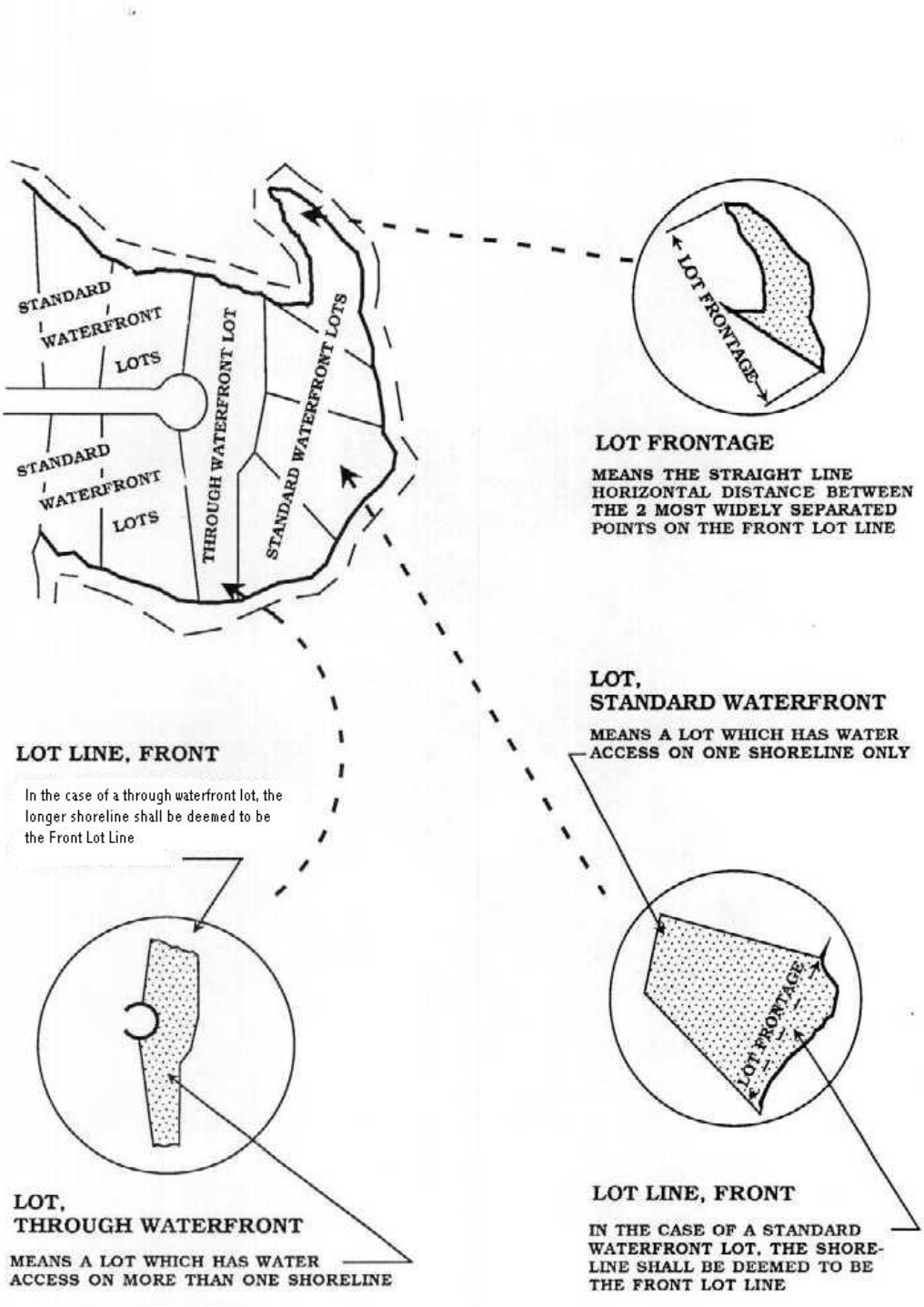
**Lumber Yard**
Means lands, ***buildings*** and ***structures*** where the primary use is the storage of construction grade wood and building supplies for sale at retail or wholesale.

**3.M**

**Main Wall**
Means any exterior wall of a ***building*** and all structural members essential to the support of a fully enclosed space or roof exclusive of permitted projections.

**Manure or Material Storage**
Means permanent storage, which may or may not be associated with a ***livestock facility*** containing liquid manure (<18% dry matter), solid manure (≥ 18% dry matter), or digestate (< 18% dry matter).

Figure 3.21: Waterfront Lots



**Maple Syrup Processing Establishment**
Means land, ***buildings*** and/or ***structures*** used to collect, manufacture, and/or store maple syrup products produced on the property where such ***use*** is established. This shall also include the retail sales of maple syrup products as part of a ***home based business*** as defined in this By-law.

**Marina**
Means a ***commercial premise*** with or without docking facilities where boats are moored, berthed, constructed, stored, serviced, repaired or kept for sale or rent and where the facilities for the sale of boat accessories, marine fuels, marine equipment, lubricants, bait as well as the sale of foods, provisions or supplies as an ***accessory use*** may be provided. A ***marina*** may also have sewage pump-out facilities for ***water vehicles***.

**Marine Facility**
Means a non-commercial ***accessory building*** or ***structure*** which is used to moor, berth, or store a boat. This definition may include a ***boat launch***, a ***boat lift***, marine railway, ***dock*** or ***boat house***, but does not include any ***building used*** for human habitation or a ***marina***. A ***marine facility*** shall also include a water intake facility and any flood or erosion control structure. No part of a ***marine facility*** may be ***used*** as a ***dwelling unit***.

**Material Storage –** see **Manure or Material Storage**

**Medical Clinic -** see **Clinic**

**Medical Marijuana Facility**
Means a ***commercial premise*** approved and regulated under the Canada *Food and Drugs Act* and associated *Food and Drug Regulations*.

**Microbrewery**
Means a ***commercial premise*** where beer is produced at a small scale. A ***microbrewery*** may be ***permitted*** to sell the product that is produced on-site provided that there is no consumption of the purchased product on-site other than sampling. A bar, pub or brewpub shall not be considered a ***microbrewery***. A ***microbrewery*** may also sell retail items directly related to the operation on-site. [See also ***Distillery***]

**Micro-cultivation**
Means the small scale growing of cannabis plants and harvesting material from those plants, as well as associated activities.

**Mine Hazard**
Means any feature on a mine as defined under the *Mining Act* or any related disturbance of the ground that has not been rehabilitated. [See also **Section 4.25**]

**Mineral Aggregate Operation**
Means:

**1.** Lands under license or permit, other than for ***wayside pits*** and ***quarries***, issued in accordance with the *Aggregate Resources Act*, or successors thereto; and

**2.** Associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral ***aggregate*** resources and derived products such as asphalt and concrete, or the production of secondary related products.

**Mineral Deposits**
Means areas of identified minerals that have sufficient quantity and quality based on specific geological evidence to warrant present and future extraction.

**Mineral Mining Operation**
Means a mining operation and associated facilities, or, a past producing mine with remaining mineral development potential that has not been permanently rehabilitated to another ***use*****.**

**Miniature Golf Course**
Means land, ***building*** or ***structure*** or any part thereof operated for profit or gain in which facilities are provided to simulate the game of golf or any aspect of the game on a small scale, but does not include a golf ball driving range.

**Mini Warehouse and Public Storage –** see **Self Storage Facility**

**Minimum Distance Separation Formulae I and II**
Means formulae developed by the province to separate ***uses*** so as to reduce incompatibility concerns about odour from ***livestock facilities***. [See also **Section 4.26.4**]

**Mobile Home –** see **Dwelling, Mobile Home**

**Mobile Home Park**
Means land which has been provided and designed for the location thereon of two (2) or more occupied ***mobile homes***.

**Mobile Home Lot or Site**
Means an area, similar to a ***lot***, located in a ***mobile home park***, intended to be or occupied by a ***mobile home*** or a permitted ***accessory use*****.**

**Mobile Home Yard**
Means a line similar to a ***front yard, rear yard***, ***interior side yard*** or ***exterior side yard*** as applied to a ***mobile home lot or site***.

**Modular Home –** see **Dwelling, Modular Home**

**Motel**
Means a ***commercial premise*** designed or ***used*** throughout all or part of a year that caters to the accommodation of the traveling or vacationing public, containing one or more ***guest rooms***, including all such establishments as defined from time to time by the *Hotel Registration of Guests Act, R.S.O. 1990, c. H.17*, as amended. A **motel** may include ***accessory uses*** such as a ***restaurant,*** meeting rooms, ***swimming pool***, facilities for the temporary exhibition and sale of goods on an

intermittent basis, and ***premises*** licensed under the *Liquor License Act.* ([See also ***Hotel*** and ***Tourist Establishment***]

**Motocross Circuit**
Means an off-road racing facility conducted on an outdoor enclosed dirt circuit over primarily natural, outdoor terrain and may include spectator facilities such as grandstands or concourses and fast-food concessions.

**Motor Home -** see **Recreational Vehicle**

**Motor Vehicle –** see **Vehicle**

**Municipality**
Means the Corporation of the Township of Central Frontenac.

**Museum**
Means an ***institutional use*** that is established for the purpose of acquiring, conserving, studying, interpreting, assembling and exhibiting to the public for its instruction and enjoyment, a collection of artefacts of scientific, natural, artistic, or historical interest, or other interests.

## 3.N

**Natural Heritage Features and Areas**
Means features and areas, including significant ***wetlands***, ***fish habitat***, habitat of endangered and threatened species, significant wildlife habitat and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

**Nature Trail**
Means an area ***used*** for walking, hiking, cross-country skiing, nature appreciation and similar non-motorized recreational travel.

**Negative Impacts**
Means:
In regard to ***fish habitat***, the harmful alteration, disruption or destruction of ***fish habitat***, except where it has been authorized under the *Fisheries Act*, using the guiding principle of no net loss of productive capacity.

**1.** In regard to water, degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive ***development*** or site alteration activities; and

**2.** In regard to other ***natural heritage features and areas*****,** degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive ***development*** or site alteration activities.

**Non-Complying**
Means any ***existing building***, ***structure*** or ***lot*** which does not comply with the ***zone regulations*** and standards of this By-law. [See also "***Non-Conforming***" and **Section 4.27**]

**Non-Conforming**
Means any ***existing*** **use,** ***building***, ***structure*** or ***lot*** which does not conform with the ***permitted use*** provisions of any ***zone*** in this By-law. [See also "***Non-Complying***" and **Section 4.28**]

**Non-residential Zone**
Means any of the C, CR, CL, M1, M2, MX, WMF, EP, MR, OS or H ***zones***.

**Normal High-Water Mark –** see **High Water Mark**

**Nursery**
Means land and ***structures*** used for the growing of sod, flowers, bushes, trees, or other gardening, landscaping, or orchard stock for wholesale or retail sale. [See also "***Greenhouse, Commercial***"]

**Nursing Home –** see **Continuum-of-Care Facility**

**Nursing or Convalescent Home -** see **Continuum-of-Care Facility**

**Nursery -** see **Commercial Greenhouse, Nursery or Garden Centre**

**Nutrient Unit**
Means an amount of nutrients that give a fertilizer replacement value of the lower of 43 kilograms of nitrogen, or 55 kilograms of phosphate as nutrient (as defined in Ontario Regulation 267/03 made under the *Nutrient Management Act*) and correlates to the number of types of livestock for a given ***nutrient unit*****.**

**3.O**

**Obnoxious Uses**
Means substances or wastes which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment (i.e., materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological) and which are not otherwise permitted under an environmental compliance approval issued under the *Environmental Protection Act.* [See also ***Hazardous Substances***]

**Occupancy Permit**
Means a permit issued under the authority of the *Planning Act* (Section 34 [6]) by the ***Chief Building Official*** which indicates that the proposed ***use*** of land or any ***building*** or ***structure*** on any such land is in conformity with this By-law.

**Office**
Means a ***commercial premise used*** for the purpose of providing accommodation for the

performance and transaction of business including administrative, clerical and professional activities but shall not include the manufacturing of any product.

**Official Plan**
Means the Official Plan of the Township of Central Frontenac planning area or parts thereof and amendments thereto.

**On-farm Diversified Uses**
Means uses that are secondary to the principal ***agricultural use*** of the property, and are limited in area. **On-farm diversified uses** include, but are not limited to, ***home based businesses***, agri-tourism uses, a ***micro-brewery,*** an on-farm retail shop or café, a farm produce outlet, a farm event venue (i.e., barn dance, wedding venue, hay and sleigh ride) and uses that produce value-added agricultural products (i.e., farm-based bakery, preserves and fish or meat products). Ground-mounted solar facilities or a solar farm are permitted in prime agricultural areas, including specialty crop areas.

**Open Space**
Means the open, unobstructed space on a ***lot*** including landscaped areas, pedestrian walkways, patios, ***swimming pools*** or similar areas but not including any ***driveway***, ramp, ***parking spaces*** or ***aisles***, ***loading spaces*** or manoeuvring areas and similar areas. [See also "***Landscaped Open Space***"]

**Open Storage**
Means the storage of goods, merchandise or equipment outside of a ***building*** or ***structure*** on a ***lot*** or portion thereof. This definition shall not include the open storage of goods or equipment incidental to a residential occupancy of a ***lot***, a ***parking area*** or ***parking space*** or the ***outdoor display*** of a limited number of samples of goods, merchandise or equipment for the purpose of sales and advertisement. [See also **Section 4.30**]

**Order Station**
Means an ordering box, service window, display board and any other device, including communication equipment, used by the public and operator to facilitate sales and/or services in a ***drive-through facility***.

**Outdoor Display**
Means an area set aside outside of a ***building*** or ***structure***, other than a ***parking area, loading space*** or ***parking space*** which is ***used*** in conjunction with a business located within the ***building*** or ***structure*** on the same property, for the display of goods, merchandise, equipment, and seasonal produce and products and may include garden supplies and Christmas trees, new merchandise or the supply of services. [See also **Section 4.30**]

**Owner**
Means a mortgagee, lessee, tenant, occupant, or a person entitled to a limited estate or interest in land, a trustee in whom the land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator or a guardian.

**3.P**

**Park**
Means an area of land, whether enclosed or not, maintained by the ***Municipality*** or other public authority for the enjoyment, health and well-being of people and open to the public with or without charge and, for the purposes of this definition, includes a Provincial Park or Conservation Area with or without ***campground*** facilities.

**Park - Private –** see **Recreational Commercial Establishment**

**Park Model Trailer –** see **Dwelling – Park Model Trailer**

**Parking Area**
Means a ***lot*** or portion thereof required in accordance with the provisions of this By-law for the temporary storage or parking of ***motor vehicles***, non-motorized ***vehicles*** (e.g. bicycles, horse carriage), boat trailers, snowmobiles, all-terrain vehicles and recreational equipment that are accessory or incidental to uses in all ***zones***, and shall not include a ***parking lot - commercial***, a ***lot*** for the sale or lease of ***motor vehicles*** or the storing of impounded or wrecked vehicles.

**Parking Lot - Commercial**
Means a ***lot*** or portion thereof used for the temporary storage or parking of four (4) or more ***vehicles*** for compensation or for free but does not include a ***lot*** for the sale or lease of ***motor vehicles*** or the storing of impounded or wrecked ***vehicles***.

**Parking Space**
Means an area ***used*** for the temporary parking of one (1) ***vehicle*** or one horse and buggy.

**Parking Space, Barrier-Free**
Means a ***parking space*** for the temporary parking of a ***motor vehicle used*** by a handicapped or disabled person [see photo].

**Partial Services –** see **Sewage Disposal and Water Systems**

**Patio**
Means a surfaced, open space of land at grade adjacent to a ***residential use*** which is ***used*** as an extension to the interior of the home for private entertainment or leisure activities and is uncovered. In a commercial setting, means an outdoor eating area ***accessory*** to a ***restaurant*** where, on a seasonal basis, food and/or refreshments prepared on the ***premises*** are consumed.

**Permitted**
Means ***permitted*** by this By-law.

**Permitted Use**
Means a ***use*** which is ***permitted*** in the ***zone*** where such ***use*** is located.

**Person**
Means an individual, an association, a chartered organization, a firm, a partnership, a ***corporation***, an agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

**Personal Service Establishment**
Means a ***commercial premise*** wherein a personal service is performed. This definition may include a barber shop, beauty salon, aesthetician, shoe repair, photography store, laundromat or a ***drycleaning establishment*** or a similar use, but excludes any manufacturing or fabrication of goods for sale.

**Pet Grooming Establishment**
Means a ***commercial premise*** wherein cleaning, clipping and grooming services are provided for domestic pets, but shall not include an ***animal shelter*** or ***kennel***.

**Pet Shop**
Means a ***retail store*** for the display, care and sale of domestic animals and pet foods and pet care supplies.

**Pharmacy –** see **Retail Store**

**Pit –** see **Quarry or Pit**

**Place of Amusement**
Means a ***commercial premise*** operated for gain or profit wherein amusement facilities are provided such as but not limited to an arcade, billiard room, pinball machines and video games, laser tag, indoor mini golf or an amusement park but does not include an ***adult entertainment parlour***, casino or ***bingo hall.*** [See also ***Adult Entertainment Parlour*** and ***Bingo Hall***]

**Place of Assembly**
Means a ***building*** specifically set aside for and primarily engaged in the operation of arts and craft shows, trade fairs, fashion shows, meetings, banquets, and similar activities such as but not limited to community centres, assembly halls, and convention facilities.

**Place of Worship**
Means a ***building*** or an open area dedicated to religious worship, and may be ***used*** for other supportive uses such as a centre for the arts, a community hall, an accessory ***residential use***, a library and similar uses, but does not include a manse or rectory where established on a separate ***lot*****.**

**Playground**
Means a ***park*** or part thereof which is equipped with active recreational facilities oriented to children.

**Porch or Veranda**
Means a single ***storey*** roofed ***structure*** which is structurally dependent on and projecting from a ***dwelling*** with walls that are open and unenclosed and may contain mesh screening for insects and is used only as an outdoor unwinterized living area but does not include a ***deck*** as defined.

**Portable Asphalt/Concrete Plant**
Means a facility with equipment designed to heat and dry ***aggregate*** and to mix ***aggregate*** with bituminous asphalt to produce asphalt paving materials and/or to mix cementing materials, ***aggregate***, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process, which is not of permanent construction but is designed to be dismantled and moved to another location as required.

**Premise**
Means the area of a ***building*** and ***lot*** occupied or ***used*** by a business or enterprise, or organization. In a multiple tenancy ***building*** occupied by more than one business, each business area shall be considered a separate ***premise*****.** [See also **Commercial Use** or **Commercial Premise**]

**Principal Use**
Means the primary purpose for which a ***lot, building*** or ***structure*** is ***used*** or intended to be ***used***.

**Printing and Publishing Establishment**
Means a ***commercial premise used*** by one or more ***persons*** who are employed in customer service, graphic design and production and conducting of an activity specifically undertaken to aid individuals or an industrial or commercial office with a variety of branding and publishing of printing products including but not limited to stationary, maps, guidelines, pamphlets, flyers or similar products and may include document finishing, laminating, packaging, receiving and distribution.

**Private Airfield –** see **Airfield, Private**

**Private Club**
Means a ***building*** or part of a ***building used*** as a meeting place by an association of ***persons*** who are bona fide members, which owns, hires or leases the ***building*** or part thereof, the ***use*** of such premises being restricted to members and their guests for social, cultural, recreational, business or athletic purposes, but does not include a ***fortified building***.

**Private Communal Sewage Services**
Means a sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that serves six (6) or more ***lots*** or private residences and is not owned by a ***Municipality***.

**Private Communal Water Services**
Means a non-municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act, 2002* that services six (6) or more ***lots*** or private residences.

**Private Garage –** see **Garage, Detached Private**

**Private Road**
Means a private right-of-way over private property which affords access to at least two (2) abutting ***lots,*** or a road created through the registration of a plan of condominium and which is not maintained by a ***Public Authority***. This may include an unassumed or unmaintained ***public street*** as governed by **Section 4.18** of this By-law.

**Private School** – see **School, Private**

**Public Access Point**
Means public land designated by a ***public authority*** and developed and maintained by a ***public authority*** as a public access to a navigable ***water body.*** [See also ***Marine Facility***]

**Public Authority**
Means the Township of Central Frontenac and any Boards or Commissions thereof and any Ministry or Department of the Governments of Ontario or Canada, the County of Frontenac or other similarly recognized public utility or agencies established or exercising any power or authority under any special or general statute and includes any committee or local authority established by By-law of ***Council***.

**Public Service Use**
Means a ***building***, ***structure*** or *lot* ***used*** for public services by the Township of Central Frontenac or the County of Frontenac and any Boards or Commissions thereof, and any Ministry or Commission of the Governments of Ontario and Canada, any communications facility, any telephone, telecommunications or railway company, any company supplying natural gas, Hydro One Networks Inc., any conservation authority, public utilities company or similarly recognized agencies.

**Public Storage –** see **Self Storage Facility**

**Public Street or Street**
Means a public or common roadway or ***highway*** affording the principal means of access to abutting properties which is open and maintained by a ***public authority*** and which will allow normal vehicular access to adjacent properties.

**Public Utility**
Means a water works or water supply system, sewage works, electricity generation facilities and transmission and distribution systems, a street lighting system, a natural or artificial gas works or supply system, a transportation system, a telephone system, a scientific research system, a communications facility, and includes any lands, ***buildings*** or equipment required for the administration or operation of any such system and which is operated by a ***public authority*** or a publicly governed company or authorized by a publicly governed company.

**3.Q**
**Quarry or Pit**
Means land or land under water from which unconsolidated ***aggregate*** such as soil, earth, clay, marl, sand, gravel or consolidated rock or mineral is being or has been excavated in order to supply material for construction, manufacturing or industrial purposes but shall not include rehabilitated land or an excavation incidental to the ***erection*** of a ***building*** or a ***structure*** for which a building permit has been granted by the ***Corporation***, or an excavation incidental to the construction of any public works.

**3.R**

**Reconstruction**
Means to re-build, ***erect***, place, reconstruct, relocate, repair or assemble a previously ***existing building*** or ***structure*** to a habitable or useable condition which may include complete replacement, and may also include:

**1.** Any preliminary operation such as excavating, filling or draining;

**2.** ***Altering*** any existing ***building*** or ***structure*** by an addition, enlargement, extension or other structural change; or

**3.** Any work which requires a building permit.

'Reconstructed' and 'reconstruction' shall have corresponding meanings. For the purpose of this definition, reconstruction/renovation/restoration shall include the complete replacement of a ***building*** or ***structure***.

**Recreational Commercial Establishment**
Means a ***commercial premise*** where any recreational, social or cultural uses are operated commercially for profit on lands in private ownership, such as health clubs, open or enclosed skating or curling rinks, open or enclosed pools, open or enclosed badminton or tennis courts, squash courts, bowling alleys, gymnasia, band shell or open theatre, and other similar uses but does not include a casino, ***bingo hall***, or ***golf course***.

**Recreational Vehicle**
Means any ***motor vehicle*** so constructed that is suitable for being attached to a ***motor vehicle*** for the purpose of being drawn or is propelled by the ***motor vehicle*** and is capable of being used for living,

sleeping, eating or accommodation of ***persons*** on a temporary, transient or short-term basis, even if the vehicle is jacked up or its running gear is removed. Examples include a motor home, tent trailer, a camper trailer, a recreational trailer, a fifth wheel or a bus converted into a motor home. For the purposes of this definition, a ***recreational vehicle*** shall be considered a ***structure*** for the purposes of establishing ***setbacks*** only.

A ***recreational vehicle*** shall not be deemed to include a ***mobile home***, a ***park model trailer*** or a manufactured home. The definition of a ***recreational vehicle*** shall not be interpreted to include recreational equipment such as boats, boat or vehicle trailers, personal water craft, snowmobiles, all terrain vehicles (ATVs) or other equipment used for recreational purposes and which are normally stored or parked on a ***lot***. ***Recreational vehicles*** shall be considered ***dwellings*** for the purposes of minimum distance separation where one (1) or more persons are able to sleep

and prepare and serve meals within the vehicle. [See photos] [See also **Section 4.1.2**]

**Recreational Vehicle Campground -** see **Campground**

**Recreational Vehicle Sales and Storage**
Means a ***building*** and/or ***lot*** which is used for the display, storage and/or sale of boats, trailers, campers and other ***recreational vehicles*** or recreational equipment.

**Recreational Vehicle Repair Garage**
Means a ***building used*** for the repair, servicing, painting, refinishing, restoration or alteration of recreational vehicles and boats for gain or profit, but does not include a "***Salvage Yard***".

**Recycling Depot or Transfer Station**
Means a ***waste management facility*** which serves as a temporary storage site for recycled products and other waste materials which will be transferred to another location for reuse or disposal.

**Redevelopment**
Means the removal or rehabilitation of ***buildings*** or ***structures*** from land and the construction, reconstruction or ***erection*** of other buildings or structures in their place.

**Refreshment Sales Vehicle**
Means a ***vehicle*** or portable structure which may be licensed by the ***Municipality*** and is equipped for the preparation, storage, heating, cooking, cooling or sale of foodstuffs and beverages within or from the ***vehicle*** or portable structure and may include exterior seating (e.g., picnic tables) but

does not include any structural additions that would render the ***vehicle*** or ***structure*** immovable.

**Renewable Energy System**
Means a system that generates electricity, heat and/or cooling from a renewable energy source.

**Renovate**
Means to strengthen, improve, repair, retrofit or restore to a better state any aspect of an existing building. Renovation shall not include the removal of more than 50% of the walls (wall studs) in a building. Renovation shall include the replacement of a foundation only where the foundation is structurally unsound as determined by the "***Chief Building Official***".

**Residential Care Facility –** see **Continuum-of-Care Facility**

**Residential Density**
Means the number of ***dwelling units*** per hectare of ***lot area***.

**Residential Use**
Means the use of land, ***buildings*** or ***structures*** for human habitation.

**Residential Zone**
Means, for the purposes of this By-law, the General Residential (R1), Multiple Residential (RM) and Waterfront Residential (RW) ***zones*** of this By-law and lots ***zoned*** for ***residential use*** in the Rural (R) or Limited Service Rural (LSR) ***zone***.

**Resource Centre, Non-profit**
Means a ***building*** or premise used for educational instruction, workshops, the delivery of learning programs, or meetings which benefit the community and others who visit and which use is not operated for gain or profit.

**Restaurant**
Means a ***building*** or ***structure*** or part thereof where food is prepared and offered for sale to the public for consumption within or outside the building or structure or off the premises.

**Restaurant, Take-out**
Means an establishment in which the design of physical facilities, the serving or packaging procedures permit or encourage the purchase of prepared, ready-to-eat foods intended to be consumed off the premises, and where the consumption of foods in motor vehicles on the premises is neither permitted nor encouraged.

**Retail Outlet**
Means a single ***retail store*** which is ***accessory*** to a permitted ***commercial use***.

**Retail Store**
Means a ***building*** or part thereof wherein goods, wares, merchandise, substances or articles are offered for sale to the general public, and may include the limited storage and display of goods, wares, merchandise, substances or articles, and shall not include any other ***use*** defined ***herein***.

**Retirement Home**
Means a ***commercial premise*** providing accommodation primarily for retired ***persons*** or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided and common lounges, recreation rooms and medical care facilities may also be provided. Such a facility shall be for adults who are capable of living independently without nursing care. [See also **Continuum-of-Care Facility**]

**Riding School –** see **Equestrian Establishment**

**Right-of-way -** see **Easement**

**Road –** see **Public Street, see also Private Road**

**Row House -** see **Dwelling, Row or Townhouse**

**Rural Zone**
Means an R, RW, LSR, CR. M2, MX, WMF or MR zone.

**3.S**

**Salvage Yard**
Means a ***lot*** and/or ***buildings*** or portion thereof where used goods, wares, merchandise, articles, motor ***vehicles***, machinery or parts thereof are processed or sold for further use, dismantled or abandoned. This definition may include a junk yard, a scrap metal yard, and an automobile wrecking yard on the ***premises***.

**Satellite Dish/Receiver**
Means a ***structure*** designed and used for the reception of television signals relayed back to earth from a communications satellite to send or receive signals to or from a satellite.

**Sauna**
Means an ***accessory building*** or ***structure*** not exceeding 10 $m^2$ [107.6 $ft.^2$] in ***gross floor area*** wherein facilities are provided for the purpose of a sauna bath, either wet or dry, and may include a change/relaxation room, storage areas and a washroom, a shower but not a kitchen or sleeping facilities.

**Sawmill or Planing Mill**
Means a ***building***, ***structure*** or area where timber is cut or sawed, either to finished lumber or as an intermediary step.

**Sawmill, Portable**
Means equipment which is portable (e.g., may be drawn by a ***vehicle***) and is used on a temporary basis for the cutting of saw logs.

**School**
Means an institutional facility for education or instruction as defined in the *Education Act* or the *Ministry of Training, Colleges and Universities Act*.

**School, Private**
Means an educational establishment wherein teaching or instruction is offered for gain in such fields as academics, dancing, music, art, sports, business or trade, and any other such specialized school conducted for gain, and also includes such fields as a studio for photography and arts and crafts. A private school may be an elementary, secondary or adult school.

**Seating Capacity**
Means the number of ***persons*** which can be accommodated in a ***building*** or ***structure*** or part thereof in a seated position on chairs, benches, forms or pews.

**Self-Storage Facility**
Means a commercial ***building*** or part of a ***building*** wherein items are stored in separate, secured storage areas or lockers, and may include the exterior storage of water vehicles, recreational equipment and ***recreational vehicles***.

**Semi-Detached Dwelling -** see **Dwelling, Semi-Detached**

**Sensitive Land Use**
Means a ***use*** of land or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one (1) or more ***adverse effects*** from emissions or discharges generated by nearby facilities and includes, but is not limited to, a ***dwelling, day nursery***, or an educational or health facility (e.g., ***school***, hospital). A ***sensitive land use*** may be a part of the natural or built environment.

**Separation Distance**
Means the horizontal distance between ***buildings*** or ***structures*** and physical features measured from the closest point of the exterior wall or identifiable boundary of such ***building*** or ***structure***, or of such physical structure.

**Service Outlet**
Means a ***commercial premise***, whether in conjunction with a ***retail store*** or not, used for the repair and servicing of goods, commodities, articles or materials, but not the manufacturing thereof. Automotive repairs and services are not ***permitted*** under this definition.

**Setback**
Means:

**1.** With reference to a road or ***street***, the least horizontal distance between the ***front lot line*** and the nearest ***building line***;

**2.** With reference to a ***water body***, the least horizontal distance between the ***high-water mark*** of the ***water body*** and the nearest ***building line***;

**3.** With reference to a ***building*****,** ***structure*** or land ***use*** and not applicable under paragraph (1) or (2), shall mean the least horizontal distance from the ***building*****,** ***structure*** or land ***use*** in question; and

**4.** With reference to a ***private road*****,** shall mean the least horizontal distance between the edge of the travelled portion of the road or surveyed boundary and the nearest ***building line*** of any ***building*** or ***structure***, or the limit of the road as shown and measured on a survey.

**Sewage Disposal and Water Systems**

**1. Full Municipal Sewage and Water Services:**
Means piped sewage and water services that are connected to a centralized water and waste water treatment facility that are owned or operated by a municipality.

**2. Communal Services** – see **Private Communal Sewage Services and Private Communal Water Services**

**3. Individual On-Site Systems**
Means individual autonomous water supply and sewage disposal systems that are owned, operated and managed by the owner of the property upon which the system is located and which do not serve more than five residential units/lots.

**4. Partial Services**
Means

**(a)** Municipal sewage services or ***private communal sewage services*** and individual on-site water services; or

**(b)** Municipal water services or ***private communal water services*** and individual on-site sewage services.

**Sewage Disposal System** – see **Sewage Disposal and Water Systems**

**Shipping Container –** see **Storage Container**

**Shooting Range or Rifle Club**
Means the ***use*** of land, ***buildings*** or ***structures*** for commercial or private recreational target practice, skeet shooting, gun or hunter safety instruction.

**Shoreline**
Means a ***lot line*** or portion thereof which abuts or parallels the ***high water mark*** of a ***water body*** [See also ***High Water Mark***]

**Shoreline Activity Area**
Means an area along the ***shoreline*** of a residential or commercial ***lot*** that is designed and ***used*** for one or a combination of the following: a ***boat house***, ***boat launch***, ***dock***, a float plane hangar. [See **Section 4.27**]

**Shoreline Buffer Zone**
Means a natural area, adjacent to a ***shoreline***, maintained or re-established in its natural pre-development state, with the exception of minimal pruning of vegetation, the removal of trees for safety reasons, for the purpose of protecting natural habitat and water quality and minimizing the visual impact of ***buildings*** or ***structures*** on a ***lot***, and may include the installation of a pathway or trail providing water access. [See **Section 4.27**]

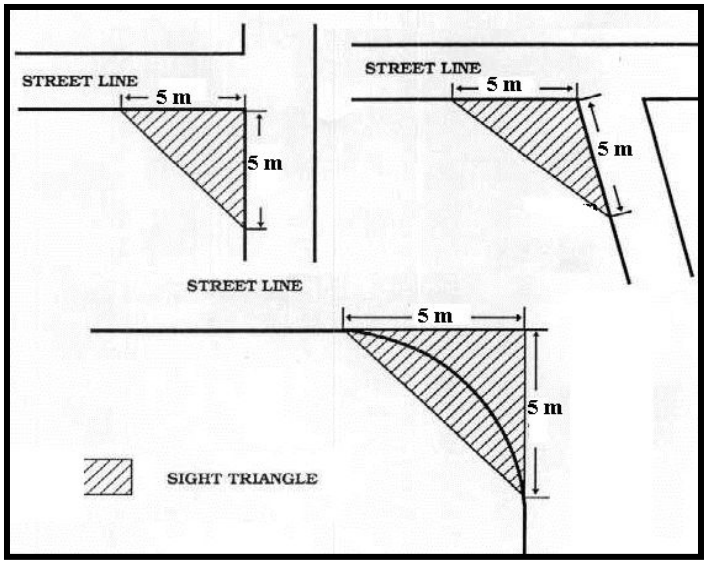


Figure 3.22: Sight Triangle

**Shoreline Structure**
Means a ***boat house*** (wet or dry), a ***boat port, a float plane hangar***, a ***sauna*** or steam bath, a ***dock*** or ***wharf***, a ***gazebo***, a utility or storage shed or a ***viewing deck***.

**Side Exterior Yard –** see **Yard, Side Exterior**

**Side Interior Lot Line –** see **Lot Line, Side Interior**

**Side Interior Yard –** see **Yard, Side Interior**

**Side Yard –** see **Yard, Side**

**Sight Triangle**
Means a triangular space, free of ***buildings***, ***structures*** and obstructions, formed by the ***street lines*** abutting a corner lot and a third line drawn from a point on a street line to another point on a ***street line***, each such point being the required sight distance of five (5) metres [16.4 ft.] from the point of intersection of the ***street lines*** as specified in this By-law. [See **Figure 3.22**]

**Sign**
Means any writing, letter work or numeral, any pictorial representation, illustration, drawing, image or decoration, any emblem, logo, symbol or trademark or any device with similar characteristics which:

**1.** Is a ***structure***, or part of a ***structure***, or which is ***attached*** thereto or mounted thereon; and

**2.** Which is used to advertise, inform, announce, claim, give publicity or attract attention.

**Significant Wildlife Habitat**
Means a ***wildlife habitat*** that is ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable

geographic area or natural heritage system.

**Skateboard Park**
Means a ***building*** or ***structure*** or part thereof or an area of land occupied by structures used in skateboarding, roller skating, rollerblading, BMX riding or other similar activities, such ***structures*** including ramps, half-pipes, rails, etc. A skateboard park may be part of a ***park***.

**Sleep Cabin**
Means a one storey ***accessory building*** **or** ***structure***, not exceeding 37 m² [400 ft.²] in ***gross floor area***, located on the same ***lot*** as the ***main building*** **or** ***structure***, which is ***used*** for sleeping accommodation in which cooking facilities are not permitted, but may contain sanitary facilities. [See also "***Loft-Above-a-Garage***" and "***Garden Suite***" and **Section 4.2**]

**Solar Collector**
Means a device consisting of photovoltaic panels that collect solar power from the sun. A solar collector may be ground mounted or rooftop mounted or a wall mounted device. [See photo]

**Solar Collector, Commercial**
Means a Class 3 ground mounted device with a name plate capacity of less than or equal to 10 kW consisting of photovoltaic panels that collect solar power from the sun. [See photo]

**Solarium**
Means a glassed-in ***structure*** or room projecting from an exterior or ***main wall*** of a ***building*** which may be used for sunning, therapeutic exposure to sunlight, or for a ***use*** where the intent is to optimize exposure to sunlight.

**Solid Waste Disposal Site –** see **Waste Management Facility**

**Stacking Lanes**
Means an on-site lane for motorized vehicles which accommodates ***vehicles*** using a drive-through facility that is separated from other vehicular traffic and pedestrian circulation. ***Stacking lanes*** may be separated by any combination of barriers, markings or signage. [See **Figure 3.23**]

Figure 3.23: Stacking Lane

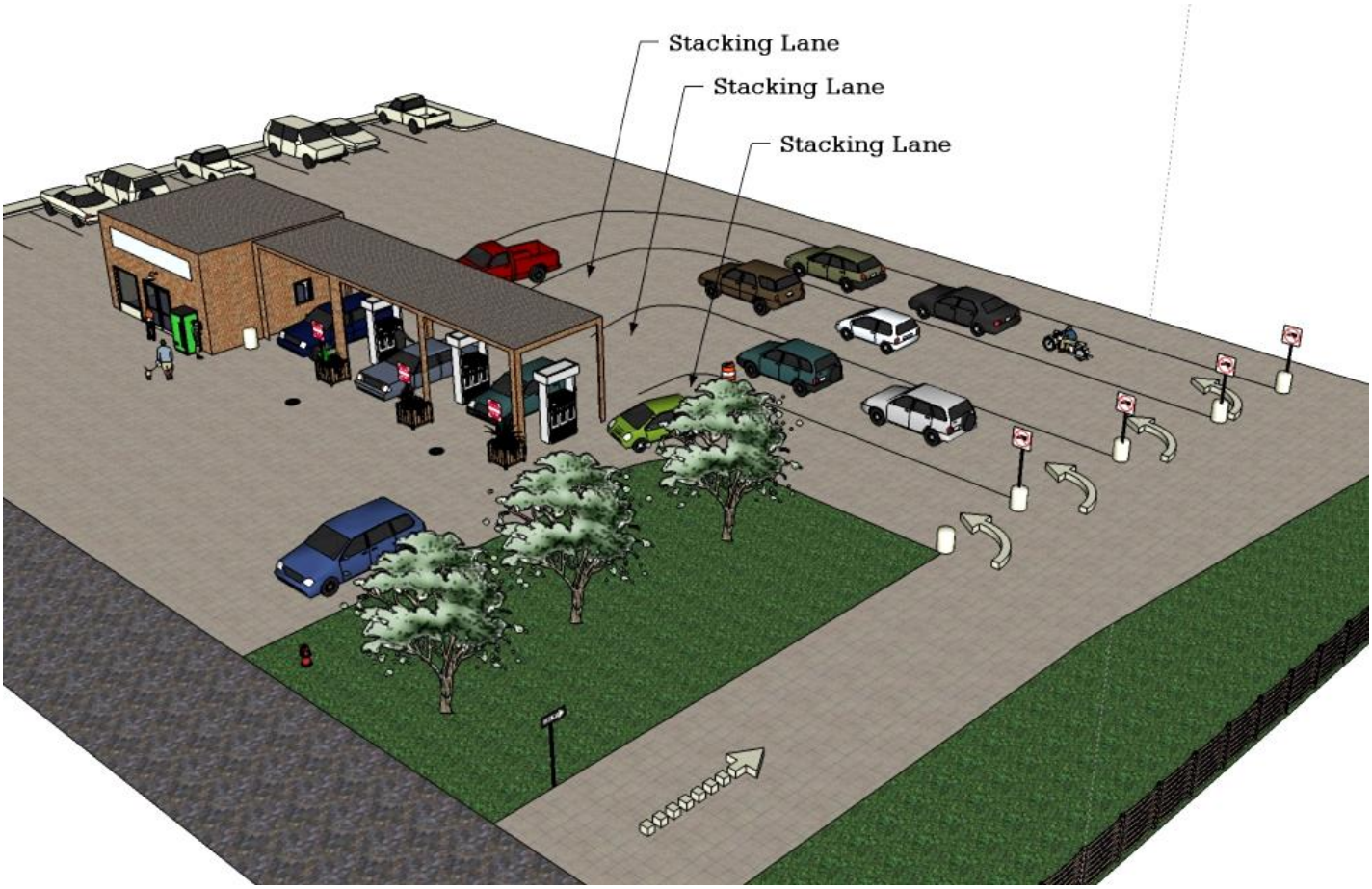



Figure 3.24: Storey

**Storage Container**
Means a pre-fabricated metal or steel ***accessory building*** used for the transport and and/or storage of storage of goods and materials but shall not include the body of a transport trailer, straight truck box or ***motor vehicle.*** [See photos]

**Storey**
Means that portion of a ***building*** other than a ***cellar*** or ***basement*** included between the surface of any floor and the surface of the floor, roof ***deck***, ceiling or roof immediately above it. [See **Figure 3.24**]

**Street –** see **Public Street, Private Road or Street Allowance**

**Street Allowance**
Shall have a corresponding meaning to that of ***public street*** or ***private road***.

**Street Line**
Means the limit of the road or ***street allowance*** and is the dividing line between a ***lot*** and a ***public street*** or ***private road***.

**Structure**
Means anything constructed or ***erected***, the use of which requires location on the ground or ***attached*** to something having location on the ground and, without limiting the generality of the foregoing, includes a ***recreational vehicle a sign, a swimming pool, and a deck.***

**Studio**
Means a ***building*** or part thereof used:

**1.** As the workplace of a cabinetmaker, ornamental welder, photographer, artist, or artisan or any similar artist or craftsman, where unique articles are made or fabricated and includes the

***accessory*** retail sale of said articles produced at the property; and

**2.** For the instruction of art, music, languages or similar disciplines.

**Swimming Pool**
Means an open or covered pool designed to be used for swimming, wading, diving or recreational bathing which is at least 50 cm [19.6 in] in depth, and may include a hot tub, inflatable pool or whirlpool, but shall not include a natural dug or dammed pond intended for aesthetic or agricultural purposes.

**3.T**

**Tavern**
Means a ***building*** or part thereof where liquor, beer or wine are served for consumption on the premises, with or without food, and is licensed under the *Liquor License Act*.

**Temporary Building** – see **Building, Temporary**

**Temporary Car Shelter**
Means a non-permanent ***structure*** designed to be temporary, and is ***erected*** to provide shelter primarily to a ***vehicle*** during winter months and shall be designed to be dismantled or removed. [See **Figure 3.25**]

**Theatre**
Means a ***building*** or part thereof used for the presentation of motion pictures or staged entertainment. The definition of theatre shall not include drive-in theatres.

**Theme Park**
Means an entertainment or amusement facility or ***park*** developed around one or more themes.

**Through Lot –** see **Lot, Through**

Figure 3.25: Temporary Car Shelter

**Tourist Cabin Establishment**
Means a ***commercial premise*** providing sleeping accommodation in rental cabins to the travelling or vacationing public. A ***tourist cabin establishment*** provides a minimum of four (4) cabin units for rent, and may include ***accessory*** facilities which support the ***use*** such as, without limiting the generality of the foregoing, administration ***offices*****,** but shall not include a ***restaurant*** that serves the general public.

**Tourist Establishment**
Means a ***commercial premise used*** for the purpose of sleeping accommodation on a temporary basis by tourists or vacationers, including a ***hotel, motel***, lodge or ***bed and breakfast establishment***, including ***accessory uses*** such as staff dormitories,

dining, meeting and beverage rooms and similar uses.

**Tourist Outfitters Establishment**
Means a ***commercial premise*** which operates throughout all or part of a year which may or may not furnish overnight accommodation and facilities for serving meals and furnishes equipment, supplies or services to persons in connection with angling, hunting, camping or other similar recreational purposes.

**Townhouse -** see **Dwelling - Row of Townhouse**

**Township**
Means the Corporation of the Township of Central Frontenac.

**Trailer, Travel Trailer or Recreational vehicle -** see **Recreational Vehicle**

**Trailer Park -** see **Campground**

**Transfer Station -** see **Recycling Depot**

**Triplex –** see **Dwelling, Triplex**

**Transient Boat Slip –** see **Boat Slip, Transient**

**Transportation Depot or Truck Terminal**
Means land, or a ***structure*** or a ***building*** where commercial vehicles are kept for hire, rental and/or lease, or stored and/or parked for remuneration and/or from which such vehicles are dispatched for hire as common carriers and where such land, ***structure*** or ***building*** may be ***used*** for the storage and/or distribution of goods, wares, and merchandise.

**3.U**

**Use, Used**
Means the purpose for which any land, ***building***, ***structure*** or any combination thereof is designed, arranged, occupied or maintained.

**Use, Accessory –** see **Accessory Use**

**3.V**

**Vehicle or Motor Vehicle**
Means an automobile, ***commercial vehicle***, truck, ***recreational vehicle***, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a snowmobile or a street car.

**Veranda –** see **Porch**

**Veterinary Establishment –** see **Animal Shelter**

**Video Rental Outlet**
Means a ***building*** or part of a ***building*** wherein the ***principal use*** is the rental of video materials (e.g., DVDs, tapes, Blu-ray discs, etc.) and may include the rental of video cassette recorders, video cameras, video games and the sale of other such items related to audio-visual entertainment.

**Viewing Deck**
Means a ***structure*** that is designed and ***erected*** directly on the ground to provide a view of a particular area of feature (e.g., lake, valley). The definition of viewing deck does not include a ***gazebo***, ***deck***, patio or any other ***shoreline structures*.**

**Viewing Platform –** see **Viewing Deck**

**3.W**

**Warehouse**
Means a ***commercial premise*** used for the storage of general merchandise warehousing, cold storage or other storage facilities and includes a centre for distribution of wholesale goods and commodities for resale to retailers; to industrial, commercial, institutional or professional users, and/or to other wholesalers. [See also ***Self Storage Facility***]

**Waste Management Facility**
Means a site which is licensed or approved by the Ministry of the Environment, Conservation and Parks and/or its agents where garbage, refuse, domestic or industrial waste, excluding radioactive or toxic chemical wastes, is disposed of or dumped. This definition shall include waste transfer stations, processing sites, septage disposal, and recycling depots. [See also "***Recycling Depot***" and "***Commercial Compost Facility***"]

**Water Access Lot**
Means a ***lot*** that is accessed by a navigable ***water body*.**

**Water Body**
Means any bay, lake, river, natural watercourse, canal or wetland but excluding a drainage or irrigation channel. [See also "***Wetland***" and **Section 4.24** and **Section 4.26**]

**Water Frontage**
Means the strip of land comprising part of a ***lot*** that directly abuts a ***water body***. When used as an adjective, means a ***lot*** or lands that has frontage on a ***water body***.

**Water System –** see **Sewage Disposal and Water Systems**

**Water Vehicle**
Means any vehicle drawn, propelled or driven by any kind of power, including muscular power, on water. The definition of ***water vehicle*** shall not include a snowmobile or any other ***vehicle*** that is capable of being propelled or driven on both land and water. [See also "***Vehicle***"]

**Wayside Pit**
Means land from which unconsolidated ***aggregate*** is removed by means of open excavation for use in a public undertaking.

**Wayside Quarry**
Means a place from which consolidated ***aggregate*** is removed by means of open excavation for use in a public undertaking.

**Welding Shop**
Means a ***commercial premise*** where metal products are joined, repaired or shaped by welding but no mass productions shall be permitted.

**Wellness Centre**
Means a ***commercial premise used*** by professional therapists, chiropractors, drugless practitioners, professional trainers and nutritionists trained in a range of disciplines such as massage therapy, physiotherapy, naturopathic medicine, chiropractic, acupuncture, homeopathy, orthotics, health counselling and personal training, and may include ***accessory uses*** at an accessory scale, such as administrative ***offices*****,** physical fitness rooms and waiting rooms, directly associated with the facility, but excludes a ***recreational commercial establishment***.

**Wetland**
Means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Lands being used for agricultural purposes, that are periodically "soaked" or "wet", or which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition. [See also **Section 4.26.5**]

**Wetland – Provincially Significant**
Means a wetland, or coastal wetland identified as provincially significant by the Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time.

**Wetland – Locally Significant**
Means a wetland identified as locally significant by the ***Municipality*** using science-based evaluation procedures.

**Wetland – Unclassified**
Means a wetland that has not been evaluated using evaluation procedures established by the Province, as amended from time to time.

**Wharf**
Means a ***structure*** built for commercial use on the shore of or projecting into a ***water body*** that vessels may be moored alongside to load or unload or to lie at rest.

**Wind Farm**
Means a collection of ***commercial wind turbines*** all in the same geographical location which are used in combination for the generation of mechanical or electrical generation.

**Wind Turbine**
Means a non-commercial wind energy conversion ***structure*** consisting of a wind turbine, a tower and associated control or conversion electronics which is intended to provide electrical power for use on-site and is not intended or used to produce power for resale. The definition of wind turbine also includes vertical axis wind turbines which consist of blades rotating around a vertical motor shaft. For the purposes of this By-law, a wind turbine shall be considered an ***accessory structure***.

**Wind Turbine, Commercial**
Means a Class 2, 3 or 4 wind facility with a name plate capacity greater than or equal to 3 kW machine designed and used for converting the kinetic energy in wind into mechanical energy or electrical energy.

**Workshop or Custom Workshop**
Means a ***commercial premise*** where manufacturing is performed by a tradesman, requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a commercial welder's shop or similar uses.

**Wrecking Yard –** see **Salvage Yard**

**3.Y**

**Yard**
Means the area between a ***main wall*** of a ***building*** and a ***lot line*** that, except for landscaping or ***accessory buildings***, ***structures*** and ***uses*** and projections specifically ***permitted*** elsewhere in this By-law, is unobstructed above grade.

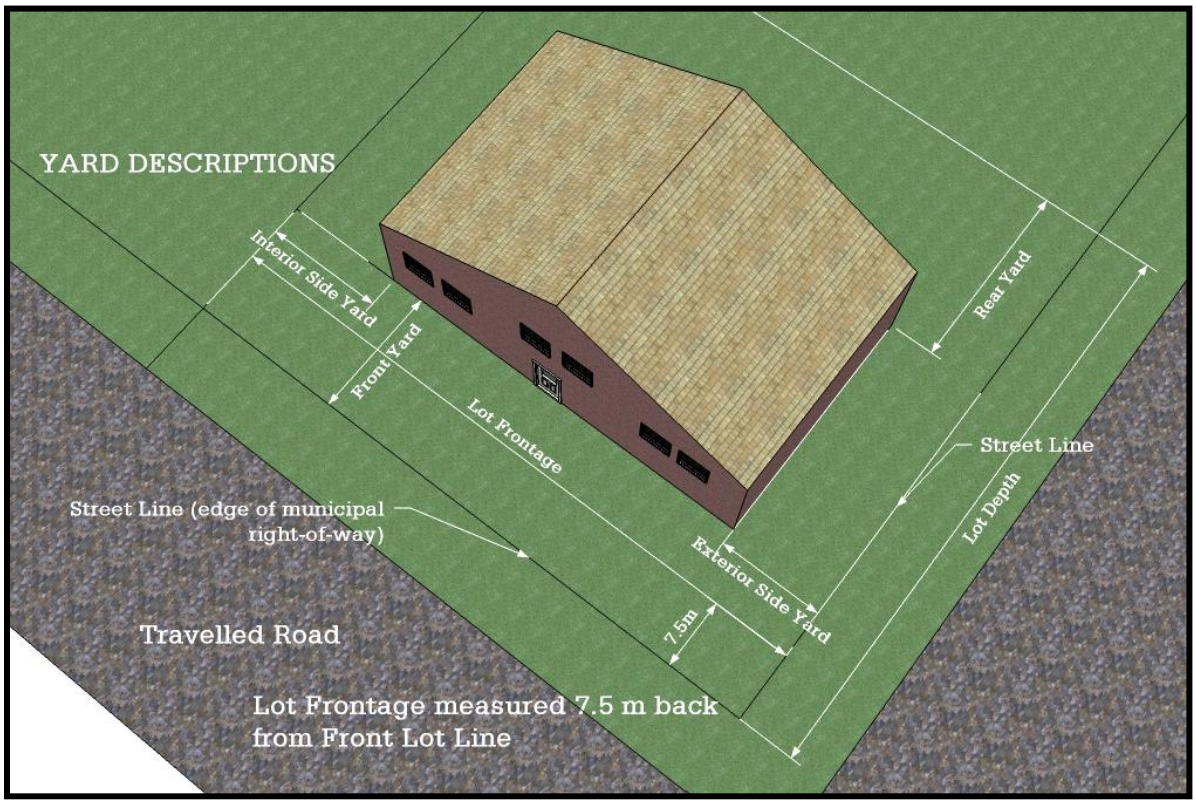
**Yard Sale**
Means the occasional or infrequent sale (e.g., one or two days annually) of household goods, clothing, furniture, tools, recreational equipment or other second-hand articles or sundry items, usually by the households on an individual property, but may include a joint sale by neighbours on the same ***street*** or a joint sale at a ***school, place of worship*** or other location. [See also ***Flea Market***]

**Yard, Front**
Means the space extending across the full width of a ***lot*** between the ***front lot line*** and the nearest part of any ***main building*** or ***structure*** for which such ***yard*** is required. [See **Figure 3.26**] Where a **lot** has ***water frontage*** and ***uses***, ***buildings*** and ***structures*** located on the ***lot*** that are oriented towards the water, the ***front yard*** shall be the space extending across the full width of the ***lot*** between the ***high-water mark*** and the nearest part of any ***main building*** or ***structure.***

**Yard, Rear**

Means a space extending across the full width of a ***lot*** between the ***rear lot line*** and the nearest part of any ***main building*** or ***structure*** for which such a ***yard*** is required. Where there is no ***rear lot line***, the ***rear yard*** shall be measured from the intersection of the ***side lot lines*** to the closest point of the ***main building.*** [See **Figure 3.26**] Where a lot has ***water frontage*** and ***uses, buildings*** and ***structures*** located on the ***lot*** are oriented towards the water, the ***rear yard*** shall be the space extending the full width of the ***lot*** between the ***lot line*** opposite the ***shoreline*** and the nearest part of any ***main building*** or ***structure*** for which such ***yard*** is required.

Figure 3.26: Yards




**Yard, Side**
Means a space extending from the ***front yard*** to the ***rear yard*** between the ***side lot line*** and the nearest part of any ***main building*** or ***structure*** for which such a ***yard*** is required. [See **Figure 3.26**]

**Yard, Exterior Side**
Means a ***side yard*** adjacent to a ***public street*** or ***private road.*** [See **Figure 3.26**]

**Yard, Interior Side**
Means a ***side yard*** other than an ***exterior side yard.*** [See **Figure 3.2**]

**Yurt**
Means a circular domed tent-like structure usually consisting of a wooden frame covered by material and capable of being used on a recreational basis for temporary accommodation.

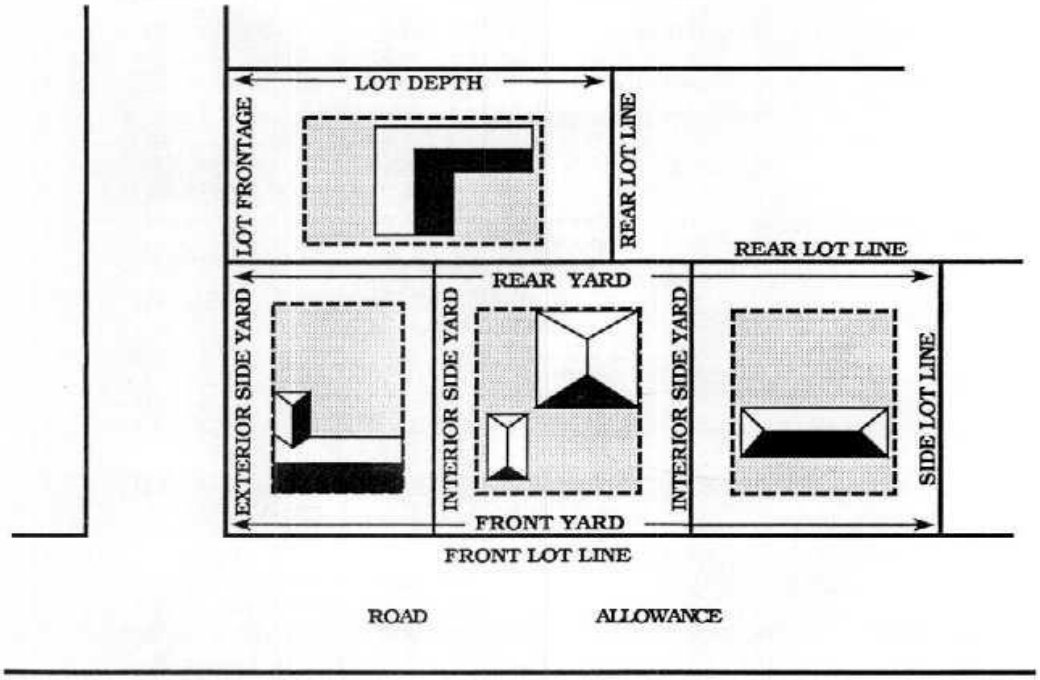
**3.Z**

**Zone**
Means a designated area of land ***use*** demarcated on the Schedules ***attached*** hereto.

**Zone Regulation**
Means any provision of this By-law which is listed under the heading "Zone Regulations" or referred to as a ***zoning regulation*** and governs the ***erection*** of any ***building*** or ***structure*** or the ***use*** of land.

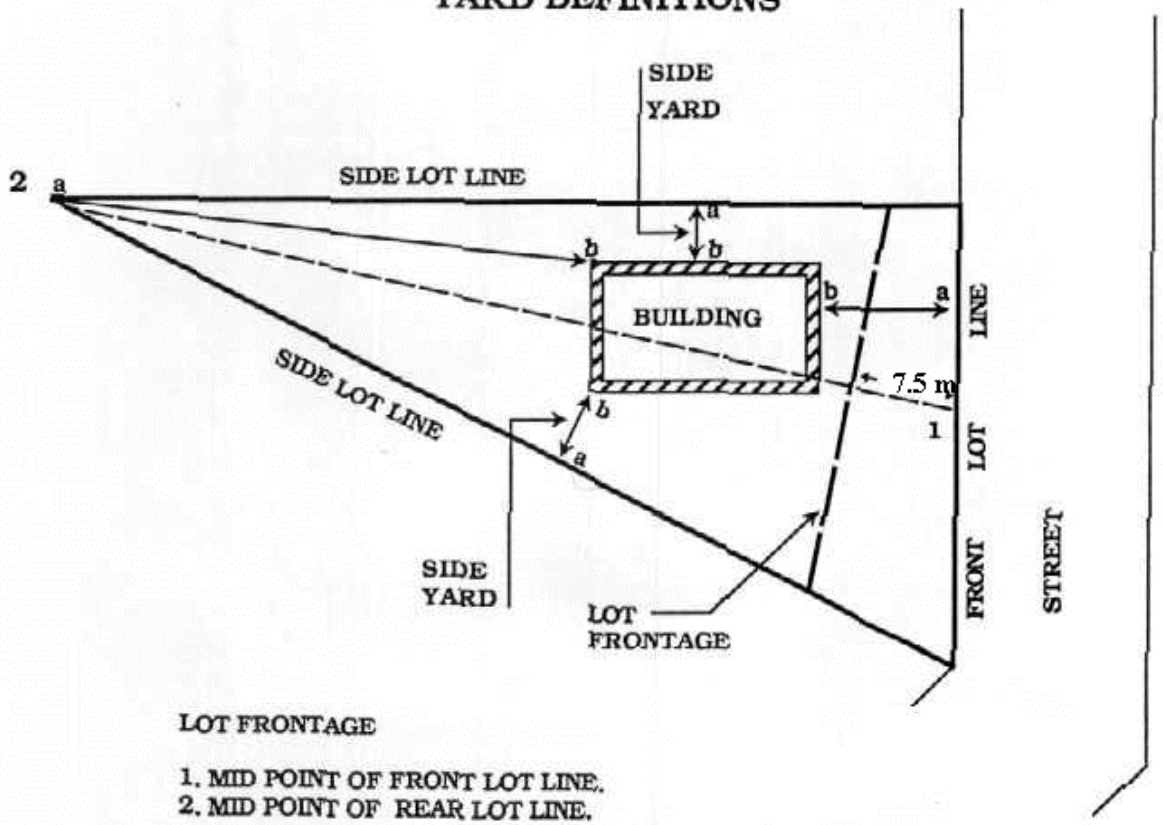
**Zoning Administrator**
Means the officer, employee or such other person as may from time-to-time be designated by ***Council*** charged with the duty of enforcing the provisions of this By-law.

## EXAMPLE OF YARD DEFINITIONS



IRREGULAR LOT
NO PARALLEL LOT LINES
YARD DEFINITIONS

# IRREGULAR LOT
## NO REAR LOT LINE
## YARD DEFINITIONS




LOT FRONTAGE

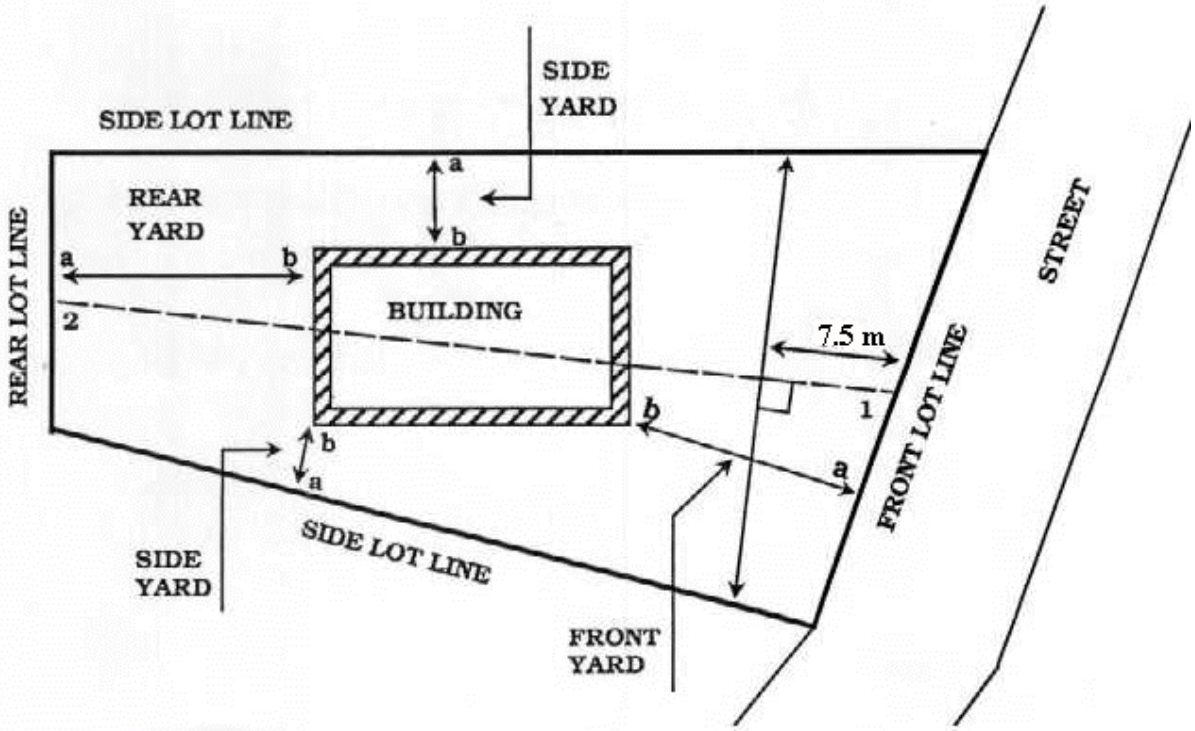
1. MID POINT OF FRONT LOT LINE.
2. MID POINT OF REAR LOT LINE.

LOT FRONTAGE MEASURED AT RIGHT ANGLES TO THE LINE JOINING POINTS 1 AND 2 AT A DISTANCE OF 7.5 m FROM THE FRONT LOT LINE.

DISTANCE ab REPRESENTS THE SHORTEST DISTANCE MEASURED BETWEEN THE LOT LINE AND NEAREST PART OF THE MAIN BUILDING. DISTANCE ab MUST BE THE MINIMUM DISTANCE SPECIFIED IN THE BY-LAW.

# IRREGULAR LOT

## NO PARALLEL LOT LINES
## YARD DEFINITIONS




LOT FRONTAGE

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LOT FRONTAGE MEASURED AT RIGHT ANGLES TO THE LINE JOINING POINTS 1 AND 2 AT A DISTANCE OF 7.5 m FROM THE FRONT LOT LINE.

DISTANCE ab REPRESENTS THE SHORTEST DISTANCE MEASURED BETWEEN THE LOT LINE AND NEAREST PART OF THE MAIN BUILDING. DISTANCE ab MUST BE A MINIMUM DISTANCE SPECIFIED IN BY-LAW.

# Section 4 GENERAL PROVISIONS

**Explanatory Note**
The General Provisions section of the Zoning By-law sets out regulations which apply regardless of the specific zoning. [See **Section 5**] While the zones provide site specific controls corresponding to such items as permitted uses and other restrictions, the General Provisions provide regulations more general in nature. Development must comply with all applicable provisions in the General Provisions in addition to the requirements of the specific zone regulations set out in **Sections 5.4 – 5.21**.

## 4.1 Accessory Buildings, Structures and Uses

### 4.1.1 General

Where a ***lot*** is occupied by a permitted ***use***, ***accessory uses***, ***buildings*** and ***structures*** are ***permitted*** provided that:

**1.** All ***accessory uses***, ***buildings*** and ***structures*** to a ***permitted principal use*** shall be located on the same ***lot*** and in the same ***zone*** as the ***principal use***.

**2.** The ***use*** of any ***accessory building*** or ***structure*** for human habitation is not permitted except where specified in this By-law. [See **Sections 4.2** and **4.29**]

**3.** No ***accessory building*** or ***structure*** shall be ***erected*** closer to the ***front lot line*** or the ***exterior side lot line*** than the minimum ***front yard*** and ***external side yard setbacks*** required for the ***main building***. This provision shall be exempted:

**(a)** For a shelter for use by children waiting for a school bus;

**(b)** For any ***farm produce outlet*** having a ***gross floor area*** of less than 9.3 $m^2$ [100 $ft.^2$];

**(c)** For storage ***buildings*** and ***detached garages*** where the ***main building*** on the ***lot*** is set back two-times the required ***front yard*** or ***exterior side yard setback*** and provided the ***building*** or ***structure*** does not encroach on any required ***setback*** from the ***high-water mark***;

**(d)** For ***temporary car shelters***;

**(e)** For a ***sign erected*** in compliance with the provisions of this By-law;

**(f)** For any landscaping as ***permitted*** by this By-law;

**(g)** For ***mineral mining operations*** and ***mineral aggregate operations***;

**(h)** For a free-standing ***satellite dish/receiver*** or ***solar collector***;

**(i)** For a recycling and waste control containers;

**(j)** For ***outdoor storage*** or ***outdoor display*** where ***permitted*** in this Bylaw; and

**(k)** For a gate house used for security for a gated residential complex or a ***permitted non-residential use.***

For subsections (a), (b), (e), (f), (i), (k) and (l) above the ***setback*** from the ***front lot line*** or ***exterior side yard lot line*** shall be a minimum of 3 m [9.84 ft.] and shall otherwise comply with the ***interior side yard*** and ***rear yard setbacks*** in the ***zone*** in which they are located.

**4.** Any ***building*** or ***structure*** which is attached to the ***main building*** shall not be considered an ***accessory building*** or ***structure*** (e.g., ***garage, carport, balcony, deck***).

**5.** Except where specified otherwise in this By-law, no ***accessory building*** or ***structure*** shall be ***erected*** closer than 1 m [3.28 ft.] to any ***interior side lot line*** or ***rear lot line***. No ***accessory building*** or ***structure*** shall be located less than 2 m [6.56 ft.] from a ***main building.*** [See also **Section 4.2.5**] No free-standing ***accessory residential use*** or ***additional residential unit*** shall be located closer than 3 m [9.8 ft.] from any ***rear lot line*** or ***interior side yard lot line***.

**6.** Common ***semi-detached garages*** or ***car ports*** may be centred on the mutual ***side lot line*.**

**7.** A ***boat house***, ***boat port***, ***float plane***, ***boat lift, dock*** or ***wharf*** not greater than 4.8 m [15.7 ft.] in ***height*** may be located in the ***front yard***, ***side yard*** or ***rear yard*** where said yard abuts a ***navigable waterway*** and/or ***water body***, provided that the approval of any governmental authority having jurisdiction has been obtained and provided that the ***boat house***, ***boat port, float plane hangar***, ***boat lift*** or ***dock*** is located not closer than 5.0 m [16.4 ft.] to the nearest adjacent ***lot line*** and does not encroach on adjacent frontage when the lot boundaries are extended into the water. [See **Figure 4-1**] One (1) only single ***storey*** one-bay ***boat house*** or ***boat port*** or ***float plane hanger*** shall be ***permitted*** as an ***accessory use*** per ***lot***. A ***boat house*** shall not be ***used*** for sleeping accommodation or human habitation. A flat-roofed ***boat house*** may be ***used*** as a roof-top deck or patio provided that the total aggregate ***height*** of all ***boat house structures*** does not exceed a ***height*** limit of 6.0 m [19.6 ft.].

**8.** Despite any provisions of this By-law to the contrary, a ***shoreline structure*** other than a ***boat house***, ***boat port***, ***float plane hangar***, ***boat lift, dock*** or ***wharf*** shall be set back a minimum of 30 m [98.4 ft.] from any ***high-water mark*** or ***shoreline*** in any ***yard*** adjacent to a ***water body***. [See also **Section 4.1.1.9** for a ***viewing deck*** and **Sections 4.26.5 and 4.27**]

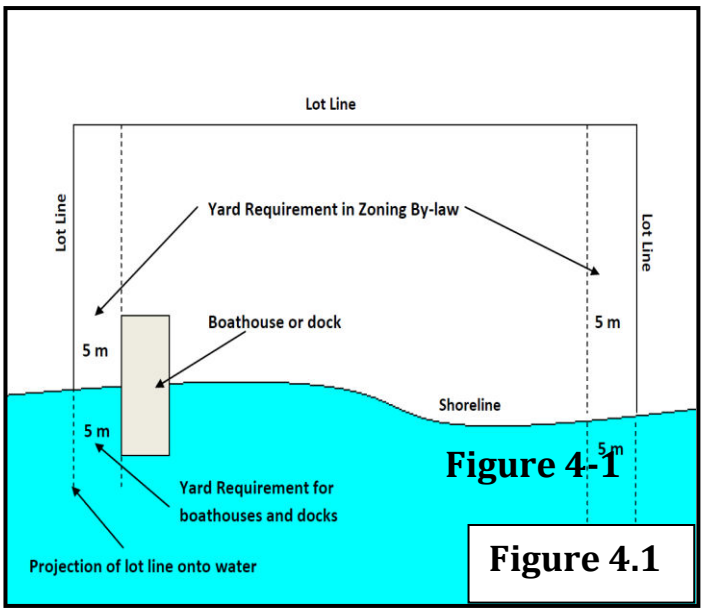

Figure 4-1

Figure 4.1

**9.** ***Accessory uses***, ***buildings*** and ***structures*** shall not be ***erected*** or established prior to the ***erection*** or establishment of the ***main building*** or ***use***, except:

**(a)** Where it is necessary for the storage of tools and materials in connection with the construction of the principal use, ***building*** or ***structure*** (see **Section 4.41**); and

**(b)** Where a new principal use, ***building*** or ***structure*** is to be ***erected*** or established on a ***lot*** thereby making the ***existing principal use***, ***building*** or *structure* the ***accessory*** **use,** ***building*** or ***structure*** upon ***erection*** or establishment of the new ***principal use***, ***building*** or ***structure.***

**11.** ***Home based businesses*** shall be ***permitted*** as ***accessory uses*** to ***permitted residential uses*** in accordance with **Section 4.20** of this By-law.

**12.** ***Docks*** shall generally be limited to floating, cantilevered or post dock construction. ***Docks*** shall be built of non-toxic building materials. Any component of a ***dock*** located above the ***high-water mark*** and designed to anchor the ***dock*** to the land shall be excluded from the calculation of maximum ***dock*** area. Where the entire ***dock*** is constructed parallel to the ***shoreline***, the entire ***deck*** area shall be included in the calculation. Despite the requirements of this section, no ***dock*** shall be constructed which constitutes a navigation or safety hazard.

**13.** Docks for residential purposes will be built to the following standards:

Maximum dock area……27 $m^2$ [290 $ft.^2$]
Minimum dock width……1.2 m [4 ft.]
Minimum dock width for slips connecting to main dock…..1.2 m [4 ft.]
Maximum dock length……...15 m [49.2 ft.]

Minimum side yard……..5 m [16 ft.]
Maximum number of docks per lot……1

**14.** In ***water bodies*** with a width of 150 m [492.1 ft.] or less, where any ***dock*** is constructed the length of the ***dock*** shall not exceed 20% of the width of the waterway.

**15.** Subject to all other requirements of this section, a ***dock*** may be extended to a maximum of 20 m [65.6 ft.] from the ***shoreline*** if at the end of 15 m [49.2 ft.] the water is shallower than 0.75 m [2.46 ft.] in depth, provided that the area of the ***dock*** does not exceed 36 $m^2$ [387.5 $ft.^2$].

**16.** ***Temporary car shelters*** are considered to be accessory structures for the purpose of this By-law and shall comply with the provisions of this section. ***Temporary car shelters*** shall only be located on a ***parking space*** or ***driveway.*** No ***temporary car shelter*** shall be erected so as to obstruct a ***sight triangle***.

**17.** A ***green roof***, a ***geothermal power facility***, a ***solar collector***, and a ***wind turbine*** are ***permitted accessory uses*** in any ***zone***.

**18.** ***Legal non-conforming uses*** shall be ***permitted*** to have ***accessory uses*** subject to the provisions in this section of this By-law and the ***zone regulations*** of the applicable ***zone***.

**19.** A ***detached private garage*** may be equipped with sanitary facilities where the sanitary facilities comply with **Section 4.43 – Water and Sewage Disposal Systems**.

**20.** All fuel storage tanks above or below ground for any fossil fuels or propane shall comply with the *Technical Standards and Safety Act, 2000* and no building permit shall be issued without the prior approval of any equipment or fuel storage facilities by the *Technical Standards & Safety Authority*, where applicable.

**21.** ***Electrical recharge stations*** shall be permitted in any ***zone***.

**22.** **Viewing Deck:** A viewing deck shall not exceed 16.7 $m^2$ [179.7 $ft.^2$] in area and may be screened-in but shall not be enclosed by walls.

(Note: See individual zones for the maximum ***height*** and ***setbacks*** of ***accessory buildings***.)

### 4.1.2 Recreational Vehicles

No ***recreational vehicle*** shall be ***used*** in any ***zone*** except in accordance with the following requirements and standards:

1. A ***recreational vehicle*** shall not be ***used*** as a ***dwelling unit*** or for permanent occupancy;

2. A ***recreational vehicle*** shall be ***permitted*** within a ***recreational vehicle park***, or ***campground***;

3. One (1) ***recreational vehicle*** only may be stored on a ***lot*** in an R1 or RW Zone as an ***accessory use*** where the ***lot*** is occupied by a ***seasonal dwelling*** or a permanent ***dwelling unit*** provided all of the applicable ***zone regulations*** for the respective ***zone*** are complied with (i.e., ***frontage***, ***yard setbacks*** and ***shoreline setbacks***);

4. Any ***permitted recreational vehicle*** may be ***used*** for short term seasonal accommodation on a ***lot*** occupied by a permanent ***dwelling***;

5. One (1) ***recreational vehicle*** only may be ***used*** on a vacant ***lot*** in a Rural (R) or LSR Zone provided:

   **(a)** The ***lot*** is serviced with an approved sewage disposal system (see **Section 4.43**); and

   **(b)** Except for a ***deck***, no enclosures, roof-overs, extensions or additions are constructed unless such ***structures*** have been specifically designed or pre-engineered for the ***recreational vehicle*** by the manufacturer or after-market manufacturer and are capable of being removed. No such ***structures*** shall be permitted which have the effect of rendering the ***recreational vehicle*** as a permanent structure or permanent residential ***dwelling*** on a ***lot*** or site; and

   **(c)** One (1) only detached ***private garage*** or ***accessory*** storage ***building*** or ***structure*** may be constructed on the ***lot*** occupied by the ***recreational vehicle***; and

   **(d)** All of the ***zone regulations*** for the respective ***zone*** are complied with (i.e., ***lot area*** and ***frontage***, ***yard setbacks*** and ***shoreline setbacks***).

6. The ***Municipality*** may impose a license fee as permitted pursuant to the *Municipal Act* for the ***use*** of any ***recreational vehicle***(s).

7. Despite the above, on a residential ***lot*** in a Rural (R) Zone exceeding 5 ha [12.3 ac.], one additional ***recreational vehicle*** shall be ***permitted*** to be stored, or ***used.***

### 4.1.3 Storage Containers

No ***person*** shall place a ***storage container*** except in accordance with the following:

1. Only one (1) ***storage container*** shall be ***permitted*** per ***lot*** in any Residential (R1), Multiple Residential (RM) or Waterfront Residential (RW) ***zone***.

2. The dimensions of a ***storage container*** shall not exceed 12.1 m [40 ft.] in length, 2.4 m [7.8 ft.] in width or 3 m [9.8 ft.] in ***height***.

3. No stacking of ***storage containers*** shall be ***permitted*** in any ***zone.***

4. No ***storage container*** shall be used for human and animal habitation or living except as provided for in **Sections 4.2.7** and **4.29.**

5. A ***storage container*** shall be located in a ***rear yard*** only.

6. No ***storage container*** shall be located on a designated ***parking space***, ***aisle*** or access ***driveway***. Despite the foregoing, a ***storage container*** shall be ***permitted*** in a ***driveway*** on a residential property for a period not to exceed five (5) days and only for the purpose of loading or unloading household items during the process of moving, but in no case shall encroach upon a public sidewalk or create a site line obstruction to traffic.

7. The minimum ***separation distance*** of a ***storage container*** from any other ***building*** shall be 2 m [6.5 ft.].

8. A ***storage container*** shall comply with all other ***yard setbacks*** in the ***zone*** in which the ***storage container*** is located.

9. A ***storage container*** shall not be ***used*** for the purpose of display or advertising or as a component of a ***fence***.

10. A ***storage container*** shall not be ***used*** for the storage of fuels or ***hazardous substances***.

11. A ***storage container*** shall be deemed to be an ***accessory building.***

12. A ***storage container*** shall be vented.

### 4.1.4 Swimming Pools

Private ***swimming pools***, both above-ground and in-ground both open and covered and including inflatable pools, shall be ***permitted*** subject to any By-law of the ***Township*** regarding swimming pools and the following requirements:

1. **Outdoor Open Pools**
   **(a)** Open Pool areas shall be totally enclosed by a ***fence*** constructed of suitable materials, having a minimum ***height*** of 1.5 m [4.92 ft.] and which is installed to include a self-latching gate;

**(b)** Where a pool is an above-ground pool, any combination of the pool wall, surrounding ***fence*** or ***structure*** totalling a minimum of 1.5 m [4.92 ft.] in ***height*** above the ***established grade*** shall be deemed to meet the fencing requirements of **Subsection 4.1.4.1 (a)** provided that a self-latching gate or equivalent arrangement is installed to prevent unauthorized entry;

**(c)** The maximum ***height*** of an above-ground pool shall not be more than 2 m [6.56 ft.] above the ***established grade***;

**(d)** Any ***building*** or ***structure***, other than a ***dwelling***, required for changing clothing, storage, mechanical equipment associated with the ***swimming pool*** or any similar purposes shall comply with the provisions respecting ***accessory uses*** and ***structures***;

**(e)** No part of an outdoor ***swimming pool***, including an associated apron or platform which is in a ***front*** or ***side yard*** shall be constructed closer to a ***street line*** than the requirements for a ***main building*** in the ***zone*** within which it is located nor closer to the ***lot line*** in a ***rear yard*** than the minimum distance required for an ***accessory use*** or ***structure***;

**(f)** Despite the foregoing, outdoor ***swimming pool***s which are accessory to ***hotels, motels*** and ***tourist establishments*** may be located in ***any yard*** provided the ***swimming pool*** meets all other requirements of this By-law.

**(g)** A ***hot tub*** shall be exempted from the ***fence*** provisions provided that the ***hot tub*** is adequately secured by a cover equipped with a self-locking device, which cover shall be kept locked in place over the tub when the ***hot tub*** is not in ***use***.

**2. Indoor Pools**

Indoor pools shall conform to the ***accessory building*** requirements contained in **Subsection 4.1.1** or to the ***zone regulations*** where the pool is part of the ***main building.***

**3. Pools in the Flood Plain**

The establishment of any ***swimming pool*** in an identified ***flood plain*** area shall be subject to the approval of the appropriate Conservation Authority.

## 4.2 Accessory Residential Uses

**1.** One (1) ***sleep cabin*** or one (1) ***loft-above-a-garage*** shall be permitted per ***lot*** as an ***accessory use*** to a permitted waterfront residential ***dwelling***.

**2.** ***Sleep cabins*** and ***lofts-above-a-garage*** shall not be considered ***dwelling***.

**3.** ***Sleep cabins*** and ***lofts-above-a-garage*** shall not be located on a lot on which a

***garden suite*** is also located.

**4.** Except where specified otherwise, no ***sleep cabin*** or ***loft-above-a-garage*** shall be ***erected*** closer than 3 m [9.84 ft.] to any ***interior side lot line*** or ***rear lot line***.

**5.** No ***sleep cabin*** or ***loft-above-a-garage*** shall be located less than 3 m [9.84 ft.] from a ***main building***.

**6.** The ***erection***, ***alteration***, enlargement or extension of any ***sleep cabin*** or ***loft-above-a-garage*** shall not exceed the maximum ***lot coverage*** requirement for ***Accessory Uses***, ***Buildings*** and ***Structures*** in the ***zone*** in which the ***sleep cabin*** or ***loft-above-a-garage*** is located.

**7.** An ***additional residential unit*** shall be ***permitted*** as an ***accessory use*** to a ***single detached dwelling*** or a ***semi-detached dwelling*** or a ***row*** or a ***townhouse dwelling*** in any ***zone*** except a Waterfront Residential (RW) Zone provided the ***additional residential unit*** can be adequately serviced with an ***individual on-site sewage disposal system*** or ***private communal system.*** [See **Section 4.43**]

**8.** ***Accessory residential uses*** including an ***additional residential unit*** described in this section shall not be ***permitted*** unless the provisions for servicing under **Section 4.43** and the provisions for parking under **Sections 4.32** and **4.33** can be met and provided the ***lot area*** meets the minimum ***lot area*** required in the ***zone*** in which the ***additional residential unit*** is located.

**9.** **Section 4.1** shall also apply to the establishment of ***accessory residential uses*** and a free standing ***additional residential unit*** described in this section.

**10.** Subject to the passing of a site-specific Temporary Use By-law under Section 39 of the *Planning Act*, a ***garden suite*** shall be permitted as an ***accessory*** use to a main ***residential use*** provided:

**(a)** The minimum ***lot area*** conforms with the ***zone*** in which the ***garden suite*** is to be located;

**(b)** The maximum ***net floor area*** of the ***garden suite*** shall be 74 m² [800 ft.²];

**(c)** The maximum ***height*** of the ***garden suite*** shall be 6 m [19.7 ft.] or the ***average height*** of the main ***buildings*** on the subject and abutting ***lots***, whichever is the lesser;

**(d)** The ***garden suite*** shall be located in a ***rear*** or ***interior side yard*** and shall meet the minimum ***yard*** and ***lot coverage*** requirements set out in the corresponding zone and shall be set back a minimum of 3 m [9.8 ft.] from any ***rear*** or ***side lot line***; and

**(e)** The provisions for servicing under **Section 4.43** and the provisions for parking under **Sections 4.32** and **4.33** shall be met.

**(f)** A ***mobile home*** and a tiny home shall be permitted as a ***garden suite*** where it meets all other requirements of this By-law;

**(g)** A ***garden suite*** shall be considered a ***dwelling unit*** for the purposes of this By-law;

**(h)** A ***garden suite*** shall not be located or ***erected*** on a lot on which a ***sleep cabin*** or ***loft-above-a-garage*** is also located.

## 4.3 Auto Service Station, Gasoline Bar, Car Wash

Despite any other provisions contained in this By-law, for all ***zones*** within which an ***auto service station***, ***gasoline bar***, and/or ***car wash*** are ***permitted*** the following ***zone regulations*** shall apply:

**1.** The minimum ***frontage*** for an ***interior lot*** on any ***street*** shall be 35 m [114.8 ft.] and 40 m [131.2 ft.] for a ***corner lot***, and the minimum ***depth*** of any lot shall be 30 m [98.4 ft.].

**2.** The minimum ***yard*** requirements for the ***main building*** shall be as follows:

**(a)** Adjacent to a residential ***use***:

- front yard depth…….15 m [49.2 ft.]
- exterior side yard width…….15 m [49.2 ft.]
- interior side yard width……..6 m [19.7 ft.]
- rear yard depth……...6 m [19.7 ft.]

**(b)** Adjacent to all other land ***uses***:

- front yard depth……...15 m [49.2 ft.]
- exterior side yard width……...15 m [49.2 ft.]
- interior side yard width…….3 m [9.8 ft.]
- rear yard depth……..3 m [9.8 ft.]

**3.** The minimum distance between any portion of the pump island and related overhead canopies and any lot line shall be 10 m [32.8 ft.].

**4.** The width of any entrance or exit or combined entrance or exit measured at the ***front lot line*** or ***side lot line*** shall not be greater than 7.5 m [24.6 ft.]. The widths and location of entrances from Highway 7 may vary provided that they are in accordance with the requirements of the Ministry of Transportation.

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**5.** The minimum distance between entrances and exits at the ***street line*** shall be 12 m [39.4 ft.].

**6.** All fuel storage tanks above or below ground for any fossil fuels or propane shall comply with the *Technical Standards and Safety Act, 2000* and no building permit shall be issued without the prior approval of any equipment or fuel storage facilities by the *Technical Standards & Safety Authority*.

## 4.4 Bed and Breakfast Establishments

A ***bed and breakfast establishment*** shall be ***permitted*** as an ***accessory use*** to any ***permitted single detached dwelling*** subject to the following requirements:

**1.** The use of the ***dwelling*** as a ***bed and breakfast*** establishment shall not change the residential character of the ***dwelling***;

**2.** A ***bed and breakfast establishment*** shall only be permitted where listed as an ***accessory use*** in the ***zone*** in which the lands are located;

**3.** **Bed and breakfast establishments** shall not be subject to ***the home based business*** requirements of **Section 4.20** of this By-law;

**4.** The requirements for the provision of off-street ***parking spaces*** shall be met. [See **Sections 4.32** and **4.33**];

**5.** The requirements of the local Health Unit, where applicable, can be met;

**6.** One (1) ***sign*** may be permitted to advertise the ***bed and breakfast*** establishment that shall not exceed 1 $m^2$ [10.76 $ft.^2$] in surface area and shall not be back-lit. The permitted ***sign*** may be a freestanding ***sign*** in a ***front*** or ***side yard*** or may be ***attached*** to a wall of a permitted ***building*** or ***structure***. The ***sign*** may be illuminated by lights where the illumination is directed directly onto the ***sign*** and complies with **Section 4.21**;

**7.** A breakfast service shall be provided to guests; and

**8.** The ***building*** in which the ***bed and breakfast*** establishment is located shall comply with all applicable Building Code and Fire Code regulations.

## 4.5 Buffering

Except where otherwise regulated by a valid site plan control agreement, the following buffering regulations shall apply:

**1.** Where in any ***zone***, a ***lot*** is ***permitted*** or proposed to be ***used*** for an industrial or commercial use and abuts a ***lot*** occupied or zoned for a ***residential use***, then a continuous ***buffer strip*** having a minimum width of 3 m [9.84 ft.] for a commercial

use and 4 m [13.1 ft.] for an industrial se shall be provided along the abutting ***lot line***. Landscaped materials used for a vegetative buffer shall be of sufficient size and type to effectively provide a visual screen between the particular properties. A combination of a vegetated ***buffer strip*** and fencing or a berm or hedgerow may also be used to effectively provide a visual buffer.

**2.** In any ***zone***, any portion of any ***front yard*** which is not ***used*** for another ***permitted use***, shall be devoted to ***landscaped open space***.

**3. Height of a Buffer Strip**

The required height of the ***buffer strip*** shall be 1 m [3.28 ft.] and shall be measured in relation to the edge of the adjacent area to be screened. In such cases, the ***established grade***, of the location at which the ***buffer strip*** is to be planted or landscaped, is less than the ***established grade*** of the edge of the adjacent area, the required height of the ***buffer strip*** shall be increased in an amount equal to the difference in the elevation. In the event that the ***established grade*** of the location at which the ***buffer strip*** is to be planted is greater than that at the edge of the adjacent area, the minimum height of the ***buffer strip*** shall apply.

**4. Interruption of Planting Strip for Driveways, Lanes or Pedestrian Walks**

In all cases, where ingress and egress driveways, lanes or pedestrian walks extend through a required ***buffer strip***, it shall be permissible to interrupt the strip.

**5. Merchandise in Landscaped Areas**

No commodity, merchandise, stock in trade or other article of trade or commerce shall be placed, maintained or allowed to remain at any place within a landscaped ***buffer strip.***

**6. Landscaped Open Space and Lot Area Calculations**

Any land use for ***landscaped open space*** shall be included in any calculations of lot area, yard requirements, housing density etc. as set out in this By-law.

**7. Existing Vegetation and Planting Conditions**

Existing vegetation, in the form of mature trees and shrubs, shall be preserved on any lands in any ***zone*** to the maximum extent possible consistent with the siting of a ***building*** or ***structure*** on such lands.

The selection of plant varieties shall be based on regional climatic conditions, constraints of location, effectiveness in screening adjacent properties, resistance to disease and insect attack, cleanliness and ease of maintenance. Planting materials shall be installed using acceptable horticultural practices and planting materials shall consist of healthy nursery stock.

All required plant materials shall be maintained in a healthy condition and wherever necessary replaced with new plant materials to ensure continued compliance with landscaping requirements. All required ***fences*** and walls shall be

permanently maintained in good repair and presentable appearance and wherever necessary they shall be repaired or replaced.

**8. Site Plan Control**

The provisions for ***landscaped open space*** as set out in this section, shall not be deemed to limit the ***Municipality's*** authority to impose other landscaping measures through the site plan control process.

## 7.6 Buildings to be Moved

No ***building*** or ***structure*** shall be moved within the limits of the ***Township*** or shall be moved from outside the Township into the Township unless the ***building*** or ***structure*** is a ***permitted use*** and satisfies all the requirements of the ***zone*** in which it is to be located.

## 4.7 Camp (Hunt Camp, Fishing Camp)

Where a ***camp*** is to be established as an ***accessory use*** to an ***existing dwelling unit*** on the same ***lot***, the camp ***structure*** shall be separated from all existing ***dwelling units*** a minimum distance of 500 m [1,640.4 ft.] and shall be ***setback*** 30 m [98.4 ft.] from the ***high-water mark*** of any ***water body.***

Where a ***camp*** is to be established as the ***principal use*** of a ***lot***, the minimum ***lot area*** shall be 5 ha [12.35 ac.] and the ***camp structure*** shall be ***setback*** 15 m [49.2 ft.] from all ***lot lines*** and 30 m [98.4 ft.] from the ***high-water mark*** of any ***water body.***

## 4.8 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 ***permitted*** within such ***zone*** or as otherwise authorized by the Committee of Adjustment under Section 45(2) of the *Planning Act*.

## 4.9 Cumulative Standards

Despite anything contained in this By-law, where any land, ***building*** or ***structure*** is ***used*** for more than one purpose, all provisions of this By-law relating to each ***use*** shall be complied with.

Example of cumulative standards: where a lot is to be developed for a commercial use and an accessory dwelling, the number of parking spaces required would include the combined total of those for the commercial use plus those for the dwelling.

## 4.10 Day Care for Children

***Private home day care*** and a ***day nursery*** shall be ***permitted*** in all ***zones*** where ***residential uses*** are ***permitted*** as a ***principal use***. Such day care for children shall comply with the provisions of the *Child Care and Early Years Act, 2014*. Where an establishment for supervising children does not meet the definition of a ***day nursery***, the provisions of **Section 4.20** for ***home based businesses*** shall apply.

## 4.11 Drive-Through Facilities

Despite any other ***zone regulation*** of this By-law, where a ***use*** of land, ***building*** or ***structure*** incorporates a ***drive-through facility***, the following ***zone regulations*** shall apply:

**1.** ***Drive-through facilities*** shall be a ***permitted use*** in the General Commercial – C, Recreational Commercial – CR, Local Commercial – CL and Business District – BD Zones;

**2.** A ***drive-through facility*** is a ***principal use*** in combination with another ***permitted use***, neither of which may be construed as being accessory to the other, and all ***zone regulations*** pertaining to each ***use*** shall apply;

**3.** The minimum dimensions of a ***stacking space*** in a ***stacking lane*** shall be 2.7 m by 6 m [8.9 ft. by 19.6 ft.];

**4.** No part of an ***order station*** ~~board~~ shall be located closer than 10 m [32.8 ft.] from the property boundary of any property occupied by or ***zoned*** for a ***residential use***;

**5.** No part of any ***stacking lane*** shall be permitted to locate in a ***front yard***;

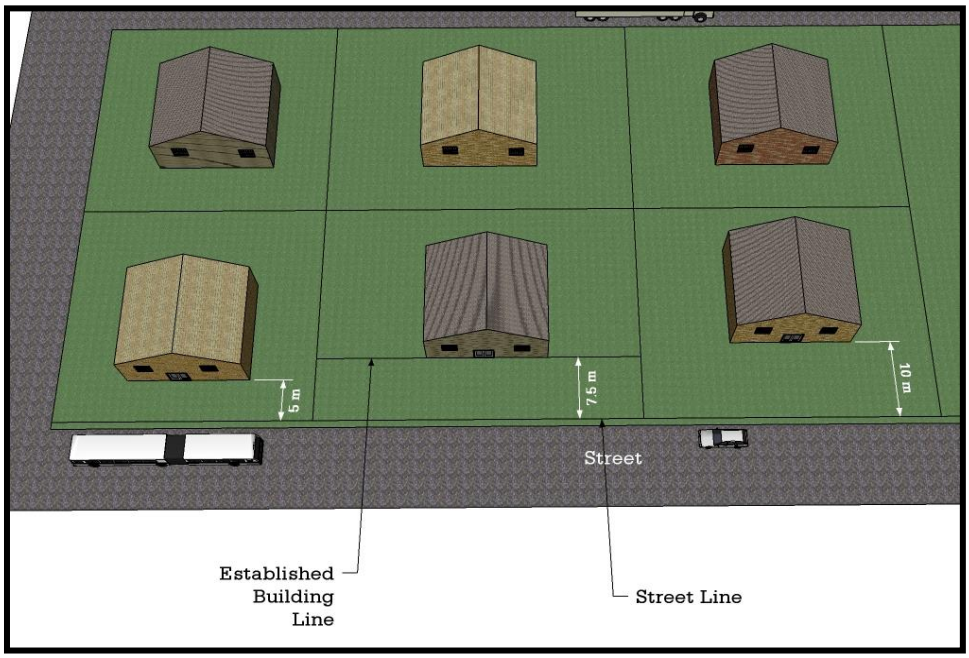
**6.** All ***drive-through facilities*** shall conform to the ***zone regulations*** for parking areas as set out in **Section 4.31.7**; and

**7.** ***Stacking lanes*** for any ***drive-through facility*** shall be designed to accommodate a minimum of eight (8) ***motor vehicles***.

## 4.12 Established Building Line in Built-up Area

Despite the ***yard*** and ***setback*** provisions of this By-law to the contrary, where a permitted ***building*** or ***structure*** is to be ***erected*** on a ***lot*** in a built-up area (e.g., village of Sharbot Lake or hamlet settlement areas as designated in the Official Plan), where there is an ***established building line*** extending on both sides of the lot, such ***permitted building*** or ***structure*** may be ***erected*** closer to the ***street line***, or the centre line of the ***street*** as the case may be, than required by this By-law provided such ***permitted building*** or ***structure*** is not ***erected*** closer to the ***street line*** or the centre line of the ***street***, as the case may be, than the ***established building line***. All other ***zone regulations*** of this By-law shall apply. [See **Figure 4.2]** An ***established building line*** shall not apply to any shoreline property.

**Figure 4.2**




## 4.13 Exception Zone

Where a ***zone*** symbol is followed by the suffix "-X" this shall mean that a specific exception is being made to one or more ***zone regulations*** of that ***zone*** for a specific area governed by the By-law. All other applicable ***zone regulations*** of the By-law shall continue to apply. A number after the '-X' (e.g., R-X1) indicates the chronological order of the various exception zones.

## 4.14 Farm Use

Nothing contained in this By-law shall prevent the continued ***use*** of any land, ***building*** or ***structure*** for an ***agricultural use, livestock facility*** or ***manure or material storage*** as defined, or any extension or addition of such ***use*** provided that any additions or extensions of such ***use*** shall comply with the requirements of the ***Minimum Distance Formula II*** and the applicable requirements of the ***zone*** in which the ***use*** is located. Conversely, the ***Minimum Distance Formula I*** shall apply when locating ***development***, (e.g., new ***dwelling***, in proximity to an ***existing livestock facility*** or ***manure or material storage*** on an ***existing*** or proposed separate parcel of land).

## 4.15 Fences

**1.** Any ***fence erected*** within the ***municipality*** shall conform to the provisions of any Fence By-Law as may from time-to-time be enacted under the *Municipal Act.*

**2.** The maximum ***height*** of a ***fence*** along an ***interior side*** or ***rear lot line*** shall be 2 m

[6.56 ft.].

3. The maximum ***height*** of a ***fence*** along a ***front lot line*** shall be 1.5 m [4.92 ft.].

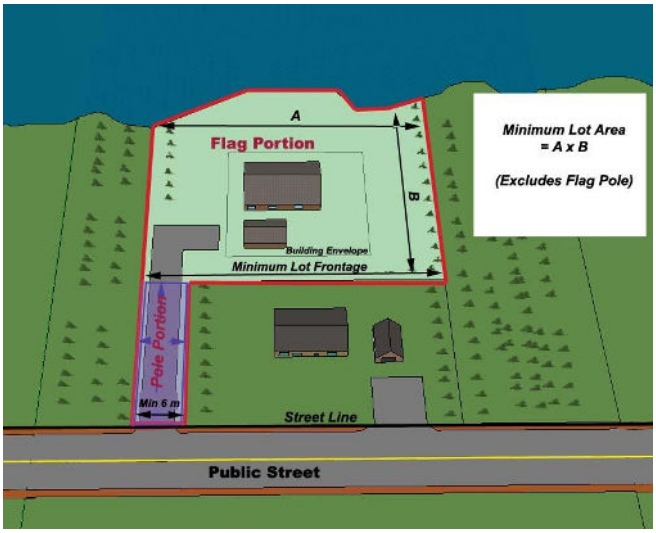
4. Despite paragraph **4.15.1** and **4.15.2**, the maximum ***height*** of a ***fence*** along any ***lot line*** in the General Commercial (C), Commercial Recreational (CR) or Local Commercial (CL) zones, or on lands used primarily for commercial purposes, shall be 3 m [9.84 ft.].

5. The use of barb-wire or any device for projecting an electric current in any ***fence*** construction is prohibited. This shall not apply to electric ***fence***s used for an ***agricultural use*** or an invisible fence for dogs.

6. No ***fence*** shall be ***erected*** that may pose a safety hazard due to obstruction of a ***sight triangle.*** [See also **Section 4.38**]

7. Paragraphs 4.15.2 – 4.15.6 shall not apply where a site plan agreement is in effect that specifies requirements for ***fences***, provided the requirements in the site plan agreement are complied with.

## 4.16 Flag Lot




1. ***Flag lots*** shall only be permitted for the ***erection*** of a ***single detached dwelling*** in the R1, RW or R Zone. [See diagram]

2. The flag part of the ***lot*** shall contain a ***lot area*** at least equal to the minimum required ***lot area*** of the ***zone*** in which the ***flag lot*** is located. The area of the pole shall not be included in the calculation of the required minimum ***lot area***.

3. No part of the pole or access strip shall be granted or created by right-of-way, or easement.

4. The minimum ***lot frontage*** at the ***street line***, and the minimum continuous width along the pole or access strip from the ***street line*** to the flag shall be 6 m [19.6 ft.].

5. The minimum width of the flag shall be equal to the minimum ***lot frontage*** of the ***zone*** in which the ***flag lot*** is located.

**6.** The ***front yard*** for the flag shall be measured at the point where the pole meets the flag.

**7.** The pole or access strip shall be suitable for the construction of a driveway to provide continuous access from the ***public street*** to the flag and ***building envelope***.

**8.** Only one tier of ***flag lots*** shall be ***permitted***. A tier shall be considered to be a ***flag lot*** located behind one ***lot*** having the required minimum ***lot frontage*** on a ***public street***.

**9.** A ***flag lot*** shall not be further subdivided.

**10.** No more than two (2) contiguous ***flag lot*** access strips (poles) shall be permitted.

**11.** Any ***flag lot*** shall meet all other applicable ***zone regulations.***

## 4.17 Flood Plain

The following provisions shall apply to areas located below the engineered or photo interpreted ***floodline*** or ***flood elevation*** as determined by the appropriate public authority.

**1.** No ***person*** shall use any land or ***erect***, ***alter*** or use any ***building*** or ***structure*** in the ***flood plain*** or below the regulatory ***flood elevation*** where determined (see below) except in accordance with the following provisions:

**Regulatory *flood elevations* in Central Frontenac Township:**

**(a)** Big Clear Lake……197.85 m [649.1 ft.] g.s.c.
**(b)** Kennebec Lake……199.78 m [655.4 ft.] g.s.c.
**(c)** Hungry Lake……238.73 [783.2 ft.] g.s.c.

**2. Permitted Uses Within the Flood Plain**

**(a)** ***Buildings*** or ***structures*** intended for flood or erosion control or slope stabilization;

**(b)** ***All buildings and structures*** in existence on the day of the passing of this By-law;

**(c)** A ***gazebo***, garden shed, garden furniture but not a ***detached garage***. No storage of hazardous chemicals or supplies for ***swimming pools*** shall be permitted in any ***building*** or ***structure*** in a ***flood plain***;

**(d)** A ***swimming pool*** subject to **Sections 4.1.4.1** and **4.1.4.3**;

**(e)** ***Conservation Uses*** excluding any ***buildings*** or ***structures*** unless required for flood erosion or control;

**(f)** ***Forestry Uses*** excluding any ***buildings*** or ***structures***;

**(g)** ***Parks*** excluding ***buildings*** or ***structures***;

**(h)** Electricity generation facilities and transmission and distribution systems;

**(i)** Marine Facilities;

**(j)** Marina; and

**(k)** Infrastructure incidental to a water supply or waste water treatment facility such as a water intake or sewer outfall but not including the ***main building*** of a water filtration plant or waste water treatment facility.

**3. Prohibited Uses**

***Buildings*** and ***structures*** shall not be ***permitted*** to locate in **hazardous lands** or ***hazardous sites*** where the ***use*** is:

**(a)** An ***institutional use*** associated with including ***hospitals***, ***day nurseries***, ***continuum-of-care facilities***, ***retirement homes*** and ***schools.***, where there is a threat to the safe evacuation of the sick, the elderly, ***persons*** with disabilities or the young during an emergency as a result of flooding, failure of flood proofing measures or protection works or erosion;

**(b)** An essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of flood proofing measures and/or protection works, and/or erosion;

**(c)** A ***use*** associated with the disposal, manufacture, treatment or storage of ***hazardous substances***.

**4. Flood Plain Standards**

**(a)** No ***building*** or ***structure*** shall be ***erected*** closer than 15 m [49.2 ft.] from the ***floodline*** or flood elevation of a ***water body.***

**(b)** Any new ***building*** or ***structure*** or any expansion of or addition to any ***buildings or structures*** permitted in the ***flood plain*** shall incorporate appropriate engineered construction techniques which reduce or eliminate the risks of flood damage or damage from unstable slopes. The specific approval of the appropriate ***public authority*** must be obtained prior to the issuance of a building permit; and

**(c)** Modification of the ***flood plain*** through the placing or dumping of fill,

excavation, changing the channel of any water body or diverting a water course within the prescribed limits of the fill lines is prohibited unless otherwise permitted by the appropriate ***public authority***.

**5.** Lands below the ***high water mark*** or any ***flood plain*** shall not be included as part of the calculation of the minimum ***lot area***.

NOTE: See also **Section 4.26.5** for setback requirements from ***water bodies***.

## 4.18 Frontage on a Public Street or Private Road

**1.** No ***building*** or ***structure*** shall be ***erected*** in any ***zone*** unless the ***lot*** upon which such ***building*** or ***structure*** is to be ***erected*** has ***frontage*** onto and direct access to a ***public street*** or ***private road*** as per the ***zone regulations*** of the respective ***zone*** within which the ***lot*** is situated except:

**(a)** For any ***permitted use*** on an island provided a public access point and parking is available on the mainland and the arrangement for parking has been secured through a legally binding agreement, covenant, deed or instrument registered on title and runs with the land;

**(b)** For an authorized water access only ***lot*** provided an alternate public access point and parking is available on the same ***water body*** and the arrangement for parking has been secured through a legally binding agreement, covenant, deed or instrument registered on title and runs with the land;

**(c)** For a ***permitted use*** located on an ***existing private road, existing easement*** and for a ***permitted use*** located in a registered condominium located on an internal ***private road;***

**(d)** Infill on an existing ***private road;***

**(e)** A farm field;

**(f)** A resource related ***use*** located on Crown Land;

**(g)** A ***communications facility***;

**(h)** A ***public utility***;

**(i)** A ***wayside pit or quarry***;

**(j)** Any passive outdoor recreational use or activity such as skiing, snowmobiling, hiking, mountain biking or similar activities; and

**(k)** Mineral exploration;

For subsections **4.18.1 (e-k)** where frontage is not on a ***public street*** or a ***private road***, access shall be provided by a legal right-of-way to the property.

**2. Exception for Existing Agreements**

**(a)** Despite **Section 4.18.1**, where a development agreement or subdivision agreement exists between the ***municipality*** and a land owner and is registered on title, ***frontage*** on an unassumed, unopened or unmaintained public right-of-way shall be deemed to conform to the provisions of this section, provided that such frontage is in conformity with the standards set out in the corresponding ***zone*** or any exception thereto.

**(b)** Despite **Section 4.18.1**, where a legal right-of-way is registered on title and provides for a right-of-way to an ***existing lot*** which is developed for a ***single detached dwelling*** or ***seasonal dwelling*** as of the date of approval of this By-law, such uses shall be deemed to conform to the provisions for access of this By-Law.

**(c)** In addition to all the requirements of the ***Corporation***, all ***development*** adjacent to any Provincial Highway is also subject to the requirements and permits of the Ministry of Transportation.

## 4.19 Group Homes

***Group homes*** shall be ***permitted*** in all ***zones*** that allow ***residential uses***, except the Limited Service Rural (LSR) Zone.

## 4.20 Home Based Businesses and Live/Work Units

**1.** The following home based businesses shall be ***permitted*** in any ***zone*** where a ***home based business*** is a ***permitted use***:

**(a)** Professional and consulting services including but not limited to architect, engineer, financial advisor, accountant, consultant, legal services, physician, teleworker;

**(b)** Instructional services including but not limited to music lessons, dance, art, academic tutoring;

**(c)** Home craft businesses including but not limited to quilter, potter, jeweller, painter/visual artist, small scale assembler, woodworking;

**(d)** A ***day nursery*** or ***private home day care*****;**

**(e)** A distribution sales ***office,*** mail order sales or on-line sales including but not limited to cosmetics, clothing or small household appliances provided the

product or service delivery is primarily from an off-site ***non-residential*** location;

**(f)** ***Offices*** for contractors and trades including but not limited to a plumber, electrician;

**(g)** Repair services including but not limited to small appliances, computers but not including auto repair and similar services;

**(h)** High technology uses including but not limited to internet services, office ***call centre*** services, desktop publishing, computer hardware and software development;

**(i)** Personal ***service establishment*** including but not limited to hairdresser, barber, massage therapist, aesthetician;

**(j)** Sale of bait for recreational fishing purposes;

**(k)** A ***pet grooming establishment***, but not including overnight keeping of animals;

**(l)** ***Catering establishment***;

**(m)** A ***studio***;

**(n)** Sale of firewood in a ***rural zone*** only;

**(o)** A ***farm produce outlet***;

**(p)** Seed Sales;

**(q)** Gun repairs.

**2.** A ***restaurant***, ***clinic***, any retail or wholesale store or vending outlet, ***animal shelter***, multiple chair hairdresser or barber, ***place of amusement***, ***funeral parlour***, small engine repair, automobile repair, ***tourist establishment***, workshop, ***storage yard***, ***machine shop***, ***auto repair garage***, convalescent home, mortuary, a ***cannabis retail store or dispensary*** or a ***licensed cannabis production facility*** or any ***use*** that cannot be categorized under subsection (1) shall not be permitted as a ***home based business***. A ***kennel*** may be established as a ***home based business*** where it meets the requirements of **Section 4.22**.

**3.** ***Home based businesses*** shall be permitted provided that:

**(a)** The ***use*** is clearly secondary to the use of the ***dwelling unit*** as a private

residence and shall be located within the ***dwelling unit*** and/or an ***accessory building***;

**(b)** Where instruction is carried on (e.g., instructional services), there will be not more than five (5) pupils accommodated at any given time;

**(c)** No more than two (2) ***home bases businesses*** shall be permitted in any one (1) ***dwelling unit***;

**(d)** Not more than 25% of the ***gross floor area*** of a ***dwelling unit***, up to a maximum of 50 $m^2$ [538.2 $ft.^2$], may be used for ***home based business*** purposes. Where two (2) ***home based business***es exist within a single ***dwelling unit***, the maximum ***gross floor area*** used for the combined businesses shall not exceed 25% of the ***dwelling unit*** up to a maximum of 50$m^2$ [538.2 $ft.^2$];

**(e)** Where a ***home based business*** takes place in an ***accessory building*** or ***structure*** in the General Residential (R1), Multiple Residential (RM), Waterfront Residential (RW), or General Commercial (C) zones, the ***home based business*** shall not occupy more than 75 $m^2$ [807.3 $ft.^2$] of the ***accessory building*** or ***structure***;

**(f)** Where a ***home based business*** takes place in an ***accessory building*** or *structure* outside of the General Residential (R1), Multiple Residential (RM) or General Commercial (C) zones, the ***home based business*** shall not occupy more than 140 $m^2$ [1,506.95 $ft.^2$] of the ***accessory*** building or structure;

**(g)** A ***home based business*** shall be operated by the owner or occupant of the ***dwelling unit*** within which it is located;

**(h)** The ~~***use***~~ ***home based business*** does not create nor become a public nuisance in particular in regard to noise, traffic, parking or health safety, and shall not be a ***noxious use***, trade, business or activity;

**(i)** There is no ***outdoor storage*** or ***display*** to indicate to ***persons*** outside that any part of the property is being used for a ***use*** other than ***residential*** or ***agricultural*** except for the sale of firewood;

**(j)** Only one (1) ***sign*** may be permitted to advertise the ***home based business***. Such sign shall not exceed 1 $m^2$ [10.76 $f.t^2$] in surface area and shall not be back-lit. The permitted sign may be a freestanding sign in a ***front*** or ***side yard*** or may be ***attached*** to a wall of a permitted ***building*** or ***structure***. The sign may be illuminated where the illumination is directed directly onto the sign and complies with **Section 4.21**. Signs may also be subject to any Sign By-law as may from time to time be enacted by the ***Township*** under the *Municipal Act*.

**(k)** Parking is provided in accordance with **Sections 4.32** and **4.33** of this By-law;

**(l)** The ***home based*** business complies with **Section 4.1** of this By-law.

**4. Live/Work Units**

**(a)** Where a live/work unit is a ***permitted use***, the following commercial uses shall be permitted: Antique Sales, ***Bakery, Catering Establishment, Day Nursery – Private,*** Distribution Sales Office or Mail Order Sales, high technology uses, ***Farm Produce Outlet, Maple Syrup Processing and Sales Establishment, Office, Offices***, ***Personal Service Establishment, Pet Grooming*** but not including overnight keeping and boarding of animals, ***Printing and Publishing Establishment, School – Private, Studio, Animal Shelter***, ***Wellness Centre*** and ***medical clinic or clinic***.

**(b)** Live/work units shall be ***permitted*** where specifically defined as a ***permitted use***, subject to the following provisions:

i. The living and working uses shall be balanced (maximum fifty-five percent (55%) work use and forty-five percent (45%) living use) and shall be located within the ***main building*** on the ***lot*** but may include exterior facilities for a ***day nursery for children***;

ii. Occupancy of the residential space shall be restricted to the operator of the business;

iii. Where instructional services are provided, there shall not be more than five (5) pupils instructed at any one time;

iv. The business shall be operated by the owner or occupant of the ***dwelling unit*** or ***accessory building*** within which the business is located, and shall not employ more than two (2) non-household members;

v. The ***live/work unit*** shall not create or become a public nuisance, in particular with regard to noise, traffic, parking or health and safety, and shall not be a noxious use, trade, business or activity;

vi. Only one (1) ***sign*** may be permitted to advertise the ***live/work unit***. Such sign shall not exceed 1 $m^2$ [10.76 $ft.^2$] in surface area and shall not be back-lit. The permitted sign may be a freestanding sign in a ***front*** or ***side yard*** or may be ***attached*** to a wall of a ***permitted building*** or ***structure***. The sign may be illuminated where the illumination is directed directly onto the sign and complies with **Section 4.21**. ***Signs*** may also be subject to any Sign By-law as may from time to time be enacted by the ***Township*** under the *Municipal Act*.

vii. Sufficient parking to meet the needs of the business and residential uses, in compliance with **Sections 4.32 and 4.33** of this By-law, shall be provided on the subject property.

viii. Road access to a ***live/work unit*** shall be at a standard acceptable to the ***corporation*** for the purposes of providing safe access for ***vehicles*** including emergency service vehicles.

ix. A ***live/work unit*** shall not be permitted in conjunction with a ***home based business*.**

## 4.21 Illumination

Illumination of ***buildings, structures*** and grounds shall be ***permitted*** provided:

**1.** Illumination does not cause direct or indirect glare on a ***street*** or ***private road*** that may interfere with traffic or pedestrian safety;

**2.** Illumination does not consist of a colour or be so designed or located that it may be confused with traffic signals;

**3.** Illumination does not cause direct or indirect glare on land or ***buildings*** or ***structures*** on any adjacent property that creates a public health or safety issue; and

**4.** Illumination generated by a fixed emergency light or other lighting does not cause any direct glare or indirect glare onto an adjacent property or across a waterbody nor exceeds a value of 2250 lux (lumens) (150 watt) at any property line of the property displaying the lighting.

## 4.22 Kennels

**1.** No part of any ***kennel*** shall be located less than 100 m [328.1 ft.] from an abutting or neighbouring ***lot*** occupied by a ***sensitive land use*** (e.g., ***dwelling*, *school***, hospital, etc.) or a lot that permits ***residential use*** (e.g., RW, R1, RM, R, LSR) unless the provisions of paragraphs (3) or (5) can be met;

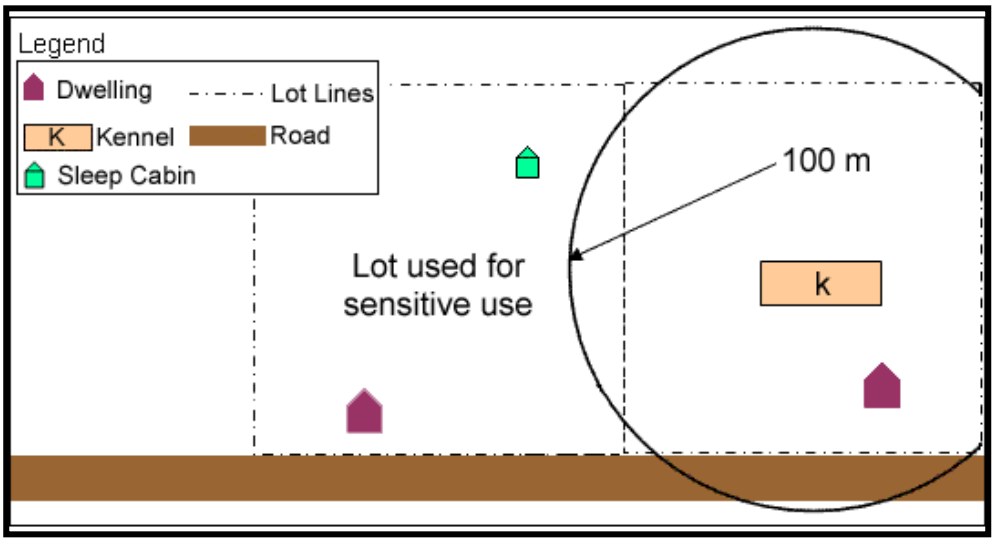
**2.** Subject to subsection (3) and (5), the measurement in paragraph (1) shall be taken as the shortest horizontal distance between the ***kennel*** and the nearest ***lot line*** of the ***sensitive land use*** or the lot zoned for ***residential use***;

**3.** For the purposes of this section, a ***lot zoned*** Rural (R) or Limited Service Rural (LSR) having a ***lot area*** less than 0.8 ha [2 ac.] shall be considered a ***lot zoned*** for ***residential use***;

**4.** Despite paragraphs (1) and (2) above, where the 100 m [328.1 ft.] ***setback*** encroaches on a ***lot zoned*** for ***residential use***, a kennel may be located on the lot

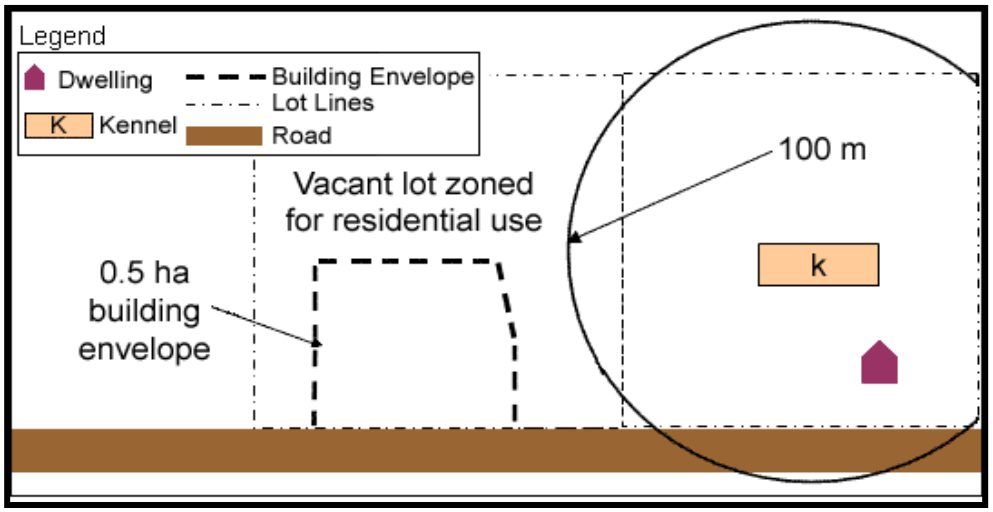
provided that the kennel and all associated structures are ***erected*** a minimum of 100 m [328.1 ft.] from a 0.5 ha [1.25 ac.] ***building envelope*** on the abutting or adjacent lot; [See **Figure 4.3**]

**Figure 4.3: Illustration of 4.22(4)**




**5.** Despite paragraphs (1) and (2), where the 100 m [328.1 ft.] separation distance encroaches on a ***lot*** occupied by a ***sensitive land use***, the ***kennel*** and all ***associated structures*** shall be ***erected*** a minimum of 100 m [328.1 ft.] from the ***main building*** and any ***accessory buildings*** used for human habitation or education (e.g., ***school*** portables, ***sleep cabin***). [See **Figure 4.4**]

**Figure 4.4: Illustration of 4.22(5)**



6. All ***zone regulations*** of this By-law shall apply to the establishment of ***kennels*** and ***kennel structures***;

7. No ***sensitive land use*** (e.g., ***school***, ***continuum-of-care facility***, ***day nursery***, hospital, etc.) shall be established within 100 m [328.1 ft.] of a ***kennel*** or ***kennel structure***. No ***dwelling*** shall be established within 100 m [328.1 ft.] of a kennel or kennel ***structure*** unless constructed on the same ***lot*** therewith;

8. ***Kennels*** and ***kennel structures*** shall be restricted to locations in a ***side yard*** or ***rear yard***; and

9. Despite paragraphs (1) and (2), where the 100 m [328.1 ft.] separation distance encroaches on a ***lot*** occupied by a ***sensitive land use***, a minimum of 0.5 ha [1.25 ac.] must be identified on the ***lot*** occupied by the sensitive land use outside the 100 m [328.1 ft.] separation distance, and the ***main building*** of the sensitive land use shall be located outside the 100 m [328.1 ft.] separation distance. [See **Figure 4.4**]

## 4.23 Land Suitability for Use and Organic Soils

1. Despite any other provision of this By-Law, no ***building*** or ***structure*** shall be constructed, ***erected***, ***altered*** or ***used*** on ***hazardous lands*** or ***hazardous sites*** unless the proponent or applicant for development can demonstrate through professionally acceptable engineering techniques that the physical constraint can be mitigated or overcome and that the requirements of the *Ontario Building Code* with respect to construction and the requirements of the *Ontario Water Resources Act* and the *Ontario Building Code* with respect to the installation of an ***individual on-site sewage*** and water system can be met.

2. ***Flood plains***, ***wetlands***, lands under water, and lands between the top of the bank and a ***water body*** shall not be used to calculate the minimum ***lot area*** requirements of any ***zone*** in this By-law. [See also **Section 4.17**]

## 4.24 Loading Requirements

For every ***building*** or ***structure erected*** for a commercial, institutional or industrial ***use***, involving the shipping, loading or unloading of ***persons***, animals, wares, merchandise or other goods, there shall be provided and maintained loading facilities or spaces in accordance with the following requirements:

1. Each ***loading space*** shall have a minimum ***height*** clearance of 4.25 m [13.9 ft.] and shall be at least 3.75 m [12.3 ft.] wide by 7.50 m [24.6 ft.] long if situated inside of or at right angles to a ***building*** or ***structure*** or 3.75 m [12.3 ft.] wide by 9.0 m [29.5 ft.] long if situated parallel to the ***main wall*** of a ***building*** or ***structure***;

2. ***Loading spaces*** shall be located in a ***building*** or ***structure***, an open ***rear yard***, or an open ***side yard***, on the same ***lot*** on which the ***principal use*** is located, provided all loading spaces are a minimum of 7.5 m [24.6 ft.] from any ***lot line*** and have

unobstructed ingress and egress to and from a ***public street*** by means of a ***driveway***, land or ***aisle*** of a minimum width of 6 m [19.7 ft.];

**3.** The number of required ***loading spaces*** shall be based on ***net floor area*** of the ***building*** as follows:

**(a) Commercial and Institutional Uses**

| Net Floor Area | Minimum Required Loading Spaces |
|---|---|
| **0 - 200 $m^2$ [0 - 2,152.785 $ft.^2$]** | 0 |
| **200.01 - 1,000 $m^2$ [2,152.9 - 10,763.91 $ft.^2$]** | 1 |
| **over 1,000 $m^2$ [10.764.26 $ft.^2$]** | 1 plus 1 additional space for each additional 1,000 $m^2$ of ***net floor area*** or part thereof |

**(b) Industrial Uses**

| Net Floor Area | Minimum Required Loading Spaces |
|---|---|
| **0 - 500 $m^2$ [0 - 5,381.96 $ft.^2$]** | 0 |
| **500.01 - 2,000 $m^2$ [5,382.06 - 21,527.8 $ft.^2$]** | 1 |
| **over 2,000 $m^2$ [over 21,527.8 $ft.^2$]** | 1 plus 1 additional space for each additional 2,000 $m^2$ of ***net floor area*** or part thereof |

**4.** The ***loading space*** requirements stated in **Section 4.24.3** shall not apply to ***buildings*** or ***structures*** in existence as of the date of passing of this By-law, but shall apply to areas of any expansion or enlargement to such buildings or structures after the date of passing of this By-law.

## 4.25 Mine Hazards

No lands identified as having a ***mine hazard*** shall be ***used*** unless the ***mine hazard*** has been rehabilitated or measures taken to mitigate known or suspected hazards. Any required rehabilitation or mitigation measures shall be undertaken using acceptable engineering practices.

## 4.26 Minimum Distance Separation and Special Setbacks

Despite the ***zoning regulations*** in this Bylaw to the contrary, no ***person*** shall ***use*** any land, ***building*** or ***structure*** unless the ***use***, ***building*** or ***structure*** complies with the following:

**1. Waste Management Facility**

**(a)** No ***sensitive land use*** shall be ***permitted*** within 500 m [1,640 ft.] of a licensed ***waste management facility***, measured from the lot line of the ***sensitive land*** use to the ***lot*** line of the ***waste management facility***.

**(b)** No non-residential ***development*** or land use shall be ***permitted*** within 30 m [98.4 ft.] of the boundary or perimeter of the (licensed) fill area of an active ***waste management facility***.

**(c)** No ***waste management facility*** shall be ***permitted*** within 30 m [98.4 ft.] from the high-water mark of any ***water body***.

**(d)** No ***waste management facility*** shall be ***permitted*** on land covered by water or in any area subject to flooding or in a ***wetland***.

**2. Pits and Quarries**

**(a)** No ***sensitive land use*** shall be ***permitted*** within 70 m [229.7 ft.] of a pit measured from the lot line of the ***sensitive land use*** and the nearest ***lot line*** of the ***pit***.

**(b)** No ***sensitive land use*** shall be ***permitted*** within 300 m [984.2 ft.] of a ***quarry*** measured from the ***lot line*** of the ***sensitive land use*** to the nearest ***lot line*** of the ***quarry***.

**3. Industrial Uses:**

**(a)** ***Class I Industrial Use***: The minimum ***separation distance*** from a ***sensitive land use*** and a Class I Industrial use shall be 20 m [65.6 ft.] and shall be measured from the lot ***line*** of the ***sensitive land use*** to the ***lot line*** of the Class I Industrial Use.

**(b)** ***Class II Industrial Use***: The minimum ***separation distance*** from a ***sensitive land use*** and a Class II Industrial use shall be 70 m [230 ft.] and shall be measured from the ***lot line*** of the ***sensitive land use*** to the lot line of the Class II Industrial Use.

**(c)** ***Class III Industrial Use***: The minimum ***separation distance*** from a ***sensitive land use*** and a Class III Industrial use shall be 300 m [984.2 ft.] and shall be measured from the lot line of the ***sensitive land use*** to the ***lot line*** of the Class III Industrial Use.

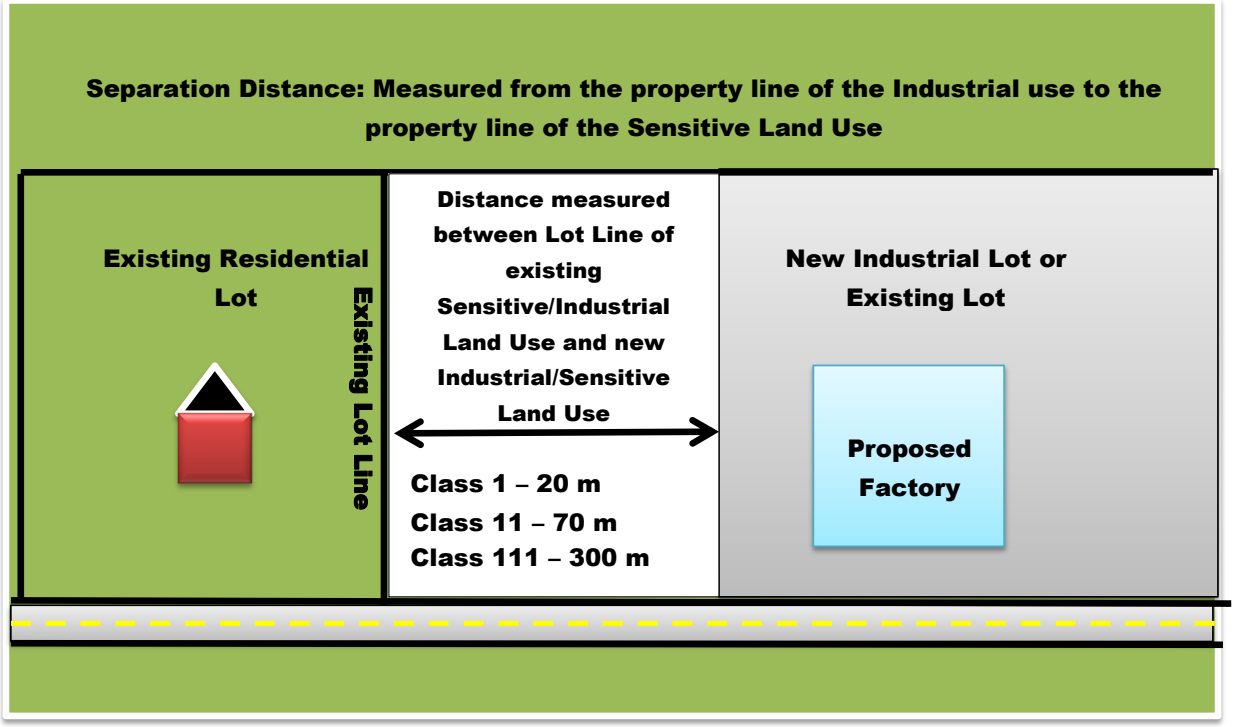
(See diagram illustrating separation regulation.)

**4. Agricultural Use Including a Hobby Farm**

**(a)** Any new ***livestock facility***, ***manure or material storage*** shall comply with the ***Minimum Distance Separation Formulae I and II***, as amended by the province from time to time, where applicable.

**(b)** Any new ***sensitive land use*** located on a ***lot*** greater than 1 ha [2.47 ac.] created after the date of passing of this By-law shall comply with the ***Minimum Distance Separation Formulae I*** as amended by the province from time to time, where applicable. The ***Minimum Distance Separation Formulae I*** shall not apply to ***lots*** of record 1 ha [2.47 ac.] or less.

**(c)** For the purposes of the ***Minimum Distance Separation Formulae I and II*** only, a ***recreational vehicle*** shall be considered a ***dwelling*** where one (1) or more ***persons*** are able to sleep and prepare meals within the vehicle.




**(d)** Despite anything in this By-law to the contrary, where an ***existing sensitive land use*** that does not comply with the ***Minimum Distance Separation Formulae I*** is destroyed or rendered uninhabitable by fire or other natural cause, the ***building*** or ***structure*** may be ***reconstructed*** where the new building or structure is located no closer to a ***livestock facility*** than the original building or structure and the ***gross floor area*** and ***height*** are not increased.

**(e)** Despite paragraphs (4.26 (a) – (e) the ***Minimum Distance Separation Formulae I and II*** shall not apply to ***sensitive land uses*** located within a settlement area as shown on the schedules to this By-law.

**(f)** The most recent version of the ***Minimum Distance Separation Formulae I and II*** of the Ministry of Agriculture, Food and Rural Affairs shall apply to new or expanding ***livestock facilities*** and the establishment of ***residential uses*** or *vice versa* on properties adjacent or in proximity to livestock operations, but shall not apply between a ***dwelling*** and a ***livestock facility*** on the same ***lot.***

**(g)** ***Minimum Distance Separation Formulae I*** shall apply to all lots created after March 1, 2017.

**(h)** ***Minimum Distance Separation Formulae I setbacks*** shall apply to ***existing lots*** created prior to March 1, 2017 which are used exclusively to residential purposes and vacant lots which have a ***lot area*** greater than 2 ha. [4.94 ac.]

**(i)** ***Minimum Distance Separation Formulae I*** shall not apply to lot creation for surplus ***dwellings*** for an existing ***livestock facility*** and anerobic digestor on an adjacent ***lot*** or on the same lot as the ***existing dwelling*****.**

**(j)** ***Minimum Distance Separation Formulae I and II*** shall not apply to ***agriculture related uses*** or ***on-farm diversified uses*** with the exception of a food service such as an on-farm tea room or food concession.

**(k)** Despite anything in this By-law to the contrary, where an ***existing sensitive land use*** that does not comply with the ***Minimum Distance Separation Formulae I*** is destroyed or rendered uninhabitable by fire or other natural cause, the ***building*** or ***structure*** may be reconstructed where the new ***building*** or ***structure*** is located no closer to a ***livestock facility*** than the original ***building*** or ***structure*** and the ***gross floor area*** and ***height*** **are not increased.**

**(l)** The ***Minimum Distance Separation Formulae I*** shall not apply to the construction of ***accessory buildings*** and ***structures*** to a ***permitted*** existing dwelling on the property (e.g., **deck**, ***garage***, ***gazebo***, greenhouse, picnic area, patio, shed).

**(m)** The ***Minimum Distance Separation Formulae I*** shall not apply to proposed non-agricultural ***uses*** within an approved settlement area.

**(n)** The ***Minimum Distance Separation Formulae I*** shall not apply to any ***cemetery*** that is closed to further ***use*** or receives low levels of visitation.

## 5. Water Bodies and Wetlands

**(a)** Unless otherwise stated in **Section 4.17**, the minimum ***setback*** from the ***high-water mark*** of a ***water body*** and the exterior boundary of an unclassified ***wetland*** for a habitable ***structure (e.g., dwelling, sleep cabin, garden suite***), a non-residential ***building***, an ***accessory building*** or ***structure*** (e.g., ***shed***, storage building, ***detached garage***) and an on-site ***sewage disposal system*** shall be 30 m [98.4 ft.]. The minimum ***separation distance*** or buffer for any ***development*** from the exterior boundary of a ***provincially significant wetland*** shall be 120 m [393.7 ft.].

**(b)** The minimum ***setback*** for a ***marine facility*** from the ***high-water mark*** and the exterior boundary of a ***wetland*** shall be subject to **Sections 4.1.1.7** and **4.17** respectively.

**(c)** The minimum ***setback*** for a ***viewing deck*** or ***gazebo*** from the ***high-water mark*** and the exterior boundary of a ***wetland*** shall be 15 m [49.2 ft.].

**(d)** The ***setback*** shall be measured as the shortest horizontal distance from the nearest main wall of the ***building*** or ***structure*** and the exterior boundary of a ***wetland.*** [See **Section 4.26.5** and **Figure 4.3**]

**(e)** The ***setback*** shall be measured as the shortest horizontal distance from the ***high-water mark*** and the nearest distribution pipe, leaching chamber or edge of a Type A dispersal bed stone layer.

**(f)** A ***shoreline buffer zone*** shall be maintained between the ***high-water mark*** and any ***permitted use, building*** or ***structure*** except a ***marine facility*** in a WR, R, LSR and CR Zone. A ***shoreline buffer zone*** may be interrupted to provide for an access way or pathway to a ***water body*** or to provide for a viewscape of the adjacent or abutting ***water body*** provided that a clearing of the ***shoreline buffer zone*** to create a shoreline activity area shall not exceed 25% of the shoreline frontage of a ***lot*** occupied by a ***residential use*** or 50% for a ***commercial recreational use***. [See also **Section 4.17 and 4.27]**

**6. Rail Corridor**

No ***building*** or ***structure*** shall be ***permitted*** within 30 m [98.4 ft.] of the right-of-way of a rail corridor.

**7. Ministry of Transportation**

The minimum *setback* from a provincial highway or highway intersection with a provincial highway for a ***building, structure, sign, open storage, outdoor display,*** a patrol yard or land use including a snowmobile or ATV recreational trail shall be as required by the Ministry of Transportation.

**8. Areas of Natural and Scientific Interest**

The minimum ***separation distance*** or buffer for any ***development*** from the exterior boundary of an ***area of natural and scientific interest*** shall be 120 m [393.7 ft.].

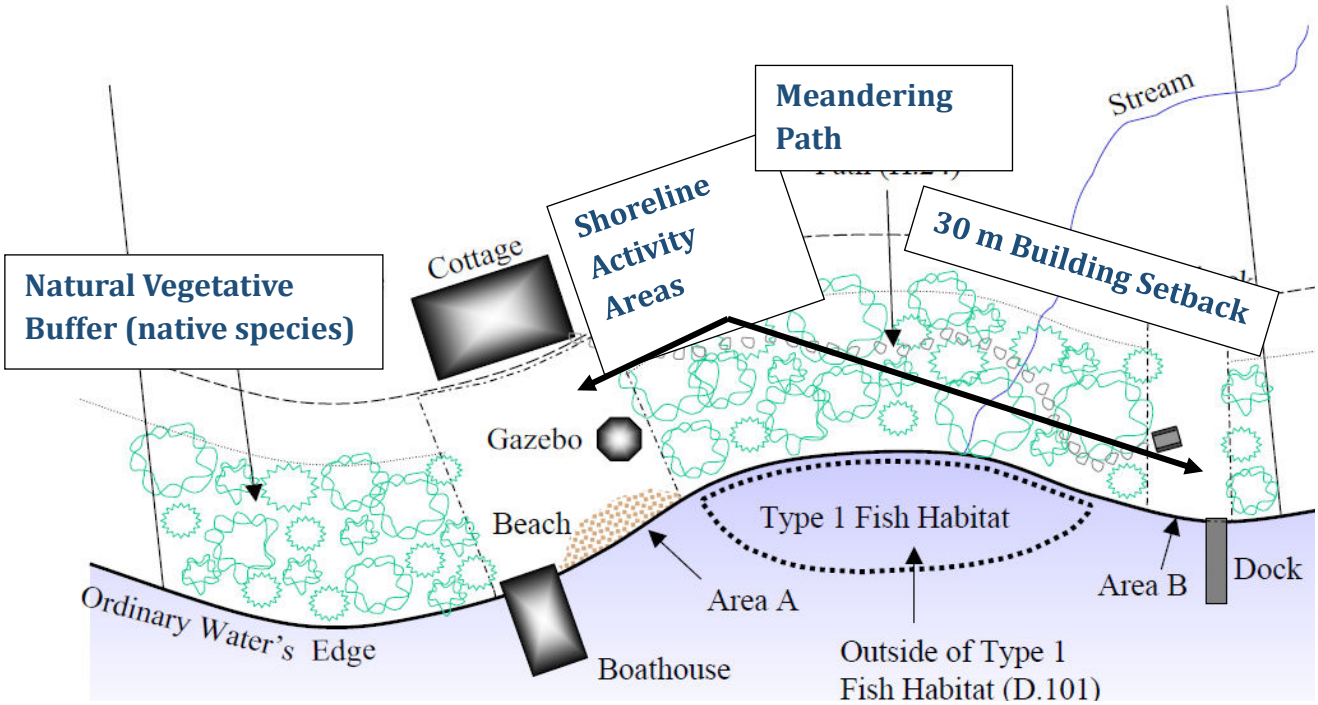
## 4.27 Natural Vegetation, Shoreline Buffer and Shoreline Activity Area

Land within 30 m [98.4 ft.] of the ***high-water mark*** of a ***water body*** shall be preserved as a natural vegetation shoreline buffer where the cutting or removal of trees, shrubs or ground cover will not be permitted except for the removal of dead or diseased trees, debris or noxious plants.

**1.** Paragraph (1) shall not apply where a site plan agreement or development agreement is in effect; and

**2.** A ***shoreline buffer zone*** shall be maintained between the ***high-water mark*** and any ***permitted use, building*** or ***structure*** except a ***marine facility*** in a RW, R, LSR and CR Zone. A ***shoreline buffer zone*** may be interrupted to provide for an access way or pathway to a ***water body*** or to provide for a viewscape of the adjacent or abutting ***water body*** provided that a clearing of the ***shoreline buffer zone*** to create a ***shoreline activity area*** shall not exceed 25% of the shoreline frontage of a ***lot*** occupied by a ***residential use*** up to a maximum of 10 m [32.8 ft.] or 50% for a ***commercial recreational use*** up to a maximum of 30 m [98.4 ft.] [See illustration]

**SHORELINE BUFFER ZONE AND SHORELINE ACTIVITY AREA**



## 4.28 Non-Conforming and Non-Complying Uses

**1. Continuance of Existing Uses**

Nothing in this By-law shall apply to prevent the ***use*** of any land, ***building*** or ***structure*** for any purpose prohibited by the 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. The non-conforming use of any land, ***building*** or ***structure*** shall not be changed or enlarged except to a use which is in conformity with the provisions of the ***zone*** in which the land, ***building*** or ***structure*** is located, without permission from the Committee of Adjustment pursuant to the *Planning Act*.

**2. Prior Building Permits**

Nothing in this By-law shall prevent the erection or *use* of any ***building*** or ***structure*** for which a building permit has been issued under the *Building Code Act* prior to the passing of this By-law, so long as the ***building*** or ***structure*** when ***erected*** is ***used*** and continues to be ***used*** for the purpose for which it was ***erected*** and provided the permit has not been revoked under the *Building Code Act;*

**3. Road Widening**

Nothing in this By-law shall prevent the ***use*** of any land, ***building*** or ***structure*** or the ***erection*** of any ***building*** or ***structure*** on a ***lot*** which does not comply to the minimum ***lot frontage*** and/or ***lot area*** and/or ***front yard setback*** and in the case of a ***corner lot***, the ***side yard setback***, as a result of a road widening taken by the Township of Central Frontenac or the Ministry of Transportation of Ontario, provided all other requirements of this By-law are complied with;

**4. Reconstruction of Existing Use**

**(a)** Nothing in this By-law shall prevent the reconstruction or strengthening to a safer condition of any ***non-complying building*** or ***structure*** which is destroyed or rendered uninhabitable by fire or other natural cause, provided the ***height*** and ***gross floor area*** is not increased, and the new ***building*** or ***structure*** is *erected* or on the same building footprint.

**(b)** An existing ***non-complying building*** or ***structure*** may be renovated only, provided the renovation does not further reduce any ***zoning regulations*** or increase the ***gross floor area***.

**5. Existing Undersized Lots**

Despite anything else contained in this By-law, where a vacant ***lot*** having a lesser ***lot frontage*** and/or ***lot area*** than is required by this By-law is held under distinct and separate ownership from adjoining ***lots***, according to the register for land in the Land Titles, or Registry Office, on the date of the passing of this By-law, it may be used for a purpose ***permitted*** in the ***zone*** in which the said lot is located, provided it can be adequately serviced with water and sewage services. [See **Section 4.44**], has a suitable ***building envelope***, has an absolute minimum ***lot area***

of 1,950 $m^2$ [20,990 $ft.^2$] and provided that all other applicable provisions in this By-law are complied with. This provision shall not apply to ***lots*** within settlement areas.

## 4.29 Occupancy Restrictions

Human habitation shall not be ***permitted*** in any of the following ***buildings***, ***structures***, or parts thereof:

**1.** Any ***private garage*** or other ***building*** or ***structure*** which is ***accessory*** to a ***residential use*** except where the ***accessory building*** or ***structure*** is converted to an ***additional residential unit*** in compliance with **Section 4.2.7** of this By-law and in compliance with the *Ontario Building Code.* [See photo]

**2.** Any truck, bus, coach or streetcar body whether or not the same is mounted on wheels.

**3.** Any ***dwelling*** before occupancy is granted pursuant to the requirements of the *Ontario Building Code.*

## 4.30 Outdoor Display and Open Storage

No ***person*** shall ***use*** any ***lot*** or part thereof for ***outdoor display*** or ***open storage*** except as ***permitted*** by this By-law and in accordance with the following:

**1.** ***Open storage*** except for the sale of firewood shall not be permitted within any required ***front yard*** and not closer than 5 m [16.4 ft.] to any ***interior side lot line*** or ***rear lot line***.

**2.** Where ***open storage*** areas abut a ***residential zone*** the ***open storage*** area in the non-residential zone shall be set back a minimum of 10 m [32.8 ft.] from the ***lot line*** of the non-residential, and the ***open storage*** area shall be visually screened from ~~said~~ the ***residential zone***.

**3.** Any areas ***used*** for ***open storage*** shall not reduce any minimum off-street ***parking area*** or ***loading areas*** required by this By-law.

**4.** An ***outdoor display*** area shall be permitted as an ***accessory use*** to any ***permitted commercial use***, ***industrial use*** or ***public service use***, provided that the ***outdoor display*** area does not reduce any required ***parking area*** or ***loading area*** required by this By-law. All ***outdoor display areas*** shall be set back a minimum of 3 m [9.84 ft.] from any ***front lot line*** or ***interior side lot line***. Despite the above, seasonal sales of Christmas trees or a temporary sale (i.e., weekend) or a ***yard sale*** shall be

permitted to occupy a designated ***parking area*** but shall be subject to any restrictions otherwise imposed by license or permit by the ***Municipality***.

**5. Auto Body Shop**

The outside storage of damaged ***vehicles*** shall be visually obscured from any adjacent land used or zoned to permit a residential ***dwelling***.

**6. Salvage Yard**

The outside storage of ***motor vehicles***, equipment or other commodities in an authorized ***salvage yard*** shall be visually obscured from any adjacent public road or land used or ***zoned*** to ***permit*** a residential ***dwelling*** with a solid ***fence*** having a minimum height of not less than 2 m [5.65 ft.].

**7.** Paragraphs 4.30.1 – 4.30.3 shall not apply where a site plan agreement is in effect which regulates those matters.

## 4.31 Parks and Cemeteries

***Parks*** and ***cemeteries*** shall not be subject to the minimum ***lot area*** or ***lot frontage*** requirements of any ***zone*** in this By-law;

**1.** Any ***buildings*** or ***structures erected*** in a park or cemetery shall comply with the ***height***, ***setback*** and ***lot coverage*** requirements of the ***zone*** in which the ***park*** or ***cemetery*** is located; and

**2.** A ***park*** shall be permitted in any ***zone***, but no ***building*** or ***structure*** shall be constructed or ***erected*** in an Environmental Protection Zone except for a ***conservation use***. [See also **Section 4.40**]

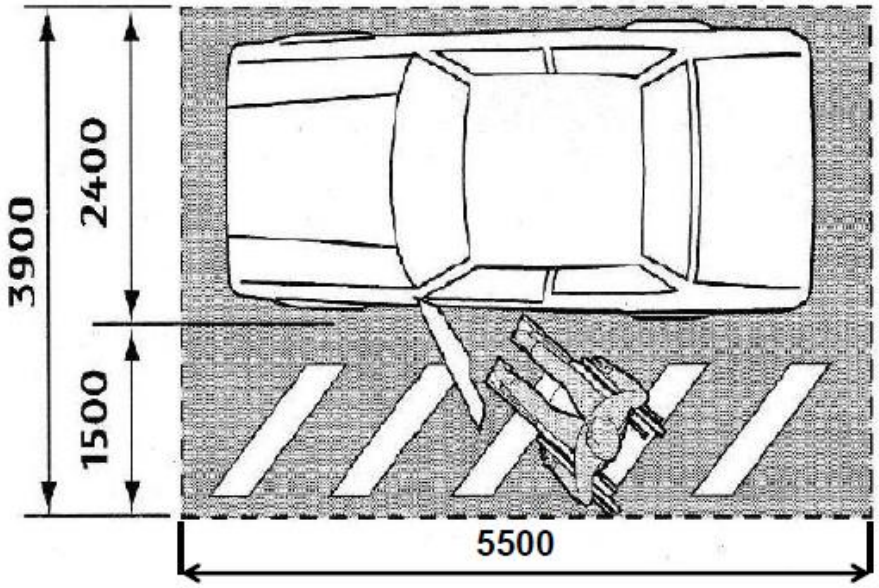
## 4.32 Parking and Storage of Vehicles

**1.** Except as provided herein, no ***vehicles*** shall be parked or stored in any ***zone*** unless the ***vehicle*** is located within a ***garage***, ***carport***, ***driveway***, designated ***parking area*** or on a ***street*** where ***permitted*** by Municipal By-law.

**2.** No ***parking space*** in a ***residential zone*** shall be ***used*** for the outdoor parking or storage of a ***vehicle*** unless such ***vehicle*** is used in operations incidental to the main permitted use of the ***lot*** on which it is parked or stored and bears a motor vehicle license plate which is currently valid (historical vehicles as defined by MTO are exempted).

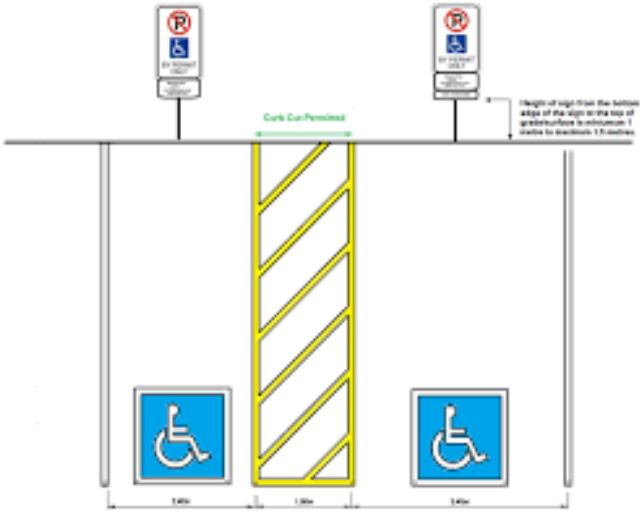
**3.** Each standard ***parking space*** or ***stacking space*** in a ***stacking lane*** shall have a minimum width of 2.7 m [8.9 ft.] and a minimum length of 6 m [19.7 ft.] where a single ***barrier-free parking space*** is provided. The minimum width of a ***barrier-free parking space*** may be reduced to 2.4 m [7.8 ft.] provided a shared access ***aisle*** having a minimum width of 1.5 m [4.92 ft.] is provided between any two ***barrier-free parking space.*** [See **Figure 4.5**]

**Figure 4.5**




**4.** Unless permitted elsewhere in this By-law, where two (2) or more uses are ***permitted*** in any one (1) ***building*** or on any one (1) lot, the total number of off-street ***parking space***s shall be calculated based on the sum of ***parking spaces*** required for each separate ***use***.

**5.** The ***parking space*** regulations shall not apply to any ***building*** or ***structure*** in existence at the date of passing of this By-law so long as the ***gross floor area***, as it existed at such date is not increased and no change in ***use*** occurs. If an addition is made to the ***building*** or ***structure*** which increases the ***gross floor area***, or a change in ***use*** occurs, then ***parking spaces*** for the addition or area changed in ***use*** shall be provided.



**6.** The following supplementary regulations shall apply to ***parking area***s for ***dwellings*** in a ***residential zone***:

**(a)** The ***driveway*** and ***parking area*** shall be constructed of crushed stone, asphalt paving, concrete, paver stones or similar materials and shall be maintained and treated so as to reduce dust, scattering of stones and similar potentially undesirable effects on adjoining properties;

**(b)** No more than fifty percent (50%) of the area of any required ***front yard*** shall

be used or constructed as a ***driveway*** or ***parking area;*** and

**(c)** No more than fifty percent (50%) of the ***lot frontage*** as defined by this by-law shall be used or constructed as a ***driveway*** or ***parking area***.

**7.** The following regulations shall apply to ***parking area***s for more than four (4) ***vehicles***:

**(a)** The ***parking area*** shall be constructed of crushed stone, asphalt paving, concrete, paver stones, or similar materials and shall be maintained and treated;

**(b)** Ingress and egress directly to and from every ***parking space*** shall be by means of a ***driveway***, ***lane*** or ***aisle*** having a width of at least 6 m [19.7 ft.] for two-way traffic and 3.5 m [11.5 ft.] for one-way traffic where parking is angled;

**(c)** A ***driveway*** or ***lane*** which does not provide ingress and egress directly to a ***parking space***, shall have a minimum width of 3.5 m [11.5 ft.] where designed for one-way vehicular circulation or 6 m [19.7 ft.] where designed for two-way vehicular circulation.

**8. Barrier-Free Parking**

Wherever barrier-free access to a ***building*** is required under the Building Code, one (1) ***barrier-free parking space*** shall be provided for every 10 standard ***parking spaces*** or part thereof and shall be included in the total number of parking spaces required under the Schedule for Parking Requirements. [See **Section 4.33**]

**9.** Except where required otherwise by paragraph (7), ***driveways*** shall have a minimum width of 3.5 m [11.5 ft.].

**10. Driveway Entrance Location**

No ***driveway*** on a ***corner lot*** shall be located closer than 15 m [49.2 ft.] from the edge of the travelled road of an intersection of a local road or 20 m [65.5 ft.] from the intersection of a collector road or provincial highway.

**11.** Except where permitted elsewhere in this By-law, the required parking for ***residential uses*** of land shall be provided on the same ***lot*** as the ***dwelling unit***. In all other zones, parking shall be provided on the ***lot*** of the ***principal use*** or within 100 m [328.0 ft.] of the ***building, structure*** or ***lot*** it is intended to serve, subject to an agreement, deed or renewable lease which provides for same. Parking for a water access only ***lot*** or an island or part thereof shall be provided at a public access point that is secured by a legal agreement and is on the same ***water body***.

**12.** Despite **Section 4.33**, if the calculation of the minimum ***parking space*** requirement results in a fraction, the minimum requirement shall be the next higher whole number (*e.g., 7.23 spaces shall be deemed to require 8 parking spaces*); and

**13.** No ***parking area***, ***commercial parking lot***, ***parking space*** or ***barrier-free parking space*** shall be located within 3 m [9.84 ft.] of a window of a habitable room.

## 4.33 Schedule for Parking Requirements

In any ***zone***, the owner or occupant of any ***building*** or ***structure erected***, enlarged or changed in ***use*** after the date of passing of this By-law shall provide off-street parking in accordance with the following provisions:

**Schedule for Parking Requirements:**

| Use | Minimum Number of Parking Spaces Required |
|---|---|
| **Residential Uses:** | |
| ***Single Detached Dwelling*** | 2 spaces per ***dwelling unit*** |
| ***Semi-Detached Dwelling*** | |
| ***Duplex Dwelling*** | |
| ***Triplex Dwelling*** | |
| ***Converted Dwelling*** | |
| ***Seasonal Dwelling*** | |
| ***Mobile Home*** | |
| ***Row or Townhouse Dwelling*** | |
| ***Park Model Trailer*** | |
| ***Apartment Dwelling*** | 1.5 spaces per ***dwelling unit*** (1 space per Bachelor Dwelling Unit), 15% of which shall be reserved as visitor parking |
| ***Additional Residential Unit, Dormitory, Garden Suite, Loft-Above-a-Garage, Sleep Cabin, Retirement Home, Tiny House*** | 1 space per residential unit |
| ***Bed and Breakfast Establishment*** | 1 space for each ***guest room*** in addition to the required residential spaces |
| ***Home Based Business, Live/Work Unit*** | 1 space in addition to the required residential spaces plus 1 space per employee |
| ***Continuum-of-Care Facility*** | 1 space for every 6 patient beds plus 1 space for every 4 employees. |
| ***Group Home, Crisis Care Facility*** | 1 space for every 5 residents plus 1 space per employee |

| Use | Minimum Number of Parking Spaces Required |
|---|---|
| **Other Uses:** | |
| ***Ambulance Facility*** | 1.5 spaces per employee |
| ***Animal Shelter*** | 1 space per 30 $m^2$ [322.9 $ft.^2$] of gross floor area |
| ***Art Gallery, Studio*** | 1 space per 45 $m^2$ [484.4 $ft.^2$] of gross floor area |
| ***Auto Body Shop, Automobile Repair Garage, Automobile Service Station, Gasoline Bar, Gasoline Card Lock Facility*** | 3 spaces per service bay plus 1 space per employee |
| ***Building Supply Store, Lumber Yard, Garden Centre, Nursery*** | 1 space for every 20 $m^2$ [215.3 $ft.^2$] ***gross floor area*** of bulk storage |
| ***Campground*** | 1 space per campsite plus the required spaces for any associated uses based on this table (e.g., place of amusement, restaurant) |
| **Car Rental Agency** | 15 spaces minimum |
| ***Car Wash*** **(self service)** | 1 waiting spaces per wash bay excluding the wash bay |
| ***Car Wash*** **(automatic service)** | 5 stacking spaces per wash bay |
| ***Clinic*** | 6 spaces per practitioner or 1 space per 15 $m^2$ [161.5 $ft.^2$], whichever is greater |
| ***Construction Yard or Contractor's Yard, Equipment and Vehicle Storage Yard, Equipment Rental Establishment, Portable Asphalt/Concrete Plant, Salvage Yard*** | Where use does not include ***buildings***, 1 space per hectare [2.47 ac.]. Where use includes buildings, 1 space per 30 $m^2$ [322.9 $ft.^2$] of gross floor area for retail, showroom and administration, plus 200 $m^2$ [2,152.8 $ft.^2$] for warehousing and wholesaling, where applicable |
| ***Convenience Store, Funeral Parlour, Personal Service Outlet*** | 1 space per 20 $m^2$ [215.3 $ft.^2$] of gross floor area, minimum 3 spaces |
| ***Day Care Facility, Private Day Care*** | 1 space per employee and 1 space per 5 children |
| ***Drive-through Facility*** | ***Stacking lanes*** shall accommodate a minimum of 12 vehicles |
| ***Equestrian Establishment*** | 3 spaces |
| ***Golf Course*** | 4 spaces per hole, minimum 50 spaces |
| ***Heliport, Private Airfield*** | 1 space |
| ***Hotel, Motel, Bed & Breakfast Establishment, Tourist Establishment, Tourist Outfitters*** | 1 space per ***guest room*** or suite, plus the required spaces for any associated use (e.g., restaurant) |

| Use | Minimum Number of Parking Spaces Required |
|---|---|
| ***Establishment* (with road access)** | |
| ***Industrial Use, Abattoir, Sawmill or Planing Mill*** | 1 space for every 100 $m^2$ [1,076.4 $ft.^2$] of floor area up to 200 $m^2$ [2,152.9 $ft.^2$], plus 1 additional space for every 200 $m^2$ [2,159.9 $ft.^2$] of floor area thereafter |
| **Library, Museum, *Day Nursery*** | 1 space per 40 $m^2$ [430.6 $ft.^2$] of ***gross floor area*** |
| ***Marina*** | 1 space for every seasonal ***boat slip***, plus 1 space for every 4 transient ***boat slip*** plus 1 trailer space 3 m by 9 m for every 10 ***boat slips*** |
| ***Miniature Golf Course*** | 1.5 spaces per hole |
| ***Offices, Public Service Use*** | 1 space per 20 $m^2$ [215.3 $ft.^2$] of ***gross floor area***, minimum 3 spaces |
| ***Place of Assembly, Place of Worship*** | 1 space per 4 persons accommodated according to the maximum permitted seating capacity or 1 space per 10 $m^2$ [107.64 $ft.^2$] where there are no fixed seats |
| ***Restaurant, Tavern*** | 1 space per 10 $m^2$ [107.64 $ft.^2$] |
| ***Retail Store, Bank, Flea Market* (where contained within a building), *Factory Outlet, Brewery, Winery*, *Personal service establishment, Pet Grooming Establishment, Service Outlet or Shop, Shopping Centre, Dry Cleaning, Outlet, Laundromat*** | 1 space per 20 $m^2$ [215.3 $ft.^2$] of ***gross floor area***, minimum 5 spaces |
| ***School* (elementary)** | 2 spaces per classroom |
| ***School* (secondary)** | 4 per classroom |
| ***School* (post-secondary)** | 1 per 100 $m^2$ [1,076 $ft.^2$] plus 1 per 15 students |
| **Theatre** | 1 space per 6 persons accommodated according to the maximum permitted capacity |
| **Water access only lots and islands** | 2 parking spaces and a space for a trailer (for a boat) per ***dwelling unit*** shall be provided in any parking area to serve water access only or island lots. [See also Section 4.18.1] |
| ***Warehouse*, cold storage facility, *transportation depot or truck terminal*** | 1 space per 100 $m^2$ [1,076.4 $ft.^2$] of ***gross floor area*** |
| **All other uses not listed above** | 1 space per 30 $m^2$ [322.9 $ft.^2$] of ***gross floor*** |

| Use | Minimum Number of Parking Spaces Required |
|---|---|
| | ***area*** |

## 4.34 Parts of Buildings or Structures Permitted Above Height Level

The ***height*** regulations in this By-law shall not apply to any of the following:

1. Air conditioning system
2. Chimney
3. Church spire or belfry
4. **Communications facility**
5. Drying tower
6. Elevator or stairway enclosure
7. Enclosed mechanical and electrical equipment
8. ***Farm buildings*** and ***structures*** such as a barn, silo or windmill
9. Flag pole
10. Hydro One Networks Inc. electric transmission tower
11. Ornamental dome or clock tower
12. Receiving and transmitting stations
13. ***Satellite dish/receiver***
14. Skylight
15. ***Solar collector*** and ***commercial solar collector*** panels
16. Ventilating fan or skylight
17. Water tower or tank
18. ***Wind turbine /commercial wind turbine***

## 4.35 Permitted Projections

1. Every part of any ***yard*** required by this By-law shall be left open and unobstructed by any ***structure*** from the ground to the sky except for those ***structures*** listed in the following table. These ***structures*** shall be ***permitted*** to project into the minimum yards required by this By-law for the following specified distances:

| Structure | Maximum Projection into Required Yard |
|---|---|
| Chimney breasts, cornices, sills, bay windows, pilasters, eaves or gutters, ***solar collectors*** (where ***attached*** to ***buildings***), ventilators, shutters, cornices, parapets, pilasters or other ornamental structures | 0.75 m [2.46 ft.] into any required ***front, rear*** or ***side yard*** |
| ***Canopies*** which are at least 2.13 m (7 ft.) in vertical clearance above the ***established grade***, with or without supporting posts | 2 m [6.5 ft.] into any required ***yard*** |

| Structure | Maximum Projection into Required Yard |
|---|---|
| ***Canopies*** or porticos for entrances to ***apartment buildings*** and commercial buildings | May project into the required ***yard*** a distance equal to one-half (½) the ***setback*** of the ***building*** from the ***street line*** |
| Window and solar energy awnings | 1.2 m [3.9 ft.] into any required *yard* |
| Steps, ramps for use by handicapped, and walkways | May project up to 100% of any required ***setback*** into any required ***yard*** |
| ***Porch***, uncovered platform landing, patio or ***deck***, or ***balcony*** or steps | 3.0 m [9.8 ft.] into any required ***yard*** |
| Fire Escapes, exterior stair cases | 1.5 m [4.92 ft.] into a ***side*** or ***rear yard*** only. |
| Air conditioner | 0.5 m [1.6 ft.] into any required ***yard*** |
| Heat pump or ***geothermal power facility*** | 1.5 m [5 ft.] into an interior ***side yard*** or ***rear yard*** for above ground components only |
| Gate House in any Industrial Zone | May project up to 100% of any required ***setback*** into any required yard |
| ***Fences***, hedges, shrubs, trees, freestanding walls, flagpoles, light standards, garden trellises, clothes lines, bicycle racks and similar ***structures*** or features | No maximum into any yard except with respect to the ***zone regulations*** for a ***sight triangle*** |
| ***Solar collector, wind turbine*** | No maximum into any ***yard*** provided they are no closer than 3 m [9.8 ft.] to a ***front lot line*** or ***street line*** |
| Commercial Solar Collector, commercial wind turbine | No maximum into any ***yard*** provided they are no closer than 3 m [9.8 ft.] to **an** ***interior side yard*** or ***rear yard lot line*** or 10 m [32.8 ft.] from a ***street line*** |

**2.** No ***structure permitted*** to project into any required yard by paragraph (1) shall obstruct a ***sight triangle*** [See also **Section 4.38**]

## 4.36 Prohibited Uses

Except as specifically permitted in this By-law, the following ***uses*** are prohibited:

**1.** ***Adult Entertainment Parlour*** and Body Rub Parlour; and

**2.** The ***use*** of any ***accessory building*** or ***structure***, ***boathouse*** or ***storage container*** for human habitation except as ***permitted*** in Section **4.1.2**; and

**3.** The storage of inoperative rail cars, streetcars, buses, truck bodies, or trailers without wheels; and

4. The outdoor storage of partially dismantled and/or unlicensed ***motor vehicles*** or ***recreational vehicles***, or trailers or ***motor vehicle*** or trailer parts; and

5. Obnoxious uses; and

6. Smelters, ethanol plants, the manufacturing, refining, rendering or distillation of acid, ammonia, chlorine, coal, coal oil, creosote, explosives, fireworks, glue, petroleum, tar or other gases; and

7. The bulk storage of industrial chemicals, and hazardous waste, or liquid industrial waste as defined under the *Environmental Protection Act, R.S.O., c. E.19*, as amended, and

8. The bulk storage of ten (10) or more disposed or used tires, and

9. The ***erection*** of a ***building*** or ***structure*** in a significant ***natural heritage feature or area*** (e.g., ***significant wildlife habitat***, ***provincially or locally significant wetland***, ***habitat of endangered or threatened species*** or ***area of natural and scientific interest***, except for a directional or informational sign erected for conservation purposes.

## 4.37 Sensitive Bodies of Water

Despite any part of this By-law to the contrary, within 300 m [984.3 ft.] of the ***high-water mark*** of Eagle Lake, Crow Lake, Silver Lake and the west basin of Sharbot Lake, the following provisions shall apply:

1. Where a ***permitted use*** is proposed, such ***use*** shall only be ***permitted*** on ***lots*** of record in existence as of the date of passing of this By-law;

2. The maximum number of ***permitted dwelling units*** per lot shall be one (1); and

3. The minimum ***setback*** of any sewage disposal tile field or filter bed shall be 300 m [984.4 ft.] measured as the shortest horizontal distance from the ***high-water mark*** and the nearest distribution pipe, leaching chamber or edge of a Type A dispersal bed stone layer.

## 4.38 Sight Triangles

1. Within any area defined as a ***sight triangle*** (see **Figure 4.6**), the following ***uses*** shall be prohibited:
   - **(a)** A ***building***, ***structure*** or ***use*** which would obstruct the vision of drivers of ***motor vehicles***;
   - **(b)** A ***fence*** or tree, hedge, bush or other vegetation, other than agricultural crops,

the top of which exceed 0.75 m [2.46 ft.] in ***height*** above the elevation of the centrelines of abutting ***streets***;

**(c)** A ***parking area***; and

**(d)** A finished grade which exceeds the elevation of the centrelines of abutting ***streets*** by more than 0.5 m [1.65 ft.]. [See **Figure 4.6**]

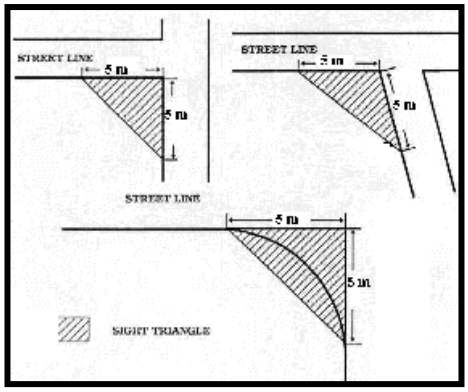



**Figure 4.6**

**2. Railway Crossings**

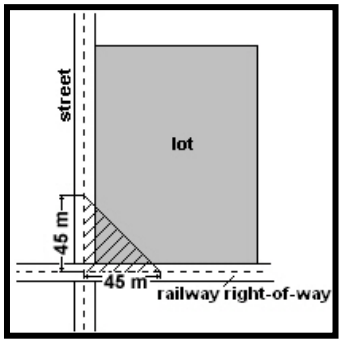
No obstruction to the vision of ***motor vehicle*** operators higher than 0.75 m [2.46 ft.] above grade including, but not limited to, ***buildings***, ***structures***, ***parking spaces***, ***open storage***, vegetation or planting strips is ***permitted*** on any ***lot*** abutting an at-grade intersection of a ***street*** or ***private road*** and a railway track. Without limiting the foregoing, the area of land deemed to abut the intersection of the ***street*** or ***private road*** and a railway track includes:

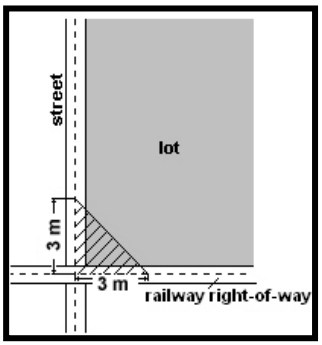
**(a)** Where automatic signal protection is provided the area within the triangle formed by commencing at the intersection of the ***street*** or ***private*** road and measuring a 3 m [9.84 ft.] line along the ***street*** or ***private*** road and the railway right-of-way and measured 3m [9.84 ft.] along the railway right-of-way; [See **Figure 4.7**]

**(b)** Where automatic signal protection is not provided the area within the triangle formed by commencing at the intersection of the centreline of the ***street*** or ***private road*** and the railway right-of-way and measuring a 45 m [147.6 ft.] line along the ***street*** or ***private*** road and connecting that line to a second line commenced at the intersection of the centreline of the ***street*** or ***private road*** and the railway right-of-way and measured 45 m [147.6 ft.] along the railway right-of-way; [See **Figure 4.7**] and

**(c)** For the purposes of this Section, an agricultural crop, chain link ***fence*** or other similar feature that can be seen through is not an obstruction.

**Figure 4.7: Illustration of Rail Sight Triangles**



## 4.39 Signs

Unless otherwise stated in this By-law, ***signs*** shall be ***permitted*** only in accordance with the applicable by-law(s) of the ***Township***.

## 4.40 Streets

In any ***zone*** established by this By-law, ***streets***, walkways, paths, and trails are ***permitted***.

## 4.41 Temporary Buildings or Structures During Construction

**1.** Nothing in this By-law shall prevent the ***use*** of land or the use or ***erection*** of a ***temporary building*** or ***structure*** or a scaffold or other equipment essential to the construction in progress for which a valid building permit has been granted, but only until such time as the work has been finished or abandoned or such equipment is no longer required.

**2.** In addition, temporary accommodation may be permitted on a ***lot*** where a ***building*** or ***structure*** for which a valid building permit has been granted and is under construction provided the form of temporary accommodation is limited to a mobile, relocatable, portable or transportable ***building*** or ***structure*** or ***recreational vehicle*** and provided:

**(a)** Approval is obtained from the ***Corporation***.

**(b)** Such temporary accommodation is removed from the ***lot*** immediately upon completion of construction, the issuance of an occupancy permit or abandonment of construction all of which as regulated by the *Ontario Building Code Act* and any related regulation thereto.

**3.** Nothing in this By-law shall prevent the ***use*** of land or the ***use*** or ***erection*** of a temporary sales or rental office for which a valid building permit has been issued and/or approval is obtained from the ***Corporation***.

**4.** Nothing in this by-law shall prevent the temporary use of a ***recreational vehicle*** for the temporary occupancy of farm workers specifically employed for the planting or harvesting of crops provided the ***recreational vehicle*** complies with **Section 4.43** of this by-law.

## 4.42 Use by Public Authority or Public Utility or Public Service Use

**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 a ***public utility*** installation for the purpose of ***public service use*** by the Township of Central Frontenac, the County of Frontenac and/or any public authority, any department of the Government of Ontario or Canada, including any Hydro One Networks Inc. facilities pursuant to the *Planning Act*, provided that where such land, ***building*** or ***structure*** is located in or abutting a ***zone*** in which ***residential uses*** of land are ***permitted***:

**(a)** No goods, materials or equipment shall be stored in the open;

**(b)** The ***lot coverage*** and ***setback*** regulations of the ***zone*** in which such land, ***building*** or above ground ***structure*** is located shall be complied with;

**(c)** Any ***building erected*** under the authority of this section shall not be ***used*** for the purpose of an ***office*** except for a government ***building***;

**(d)** Parking and loading requirements as contained in this By-law shall be complied with;

**(e)** ***Communications facilities*** shall comply with federal government requirements for construction and safety.

**(f)** Secondary uses, such as active and passive recreation, agriculture, ***community gardens***, other utilities, and ***uses*** such as ***parking lots*** and outdoor storage that are ***accessory*** to adjacent lands uses, are encouraged on hydro corridor lands, where compatible with surrounding land uses. However, a proponent should be aware of the primacy of electricity transmission and distribution facilities and that secondary uses require technical approval from Hydro One Networks Inc.

## 4.43 Water and Sewage Disposal Systems

No ***person*** shall ***erect*** or ***use*** in whole or in part, any ***building*** or ***structure*** unless the ***use***, ***building*** or ***structure*** is properly connected to an approved ***water supply*** and ***sewage disposal system*** under the *Ontario Water Resources Act* or the *Building Code Act* unless the ***use*** is exempted under the *Building Code Act* or prohibited or regulated by this by-law.

## 4.44 More than One Zone Applying to a Lot

Where a ***lot*** is divided into more than one ***zone***, each such portion of the ***lot*** shall be ***used*** in accordance with the ***zone regulations*** of this By-Law for the zone where such portion of the lot is located. Each such portion of the ***lot*** shall be considered as a separate ***lot*** for the purposes of determining ***zone regulations***.

# Section 5 ZONES

## 5.1 Zone Classification

For the purposes of this By-law, the Township of Central Frontenac is divided into the following zones as named and described in the following sections, the boundaries of which are shown on the **Zoning Schedules** which are ***attached*** and form part of this By-law.

## 5.2 Zones

| **Residential Zones** | **Zone Symbol** |
|---|---|
| General Residential Zone | R1 |
| Multiple Residential Zone | RM |
| Waterfront Residential Zone | RW |
| **Commercial Zones** | |
| General Commercial Zone | C |
| Recreational Commercial Zone | CR |
| Local Commercial Zone | CL |
| Business District Zone | BD |
| Mixed Rural Industrial-Commercial Zone | MXCD |
| **Industrial Zones** | |
| Industrial Zone | M1 |
| Rural Industrial Zone | M2 |
| Mineral Aggregate Resource Zone | MX |
| Waste Management Facility Zone | WMF |
| **Rural and Environmental Zones** | |
| Rural Zone | R |
| Limited Service Rural Zone | LSR |
| Environmental Protection Zone | EP |
| Mining Zone | MR |
| Open Space Zone | OS |
| Heritage Zone | H |

## 5.3 Interpretation of Zones and Zone Boundaries

### 5.3.1 Boundaries

When determining the boundary of any ***zone*** as shown on any Schedule forming part of this By-law, the following provisions shall apply:

**1.** A boundary indicated as following a ***highway***, ***street*** or ***lane*** shall be the centre line of such ***highway***, ***street*** or ***lane;***

**2.** A boundary indicated as following a watercourse, creek, stream or the right-of-way of a railway or an electrical, gas or oil transmission line shall be the centre line of such watercourse, creek, stream or right-of-way;

**3.** A boundary indicated as following the ***high water mark*** shall follow such ***high water mark*** and in the event of a change in the ***high water mark***, the boundary shall be construed as moving with the actual ***high water mark***;

**4.** A boundary indicated as approximately following ***lot lines*** shown on a Registered Plan of Subdivision, or Reference Plan, or ***Township lot lines*** shall follow such ***lot lines***;

**5.** Where a boundary is indicated as approximately parallel to a ***street line*** or other feature, indicated in clause (1), (2), and (3) above, and the distance from such street line or other feature is not indicated, and clause (4) above is not applicable, such boundary shall be construed as being parallel to such street line or other feature, and the distance there from shall be determined according to the scale shown on the appropriate Zone Schedule;

**6.** A boundary indicated as following the limits of the ***Municipality*** shall follow such limits; and

**7.** In the event a dedicated ***street***, ***lane*** or right-of-way shown on any Schedule forming part of this By-law is closed, the property formerly in such street, lane or right-of-way shall be included within the ***zone*** of the adjoining property on either side of such closed street, lane or right-of-way. If a closed street, lane or right-of-way is the boundary between two or more different zones the new ***zone*** boundaries shall be the former centre line of the closed street, lane or right-of-way.

**Explanatory Note – Holding Zone By-laws**
Holding bylaws allow future uses for land or buildings but delay development until, for example, local services such as roads are in place. The conditions for lifting the 'h' symbol which identifies a holding zone, are set out in the Township's official plan. Once the condition has been met the 'h' symbol can be removed and development allowed to proceed. Only uses that are identified in the underlying zone are permitted. Removal of the 'h' symbol requires an amendment. Notice of the Council meeting to remove the 'h' symbol is required is required, however, there is no appeal of the removal of the 'h' symbol.

**Explanatory Note – Temporary Use By-laws**
Temporary use bylaws zone land or buildings for specific uses for a maximum period of three years at a time, with more extensions possible. When the temporary use of a garden suite (such as a one-unit detached residential structure containing bathroom and kitchen facilities that is additional to an existing structure and that is designed to be portable) is authorized, the temporary bylaw may allow it for a period not exceeding 20 years, with the possibility of extensions of not more than to 3 years at a time. Temporary use by-laws accordingly have a sunset clause and the by-law expires automatically at the end of the time period specified in the by-law. Extending the life of a temporary use by-law requires a zoning by-law amendment and follows the same process as any other type of zoning amendment.

### 5.3.2 Permitted Uses and Accessory Uses

**1.** Each ***zone*** lists Permitted Uses as well as ***Accessory*** Uses. Permitted ***accessory uses*** include customary ***accessory*** uses, ***buildings*** and ***structures*** in accordance with **Section 4.1** of this By-law, as well as other ***accessory*** uses listed below '**Accessory Uses** (see **Section 4.1**)' in each respective ***zone***.

**2.** Each permitted ***Accessory Use*** includes a section or subsection of this By-law that should be referred to for further clarification of the requirements for that specific permitted ***accessory use***.

**3.** Unless otherwise stated, a ***Public Service Use*** for Hydro One Networks Inc. and a ***Public Utility*** shall be permitted in any exception ***zone***.

## 5.4 GENERAL RESIDENTIAL – R1 Zone

No ***person*** shall ***use*** any land or ***erect***, ***alter*** or ***use*** any ***building*** or ***structure*** in the General Residential (R1) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.4.1 Permitted Uses

| Permitted Residential Uses | Permitted Accessory Uses |
|---|---|
| • ***Dwelling – Converted***<br>• ***Dwelling – Duplex***<br>• ***Dwelling – Mobile Home***<br>• ***Dwelling – Seasonal***<br>• ***Dwelling – Semi-detached***<br>• ***Dwelling – Single Detached***<br>• ***Group Home*** **(see 4.19)**<br>• ***Tiny House*** | • ***Accessory use, building or structure*** **(see 4.1.1)**<br>• ***Additional Residential Unit*** **(see 4.2.7)**<br>• ***Bed and Breakfast Establishment*** **(see 4.4)**<br>• ***Boat House*** **(see 4.1.1.7 &8)**<br>• ***Day Care for Children (Private Home)*** **(see 4.10)**<br>• ***Detached Private Garage***<br>• ***Dock*** **(see 4.1.1.12-14)**<br>• ***Fence*** **(see 4.15)**<br>• ***Garden Suite*** **(see 4.2.10)**<br>• ***Home Based Business*** **(see 4.20)**<br>• ***Recreational Vehicle*** **(see 4.1.2)**<br>• ***Solar collector***<br>• ***Storage Container*** **(see 4.1.3)**<br>• ***Swimming Pool*** **(see 4.1.4)**<br>• **Studio**<br>• ***Temporary Car Shelter*** **(see 4.1.1.3 e & 4.1.1.16)**<br>• ***Wind turbine*** |
| **Permitted Non-Residential Uses** | |
| • ***Community Garden***<br>• ***Institutional Use***<br>• ***Live/Work Unit (see 4.20.4)***<br>• ***Park***<br>• ***Place of Worship***<br>• ***Public Service Use***<br>• ***Public Utility*** | |

### 5.4.2 Zone Requirements

**1.** ***Single Detached Dwelling, Seasonal Dwelling, Group Home, Mobile Home, Semi-detached Dwelling*** (where both dwelling units occupy the same lot), ***Duplex Dwelling, Converted Dwelling, Tiny House***

Minimum Lot Area..... 5,000 m² [1.25 ac.]
Minimum Lot Frontage .....46 m [150.9 ft.]

**Minimum Yard Requirements – Main Building**

- Front Yard .....7 m [22.9 ft.]
- Rear Yard .....7.5 m [24.6 ft.]
- Interior Side Yard.....3 m [9.8 ft.]
- Exterior Side Yard.....6 m [19.7 ft.]

**Maximum Building Height**

- Main Building.....10 m [32.8 ft.]
- Accessory Building .....6 m [19.7 ft.]

**Maximum Lot Coverage**

- Main Building.....15%
- ***Accessory*** Uses, Buildings and Structures .....5%

**Maximum Number of Dwelling Units per Lot (see also Section 5.4.3.3)**

- Single Detached Dwelling, Seasonal Dwelling, Group Home..... 1
- Semi-detached Dwelling, Duplex Dwelling, Converted Dwelling .....2

**2. *Semi-detached Dwelling* (where one dwelling unit occupies the same lot)**

Minimum Lot Area..... 2,500 m² [0.62 ac.]
Minimum Lot Frontage .....23 m [75.46 ft.]

**Minimum Yard Requirements – Main Building**

- Front Yard .....7 m [22.9 ft.]
- Rear Yard .....7.5 m [24.6 ft.]
- Interior Side Yard.....3 m [9.8 ft.]
- Exterior Side Yard.....6 m [19.7 ft.]

**Maximum Building Height**

- Main Building.....10 m [32.8 ft.]
- Accessory Building .....6 m [19.7 ft.]

**Maximum Lot Coverage**

- Main Building.....15%
- Accessory Uses, Buildings and Structures .....5%

Maximum Number of Dwelling Units per Lot ..... 2 (see also **Section 5.4.3.3**)

3. **All Other Uses (*Institutional Use, Place of Worship, Public Service Use*** [see also **Section 4.41], *School*)**

Minimum Lot Area..... 5,000 m² [1.25 ac.]
Minimum Lot Frontage .....46 m [150.9 ft.]

**Minimum Yard Requirements – Main Building**

- Front Yard .....7 m [22.9 ft.]
- Rear Yard .....7.5 m [24.6 ft.]
- Interior Side Yard.....3 m [9.8 ft.]
- Exterior Side Yard.....6 m [19.7 ft.]

**Maximum Building Height**

- Main Building.....15 m [49.2 ft.]
- ***Accessory*** Building.....10 m [32.8 ft.]

**Maximum Lot Coverage**

- Main Building.....20%
- Accessory Uses, Buildings and Structures .....10%

### 5.4.3 Additional Provisions

1. The minimum ***yard*** requirements may be reduced in the General Residential (R1) Zone where there is an ***established building line*** in accordance with **Section 4.12** of this By-law.

2. Despite the maximum number of ***dwelling units*** per ***lot*** allowed in the General Residential (R1) Zone, ***additional residential units*** shall be permitted in accordance with **Section 4.2.7**.

3. No ***person*** shall ***erect*** any ***building*** or ***structure*** in the General Residential (R1) Zone unless the ***lot*** upon which such ***building*** or ***structure*** is to be ***erected*** has ***frontage*** onto and direct access to a ***public street*** (see also **Section 4.18**).

4. **Domestic Poultry and Livestock**
   **(a)** A ***lot*****,** vacant lands or lands occupied by a ***dwelling unit*** may be ***used*** for the keeping of domestic livestock kept or used for non-commercial food production including domestic poultry (i.e., chickens, ducks, geese, pigeons, quail, pheasants, turkeys), and domestic livestock (i.e., rabbits) based on the following ***nutrient unit*** to ***lot area*** ratio:

   up to 0.1 ***nutrient unit*** provided the minimum ***lot area*** shall be 0.2 ha [0.5 ac.]
   up to 0.2 ***nutrient unit*** provided the minimum ***lot area*** shall be 0.4 ha [1 ac.]
   up to 0.4 ***nutrient unit*** provided the minimum ***lot area*** shall be 0.8 ha [2 ac.]

up to 0.6 ***nutrient unit*** provided the minimum ***lot area*** shall be 1.21 ha [3 ac.]
up to 0.8 ***nutrient unit*** provided the minimum ***lot area*** shall be 1.61 ha [4 ac.]
up to 1.0 ***nutrient unit*** provided the minimum ***lot area*** shall be 2.02 ha [5 ac.]
between 1.0 and 5.0 ***nutrient units*** provided the minimum ***lot area*** shall be 4.04 ha [10 ac.]
greater than five (5) ***nutrient units*** provided the minimum ***lot area*** exceeds 4.04 [10 ac.]
and provided any associated ***livestock facility*** and manure storage facility complies with the ***Minimum Distance Formula***.

**(b)** Domestic livestock shall not be deemed to include swine, goats, cattle, horses, donkeys or similar large animals.

**(c)** Domestic livestock and poultry may run free range provided the ***lot*** is fenced and provided all livestock are internally sheltered overnight and that caged ***structures*** comply with the required ***zone regulations*** for ***setbacks***.

**5.** All applicable ***zone regulations*** of **Section 4 – General Provisions** shall apply.

### 5.4.4 Exception Zones

**2. R1-X1, Part of lot 13, Concession 2, Oso** (By-law 1218-96, Oso)

Despite any provision of Section 5.4 to the contrary, on land identified as General Residential Exception 1 (R1-X1) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

Minimum Front Yard…….5.5 m [18.04 ft.]
Maximum Floor Area for Bait Shop……..75 $m^2$ [807.3 $ft.^2$]

2. **R1-X2, Part of Lots 14 and 15, Concession 2, Oso**

(By-law 2016-20)

**Zone Regulations**

- Minimum Lot Area……3,420 $m^2$ [36,813.7 $ft.^2$/0.8 ac.]
- Minimum Lot Frontage……39 m [127.95 ft.]

## 5.5 MULTIPLE RESIDENTIAL – RM ZONE

No ***person*** shall use any land or ***erect***, ***alter*** or ***use*** any ***building*** or ***structure*** in the Multiple Residential (RM) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.5.1 Permitted Uses

| **Permitted Residential Uses** | **Permitted Accessory Uses** |
|---|---|
| • ***Dwelling – Apartment***<br>• ***Dwelling – Converted***<br>• ***Dwelling – Row or Townhouse***<br>• ***Dwelling –Triplex***<br>• ***Dwelling – Semi-detached***<br>• ***Dwelling – Single Detached***<br>• ***Group Home*** **(see 4.19)** | • ***Accessory use, building or structure*** **(see 4.1.1)**<br>• ***Additional Residential Unit*** **(see 4.2.7)**<br>• ***Bed and Breakfast Establishment*** **(see 4.4)**<br>• ***Detached Private Garage***<br>• ***Fence*** **(see 4.15)**<br>• ***Garden Suite*** **(see 4.2.10)**<br>• ***Home Based Business*** **(see 4.20)**<br>• ***Live/Work Unit*** **(see 4.20.4)**<br>• ***Recreational Vehicle*** **(see 4.1.2)**<br>• ***Solar collector***<br>• ***Storage Container*** **(see 4.1.3)**<br>• ***Swimming Pool*** **(see 4.1.4)**<br>• ***Studio***<br>• **Temporary Car Shelter (see 4.1.1.3 e & 4.1.1.16)**<br>• ***Wind turbine*** |
| **Permitted Non-Residential Uses** | |
| • ***Continuum-of-Care-Facility***<br>• ***Community Garden***<br>• ***Park***<br>• ***Place of Worship***<br>• ***Public Service Use***<br>• ***Public Utility***<br>• ***Retirement Home***<br>• ***School*** | |

### 5.5.2 Zone Requirements

1. **Residential uses containing three (3) or less *dwelling units*:**
   ***Apartment Dwelling, Converted Dwelling, Triplex Dwelling, Row or Townhouse Dwelling***

   Minimum Lot Area.....1 ha [2.47 ac.]
   Minimum Lot Frontage .....46 m [150.9 ft.]
   Maximum Number of Dwelling Units per Lot.....3 [See also **Section 4.2.7**]

   **Minimum Yard Requirements – Main Building**

   - Front Yard .....7 m [22.9 ft.]
   - Rear Yard .....7.5 m [24.6 ft.]
   - Interior Side Yard.....5 m [16.4 ft.]
   - Exterior Side Yard.....6 m [19.7 ft.]

   **Maximum Building Height**

   - Main Building.....10 m [32.8 ft.]
   - Accessory Building .....6 m [19.7 ft.]

   **Maximum Lot Coverage**

   - Main Building.....10%
   - Accessory Uses, Buildings and Structures .....5%

2. **Residential uses containing four (4) or more dwellings units:**
   ***Apartment Dwelling, Converted Dwelling, Row or Townhouse Dwelling***

   Minimum Lot Area..... 1 ha [2.47 ac] plus 0.25 ha [0.62 ac] per unit above three (3) dwelling units
   Minimum Lot Frontage .....46 m [150.9 ft.]

   **Minimum Yard Requirements – Main Building**

   - Front Yard .....7 m [22.9 ft.]
   - Rear Yard .....7.5 m [24.6 ft.]
   - Interior Side Yard.....5 m [16.4 ft.]
   - Exterior Side Yard.....6 m [19.7 ft.]

   **Maximum Building Height**

   - Main Building.....10 m [32.8 ft.]

- Accessory Building .....6 m [19.7 ft.]

**Maximum Lot Coverage**

- Main Building.....15%
- Accessory Uses, Buildings and Structures .....5%

**3. All Other Uses (*Continuum-of-Care Facility, Place of Worship, Public Service Use* (see also Section 4.41), *Retirement Home, School*)**

Minimum Lot Area..... 1 ha [2.47 ac.]
Minimum Lot Frontage .....46 m [150.9 ft.]

**Minimum Yard Requirements – Main Building**

- Front Yard .....7 m [22.9 ft.]
- Rear Yard .....7.5 m [24.6 ft.]
- Interior Side Yard.....5 m [16.4 ft.]
- Exterior Side Yard.....6 m [19.7 ft.]

**Maximum Building Height**

- Main Building.....10 m [32.8 ft.]
- Accessory Building .....6 m [19.7 ft.]

**Maximum Lot Coverage**

- Main Building.....20 %
- Accessory Uses, Buildings and Structures .....10%

### 5.5.3 Additional Provisions

**1.** Minimum ***landscaped open space*** for an ***apartment dwelling***, ***continuum-of-care facility***, ***retirement home*** or ***place of worship*** shall be 25% of the ***lot area***.

**2.** No ***person*** shall ***erect*** any ***building*** or ***structure*** in a Multiple Residential (RM) Zone unless the ***lot*** upon which such building or structure is to be ***erected*** has ***frontage*** onto and direct access to a ***public street.*** [See also **Section 4.18**]

**3.** Despite the provisions of **Section 5.5.2**, the minimum ***interior side sard*** requirement shall be 0 m [0 ft.] where freehold ***row or townhouse dwellings*** abut one another.

**4.** The minimum ***separation distance*** between the ***main walls*** of adjacent detached ***dwelling units*** shall be 5 m [16.4 ft.].

**5.** ***Accessory uses***, ***buildings*** and ***structures***, parking, ***accessory residential uses*** and other general provisions shall be in accordance with **Section 4.1** of this By-law.

**6.** All applicable ***zone regulations*** of **Section 4 – General Provisions** shall apply.

### 5.5.4 Exception Zones

**1. RM-X1, Part of Lot 8, Concession 1, Plan 8448, Oso**

(By-law 2009 – 310, Central Frontenac)

**Permitted Uses**

- A Multiple Unit Dwelling which shall mean a building consisting of four or more ***dwelling units.***

**Additional Provisions**

- Despite the provisions of **Section 4.16.1**, access shall be permitted for a lot to be developed for a 5-unit ***dwelling*** via a right-of-way to Clement Road which shall be registered on title;
- Despite the provisions of **Section 5.5.2**, the minimum ***lot frontage*** shall not be required.

## 5.6 WATERFRONT RESIDENTIAL – RW ZONE

No ***person*** shall ***use*** any land or ***erect***, ***alter*** or ***use*** any ***building*** or ***structure*** in the Waterfront Residential (RW) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.6.1 Permitted Uses

| **Permitted Residential Uses** | **Permitted Accessory Uses** |
|---|---|
| • ***Dwelling – Mobile Home***<br>• ***Dwelling- Modular Home***<br>• ***Dwelling – Park Model Trailer***<br>• ***Dwelling – Seasonal***<br>• ***Dwelling – Single Detached***<br>• ***Tiny House*** | • ***Accessory use, building or structure*** **(see 4.1.1)**<br>• ***Bed and Breakfast Establishment*** **(see 4.4)**<br>• ***Boat House*** **(see 4.1.1.7 &8)**<br>• ***Detached Private Garage***<br>• ***Dock*** **(see 4.1.1.12-14)**<br>• ***Fence*** **(see 4.15)**<br>• ***Garden Suite*** **(see 4.2.10)**<br>• ***Home Based Business*** **(see 4.20)**<br>• ***Loft-Above-a-Garage*** **(see 4.2)**<br>• ***Recreational Vehicle*** **(see 4.1.2)**<br>• ***Sleep Cabin*** **(see 4.2.1-3)**<br>• ***Solar collector***<br>• ***Storage Container*** **(see 4.1.3)**<br>• ***Swimming Pool*** **(see 4.1.4)**<br>• ***Studio***<br>• ***Temporary Car Shelter*** **(see 4.1.1.3 e & 4.1.1.16)**<br>• ***Wind turbine***<br>• ***Yurt*** |
| **Permitted Non-Residential Uses** | |
| • ***Community Garden***<br>• ***Park***<br>• ***Public Service Use***<br>• ***Public Utility*** **(see 4.42)** | |

### 5.6.2 Zone Requirements

Minimum Lot Area.....0.8 ha [2 ac.]

Minimum Lot Frontage (***back lot***).....77 m [252.6 ft.]
**Minimum Lot Frontage (with *shoreline* frontage)**

- Water side .....77 m [252.6 ft.]
- Road side .....46 m [150.9 ft.]

**Minimum Lot Frontage for a Shoreline Lot on a Narrow Channel**

- Channel Width of 90 m [295.2 ft.] or less .....120 m [393.7 ft.]
- Channel Width of 90.1 m [295.6 ft.] to 150 m [492.1 ft.].....90 m [295.2 ft.]

**Minimum Yard Requirements - Main Building**

- Front Yard (with ***shoreline*** frontage).....30 m [98.4 ft.]
- Front Yard (***back lot***).....7 m [22.9 ft.]
- Rear Yard .....7.5 m [24.6 ft.]
- Interior Side Yard.....3 m [9.8 ft.]
- Exterior Side Yard.....7 m [22.9 ft.]

**Minimum Yard Requirements** - ***Accessory*** Building (see also **Section 4.1** – ***Accessory Buildings***, ***Structures*** *and* ***Uses****)*

- Front Yard (with ***shoreline*** frontage).....30 m [98.4 ft.]
- Front Yard (***back lot***) .....7 m [22.9 ft.]
- Rear Yard .....1 m [3.28 ft.]
- Interior Side Yard.....1 m [3.28 ft.]
- Exterior Side Yard.....7 m [22.9 ft.]

(See also **Section 5.6.3** - Additional Provisions for ***Shoreline Structures*** and **4.1** – ***Accessory Buildings***, ***Structures*** and ***Uses***)

**Maximum Building Height**

- Main Building.....10 m [32.8 ft.]
- ***Accessory*** Building.....6 m [19.7 ft.]
- Boat House ..... 1 storey

**Maximum Lot Coverage**

1. Main Building
   10% within 60 m [196.8 ft.] of the high-water mark/shoreline and up to 15% for the entire lot.

2. ***Accessory Uses, Buildings and Structures***
   2% within 60 m [196.8 ft.] of the high-water mark/shoreline and up to 5% for the entire lot.

Maximum Number of Dwelling Units per Lot..... 1

Minimum Separation Distance between the Main Walls of Adjacent

Detached Dwelling Units .....6 m [19.7 ft.]

The ***setbacks*** above shall apply to ***development*** on both a ***public road*** and a ***private road.***

### 5.6.3 Additional Provisions

**1.** The minimum ***yard*** requirements may be reduced in the Waterfront Residential (RW) Zone where there is an ***established building line*** in accordance with **Sections 4.1.1 and 4.10** of this By-law.

**2.** No ***person*** shall ***erect*** any ***building*** or ***structure*** in the Waterfront Residential (RW) Zone unless the ***lot*** upon which such ***building*** or ***structure*** is to be ***erected*** has ***frontage*** onto and direct access to a ***public street*** or ***private road.*** [See **Section 4.16**] Where the ***lot*** or part thereof fronts on a private road, the ***setbacks*** for the ***erection*** of a ***building*** or ***structure*** shall be measured from the ***private road*** (see definition of ***setback***).

**3.** No ***shoreline structure*** shall be ***permitted*** within a depth of 30 m [98.4 ft.] from the ***high water mark*** except a ***boat house***, ***boat port, float plane hangar***, or ***dock*** or as otherwise provided for in this By-law. [See **Sections 4.1.1.7 – 4.1.1.9 and 4.24.5]**

**4.** With the exception of a ***boat house*** (wet), ***boat port, float plane hangar***, or ***dock*** all ***shoreline structures*** shall be constructed within the confines of the property boundaries of a ***lot***.

**5.** The ***gross floor area*** of a ***boat house*** or ***boat port***, shall not exceed 80 $m^2$ [861.1 $ft.^2$].

**6.** The construction of ***docks*** shall be according to the provisions of **Section 4.1.1.8**.

**7.** Despite anything in **Subsection 5.6.2** to the contrary, on land within 300 m [984.2 ft.] of the highwater mark of Eagle Lake, Crow Lake, Silver Lake and the west basin of Sharbot Lake, the maximum permitted number of ***dwelling units*** per ***lot*** shall be one (1).

**8.** No ***shoreline structure*** which will destroy ***fish habitat*** shall be permitted.

**9.** The minimum ***separation distance*** between the main walls of adjacent detached

***dwelling units*** shall be 6 m [19.7 ft].

**10.** ***Accessory uses***, ***buildings*** and ***structures***, parking, ***accessory residential uses***, special ***setbacks*** and other general provisions shall be in accordance with **Section 4** of this By-law.

**11.** All applicable ***zone regulations*** of **Section 4 – General Provisions** shall apply.

### 5.6.4 Exception Zones.

**1. RW-X1 - White Lake (Lots 15 to 19, Concession 7, 8 and 9, Township of Olden)**

*(This explanatory note does not form part of the by-law. The RW-X1 exception zone applies to lands which surround White Lake. The purpose of the exception zone is to provide for larger lot sizes, larger lot frontages and reduced permitted uses as compared to other land in the Township zoned Waterfront Residential (RW), in order to provide greater protection to the water quality of White Lake.*)

Despite any provision of Section 5.6 to the contrary, on land identified as Waterfront Residential Exception 1 (RW-X1) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

**Permitted Uses**

***Principal use***

- ***Agricultural Use***, not including a **Livestock Facility and Livestock sales Outlet**
- ***Dwelling – Modular Home***
- ***Dwelling – Park Model Trailer***
- ***Dwelling – Seasonal***
- ***Dwelling - Single Detached***
- ***Fish Culture Station***
- ***Garage – Detached Private***
- ***Mobile Home***
- ***Tiny House***
- ***Public Utility*** subject to an Environmental Assessment

***Accessory Uses, Buildings and Structures*** **(see Section 4.1)**

- One (1) only Dry Boat House per lot
- ***Garden Suite*** (see **Section 4.2**)
- ***Home Based Business*** (see **Section 4.20**) except a Sale of bait for recreational fishing purposes;
- ***Loft-above-a-Garage*** (see **Section 4.2**)
- ***Shoreline Structure***

- ***Sleep Cabin*** (see **Section 4.2**)
- One (1) only ***Dock*** per lot

**Prohibited Uses**

- ***Camp***
- ***Floatplane Hangar***
- ***Marina***
- ***Park***
- The ***use*** of a **Recreational Vehicle** on a vacant ***lot***
- ***Tourist Cabin Establishment***
- ***Tourist Establishment***
- ***Tourist Outfitters Establishment***

**Zone Requirements**

Minimum Lot Area..... 1.6 ha [4.0 ac.] .
Minimum Lot Frontage –Water and Road Side .....91 m [298.5 ft.]

**Minimum Yard Requirements - Main Building**

- Front Yard (with ***shoreline*** frontage).....30 m [98.4 ft.]
- Front Yard – (***Back lot***).....7 m [22.9 ft.]
- Rear Yard .....7 m [22.9 ft.]
- Interior Side Yard.....3 m [9.8 ft.]
- Exterior Side Yard.....7 m [22.9 ft.]

**Minimum Yard Requirements - Accessory Building**

- Front Yard .....7 m [22.9 ft.]
- Rear Yard .....1 m [3.28 ft.]
- Interior Side Yard.....1 m [3.28 ft.]
- Exterior Side Yard.....7 m [22.9 ft.]

**Maximum Building Height**

- Main Building .....10 m [32.8 ft.]
- ***Accessory*** Building.....6 m [19.7 ft.]
- Dry Boat House ..... 1 storey

**Maximum Lot Coverage**

Main Building

10% to a maximum ground floor area footprint of 235 $m^2$ [2,530 $ft.^2$] within 60 m [196.8 ft.] of the high-water mark/shoreline and up to

15% to a maximum ground floor area footprint of 375 $m^2$ [4,036 $ft.^2$] for the entire lot

Accessory Uses, Buildings and Structures

2% to a maximum ground floor area footprint within 60 m [196.8 ft.] of the high-water mark/shoreline and up to 5% to a maximum ground floor area footprint of 93 $m^2$ [1,001 $ft.^2$]

Minimum Gross Floor Area per Dwelling Unit:…… 27.9 $m^2$ [300 $ft.^2$]

Maximum Number of Dwelling Units per Lot..... 1

**Additional Provisions**

**(a)** Despite any provision of this By-law to the contrary, no livestock facility shall be permitted within 300 m [984 ft.] of the shoreline of White Lake.

**(b)** Only single tier development shall be ***permitted*** within 300 m [984 ft.] of the ***high water mark*** of White Lake. ***Back lots*** are not ***permitted*** within 300 m [984 ft.] of the ***shoreline*** of White Lake.

**2. RW-X2 - Bolton's Landing Subdivision, Part of Lots 20-22, Concession 7&8, Township of Olden**

(By-law 1999-55)

Despite any provisions of Section 5.6 to the contrary, on lands identified as the Waterfront Residential Exception 2 (RW-X2) Zone, the following ***zone regulations*** shall apply:

**Permitted Uses** (see **Section 3.0 – Definitions**)

- ***Accessory Use*** (see **Section 4.1**)
- ***Bed and Breakfast Establishment*** (see **Section 4.4**)
- ***Camp*** (see **Section 4.6**)
- ***Campground***, Private
- ***Dwelling, Seasonal***
- ***Dwelling, Single Detached***
- ***Group Home*** (see **Section 4.19**)
- ***Home Based Business*** **(**see **Section 4.20)**
- ***Marine Facility***
- ***Park*** (see **Section 4.31**)
- ***Public Utility*** (see **Section 4.42**)
- ***Mobile Home*** (see **Section 4.2**)
- ***Sleep Cabin*** (see **Section 4.26.5**)
- ***Studio***

On lands described as Parts of Lots 20-22, Township of Olden under a Plan of

Subdivision, known as Ministry of Municipal Affairs and Housing File 10-T-97004, a *setback* of 8 m [26.2 ft.] from any lot line to any *shoreline* shall apply save and except for Lots 48 and 35 where the setback shall be reduced to 4 m [13.2 ft.].

**3. RW-X3, Part of lots 20 & 21, Concession 10, Township of Kennebec**
(By-law 4-83, Kennebec)

Despite any provision of Section 5.6 to the contrary, on land identified as Waterfront Residential Exception 3 (RW-X3) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

**Permitted Uses**

- ***Accessory Use*** (see **Section 4.1**)
- ***Bed and Breakfast Establishment*** (see **Section 4.4**)
- ***Camp*** (see **Section 4.6**)
- ***Dwelling, Seasonal***
- ***Dwelling, Single Detached***
- ***Home Based Business*** (See **Section 4.20**)
- ***Marine Facility***
- ***Park*** (see **Section 4.31**)
- ***Public Utility*** (see **Section 4.42**)
- ***Mobile Home*** (see **Section 4.2**)
- ***Sleep Cabin*** (see **Section 4.26.5**)
  ***Studio***

**Zone Requirements**

**Minimum Lot Area**

- Lots 4-12.....0.4 ha [1 ac.]
- Lots 13-14, 1-3, 15-17.....0.6 ha [1.5 ac.]

**Minimum Lot Frontage**

- Lots 4-12.....50 m [164 ft.]
- Lots 13, 14.....20 m [65.6 ft.]
- Lots 1-3, 15-17.....30 m [98.4 ft.]

**Minimum Yard Requirements - Main Building**

- Front Yard – All Lots.....9 m [29.5 ft.]
- Interior Side Yard.....4.5 m [14.7 ft.]
- Rear Yard.....20 m [65.6 ft.]

**Minimum Yard Requirements - Accessory Building**

- Front Yard .....3 m [9.84 ft.]
- Interior Side Yard.....3 m [9.84 ft.]
- Rear Yard .....20 m [65.6 ft.]

**Maximum Building Height**

- Main Building.....12 m [39.3 ft.]
- Accessory Building .....12 m [39.3 ft.]

**Maximum Lot Coverage**

- Main Building.....35%
- Accessory Building ..... 65 $m^2$ [699.6 $ft.^2$]

Minimum Floor Area - Main Building..... 60 $m^2$ [645.8 $ft.^2$]

**Additional Provisions**

For the purposes of the Waterfront Residential Exception 3 (RW-X3) Zone, the front lot line shall be the ***street*** line and frontage shall be measured along the street line.

The Park Block shall be utilized for a park or conservation area only or a Public Service Use or Public Utility as per **Section 4.41** of this By-law.

**4. RW-X4, Part of Lot 26, Concession 3, Hinchinbrooke**

(By-law 14-96, Hinchinbrooke)

Despite any provision of **Section 5.6** to the contrary, on land identified as Waterfront Residential Exception 4 (RW-X4) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

***Permitted Uses*** shall include a ***garage/marine storage building*** having a maximum ***floor area*** of 30 $m^2$ [322.9 $ft^2$].

Minimum Lot Area..... 50 $m^2$ [538.2 $ft.^2$]
Minimum Lot Frontage .....5.4 m [17.7 ft.]
Minimum Yards: All Yards.....0.2 m [0.656 ft.]
Maximum Building Height .....5 m [16.4 ft.]
Maximum Lot Coverage .....60%

**5. RW-X5, Part of Lot 16, Concession 1, Hinchinbrooke**

Despite any provision of **Section 5.6** to the contrary, on land identified as Waterfront Residential Exception 5 (RW-X5) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

Minimum Lot Frontage .....30.5 m [100.29 ft.]

**6. RW-X6, Part of Lot 17, Concession 10, Township of Kennebec**

Despite any provision of **Section 5.6** to the contrary, on land identified as Waterfront Residential Exception 6 (RW-X6) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

On part of Lot 17, Concession 10, Township of Kennebec (assessment roll number 1039 020 010 25800 000), up to eight ***recreational vehicles*** and all other ***existing*** buildings shall be permitted

**7. RW-X7, Part of Lot 21, Concession 11, Township of Kennebec**

Despite any provision of **Section 5.6** to the contrary, on land identified as Waterfront Residential Exception 7 (RW-X7) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

On Part of lot 21, Concession 11, Plan 13R7218, Part 1, Township of Kennebec, the minimum front yard ***setback*** shall be 15 m [49.2 ft]. All ***existing*** setbacks shall be deemed to conform to this By-law.

**8. RW-X8, Part 1, Lot 21, Concession 11, Plan 1930, Township of Kennebec**

Despite any provision of **Section 5.6** to the contrary, on land identified as Waterfront Residential Exception 8 (RW-X8) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

On Lot 1, Plan 1930, Township of Kennebec, (assessment roll number 1039 010 020 22312 000), the minimum front yard ***setback*** shall be 20 m [65.6 ft.].

**9. RW-X9, Part of Lots 18 and 19, Concession 5 and 6, Plan 1751, Township of Kennebec (Merrywood Subdivision)**

(By-law 4-97, Kennebec)

Despite any provision of **Section 5.6** to the contrary, on land identified as Waterfront Residential Exception 9 (RW-X9) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

**Zone Requirements**

Permitted uses shall include a maximum of one (1) ***single detached dwelling*** together with ***accessory*** buildings and structures on Lots 1-23. No ***building***s or

structures shall be constructed below the 201 m [659.4 ft.] contour elevation. No buildings or structures shall be constructed on Blocks A, B, C or D, such blocks being designated for a park or open space use.

**10. RW-X11, Part of Lot 8, Concession 1, Oso** (By-law 1162-94, Oso)

Despite any provision of **Section 5.6** to the contrary, on land identified as Waterfront Residential Exception 11 (RW-X11) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

**Permitted Uses**

- A public access point on which only a ***dock*** shall be permitted

Minimum Lot Area..... 400 $m^2$ [4,305.7 $ft.^2$]
Minimum Lot Frontage .....2.5 m [8.20 ft.]
Minimum distance between the ***dock*** and either side lot line .....3 m [9.84 ft.]

**11. RW-X13, Part of Lot 11, Concessions 2 & 3, Olden** (By-law 2005-189)

Despite any provision of Section 5.6.2, to the contrary, on land identified as Waterfront Residential Exception 13 (RW-X13), on any schedule to this by-law, the following ***zone regulations*** shall apply:

**Zone Requirements**

**Severed Parcel B (B-28-04-OL)**

- Minimum Lot Area.....4 ha [9.9 ac.]
- Minimum Lot Frontage (water).....193 m [633 ft.]
- Minimum Lot Frontage (private road) .....325 m [1,066.3 ft.]

**Severed Parcel B (B-29-04-OL)**

- Minimum Lot Area.....1.6 ha [4 ac.]
- Minimum Lot Frontage (water).....145 m [475.7 ft.]
- Minimum Lot Frontage (private road) .....148 m [485.6 ft.]
- Minimum setback from High Water Mark for buildings, structures and sewage disposal system .....40 m [131.3 ft.]

**Retained Parcel (B-28-04-OL & B-29-04-OL)**

- Minimum Lot Area.....12.3 ha [30.4 ac.]
- Minimum Lot Frontage (water).....815 m [2,673 .9 ft.]
- Minimum Lot Frontage (private road) .....282 m [925.2 ft.]

**Additional Provisions**

**(a)** That the proposed sewage disposal system be located to the rear of any ***dwelling***.

**(b)** That all lands located between the top of the slope and the high water mark be retained as an undisturbed natural vegetation buffer aside from a narrow pedestrian access window to the water.

**12. RW-X14, Part of Lot 1, Concession 4, Oso**(By-law 2004-159)

Despite any provision of **Section 5.6** to the contrary, on land identified as Waterfront Residential Exception 14 (RW-X14) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

**Permitted Uses**

- ***Seasonal Dwelling***
- ***Accessory uses, buildings and structures*** related to the foregoing [See **Section 4.1**]

**Zone Requirements**

Minimum Front Yard with shoreline frontage.....40 m [131.2 ft.]

**Additional Provisions**

Minimum ***setback*** from ***shoreline*** for all sewage disposal beds .....60 m [196.9 ft.]

No vegetation shall be removed between the ***dwelling*** and the ***shoreline*** except to accommodate a narrow pathway for pedestrian access to Crow Lake.

**13. RW-X15, Part of Lot 1, Concession 4, Oso**(By-law 2004-159)

Despite any provision of **Section 5.6** to the contrary, on land identified as Waterfront Residential Exception 15 (RW-X15) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

**Permitted Uses**

- ***Seasonal Dwelling***
- ***Accessory Uses*** (see **Section 4.1**)

**Zone Requirements**

Minimum Front Yard with ***shoreline*** frontage.....40 m [131.2 ft.]

**Additional Provisions**

**(a)** Minimum Front Yard with ***shoreline*** frontage .....60 m [196.9 ft.]
**(b)** No vegetation shall be removed between the ***dwelling*** and the ***shoreline*** except to accommodate a narrow pathway for pedestrian access to Crow Lake

**14. RW-X16, Plan 13R-484, Parts 5 and 6, Part of Lot 8, Concession 10, Former Township of Hinchinbrooke** (By-law 2006-200)

Despite any provision of **Section 5.6** to the contrary, on land identified as the Waterfront Residential Exception 16 (RW-X16) Zone on any Schedule to this By-law, the minimum lot frontage shall be 84.6 m [277.56 ft.] measured along the ***high-water mark***.

**15. RW-X17-h, Part of Lots 17 and 18, Concession 7, and part of Lot 17, Concession 8, Former Township of Kennebec.**

(By-law 2007-244, Central Frontenac)

Despite any provision of **Section 5.6** to the contrary, on land identified as Waterfront Residential Exception 17-Holding (RW-X13-h) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

**(a) Permitted Uses:**

- ***Dwelling, Seasonal***
- ***Dwelling, Single-detached***
- ***Mobile Home***
- ***Park***
- Private Campsite
- ***Recreational Vehicle***
- ***Accessory uses*** including a ***gazebo***, utility or storage shed, detached garage, ***swimming pool***

**Prohibited Uses:**

- ***Boat House***
- ***Sauna or Steam Bath***
- ***Garden Suite***
- ***Commercial Use***
- ***Sleep Cabin***

No ***development*** shall be permitted on any lands outside of a prescribed Development Cluster except where a road or ***public utility*** corridor is required to access ***development*** within a Development Cluster. Lands outside a Development Cluster not used for a road or ***public utility*** corridor shall be utilized for parks or open space purposes only.

**(b) Definitions**

**Development Cluster**

Shall mean an area of land shown on a zoning By-law schedule within which a mix of recreational and ***residential uses*** is permitted up to a specified maximum density.

**Private Campsite**

Shall mean an area of land providing short term accommodation for tents where no fee is paid or charged and where the use is limited to the owner, members of his/her household, extended family or friends.

**Recreational/Residential Unit or Unit**

Shall mean a parcel of land which is legally described for private ownership and private occupancy by either a ***seasonal dwelling*** or a ***single detached dwelling*** or a ***mobile home*** or a ***recreational vehicle*** or a ***private campsite*** as defined in this By-law.

**(c) Zone Requirements – Density**

The maximum number of recreational/residential units and the maximum density of units within a prescribed Development Cluster shall be set out in Table 1. The boundary within a prescribed Development Cluster shall be set out in Table 1. The boundary of a development cluster shall be as set out on Schedule 'A' to this By-law. The total or overall number of recreational/residential units in the RW-X13 Zone shall not exceed 53. A single recreational based use shall mean a maximum of one ***recreational vehicle*** on a unit.

Table 1 – Development Cluster Standards

| Cluster # | Recreational/Residential Units | Maximum Density |
|---|---|---|
| 1 | 10 | 0.4 ha [0.98ac.]/unit |
| 2 | 10 | 0.7 ha [1.7 ac.]/unit |
| 3 | 16 | 0.4 ha [0.98]/unit |
| 4 | 17 | 0.58 ha [1.4 ac.]/unit |

**(d) Zone Requirements – Setback and Separation Distances, Zone Standards**

The Minimum Zone Requirements in the Waterfront Residential Special Exception Seventeen Holding (RW-X17-h) Zone shall be as set out in Table 2 – Zone Requirements. Permitted exceptions to the minimum standards are set out in Table 2 for Units as indicated. Where cells are left blank, the zone standard shall be as set out in the heading to the column. Exceptions to the

Zone Requirements shall apply to ***existing development*** as of the effective date of this By-law.

All figures in Table 2 are set out in metric units except when indicated as a percentage (e.g., ha is for hectare and ‘m’ is for metre).

| Table 2 – Zone Requirements – Waterfront Residential Special Exception Seventeen Holding (RW-X17-h) Zone | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Unit | Min. Unit Area (ha) (0.223) | Min. Front or Rear Yard on Water (20 m) | Min. Front or rear Yard for Back Lot (R-7 m) (F-6 m) | Min. Interior Side Yard (3 m) | Min. Exterior Side Yard (6 m) | Min. Setback from a Private Road (6 m) | Min. Setback of accessory building or structure from Shoreline (15 m) | Min. Rear or Interior Side yard for Accessory Building or Structure (1 m) | Max. Height of Main Building (10 m) | Max. Height of Accessory Building (1 storey) | Max. Lot Coverage (14%) | Max. No. Dwellings per Unit (1) | Max. No. RVs per Unit (2 existing or 1 on a vacant Lot | Min. Sep Distance between a Main Building and an Accessory Building (3 m) |
| 1 | 0.197 | n/a | | | n/a | | n/a | | | | | | | |
| 2 | 0.254 | n/a | R-6.2 F-6.8 | | n/a | | n/a | | | | | | | 2.3 |
| 3 | 0.211 | n/a | | | n/a | | n/a | | | | | | 1 RV | |
| 4 | 0.155 | n/a | R-6.1 | | n/a | | n/a | | | | | | | |
| 5 | 0.175 | n/a | | | n/a | | n/a | 0.3 | | | | | 1 RV | See Note 4 |
| 6 | 0.422 | n/a | R-3.7 | | n/a | | n/a | See Note 5 | | | | | | |
| 7 | 0.220 | n/a | | | n/a | | n/a | | | | | | | |
| 8 | 0.219 | n/a | | | n/a | | n/a | | | | | | | |
| 9 | 0.103 | | | | | | | | | | | | | |
| 10 | 0.125 | | R-4 | | | 4 | | 0.5 | | | | | | |
| 11 | 0.241 | | R-6.2 | | n/a | | | | | | | | | |
| 12 | 0.230 | | | | | | 9 | | | | | | | 1.7 |
| 13 | 0.171 | | | | | | | | | | | | | |
| 14 | 0.108 | n/a | | | | | n/a | See Note 1 | | | | | 1 RV | 2.3 |
| 15 | 0.148 | n/a | | | n/a | | n/a | | | | | | | |
| 16 | 0.225 | n/a | | | n/a | | n/a | 0.8 | | | | | | |
| 17 | 0.160 | n/a | | | n/a | | n/a | | | | | | 1 RV | |
| 18 | 0.132 | n/a | F-2 | | n/a | 2 | n/a | | | | | | | |
| 19 | 0.205 | n/a | | | n/a | | n/a | | | | | | | |
| 20 | 0.206 | n/a | | | n/a | | n/a | | | | | | 1 RV | |

| Table 2 – Zone Requirements – Waterfront Residential Special Exception Seventeen Holding (RW-X17-h) Zone | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Unit | Min. Unit Area (ha) (0.223) | Min. Front or Rear Yard on Water (20 m) | Min. Front or rear Yard for Back Lot (R-7 m) (F-6 m) | Min. Interior Side Yard (3 m) | Min. Exterior Side Yard (6 m) | Min. Setback from a Private Road (6 m) | Min. Setback of accessory building or structure from Shoreline (15 m) | Min. Rear or Interior Side yard for Accessory Building or Structure (1 m) | Max. Height of Main Building (10 m) | Max. Height of Accessory Building (1 storey) | Max. Lot Coverage (14%) | Max. No. Dwellings per Unit (1) | Max. No. RVs per Unit (2 existing or 1 on a vacant Lot | Min. Sep Distance between a Main Building and an Accessory Building (3 m) |
| 21 | 0.092 | n/a | | | n/a | | n/a | | | | | | | |
| 22 | 0.153 | n/a | F-1.8 | | n/a | 1.8 | n/a | | | | | | | |
| 23 | 0.114 | n/a | | | | | n/a | 0.1 | | | | | | |
| 24 | 0.098 | n/a | F-5.5 | | n/a | 5.5 | n/a | See Note 2 | | | | | 1 RV | |
| 25 | 0.131 | n/a | F-3.2 | | | 3.2 | n/a | | | | | | | |
| 26 | 0.152 | n/a | R-5.9 | | n/a | | n/a | | | | | | 1 RV + add. | 0.06 |
| 27 | 0.232 | n/a | R-6.8 | | n/a | | n/a | 0.2 shed 0.9 privy | | | | | | |
| 28 | 0.117 | n/a | | | n/a | | n/a | | | | | | 1 RV | |
| 29 | 0.152 | n/a | | | n/a | | n/a | | | | | | | |
| 30 | 0.185 | n/a | | | 4.7 | 4.7 | n/a | | | | | | | |
| 31 | 0.166 | n/a | | | n/a | | n/a | | | | | | | |
| 32 | 0.121 | n/a | | | 5.2 | 5.2 | n/a | | | | | | 1 RV | |
| 33 | 0.110 | n/a | | | | | n/a | | | | | | | |
| 34 | 0.100 | n/a | | | n/a | | n/a | 1 fr. Shed over line | | | | | | |
| 35 | 0.186 | n/a | 5.2 | | n/a | 5.2 | n/a | 2 fr. Sheds over line | | | | | | |
| 36 | 0.188 | n/a | | | n/a | | n/a | | | | | | | 2 |

| Table 2 – Zone Requirements – Waterfront Residential Special Exception Seventeen Holding (RW-X17-h) Zone | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Unit | Min. Unit Area (ha) (0.223) | Min. Front or Rear Yard on Water (20 m) | Min. Front or rear Yard for Back Lot (R-7 m) (F-6 m) | Min. Interior Side Yard (3 m) | Min. Exterior Side Yard (6 m) | Min. Setback from a Private Road (6 m) | Min. Setback of accessory building or structure from Shoreline (15 m) | Min. Rear or Interior Side yard for Accessory Building or Structure (1 m) | Max. Height of Main Building (10 m) | Max. Height of Accessory Building (1 storey) | Max. Lot Coverage (14%) | Max. No. Dwellings per Unit (1) | Max. No. RVs per Unit (2 existing or 1 on a vacant Lot | Min. Sep Distance between a Main Building and an Accessory Building (3 m) |
| 37 | 0.188 | | | | | | | | | | | | | |
| 38 | 0.209 | | | | | | | | | | | | | |
| 39 | 0.228 | | R-4 | | n/a | 4 | | | | | | | | |
| 40 | 0.139 | | R-1.5 | | n/a | 1.5 | | | | | | | | |
| 41 | 0.135 | 18 | R-3.8 | | n/a | 3.8 | | | | | | | 2 RVs | |
| 42 | 0.134 | | | | n/a | | 14 | | | | | | See Note 6 | |
| 43 | 0.190 | | 4.3 | | n/a | 4.3 | | | | | | | 2 RVs | |
| 44 | 0.208 | | | | | | | | | | | | | |
| 45 | 0.107 | | F-3 | | n/a | 3 | | | | | | | 2 RVs | |
| 46 | 0.107 | | | | | | | | | | | | | |
| 47 | 0.129 | 15m | | | n/a | | | | | | | | | |
| 48 | 0.124 | 7m | | | n/a | | 14 | | | | | | | |
| 49 | 0.143 | | | | n/a | | | | | | | | 1 RV | |
| 50 | 0.149 | 15m | | | n/a | | | 0.4 | | | | | | |
| 51 | 0.208 | | | | n/a | | | | | | | | 1 RV | See Note 3 |
| 52 | 0.224 | | R-5.9 | | n/a | 5.9 | | | | | | | | |
| 53 | 0.111 | n/a | R-2.4 | | n/a | | n/a | Fr. Shed over line | | | | | | |
| Notes: 1. Trailer 0.7 m, Frame Shed over Line. 2. 2 frame sheds & Trailer over line – Green House 0.5 m. 3. 2m old privy to house. 4. 1.5 m trailer to shed. 5. Privy not on property. 6. 2 RVs and additions. | | | | | | | | | | | | | | |

**(e) Zone Standards – Additional Provisions**

1. ***Docks***: **Section 4.1.1(k)** shall apply to the construction of any ***docks***. A maximum of one ***dock*** shall be permitted for any Recreational/Residential Unit having direct ***shoreline*** frontage. Where a Unit shares a communal dock, an additional dock for the Unit shall not be permitted.
2. ***Recreational Vehicles***: A maximum of one (1) ***recreational vehicle*** may be stored on a Recreational/Residential Unit where the principal use of the Unit is a ***seasonal dwelling*** or a ***single detached dwelling***.
3. ***Natural Vegetation and Vegetation Buffer***: The provisions of **Section 4.27** shall apply to a natural vegetation buffer. ~~and~~
4. Parking: **Sections 4.32** and **4.33** of this Zoning By-law shall apply with respect to parking standards.

**Holding Provisions**

**1. Water and Sewage Systems**

No ***development*** or redevelopment shall be permitted and no holding symbol shall be removed for a Recreational/Residential Unit or on a Development Cluster on lands zoned as Waterfront Residential Special Exception Seventeen Holding (RW-x17-h) unless the Unit or Development Cluster can be serviced by an approved ***sewage and water system*** as per the requirements of the Building Code Act or the Ontario Water Resources Act and other related legislation such as the Safe Drinking Water Act and the Clean Water Act, whichever has application.

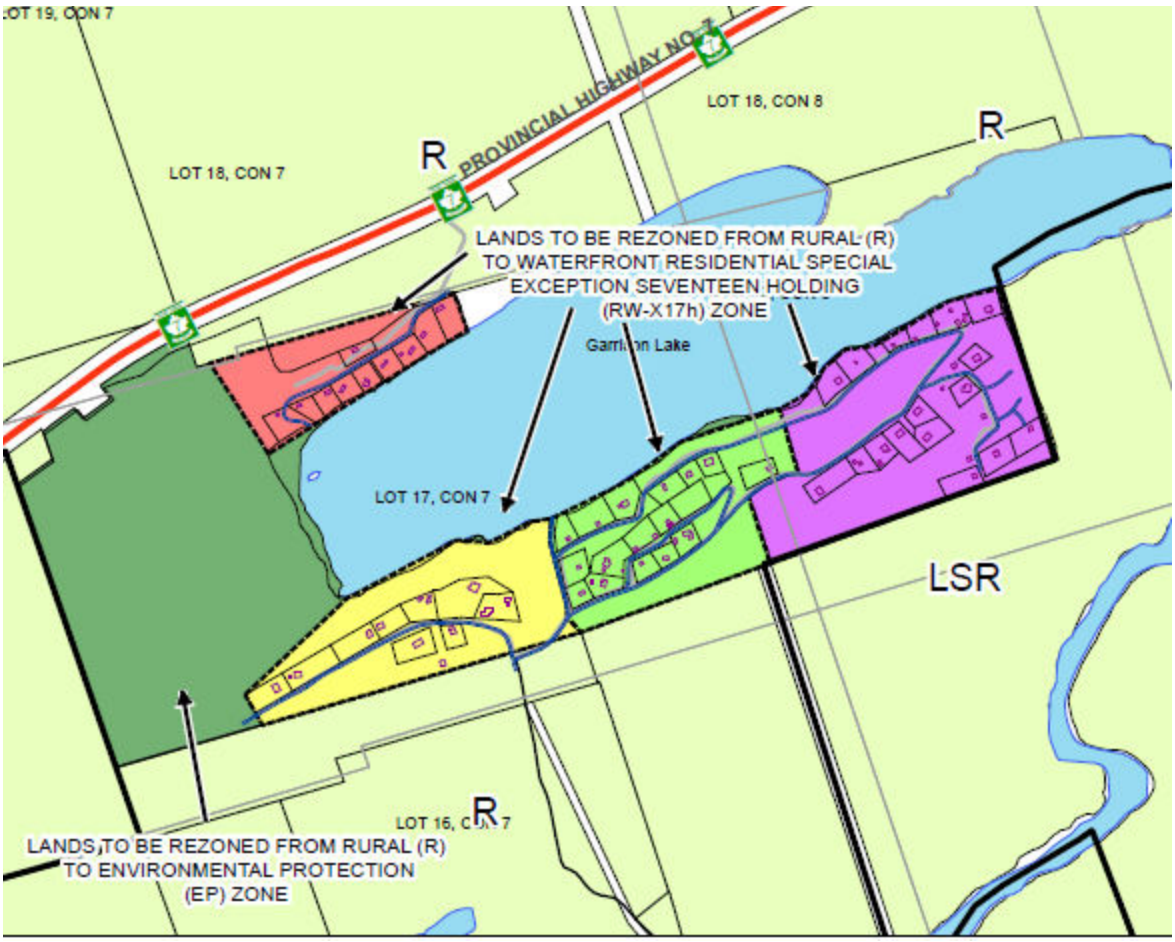
Prior to applying for approval for development or redevelopment of a unit, the owner shall demonstrate to the satisfaction of the *Municipality* and any other applicable agency or Ministry that the Ministry of the Environment, Conservation and Parks Guideline D-5-4 and D-5-5 as amended from time-to-time are satisfied with respect of water supply and impact assessment.

**2. Construction of Buildings and Accessory Uses, Buildings and Structures**

No ***development*** or redevelopment shall be permitted and no holding symbol shall be removed for a Recreational/Residential Unit or on a Development Cluster on lands zoned Waterfront Residential Special Exception Seventeen Holding (RW-x17-h) except in compliance with Table 2 – Zone Requirements.

"All residential ***development*** within 120 m of the ***shoreline*** of a ***waterbody*** shall be subject to site plan control."

**Schedule A to By-law 2007-244**



**16. RW-X17A, Part of Lot 1, Concession 4, Former Township of Olden**

(By-law 2006-210)

Despite any provision of **Section 5.6** to the contrary, on land identified as Waterfront Residential Exception 18 (RW-X17A) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

Minimum Lot Area ..... 0.37 ha [0.91 ac.]
Minimum Front Yard – Water (Dwelling)..... 24 m [79 ft.]
Minimum Rear Yard – Road (Dwelling) ..... 7 m [23 ft.]
Minimum Frontage – Water..... 29.2 m [95.83 ft.]
Minimum ***setback*** for sewage disposal systems ..... 30 m [98.4 ft.]

In addition to the above provisions, a tile field for a sewage disposal system shall be limited to a location legally described as Part 2, Plan 13R-706753.

In addition, the applicant is required to enter into a Site Plan Agreement indicating the ***building envelope***, natural vegetation buffer, location of sewage disposal system and proposed ***setback***s from the ***shoreline*** for ***development***.

**17. RW-X20, Part of Lot 2, Concession 4, RP 13R103 (Part 6), Former Township of Olden**

(By-law 2006-219, Central Frontenac)

Despite any provision of **Section 5.6.2** to the contrary, on land identified as Waterfront Residential Exception 20 (RW-X20) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

Minimum Lot Area..... 0.42 ha [1.03 ac.]
Minimum Lot Frontage (***shoreline***) ..... 53.4 m [175.2 ft.]
Minimum Lot Frontage (road) ..... 45.8 [150 ft.]

**18. RW-X21, Part of Lot 2, Concession 4, RP 13R103 (Part 7), Olden**

(By-law 2006-219, Central Frontenac)

Despite any provision of **Section 5.6.2** to the contrary, on land identified as Waterfront Residential Exception 21 (RW-X21) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

Minimum Lot Area..... 0.28 ha [0.7 ac.]
Minimum Lot Frontage (***shoreline***) ..... 32.9 m [108 ft.]
Minimum Lot Frontage (road) ..... 27.2 m [89.15 ft.]

**19. RW-X22, Part of Lot 12, Concession 3, Olden**

(By-law 2006-222, Central Frontenac)

Despite any provision of **Section 5.6.2** to the contrary, on land identified as Waterfront Residential Exception 22 (RW-X22) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

**Zone Regulations**

Minimum Lot Frontage (road) .....24 m [78.7 ft.]

**20. RW-X23, Part of Lots 8 and 9, Concession 2, Oso**

(By-law 2007-246, Central Frontenac)

In addition to the ***zone regulations*** in **Section 5.6.2**, the following provisions apply:

Minimum Lot Area.....0.4 ha [1 ac].
Minimum Front Yard ***Setback*** (with water frontage) .....60 m [197 ft.]
Minimum Lot Frontage
- Shoreline .....68.64 m [225 ft.]
- Road .....81.05 m [266 ft.]

**21. RW-X24, Part of Lots 7 and 8, Concession 3, Oso**

(By-law 2007-249, Central Frontenac)

Notwithstanding any other provisions ***zone regulations*** of this By-law within the Waterfront Residential Exception 24 (RW-X24) Zone the minimum lot frontage shall be 63.9 m [157.9 ft.].

**22. RW-X25, Part of Lot 19, Concession 3, Hinchinbrooke**

(By-law 2008-258, Central Frontenac)

Notwithstanding any other provisions of this By-law within the Waterfront Residential Exception 25 (RW-X25) Zone:
Minimum Lot Area.....0.32 ha [0.78 ac.]
Minimum Lot Frontage (road) .....30.5 m [100 ft.]
Minimum Lot Frontage (***shoreline***) .....25.9 m [85 ft.]
Minimum Rear Yard Requirement.....2.4 m [8 ft.]
Minimum Interior Side Yard Requirement .....1.5 [5 ft.]

**23. RW-X26, Part of Lot 6, Concession 2, Oso**

(By-law 2008-257, Central Frontenac)

Notwithstanding any other ***zone regulations*** of this By-law within the Waterfront Residential Exception 26 (RW-X26) Zone:

- Minimum Front Yard requirement with ***shoreline*** frontage ....16.8 m [55 ft.]

**24. RW-X28, Part of Lot 2, Concession 4, Olden**

(By-law 2008-262, Central Frontenac)

Notwithstanding any other ***zone regulations*** of this By-law within the Waterfront Residential Exception 28 (RW-X28) Zone:

- Minimum Lot Area.....0.65 ha [1.6 ac]
- Minimum Lot Frontage .....59.2 m [227 ft.]
- Minimum Front Yard main building ***setback*** with ***shoreline*** frontage .....29.5 m [96.8 ft.]
- Minimum Accessory Dwelling setback from ***shoreline*** .....10 m [32.8 ft.]

**25. RW-X29, Part of lot 14, Concession 13, Hinchinbrooke**

(By-law 2008-276, Central Frontenac)

Notwithstanding any other ***zone regulations*** of this By-law within the Waterfront Residential Exception 29 (RW-X29) Zone:

- The minimum front yard ***setback*** from the ***shoreline*** for a single detached ***dwelling*** shall be 23 m [75.46 ft.]

**26. RW-X30, Part of Lot 14, Concession 13, Hinchinbrooke**

(By-law 2008-275, Central Frontenac)

Notwithstanding any other ***zone regulations*** of this By-law within the Waterfront Residential Exception 30 (RW-X30) Zone:

- Minimum ***setback*** from the ***shoreline*** for all ***existing shoreline*** structures shall be 10 m [32.8 ft.]

**27. RW-X31, Part of Lot 28, Concession 1, Olden**

(By-law 2008-281 and 282, Central Frontenac)

Despite any other ***zone regulations*** of this By-law to the contrary, on lands identified as Waterfront Residential Exception 31a (RW-X31a) Zone, the following ***zone regulations*** shall apply:

**Permitted Uses**

- ***Dwelling – Single Detached***
- ***Accessory Uses***
- ***Private garage*** with a residential loft above

**Zone Requirements**

Minimum Lot Area.....0.44 ha [1.08 ac.]
Minimum Lot Frontage .....45 m [147.6 ft.]

**Minimum Yard Requirements – Accessory Building**

- Rear Yard .....7 m [22.9 ft.]
- Interior Side Yard.....1 m [3.28 ft.]
- Front Yard (***shoreline***) ... 30 m [98.4 ft.] measured from the top of the bank of the creek; and
- No ***private garage*** or private ***garage*** with a residential ***loft above*** shall be ***erected*** closer to the front lot line (***shoreline***) than the front yard ***setback*** of the main ***building*** (***dwelling***).

**Maximum Building Height**

- Accessory Building .....6 m [19.7 ft.]

**Maximum Lot Coverage**

- Main Building.....15%
- Accessory Uses, Buildings and Structures .....2%

Maximum number of Dwelling Units per lot.....1

Maximum Floor Area of a Residential Loft..... 37 $m^2$ [298.26 $ft.^2$]

**Additional Provisions**

**(a)** A maximum of one ***dock*** shall be permitted. Any ***dock*** constructed on the ***shoreline*** of Dead Creek shall be a seasonally removable structure, be above the water surface, and be built with adjustable legs and of non-toxic building materials. The construction of a ***dock*** shall not permanently *alter* the ***shoreline*** below the ***high-water mark*** except to accommodate the placement or use of ***docks***;

**(b)** A ***viewing deck*** shall be permitted a minimum ***setback*** of 3 m [9.84 ft.] from the top of the bank of Dead Creek, shall not exceed 16.7 $m^2$ [180 $ft.^2$] in total area. A ***viewing deck*** may be screened-in but shall not be enclosed with walls; and

**(c)** A ***private garage*** with a residential ***loft*** may contain sanitary facilities but shall not include cooking facilities.

**28. RW-X32, Part of Lot 28, Concession 1, Olden**

(By-law 2008-282, Central Frontenac)

Despite any other ***zone regulations*** of this By-law to the contrary, on lands identified as Waterfront Residential Exception 32 (RW-X32) Zone, the following regulations shall apply:

**Permitted Uses**

- ***Dwelling – Single Detached***
- ***Accessory Uses***
- ***Private Garage*** with a residential loft above

**Zone Requirements**

Minimum Lot Area.....0.43 ha [1.06 ac.]
Minimum Lot Frontage .....47 m [154.2 ft.]

**Minimum Yard Requirements – Accessory Building**

- Rear Yard .....7 m [22.9 ft.]
- Interior Side Yard.....1 m [3.28 ft.]
- Front Yard (***shoreline***): 30 m [98.4 ft.] measured from the top of the bank of the creek
- No private garage or private garage with a residential loft above shall be ***erected*** closer to the lot line (***shoreline***) than the front yard ***setback*** of the ***main building*** (dwelling)

**Maximum Building Height**

- Accessory Uses, Buildings and Structures.....6 m [19.7 ft.]

**Maximum Lot Coverage**

- Main Building .....15%
- Accessory Building .....2%

Maximum Number of Dwelling Units Per Lot .....1
Maximum Floor Area of a Residential Loft..... 37 $m^2$ [298.26 $ft.^2$]

**Additional Provisions**

**(a)** A maximum of one ***dock*** shall be permitted.
**(b)** A ***private garage*** with a residential ***loft*** may contain sanitary facilities but shall not include cooking facilities.

**29. RW-X33-h, Part 1 of RP Number 13R-2854 of Part Lot 28, Concession 1, Olden**

(By-law 2009-292, Central Frontenac)

Despite any other ***zone regulations*** of this By-law to the contrary, on lands identified as Waterfront Residential Exception 33 Holding (RW-X33-h) Zone, the following ***zone regulations*** shall apply:

**Permitted Uses**

- ***Dwelling – Seasonal***
- ***Accessory Use***

**Zone Requirements**

Minimum Lot Area.....0.4 ha [1 ac.]
Minimum Lot Frontage .....47 m [154.2 ft.]

**Minimum Yard Requirements - Main Building**

- Front Yard (***shoreline***) 60 m [196.85 ft.] measured from the top of the bank of Dead Creek
- Rear Yard .....7 m [22.9 ft.]
- Interior Side Yard.....3 m [9.84 ft.]
- Exterior Side Yard.....7 m [22.9 ft.]

**Minimum Yard Requirements – Accessory Building**

- Front Yard (***shoreline***) 60 m [196.85 ft.] measured from the top of the bank of Dead Creek
- Rear Yard .....1 m [3.28 ft.]
- Interior Side Yard.....1 m [3.28 ft.]
- Exterior Side Yard.....7 m [22.9 ft.]

**Maximum Building Height**

- Main Building .....10 m [32.8 ft.]
- Accessory Building .....6 m [19.7 ft.]

**Minimum Lot Coverage**

- Main Building ..... 15%
- Accessory Uses, Buildings or Structures .....2%

Maximum number of dwelling units per lot.....1
Maximum number of accessory buildings/structures per lot .....1

**Additional Provisions**

**(i)** The minimum ***setback*** from the bank of Dead Creek for a sewage disposal tile bed shall be 60 m [196.85 ft.];

**(ii)** A maximum of one ***dock*** shall be permitted. Any ***dock*** constructed on the ***shoreline*** of Dead Creek shall be a seasonally removable structure, be above the water surface, and be built with adjustable legs and of non-toxic building materials. The construction of a ***dock*** shall not permanently *alter* the ***shoreline*** below the ***high-water mark*** except to accommodate the placement or use of a ***dock***; and

**(iii)** The cutting or removal of trees shall not be permitted within 30 m [98.4 ft.] of the top of the bank of Dead Creek unless they are diseased or require pruning

The Holding (-h) symbol shall only be removed by by-law upon completion of the following conditions:

**(i)** Approval from the Kingston, Frontenac and Lennox & Addington Health Unit for a sewage disposal system; and

**(ii)** Provision of a Well Record (as per Ontario Regulation 903) demonstrating an adequate supply of potable water (quality and quantity) for a well drilled on lands zoned RW-X33-h); or

**(iii)** Proof of the availability of a potable surface source water supply satisfactory to meeting the requirements of the Building Code.

### 30. RW-X34, Part of Lots 28 and 29, Concession 1, Olden

(By-law 2009-298, Central Frontenac)

Despite any other ***zone regulations*** of this By-law to the contrary, on lands identified as Waterfront Residential Exception 34 Holding (RW-X34) Zone, the following ***zone regulations*** shall apply:

**(a)** Notwithstanding the provisions of **Subsection 4.21.6** and **Section 5.6.2**, no ***main building*** or ***accessory building*** shall be located less than 50 m [164 ft.] from the ***shoreline*****s** of the wetland and Hungry Lake, and from the top of the bank of Dead Creek;

**(b)** Any on-site sewage disposal system's leaching bed or pit shall be located on flat land and, notwithstanding the provisions of **Subsection 4.26.5**, be located no less than 50 m [164 ft.] from the ***shoreline*****s** of the wetland and Hungry Lake, and from the top of the bank of Dead Creek;

**(c)** Notwithstanding the provisions of **Subsection 5.6.3.5**, no ***boat house***, ***boat port, float plane hangar*** or ***wharf*** shall be permitted;

**(d)** Any ***dock*** constructed on the ***shoreline*** of Dead Creek shall be a seasonally removable structure, be above the water surface, and be built with adjustable legs and of non-toxic building materials. The construction of a ***dock*** shall not permanently *alter* the ***shoreline*** below the ***high-water mark*** except to accommodate the placement or use of a ***dock***. A maximum of one ***dock*** shall be permitted;

**(e)** Any stairway constructed on the subject lands built to access the ***shoreline*** shall be constructed of wood; and

**(f)** No ***building***s shall be ***erected*** on lands with a slope of greater than 5% or on exposed rock ridges or organic soils.

**31. RW-X35, Part of Lots 26 & 27, Concession 2, Olden**

(By-law 2010-339, Central Frontenac)

Despite any other ***zone regulations*** of this By-law to the contrary, on lands identified as Waterfront Residential Exception 35 Holding (RW-X35) Zone, the following ***zone regulations*** shall apply:

**Additional Provisions**

**(a)** No ***development*** including the installation of an on-site water well or any part of a sewage disposal system shall be permitted on any wetland or on any 30 m [98.4 ft.] buffer; and

**(b)** No ***development*** shall be permitted until a site plan agreement has been entered into and registered against title to the lands.

**32. RW-X36, Part of Lot 26 & 27, Concession 2, Olden**

(By-law 2010-349)

Despite any other provisions of this By-law to the contrary, on lands identified as Waterfront Residential Special Exception 36 (RW-X36) Zone, the following regulations shall apply:

**Additional Provisions**

**(a)** No ***development*** including the construction or erection of any ***building*** or the installation of an on-site water well or any part of a sewage disposal system shall be permitted within 32 m [104.9 ft.] measured from the ***shoreline*** of Hungry Lake to the main wall of the ***building***, but a further encroachment of 2 m [6.56 ft.] may be permitted for a screened in ***porch*** and stairway;

**(b)** That access to the ***shoreline*** shall be via a constructed pathway only; and

**(c)** No ***development*** shall be permitted until a site plan agreement has been entered into and registered against the title to the lands.

**33. RW-X36A, Part of Lot 28, Concession 1, Olden** (By-law 2011-23)

Despite any other ***zone regulations*** of this By-law to the contrary, on lands identified as Waterfront Residential Special Exception 36A (RW-X36A) Zone, the following ***zone regulations*** shall apply:

**Additional Provisions**

**(a)** Only one ***building envelope*** on the ***lot*** shall be permitted.

**(b)** Despite **Section 5.6.1** of this Zoning By-law, only a ***seasonal dwelling*** shall be permitted. A ***boat house*** shall not be permitted as an ***accessory*** use.

**(c)** No timber cutting shall be permitted except to accommodate the footprint of the ***building***.

**(d)** No ***building envelope*** shall be built or situated on exposed rock ridges.

**(e)** No ***building envelope*** shall be constructed on a slope of greater than 10%.

**(f)** The minimum ***setback*** from any ***high-water mark*** for any sewage disposal system shall be 50 m [164 ft.].

**(g)** The provisions of **Section 4.26** of this Zoning By-law shall not apply. Despite **Section 4.26**, the ***shoreline*** and as much of the lot area with the exception of the ***building envelope*** shall be retained in its natural state while access to the ***shoreline*** shall be limited to a wooden walkway only.

**(h)** The provisions of **Section 4.1.1(g)** and **(h)** shall not apply. Despite Sections 4.1.1 (g) and (h), any ***dock*** shall be a seasonally removable structure and the ***deck*** of the ***dock*** shall be located above the water surface and on adjustable legs.

**(i)** The provisions of **Section 5.6.3** of this By-law shall not apply except for **Section 5.6.3.10** with respect to fish habitat.

**34. RW-X37, Part of Lot 29, Concession 2, Hinchinbrooke, Reference Plan 13R-2255, Brigden's Island**

(By-law 2012-36)

**Permitted Uses**

**Principal use**

- ***Seasonal Dwelling***

**Accessory Use**

- ***Accessory uses*** to the foregoing permitted use

**Additional Provisions**

**(a)** Within the 30 m [98.4 ft.] extending landward from the high water mark, prohibited uses or activities shall include impervious cover, septic tanks and sewage disposal beds, clear cutting of vegetation and trees, pesticide application, storage or disposal of wastes and fuel. A boat house shall also be prohibited.

**(b)** Maximum Number of Lots and Units: The maximum number of lots in the RW-X37 Zone shall be ten (10). The maximum number of seasonal dwelling units shall be the existing 10 unites. This by-law shall also permit the continuance of existing accessory sleep cabins.

**35. RW-X38, Part of Lots 31 and 32, Concession 8, Kennebec**

(By-law 2011-56)

**Permitted Uses**

***Principal use***

- ***Seasonal Dwelling***
- ***Single Detached Dwelling***

**Accessory Uses, Buildings and Structures**

- Existing ***Accessory Uses, Buildings and Structures***

**Additional Provisions**

The existing ***lot area***, ***lot frontage*** and ***setbacks*** are hereby recognized as complying. No extensions, alterations, reconstruction or repairs shall be permitted which will further reduce any existing setback from the shoreline of Gull Lake.

**36. RW-X39, West ½ of Lot 8, Concession 5, Oso**

(By-law 2012-28)

Minimum Lot Frontage on the road side: 6 m [19.6 ft.]

**37. RW-X40, Part of Lots 18, 19 and 20, Concession 9, Kennebec**

(By-law 2012-37)

**(a)** Maximum length of any dock shall be 10 m [32.8 ft.].
**(b)** No boat houses or crib docks shall be permitted to be constructed.
**(c)** That the minimum lot frontage shall be reduced to 55 m on Lot 24

**38. RW-X41, Part of Lot 19, Concession 3, Hinchinbrooke**

(By-law 2013-41)

Despite the requirements of **Section 5.6.3**, on lands located in the RW-X41 Zone, the minimum ***lot area*** shall be 0.8950 ha [2.21 ac.] and the minimum ***lot frontage*** shall be 70 m [229.6 ft.] along the shoreline of Elbow Lake and 93 m [305.1 ft.] along Road 38.

**39. RW-X42, Part of Lot 19, Concession 3, Hinchinbrooke**

(By-law 2013-41

**(a)** Despite the requirements of **Section 5.6.3**, on lands located in the RW-X42 Zone, the minimum ***lot area*** shall be 0.6970 ha [1.72 ac.] and the minimum ***lot frontage*** shall be 70 m [229.6 ft.] along the shoreline of Elbow Lake and 53 m [173.8 ft.] along Road 38.

**(b)** Despite the requirements of **Section 5.6.3**, on lands located within the RW-X42 Zone, a sleep cabin as defined is ***permitted*** provided that the maximum floor area shall not exceed 60 $m^2$ [645.8 $ft.^2$] and the minimum ***front yard setback*** to any art of the ***building*** or ***deck*** shall not be less than 10 m [32.8 ft.].

**40. RW-X43, Part of Lots 11 and 12, Concession 9, Olden**

(By-law 2015-34)

**(a)** Despite **Section 4.26** of the by-law, a sewage disposal tile field or filter bed may be permitted within 300 m [984.4 ft.] of the ***high water mark*** of Sharbot Lake in accordance with the location identified in the development agreement registered on title on the subject lands.

**(b)** A maximum of one (1) sewage disposal system and one (1) ***dwelling unit*** is permitted.

**41. RW-X44, Part of Lot 28, Concession 1, Olden**

(By-law 2021-31)

**Permitted Uses**

***Principal use***

- ***Single Detached Dwelling***
- ***Seasonal Dwelling***

**Accessory Use, Buildings and Structures**

- Storage Shed
- Privy
- Floating Dock

**Prohibited Uses**

- Boat House
- Permanent Dock

**Zone Regulations**

Minimum Yard Requirements – Main Building

- Front Yard……..15 m [49.2 ft.]
- Interior/Rear Yard (eastern property line)….7 m [22.9 ft.]

Minimum Yard Requirements – Accessory Buildings and Structures

- Front Yard (all shorelines)……..15 m [49.2 ft.]
- Interior/Rear Yard (eastern property line)….3 m [9.84 ft.]

Maximum Building Height

- Main Building……6 m [19.6 ft.]

- Accessory Buildings and Structure……4 m [13.1 ft.]

Minimum Ground Floor Area

- Main Building…….93 $m^2$ [1,001 $ft.^2$]

- Accessory Building……..10 $m^2$ [107.6 $ft.^2$]

Maximum number of Dwelling Units…….1

Maximum number of Accessory Buildings

- 2 including a privy

Minimum Setback of a sewage disposal system……..15 m [49.2 ft.] from any shoreline

Minimum Parking Requirements

- Off-street parking not required

**Definition**

**Ground Floor Area** means the total area of the ground floor of a building measured between the exterior faces of the exterior walls of the building, and includes the area of any exterior decks or balconies.

## 5.7 GENERAL COMMERCIAL – C ZONE

No ***person*** shall ***use*** any land or ***erect***, ***alter*** or use any ***building*** or ***structure*** in the General Commercial (C) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.7.1 Permitted Uses

- ***Animal Shelter***
- Antique Store
- ***Art Galley***
- ***Auto Rental Establishment****
- ***Auto Repair Garage***
- ***Auto Service Station (see also Section 4.3)****
- ***Automotive Sales Establishment****
- ***Bake Shop***
- ***Bakery***
- ***Bank or Financial Institution***
- ***Brewery or Winery***
- ***Building Supply Store****
- ***Call Centre***
- ***Car Wash ****
- ***Catering Establishment***
- ***Cheese Factory/Outlet***
- ***Clinic***
- ***Commercial Greenhouse****
- ***Convenience Store***
- ***Drive-Through Facility (see also Section 4.11)***
- ***Equipment Rental Establishment****
- ***Farmer's Market***
- ***Flea Market***
- ***Funeral Parlour***
- ***Garden Centre***
- ***Gasoline Bar (see also Section 4.3)****
- ***Gasoline Card Lock Facility****
- ***Green Energy Industries***
- ***Hotel/Motel***
- ***Refreshment Sales Vehicle****
- ***Live/Work Unit (see Section 4.20.4)***
- ***Office***
- ***Park***
- ***Parking Lot - Commercial***
- ***Personal Service Establishment***
- ***Place of Amusement***
- ***Place of Assembly***
- ***Place of Worship***
- ***Public Service Use /Public Utility (see Section 4.42)***
- ***Recreational Commercial Establishment***
- ***Recreational Vehicle Sales and Storage and Repair****
- ***Restaurant***
- ***Retail Store***
- ***Self-Storage Facility***
- ***Solar Collector***
- ***Studio***
- ***Tourist Establishment***
- ***Tourist Outfitters Establishment***
- ***Veterinary Establishment***
- ***Warehouse****
- ***Wellness Centre***
- ***Workshop or Custom Workshop***
- Existing Residential Uses

***Accessory Uses, Buildings and Structures*** **(see Section 4.1)**

- ***Accessory Dwelling*** (see **Subsection 5.7.3.1**)

- ***Additional Residential Unit*** (see **Section 4.2**)
- ***Bed and Breakfast Establishment*** (see **Section 4.4**)
- ***Garden Suite*** (see **Section 4.2**)
- ***Home Based Business*** (see **Section 4.20**)
- ***Storage Container*** (see **Section 4.1.3**)

### 5.7.2 Zone Requirements

Minimum Lot Area ..... 5,000 m² [1.25 ac.]
Minimum Lot Area – Mixed Use Building ..... 5,000 $m^2$ plus 0.4 ha for each dwelling unit
Minimum Lot Frontage .....46 m [150.9 ft.]

**Minimum Yard Requirements - Main Building**

- Front Yard .....7 m [22.9 ft.]
- Rear Yard .....7 m [22.9 ft.]
- Interior Side Yard..... 3 m [9.8 ft.]
- Exterior Side Yard.....7 m [22.9 ft.]

**Maximum Building Height**

- Main Building .....10 m [32.8 ft.]
- Accessory Building .....6 m [19.7 ft.]

**Maximum Lot Coverage**

- Main Building .....40%
- Accessory Use, Buildings and Structures.....5%

**Maximum Number of Dwelling Units per Lot**

- Mixed Use Building .....8
- All other uses .....1

Minimum Separation Distance between the Main Wall of a
Detached Dwelling Unit and a commercial use .....6 m [19.7 ft.]

### 5.7.3 Additional Provisions

**1.** An ***accessory dwelling*** may be located within a ***building*** occupied by any commercial use except an automotive use or may be detached. Where the ***dwelling unit*** is detached, the minimum ***lot area*** shall be as set out in the General Residential (R1) Zone and shall be added to the minimum ***lot area*** in the General Commercial (C) Zone.

2. ***Permitted uses*** denoted with a * shall be permitted where the lot has frontage on and direct access to Highway 7 or Road 38 or a major arterial road within a settlement area**.**

3. Where a General Commercial (C) Zone abuts a ***residential zone*** or a ***residential use*** or a **sensitive land use** (e.g., ***school***, hospital) on an adjacent ***lot***, the ***setback*** on the abutting ***yard*** shall be a minimum of 7 m [22.9 ft.].

4. The minimum ***yard*** requirements may be reduced in the General Commercial (C) Zone where the lands are located in a built-up area and there is an ***established building line*** in accordance with **Section 4.12** of this By-law. [See also requirements for buffering in **Section 4.5**]

5. Despite the Maximum Number of ***Dwellings Units*** per Lot allowed in the General Commercial (C) Zone, an ***additional residential unit*** shall be ***permitted*** in accordance with; **Section 4.2.**

6. No ***person*** shall ***erect*** any ***building*** or ***structure*** in the General Commercial (C) Zone unless the ***lot*** upon which such ***building*** or ***structure*** is to be ***erected*** has ***frontage*** onto and direct access to a ***public street.*** [See also **Section 4.18**]

7. The minimum ***separation distance*** between the ***main walls*** of a ***detached dwelling unit*** and a commercial ***building*** shall be 6 m [19.7 ft.].

8. All applicable ***zone regulations*** of **Section 4 – General Provisions** shall apply.

### 5.7.4 Exception Zones

1. **C-X1, Part of Lot 14, Concession 3, RP 13R1204, Township of Kennebec**

   Despite any provision of Section 5.7 to the contrary, on land identified as General Commercial Exception 1 (C-X1) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

   **Permitted Uses**

   - ***Antique store***
   - ***Auto Repair Garage***
   - ***Automotive Sales Establishment***
   - ***Building Supply Store***
   - ***Contractor's Yard***
   - ***Craft Shop***
   - ***Farm Produce Outlet***
   - ***Gasoline Bar***
   - ***Office***
   - ***Parking Lot***
   - ***Personal Service Establishment***
   - ***Recycling Depot or Transfer Station***
   - ***Retail Store***
   - ***Warehouse***

**Additional Provisions**

Any ***recycling depot or transfer station*** shall be subject to the approval of the Ministry of the Environment, Conservation and Parks.

2. **C-X2, Part of Lots 15 & 16, Concession 10, Olden**

(By-law 1099-91 and 1149-93, Olden)

Despite any provision of Section 5.7 to the contrary, on land identified as General Commercial Exception 2 (C-X2) Zone on any Schedule to this By-law, following ***zone regulations*** shall apply:

**Permitted Uses**

- ***Campground***
- ***Gasoline Bar***
- ***Laundromat***
- ***Miniature Golf***
- ***Motel***
- ***Restaurant***

**3. C-X3, Part of Lot 12, Concession 1, Olden** (By-law 1099-91 and 1149-93, Olden)

Despite any provision of Section 5.7 to the contrary, on land identified as General Commercial Exception 3 (C-X3) Zone on any Schedule to this By-law, following ***zone regulations*** shall apply:

**Permitted Uses**

- ***Office***
- ***Single Detached Dwelling***

**4. C-X4, Part of Lot 14, Concession 1, Oso** **(By-law 1115-92, Oso)**

Despite any provision of Section 5.7 to the contrary, on land identified as General Commercial Exception 4 (C-X4) Zone on any Schedule to this By-law, following ***zone regulations*** shall apply:

**Permitted Uses**

- ***Office***
- ***Single Detached Dwelling***
- ***Accessory Dwelling Unit*** (see **Section 4.2**)
- ***Printing and Publishing Establishment***
- Vacuum cleaner sales and service outlet

**5. C-X5, Plan 113 Lot 42, PT Lot 52 RP-13R12574 PARTS 8 & 9, Oso**

(By-law 1202-95-Oso, and By-law 2001-95)

Despite any provision of Section 5.7 to the contrary, on land identified as General Commercial Exception 5 (C-X5) Zone on any Schedule to this By-law, following ***zone regulations*** shall apply:

Maximum Lot Coverage…… 30%
Minimum depth of a ***parking space*** abutting Garrett Street…..4.5 m [14.7 ft.]

The minimum number of ***parking space*****s** to be provided on Lot 42, Plan 113, shall be six (6), and shall include five (5) and one additional space in the *garage*. Other parking spaces totalling (5) in number shall be provided on an alternative lot located within 150 m [492.1 ft.] of Lot 42, Plan 113.

**6. C-X6, Part of Lot 12, Concession 1, Oso** (By-law 2000-73)

Despite any provision of Section 5.7 to the contrary, on land identified as General Commercial Exception 6 (C-X6) Zone on any Schedule to this By-law, the following regulations shall apply:

Minimum Number of ***Parking spaces*** (for an office use)……..5
Two parking spaces may encroach on the Elizabeth Street road allowance.

Minimum Width of ***Buffer Strip*** along south lot line 1 m [3.28 ft.]

**7. C-X8, Part of Lot 12, Concession 1, Sharbot Lake, Oso**

(By-law 2006-202)

Despite any provision of Section 5.7 to the contrary, on land identified as General Commercial Exception 8 (C-X8) Zone on any Schedule to this By-law, following ***zone regulations*** shall apply:

**Permitted Uses**

- Resource Centre, Non-profit
- All uses permitted in the General Commercial Zone

**Zone Requirements**

Minimum Lot Area……. 0.47 ha [1.16 ac.]
Minimum Lot Frontage…….. 135.8 m [445.5 ft.]
Minimum Rear Yard……...1.82 m [6 ft.]

**8. C-X10, Part of Lot 13, Concession 1, Village of Sharbot Lake** (By-law 2005-172)

Despite any provision of Section 5.7 to the contrary, on land identified as General

Commercial Exception 10 (C-X10) Zone on any Schedule to this By-law, following ***zone regulations*** shall apply:

**Permitted Uses**

- ***Office***

**Zone Standards**

Minimum Lot Area……..0.22 ha [0.54 ac]
Minimum Lot Frontage……...40.6 m [133.26 ft]

**10. C-X11, Part of Lot 3, Concession 4, Hinchinbrooke**

(By-law 2009-295, Central Frontenac)

Despite any other provisions of this Zoning By-law to the contrary, on lands identified as General Commercial Exception 11 (C-X11) Zone, following ***zone regulations*** shall apply:

Minimum Lot Area……..46 ha [1.13 ac.]
Minimum Lot Frontage……38.1 m [125 ft.]

**11. C-X12, Part of Lots 14 and 15, Concession 2, Oso**

(By-law 2016-20

**Zone Regulation**
Permitted Uses

- ***Self-Storage Facilities***

Additional Provisions
Minimum Lot Frontage 0 m [0 ft.]

**12. C-X13, Part of Lot 16, Concession 9, Kennebec**

(By-law 2019-41)

Despite any other provision of this by-law, to the contrary, the lands zoned General Commercial Exception Zone 13 (C-X13), shall be ***used*** only in accordance with the following:

**(a)** The minimum yard requirements for the main building front yard depth shall be 11.5 m.
**(b)** A refreshment vehicle shall be a permitted use.
**(c)** The width of any entrance or exit or combined entrance or exit measured at the front lot line shall not be greater than 10 m.
**(d)** That all other provisions including permitted uses of the General Commercial Zone of By-law No. 2011-52 shall continue to apply.

## 5.8 RECREATIONAL COMMERCIAL – CR ZONE

No *person* shall *use* any land or *erect*, *alter* or use any *building* or *structure* in the Recreational Commercial (CR) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.8.1 Permitted Uses

- ***Adventure Game***
- ***Brewery or Winery***
- ***Camp***
- ***Campground***
- ***Driving Range***
- ***Drive-Through Facility*** (see **4.11**)

- ***Dwelling – Seasonal***
- ***Dwelling – Single Detached***
- ***Golf Course***
- ***Live/Work Unit*** (see **Section 4.20.4)**
- ***Marina***
- ***Miniature Golf Course***
- ***Park*** (see **Section 4.31**)
- ***Parking Lot – Commercial***
- ***Private Club***
- ***Public Service Use /Public Utility*** (see **Section 4.42**)
- ***Recreational Commercial Establishment***
- ***Recreational Vehicle Park***
- ***Restaurant***
- ***Tourist Establishment***
- ***Tourist Cabin Establishment***
- ***Tourist Outfitter's Establishment***

***Accessory Uses, Buildings and Structures*** **(see Section 4.1)**

- ***Accessory Dwelling*** (see **Subsection 5.8.3.8**)
- ***Additional Residential Unit*** (see **Section 4.2**)
- ***Bed and Breakfast Establishment*** (see **Section 4.4**)
- ***Garden Suite*** (see **Section 4.2**)
- ***Home Based Business*** (see **Section 4.20**)
- ***Loft-above-a-Garage*** (see **Section 4.2**)
- ***Sleep Cabin*** (see **Section 4.2**)
- ***Storage Container*** (see **Section 4.1.3**)

### 5.8.2 Zone Requirements

**1. Camps**

Minimum Lot Area.....5 ha [12.35 ac.]
Minimum Yard Requirements

- All Yards .....15 m [161.42 ft.]

**2. All Other Uses Other Than a Camp**

**Minimum Lot Area:**

Accessory Dwelling Unit plus other permitted uses ..... 1.6 ha [3.95 ac.]
- Non-residential Uses ..... 1 ha [2.47 ac.]

Minimum Lot Frontage .....46 m [150.9 ft.]
Maximum Campsite Density..... 10 campsites/ha [4.0 campsites/ac.]

**Minimum Yard Requirements – Main Building and Accessory Dwellings**

- Front Yard .....10 m [32.8 ft.]
- Rear Yard .....7 m [22.9 ft.]
- Interior Side Yard.....7 m [22.9 ft.]
- Exterior Side Yard.....10 m [32.8 ft.]

**Maximum Building Height**

- Main Building.....10 m [32.8 ft.]
- Accessory Building .....6 m [19.7 ft.]

**Maximum Lot Coverage**

- Main Building.....20%
- Accessory Use, Buildings and Structures.....10%

Maximum Number of Accessory Dwelling per Lot..... 1

### 5.8.3 Additional Provisions

**1.** No ***shoreline structure*** shall be permitted within a depth of 30 m [98.4 ft.] from the ***high water mark*** except a ***boat house, boat port, float plane hangar***, ***boat slip, dock*** or ***wharf*** or as otherwise provided for in this By-law (see **Sections 4.1.1.7 and 4.1.1.8** and **4.26.5).**

**2.** With the exception of a ***boat house*** (wet), ***boat port, float plane hangar***, ***dock*** or ***wharf***, all ***shoreline structures*** shall be constructed within the confines of the property boundaries of a ***lot***.

**3.** The ***gross floor area*** of a ***boat house*** or ***boat port***, shall not exceed 80 $m^2$ [861.1 $ft.^2$].

**4.** The type of ***dock*****s** shall generally be limited to floating, cantilevered or post dock construction. Other types of ***docks*** may be permitted where it is demonstrated that

they will not have a ***negative impact*** on ***fish habitat***. ***Docks*** shall be built of non-toxic building materials. Land below the ***high-water mark*** shall not be permanently altered through the construction of ***shoreline structures*** except to accommodate the placement or use of ***docks*** as approved by the authority having jurisdiction. No ***dock*** or ***wharf*** or ***boat slips*** shall be constructed which constitutes a navigation or safety hazard.

**5.** No ***shoreline structure*** which will destroy ***fish habitat*** shall be permitted.

**6.** Where a Recreational Commercial (CR) Zone abuts a ***residential zone*** or a ***residential use*** or a ***sensitive land use*** (e.g., ***school***, hospital) on an adjacent lot, the ***setback*** on the abutting ***yard*** shall be a minimum of 7 m [22.9 ft.] [See also requirements for buffering in **Section 4.5**]

**7.** A ***recreational vehicle park*** shall be subject to any licensing or occupancy provisions of the ***municipality.***

**8.** An ***accessory dwelling*** may be located within a ***building*** occupied by any commercial use except an automotive use or may be detached. Where the ***dwelling unit*** is detached, the minimum ***lot area*** shall be as set out in the General Residential (R1) Zone and shall be added to the minimum ***lot area*** in the Recreational Commercial (CR) Zone.

**9.** Despite the Maximum Number of Dwellings Units per Lot allowed in the Recreational Commercial (CR) Zone, an ***additional residential unit*** shall be ***permitted*** in accordance with **Section 4.2**.

**10.** No ***person*** shall ***erect*** any ***building*** or ***structure*** in the Recreational Commercial (CR) Zone unless the ***lot*** upon which such **building** or ***structure*** is to be ***erected*** has ***frontage*** onto and direct access to a ***public street.***

**11.** The minimum ***separation distance*** between the ***main walls*** of a detached ***dwelling unit*** and a commercial ***building*** shall be 6 m [19.7 ft.].

**12.** All applicable ***zone regulations*** of **Section 4 – General Provisions** shall apply.

### 5.8.4 Exception Zones

**1. CR-X1, Part of Lots 13 and 14, Concession 7, Former Township of Kennebec**
(By-law 2005-188, Central Frontenac)

Despite any provision of **Section 5.8** to the contrary, on land identified as Recreational Commercial Exception 1 (CR-X1) Zone on any Schedule to this By-law, following ***zone regulations*** shall apply:

**Permitted Uses**

- Minimum Lot Frontage (road/water) .....100 m [328 ft.]
- Minimum Front Yard (from ROW to Trailer 1).....3.4 m [11 ft.]
- Minimum Interior Side Yard.....1.8 m [6 ft.]
- Minimum Setback from Water (Trailer 2) .....9.1 m [30 ft.]

**Additional Provisions**

That no further ***development*** or expansions be ***permitted*** on the subject lands.

**2. CR-X2, Part of Lots 31 and 32, Concession 8, Kennebec**

(By-law 2011-56)

**Permitted Uses**
***Principal use***
- ***Tourist Establishment***
- Existing Uses

***Accessory Uses***
- Existing Accessory Uses, Buildings and Structures

Additional Provisions
- The existing lot area, lot frontage and setbacks are hereby recognized as complying. No extensions, alterations, reconstruction or repairs shall be permitted which will further reduce any existing setback from the shoreline of Gull Lake.

## 5.9 LOCAL COMMERCIAL – CL ZONE

No person shall ***use*** any land or ***erect, alter*** or use any ***building*** or ***structure*** in the Local Commercial (CL) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.9.1 Permitted Uses

- ***Antique Store*** or Craft Shop

- ***Bake Shop***
- ***Bakery***
- ***Bank or Financial Institution***
- ***Bed and Breakfast Establishment***
- ***Convenience Store***
- ***Drive-Through Facility*** (see **Section 4.11**)
- ***Laundromat***
- ***Live/Work Unit*** (see **Section 4.20.4**)
- ***Personal Service Establishment****
- ***Retail Outlet****
- ***Restaurant****
- ***Tavern***
- ***Video Rental Outlet***

**Accessory Uses** (see **Section 4.1**)

- ***Accessory Dwelling Unit*** (see **Section 5.9.3.3**)

### 5.9.2 Zone Requirements

Minimum Lot Area..... 5,000 m² [1.25 ac.]
Minimum Lot Frontage .....46 m [150.9 ft.]

**Minimum Yard Requirements - Main Building**

- Front Yard .....7 m [22.9 ft.]
- Rear Yard .....7.5 m [24.6 ft.]
- Interior Side Yard.....3 m [9.8 ft.]
- Exterior Side Yard .....7 m [22.9 ft.]

**Minimum Yard Requirements - Accessory Building**

- Front Yard .....7 m [22.9 ft.]
- Rear Yard .....1 m [3.28 ft.]
- Interior Side Yard .....1 m [3.28 ft.]
- Exterior Side Yard .....7 m [22.9 ft.]

**Maximum Building Height**

- Main Building.....10 m [32.8 ft.]

- Accessory Building .....6 m [19.7 ft.]

**Maximum Lot Coverage**

- Main Building.....15%
- Accessory Use, Buildings and Structures.....25%

Maximum Number of Dwelling Units per Lot.....1

Minimum Separation Distance between the Main Wall Walls of Adjacent Detached Dwelling Unit Units .....6 m [19.7 ft.]

### 5.9.3 Additional Provisions

**1.** ***Permitted uses*** denoted with an * are only ***permitted*** in a settlement area as shown on the schedules to this By-law.

**2.** Where a commercial zone Local Commercial (CL) Zone abuts a ***residential zone*** or a ***residential use*** or a ***sensitive land use*** (e.g., ***school***, hospital) on an adjacent ***lot*****,** a ***buffer strip*** shall be provided along the abutting ***lot line(s)*** in accordance with the requirements of **Section 4.5.**

**3.** An ***accessory dwelling*** may be located within a ***building*** occupied by any commercial use except an automotive use or may be detached. Where **the** ***dwelling unit*** is detached, the minimum ***lot area*** shall be as set out in the General Residential (R1) Zone and shall be added to the minimum ***lot area*** in the Local Commercial (CL) Zone.

**4.** No person shall ***erect*** any ***building*** or ***structure*** in the Local Commercial (CL) Zone unless the *lot* upon which such ***building*** or ***structure*** is to be erected has ***frontage*** onto and direct access to a ***public street*** or ***private road.*** [See **Section 4.18**]

**5.** The minimum ***yard*** requirements may be reduced in the Local Commercial (CL) Zone where there is an ***established building line*** in accordance with **Section 4.12** of this By-law.

**6.** All applicable ***zone regulations*** of **Section 4 – General Provisions** shall apply.

### 5.9.4 Exception Zones

**1.** **CL-X1, Part of Lot 13, Concession 1, Oso**
(By-law 2016-26)
**Permitted Uses**
- Office

- Personal Services Establishment excluding a barber shop, beauty salon, laundromat or dry cleaning establishment

**Zone Regulations**

- Minimum Lot Area……..900 $m^2$ [0.23 ac.]
- Minimum Lot Frontage……20.8 m [68.2 ft.]

## 5.10 BUSINESS DISTRICT – BD ZONE

No ***person*** shall ***use*** any land or ***erect***, ***alter*** or use any ***building*** or ***structure*** in the Business District (BD) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.10.1 Permitted Uses

- All uses permitted in the General Commercial (C) Zone
- ***Auto Rental Establishment***
- ***Auto Service Station*** (see **Section 4.3**)
- ***Bank or Financial Institution***
- ***Brewery or Winery***
- ***Building Supply Store***
- ***Car Wash***
- ***Commercial Greenhouse***
- ***Drive-Through Facility*** (see **Section 4.11**)
- ***Equipment Rental Establishment***
- ***Gasoline Bar*** (see **Section 4.3)**
- ***Gasoline Card Lock Facility***
- ***Institutional Use***
- ***Light Industrial Use – Class 1 Industry***
- ***Refreshment Sales Vehicle***
- ***Live/Work Unit*** (see **Section 4.20.4**)
- ***Public Service Use /Public Utility*** (see **Section 4.42**)
- ***Private Club***
- ***Recreational Vehicle Sales and Storage and Repair***
- ***Restaurant***
- ***Retail Store***
- ***Self-Storage Facility***

***Accessory Uses, Buildings and Structures*** **(see Section 4.1)**

- **Accessory Dwelling** (see **Subsection 5.10.3.1**)

### 5.10.2 Zone Requirements

Minimum Lot Area ..... 5,000 m² [1.25 ac.]
Minimum Lot Frontage .....46 m [150.9 ft.]

**Minimum Yard Requirements - Main Building**

- Front Yard .....7 m [22.9 ft.]
- Rear Yard .....7 m [22.9 ft.]
- Interior Side Yard..... 3 m [9.8 ft.]
- Exterior Side Yard.....6 m [19.7 ft.]

**Maximum Building Height**

- Main Building .....10 m [32.8 ft.]
- Accessory Building .....6 m [19.7 ft.]

**Maximum Lot Coverage**

- Main Building .....25%
- Accessory Use, Buildings and Structures.....5%

Maximum Number of Dwelling Units per Lot..... 1

### 5.10.3 Additional Provisions

**1.** An ***accessory dwelling*** may be located within a ***building*** occupied by any commercial use, except an ***auto service station, gasoline bar*** or ***gasoline card lock facility*** or may be detached. Where the ***dwelling unit*** is detached, the minimum ***lot area*** shall be as set out in the General Residential (R1) Zone and shall be added to the minimum ***lot area*** in the Business District (BD) Zone.

**2.** The minimum ***separation distance*** between the ***main walls*** of a detached ***dwelling unit*** and a commercial ***building*** shall be 6 m [19.7 ft.].

**3.** The minimum ***yard*** requirements may be reduced in the Business District (BD) Zone where the lands are located in a built-up area and there is an ***established building line*** in accordance with **Section 4.12** of this By-law.

**4.** A ***buffer strip*** shall be provided along the abutting ***lot line(s)*** in accordance with the requirements of **Section 4.5.**

**5.** Despite the Maximum Number of Dwellings Units per Lot allowed in the Business District (BD) Zone, an ***additional residential unit*** shall be ***permitted*** in accordance with **Section 4.2**.

**6.** No ***person*** shall ***erect*** any ***building*** or ***structure*** in the Business District (BD) Zone unless the ***lot*** upon which such building or structure is to be ***erected*** has ***frontage*** onto to Highway 7 or a ***public street***.

**7.** All applicable ***zone regulations*** of **Section 4 – General Provisions** shall apply.

### 5.10.4 Exception Zones

## 5.11 MIXED RURAL INDUSTRIAL-COMMERCIAL (MXCD) ZONE

No ***person*** shall ***use*** any land or ***erect***, ***alter*** or use any ***building*** or ***structure*** in the Mixed Rural Industrial – Commercial (MXCD) zone except in accordance with the provisions of this section and of any other relevant Sections of this By-law

### 5.11.1 Permitted Uses

1. **Principal uses**

- Processing, production, storage, wholesaling and retailing of specialty meat products
- Storage of recreational vehicles and recreation equipment
- Community kitchen
- ***Public Service Use/Public Utility*** (see **Section 4.42**)

2. **Accessory Uses**

- ***Retail outlet***
- ***Accessory uses*** to the foregoing permitted uses, buildings and structures

### 5.11.2 Zone Requirements

The provisions of **Section 5.10.2** shall apply

### 5.11.3 Additional Provisions

1. The separation distance of **Section 4.26.3 (a)** shall be measured between the face of the ***main buildings*** used for industrial and ***sensitive uses*** respectively.

2. A ***buffer strip*** shall be provided along the abutting ***lot line(s)*** in accordance with the requirements of **Section 4.5**.

3. All applicable ***zone regulations*** of **Section 4 – General Provisions** shall apply.

## 5.12 INDUSTRIAL - M1 ZONE

No *person* shall *use* any land or *erect*, *alter* or use any *building* or *structure* in the Industrial (M1) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.12.1 Permitted Uses

- ***Auto Body Shop***
- ***Auto Repair Garage***
- ***Auto Service Station*** (see **Section 4.3**)
- ***Brewery or Winery***
- ***Cheese Factory***
- ***Class I Industry*** (see **Section 4.26.3 (a)**)
- ***Class II Industry*** (see **Section 4.26.3 (b)**)
- ***Commercial Greenhouse***
- ***Contractor's Yard***
- ***Dairy***
- Gasoline Bar (see **Section 4.3**)
- ***Gasoline Card Lock Facility***
- ***Parking Lot – Commercial***
- ***Public Service Use /Public Utility*** (see **Section 4.42**)
- ***Self-Storage Facility***
- ***Warehouse***
- Well Drilling Establishment
- ***Workshop or Custom Workshop***

***Accessory Uses, Buildings and Structures*** **(see Section 4.1)**

### 5.12.2 Zone Requirements

Minimum Lot Area..... 1 ha [2.47 ac.]
Minimum Lot Frontage .....45 m [147.6 ft.]

**Minimum Yard Requirements - Principal use**

- All Yards .....5 m [49.2 ft]

**Minimum Yard Requirements - Accessory Use**

- Front and Exterior Side yard .....15 m [49.2 ft.]
- Rear or Interior Side Yard .....5 m [16.4 ft.]

**Maximum Building Height**

- Main Building .....15 m [49.2 ft.]
- Accessory Building .....8 m [26.2 ft.]

Maximum Lot Coverage - all uses, buildings and structures .....30%

### 5.12.3 Additional Provisions

**1.** See also requirements of **Section 4.26.3** of this By-law for separation distances for ***industrial uses***.

**2.** Where an Industrial (M1) Zone abuts a ***residential zone*** or a residential use or a ***sensitive land use*** (e.g., ***school***, hospital) on an adjacent lot, the ***setback*** on the abutting ***rear*** or ***side yard*** shall be a minimum of 7 m [22.9 ft.]. A ***buffer strip*** shall be provided along the abutting ***lot line(s)*** in accordance with the requirements of **Section 4.5**.

**3.** No ***person*** shall ***erect*** any ***building*** or ***structure*** in the Industrial (M1) Zone unless the *lot* upon which such building or structure is to be ***erected*** has ***frontage*** onto and direct access to a ***public street***.

**4.** All applicable ***zone regulations*** of **Section 4 – General Provisions** shall apply.

### 5.12.4 Exception Zones

**1. M1-X1, Part of Lot 15 and 15, Concessions 8 and 9, and part of the road allowance, Kennebec**

Despite any provision of Section 5.12.2 to the contrary, on land identified as Industrial Exception 1 (M1-X1) Zone on any Schedule to this By-law, the following regulations shall apply:

**Permitted Uses**

- Fabrication of garden furniture and structures
- An ***accessory dwelling*** (see **Section 4.2**)

**2. M1-X2, Part of Lot 17, Concession 2, Oso** (By-law 1166-94)

Despite any provision of Section 5.12.2 to the contrary, on land identified as Industrial Exception 1 (M1-X2) Zone on any Schedule to this By-law, the following regulations shall apply:

Minimum Lot Area……..0.34 ha [0.84 ac.]

## 5.13 RURAL INDUSTRIAL – M2 ZONE

No *person* shall *use* any land or ***erect***, ***alter*** or ***use*** any ***building*** or ***structure*** in the Rural Industrial (M2) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.13.1 Permitted Uses

- ***Class I, II and III Industries***
- ***Brewery or Winery***
- ***Cheese Factory***
- ***Commercial Greenhouse***
- ***Compressed Gas Sales and Service***
- ***Dairy***
- ***Fuel Depot***
- ***Gasoline Card Lock Facility***
- ***Lumber Yard***
- ***Portable Asphalt/Concrete Plant*** (see **Section 4.26.3**)
- Produce Grading Station or Storage Facility
- ***Transportation Depot***
- ***Public Service Use /Public Utility*** (see **Section 4.42**)
- ***Salvage Yard***
- ***Sawmill or Planning Mill***
- ***Warehouse***

***Accessory Uses, Buildings and Structures*** **(see Section 4.1**

### 5.13.2 Zone Requirements

Minimum Lot Area.....2 ha [4.94 ac.]
Minimum Lot Frontage .....100 m [328 ft.]

**Minimum Yard Requirements - Principal Use**

- All Yards .....15 m [49.2 ft.]

**Minimum Yard Requirements - Accessory Use**

- Front and Exterior Side yard .....15 m [49.2 ft.]
- Rear or Interior Side Yard.....5 m [16.4 ft.]

**Maximum Building Height**

- Main Building.....15 m [49.2 ft.]
- Accessory Building .....8 m [26.2 ft.]

Maximum Lot Coverage - all uses, buildings and structures .....30%

### 5.13.3 Additional Provisions

**1.** See also requirements of **Section 4.26.3** of this By-law for separation distances for ***industrial uses***.

**2.** For a ***salvage yard*****,** the storage compound for ***vehicles*** or other materials shall be completely obscured from any ***public road*** or adjacent *use* by an opaque ***fence***, screen or berm of not less than 1.8 m [6 ft.] in height.

**3.** No ***person*** shall ***erect*** any ***building*** or ***structure*** in the Rural Industrial (M2) Zone unless the ***lot*** upon which such building or structure is to be ***erected*** has ***frontage*** onto and direct access to a ***public street.*** [See **Section 4.18**]

**4.** All applicable ***zone regulations*** of **Section 4 – General Provisions** shall apply.

### 5.13.4 Exception Zones

**1. M2-X1, Part of Lot 11, Concession 8, Kennebec**

Despite any provision of **Section 5.13.1** to the contrary, on land identified as Rural Industrial Exception 1 (M2-X1) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

**Permitted Uses**

- A ***salvage yard***

**2. M2-X2, Part of Lots 19 & 20, Concession 11, Kennebec** (By-law 2008-266)

Despite any other provisions of **Section 5.13.1** to the contrary, on land identified as the Rural Industrial Exception 2 (M2-X1) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

**Permitted Uses**

A seasonal portable concrete operation, being a seasonally operated facility with equipment designed to supply raw materials for off-site concrete mixing at construction sites and which includes the stockpiling and storage of bulk materials, a water storage facility and associated ***accessory buildings*** and ***structures***.

**Zone Requirements**

Required lot frontage…….132.9 m [436 ft.]

Required lot area……1.14 ha [2.8 ac.]
Maximum height of any stockpile……5 m [16.4 ft.]

Minimum separation distance for a Class II Industry on the subject lands: Shall be a minimum of 50 m [164 ft.] measured as the shortest horizontal distance from the north limit of the *highway* right-of-way extending southerly there from to the subject lands of this amendment.

**Additional Provisions**

On-site vehicle maintenance, including but not limited to engine and mechanical repairs, oil changes and other vehicle repairs, shall not be ***permitted***. All other provisions of **Section 5.13.2** of this by-law apply.

## 5.14 MINERAL AGGREGATE RESOURCE – MX ZONE

No ***person*** shall ***use*** any land or ***erect***, ***alter*** or use any ***building*** or ***structure*** in the Mineral Aggregate Resource (MX) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.14.1 Permitted Uses

- ***Agriculture Use*** (not including ***buildings*** and ***structures***)
- ***Camp*** (see **Section 4.7**)
- ***Conservation Use***
- ***Forestry Use*** (not including ***buildings*** and ***structures***)
- ***Pit*** (see **Section 4.26.2**)
- ***Portable Asphalt/Concrete Plant*** (see **Section 4.26.3**)
- ***Public Service Use/Public Utility*** (see **Section 4.42**)
- ***Quarry*** (see **Section 4.26.2)**
- ***Wayside Pit*** (see **Section 4.26.2**)
- ***Wayside Quarry*** (see **Section 4.26.2**)

***Accessory Uses, Buildings and Structures*** **(see Section 4.1)**

Crushing and washing and screening facilities, stock piles, asphalt and concrete plants, aggregate transfer stations, administration facilities, weigh stations, security kiosk etc.

### 5.14.2 Zone Requirements

Minimum Yard Requirements

- All Yards .....15 m [49.2 ft.]

Maximum Building Height

- Main Building.....15 m [49.2 ft.]
- Accessory Building .....8 m [26.2 ft.]

### 5.14.3 Additional Provisions

**1.** Despite the ***yard*** requirements stated above, a minimum of 30m [98.4 ft.] ***setback*** will be required from lot lines adjacent to public roads.

**2.** See also requirements of **Section 4.26.2 & 3** of this By-law for ***separation distances*** for Mineral Aggregate Resource Areas.

3. Any ***mineral aggregate operation***, ***pit*** or ***quarry*** shall comply with any By-law passed under the *Municipal Act* governing a ***mineral aggregate operation***, ***pit*** or ***quarry.***

4. No person shall pile aggregate, top soil, overburden or locate any processing plant or place or build or extend any ***building*** or ***structure***:

   **(a)** Within 30 m [98.4 ft.] from the ***lot line*** of the site.

   **(b)** Within 90 m 295.2 ft.] from any ***lot line*** that abuts an existing residential ***dwelling*** or land ***zoned*** for ***residential use***.

5. Earth berms intended to screen adjoining lands from the operations on site shall be located no closer than 3 m [9.84 ft.] from any ***lot line***.

6. No ***mineral aggregate operation*** shall operate except in compliance with a valid license issued under the *Aggregate Resources Act*, as amended.

7. No ***portable asphalt plant, wayside pit*** or ***wayside quarry*** shall operate without a valid Environmental Compliance Approval.

8. Where lands zoned as Mineral Aggregate Resource (MX) are occupied by a ***dwelling***, this By-law shall not be deemed to prevent the ***erection*** or extension of an ***accessory building*** or the extension or expansion of an ***existing dwelling***.

9. No ***person*** shall ***erect*** any ***building*** or ***structure*** in the Mineral Aggregate Resource (MX) Zone unless the ***lot*** upon which such ***building*** or ***structure*** is to be ***erected*** has ***frontage*** onto and direct access to a ***public road.*** [See **Section 4.18**]

10. All applicable zone regulations of **Section 4 – General Provisions** shall apply.

### 5.14.4 Exception Zones

1. **MX (h) Provisions – By-law #2013-34**
   That a publicly owned and year-round maintained road is built to the ***Township*** road construction standard to provide access and frontage to the subject lands.

## 5.15 WASTE MANAGEMENT FACILITY – WMF ZONE

No ***person*** shall use any land or ***erect***, ***alter*** or ***use*** any ***building*** or ***structure*** in the Waste Management Facility (WMF) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.15.1 Permitted Uses

- ***Agricultural Use*** (not including buildings and structures)
- Commercial Compost Facility
- ***Forestry*** (not including buildings and structures)
- ***Public Service Use/Public Utility*** (see **Section 4.42**)
- ***Waste Management Facility*** (see **Section 4.26.1**)
- ***Recycling Depot or Transfer Station***

***Accessory Uses, Buildings and Structures*** **(see Section 4.1)**

### 5.15.2 Zone Requirements

Minimum Yard Requirements

- All Yards .....30 m [98.4 ft.]

### 5.15.3 Additional Provisions

**1.** See also requirements of **Section 4.26** of this By-law for separation distances for a Waste Management Facility.

**2.** No ***waste management facility*** shall be **permitted** or operated except in compliance with a valid Environmental Compliance Approval issued under the *Environmental Protection Act.*

**3.** All applicable ***zone regulations*** of **Section 4 – General Provisions** shall apply.

**4.** ***Waste Management Facilities*** designated with a "C" on the Zone Schedules indicate facilities that are closed. ***Redevelopment*** of these sites shall be subject to a rezoning and proof that there are no ***adverse effects*** to ***redevelopment***.

### 5.15.4 Exception Zones

## 5.16 RURAL – R ZONE

No ***person*** shall ***use*** any land or ***erect***, ***alter*** or ***use*** any ***building*** or ***structure*** in the –rural (R) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.16.1 Permitted Uses

- ***Agricultural Use***
- ***Agriculturally Related Commercial/Industrial Uses***
- ***Airfield, Private***
- ***Ambulance Base***
- ***Animal Shelter***
- ***Brewery or Winery***
- ***Camp*** (see **section 4.7**)
- ***Campground***
- ***Cemetery*** (see **Section 4.30**)
- ***Commercial Greenhouse***
- ***Communications Facility***
- ***Community Centre***
- ***Conservation Use***
- ***Construction Yard or Contractors Yard***
- ***Custom Workshop***
- ***Day Care for Children*** (see **Section 4.10**
- ***Day Nursery***
- ***Dwelling - Duplex***
- ***Dwelling – Mobile Home***
- ***Dwelling - Modular***
- ***Dwelling – Park Model Trailer***
- ***Dwelling – Seasonal***
- ***Dwelling – Semi-detached***
- ***Dwelling – Single Detached***
- ***Dwelling – Tiny House***
- ***Equestrian Establishment***
- ***Farm Produce Outlet***
- ***Forestry Use***
- ***Geothermal Power Facility***
- ***Group Home*** (see **Section 4.119**
- ***Helipad***
- ***Hobby Farm***
- ***Institutional Use***
- ***Kennel***
- ***Live/Work Unit*** **(see Section 4.20.4)**
- ***Log Hauling Operation***
- ***Logging Camp***
- ***Maple Syrup Processing Establishment***
- ***Marine Facility***
- ***Nature Trail***
- ***Park, Playground, Outdoor Recreation Use***
- ***Parking Area***
- ***Place of Assembly***
- ***Place of Worship***
- ***Portable Asphalt/Concrete Plant*** (see **Section 4.26.3**)
- ***Private Club***
- ***Public Service Use/Public Utility*** (see **Section 4.42**)
- ***Renewable Energy System***
- ***School***
- ***Shooting Range or Rifle Club***
- ***Studio***
- ***Tourist Outfitters Establishment***
- ***Wayside Quarry*** (see **Section 4.26**)
- ***Wayside Pit*** (see **Section 4.26**)

***Accessory Uses, Buildings and Structures*** **(see Section 4.1)**

- ***Accessory Dwelling*** (see **Subsection 5.16.3[e]**)
- ***Additional Residential Unit*** (see **Section 4.2**)
- ***Camp*** (see **Section 4.6**)
- ***Bed and Breakfast Establishment*** (see **Section 4.4**)
- ***Boat House***
- ***Dock*** (see **Section 4.1.1.12-14**)
- ***Farm Vacation Establishment***
- ***Garden Suite*** (see **Section 4.2**)
- ***Home Based Business*** (see **Section 4.20**)
- ***On-farm Diversified Uses***
- ***Recreational Vehicle*** (see **Section 4.1.2**)
- ***Sleep Cabin*** (see **Section 4.2**)
- ***Solar Collector (non-commercial)***
- ***Storage Container*** (see **4.1.3**)
- ***Swimming Pool*** (see **Section 4.1.4**)
- ***Temporary Car Shelter*** (see **4.1.3**)
- ***Wind Turbine (non-commercial)***
- ***Yurt***

### 5.16.2 Zone Requirements

**1.** ***Kennel*** (see **Section 4.22**)

Minimum Lot Area……4 ha [9.9 ac.]
Minimum Lot Frontage…….....92 m [301.8 ft.]

**Minimum Yard Requirements**

All Yards……...30 m [98.4 ft.]

Maximum Building Height…….....10 m [32.8 ft.]
Maximum Building Height - Accessory Building….6 m [19.7 ft.]

**2. Residential Uses**

Minimum Lot Area ……0.8 ha [2 ac.]
Minimum Lot Frontage……..46 m [150.9 ft.]

**Minimum Yard Requirements**

Front Yard……7 m [22.9 ft.]
Rear Yard……7 m [22.9 ft.]
Interior Side Yard……3 m [9.8 ft.]
Exterior Side Yard……7 m [22.9 ft.]

**Maximum Building Height**

Main Building……10 m [32.8 ft.]

Accessory Building……6 m [19.7 ft.]

**Maximum Lot Coverage**
***Main Building***…….15%
***Accessory Uses, Buildings and Structures***……..5%

**Maximum Number of Dwelling Units per Lot**

Dwelling - Single detached, mobile home, seasonal, group home (excluding ***additional residential units***) 1

**3. Agricultural Uses**

Minimum Lot Area……..4 ha [9.88 ac.]
Minimum Lot Frontage……61 m [200.13 ft.]

**Minimum Yard Requirements**

Front Yard…….15 m [49.2 ft.]
All Other Yards…….10 m [32.8 ft.]

Maximum Lot Coverage - all buildings and structures 10%
Maximum Building Height - Main Building……10 m [32.8 ft.]
Maximum Building Height - Accessory Building…….8 m [26.25 ft.]

**4. Camp** (see **Section 4.7**)

Minimum Lot Area……..5 ha [12.35 ac.]

**Minimum Yard Requirements**

All Yards……..15 m [161.42 ft.]

**5.** All Other Uses Including a Hobby Farm

Minimum Lot Area……8,000 m² [2 ac.]
Minimum Lot Frontage……..46 m [150.9 ft.]

**Minimum Yard Requirements**

Front Yard…….15 m [49.2 ft.
All Other Yards…….10 m [32.8 ft.]

Maximum Lot Coverage - all uses, buildings and structures 20%

Maximum Building Height - Main Building……..10 m [32.8 ft.]
Maximum Building Height - Accessory Building……..6 m [19.7 ft.]

### 5.16.3 Additional Provisions

**1.** Despite anything in **Section 5.16.2** to the contrary, on land within 300 m [984.2 ft.] of the ***high-water mark*** of Silver Lake, Crow Lake, Eagle Lake and the west basin of Sharbot Lake, the maximum ***permitted*** number of ***dwelling units*** per ***lot*** shall be one (1).

**2.** Despite anything in **Section 5.16.2** to the contrary, ***wayside pits*** and ***wayside quarries*** shall be subject only to a minimum ***yard*** requirement of 15 m [49.2 ft.].

**3.** No ***person*** shall ***erect*** any ***building*** or ***structure*** in the Rural (R) Zone unless the ***lot*** upon which such ***building*** or ***structure*** is to be ***erected*** has ***frontage*** onto and direct access to a ***public street.*** [See **Section 4.18**]

**4.** Recreational Vehicle – see **Section 4.1.2**

**5.** An ***accessory dwelling*** may be located within a ***building*** occupied by any ***commercial use*** except an automotive use or may be detached. Where the ***dwelling unit*** is detached, the minimum ***lot area*** shall be as set out in the General Residential (R1) Zone and shall be added to the minimum ***lot area*** in the Rural (R) Zone.

**6.** Despite the Maximum Number of ***Dwellings Units*** per ***Lot*** allowed in the Rural (R) Zone, an ***additional residential dwelling*** shall be permitted in accordance with **Section 4.2**.

**7.** ***Accessory uses***, ***buildings*** and ***structures***, parking, special separation distances and other general provisions shall be in accordance with **Section 4** of this By-law.

**8.** **Domestic Poultry and Livestock**

**(a)** A ***lot***, vacant lands or lands occupied by a ***dwelling unit*** may be ***used*** for the keeping of domestic livestock kept or used for non-commercial food production including domestic poultry (i.e., chickens, ducks, geese, pigeons, quail, pheasants, turkeys), and domestic livestock (i.e., rabbits) based on the following ***nutrient unit*** to ***lot area*** ratio:

up to 0.1 ***nutrient unit*** provided the minimum ***lot area*** shall be 0.2 ha [0.5 ac.]
up to 0.2 ***nutrient unit*** provided the minimum ***lot area*** shall be 0.4 ha [1 ac.]
up to 0.4 ***nutrient unit*** provided the minimum ***lot area*** shall be 0.8 ha [2 ac.]

up to 0.6 ***nutrient unit*** provided the minimum ***lot area*** shall be 1.21 ha [3 ac.]
up to 0.8 ***nutrient unit*** provided the minimum ***lot area*** shall be 1.61 ha [4 ac.]
up to 1.0 ***nutrient unit*** provided the minimum ***lot area*** shall be 2.02 ha [5 ac.]
between 1.0 and 5.0 ***nutrient units*** provided the minimum ***lot area*** shall be 4.04 ha [10 ac.]
greater than five (5) ***nutrient units*** provided the minimum ***lot area*** exceeds 4.04 [10 ac.]
and provided any associated ***livestock facility*** and manure storage facility complies with the ***Minimum Distance Formula***.

**(b)** Domestic livestock shall not be deemed to include swine, goats, cattle, horses and donkeys or similar large animals.

**(c)** Domestic livestock and poultry may run free range provided the ***lot*** is fenced and provided all livestock are internally sheltered overnight and that caged ***structures*** comply with the required ***zone regulations*** for ***setbacks***.

**9.** The minimum lot frontage for a Shoreline Lot on a Narrow Channel shall be:

- Channel Width of 90 m [295.2 ft.] or less - 120 m [393.7 ft.]
- Channel Width of 90.1 m [295.6 ft.] to 150 m [492.1 ft.] - 90 m [295.2 ft.]

**10.** The provisions of **Section 4.4.5** through **4.4.8** shall apply to a ***farm vacation establishment***.

**11.** A ***farm*** may include a ***single detached dwelling***, and such principal or ***main buildings*** and ***structures*** as a barn or silo, manure storage as well as ***accessory buildings*** and ***structures*** which are incidental to the operation of the ***farm*** and to any ***on-farm diversified uses***.

**12.** All applicable ***zone regulations*** of **Section 4 – General Provisions** shall apply.

### 5.16.4 Exception Zones

**1. R-X1, Part of Lot 14, Concession 9, Township of Kennebec**

Despite any provision of **Section 5.16** to the contrary, on land identified as Rural Exception 1 (R-X1) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

On part of Lot 14, Concession 9, Township of Kennebec, (assessment roll number 1039 030 010 39605 000), an ***existing*** lot size of 0.24 ha [0.61 ac.] shall be deemed to conform to the minimum lot area requirements of this By-law.

**2. R-X2, Part of Lots 15 & 16, Concession 2, Oso** (By-law 1166-94, Oso)

Despite any provision of **Section 5.16** to the contrary, on land identified as Rural Exception 2 (R-X2) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

Minimum Lot Frontage…….31 m [101.7 ft.]

**3. R-X3, Part of Lot 19, Concession 1, Oso** (By-law 1257-97, Oso)

Despite any provision of **Section 5.16** to the contrary, on land identified as Rural Exception 3 (R-X3) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

**Permitted Uses**

- Restaurant

Maximum Floor Area of Restaurant……..50 $m^2$ [538.2 $ft.^2$]

4. **R-X4, Part of Lot 26, Concession 3, Oso** (By-law 1998-22, Oso)

Despite any provision of **Section 5.16** to the contrary, on land identified as Rural Exception 4 (R-X4) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

**Permitted Uses**

- Retail Store

**5. R-X5, Part of Lot 25, Concession 1, Hinchinbrooke**(By-law 1999-37)

Despite any provision of **Section 5.16** to the contrary, on land identified as Rural Exception 5 (R-X5) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

**Permitted Uses**

- ***Agricultural Use***
- ***Conservation Use***
- ***Equestrian Establishment***

- ***Forestry use***
- Greenhouse
- ***Kennel*** (see **Section 4.22**)
- ***Wayside pit*** or ***wayside quarry*** (see **Section 4.26**)

Minimum Lot Frontage……12 m [39.3 ft.]

**6. R-X6, Part of Lots 5 and 6, Concession 1, Hinchinbrooke** (By-law 2005-186)

Despite any provision of **Section 5.16** to the contrary, on land identified as Rural Exception 6 (R-X6) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

**Zone Regulations**
Minimum Lot Frontage……45.7 m [150 ft.]

**Additional Provisions**

That on lands zoned R-X6, ***development*** of a ***single detached dwelling*** shall be permitted on a ***private road***.

**7. R-X7, Part of Lot 1, Concession 6, Hinchinbrooke** (By-law 2005-187)

Despite any provision of **Section 5.16** to the contrary, on land identified as Rural Exception 7 (R-X7) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

**Permitted Uses**

- ***Self-Storage Facility***
- ***Automobile Sales Establishment***
- ***Single Detached Dwelling***
- ***Accessory Building*** (Shed or Storage Building)

**8. R-X8, Part of Lot 13, Concession 2, Hinchinbrooke**
(By-law 2008-272 and 2005-190)

Notwithstanding any other provisions of **Section 5.16** this By-law within the Rural Exception 8 (R-X8) Zone:

A ***retirement home*** shall be a ***permitted use***
That within the ***existing*** frame barn, the housing of livestock shall not be ***permitted***.

**9. R-X9, Part of Lot 20, Concession 10 being Plan 13R18961, Olden**
(By-law 2008-271)

**Permitted Uses**

- ***Bed and Breakfast Establishment*** **(see Section 4.4)**
- ***Dock, Floating or Permanent***
- ***Dwelling, Single Detached***
- ***Home Based Business*** **(see Section 4.120)**
- ***Parking Area*** (see **Sections 4.32** and **4.33** except as exempted below)

**Zone Requirements**

**(a)** In addition to the requirements of **Section 5.16.2.5** and despite the requirements of **Section 5.17.3.7** of this Zoning By-law, the minimum ***setback*** from the ***high-water mark*** of Warrens Lake for a ***parking area*** shall be 40 m [131 ft.].

**(b)** That the maximum size of the ***parking area*** shall be 224 $m^2$ [2,411.2 $ft.^2$] and the dimensions shall be 14 m [45.9 ft.] by 16 m [52.5 ft.].

**(c)** That despite the requirements of **Section 4.27** of the Zoning By-law, an access corridor (pathway) extending from the *Parking area* (Part 9 on Plan 13R-18961) to Warren's Lake shall not exceed a maximum width of 3 m [9.84 ft.].

**(d)** That the access to the ***parking area*** shall be via a registered right-of-way extending from the Bell Line Road to the ***parking area*** and shall be deemed to satisfy the provisions of Section **4.32.7(b and c)** of this Zoning By-law provided that the maximum width of the access ***driveway*** does not exceed 4 m [13.1 ft.].

**(e)** That the provisions of **Sections 4.32.3** and **4.32.7 (a and d)** of this Zoning By-law shall not apply.

**(f)** That the provisions of **Sections 5.6.3.8** and **5.6.3.10** shall apply to the R-X9 Zone.

**(g)** That no storage or parking of ***recreational vehicles*** as defined in the Zoning By-law shall be allowed in the ***parking area*** (Part 9 on Plan 13R-18961) overnight.

**(h)** That the number of parking spaces provided for in the ***parking area*** shall not exceed four (4) in number and shall be for the limited benefit of the lands identified as Part of Lot 20, Concession 10 designated as Part 1, on Plan 13R-18961; Part of Lot 20,

Concession 10 designated as Part 2, on Plan 13R-18961; Part of Lot 20, Concession 10 designated as Part 3, on Plan 13R-18961; and Part 1 on Plan 13R-8251; and Part 4, 5 and 6 on Plan 13R-18961.

**(i)** Despite anything else to the contrary in this By-law, no ***dock*** or any portion thereof may be permanently affixed to the shore or bed of Warren's Lake. ~~and~~

**(j)** That all other provisions of this Zoning By-law shall continue to apply and shall not be deemed to exclude the construction of a ***single detached dwelling*** on lands rezoned R-X9 provided all applicable provisions of **Section 5.16** are met.

**10. R-X10, Part of Lot 27, Concession 1, Olden**

(By-law 2010-338)

**(a)** Despite any other provisions of **Section 5.16** this By-law to the contrary, on lands identified as Rural Special Exception 10 (R-X10) Zone, the following ***zone regulations*** shall apply:

**Additional Provisions**

**(b)** No ***development*** including the installation of an on-site water well or any part of a sewage disposal system shall be permitted on the typical Hungry Lake Barren landscape found on the crown of the open rock in the northeast quadrant of the lot;

**(c)** No ***development*** shall be ***permitted*** until a site plan agreement has been entered into and registered against the title to the lands.

**11. R-X11, Part of Lot 30, Concession 1, Hinchinbrooke**

(By-law 365-2010)

Despite any other provisions of **Section 5.16** of this By-law to the contrary, on lands identified as Rural Special Exception 11 (R-X11) Zone, the following regulations shall apply:

**Additional Provisions**

**(a)** There shall be no on-site storage of contaminants or fossil fuels or any dispensing or sales of fuels.

**(b)** There shall be no ***development*** including the construction or erection of any ***building*** or the installation of an on-site water well or any part of a sewage disposal system.

**(c)** The ***existing parking area*** shall not be expanded and the ***existing setback*** of the ***parking area*** of 26 m [85.3 ft.] from the ***shoreline*** of Eagle Lake shall not be reduced.

**(d)** The ***setbacks*** of 6 m [19.6 ft.] along the west limit of the ***parking area*** and 10.5 m [34.4 ft.] from the east limit respectively from the wetland abutting the (Eagle Lake) Creek shall not be reduced.

**(e)** There shall be no additional filling near the wetland or near-shore area.

**12. R-X12, Part of Lot 27, Concession 6, RP 13R10726, Part 1, Kennebec**

Despite any other provisions of **Section 5.16** of this By-law to the contrary, on lands identified as Rural Special Exception 12 (R-X12) Zone, the following regulations shall apply:

**Permitted Uses**

- A ***Hobby Farm***
- A ***Single-Detached Dwelling***

**Additional Provisions**

Minimum Lot Area (Agricultural Uses) ..... 2.49 ha [6.17 ac.]

**13. R-X13, Part of Lot 3, Concession 4, Hinchinbrooke**

(By-law 2020-49)

**Zone Regulations**

- Minimum Lot Area……0.46 ha [1.13 ac.]
- Minimum Lot Frontage…….38.1 m [125 ft.]

**14. R-X14, Part of Lots 1 & 2, Concession 8, Oso**

(By-law 2020-56)

**Zone Regulations**

- Minimum Setback from high water mark of Bob's Lake…..50 m [164 ft.]
- Minimum Setback from top of bank of a slope greater than 30%: 15 m [49.2 ft.]
- A shoreline structure shall be permitted in accordance with **Section 4.1**, Accessory Buildings, Structures and Uses and applicable provisions within the above waterbody setback.
- A geotechnical study shall be required to reduce the setback from top of bank.

**15. R (h) Provisions – By-law #2013-34**

That a publicly owned and year-round maintained road is built to the ***Township*** road construction standard to provide access and frontage to the subject lands.

## 5.17 LIMITED SERVICE RURAL – LSR ZONE

(*This explanatory note does not form part of the By-law. The limited service zone identifies land which does not have access to frontage on an opened and maintained public highway and means that municipal services which may normally be provided on an opened public highway will not be guaranteed including, but not limited to, snow ploughing, road upgrading, school bussing, garbage pick-up, access by emergency vehicles, sanitary sewers or piped water supply.)*

No ***person*** shall ***use*** any land or ***erect***, ***alter*** or use any ***building*** or ***structure*** in the Limited Service Rural (LSR) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.17.1 Permitted Uses

- ***Agricultural Use***
- ***Camp*** (see **Section 4.7**)
- ***Campground - Private***
- ***Cemetery*** (see **Section 4.31**)
- ***Commercial Greenhouse***
- ***Dwelling – Mobile Home***
- ***Dwelling – Modular Home***
- ***Dwelling – Park Model Trailer***
- ***Dwelling – Seasonal***
- ***Dwelling – Single Detached***
- ***Dwelling – Tiny House***
- ***Equestrian Establishment***
- ***Farm Produce Outlet***
- ***Forestry Uses***
- ***Kennel*** (see **Section 4.22**)
- ***Live/Work Unit*** **(see Section 4.20.4)**
- ***Maple Syrup Processing Establishment***
- ***Public Service Use/Public Utility*** (see **Section 4.42**)
- ***Studio***
- ***Tourist Outfitters Establishment***
- ***Wayside Pit*** (see **Section 4.26.2**
- ***Wayside Quarry*** (see **Section 4.26.2**)

***Accessory Uses, Buildings and Structures*** **(see Section 4.1)**

- ***Accessory Dwelling*** (see **Subsection 5.17.3[e]**)
- ***Additional Residential Unit*** (see **Section 4.2**)
- ***Boat House***
- ***Camp*** (see **Section 4.7**)
- ***Dock*** (see **Section 4.1.1.12-14**)
- ***Garden Suite*** (see **Section 4.2**)
- ***Home Based Business*** (see **Section 4.20**)
- ***On-farm Diversified Uses***
- ***Recreational Vehicle*** (see **Section 4.1.2**)
- ***Storage Container*** (see **Section 4.1.3**)
- ***Sleep Cabin*** (see **Section 4.2**)
- ***Swimming Pool*** (see **Section 4.1.4**)
- ***Temporary Car Shelter*** **(see 4.1.1.3 e & 4.1.1.16)**
- ***Yurt***

## 5.17.2 Zone Requirements

**1. Kennel….**

Minimum Lot Area……..4 ha [9.9 ac.]
Minimum Lot Frontage……92 m [301.8 ft.]

Minimum Yard Requirements
All Yards……30 m [98.4 ft.]

Maximum Building Height……10 m [32.8 ft.]
Maximum Building Height - Accessory Building……6 m [19.7 ft.]

**2. Residential Uses**

Minimum Lot Area…….....0.8 ha [2 ac.] plus
0.4 ha [1 ac.] for each additional dwelling unit

Minimum Lot Frontage……46 m [150.9 ft.]

**Minimum Yard Requirements**

Front Yard……7 m [22.9 ft.]
Rear Yard……..7 m [22.9 ft.]
Interior Side Yard……..3 m [9.8 ft.]
Exterior Side Yard……7 m [22.9 ft.]

**Minimum Yard Requirements - Accessory Building**

Front Yard……..7 m [22.9 ft.]
Rear Yard……...1 m [3.28 ft.]
Interior Side Yard……...1 m [3.28 ft.]
Exterior Side Yard……..7 m [22.9 ft.]

**Maximum Building Height**

Main Building……..10 m [32.8 ft.]
Accessory Building……..6 m [19.7 ft.]

**Maximum Lot Coverage**

**Main Building**…….15%

**Accessory Uses, Buildings and Structures**…….5%

Maximum Number of Dwelling Units per Lot (excluding additional residential units)……1

**3. Agricultural Uses**

Minimum Lot Area……4 ha [9.88 ac.]
Minimum Lot Frontage…….. 61 m [200.13 ft.]

**Minimum Yard Requirements**
Front Yard……...15 m [49.2 ft.]
All Other Yards……10 m [32.8 ft.]

Maximum Lot Coverage - all buildings and structures……10%

Maximum Building Height - Main Building……10 m [32.8 ft.]
Maximum Building Height - Accessory Building……8 m [26.25 ft.]

**4. Camp** (see **Section 4.7**)

Minimum Lot Area……5 ha [12.35 ac.]

**Minimum Yard Requirements**

All Yards……15 m [161.42 ft.]

**5. All Other Uses**

Minimum Lot Area……..8,000 m² [2 ac.]
Minimum Lot Frontage……46 m [150.9 ft.]

**Minimum Yard Requirements**

Front Yard……15 m [49.2 ft.]
All Other Yards……10 m [32.8 ft.]

Maximum Lot Coverage - all buildings and structures……25%

Maximum Building Height - Main Building……10 m [32.8 ft.]
Maximum Building Height - Accessory Building……6 m [19.7 ft.]

### 5.17.3 Additional Provisions

**1.** Despite anything in **Section 5.17.2** to the contrary, on land within 300 m [984.2 ft.] of the ***high-water mark*** of Silver Lake, Crow Lake, Eagle Lake and the west basin of Sharbot Lake, the maximum permitted number of ***dwelling units*** per ***lot*** shall be one (1).

**2.** Despite anything in **Section 5.17.2** to the contrary, ***Wayside Pits*** and ***Wayside Quarries*** shall be subject only to a minimum *yard* requirement of 15 m [49.2 ft.].

**3.** All islands are zoned Limited Service Rural (LSR) unless otherwise noted. Islands shall be a minimum of 0.8 hectares [2 acres] to be developed for residential purposes and subject to Section 4.42 of this by-law. Islands having a minimum land area of less than 0.8 hectares in size shall be only ***permitted*** to be ***used*** for a picnic shelter and a dock.

**4.** Recreational Vehicle – see **Section 4.1.2**

**5.** An ***accessory dwelling*** may be located within a ***building*** occupied by any commercial use except an automotive use or may be detached. Where the ***dwelling unit*** is detached, the minimum ***lot area*** shall be as set out in the General Residential (R1) Zone and shall be added to the minimum ***lot area*** in the Limited Service Rural (LSR) Zone.

**6.** Despite the Maximum Number of *Dwellings Units* per Lot allowed in the Limited Service Rural (LSR) Zone, an ***additional residential dwelling*** shall be permitted in accordance with **Section 4.2**.

**7.** No *person* shall ***erect*** any ***building*** or ***structure*** in the Limited Service Rural (LSR) Zone unless the *lot* upon which such building or structure is to be ***erected*** has ***frontage*** onto and direct access to a ***private road.*** [See **Section 4.18**]

**8.** Domestic Poultry and Livestock

**(a)** A ***lot*****,** vacant lands or lands occupied by a ***dwelling unit*** may be ***used*** for the keeping of domestic livestock kept or used for non-commercial food production including domestic poultry (i.e., chickens, ducks, geese, pigeons, quail, pheasants, turkeys), and domestic livestock (i.e., rabbits) based on the following ***nutrient unit*** to ***lot area*** ratio:

up to 0.1 ***nutrient unit*** provided the minimum ***lot area*** shall be 0.2 ha [0.5 ac.]
up to 0.2 ***nutrient unit*** provided the minimum ***lot area*** shall be 0.4 ha [1 ac.]
up to 0.4 ***nutrient unit*** provided the minimum ***lot area*** shall be 0.8 ha [2 ac.]
up to 0.6 ***nutrient unit*** provided the minimum ***lot area*** shall be 1.21 ha [3 ac.]
up to 0.8 ***nutrient unit*** provided the minimum ***lot area*** shall be 1.61 ha [4 ac.]

up to 1.0 ***nutrient unit*** provided the minimum ***lot area*** shall be 2.02 ha [5 ac.]
between 1.0 and 5.0 ***nutrient units*** provided the minimum ***lot area*** shall be 4.04 ha [10 ac.]
greater than five (5) ***nutrient units*** provided the minimum ***lot area*** exceeds 4.04 [10 ac.]
and provided any associated ***livestock facility*** and manure storage facility complies with the ***Minimum Distance Formula***.

**(b)** Domestic livestock shall not be deemed to include swine, goats, cattle, horses and donkeys or similar large animals.

**(c)** Domestic livestock and poultry may run free range provided the ***lot*** is fenced and provided all livestock are internally sheltered overnight and that caged ***structures*** comply with the required ***zone regulations*** for ***setbacks***.

**10.** The Minimum Lot Frontage for a Shoreline Lot on a Narrow Channel shall be:
- Channel Width of 90 m [295.2 ft.] or less - 120 m [393.7 ft.]
- Channel Width of 90.1 m [295.6 ft.] to 150 m [492.1 ft.] - 90 m [295.2 ft.]

**11.** All applicable ***zone regulations*** of Section 4 – General Provisions shall apply.

## 5.17.4 Exception Zones

**1. LSR-X1 - White Lake - Deleted**

**2. LSR-X2, Part of Lot 30, Concession 3, Hinchinbrooke**
(By-law 10-97, Hinchinbrooke)

Despite any provision of **Section 5.17** to the contrary, on land identified as Limited Service Rural Exception 2 (LSR-X2) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

Minimum ***setback*** from the ***high-water mark*** of Eagle Lake 50 m [164 ft.]

All ***shoreline*** vegetation shall be kept in its natural state except for a modest ***shoreline*** access.

**3. LSR-X3, Part of Lot 8, Concession 7, Oso** (By-law 1998-34)

Despite any provision of **Section 5.17** to the contrary, on land identified as Limited Service Rural Exception 3 (LSR-X2) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

**Permitted Uses**

- ***Seasonal Dwelling***

Minimum Lot Area.....8 ha [19.76 ac.]

**4. LSR-X4, Part of Lot 8, Concession 7, Oso** (By-law 1998-34)

Despite any provision of **Section 5.17** to the contrary, on land identified as Limited Service Rural Exception 4 (LSR-X4) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

Minimum Lot Area……..5 ha [12.35 ac.]

**5. LSR-X5, Part of Lot 8, Concession 7, Oso** (By-law 1998-34)

Despite any provision of **Section 5.17.1** to the contrary, on land identified as Limited Service Rural Exception 6 (LSR-X6) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

**Permitted Uses**

- ***Seasonal Dwelling***

**6. LSR-X6, Part of Lot 8, Concession 7, Oso** (By-law 1998-34)

Despite any provision of **Section 5.17** to the contrary, on land identified as Limited Service Rural Exception 5 (LSR-X5) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

**Permitted Uses**

- ***Parking Area***
- Boat Launch/docking/storage area

Minimum ***setback*** from ***high water mark*** for any building or structure other than a ***marine facility***……30 m [98.4 ft.]
Maximum floor area of accessory building……50 $m^2$ [538.2 $ft.^2$]

**7. LSR-X7, Part of Lot 16, Concession 1, Oso** (By-law 2000-64)

Despite any provision of **Section 5.17** to the contrary, on land identified as Limited Service Rural Exception 7 (LSR-X7) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

Minimum Lot Frontage .....100 m [328 ft.]

**8. LSR-X8, Part of Lot 5, Concession 10, Olden**

(By-law 2006-201)

Despite any provision of **Section 5.17** to the contrary, on land identified as Limited Service Rural Exception 8 (LSR-X8) Zone on any Schedule to this By-law, the following ***zone regulations*** shall apply:

**Permitted Uses**

- Seasonal Dwelling
- Accessory uses, buildings and structures related to the foregoing (see **Section 4.1** and **Section 4.2**)

**Zone Requirements**

Minimum Front Yard with ***shoreline*** frontage .....40 m [131.2 ft.]

**Additional Provisions**

Minimum ***setback*** from ***shoreline*** for all sewage disposal bed: 60 m [196.9 ft.];

No vegetation shall be removed between the ***dwelling*** and the ***shoreline*** except to accommodate a narrow pathway for pedestrian access to Atwell Lake

## 5.18 ENVIRONMENTAL PROTECTION - EP

No ***person*** shall ***use*** any land or ***erect***, ***alter*** or use any ***building*** or ***structure*** in the Environmental Protection (EP) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.18.1 Permitted Uses

- ***Conservation Use***
- ***Forestry Use***
- ***Natural Heritage Features and Areas*** (see **Sections 4.26** and **4.27**)
- ***Public Service Use/Public Utility*** (see **Section 4.42**)

### 5.18.2 Zone Requirements

### 5.18.3 Additional Provisions

**1.** No ***development*** or ***site alteration*** shall be permitted in an Environmental Protection (EP) Zone except where required for flood control under **Section 4.17** of this By-law.

**2.** All land under water is within the Environmental Protection (EP) Zone and ***uses*** of such land shall be limited to only those specifically approved by the Ministry of Natural Resources and/or the appropriate Conservation Authority.

**3.** See also requirements of **Section 4.26** of this By-Law for separation distances for various land uses.

**4.** All applicable ***zone regulations*** of **Section 4 – General Provisions** shall apply.

### 5.18.4 Exception Zones

**1. Environmental Protection Constraint Overlay (EP-1) Zone**

No ***person*** shall ***use*** any land or ***erect***, ***alter*** or ***use*** any ***building*** or ***structure*** in the Environmental Protection Constraint Overlay (EP-1) zone except in accordance with the provision of this Section and any other relevant Sections of this By-law.

**Permitted uses**

Development shall be permitted for uses in the underlying zone unless the lands are rezoned to a zone appropriate for the proposed use, subject to verification that acceptable engineering techniques can be utilized for construction on organic soils. ***Existing uses*** shall be ***permitted*** and extensions thereto subject to the requirements of the Building Code.

**2. Environmental Protection (EP-PSW) Zone – Provincially Significant Wetland**

No ***person*** shall ***use*** any land or ***erect***, ***alter*** or use any ***building*** or ***structure*** in the Environmental Protection (EP-PSW) zone except in accordance with the provision of this Section and any other relevant Sections of this By-law.

**Permitted Uses**

- ***Provincially Significant Wetland***

**Additional Provisions**

- No ***development*** shall be ***permitted*** in a ***provincially significant wetland.***

**3. Environmental Protection (EP-LSW) Zone – Locally Significant Wetland**

No ***person*** shall ***use*** any land or ***erect***, ***alter*** or use any ***building*** or ***structure*** in the Environmental Protection (EP-LSW) zone except in accordance with the provision of this Section and any other relevant Sections of this By-law.

**Permitted Uses**

- ***Locally Significant Wetland***

**Additional Provisions**

- No ***development*** shall be ***permitted*** in a ***locally significant wetland.***

**4. Environmental Protection (EP-C) Zone – Parks, Conservation Areas and Crown Land**

No ***person*** shall ***use*** any land or ***erect***, ***alter*** or use any ***building*** or ***structure*** in the Environmental Protection (EP-C) zone except in accordance with the provision of this Section and any other relevant Sections of this By-law.

**Permitted Uses**

- Crown land
- ***Conservation Area***
- Provincial Park
- Conservancy Area (i.e., lands owned or in trust by a conservation interest such as Duck's Unlimited)

## 5. Environmental Protection Constraint Overlay (EP-ANSI) Zone (Area of Natural and Scientific Interest)

No ***person*** shall ***use*** any land or ***erect***, ***alter*** or use any ***building*** or ***structure*** in the Environmental Protection Constraint Overlay (EP-ANSI) zone except in accordance with the provision of this Section and any other relevant Sections of this By-law.

### Permitted Uses

***Development*** shall be ***permitted*** for ***uses*** in the underlying ***zone*** subject to verification that there will be no ***negative impacts*** on the natural features of the ***Area of Natural and Scientific Interest*** (ANSI).

## 5.19 MINING – MR ZONE

No ***person*** shall ***use*** any land or ***erect***, ***alter*** or ***use*** any ***building*** or ***structure*** in the Mining (MR) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.19.1 Permitted Uses

- Mining, Exploration
- ***Mineral Mining Operation*** (see **Section 4.24.3**)
- On-site Smelting and processing
- Pits (see **Section 4.26.2**)
- ***Public Service Use/Public Utility*** (see **Section 4.42**)
  ***Quarry*** (see **Section 4.26.2**)
- ***Forestry Use***
- Outdoor recreation
- ***Conservation use***
- ***Wayside Pit/Wayside Quarry***

***Accessory Uses, Buildings and Structures*** **(see Section 4.1)**

***Accessory uses*** essential to mineral extraction operations (e.g., administration ***offices***, weigh scales, assay office, power plant, lunch room, security facilities) ***Accessory dwelling unit*** required for security or administration of ***mineral mining operations***.

### 5.19.2 Zone Requirements

Minimum Lot Area……4 ha [9.88 ac.]
Minimum Lot Frontage……no minimum

**Minimum Yard Requirements**

All Yards……50 m [164 ft.]
***Pit or Quarry***……in accordance with **Section 5.13**

Minimum Separation Distance …….in accordance with **Section 4.26** for Class III Industries

Maximum Number of Accessory Dwelling Units……..1

### 5.19.3 Additional Provisions

**1.** All ***mineral mining operations*** shall be developed, operated or closed in compliance with the *Mining Act* and the *Environmental Protection Act.*

**2.** No ***person*** shall operate a ***pit*** or ***quarry*** or a ***wayside pit*** or ***wayside quarry*** unless any required approvals under the *Aggregate Resources Act* of the *Environmental Protection Act* have been obtained and are valid for the operation of the ***pit*** or ***quarry*** or a ***wayside pit*** or ***wayside quarry*.**

**3.** No ***person*** shall ***erect*** any ***building*** or ***structure*** in the Mining (MR) Zone unless the ***lot*** upon which such building or structure is to be ***erected*** has ***frontage*** onto and direct access to a ***public road.*** [See **Section 4.18**]

**4.** All applicable ***zone regulations*** of **Section 4 – General Provisions** shall apply.

## 5.20 OPEN SPACE – OS ZONE

No ***person*** shall ***use*** any land or ***erect***, ***alter*** or use any ***building*** or ***structure*** in the Open Space (OS) Zone except in accordance with the provisions of this Section and of any other relevant Sections of his By-law.

### 5.20.1 Permitted Uses

- Cemetery [See **Section 4.31**]
- Conservation Use
- Community Garden
- Fairground
- Golf Course
  Natural Heritage Features and Areas [See **Section 4.26 and 4.27**]
- Outdoor Recreation
- Park [See **Section 4.31**]
- Public Service Use/Public Utility [See **Section 4.42**]
- Skateboard Park

### 5.20.2 Zone Requirements

Minimum Yard Requirements

- Front Yard…….7 m [22.9 ft.]
- Interior Side Yard…….3 m [9.84 ft.]
- Exterior Yard…….7 m [22.9 ft.]
- Rear Yard……...3 m [9.84 ft.]

Maximum Lot Coverage .....10%

Maximum Building Height .....6 m [19.7 ft.]

### 5.20.3 Additional Provisions

**1.** Despite **Sections 5.20.1** and **5.20.2** to the contrary, ***existing buildings*** and ***structures*** are deemed to be in conformity with the provisions of this By-law.

**2.** ***Accessory uses***, ***buildings*** and ***structures*** and other general provisions shall be in accordance with **Section 4** of this By-law.

**3.** All applicable zone regulations of **Section 4 – General Provisions** shall apply.

### 5.20.4 Exception Zones

**1. OS-X1, Part of Lot 29, Concession 2, Hinchinbrooke, Reference Plan 13R-2255, Brigden's Island**

(By-law 2012-36)

**Permitted Uses**

- Private Open Space

Private Open Space means the use of land for passive recreation purposes such as camping and outdoor recreation but shall not include the construction or erection of any permanent buildings or structures on the lot except for a dock.

## 5.21 HERITAGE – H ZONE

No ***person*** shall ***use*** any land or ***erect***, ***alter*** or use any ***building*** or ***structure*** in the Heritage (H) Zone except in accordance with the following provisions.

### 5.21.1 Permitted Uses

- Areas of archaeological potential
- Built heritage resources
- Cultural heritage landscape
- Historically established cemetery or burial site
- Public Service Use/Public Utility [See **Section 4.42**]

### 5.21.2 Zone Requirements

- Minimum Lot Area N/A
- Minimum Lot Frontage N/A
- Minimum Yard Requirements – new buildings or structures or extensions thereto:

    - Front yard

    – Main building .....6.0 m [19.69 ft.]
    – Accessory building.....6.0 m [19.69 ft.]

    - Rear yard

    – Main building .....8.0 m [26.25 ft.]
    – Accessory building.....3.0 m [9.84 ft.]

- Interior Side Yard – Main building .....3.0 m [9.84 ft.]
- Existing Buildings or structures .....existing setbacks

### 5.21.3 Accessory Buildings

1. Accessory uses include buildings that are complimentary to the primary use. [See **Section 4.1** for restrictions]

2. All applicable zone regulations of **Section 4 – General Provisions** shall apply.

### 5.21.4 Exception Zones

## 1. H-X1, Part of Lot 1, Concession 4, Oso

Despite any provision of **Section 5.21** to the contrary, on land identified as Heritage Exception 1 (H-X1) Zone on any Schedule to this By-law, the following regulations shall apply:

**Permitted Uses**

- ***Cemetery***

**Additional Provisions**

Despite the provisions of the H Zone, on lands zoned H-X1, prior to any activity occurring on the property which would result in the disturbance of the ground surface, a Stage 2, archaeological assessment should be undertaken as described in the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries Archaeological Assessment Technical Guidelines (1993).

*(This explanatory note does not form part of the by-law. Instruction from the Cemeteries Registrar should be sought prior to any agreements or arrangements being made regarding the reported cemetery on Lot 1, Concession 4, Oso Township. Investigation to determine the presence or absence of human remains may be required, but this can only occur on the instruction of the Registrar.)*

# Appendix A – Temporary Use By-laws

| By-Law # | Location and Permitted Land Use | Term of By-law |
|---|---|---|
| 2012-08 | Part of Lot 18, Con 7, Lot 31, Judges Plan 1608, Part 2, Kennebec<br>Garden Suite | March 13, 2012 to March 11, 2032 |
| 2020-48 | 24719 Hwy 7, Sharbot Lake, Part Lot 17, Con 2, Oso<br>Refreshment Vehicle | October 13, 2020 to October 13, 2023 |
| 2021-46 | 29649 Hwy 7, Arden, Part Lot 17, Con 7, Kennebec<br>Refreshment Vehicle | July 13, 2021 to July 13, 2024 |
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# Appendix B – Holding By-laws

| By-Law # | Location and Permitted Land Use | Lifting of 'h' Symbol |
|---|---|---|
| 2011-20 – RW-h | Part of Lot 1, Concession 7, Oso | |
| 2011-55 – LSR-h | Parts of Lots 11 and 12, Concession 1, Olden | |
| 2013-34 – R-h and MS-h | Part of Lots 28 and 29, Concession 1, Oso | |
| 2014-43 – R-h | Part Lot 17, Concession 8, FVLCP 70, Level 1, Unit 38, Kennebec | December 9, 2014 |
| 2015-17 – RW-X18-h | Part Lot 16, Concession 1, Oso | |
| 2017-30 – RW-h | Part Lot 16, Concession 1, Oso | September 12, 2017 |
| 2017-34 – R-h | Part Lot 17, Concession 8, FVLCP 70, Level 1, Unit 18, Kennebec | October 24, 2017 |
| 2018-17 – R-h | Part Lot 17, Concession 8, FVLCP 70, Level 1, Unit 40, Kennebec | April 10, 2018 |
| 2018-27 -R-h | Part Lot 17, Concession 7, FVLCP 70, Level 1, Unit 10, Kennebec | June 12, 2018 |
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# Schedules A1 – A5