



City of Kawartha Lakes Rural Zoning By-law

By-law No. XX-XXX

March 2024



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User Guide

This user guide is provided for information purposes, to assist readers in navigating the City of Kawartha Lakes Rural Zoning By-law. The user guide does not form a part of the Zoning By-law.

How Do I Determine a Property's Zoning and Identify Applicable Regulations?

The following is an outline of the steps one may typically take to determine what types of regulations apply to their property.

Step 1: Identify the property's zoning on Schedule "A"

A good first step is to locate the property on Schedule "A". To locate a property's zoning, start by identifying the location of the property of interest and refer to the index map (Schedule "A") to identify which of the subsequent maps are likely to illustrate the zoning for the property. The A-series Schedules are also available for review through an online and interactive map where an individual can search a specific address or navigate the City.

If the property of interest is not included within the defined area of this By-law, then it is subject to one of the Urban Zoning By-laws which apply to lands in Bobcaygeon, Fenelon Falls, Lindsay, and Omemee, and is not subject to the Rural Zoning By-law.

Step 2: Make note of what zoning applies to the property on Schedule "A"

Once the applicable map(s) included in Schedule "A" is identified, the applicable zoning may now be identified. The zones are identified within thick red boundaries and the lots are shown in thin black boundaries. Make a note of the property's applicable zone symbol (e.g., "RR2A"). In some cases, the property may have suffixes applying to the zone symbol (e.g., a holding symbol (H) or an exception zone, as denoted by a dash followed by a number). Make a note of any suffixes that apply.



The property might also fall within the Conservation Authority "overlay" – a dark blue hatched area represents that your property is subject to the Regulated Area of a Conservation Authority.

Schedule "A" shows the lands in the City of Kawartha Lakes that are affected by Minister's Zoning Orders (MZOs). These are orders issued under the *Planning Act* by the Ontario Minister of Municipal Affairs and Housing which may regulate the use of land and/or requirements for lots, buildings and structures. In the event of a conflict between this Zoning By-law and an MZO, the MZO prevails.

Step 3: Check if the property is affected by Schedule “B” or Schedule “C”

Schedule “B” illustrates the wellheads in the rural areas. If the property is within a Wellhead Protection Area, make a note of it. The intent of Schedule “B” is to implement *Ontario’s Clean Water Act* and the applicable Source Protection Plans.

Schedule “C” illustrates the flood plain along the Burnt River. If the property is within a flood plain area shown on Schedule “C”, make a note of the cross-section number shown on the map, and refer to Appendix 1 of this Zoning By-law to identify the regulatory flood elevation for the property. Schedule “C” implements the recommendations of the Burnt River Flood Plain Mapping Study prepared by the Kawartha Region Conservation Authority and helps to protect people and property from flood damage.

Step 4: Check the permitted uses and regulations applying to the property

Every property has a base zone applying to it (e.g., “RR2A”) shown on Schedule “A”. Once you know the base zone, you can consult the appropriate section of the Zoning By-law to confirm the permitted uses and regulations applying to the property. Section 2.1 of this By-law lists of the zones and identifies which category each zone is in (e.g., Residential, Agriculture, Commercial etc.).

Below are descriptions of the zone categories. These are to be used for information purposes only and to provide readers with an idea of what types of uses are contemplated in each zone. Lists of permitted uses for each zone can be found in the corresponding section as listed below.

- **Residential zones** are divided into Hamlet Residential, Rural Residential and Residential Mobile Home Park. Residential zone categories include provisions for uses such as single detached dwellings and community gardens. Depending on where the subject property is located (i.e., in a hamlet, along a shoreline), a residential property will generally be subject to one of the Residential zones. A list of permitted uses and zone provisions is found in Section 6.0.
- The **Agriculture zones** within the municipality are Agriculture, Agriculture Related and Agriculture Consolidation. These zones contemplate agricultural uses and acknowledge on-farm diversified uses. The Agriculture Consolidation zone is used where dwellings are no longer permitted on a lot following lot consolidation or severance.
- Commercial General, Commercial Highway, Commercial Rural, Commercial Recreation and Commercial Campground are **Commercial zones**. Application of these zones is generally related to the location of a property in the municipality. For instance, the Commercial Highway Zone contains different provisions than the Commercial Rural Zone as it intended to consider uses and operations located along a major roadway.
- The **Industrial zones** are Industrial General, Industrial Restricted, Industrial Extractive, Industrial Disposal and Industrial Rural. These zones typically contain uses associated with manufacturing, recycling and waste and resource extraction. The uses in these zones may require separation from other types of land uses.

- The Open Space, Open Space Restricted, Open Space Special Use and Environmental Protection zones are **Environmental Protection & Open Space Zones**. These zones generally indicate parkland and environmental features. Few uses are contemplated in these zones and conservation is prioritized.
- The **Community Use Zone** acknowledges uses that can be considered as neighbourhood amenities, both public and private, including parks, post offices and schools.
- The **Future Development Zone** is intended to be an interim zone that acknowledges and limits existing uses with the notion that future uses and developments may be contemplated.

Many properties are subject to a site-specific exception zone, as represented by a dash and a number (e.g., XX-430 is an exception zone). If this is the case, the property has special provisions that apply. The provisions within the exception will supersede or add onto other provisions of the Zoning By-law. To find the applicable special provisions, refer to Section 12.0 and locate the exception number that corresponds with the symbol shown on the property.

If the property's zoning is subject to a holding symbol (H), refer to Section 2.4.3 and the applicable exception zone. A holding symbol indicates that permitted uses will be limited until the holding symbol is lifted by by-law, and this will require the owner to meet certain conditions.

Step 5: Understanding permitted uses and lot and building requirements

The permitted uses for each zone are organized in a matrix. The uses permitted on the property are represented by a check mark (✓) corresponding with the applicable zone symbol. Similarly, the lot and building requirements are organized in a matrix. For each zone, the requirements for lot frontage, front yard setback, rear yard setback, maximum building height, and other requirements are identified.

It is important to read the definitions associated with the terminology used in this By-law. All of the uses permitted in this By-law are associated with a definition. Many technical terms are also defined, such as water setback, lot frontage, lot coverage, and front yard setback, for example. Where a term is defined, you will see it appear as bolded in the text for convenience.

Many technical definitions contained in Section 2.0 of this By-law are accompanied by illustrations which clarify how each definition can be applied. Refer to these illustrations to understand how different terms apply to your specific lot. These illustrations do not form a part of the Zoning By-law and are provided for convenience purposes only.

Step 6: Locate the other provisions that may apply

The types of uses permitted and lot and building requirements are principally regulated by the zone requirements. However, Section 4.0 contains provisions that apply to certain permitted uses. For example, there are provisions that are specifically applicable to on-farm diversified uses, shoreline naturalization and setbacks, shipping containers, and many other uses.

Further, if the property of interest was included in a Wellhead Protection Area as shown on Schedule “B” (Step 3 outlined previously), the associated general provisions will apply.

Note: Consider the administrative provisions of the Zoning By-law

Section 1 of the Zoning By-law contains some provisions that can help the reader understand how to read and use the By-law and what the penalties are for contravening the Zoning By-law. The reader should be familiar with these provisions as they may be essential depending on the specific circumstance.

Step 7: Contact City staff to confirm zoning information

Property owners should always consult with City of Kawartha Lakes staff to confirm zoning information and determine the approval requirements for a particular project. If the provisions of the Zoning By-law cannot be met, a Minor Variance or Zoning By-law Amendment application may be required.

1.0 Administration and Interpretation

1.1 Title

- .1 This By-law may be cited as the “City of Kawartha Lakes Rural Zoning By-law”.

1.2 Application

- .1 This By-law applies to all lands shown on Schedule “A”.
- .2 The lands subject to this By-law, as delineated on Schedule “A”, are hereinafter referred to as the **defined area**.

1.3 Administration and Validity

1.3.1 Compliance with this By-law

- .1 No **person** shall **use** any land, **building**, or **structure**, or **erect** any **building** or **structure**, except in accordance with the provisions of this By-law.
- .2 No **person** shall change the purpose of which any land or **building** is **used** or **erect** any new **building** or addition to any **existing building** or sever any lands from an existing parcel if the effect of such action is to cause the original adjoining or remaining **buildings** or lands to be in contravention of this By-law.

1.3.2 Inspection of Land, Buildings, and Structures

- .1 The **municipal law enforcement officer** is hereby authorized to enter at all reasonable hours for the purposes of inspection upon any property or premises.

1.3.3 Compliance with Other Laws and Regulations

- .1 Nothing in this By-law shall serve to relieve any **person** from any obligation to comply with the requirements of any other By-law of the City of Kawartha Lakes or any other applicable regulation of the Province of Ontario or Government of Canada authorities that may otherwise affect the **use** of any land, **building** or **structure**.

For lands within the Urban Settlement Areas of Lindsay, Bobcaygeon, Fenelon Falls, Omemee, and the Oak Ridges Moraine, please consult each Zoning By-law.

The requirements of this By-law must be met before a building permit is used for the erection, addition to, or alteration of any building or structure.

1.3.4 Penalties

- .1 Any **person** or corporation that contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to the fine(s) as provided in the *Planning Act* and, if the **person** is a corporation, every director or officer of the corporation who knowingly concurs in the contravention is guilty of an offence.

1.3.5 Severability

- .1 A decision of a court of competent jurisdiction that one or more of the provisions of this By-law, or any portion of the schedules to this By-law, are invalid in whole or in part does not affect the validity, applicability, or enforceability of all other provisions of this By-law.

1.4 Interpretation

1.4.1 Certain Words

- .1 Unless otherwise defined by this By-law, the words and phrases used in this By-law shall have their normal and ordinary meaning.
- .2 The word 'shall' and 'must' are mandatory.
- .3 The word 'use' when used as a verb, 'to use' or 'used' shall have corresponding meanings.
- .4 The word 'used' includes 'arranged, designed, or intended to be used'.
- .5 The word 'alter' includes alteration.
- .6 Words used in the singular include the plural and words used in the plural include the singular.
- .7 Words used in the present tense include the future tense and words used in the future tense include the present tense.

1.4.2 Abbreviations

- .1 The following abbreviations and terms, where used in this By-law, shall have the same meaning as if the word were printed in full:
 - .a 'm' means metres;
 - .b 'ha' means hectares;
 - .c 'm²' means square metres;
 - .d 'min.' means minimum;
 - .e 'max.' means maximum; and,

- .f 'FAR' means floor area ratio.

1.4.3 Illustrations, Maps, Notations, and Other Convenience Features

- .1 Illustrations included in this By-law are for convenience purposes only and do not form part of this By-law. Notwithstanding this provision, illustrations, diagrams, tables, and maps that are explicitly identified with a Figure or Table number in this By-law shall form an operative part of this By-law.
- .2 This By-law contains margin notations for the purposes of providing convenience and explanation to the reader. Margin notations are shown in grey boxes with black text to the right of the operative parts of this By-law. The margin notations do not form an operative part of this By-law.
- .3 Character styles are provided for convenience purposes only. The usage or omissions of the following shall not be considered to change the intent or meaning of the By-law or any part thereof:
 - .a The terms that are defined in Section 3 of this By-law have been bolded.
 - .b The titles of Federal or Provincial legislation are italicized.

Margin notations contained within grey boxes are provided to explain elements of the By-law and are not an operative part of the By-law.

1.4.4 Technical and Editorial Revisions

- .1 Provided that the purpose, effect, intent, meaning, and permissions of this By-law are in no way changed or altered, the following technical revisions to this By-law are permitted without amendment:
 - .a Corrections to typographic, punctuation, or mathematical errors.
 - .b Additions to and revisions of technical information on the schedules, including but not limited to topographic information, road labels, notes, legends, colours, shading, title blocks, or zone boundaries abutting new or deleted roads.
 - .c Changes to headers, footers, tables of contents, illustrations, diagrams and margin notations which do not form an operative part of the By-law.
 - .d Changes to any reference to legislation or regulations or sections thereof approved by another public authority shall include any amendments or successor legislation.

1.5 Transition

1.5.1 Building Permits

- .1 Nothing in this By-law shall prevent the erection of a **building** or **structure** in accordance with a building permit application submitted prior to the date of passing of this By-law, provided the building permit is in accordance with all prior zoning by-laws that affected the **lot** before this By-law came into effect.
- .2 This By-law is deemed to be modified to the extent necessary to permit a **building** or **structure** that is **erected** in accordance with clause .1 of this subsection.

Building permit applications must meet the zoning requirements in place at the time of making the application.

1.5.2 Planning Applications in Process

- .1 Nothing in this By-law shall prevent the erection of a **building** or **structure** in accordance with any minor variance under Sections 45(1) or 45(2) of the *Planning Act* or site plan that has been submitted and deemed complete by the **Municipality** or approved or conditionally approved by the relevant approval authority before the date of passing of this By-law, provided the application complies with all prior zoning by-laws that affected the **lot** or block before this By-law came into effect.
- .2 This By-law is deemed to be modified to the extent necessary to permit a **building** or **structure** that is **erected** or to permit a **use** in accordance with clause .1 of this subsection.

A minor variance or site plan application that has been submitted and deemed complete or recently approved by the City prior to the passing of this By-law are subject to the provisions of the applicable former zoning by-law.

1.5.3 Lapse of Transition Provisions

- .1 Once a permit or approval referred to under Section 1.5.1 and 1.5.2 has been granted, all provisions of this By-law shall apply.
- .2 Section 1.5 shall lapse and is deemed to be repealed five years from the effective date of this By-law. This provision shall not require an amendment to this By-law to take effect.

1.6 Technical Revisions

- .1 Provided the purpose, effect, intent, and meaning of this By-law are in no way altered or affected, the following technical revisions to this By-law are permitted without a zoning by-law amendment:
 - .a Changes to the numbering, format, arrangement and order of text, tables, schedules and maps.

- .b Additions to and revisions of technical information on the schedules, including but not limited to topographic information, **road** labels, notes, legends, colours, shading, and title blocks. For clarity, this provision shall not apply to modifications that would affect the zoning of lands but relates to the modification of **zone** boundaries for the purposes of clarity.
- .c Corrections to punctuation, grammar, typographic, stylistic, spelling, or mathematical calculation errors.
- .d Changes to illustrations and diagrams which do not form an operative part of the By-law.
- .e Changes to any reference to legislation or regulations or sections thereof approved by another **public authority** which shall include any amendments or successor legislation.

1.7 Allowance for Construction-Related Margin of Error

- .1 Where a building permit has been lawfully issued and not revoked and where a constructed **building** or **structure** has been found to be in contravention of any minimum or maximum requirement for **height** or a **yard** by no more than 0.03 m, said **building** or **structure** shall be deemed to comply with the applicable **height** or **yard** requirement of this By-law.

2.0 Establishment of Zones and Schedules

2.1 Establishment of Zones

- .1 Table 2-1 establishes the following **zones** and places all lands within the **defined area** of this By-law in one or more of the following **zones**.
- .2 The **zones** may be referred to by their Zone Name or by their corresponding Zone Symbol as established in Table 2-1.

Table 2-1: Establishment of Zones	
Zone Name	Zone Symbol
Residential Zones	
Hamlet Residential One	HR1
Hamlet Residential Two	HR2
Hamlet Residential Three	HR3
Hamlet Residential Four	HR4
Rural Residential One A	RR1A
Rural Residential One B	RR1B
Rural Residential One C	RR1C
Rural Residential One D	RR1D
Rural Residential Two A	RR2A
Rural Residential Two B	RR2B
Rural Residential Two C	RR2C
Rural Residential Two D	RR2D
Rural Residential Three A	RR3A
Rural Residential Three B	RR3B
Rural Residential Three C	RR3C
Residential Mobile Home Park	RMH
Agriculture Zones	
Agriculture	AG
Agriculture Related	AR
Agriculture Consolidation	AC
Commercial Zones	
Commercial General	CG
Commercial Highway	CH
Commercial Rural	CA
Commercial Recreation	CR

Table 2-1: Establishment of Zones	
Zone Name	Zone Symbol
Commercial Campground	CC
Industrial Zones	
Industrial General	IG
Industrial Restricted	IR
Industrial Extractive	IX
Industrial Disposal	ID
Industrial Rural	IA
Environmental Protection & Open Space Zones	
Open Space	OS
Open Space Restricted	OSR
Open Space Special Use	OSS
Environmental Protection	EP
Community Use Zone	
Community Use	CU
Future Development Zone	
Future Development	FD

2.2 Schedules

2.2.1 Schedule A: Zoning Maps

- .1 The **zones** and **zone boundaries** are shown on the Zoning Maps, which are attached hereto as Schedule “A” and form part of this By-law. Such **zones** may be referred to by the appropriate **zone** symbols in Table 2-1.
- .2 Schedule “A” includes overlays which provide additional requirements to the **zones**. Such overlays correspond to the appropriate provisions of this By-law and should be referred to in addition to the **zone** requirements.

2.2.2 Schedule B: Wellhead Protection Areas

- .1 Specific requirements are applicable to **wellhead protection areas** as shown on Schedule “B”, which is attached hereto and forms part of this By-law.

2.2.3 Schedule C: Burnt River Flood Elevation Cross-Sections

- .1 Specific requirements are applicable to lands within the Burnt River Flood Plain as shown on Schedule “C”, which is attached hereto and forms part of this By-law.

Schedule A applies to all lands within the defined area of this By-law.

Schedules B and C only apply to certain lands within the City and must be interpreted in conjunction with all other requirements of this By-law.

2.3 Interpretation of Zone Boundaries

- .1 Where a **zone boundary** is shown as following a **street** or **lane**, or a **public use** such as a railway, transmission line or, pipeline, the **zone boundary** shall be the **centreline** of the applicable feature unless otherwise noted.
- .2 Where a **zone boundary** is shown as following the shoreline of a **waterbody**, the **zone boundary** is the **high-water mark**.
- .3 Where a **zone boundary** is shown as approximately following **lot lines** shown on a registered plan of subdivision or **lots** registered in the appropriate Registry Office or Land Titles Office, the boundary shall follow such **lot lines**.
- .4 Where a **zone boundary** is shown as following the limits of the **Municipality**, the limits shall be the limits of the **Municipality**.
- .5 Where none of the above provisions apply, the said **zone boundary** shall be scaled from the attached Schedules.
- .6 The applicability of the Conservation Authority Regulated Area shall be subject to the interpretation clauses in Section 4.6.

2.4 Interpretation of Zone Symbols

2.4.1 Zone Symbols

- .1 Schedule “A” to this By-law applies the **zones** for all lands within the **defined area** of this By-law, represented by a **zone** symbol as established by Table 2-1. The requirements of any applicable zone(s) are contained in Sections 6 – 11 of this By-law.
- .2 A **zone** symbol may also be preceded or followed by a combination of a hyphen, letter(s), number(s), to establish special provisions as set out in this By-law. Lands so identified shall be subject to all the provisions of the parent **zone**, except as otherwise provided in the special provisions.

2.4.2 Multiple Zones on One Lot

- .1 Where a **lot** falls into two or more **zones**, each portion of that **lot** shall be subject to the applicable permitted **uses** and standards, excluding the minimum **lot area** and **lot coverage**, for the applicable **zone** applying to that portion of the **lot**.

- .2 **Parking spaces, driveways, and parking aisles** required by this By-law may be provided anywhere on a **lot** that falls into two or more **zones**, unless otherwise prohibited by this By-law.

2.4.3 Holding Symbol

- .1 Where a **zone** shown on Schedule “A” is followed by a hyphen (-) and the symbol “H”, the lands are subject to a holding provision that shall apply until such time that the “H” symbol is lifted by an amendment to this By-law, in accordance with Section 36 of the *Planning Act*.
- .2 The requirements for lifting the holding symbol are indicated in the amending by-law, which are incorporated as an exception zone under Section 13 of this By-law.
- .3 On any lands where a holding symbol is applied, the permitted **uses, lot** and **building** requirements that apply while the holding symbol is in effect, and after the holding symbol is lifted, shall be in accordance with the applicable **zone** provisions.

2.4.4 Exception Zones

- .1 Where a **zone** symbol shown on Schedule “A” is followed by a hyphen (-) and a number, the affected lands shall be subject to the special provisions of the corresponding exception **zone** under Section 13 of this By-law.
- .2 An exception **zone** is a base **zone** that has been modified by adding, deleting, or otherwise amending any permitted **uses**, prohibited **uses**, or other regulations for the lands to which the exception **zone** applies. The requirements of an exception **zone** take precedence over all other provisions of this By-law where there is a conflict. By default, the remainder of the provisions of this By-law shall apply unless explicitly stated in the exception **zone** in Section 13.

3.0 Definitions

In this By-law, unless the context otherwise requires, the following terms when used shall have the meanings assigned to them as follows:

A

Abattoir means the penning and slaughtering of live animals and the preliminary processing of animal carcasses and may include the packing, further processing, and storing of the product on the **premises**.

Accessory means incidental, subordinate, and devoted exclusively to a **principal use, building or structure**, as applicable within the context in which the term accessory is used.

Accessory Use, Mobile Home Park means service, recreational and retail facilities **accessory** to a **mobile home park** within an **accessory building or structure**. Without limiting the generality of the foregoing, this may include an **accessory** convenience store, laundromat, management **office**, **recreational use**, or **visitor parking area**.

Agri-Tourism Use means farm-related tourism **uses** that promote the enjoyment, information, education or activities related to the **principal** farm operation on a **lot**, including but not limited to processing demonstrations, make-your-own operations, pick-your-own produce operations, farm machinery and equipment exhibitions (on a temporary basis), tours, petting zoos, hayrides and sleigh rides, small-scale farm theme playgrounds and small-scale educational establishments.

Agricultural Event Venue means **premises used** as a recurring private **assembly hall** for hosting weddings and similar type events, and which may occur within a **building or structure used** as part of a **principal agriculture use**.

Agricultural Products Processing Establishment means **premises** in which agricultural products are preserved, graded, stored, or processed for consumption by humans or animals, and may include a flour mill, dairy processing, **sawmill**, egg grading, fruit and vegetable storage, or grain elevator, but does not include an **abattoir**.

Agricultural Products Warehouse means **premises used** for the storage of agricultural produce and may include facilities for wholesale distribution.

Agricultural Research Facility means **premises** for agricultural research and may include related activities and **uses accessory** to agricultural research.

Agriculture means the growing of crops, including nursery, energy crops, and horticultural crops; **farm greenhouses**; raising of livestock; raising of other animals for food, fur or fibre, including poultry; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm **buildings** and **structures**, including, but not limited to **livestock facilities**, manure storages, and those **value-retaining farm uses** serving the farm.

Air Filtration Control means the functional use of industrial grade multi-stage carbon filtration systems or similar technology, to reduce and/or treat the emission of pollen, dust and odours expelled from a facility and size accordingly in comparison to the facility it serves as designed by a qualified person.

Alter means,

- a) When used in reference to a **building, structure** or part thereof, to change any one or more of the internal or external dimensions, to change the **use**, to change the number of **uses** or **dwelling units**, or to change the elevation of an exterior opening.
- b) When used in reference to a **lot**, to change any **frontage**, depth, or area of the **lot** or to change the **frontage**, depth, or area of any required **yard, setback, lot coverage, landscaped open space** or **parking area**, or to change the **use** or number of **uses** on such **lot**.

Anaerobic Digestion means a process used to decompose organic matter by bacteria in an oxygen-limited environment.

Ancillary means a **use** that is additional, secondary, and complementary to a **principal use** but is not **accessory** to the **principal use**.

Animal Hospital means **premises** in which facilities are provided for the treatment or prevention of illness, disease and injury to animals where shelter may be provided within the **building** during the period of treatment.

Area of Operation means, in relation to an **on-farm diversified use**, all areas dedicated to the **use**, including associated **buildings, outside storage**, landscaped areas, berms, well and **septic systems, parking areas** and new, dedicated **lanes**, and shall exclude **existing lanes** shared with the **principal agriculture use** on the **lot**.

Artisan Market means a market held in an open area or in a **building** or **structure** where groups of individual sellers display or sell hand-made material arts, and may include photographs, paintings, drawings, prints, sculptures, or similar artisan goods.

Artisan Studio means **premises** for the making, study, or instruction of a performing or visual art, or the workplace of an artisan such as a painter, sculptor, photographer, clothing maker, or tailor.

Assembly Hall means the assembly of persons including assembly for civic, religious, charitable, philanthropic, cultural, recreational, or educational purposes.

At Capacity Lake means the status of a **waterbody** whereby the **waterbody** cannot support additional development due to degraded water quality as determined by the City of Kawartha Lakes Official Plan.

Attached means a **building** or **structure** that is otherwise complete in itself, which has a wall or walls shared in common with an adjacent **building** or **buildings** and/or depends upon an adjacent **building** or **buildings** for structural support.

Attic means the portion of a **building** situated wholly or in part within the roof but shall not include a storey or a half storey.

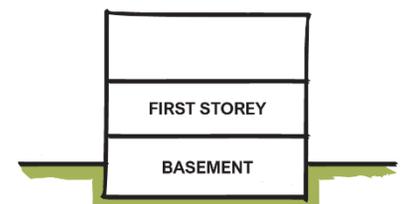
Auction Establishment means **premises** in which the **principal** facilities provided are for the storage, display and subsequent sale of goods and articles, including, but not limited to antiques, farm equipment, and livestock by way of auction.

B

Bakery means the preparation, baking, storage, wrapping and packing, and other related activities associated with the sale and distribution of baked goods.

Banquet Hall means **premises used** for the purposes of catering to banquets, weddings, receptions and other similar functions for which food and beverages are prepared and served at the **premises**.

Basement means one or more **storeys** of a **building** located below the **first storey**.



Barrier-Free Access Aisle means an area abutting a **barrier-free parking space** to provide unobstructed pedestrian access to and from a **barrier-free parking space**.

Barrier-Free Parking Space means an unobstructed rectangular area for the exclusive **use** of temporary parking of a **motor vehicle** for persons with disabilities and displaying a permit granted from the Province but shall not include a **driveway** or **aisle**.

Bed and Breakfast means an owner occupied and operated establishment where temporary sleeping accommodation and sanitary facilities are made available and where meals are provided to guests. A bed and breakfast shall not include a **hotel**, **small scale hotel**, or **motel**.

Bicycle Parking Space means an area that is provided and maintained for the purpose of temporary storage of a bicycle.

Boathouse means a **detached accessory building** which is designed or **used** for the sheltering of a boat or other form of **watercraft** and/or **accessory use** for storage of household equipment incidental to the residential occupancy but shall not include **habitable rooms**.

Building means any **structure** whether temporary or permanent, consisting of at least three walls and a roof, **used** or **erected** for the shelter, accommodation or enclosure of persons, animals, materials or equipment.

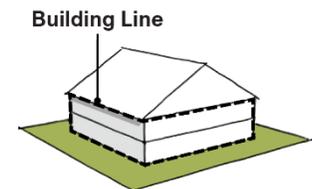
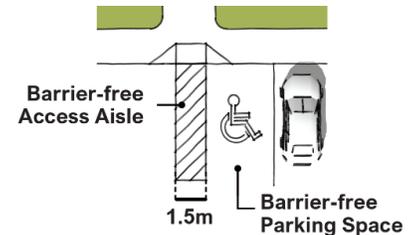
Building Line means the extent of an exterior wall of a **building** or **structure**, including all structural or architectural elements essential to the support of a fully enclosed space or roof.

Building, Main means the **building** in which the **principal use** of the **lot** or **building** is carried out.

Building Supply Outlet means the storage, sale, rental and lease of equipment and supplies **used** in construction.

C

Cabin, Private means a **building used** for sleeping, containing no cooking or sanitary facilities and which is an **accessory use** to a **single detached dwelling**.



Cabin, Rental means a **building** within a **tourist resort**, which may contain cooking facilities or sanitary facilities, rented out for the purposes of the vacationing or travelling public through temporary accommodation.

Campground means **premises** designed for the temporary seasonal accommodation of the travelling or vacationing public in **tents**, tourist trailers, **recreational vehicles**, or other **structures** and may include an **accessory office** but shall not include a **mobile home park**.

Camping Site means a parcel or area of land within a **recreational vehicle park** and for the exclusive seasonal **use** of a **recreational vehicle** or a **tent**.

Cannabis means a genus of flowering plants in the family Cannabaceae. Synonyms include but are not limited to marijuana, and marihuana. This definition does not include the industrial or agricultural production of hemp (a source of foodstuffs [hemp milk, hemp seed, hemp oil], fiber and biofuels).

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

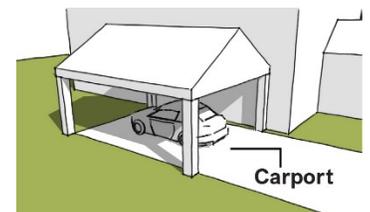
Carport means a covered and unenclosed **structure** designed and **used** for the parking of **motor vehicle(s)** containing a minimum of 2 open sides.

Cemetery means land **used** for the interment of human remains and includes a mausoleum, **crematorium**, columbarium or other **structure** intended for the interment of human remains.

Centreline means an imaginary line on a feature that is located equidistant to the boundary or extent of that feature.

Clinic means **premises used** for the examination, diagnosis and/or treatment of outpatients by regulated health professionals as well as **accessory uses** such as associated laboratories, facilities and equipment, drug and optical dispensing to outpatients, and the **accessory** sales of medical supplies and equipment.

Club means **premises used** as a meeting place for members of an organization and includes a lodge, athletic or recreational club, social club, a fraternity or sorority house, legion and a labour union hall, which may include cooking facilities.



Commercial Vehicle means a **motor vehicle** having attached to it a truck or delivery body, and without limiting the generality of the foregoing, may include a food truck, bus, cube van, tow truck, tilt and load trucks or trailers, dump trucks, tractor trailers, semitrailers, or construction equipment that is self-propelled or designed to be towed.

Community Facility means **premises used** for indoor and outdoor recreational, institutional, social, or cultural activities, and may include a community centre, arena, library, or museum.

Community Garden means a communal garden provided for the **use** of the public to produce flowers, herbs, fruits or vegetables and activities associated with gardening, but does not include any processing or packaging, commercial sales, or the raising of livestock or animals including poultry.

Concrete and Asphalt Plant means **premises used** for the batching and production of asphalt or concrete, or asphalt or concrete products, and dispatching of concrete and asphalt trucks, equipment storage and maintenance, office and administrative activities and the receiving and **outside storage** of materials, casting and concrete and asphalt products, and shall also include the processing of aggregate material through a crushing and sorting operation, but does not include the **retail** sale of finished asphalt or concrete products.

Conservation Authority means the Conservation Authority having jurisdiction, or any successors thereto.

Conservation Use means the preservation, protection, and improvement of any feature of the natural environment through a program of maintenance and management administered by a **Conservation Authority, public authority**, private groups or individuals.

Contractor's Shop means **premises used** by a general contractor, landscaper, or any building trade, for the assembly, welding, fabrication, repair or storage of building components or for the repair, maintenance or storage of machinery, equipment and materials used in the building trade.

Contractor's Yard means **premises used** for a trade, contractor, construction, or landscaping company for the storage and maintenance of equipment and materials, and which may include an **accessory office**.

Correctional Facility means a **building** or part of a **building used** as a secure facility for people who are on remand, serving a sentence or awaiting transfer to another correctional facility and is owned, operated, funded or supervised by the Province but does not include a **group home**.

Council means the Municipal Council of the Corporation of the City of Kawartha Lakes.

Crematorium means a **building** that is fitted with appliances for the purpose of cremating human remains and that has been approved as a crematorium or established as a crematorium in accordance with the requirements of Provincial legislation and includes everything necessarily incidental and **ancillary** to that purpose.

Custom Workshop means **premises used** by a person or persons with a trade, craft or guild or other skilled labour for the repair, custom fabrication, or custom assembly of articles, items or things. A custom workshop may include a machine shop, a pattern shop, a sheet metal shop, a wood working shop, a cabinetwork shop or other similar operation.

D

Day Care Centre means **premises used** to provide for the temporary supervision or care of children or adults for a portion of a day not exceeding 24 hours and is licensed by the Province of Ontario, as may be required.

Day Care, Home-Based means a **home occupation** where the temporary care of no more than five children is provided for a portion of a day not exceeding 24 hours.

Defined Area means all lands subject to this By-law as delineated on Schedule “A”.

Dense Non-Aqueous Phase Liquid (DNAPLs) means chemicals that are both denser than water and do not dissolve readily in water. Because of these traits, DNAPLs tend to sink below the water table and only stop when they reach impenetrable bedrock. This makes them difficult to locate and cleanup. Commonly used DNAPLs include, but are not limited to paint strippers, varnishes, aerosols, and pharmaceuticals.

Dock means a **structure** which is designed or **used** for the mooring of a boat or other form of water transportation which stretches along the side of or projects into a **waterbody**.

Dog Kennel means **premises**, whether enclosed or not, where dogs are kept for purposes of breeding, training, boarding or commercial purposes.

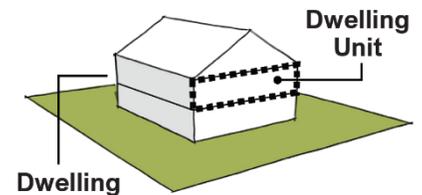
Drinking Water Threat means an activity or condition that adversely affects or has the potential to adversely affect the quality or quantity of any water that is or may be **used** as a source of drinking water and includes an activity or condition that is prescribed by the regulations as a drinking water threat. Refer to the *Clean Water Act*, or successors thereto, for the prescribed drinking water threats.

Driveway means a vehicular accessway providing access from a **street** to a **building** or property, a **loading space**, a **parking area**, **carport** or a **private garage**.

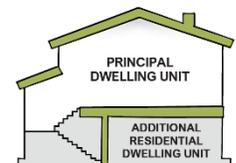
Drive-Through means land and associated **structures used** to take orders or provide a service to patrons while remaining in their **motor vehicle**.

Drugless Practitioner means a drugless practitioner within the meaning of the *Drugless Practitioners Act*, as amended.

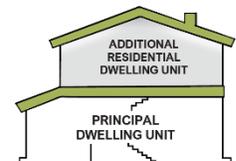
Dwelling means a **building**, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more **dwelling units**, not including **motels**, **hotels**, **small scale hotels**, tents, truck campers, **recreational vehicles**, or mobile camper trailers.



Dwelling Unit means one or more **habitable rooms** occupied or capable of being occupied as an independent and separate housekeeping establishment, in which separate cooking and sanitary facilities are provided for the exclusive **use** of the household with a private entrance from outside the **building** or from a common hallway or stairway inside the **building** but does not include a tent, **private cabin**, **recreation vehicle**, or a room in a **hotel**, **small scale hotel**, or **motel**.



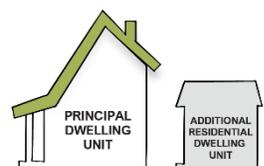
Dwelling Unit, Accessory means a **dwelling unit** that is **accessory** to a non-residential **use** on a **lot**.



Dwelling Unit, Additional Residential means a **dwelling unit** that is self-contained, subordinate to and located within the same **building** or on the same **lot** as the **principal dwelling unit**. The **additional residential dwelling unit** includes a separate entrance, kitchen facilities, washroom facilities, and living space from the **principal dwelling unit**.



Dwelling Unit, Principal means a **single detached dwelling** for the purpose of the definition of **additional residential dwelling unit**.



Dwelling, Single Detached means a completely detached **dwelling unit** but shall not include a **mobile home**.

E

Emergency Service means fire, ambulance, police and similar facilities operated by a **public authority**.

Enlargement means any **alteration** or change to an **existing structure** resulting in an increase in the **existing floor area**. Enlarge and enlarged shall have a corresponding meaning.

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

Established Building Line means the average **setback** from the **street line** or **high-water mark** of **existing buildings** on either side of the **lot** when at least two **buildings** have been **erected** on any one side of the same **street** prior to the date of passing of this By-law.

Existing means legally existing as of the date of the passing of this By-law.

F

Fairground means **premises** intended for **uses** on a temporary basis, including but not limited to, exhibitions of farm, educational, household and manufactured products and displays and/or activities for entertainment, recreational, hobby, charitable or estate purposes, including eating establishments, auctions and **retail** sales.

Farm Café and Shop means a café or commercial **retail** space that is **accessory** to the permitted **agriculture uses** on the **lot** and shall primarily include the sale of value-added products produced by the farm.

Farm Micro-Brewery means **premises used** on a farm for the making of beers, spirits, ciders and wines from grains, hops, crops, and fruit grown primarily as part of the **principal agriculture use**, and may include a tasting and hospitality area, **retail** sales of the products produced on site, and an **ancillary restaurant**.

Farm Implement Sales and Service Establishment means **premises** where farm implements and related equipment and parts are serviced, repaired, and sold, leased or rented.

Farm Produce Outlet means a **use accessory** to an **agriculture use** which consists of the **retail** sale of agricultural products, raised, grown or processed by the property owner or an **agriculture** operation conducted on the farm.

A farm produce outlet includes uses commonly known as farm-gate sales.

Farm Supply Outlet means **premises used** for the sale, processing, and storage of seed, feed, chemicals, input supplies, materials and fertilizers for **use** on a farm, and includes a tack shop.

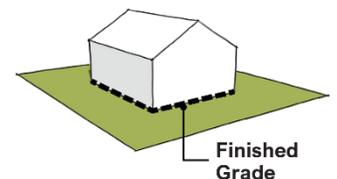
Farmer's Market means the **retail** sale of agricultural, food, artisan products including produce and value-added products where the majority of vendors are also the primary producers of the products for sale.

Feed Mill means **premises** where farm commodities such as cereal grain, corn, and soybeans are brought, stored, dried, processed and sold, and also includes the drying, processing, and elevation for storage of farm commodities.

Film Production means filming, videotaping, photography, or any other form of visual recording for a feature film, documentary, commercial music video, educational film or other purpose outside a film studio, but does not include street interviews, newscasts, press conferences, or visual recordings for personal purposes only.

Financial Institution means **premises** where services are provided to patrons for the depositing, lending, exchange, or investment of money.

Finished Grade means, with reference to a **building** or **structure**, the average elevation of the finished grade of the ground immediately surrounding such **structures**, exclusive in both cases of any artificial embankment or entrenchment. When used with reference to a **street**, road or highway, finished grade means the elevation of the **street**, road or highway established by the **Municipality** or other **public authority**.



Flood and Erosion Control means land **use** practices or **structures** deemed necessary by a **public authority** for the reduction or prevention of flooding.

Floor Area means the total habitable floor area within a **building** measured from the outside of the exterior walls or the **centreline** of a common or party wall, but excluding any **basement**, attic, mechanical room, electrical room, elevator shaft, refuse chute, stairwell, **motor vehicle** and bicycle **parking areas**, **loading spaces** located above or below **finished grade**.

Floor Area, Gross means the aggregate of the **floor areas** of all the storeys of a **building** including the **floor area** of any basement, where the floor areas are measured between the exterior faces of the exterior walls of the **building** at each floor level but excluding **parking areas** within the **building**.

Forestry means the management, development and cultivation of timber resources exclusive of a **sawmill**.

Fuel Depot means **premises** where petroleum, gasoline, fuel oil, gas propane or other fuels are stored in tanks for wholesale distribution or bulk sales but does not include facilities for the sale of fuels for private vehicles.

Funeral Services means a **building** with facilities for the care and preparation of human remains, the co-ordination and provision of rites and ceremonies with respect to dead human bodies and the provision of such other services but does not include a **cemetery** or a **crematorium**.

G

Garage, Private means a **building** or part of a **building used** or intended for the temporary parking or storage of a **motor vehicle, commercial vehicle, and/or recreational vehicle** as **accessory** to a **dwelling unit** and includes a **carport**.

Garden and Nursery Supplies means the growing or displaying of flowers, fruits, vegetables, plants, shrubs, trees or other vegetation which is sold to the public and shall also include the sale or rental of such goods, products or equipment normally associated with gardening or landscaping.

Garden Suite means a one unit **detached** residential **structure**, containing sanitary and cooking facilities, that is **ancillary** to an **existing** residential **structure** and that is designed to be portable and is capable of meeting the standards of the Ontario Building Code and is **used** for temporary accommodation.

Golf Course means **premises** operated for the purpose of playing golf and which may include **ancillary uses** such as a clubhouse, pro shop, **restaurant**, meeting rooms, **banquet hall**, driving range, putting green and maintenance facilities.

Greenhouse, Commercial means **premises used** for the growing of flowers, fruits, vegetables, plants, shrubs, trees, and similar vegetation which are not necessarily transplanted outdoors on the same **lot** containing

such greenhouse but are sold directly from the **lot** at wholesale or **retail** and may include the sale of incidental seasonal merchandise.

Greenhouse, Farm means a **building** for the growing of plants, shrubs, trees, and similar vegetation which are transplanted outdoors on the same **lot** containing such greenhouse in conjunction with the **principal agriculture use** on the **lot**.

Group Home means a single housekeeping unit as the sole use within a **single detached dwelling** licensed, approved or funded under Federal or Provincial statute for the accommodation of three to ten residents, exclusive of staff, that provides a group living arrangement under responsible supervision. A group home shall not have any correctional purpose.

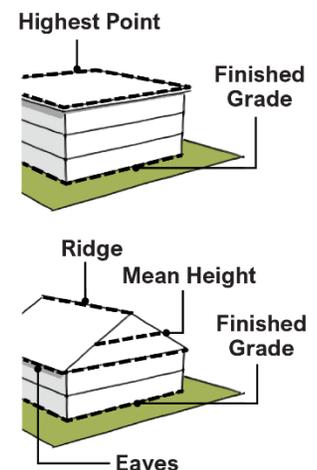
H

Habitable Room means any room used or intended for human habitation except a bathroom, hallway, stairwell, laundry, or storage room.

Hazardous Lands means property or lands that could be unsafe for development and site alteration due to naturally occurring processes and naturally occurring hazards including unstable soils or bedrock.

Height means,

- a) The vertical distance on a **principal building or structure** or **accessory building and structure** between the **finished grade** and the highest point of the roof surface, or the parapet, whichever is the greater, of a flat roof; or
- b) The vertical distance on a **principal building or structure** or **accessory building and structure** between the **finished grade** and the mean height between eaves and ridge of a gabled, hip, gambrel or mansard roof, or other type of pitched roof. When dormers are present and collectively encompass more than 50% of the adjacent floor area, **height** means the vertical distance between the **finished grade** and the mean height between roof eaves and ridge of dormer.



Heavy Equipment Rental, Sales, and Service means **premises used** for the rental, sales, hire, and service of heavy machinery and equipment.

High-Water Mark means the highest elevation of the water surface of a **waterbody**, including seasonal flooding, as evidenced by changes in shoreline vegetation or residual water marks left on **buildings, structures,** vegetation or other shoreline features.

Home-Based Food Processing means a business in which a residential kitchen is permitted to process food that is not time or temperature controlled and is packaged and is offered for sale.

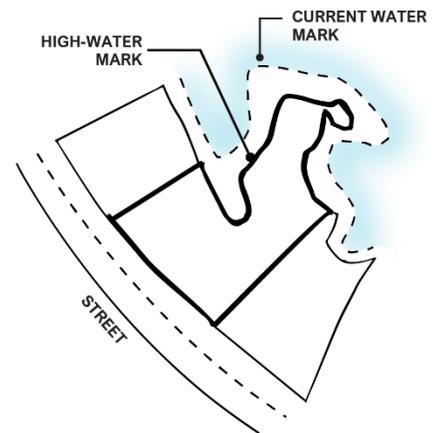
Home Industry means a business or occupation that is operated as an **accessory use** for gain or profit to a **dwelling unit** or **agriculture use**.

Home Occupation means a business or occupation that is operated as an **accessory use** for gain or profit to a **dwelling unit** and conducted entirely within a **dwelling unit** or permitted **accessory building**.

Hotel means **premises used** for the temporary sleeping accommodation of the public, and may include **accessory uses** such as a **restaurant, retail** store, meeting rooms, exercise room and other amenities for guests and **ancillary** cooking facilities. The guest rooms of a hotel are accessed by common corridors, and direct access to the rooms is not provided from the outside.

Hotel, Small Scale means a hotel containing no more than 10 guest rooms.

Hunt Camp means **premises** consisting of one or more rooms which is at least partially furnished and may include facilities for the preparation of food and overnight accommodation, on a temporary basis, for **use** only during the hunting and fishing seasons but shall not include any other establishments or **use** as may be defined or classified in this By-law. If located on Crown land, hunt camps are subject to Provincial requirements.



Incidental Volume means standard size containers that are **used** for personal or domestic activities. This excludes larger volumes used in activities, such as hobbies and home businesses.

Industrial Use, Dry means **premises used** for manufacturing, processing, fabrication, assembly, treatment, packaging and incidental storage of goods and materials which does not require the consumption or use of water or

the discharge of industrial liquid wastes, wash or cooling water or process waste as part of the industrial process and which requires the disposal of water for only the domestic wastes of employees.

Intake Protection Zone means the **vulnerable area** delineated around surface water intakes for **municipal drinking water systems** and is comprised of subzones:

- a) IPZ-1: The area immediately adjacent to the intake and is considered the most **vulnerable area** due to its proximity to the intake. IPZ-1 is the area within a 1,000.0 m radius when centered on the intake, and where IPZ-1 extends onto or touches land, land within a 120.0 m setback of the **high-water mark**.
- b) IPZ-2: A secondary protection area that is located upstream of the IPZ-1 and represents the extent to which a contaminant could travel to the municipal intake within 2 hours of its release into the environment (due to a spill or leak).

Island means a piece of land surrounded by water having no access to the mainland via a causeway, bridge or any other physical connection capable of transferring **motor vehicles**.

J

K

L

Landscaped Open Space means land situated at grade which is unoccupied and unobstructed by any enclosed space within a **building** or **structure**, **used** for any or a combination of the following elements, and which may include any land forming part of a required **planting strip**:

- a) **Soft Landscaping**, which means vegetation such as trees, shrubs, hedges, ornamental plantings, grass, and ground cover.

- b) **Hard Landscaping**, which means non-vegetative materials such as unit pavers, patio stones, brick, rock, stone, concrete, tile, but excluding **driveways**, curbing, **parking areas**, and **outside storage** areas.

Lane means a public thoroughfare which affords only a secondary means of access to abutting **lots**, and which is not intended for general traffic circulation.

Legal Non-Complying means a legally **existing lot, building or structure** which does not comply with one or more of the provisions of this By-law as of the date of passing of this By-law.

Legal Non-Conforming means a legally **existing use, building or structure** which does not conform to the permitted **uses** of this By-law as of the date of passing this By-law.

Livestock Facility means a barn, **building or structure** with livestock occupied portions intended for keeping or housing of livestock. A livestock facility shall also include all manure or material storages and anaerobic digesters.

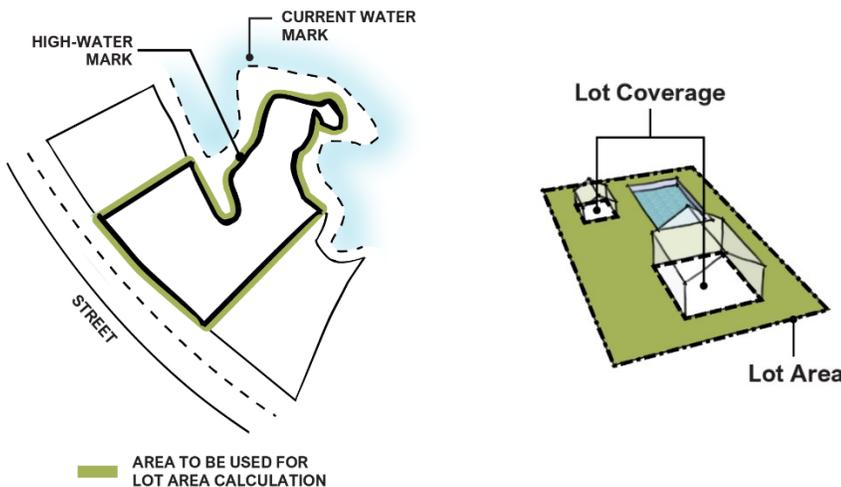
Loading Space means an unencumbered area of land which is provided and maintained on the same **lot** upon which the **principal use** is located, and which area is provided for the temporary parking of one **commercial vehicle** while it is being loaded or unloaded.

Long-Term Care Home means a facility which provides care and services for persons who are no longer able to live independently or who require on-site nursing care, 24-hour supervision or personal support and licensed under the *Long-Term Care Homes Act, 2007*, as amended.

Lot means a parcel or tract of land, the title of which is legally conveyable as a separate parcel pursuant to the provisions of the *Planning Act*, but shall not include a right-of-way, easement, or reserve.

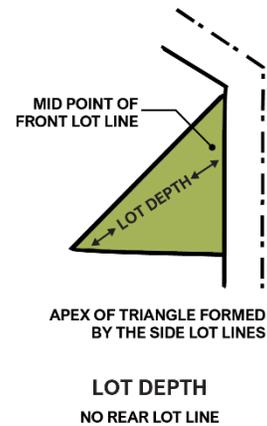
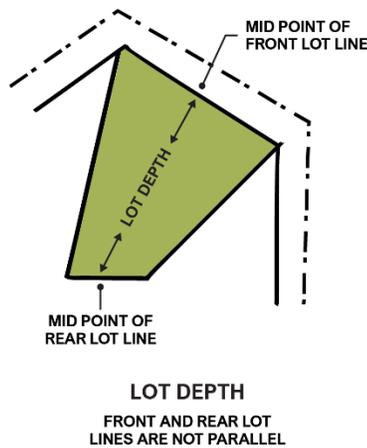
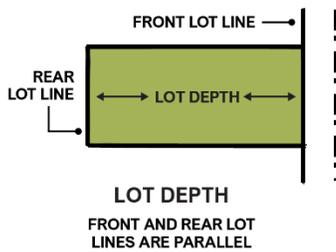
- a) **Corner Lot** means a **lot** situated at the intersection of two **streets** or two parts of the same **street** of which the two adjacent sides upon the **street line** or **street lines** includes an angle of not more than 135 degrees or where such adjacent sides are curved, the angle included by the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the **street lines** drawn through the extremities of the **interior lot lines**.
- b) **Interior Lot** means a **lot** situated between adjacent **lots** and having access to one **street**.
- c) **Island Lot** means a **lot** fronting onto and accessed only via a **navigable waterway** being part of or encompassing the whole island, whether or not occupied by a **building** or **structure**.
- d) **Through Lot** means a **lot** bounded on two opposite sides by **streets** or **shore lot lines** provided, however, that if any **lot** qualifies as being both a **corner lot** and a **through lot** as defined by this By-law, such **lot** shall be deemed to be a **corner lot** for the purposes of this By-law.

Lot Area means the total horizontal area within the **lot lines** of a **lot** excluding the horizontal area of such **lot** below the current **high-water mark** of any abutting **waterbody** as determined by an Ontario Land Surveyor.



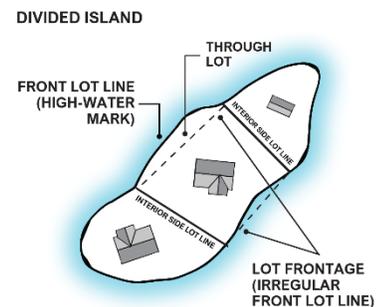
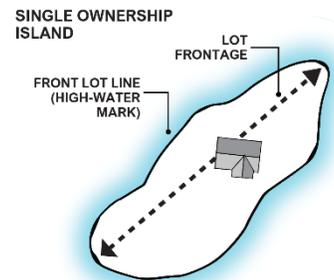
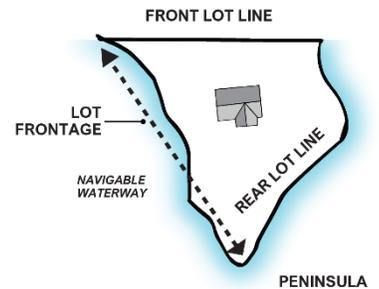
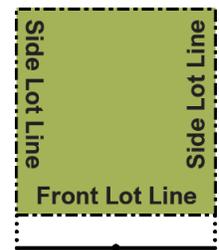
Lot Coverage means the percentage of the **lot area** covered by all **buildings**, enclosed and/or unenclosed roofed **structures** located above **finished grade**, and as measured to the **building line**, or in the case of a covered **structure**, to the outer limits of that covered **structure**.

Lot Depth means the horizontal distance between the **front lot line** and **rear lot line**. If the **front lot line** and **rear lot line** 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**. When 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 converging point of the **side lot lines**.



Lot Frontage means the horizontal distance, abutting a **street**, between the **side lot lines** of a **lot** measured along the **front lot line** determined as follows:

- a) Where there are no **side lot lines**, such as a peninsula, the greatest distance between any point on the **front lot line** and any point on the **rear lot line**.
- b) Where there are no **side lot lines** and no **rear lot line**, such as on an **island lot**, the greatest distance between any two points.
- c) Where the **front lot line** is not a straight line, or where the **side lot lines** are not parallel, the **lot frontage** is to be measured by a line equal to the minimum **front yard** measured back from and parallel to the chord of the **lot frontage**. For the purpose of this By-law, the chord of the **lot frontage** is a straight line joining the two points where the **side lot lines** intersect the **front lot line**, and a **sight triangle** shall be considered part of the **lot** for the purposes of calculating the **lot frontage**.
- d) In the case of a **corner lot**, the shorter of the **lot lines** abutting a **street** shall be deemed the **lot frontage**.

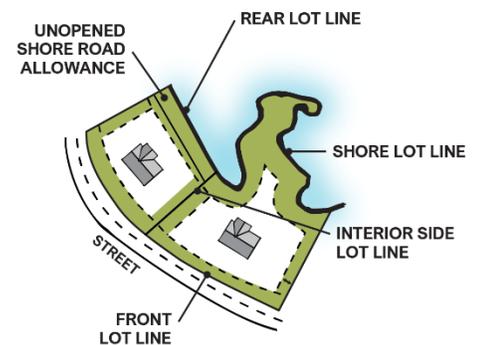
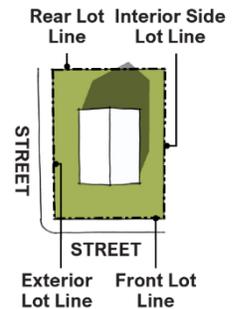


Lot Line means any boundary of a **lot**.

Lot Line, Exterior means a **side lot line** which abuts the **street** on a **corner lot**.

Lot Line, Front means,

- a) Except in the case of a **corner lot**, **through lot**, or **island lot**, the **lot line** dividing the **lot** from the **street**.
- b) In the case of a **corner lot** with two **street lines** of unequal length, the shorter **lot line** abutting the **street** shall be deemed to be the **front lot line**. Where each of such **lot lines** are of equal length, the **front lot line** shall be deemed to be the **front lot line** as established by the **Municipality**.
- c) In the case of a **through lot**, the longer boundary dividing the **lot** from the street shall be deemed to be the **front lot line** and the opposite shorter boundary shall be deemed to be the **rear lot line**. In case each of such **lot lines** should be equal length or both are under the jurisdiction of the **Municipality**, the **Municipality** may designate either **street line** as the **front lot line**.
- d) In the case of an **island lot**, the **shore lot line** shall be deemed to be the **front lot line**.



Lot Line, Rear means,

- a) The **lot line** farthest from or opposite to the **front lot line**.
- b) In the case of a **through lot**, the **rear lot line** shall mean the **rear lot line** as established by the **Municipality**.

Lot Line, Shore means any **lot line** or portion thereof which abuts a **waterbody** or the unopened original shore road allowance along the **waterbody**.

Lot Line, Side means the **lot line** other than a **front lot line**, **rear lot line**, or **shore lot line**.

Lot Line, Interior Side means a **side lot line** that is not an **exterior lot line**.

M

Manufacturing or Processing Facility means the manufacturing, assembly, processing, packaging, treatment, altering, treating, repair of products, materials or goods.

Marina means **premises** containing docking facilities and located on a **navigable waterway** where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rental and where **ancillary** facilities for the sale of marine fuels and lubricants may be provided.

Marina, Dry Land means **premises** where boats and boat accessories are stored, serviced, repaired or kept for sale.

Micro-Brewery means **premises used** for the small-scale production of beer, wine, cider, or spirits produced for consumption off-premises, or on-site consumption when located in combination with a permitted **restaurant**.

Mineral Aggregate Operation means an operation, other than a **wayside pit and quarry**, conducted under a license or permit under the *Aggregate Resource Act*, and associated facilities **used** in the extraction, transportation, beneficiation, processing, or recycling of mineral aggregate or the production of related by-products.

Mobile Home means any **dwelling** that is designed to be mobile, and constructed or manufactured to provide a permanent residence for one or more persons in accordance with C.S.A. Standard Z240 or Z241.

Mobile Home Park means land or **premises** under single ownership designed and used exclusively for two or more **mobile homes** but does not include a **recreational vehicle park**.

Mobile Home Site means a parcel of land within a **mobile home park** used to accommodate one **mobile home** and for the exclusive **use** of the lessee or tenant of such area.

Motel means **premises** to accommodate the travelling public for gain or profit, by supplying them with sleeping accommodation, with or without meals. The guest rooms of a motel are accessed directly from the outside and may or may not be accessed from common corridors and which may include a **restaurant**, **banquet hall**, meeting rooms, an exercise room and other amenities for use by guests and which are **accessory** to the **motel**.

Motor Vehicle means an automobile, a motorcycle, a motor-assisted bicycle, and any other vehicle propelled or driven otherwise than by muscular power.

Motor Vehicle Body Repair means **premises used** as a motor vehicle body repair shop including auto body repairs and spray painting and where **motor vehicle** fuels or lubricants may be stored or kept for sale and where mechanical repairs may be carried on and which may include a **motor vehicle washing establishment** as an **accessory use**. A motor vehicle body repair shop shall not include the sale of **motor vehicles**.

Motor Vehicle Rental Establishment means **premises** where **motor vehicles**, including **commercial vehicles**, are kept for short-term rent or hire under a contract for compensation, and may include an **office use** for administrative purposes, or **accessory** facilities for the regular cleaning or incidental maintenance of such services, but shall not include any **motor vehicle body repair** or **motor vehicle repair use**.

Motor Vehicle Repair means **premises used** for the mechanical repair of **motor vehicles** is carried out and where the provision of fuels or lubricants is incidental to the **principal use**, and which may include a **motor vehicle washing establishment** as an **accessory use**.

Motor Vehicle Sales Establishment means **premises** where **motor vehicles** are displayed, sold and leased.

Motor Vehicle Service Station means **premises used** for the retail sale of lubrication oils, motor fuels, electric **motor vehicle** power, **motor vehicle** accessories and may include servicing and minor repairing essential to the actual operation of **motor vehicles** but excluding a **motor vehicle washing establishment** or **motor vehicle sales establishment**.

Motor Vehicle Washing Establishment means a **building** or part thereof used for the operation of motor vehicle washing equipment which is automatic, semi automatic and/or coin operated.

Municipal Drinking Water System means a drinking water system or part of a drinking water system,

- a) That is owned by a municipality or by a municipal service board established under the *Municipal Act, 2001*, as amended;
- b) That is owned by a corporation established under Sections 9, 10, and 11 of the *Municipal Act, 2001*, as amended in accordance with Section 203 of the Act;

- c) From which a municipality obtains or will obtain water under the terms of a contract between the municipality and the owner of the system; or,
- d) That is in a prescribed class.

Municipal Law Enforcement Officer means an official or an employee of the **Municipality** from time to time charged by the **Municipality** with the duty of administering and enforcing the provisions of all municipal by-laws.

Municipality means the Corporation of the City of Kawartha Lakes.

N

Navigable Waterway means a **waterbody** that is capable of affording reasonable passage of floating vessels of any description for the purpose of transportation, recreation, or commerce considered navigable by law.

Nursery means **premises** where young trees or other plants are grown for transplanting and/or for sale.

O

Obnoxious Use means a **use** which, from its nature or operation, creates a nuisance or is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, contaminants or objectionable odours, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material, but nothing herein shall be deemed to prohibit animal waste disposed of in accordance with normal farming practices and in accordance with the requirements of the Province.

Office means a **building** or part of a **building** where administrative and clerical functions are carried out in the management of a business, profession, organization or public administration.

On-Farm Diversified Use means a type of **use** that is secondary to the **principal agriculture use** on a **lot** and is limited in area.

Outdoor Display Area means an area located outside of a **building** and on the same **lot** as a commercial **retail use** for the purpose of displaying finished merchandise for sale.

Outdoor Patio means any unenclosed seating area **accessory** to a **restaurant, micro-brewery, farm micro-brewery, or farm café or shop** where food or beverages are served for consumption on the patio.

Outside Storage means an open area of land **used** for the storage of materials, equipment, or finished goods which are associated with the **principal use** of the **lot**.

P

Park, Private means any open space or recreational area, other than a **public park**, containing therein one or more swimming pools, wading pools, refreshment rooms, tennis courts, bowling greens, gardens, downhill or cross-country ski areas, or similar open space uses.

Park, Public means any open space or recreational area, owned or controlled by a **public authority** and may include therein neighbourhood, community, regional and special parks or areas and may contain one or more athletic fields, field houses, bleachers, swimming pools, botanical gardens, zoological gardens, bandstands, skating rinks, tennis courts, bowling greens, boat liveries, bathing stations, refreshment rooms, or similar uses.

Parking Aisle means that portion of a **parking area** which is provided and maintained to be **used** by vehicles to access individual **parking spaces**.

Parking Area means an area of land which is provided and maintained upon the same **lot** or **lots** upon which the **principal use** is located, and which area comprises all **parking spaces** of at least the minimum number required according to the provisions of the By-law, and all **driveways, parking aisles, maneuvering areas, entrances, exits, and similar areas** used for the purpose of gaining access to or egress from said **parking spaces**.

Parking Lot means the **principal use** of a **lot** for the purposes of providing public **motor vehicle** parking, whether or not for gain or profit.

Parking Space means an area exclusive of **driveways** or **parking aisles**, for the temporary parking or storage of **motor vehicles** and which has adequate access to permit ingress or egress of a **motor vehicle** to and from a **street** by means of **driveways, parking aisles, manoeuvring areas** or similar areas, no part of which is **used** for the temporary parking or storage of one or more **motor vehicles**.

Person means an individual, association, firm, partnership, corporation, trust, incorporated company, corporation created under the *Condominium Act*, as amended, organization, trustee or agent, and the heirs, executors, or other legal representatives of a person to whom the context can apply according to law.

Personal Service means **premises** where direct and consultative services are provided and administered for personal and household needs, including hair care, aesthetics, health and beauty treatment, body art, body piercings, tanning salon, dressmaking, tailoring, shoe repair, laundromat, laundry depot, dry cleaning, interior design, event planning, photographer studio, travel agency, and other similar services. A personal service shall include **retail** only as an **accessory use**.

Place of Entertainment means **premises used** to provide entertainment, amusement or social and leisure time activities to patrons and may include a theatre, concert hall, arcade, billiard hall, indoor miniature golf, axe throwing, escape room, bingo hall, bowling alley, paintball, race car track, electronic games, or similar indoor gaming facility, which may include incidental preparation and sales of food and beverages on the **premises**.

Place of Worship means a **building** dedicated to religious worship and may include such accessory **uses** as a nursery school, convent, monastery or hall or auditorium.

Planting Strip means an area **used** exclusively for **soft landscaping**. A planting strip shall only be permitted to be crossed or encroached by a walkway or **driveway**.

Portable Asphalt Plant means a temporary facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt-paving material and includes stockpiling and storage of bulk materials used in the process. A portable asphalt plant is not a permanent installation but is designed to be dismantled at the completion of the construction project.

Post Office means any government run **premises** where the **principal use** is for the collection and distribution of parcels. A **post office** may include the sales of stamps, packaging materials and other items necessary for the postal system to operate.

Premises means the whole or parts of land, **buildings**, or **structures** occupied, **used** or intended to be occupied or **used**.

Principal means primary or predominant.

Printing and Publishing Establishment means **premises used** for the primary purpose of printing, lithographing, duplicating or publishing.

Private Recreation means **premises**, whether it be an incorporated association of **persons** by some common interests or a camp, and includes the **premises** owned or occupied by the members or participants for gain or profit.

Public Authority means Federal, Provincial, or Municipal agencies, and includes any commission, board, authority or department established by such agency.

Public Use means a **use** of land, **buildings** or **structures** for infrastructure by or on behalf of a **public authority**. Without limiting the generality of the foregoing, a public use may include **uses** such as public highways, railways and related facilities, gas and oil pipelines, public sewage and water service systems and lines, bridges, interchanges, stations, public works yards, and related **buildings** and **structures**, above or below ground, that are required for the facilities listed above, and associated rights-of-way.

Q

R

Recreational Equipment Rental means **premises** wherein the **principal use** is the rental of recreational machinery, equipment, and fixtures and other goods, including **watercraft** and **recreational vehicles**, but shall not include **motor vehicles**.

Recreational Use means the **use** of land for **public parks** or **private parks**, playgrounds, tennis and pickle ball courts, basketball courts, soccer fields, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, picnic areas, swimming pools and similar uses, together with necessary and **accessory buildings** and **structures** which may include a refreshment booth and pavilion. A recreational use does not include a **golf course** or driving range.

Recreational Use, Passive means outdoor recreational activities such as nature observation, a beach, walking trails, hiking, canoeing or kayaking that require minimum facilities or development and that have minimal impact on the environment.

Recreational Vehicle means a vehicle designed to provide temporary living, sleeping or eating accommodation for travel, vacation, seasonal camping or recreational use and designed to be driven, towed, transported or relocated from time to time whether or not the vehicle is jacked up or its running gear is removed, and with a size as defined by the Canadian Standards Association (CSA), and may also include a truck camper, tent trailer, fifth-wheel trailer, and park model trailer and motorized recreation equipment including a snowmobile, off-road vehicle, boats, and other **watercraft**.

Recreational Vehicle Park means an establishment under single ownership, licenced by a **public authority**, providing seasonal overnight or accommodation for **recreational vehicles** or tents.

Recreational Vehicle Sales and Service means **premises used** for the sale or service of **recreational vehicles** and, notwithstanding the definition of a **recreational vehicle**, may also include the sale and service of **trailers**.

Recreational Vehicle Storage means a commercial **premises used** for the seasonal storage of **recreational vehicles**.

Recycling Depot means **premises** where recyclable material is received from a generator of waste for the purpose of sorting and consolidating, and resale or delivery to another location. Notwithstanding any other provision of this By-law, the **outside storage** of recyclable material is not permitted.

Regional Storm Flood Elevation means the contour elevation based upon the Geodetic Survey of Canada to which a **waterbody** will rise during a Regional Storm as defined by the **Province**.

Restaurant means **premises** where food is prepared and offered for sale or sold to the public for consumption on or off the **premises**.

Restaurant, Take-out means a **restaurant** where food is intended principally for consumption off the **premises**.

Retail means **premises** where goods, wares, merchandise, substances, articles or things are offered and kept for sale directly to the public.

Retail, Convenience means a **retail use** that does not exceed 140.0 m² of **gross floor area** on a single **lot**.

Riding Stable or Equestrian Centre means **premises used** for the boarding and exercising of horses, the training of horses and riders, and the staging of equestrian events, but shall not include the racing of horses.

Risk Management Official means the person appointed under Part IV of the *Clean Water Act*, 2006 and who is responsible for making decisions about risk management plans and risk assessments and must meet the prescribed criteria in the regulations under the *Clean Water Act*, 2006.

S

Sawmill means a **premises** where timber is cut, sawed or planed, either to finished lumber, or as an intermediary step and may include facilities for the kiln drying of lumber.

A sawmill is considered an agricultural products processing establishment as defined in this By-law.

Salvage Yard means **premises** where goods and materials are processed for further use and stored wholly or partly outdoors and may include storing, dismantling, crushing, demolishing **motor vehicles** or heavy equipment or parts thereof.

School, Commercial means **premises** where instruction or training is provided to students for gain or for profit.

School, Private means a school other than a **public school** or **commercial school**.

School, Public means a public or separate school, a high school, a continuation school, a technical school, a college or university or any other school established and maintained by a **public authority**.

Scrap Yard means **premises used** for the storage and/or handling of scrap, which may include wastepaper, rags, bones, bottles, bicycles, vehicles, tires, metal and/or other scrap material.

Seasonal Farm Help Dwelling means a **building** or **structure** for the temporary housing of farm employees of the main **agriculture use** for no more than ten months per seasonal worker, but in no event shall be used for year-round occupancy.

Self-Storage Units means a compartmentalized **building** where individual storage areas are made available to the public on rental for storage of personal goods.

Sensitive Land Use means, in relation to **cannabis production and processing facilities**, a **premises** where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be part of the built or natural environment

including residential **uses**, **day care centres**, **public schools** or **private schools** and health centres.

Septic System means a leaching bed system and/or a tertiary treatment system as defined by the Ontario Building Code.

Services means:

- a) **Services, Communal** means a **lot** serviced with communal sanitary sewage facilities and/or water supply owned privately or by the **Municipality** that provide water and wastewater treatment to clusters of **dwellings** and/or businesses.
- b) **Services, Full** means a **lot** serviced with a sanitary sewage system and water supply provided by the **Municipality**.
- c) **Services, Partial** means a **lot** serviced with either a sanitary sewage facilities or water supply provided by the **Municipality**.
- d) **Services, Private** means a **lot** serviced with private individual sanitary sewage facilities and domestic water supply.

Service or Repair Shop means **premises used** for the servicing or repair of personal articles, appliances and equipment, but shall not include any repairs to **motor vehicles** and heavy equipment.

Setback means the distance between a **lot line** and the **building line** of any **building**, **structure**, excavation or **outside storage use** on the **lot**.

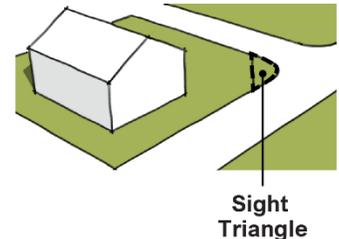
Shipping Container means a new or used standardized metal commercial shipping or cargo container that is fully enclosed and designed to be **used** interchangeably between two or more modes of transportation for the shipment of goods and material. A shipping container does not include a **motor vehicle** or **trailer**.

Shoreline Activity Area means an area of land in the required **shoreline naturalization buffer** of a **lot** that abuts the **shore lot line** may contain **shoreline structures**, pathways to the **shore lot line**, and native vegetation.

Shoreline Naturalization Buffer means all lands within the **water setback** maintained in its natural vegetated state for the purpose of protecting natural habitat and minimizing the visual impact of **buildings** and **structures** on a **lot**.

Shoreline Structure means any **building** or **structure** such as a **boathouse**, boat port, boat lift, outdoor sauna or hot tub, pump house, **dock** or wharf, gazebo, storage shed, or viewing deck and access stairs or ramps in any **yard** abutting a **waterbody** and includes **buildings** and **structures** that are attached to the land that forms the bed of a **navigable waterway**.

Sight Triangle means a triangular area of land abutting a **corner lot** formed between the extension of the two **street lines** to a point of intersection and the diagonal **lot line** connecting the two extended **street lines**.



Sign means a sign within the meaning of the **Municipality's Sign By-law**.

Significant Drinking Water Threat means an activity which poses or has the potential to pose a significant risk to the source of a **municipal drinking water system**.

Significant Drinking Water Threat, Existing means a significant drinking water threat where an activity that has been engaged in prior to the date that the Source Protection Plan took effect and continues to occur; an agricultural activity that has been engaged in at sometime within the 10-year period prior to the date that the Source Protection Plan takes effect; an activity that is related to a development proposal where an application was made under the *Planning Act*, *Condominium Act*, or *Building Code Act*, as amended, on a day before the Source Protection Plan takes effect; or an activity that is related to an application made for the issuance or amendment of a prescribed instrument on a day before the Source Protection Plan takes effect.

Significant Drinking Water Threat, Expansion means an increase in the scale of an activity that is considered an **existing significant drinking water threat** on a property. The increase in scale may include, but is not limited to:

- a) Increasing the area of land where an activity is taking place;
- b) Increasing the amount of effluent or discharge from an activity;
- c) Increasing the quantity of chemical or pathogen-containing material handled or stored; or,
- d) Increasing the quantity of chemical or pathogen containing material applied.

Significant Drinking Water Threat, Future means an activity that is considered a **significant drinking water threat** that is proposed to

commence after the date the applicable Source Protection Plan takes effect and is not an existing activity.

Solar Energy Device means a device or structural design feature which provides for the collection, storage, and distribution of solar energy for space heating or cooling, electrical generation, or water heating.

Source Material, Agricultural means:

- a) Manure produced by farm animals, including bedding materials;
- b) Runoff from farm-animal yards and manure storages;
- c) Wash water that has not been mixed with human body waste;
- d) Organic materials produced by intermediate operations that process the above materials (e.g., mushroom compost);
- e) Anaerobic digestion output that does not include sewage biosolids or human body waste; and
- f) Regulated compost that is derived from compost containing dead farm animals.

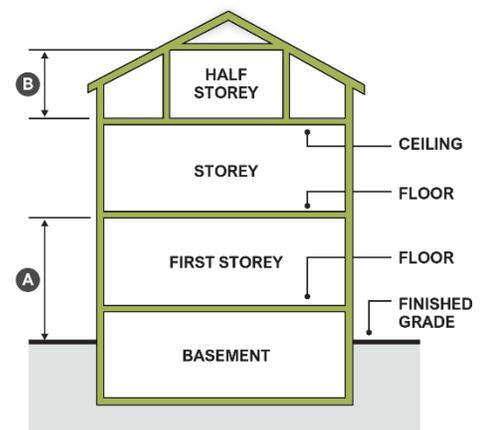
Source Material, Non-Agricultural means a variety of materials that may be sources of nutrients or pathogens and are intended to be applied to land as nutrients, but are not necessarily produced on a farm, such as: pulp and paper biosolids, sewage biosolids, anaerobic digestion output where less than 50% of the total material is on-farm anaerobic digestion materials, and any other material that is not from an agricultural source (i.e., materials from dairy product or animal food manufacturing).

Stacking Lane means a continuous on-site queuing lane that includes tandem **stacking spaces** for **motor vehicles** which is separated from other vehicular traffic and pedestrian circulation, by barriers, markings or signs.

Stacking Space means an area within a **stacking lane** devoted to a single **motor vehicle**.

Storey means that portion of a **building**, other than an attic, **basement**, or cellar, included between any floor level and the floor, ceiling or roof next above it, provided that any portion of a **building** partly below the **finished grade** shall not be deemed a storey.

Storey, First means the **storey** that has its floor closest to the **finished grade** and its ceiling 1.2 m or more above the **finished grade**.



Storey, Half means the portion of a **building** situated wholly or in part within the roof and having its floor level not lower than 1.2 m below the line where roof and outer wall meet and in which there is sufficient space to provide a **height** between finished floor and finished ceiling of at least 2.3 m over a **floor area** equal to at least 50% of the area of the **storey** directly below the half storey.

Street means any public highway, common or public road, or open road allowance owned by the **Municipality** or the Province and shall include a street on a registered plan of subdivision, where the street has not yet been assumed by the **Municipality** but is being maintained pursuant to a subdivision agreement, or any other type of agreement, pursuant to applicable legislation.

Street, Improved Public means a **street**, assumed by the **Municipality** or Province which has been constructed in such a manner so as to permit its use by normal vehicular traffic and maintained to provide year-round access.

Street Line means the dividing line between a **lot** and a **street**.

Structure means anything that is **erected**, built or constructed of parts joined together with a fixed location on the ground, or **attached** to something having a fixed location in or on the ground. For the purposes of this By-law, minor **structures** such as those associated with **hard landscaping**, clothes poles, flag poles, garden trellises, retaining walls, satellite dishes, signs **erected** in accordance with the provisions of the Municipality's By-law regulating signs, vegetation, or a fence shall not be considered a **structure**.

Swimming Pool means a **structure** which creates an artificial body of water above or below grade, used for bathing, swimming or diving but shall not include ponds.

T

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

Tourist Information Centre means **premises used** for the dispensing of promotional information, including virtual information kiosks, or the providing of information to the travelling public.

Tourist Resort means **premises used** for the accommodation of the travelling or vacationing public in a **rental cabin**, a **motel**, **hotel**, or a **small scale hotel**, owned and managed as one establishment. A tourist resort may include **accessory uses**, services, equipment or facilities, including a **restaurant**, normally incidental to such accommodation. A tourist resort does not include a **dwelling unit** except for one **dwelling unit** for the owner or operator, or staff quarters that are **accessory** to the **principal use**.

Trailer means any vehicle that is at any time drawn upon a highway by a **motor vehicle** and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn, except when used on a farm, another **motor vehicle** or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway.

Transportation Terminal means **premises** for storing, parking or dispatching of buses, trucks, tractors, **trailers**, or other **commercial vehicles** and may include **accessory** servicing or repair within an enclosed **building**, but excludes **recreational vehicle storage**.

U

Use means, when used as a noun, the purpose for which a **lot** or **building** or **structure**, or any combination thereof is designed, arranged, intended, occupied or maintained and "uses" shall have corresponding meanings.

V

Value-Added Farm Use : means any activity or process that is completed by the farm operator, which alters the original agricultural product or commodity grown on site and may be supplemented by off-farm inputs, and may include bagging, packaging, grain drying and milling, bio-product production, bundling, pre-cutting, cooking and baking activities.

Value-Retaining Farm Use means a **use** that serves to maintain the quality of agricultural commodities (i.e., prevent spoilage) to ensure they remain saleable, or that provides a minimum amount of processing to make the agricultural commodities produced on that farm saleable.

Vulnerable Area means **wellhead protection areas** and **intake protection zones** around **municipal drinking water sources** where activities may be a **significant drinking water threat** now or in the future.

W

Warehouse means a **building, including self-storage units, used** for the storage and distribution of goods and equipment but shall not include a **retail** store.

Waste Disposal Site means, within the meaning of Part V of the *Environmental Protection Act*, as amended:

- a) Any land upon, into, in or through which, or **building** or **structure** in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed, and
- b) Any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing referred to in clause a).

Waste Storage Enclosure means an area of land used in conjunction with a **use** on the **lot** to store waste in bins or other receptacles.

Waste Transfer Station means a **premises** for the temporary storage of garbage and waste materials awaiting transfer to a permanent **waste disposal site**.

Waterbody means a body of water or the natural channel for a permanent or intermittent stream of water, including a river, spring, stream or lake, and which may include a **navigable waterway**.

Watercraft means a boat or other vessel that travels on or in water.

Water Setback means the horizontal distance from the **high-water mark** of a **waterbody** to the **building line** of any **building, structure, septic system** or **outside storage use** on the **lot**.

Wayside Pit and Quarry means a temporary pit or quarry opened and used by a **public authority** solely for the purpose of a particular project or contract of road construction and not located on the road right of way.

Wellhead Protection Area means the **vulnerable area** delineated around groundwater wells. The delineation helps to identify the length of time it

would take most contaminants to travel from the location of a spill or leak to the associated well.

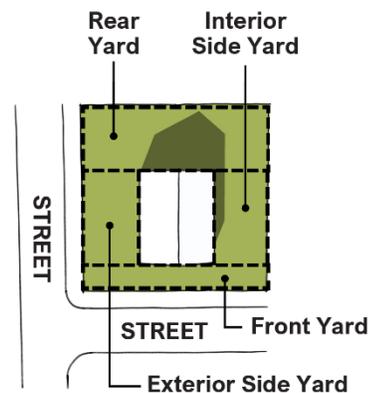
- a) WHPA-A: The area within a 100.0 m radius from a wellhead, considered the most **vulnerable area** for groundwater intakes.
- b) WHPA-B: The area within which the time to travel to the well (within the aquifer) is up to and including 2 years.
- c) WHPA-C: The area within which the time to travel to the well (within the aquifer) is up to and including 5 years.
- d) WHPA-D: The area within which the time to travel to the well (within the aquifer) is up to and including 25 years.
- e) WHPA-E: A well that is influenced by surface water and is referred to as groundwater under direct influence of surface water.

X

Y

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

Yard, Exterior Side means the **side yard** of a **corner lot** which extends from the **front yard** to the **rear yard** between the **exterior lot line** and the nearest **building line** of any **main building** or **structure**. The minimum **exterior side yard** means the minimum depth of an **exterior side yard** on a **lot** between the **exterior side lot line** and the nearest **building line** of any **main building** or **structure** on the **lot**.



Yard, Front means a **yard** extending across the full width of a **lot** between the **front lot line** and the nearest **building line** of any **building** or **structure** on the **lot**. The minimum **front yard** means the minimum depth of a **front yard** on a **lot** between the **front lot line** and the nearest **building line** of any **main building** or **structure** on the **lot**.

Yard, Rear means a **yard** extending across the full width of a **lot** between the **rear lot line** and the nearest **building line** of any **building** or **structure** on the **lot**. The minimum **rear yard** means the minimum depth of a **rear yard** on a **lot** between the **rear lot line** and the nearest **building line** of any **main building** or **structure** on the **lot**.

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

Yard, Side means a **yard** extending from the **front yard** to the **rear yard** of a **lot** between a **side lot line** and the nearest **building line** of any **building** or **structure** on the **lot**. The minimum **side yard** means the minimum width of a **side yard** on a **lot** between a **side lot line** and the nearest **building line** of any **main building** or **structure** on the **lot**.

Z

Zone means a designated area of land **use** shown on Schedule “A” and established and designated by this By-law for the purposes of a specific **use** or **uses** that are **erected** and maintained in accordance with the provisions of this By-law.

Zone Boundary means the spatial extent of a **zone**, as shown on Schedule “A” of this By-law.



4.0 General Provisions

4.1 Accessory Uses, Buildings and Structures

4.1.1 General

- .1 Where this By-law provides for a permitted **use**, that **use** shall include any **accessory uses, buildings, or structures**.
- .2 The following **uses** of an **accessory building** or **structure** shall be prohibited, unless otherwise expressly permitted by this By-law:
 - .a The **use** of an **accessory building** or **structure** for human habitation; and
 - .b The **use** of an **accessory building** or **structure** to a **dwelling** for gain or for profit.
- .3 A **building** or **structure** shall not be interpreted as an **accessory building** or **structure** if it is **attached** to the **principal building**. Without limiting the scope of the foregoing statement, an **attached private garage** is not considered an **accessory building** and is not subject to the requirements of this Section.
- .4 An **accessory building** or **structure** shall not be permitted to be **erected** or **used** prior to the issuance of a building permit by the **Municipality** that authorizes construction of the **principal building** to which it is **accessory**, except for the following:
 - .a A fully enclosed shed not exceeding 15.0 m² in total **floor area**.
 - .b A **dock** on a **lot** accessible only by water.
- .5 In any Residential **zone**, the maximum number of **accessory buildings** and **shipping containers** shall be limited to three (3) in total. For the purposes of clarity, this provision shall only apply to **buildings** and not **structures**, as defined by this By-law.
- .6 Notwithstanding subsection .5, a detached **private garage** or **carport** shall be permitted as an additional **accessory building** where there is no **attached private garage** on a **lot**.

4.1.2 Uses Permitted During Construction

- .1 On a vacant **lot** within an Agriculture or Residential **zone** where a building permit for a **principal dwelling unit** has

been issued, a maximum of one **mobile home, recreational vehicle, or tourist trailer** may be **used** for human habitation for a maximum period of one (1) year or until the sooner of:

- .a the issuance of an occupancy permit; or
- .b the expiration of the building permit.

4.1.3 Location of Accessory Uses, Buildings, and Structures

- .1 In any **zone**, the minimum distance between an **accessory building or structure** and the **principal building(s)** on a lot shall be 1.8 m.
- .2 The minimum separation distance between two **accessory structures used for mobile home park accessory uses** shall be 1.0 m.
- .3 Where a lot abuts a **navigable waterway**, a **private garage** shall be permitted between the **principal building** on the lot and the **street line**, provided such **private garage** complies with the **front yard setback** of the applicable **zone**.
- .4 Notwithstanding subsection .3, detached **private garages** or **boathouses** that share a common wall and are attached can be **erected** on the common **lot line** between two **lots**.
- .5 In any Residential **zone**, the following requirements shall apply with respect to the location of **accessory buildings or structures**:
 - .a An **accessory building or structure** shall only be located in an **interior side yard** or **rear yard**.
 - .b An **accessory building or structure** shall not be located closer than 1.0 m to the **interior side lot line** or **rear lot line**.
 - .c An **accessory building or structure** shall not be located closer to a **front lot line** or an **exterior side lot line** than the **principal building** on the lot, except where explicitly permitted by this By-law.
- .6 In all **zones** other than a Residential **zone**, the following requirements shall apply:
 - .a An **accessory building or structure** shall be subject to the minimum **yard** requirements for the **principal building**, as indicated in the applicable **zone**.
 - .b An **accessory building or structure** shall not be located closer to a **front lot line** or an **exterior side lot line** than the **principal building** on the lot, except where explicitly permitted in this By-law. This provision shall not apply in any Agriculture **zone**.

- .7 Notwithstanding sub-section .4 and .5, where a **principal dwelling** in a Residential **zone** has a **front yard setback** greater than 45.0 m, a maximum of one **accessory building** or **structure** may be located closer to a **front lot line** than the **principal building**, provided the minimum **front yard setback** of the applicable **zone** is met for the **accessory building** or **structure**.

4.1.4 Lot Coverage and Height

- .1 The maximum **lot coverage** of all **accessory buildings and structures** shall not exceed 10% of the total **lot area** or 225.0 m², whichever is less.
- .2 Except as provided by Section 4.13, the **height** of an **accessory building** or **structure**, in a Residential **zone** or in conjunction with a residential **use**, shall not exceed 5.0 m.
- .3 In all other **zones**, the maximum **height** of any **accessory building** or **structure** shall be the maximum **height** permitted in the applicable **zone**.

4.1.5 Permitted Encroachments into Minimum Required Yards

- .1 Unless otherwise expressly required by this By-law, no portion of any minimum required **yard** shall be permitted to be encroached or otherwise obstructed by any **building, structure**, or feature or part thereof except in accordance with Table 4-1. Where a type of minimum required **yard** is not identified in Column 2 of Table 4-1, an encroachment is not permitted in that **yard**.
- .2 Unless otherwise expressly permitted by this By-law, a minimum distance of 0.6 m shall be required from any permitted encroachment to the nearest **lot line**.

The intent of this section is to provide some flexibility for structures and features that are both common and incidental to a range of land uses and buildings without having to amend or seek variance from the requirements of this By-law.

Table 4-1: Permitted Yard and Setback Encroachments		
Building, Structure, or Feature	Yard	Permitted Encroachment into a Minimum Required Yard
Architectural elements including sills, belt courses, cornices, chimney breasts, bay windows, cantilevered floor areas, dormers, pilasters or parapets	Any minimum required yard	0.7 m
Balconies, canopies, unenclosed porches or decks, steps or patios, with a floor height of 1.2 m or	Front yard, rear yard, and exterior side yard	1.5 m

Table 4-1: Permitted Yard and Setback Encroachments		
Building, Structure, or Feature	Yard	Permitted Encroachment into a Minimum Required Yard
less as measured from any point from finished grade	Interior side yard	1.5 m, but no closer than 1.5 m from the interior side lot line
Barrier-free ramp or wheelchair lift	Any minimum required yard	Up to 0.0 m from any lot line
Eaves, eavestroughs, and gutters	Any minimum required yard	0.6 m
Rain barrels and cisterns	Any minimum required yard	1.5 m
Unenclosed Emergency Escape	Any minimum required yard	1.5 m
Sewage leaching bed or sewage system shed	Any minimum required yard , excluding any minimum water setback	Up to 1.0 m from any lot line
Outdoor patio	Front yard, rear yard or exterior side yard	Up to 0.0 m from the front lot line or exterior lot line

- .3 Notwithstanding the **yard** and **setback** provisions of this By-law, drop awnings, clothes poles, flag poles, garden trellises, fences, retaining walls, satellite dishes, **signs erected** in accordance with the provisions of the **Municipality's** By-law regulating **signs**, or other similar **accessory structures** and vegetation shall be permitted in any minimum required **yard** or in the area between the road or **street line** and the required **setback** and in compliance with Section 4.32 of this By-law.

4.1.6 Private Cabins

Where permitted by this By-law, a **private cabin** shall be subject to the following provisions:

- .1 A **private cabin** shall be limited to a maximum **floor area** of 30.0 m².
- .2 A maximum of one **private cabin** shall be permitted on a **lot**.
- .3 A **private cabin** shall only be permitted on a **lot** which conforms to the requirements of the applicable **zone** for minimum **lot area** and minimum **lot frontage**.
- .4 A **private cabin** shall be subject to the minimum **front yard, rear yard, and side yard setbacks** of the applicable **zone**.

4.1.7 Recreational Vehicles

- .1 **Recreational vehicles** used as seasonal **dwelling**s are not permitted, unless otherwise permitted by this By-law.
- .2 Where permitted by this By-law, a deck and/or enclosed **structure** may be added to a **recreational vehicle** within a **campground**, provided:
 - .a The area of land **used** by the **recreational vehicle** is not increased by more than 30.0 m²;
 - .b The deck and/or enclosed **structure** does not extend beyond the dimensions of the longest walls of the **existing recreational vehicle**;
 - .c The deck and/or enclosed **structure** does not extend more than 3.0 m from the **recreational vehicle**; and
 - .d The deck and/or enclosed **structure** does not exceed the **height** of the **recreational vehicle** by more than 0.3 m.

4.1.8 Accessory Dwelling Units (Non-Residential)

Where permitted by this By-law, an **accessory dwelling unit** shall be subject to the following provisions:

- .1 A maximum of one **accessory dwelling unit** shall be permitted per **lot**.
- .2 **Services** shall be shared with the **main building** on the **lot**.
- .3 An **accessory dwelling unit** shall be permitted in a separate **accessory building**, including a **mobile home**, provided that:
 - .a The **building** shall be located no closer than 3.0 m to any other non-residential **building** on the **lot**.
 - .b The **building** shall be located in accordance with the setback requirements for the **main building** on the **lot**, as established in the **zone** provisions.
- .4 An **accessory dwelling unit** shall be permitted as part of the **main building** on the **lot**, provided that the **accessory dwelling unit** shall be located either on the second **storey** of the **main building**, or at the rear of such **building** if the **accessory dwelling unit** is located within the first **storey**.
- .5 The **accessory dwelling unit** shall have an independent **building** entrance that is separate from the **building** entrance provided for the non-residential **use**.

Accessory dwelling units are dwelling units that are associated with a non-residential use. For example, this may include a dwelling associated with the caretaker of a place of worship.

- .6 The **gross floor area** of the **accessory dwelling unit** shall not exceed 50% of the **gross floor area** of all other non-residential **uses** on the **lot**.
- .7 The **accessory dwelling unit** shall have a separate **parking space** as provided in parking requirements of Section 5.
- .8 An **accessory dwelling unit** shall not be permitted on the same **lot** as a **motor vehicle service station** or **motor vehicle body repair use**.
- .9 A maximum of one **accessory dwelling unit** to a **place of worship** shall be permitted on the same **lot** as the **principal use**.

4.1.9 Accessory Shoreline Structures

- .1 **Shoreline structures** are permitted as **accessory structures** to the **principal use** located on a **lot** with frontage on a **waterbody**.
- .2 **Shoreline structures** are permitted to be **erected** in the required **yard** located between the **shore lot line** and the **main building**.
- .3 A **boathouse** or **dock** located within the minimum **water setback**, including any boat launching ramp or boat rail system, shall not be permitted to project beyond the **shore lot line** if such projection will obstruct or interfere with access to the water from an adjacent **lot**.
- .4 Notwithstanding any other **yard** or **setback** provisions of this By-law, a **boathouse** or **dock** may not be **erected** any closer than 4.0 m from any **side lot line** or projection of said **lot line** into the **waterbody**.
- .5 A **boathouse** shall be subject to the following provisions:
 - .a Notwithstanding any other provision of this By-law, a **boathouse** shall be provided in accordance with **Table 4-2**.

Table 4-2: Boathouse Regulations	
Lot Frontage	Maximum Boathouse Width
< 45 m	4.5 m
≥ 46 m – 60 m	7.5 m
≥ 61 m	9.0 m

- .b A **boathouse** shall only be permitted where a **lot** abuts a **navigable waterway**.
- .c A maximum of one (1) **boathouse** is permitted on a **lot**.

- .d A **boathouse** may include a flat roof used as a private open sitting area provided it does not extend beyond the walls of the **boathouse** and does not include any other walls or other **structures**.
 - .e The maximum **height** of a **boathouse** shall be 4.5 m. For the purposes of determining the **height** of a **boathouse**, the **finished grade** shall be the **high-water mark** for the adjacent **waterbody**.
 - .f Notwithstanding subsection .3, a **boathouse** shall not be **erected** such that any portion of it extends beyond the **high-water mark**, on any **lot** with a **shore lot line** abutting Four Mile Lake.
- .6 A **pump house** may be **erected** and **used** in the required **yard** of a **lot** abutting a **shore lot line** provided it complies with the minimum required **side yard**. A free-standing **pump house** shall not exceed a **height** of 2.0 m or an area of 9.0 m².

An open sitting area located on the roof of a boathouse is not included in the height of a boathouse, provided it does not contain any other walls or structures.

4.1.10 Shipping Containers

Where permitted by this By-law, a **shipping container** shall be in accordance with the following provisions:

- .1 A **shipping container** shall be considered a detached **accessory structure** and subject to all requirements for **accessory buildings** and **structures** as set out in Section 4.1, except as provided by this Section.
- .2 Notwithstanding Section 4.1.3.5 and Section 4.1.3.6, a **shipping container** shall be located a minimum distance of 10.0 m from any **lot line** abutting a Residential or Future Development **zone** or any **lot** used for a residential **use**.
- .3 In **zones** other than Agriculture, Agriculture Related and Agriculture Consolidation, the maximum number of **shipping containers** on a **lot** shall be 2.
- .4 On lands in any Agriculture **zone**, a **shipping container** shall be subject to the following additional requirements:
 - .a A **shipping container** shall only be permitted where the minimum **lot area** is 0.4 ha or greater.
 - .b A **shipping container** shall not be located closer to a **front lot line** or an **exterior side lot line** than the **principal building** closest to the **street line** on the **lot**.
- .5 Notwithstanding any other provision of this By-law, **shipping containers** may be temporarily placed on a **lot** in any **zone**:

- .a For a period of not more than 10 days for loading and unloading of the **shipping container**.
- .b For a period of not more than 1-year for the storage of supplies and equipment during construction for which a building permit has been issued by the **Municipality**.

4.2 Additional Residential Dwelling Units

Where permitted by this By-law, an **additional residential dwelling unit** shall be in accordance with the following provisions:

- .1 A maximum of two **additional residential dwelling units** shall be permitted per **lot**.
 - .a A maximum of two **additional residential dwelling units** shall be permitted within a **principal dwelling unit** provided that an **additional residential dwelling unit** in a detached **accessory building or structure** is not provided on the same **lot**.
 - .b A maximum of one **additional residential dwelling unit** shall be permitted in a detached **accessory building or structure**.
 - .c An **additional residential dwelling unit** in a detached **accessory building or structure** shall not be permitted on the same **lot** where two **additional residential dwelling units** are located within the **principal dwelling unit**.
- .2 An **additional residential dwelling unit** within a detached **accessory building or structure** shall not be permitted where a **garden suite** is existing or approved on a **lot** through a Temporary Use By-law.
- .3 An **additional residential dwelling unit** shall be in accordance with parking requirements of Section 5 of this By-law.
- .4 An **additional residential dwelling unit** located in an **accessory building or structure** shall be in accordance with the provisions for **accessory buildings or structures** contained in this By-law. Notwithstanding these requirements, an **accessory building or structure** containing an **additional residential dwelling unit** located on an upper **storey** shall have a maximum **height** of 10.0 m and be **erected** no closer than 1.2 m to the **side lot line** and **rear lot line**.
- .5 A **mobile home** may be **used** as an **additional residential dwelling unit**.

Additional residential dwelling units are dwelling units that are associated with a primary residential dwelling unit on a lot.

- .6 An **additional residential dwelling unit** shall only be permitted on a **lot** that has frontage on an **improved public street**, maintained year-round.
- .7 An **additional residential dwelling unit** shall only be permitted on a **lot** with a minimum **lot area** of 0.4 ha where only **private services** are available.
- .8 The **floor area** of an **additional residential dwelling unit** shall be equal to, or less than, the **floor area**, excluding **attached private garage**, of the **principal dwelling unit** without any modification to the bulk or massing of the **building**.
- .9 An **additional residential dwelling unit** within a **principal dwelling unit** shall not be permitted on a **lot** which contains an **existing bed and breakfast**. For clarity, an **additional residential dwelling unit** within a detached **building** or **structure** shall be permitted on a **lot** which contains an **existing bed and breakfast**.
- .10 An **additional residential dwelling unit** or any part thereof shall not be permitted within the Environmental Protection (EP) **zone**, floodplain, or minimum **water setback**.
- .11 An **additional residential dwelling unit** shall be accessed from the **street** via a **driveway** or by a **hard landscaping** surface walkway.
- .12 An **additional residential dwelling unit** shall comply with the provisions of the Ontario Building Code, Fire Code, and all other relevant Municipal and provincial standards.
- .13 An **additional residential dwelling unit** shall be registered in accordance with the **Municipality's** Additional Residential Dwelling Unit By-law.

4.3 At Capacity Lakes

- .1 Notwithstanding the minimum **water setback** provisions of this By-law, where a **lot** abuts an **at capacity lake** the minimum **water setback** shall be 300.0 m.
- .2 For the purposes of this By-law, **at capacity lakes** include:
 - .a Big Trout Lake (Longford)
 - .b Crotchet Lake (Longford)
 - .c Rainy Lake (Longford)
- .3 A **boathouse** shall be prohibited on **at capacity lakes**.

4.4 Bed and Breakfasts

Where permitted by this By-law, a **bed and breakfast** shall be subject to the following provisions:

- .1 A **bed and breakfast** shall only be permitted in a **single detached dwelling**.
- .2 The **bed and breakfast** shall be operated by the **person** or **persons** whose **principal** residence is in the **single detached dwelling**.
- .3 Parking shall be provided in accordance with Section 5.
- .4 A **bed and breakfast** shall be limited to a maximum of five (5) guest rooms.

4.5 Cannabis Production and Processing Facilities

Where permitted by this By-law, a **cannabis production and processing facility** shall be subject to the following provisions:

- .1 A **cannabis production and processing facility** shall comply with all regulations prescribed within the **zones** where the **use** is permitted.
- .2 A **cannabis production and processing facility** equipped with **air filtration control** shall not be located closer than 70.0 m to a **sensitive land use**.
- .3 A **cannabis production and processing facility** without **air filtration control** shall not be located closer than 300.0 m to a **sensitive land use**.
- .4 Notwithstanding any other provision of this By-law, the minimum setback required by subsection .2 and .3 shall be measured from the **building line** or crop line of the **cannabis production and processing facility** to the nearest **building line** of the **sensitive land use**.

4.6 Conservation Authority Regulated Area & Burnt River Flood Plain

4.6.1 Conservation Authority Regulated Area

- .1 Lands within the Regulated Area as shown on Schedule “A” shall be subject to the following:

- .a Any lands located within the Regulated Area as shown on Schedule “A” shall be subject to the regulation of the applicable **Conservation Authority** under Section 28 of the *Conservation Authorities Act*, as amended, for any **development** (including site alteration), any interference with wetlands, and alterations to **shore lot lines and waterbodies**.
 - .b The Regulated Area may differ from those lands shown on Schedule “A”, as the boundaries may be subject to change. Where there is conflict between this By-law and the description of the regulated areas in the text of the regulation, the description of the areas in the regulation shall prevail. Where there is conflict between the boundaries of the Regulated Area identified in this By-law and the boundaries determined by the **Conservation Authority**, the boundaries of the Regulated Area shall be determined by the **Conservation Authority**.
 - .c Development as defined in the *Conservation Authorities Act* within the Regulated Area as shown on Schedule “A” is subject to Conservation Authority review and may require a permit pursuant to the **Conservation Authority’s** regulation, prior to any works taking place.
- .2 The following **uses** shall be prohibited in lands identified as **hazardous lands**, as determined by the **Municipality** in consultation with the **Conservation Authority**:
- .a Community **uses**, including a **home-based day care, day care centre, long-term care home, and private school or public school**;
 - .b **Additional residential dwelling units**;
 - .c **Emergency services** and electrical substations; and,
 - .d **Uses** associated with the disposal, manufacture, treatment or storage of hazardous substances.

4.6.2 Burnt River Flood Plain

Where a **lot** is within the Regulatory Floodline shown on Schedule “C” of this By-law, the land has been identified as being susceptible to flooding during a Regulatory Flood, and the following provisions apply:

- .1 The floodline cross-section for each **lot** affected as shown on Schedule “C” is listed in Appendix “1”. Appendix “1” provides the expected Level of Flooding (FDR Elev.) during a Regulatory Flood expressed in metres above sea level based on the Canadian Geodetic Datum.
- .2 No new **buildings** or **structures** shall be **erected** where any **building line** or **building** foundation will be subject to more than 0.3 m of flooding above finished grade at the **building** or **structure** based upon the level of flooding identified on Appendix “1” unless the **building** or **structure** is designed by a Professional Engineer or Architect and certified as being capable of withstanding the hydrostatic pressures created by Level of Flooding identified for each **lot** on Appendix “1”. The Province must issue a letter confirming that they concur with the Engineer or Architect before a building permit will be issued. If the Ministry does not respond in writing within 30 days from being requested to respond, then it will be taken that the Ministry concurs with the Engineer's or Architect's opinion.
- .3 The extension or **enlargement** of **existing buildings** or **structures** is permitted provided that such extensions or **enlargements** are not over 18.0 m² in **floor area**. In addition, such **enlargements** or extensions shall be located on the downstream side (based on the flow of the Burnt River) of the **existing building** or **structure** unless such location contravenes any other applicable **zone** requirement and no **building** openings, being windows or doors, shall be installed below the Level of Flooding identified for each **lot** as shown on Appendix “1” plus 0.3 m. Such extensions or **enlargements** are based on the **building** or **structure** as it existed on June 27, 1994.
- .4 The following **uses** shall be prohibited in lands identified within regulatory floodline on Schedule “C”:
 - .a Community **uses**, including a **home-based day care, day care centre, long-term care home, and private school** or **public school**;
 - .b **Additional residential dwelling units**;
 - .c **Emergency services** and electrical substations; and,
 - .d **Uses** associated with the disposal, manufacture, treatment or storage of hazardous substances.

4.7 Community Gardens

Where permitted by this By-law, a **community garden** shall be subject to the following provisions:

- .1 The number of **buildings** and enclosed **structures** associated with the **community garden** shall be limited to 2 and shall include only a maximum of one **accessory** storage shed and a maximum of one **accessory** greenhouse.
- .2 The maximum combined **gross floor area** of all permitted **buildings** and enclosed **structures** shall be 70.0 m².
- .3 All **buildings** and **structures** associated with the **community garden** shall be subject to the **yard** requirements for **main buildings** in accordance with the applicable **zone** provisions, except that:
 - .a In no case shall a **building** or an enclosed **structure** be located closer than 3.0 m to any **lot line**.
 - .b In no case shall a **building** or **structure** be greater than 4.0 m in **height**.

4.8 Dog Kennels

Where permitted by this By-law, a **dog kennel** shall be subject to the following provisions:

- .1 A **dog kennel** shall only be permitted on a **lot** having a **lot area** of 2.0 ha or greater.
- .2 Any portion of a **dog kennel** shall be located a minimum 150.0 m from a **dwelling unit** located on a separate **lot**.
- .3 The portion of the **lot** used for **dog kennel** purposes shall be fenced from adjoining **lots**.
- .4 A **dog kennel** shall be subject to the City of Kawartha Lakes Kennel Licensing By-law.

4.9 Drive-Throughs

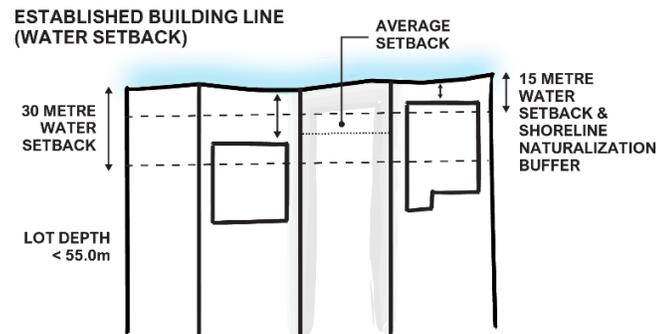
Where permitted by this By-law, a **drive-through** shall be subject to the following provisions:

- .1 A **drive-through** shall include a minimum of 10 designated **stacking spaces** for a **drive-through** associated with a **restaurant**, and a minimum of 3 designated **stacking spaces** for a **drive-through** associated with any other **use**.
- .2 A **stacking space** shall be a minimum of 5.5 m in length and 3.0 m in width.
- .3 **Stacking spaces** shall not be included in the calculation of required parking and shall not be located within any **street**, **parking aisle**, **loading space**, or **driveway**.

- .4 A **stacking lane** shall not be permitted within 15.0 m of a Residential or Future Development **zone**.

4.10 Established Building Line

- .1 Notwithstanding the minimum **front yard** provisions of this By-law, where a permitted **building** is to be **erected** on a **lot**, where there is an **existing building** on either side of the **lot**, such permitted **building** may be **erected** closer to the **street line** than required by this By-law provided such permitted **building** is not **erected** closer to the **street line** than the **established building line**. This provision does not apply to any **lot** abutting a **waterbody**.
- .2 Notwithstanding the minimum **water setback** provisions of this By-law and subsection .1, for lots which abut a **waterbody**:
- .a Where a permitted **building** is to be **erected** or **enlarged** on a **lot** abutting a **waterbody** where there is an **existing building** on either side of the **lot**, such **building** may encroach into the minimum **water setback** provided such **building** is not **erected** or **enlarged** closer to the **shore lot line** than the **established building line**.
- .b Where a **building** is **erected** in accordance with an **established building line** and the setback is between 15.0 m and 30.0 m from the **high-water mark**, a 15.0 m **shoreline naturalization buffer** shall be provided in accordance with Section 4.32.
- .c In no case shall a new **building** be **erected** closer than 15.0 m from the **high-water mark** on a **lot**.
- .d The above provisions shall not apply to **lots** where the **lot depth** is greater than 55.0 m.
- .3 Where a **lot** fronts onto a Provincial Highway, the provisions of Section 4.10.1 and 4.10.2 shall not apply unless the **lot** is located within a Commercial General (CG) **zone**.



4.11 Frontage on an Improved Public Street

- .1 In addition to all other provisions of this By-law, no **person** shall be permitted to **erect** any **building** or **structure** on any **lot** in any **zone** unless the **lot** has frontage on an **improved public street**.

- .2 Notwithstanding Section 4.11.1, a **building** or **structure** may be **erected** and **used** on the following **lots** which do not have **lot frontage** on an **improved public street**:
 - .a An **island lot** or water access **lot** in a Residential **zone** category;
 - .b An **lot** within a registered plan of subdivision in which the **street** has not been assumed by the Municipality but in which the **street** is to be assumed under the terms of a subdivision agreement; and
 - .c An **lot** with access by way of a legal private right-of-way.

4.12 Garden Suites

A **garden suite** may only be permitted as an **accessory use** in any Residential or Agriculture **zone** by way of a Temporary Use By-law pursuant to Section 39 of the *Planning Act*, and in accordance with the following provisions:

- .1 A **garden suite** shall only be established for a maximum duration of 20 years, calculated from the date of issuance of a building permit.
- .2 A maximum of one **garden suite** shall be permitted on a **lot**.
- .3 A **garden suite** shall be located on the same **lot** as a **principal single detached dwelling**.
- .4 The maximum floor area of a **garden suite** shall not exceed 70.0 m².
- .5 A **garden suite** shall only be permitted on a **lot** which has frontage on an **improved public street**.
- .6 **Services** shall be shared with the **principal dwelling** on the **lot**.
- .7 Parking shall be provided in accordance with the provisions of this By-law.

4.13 Height Exceptions

- .1 The **height** requirements of this By-law shall not apply to the following **structures**:
 - .a a flagpole;
 - .b an air conditioner duct;
 - .c a belfry;
 - .d a clock tower;
 - .e a chimney;

- .f ornamental architectural features, such as but not limited to, cupolas, dormers, skylights, and weathervanes;
 - .g a barn for a permitted **agriculture use**;
 - .h an elevator equipment room or rooftop mechanical equipment;
 - .i a grain elevator, silo, grain bin, fertilizer tower, or other **accessory structures** related to an **agriculture use**;
 - .j a light standard;
 - .k a radio, communications, meteorological, or television tower or antenna;
 - .l a spire or steeple associated with a **place of worship**;
 - .m a water tank or water tower; and,
 - .n a wind turbine **used** within an Agriculture **zone**.
- .2 A roof-mounted **solar energy device** shall be permitted to exceed the maximum **height** required in any **zone** by 0.30 m. For clarity, a ground-mounted **solar energy device** shall comply with the requirements for **accessory buildings** and **structures**.
- .3 A wind turbine within any **zone**, except an Agriculture **zone**, shall be subject to the provisions for **accessory structures**.

4.14 Home Industries

Where permitted by this By-law, a **home industry** shall be subject to the following provisions:

- .1 A **home industry** shall include the following **uses**:
 - .a **Artisan studio**;
 - .b Carpentry and woodworking shop;
 - .c Machine shop;
 - .d Welding;
 - .e Repair shop for appliances and vehicles; and
 - .f Electrical, plumbing and building contractor shops.
- .2 In addition to those **uses** permitted under .1 above, a sawmill shall be permitted where a **home industry** is **accessory** to a **principal agriculture use**.
- .3 A **home industry** shall be wholly located within an **accessory building** or **structure**.
- .4 A **home industry** shall not be permitted on a **lot** abutting a **waterbody**.

- .5 **Parking spaces** shall be provided in accordance with Section 5 of this By-law.
- .6 A **home industry** shall have a maximum of three employees, where at least the owner shall be a resident of the **principal dwelling unit**.
- .7 An **accessory building or structure used** for a **home industry** shall be subject to the general provisions for **accessory buildings and structures** of this By-law.
- .8 A **home industry** shall have a maximum **gross floor area** equal to 2% of the **lot area** or 80.0 m², whichever is less.
- .9 Advertising or **signs** shall not be permitted to be displayed on a **lot**, except in accordance with the **Municipality's** Signage By-law where it relates specifically to **home industries**.
- .10 **Outside storage** and an outdoor display area **accessory** to a **home industry** shall be prohibited.
- .11 A **home industry** that includes an **obnoxious use** shall be prohibited.

4.15 Home Occupations

Where permitted by this By-law, a **home occupation** shall be subject to the following provisions:

- .1 A **home occupation** shall include but is not limited to the following **uses**:
 - .a **Artisan studio**;
 - .b **Drugless practitioner**;
 - .c **Home-based day care**;
 - .d **Personal service**;
 - .e **Home-based food processing**;
 - .f **Office**; and,
 - .g Instruction, including personal fitness, music, dance, tutoring, cooking, and similar activities.
- .2 The following **uses** are prohibited as a **home occupation**:
 - .a Sale and servicing of **motor vehicles, recreational vehicles**, or any motorized equipment; and
 - .b **Retail**, excluding sales of any service-related products produced or repaired on site;
- .3 The **home occupation** shall employ at least one (1) individual who resides in the **dwelling unit** and shall not employ more than one (1) other individual who does not reside in the **dwelling unit**.

- .4 A **home occupation** shall have a maximum **gross floor area** equal to 25% of the **gross floor area** of the **dwelling unit** or 45.0 m², whichever is less.
- .5 An **accessory building or structure**, or any part thereof, shall not be **used** for a **home occupation**. However, an **attached private garage** shall be permitted to be **used** for a **home occupation**, provided that the minimum number of **parking spaces** as required by this By-law are complied with.
- .6 **Parking spaces** shall be provided in accordance with Section 5 of this By-law.
- .7 **Outside storage** of goods or materials associated with the **home occupation** is prohibited.
- .8 Advertising or **signs** shall not be permitted to be displayed on a **lot**, except in accordance with the **Municipality's** Signage By-law where it relates specifically to **home occupations**. For clarity, illuminated **signs**, or **signs** greater than 0.5 m² in area shall not be permitted.
- .9 The **home occupation** shall not create or become a public nuisance due to noise, dust, traffic, or parking.

4.16 Hunt Camps

Where permitted by this By-law, a **hunt camp** shall be subject to the following provisions:

- .1 A **hunt camp** shall have a maximum **floor area** of 45 m².

4.17 Legal Non-Conformity and Legal Non-Compliance

4.17.1 Legal Non-Compliance

- .1 A **legal non-complying building or structure** may be **enlarged**, repaired, replaced, or renovated provided that:
 - .a The **use** is permitted by this By-law.
 - .b The **enlargement**, repair, replacement, or renovation does not further encroach into any minimum required **yard** or into a required **shoreline naturalization buffer** or **water setback**.
 - .c The **enlargement**, repair, replacement, or renovation does not cause non-compliance with any other provision of this By-law.
- .2 Notwithstanding Section 4.17.1.1, a **legal non-complying building** in a Residential or Agriculture **zone** shall be

“Legal non-compliance” occurs where the structure was legally built (or a lot was legally created) under the provisions of a former Zoning By-law, but this By-law has since changed. This By-law allows a legal non-complying structure to continue and also allows it to be enlarged/extended without requiring a minor variance or zoning by-law, provided certain conditions are met.

“Legal non-conformity” refers to situations where land or buildings are being used for a purpose which is no longer in compliance

permitted to be **enlarged** beyond the existing **height** by a maximum **height** of 1.2 m, provided the same does not increase the usable space of the **building** and does not allow for human habitation.

- .3 A **lot** in existence prior to the effective date of this By-law that does not meet the **lot area** and/or **lot frontage** requirements of the applicable **zone**, may be **used** and **buildings** thereon may be **erected, enlarged**, repaired, or renovated provided the **use** conforms with the By-law and the **buildings** and **structures** comply with the requirements of this By-law.
- .4 Where a **lot, building, structure** or required **parking space** is deemed to be deficient of any requirement of this By-law, and that deficiency is expressly the result of acquisition or expropriation of land by a **public authority**, the **lot, building, structure** or required **parking space** shall be deemed to comply with the requirements of this By-law.
- .5 Where a **lot** has less **lot area** and/or **lot frontage** than required by this By-law at the date of passing of this By-law and, as a result of a consent, is increased in size but continues to have less **lot area** and/or **lot frontage** than required herein, Section 4.17.1.4 shall continue to apply.

4.17.2 Legal Non-Conformity

- .1 Nothing in this By-law applies to prevent the **use** of any land, **building**, or **structure** for any purpose prohibited by this By-law if such land, **building**, or **structure** was lawfully **used** for such purpose on the effective date of this By-law, provided it continues to be **used** for that purpose.

4.18 Lindsay Airport Height Regulations

- .1 Notwithstanding any other **height** restrictions contained in this By-law, the erection of any **building** or **structure** in the overlay area shown on Schedule “A” may also be required to comply with the **height** regulations as prescribed by the Registered Zoning Regulations for the Lindsay Airport, as amended from time to time.

Please contact City Staff for more information regarding the Lindsay Airport Height Regulations.

4.19 Location Near a Railroad

- .1 No part of any **dwelling unit** shall be located closer than:
 - .a 9.0 m to any abandoned railroad right-of-way;
 - .b 30.0 m to any main line railroad right-of-way; or

- .c 15.0 m to any other railroad right-of-way.

4.20 Minimum Distance Separation – MDS I and II

4.20.1 MDS I – New Non-Farm Uses

- .1 Notwithstanding any other **yard** or **setback** provisions of this By-law, no Residential, Community Facility, Commercial, or Industrial **use**, located on a separate **lot** and permitted within an Agriculture **zone** or any **zone** in which **agriculture uses** are permitted, shall be **erected** or altered unless it complies with the Minimum Distance Separation One (MDS I) **setback** from a **livestock facility**. The MDS I setback shall be calculated using the formulae published by the Province, as may be amended from time to time.

4.20.2 MDS II – New or Expanding Livestock Facilities and Manure Storage Facilities

- .1 Notwithstanding any other **yard** and **setback** provisions of this By-law, no **livestock facility** shall be **erected** or **enlarged** on a **lot** except in accordance with the requirements of the Minimum Distance Separation Two (MDS II) setback, calculated using the formulas published by the Province, as may be amended from time to time.

4.21 Mobile Home Parks and Mobile Home Sites

Where permitted by this By-law, a **mobile home park** shall be in accordance with the following provisions:

- .1 Each **mobile home site** shall be clearly and permanently defined by stakes, fencing, or hedges and will be provided with a concrete apron or basement upon which the **mobile home** will be located.
- .2 Skirtings shall be provided to screen the undercarriages of all **mobile homes**.
- .3 A roadway with a minimum width of 7.5 m which provides access to every **mobile home site** shall be asphalted before being **used**.
- .4 The **mobile home park** shall be serviced by a municipal or communal water and sewage disposal system.
- .5 The **mobile home park** shall have only one communal antenna and no individual antennas.

4.22 Motor Vehicle Service Stations and Fuel Depots

Where permitted by this By-law, a **motor vehicle service station** and **fuel depot** shall be in accordance with the following provisions:

- .1 No portion of any fuel pump associated with a **motor vehicle service station** or **fuel depot** shall be located closer than 6.0 m from any front **lot line**, **exterior lot line**, or **sight triangle** and 12.0 m from any other **lot line**.
- .2 A weather canopy associated with the fuel pumps of a **motor vehicle service station** or **fuel depot** shall be permitted to encroach into the required minimum **front yard** and **exterior side yard** by up to 3.0 m.
- .3 The maximum width of a **driveway** at the **street line** shall be not more than 9.0 m and the minimum width not less than 7.5 m.
- .4 The minimum interior angle of a **driveway** to a **street line** shall be forty-five (45) degrees and the maximum interior angle of a **driveway** to a **street line** shall be ninety (90) degrees.
- .5 The minimum distance between access **driveways** shall be 9.0 m.
- .6 The area included between **driveways** or between **driveways** and a **street line** or any **lot line** as required by this By-law shall not be **used** for any purpose other than **landscaping**.
- .7 All other requirements of the applicable **zone** shall apply, including the required minimum required **yards**.

4.23 Number of Uses and Buildings on a Lot

- .1 Unless expressly prohibited by this By-law, more than one **building** shall be permitted on a **lot**, and each **building** shall be subject to all requirements of this By-law.
- .2 Any land or **building** may be **used** for more than one permitted **use**, provided that all provisions of this By-law relating to each **use** are complied with.
- .3 Not more than one **single detached dwelling** shall be **erected** on any **lot** unless otherwise explicitly permitted in accordance with the provisions of this By-law.

4.24 On-Farm Diversified Uses

4.24.1 General

Where permitted by this By-law, an **on-farm diversified use** shall be in accordance with the following provisions:

- .1 The **on-farm diversified use** is located on the same **lot accessory** to an **agriculture use**.
- .2 The **area of operation** for an **on-farm diversified use** shall not exceed a combined total of 1.0 ha (10,000 m²) or 2% of the **lot area** on which the **use** is proposed, whichever is less, provided that:
 - .a The maximum **gross floor area** of all **buildings and structures** shall be 20% of the **area of operation**.
 - .b In calculating the **area of operation**, 100% of the area needed for **parking spaces** and **outside storage** for the **on-farm diversified use** shall be included.
 - .c In calculating the **area of operation**, where an **on-farm diversified use uses** an **existing** access laneway, or **parking area**, the area of the laneway or **parking area** shall not be included.
- .3 All **outside storage** for an **on-farm diversified use** shall be in accordance with Section 4.27 of this By-law.
- .4 The total enclosed **gross floor area** of a **lot** devoted to **retail uses** shall not exceed 50% of the **floor area** of all **buildings and structures used** in conjunction with the **on-farm diversified use**. This provision shall not apply to a **farm produce outlet**.
- .5 The services required for the proposed **on-farm diversified use** are provided on the same **lot**, to the satisfaction of the **Municipality**.

4.24.2 Agri-Tourism Uses

Any **agri-tourism use** shall be subject to the following provisions, in addition to the requirements of Section 4.24.1:

- .1 An **agricultural event venue** that is not in accordance with the definition of an **agri-tourism use** or is intended to host events more than two (2) times per calendar year shall only be permitted on a temporary basis by way of a Temporary Use By-law pursuant to Section 39 of the *Planning Act*.

- .2 Lands **used** for **agriculture** and simultaneously **used** as part of the **agri-tourism use** shall not be included in the calculation of the **area of operation** in accordance with Section 4.24.1.2.

4.25 Outdoor Display Area

4.25.1 General

Where permitted by this By-law, an **outside display area** shall be in accordance with the following provisions:

- .1 The **outdoor display area** is **accessory** to a permitted **use** on a **lot**.
- .2 The **outdoor display area** shall be permitted in any **yard**, except an **interior side yard**.
- .3 The **outdoor display area** shall not exceed 20% of the **lot area**.
- .4 The **outdoor display area** shall not be located within:
 - .a A required **yard** or minimum **setback**;
 - .b A required **planting strip**;
 - .c A required **parking space** or **loading space**;
 - .d A **driveway** or **stacking lane**; or
 - .e A **sight triangle**.

4.25.2 Seasonal Outdoor Display Area

- .1 Notwithstanding Section 4.25.1.4, an **outdoor display area** operated on a seasonal basis for a period not exceeding 120 days during each calendar year may occupy up to 10% of the required **parking spaces**.

4.26 Outdoor Patios

Where permitted by this By-law, an **outdoor patio** shall be in accordance with the following provisions:

- .1 An **outdoor patio** shall not be permitted in any **yard** abutting a Residential **zone**.
- .2 The area **used** for an **outdoor patio** shall be included in the calculation of **lot coverage**.
- .3 Parking shall be provided for an **outdoor patio** in accordance with the provisions of Section 5 of this By-law.

- .4 Notwithstanding subsection .3, an **outdoor patio** that is operated on a seasonal basis for no longer than eight consecutive months within a calendar year shall not be required to provide additional parking above that required for the **principal use** on the **lot**.
- .5 Where an **outdoor patio** covers a portion of a **parking area**, it shall not result in a deficiency in meeting the minimum required parking for existing **uses** on the **lot**.

4.27 Outside Storage

Where permitted by this By-law, **outside storage** shall be in accordance with the following provisions:

- .1 **Outside storage** shall only be permitted as an **accessory use** where it is permitted by this By-law. For the purposes of clarity and without limiting the generality of the foregoing, **outside storage** shall not be permitted on a vacant **lot**.
- .2 **Outside storage** shall only be permitted within a **rear yard** and comply with the minimum **rear yard** and **exterior side yard** requirements.
- .3 **Outside storage** shall not be permitted closer than:
 - .a 5.0 m to an **interior side lot line** where the **lot line** abuts a **lot** within a Commercial, or Industrial **zone**;
 - .b 10.0 m of a **rear lot line** or **interior side lot line** of a **lot zoned** other than Agriculture, Commercial, or Industrial; or,
 - .c Within an Agriculture **zone**, 1.0 m to an **interior side lot line** where the **lot line** abuts a **lot** within an Agriculture **zone**.
- .4 **Outside storage** shall be subject to the maximum **lot coverage** requirements as set out in this By-law.
- .5 Where an **outside storage** area is visible from any **street**, any **lot** within a Residential or Future Development **zone** and/or **public park**, the **outside storage** area shall be screened by a visual screen containing an opaque fence, wall, or evergreen hedgerow not less than 2.0 m in **height**.
- .6 **Outside storage** shall not obstruct any required **loading space** or **parking aisle**.

4.28 Recreational Vehicle Park

Where permitted by this By-law, a **recreational vehicle park** shall be in accordance with the following provisions:

- .1 The **use** of a **recreational vehicle park** for permanent human habitation shall be prohibited in all **zones**.
- .2 Where permitted by this By-law, a **recreational vehicle park** shall be required to close and be vacated for a period not less than 60 consecutive days commencing January 1 of each calendar year.

4.29 Reduction of Rear Yard Requirements

- .1 Notwithstanding the minimum **rear yard** requirements in the Residential **zones**, where the **rear lot line** shares a common **lot line** with a public allowance which abuts a **waterbody** and the aforementioned allowance is not a **street**, then the minimum **rear yard** shall be 1.0 m.
- .2 Where the **rear lot line** of a **lot** adjoins any portion of a **lane**, one half of the width of that portion of such **lane** may be considered part of the **lot** for the purpose of calculating the **lot area** and the **rear yard** depth of the **lot**.

4.30 Relocated Buildings

- .1 In all **zones**, no **buildings** shall be moved within the **defined area** of this By-law or shall be moved into and placed within the limits of the **defined area** of this By-law without a permit from the Chief Building Official.

4.31 Seasonal Farm Help Dwellings

Where permitted by this By-law, a **seasonal farm help dwelling** shall be in accordance with the following provisions:

- .1 A **seasonal farm help dwelling** shall only be permitted as **accessory** to an **agriculture use**.
- .2 A **seasonal farm help dwelling** shall not be permitted within the same **building** or **structure used** to shelter livestock or farm animals.
- .3 Access to a **seasonal farm help dwelling** shall be from a shared **driveway**.

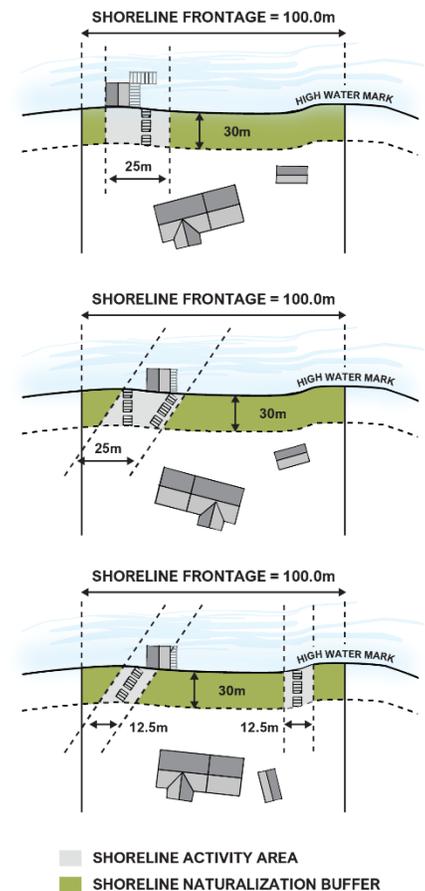
- .4 The maximum **floor area** of a **seasonal farm help dwelling** shall be 150.0 m².
- .5 A **garden suite, mobile home, or recreational vehicle** may be **used** for a **seasonal farm help dwelling**.
- .6 **Seasonal farm help dwellings** may be contained in more than one **building**. For clarity, **seasonal farm dwellings** may not exceed the maximum **floor area** set out in subsection .4.
- .7 A covenant shall be registered on title that the **building** will be **used** only for a **seasonal farm help dwelling**.
- .8 The **use** of a **seasonal farm help dwelling** shall not exceed ten months per seasonal worker in each calendar year.

4.32 Shoreline Naturalization and Setbacks

4.32.1 Shoreline Naturalization Buffer

Where required by this By-law, a **shoreline naturalization buffer** shall be maintained in accordance with the following provisions:

- .1 The **shoreline naturalization buffer** shall be maintained within the entirety of the minimum **water setback**.
- .2 No **building, structure, septic system, or use** shall be **erected, expanded, or otherwise altered** within a required **shoreline naturalization buffer** except in accordance with the provisions of this section.
- .3 A minimum of 90% of lands within the **shoreline naturalization buffer** shall consist of native vegetation and plant species. For clarity, within the remaining 10% of the **shoreline naturalization buffer**, minor encroachments such as a pedestrian pathway may be permitted.
- .4 Notwithstanding subsection .2, a portion of the **shoreline naturalization buffer** may be **used** for a **shoreline activity area**.
- .5 The maximum cumulative width of **shoreline activity areas** measured parallel to the shoreline shall not exceed the following:
 - .a 25% of the **shore lot line** to a maximum of 23.0 m within a Residential **zone**;
 - .b 33% of the **shore lot line** within the Commercial Recreation (CR) **zone**; or,
 - .c 50% of the **shore lot line** where a **marina** is the **principal use** of the **lot** within the Commercial Recreation (CR) **zone**.



4.32.2 Shoreline Setback Requirements

- .1 The minimum **water setback** for each **building, structure,** and **septic system** on a **lot** which are considered **legal non-complying**, excluding **shoreline structures**, shall be the existing **water setback** as of the day this By-law was passed, or a minimum of 15.0 m, whichever is greater.
- .2 A **building, structure,** and **septic system** having an **existing legal non-complying water setback** less than 15.0 m may be permitted to be replaced at the existing setback, subject to the following requirements:
 - .a The portion of a **building, structure,** or **septic system** which is setback less than 15.0 m from the **shore lot line** may only be replaced and no increase in the **gross floor area**, width, or **height**, or further encroachments within the **water setback** shall be permitted.
 - .b The portion of a **building, structure,** or **septic system** which is setback greater than 15.0 m from the **shore lot line** may only be **enlarged** in accordance with the provisions of subsection .3.
 - .c No portion of any enlargement shall be permitted to encroach further into the existing **legal non-complying water setback**.
- .3 A **building, structure,** and **septic system** having an **existing legal non-complying water setback** less than 30.0 m may be **enlarged**, repaired, replaced, or renovated at their existing **water setback** or a minimum of 15.0 m, whichever is greater, provided the following is complied with:
 - .a The additional **gross floor area** resulting from **enlargement**, extension, reconstruction, or alteration of the portion of a legally **existing** portion of a **building** or **structure** within 15.0 m and 30.0 m of the **high-water mark** shall not exceed 25% of the **gross floor area** of the portion of the existing **building** or **structure** within 15.0 m to 30.0 m of the **high-water mark**.
 - .b The **height** of the legally **existing building** or **structure** shall be permitted to increase by 1.2 m to improve the foundation, provided the **height** does not exceed the maximum **height** requirements in the applicable **zone**.
 - .c The minimum **shoreline naturalization buffer** requirements shall be met to a minimum depth of 15.0 m.

- .d For clarity, the **enlargement**, extension, reconstruction, or **alteration** of the portion of a legally **existing building, structure, or septic system** setback greater 30.0 m shall not be subject to the requirements of subsections .a, .b, and .c.

4.33 Sight Triangle

- .1 On any **corner lot**, a **sight triangle** shall be provided as follows in **Table 4-3**:

Table 4-3: Minimum Sight Triangles	
Intersection	Minimum Sight Triangle (All Zones)
Local Road and Local Road	9.0 m by 9.0 m
Local Road and Collector Road	9.0 m by 12.0 m
Collector Road and Collector Road	12.0 m by 12.0 m
Collector Road and Arterial Road	12.0 m by 12.0 m
Arterial Road and Arterial Road	12.0 m by 12.0 m

- .2 Notwithstanding any other provision of this By-law, **buildings, structures**, and signage are prohibited within the **sight triangle**.
- .3 The land within a **sight triangle** shall not be **used** for any purpose other than landscaping, provided that the maximum **height** of landscaping shall be 0.5 m measured from the adjacent **street line** elevation.

4.34 Source Water Protection

- .1 All development will comply with the *Clean Water Act* through the applicable Source Protection Plans, as amended from time to time.
- .2 **Wellhead Protection Areas (WHPAs) and Intake Protection Zones (IPZs)** are identified on Schedule “B” and include all levels of vulnerability for municipal water sources serving the **Municipality**.
 - .a In the case of WHPAs, the extent of the **vulnerable area** encompasses WHPA-A through WHPA-E.
 - .b In the case of IPZs, the extent of the **vulnerable area** encompasses subzones IPZ-1 and IPZ-2.
- .3 Notwithstanding the **uses** permitted by the underlying **zone** category in this By-law, the following land **use** activities shall be prohibited in the **vulnerable areas** identified on Schedule “B” to this By-law where they would constitute a **future significant drinking water threat** under the *Clean Water*

Act, unless stated otherwise in the applicable Source Protection Plans:

- .a **Waste disposal sites**
 - .b On-site sewage systems (in excess of 10,000 L)
 - .c The application, storage or management of agricultural source material
 - .d The application, handling or storage of non-agricultural source material
 - .e The application, handling or storage of commercial fertilizer
 - .f The application, handling or storage of pesticide
 - .g The handling or storage of road salt
 - .h The storage of snow
 - .i The handling or storage of fuel
 - .j The handling or storage of a **dense non-aqueous phase liquid**
 - .k The handling or storage of an organic solvent
 - .l The **use** of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard
- .4 Notwithstanding the list of prohibited land **use** activities in subsection .3, a **Risk Management Official** may issue a written decision enabling the **Municipality** to determine that a site-specific land **use** activity is permitted in accordance with Section 58 and Section 59 of the *Clean Water Act* based on location, amount, and extent of the threat.
- .5 Within the **vulnerable area** illustrated on Schedule “B”, as it applies to **dense non-aqueous phase liquids**, subsection .3 shall not apply to **incidental volumes** used as part of a residential **use**.
- .6 Where a conflict may arise between Source Water Protection provisions in this By-law and any other provisions herein, the more restrictive requirement shall apply.

4.35 Swimming Pools

- .1 A **swimming pool** shall be permitted as an **accessory use** to any permitted residential **use**.
- .2 A **swimming pool** shall not be permitted in the minimum required **front yard** or **exterior side yard**.
- .3 A **swimming pool** shall be permitted in the **rear yard** or **interior side yard** of any **lot** provided that no part of such **swimming pool** shall be located closer to any **lot line** or

- street line** than the minimum distance required for an **accessory building** on such **lot**.
- .4 A **swimming pool** shall not be permitted to encroach within any required minimum **water setback** or **shoreline naturalization buffer**.
- .5 Every **swimming pool erected** in any **zone** shall comply with the provisions of the **Municipality's** Swimming Pools and Swimming Pool Fences By-law.
- .6 Notwithstanding any other provision of this By-law, a **swimming pool** shall be excluded in the calculation of **lot coverage**.

4.36 Uses Permitted in All Zones

- .1 The provisions of this By-law shall not apply to the **use** of any land and **zone**, or to the erection or **use** of any **building** or **structure** for the purpose of a **public use; conservation use; flood and erosion control; or wayside pit and quarry** and/or **portable asphalt plant used** by the **Municipality** and/or any **public authority**, provided that where such land, **building**, or **structure** is located:
- .a No **outside storage** shall be permitted unless specifically permitted in the **zone** in which the **public use** is located.
- .b The **lot coverage, yard setbacks**, parking and loading requirements, and **height** provisions shall be complied with.
- .c Any **accessory use** to a **public use** shall be clearly incidental and **accessory** to the permitted **public use**.
- .2 Notwithstanding subsection .1, a **wayside pit and quarry** and **portable asphalt plant** shall not be permitted within any Residential, Community Use, Open Space, or Environmental Protection **zone**.
- .3 The provisions of this By-law shall not apply to the **use** of any land and **zone** for the purpose of **film production** or for Municipal Events for which permission has been granted by the **Municipality**.
- .4 Temporary **buildings** and **structures** normal and incidental to construction shall be permitted in all **zones**, such as a construction camp or other such temporary work camp, a tool shed, a scaffold, provided that a valid building permit has been issued where a building permit is required, and that these **uses** shall only be permitted so long as the same are

necessary for any work in progress which has been neither finished nor abandoned for a period of 60 days.

- .5 A temporary sales or rental office or trailer shall be permitted in all zones subject to the applicable **parking** requirements in Section 5.0 and the requirements for a detached **accessory structure**.

4.37 Waste Storage

The storage of garbage, recycling, and other waste shall be in accordance with the following provisions:

- .1 In any Commercial General (CG) or Industrial (IG) or Industrial Restricted (IR) **zone**, garbage, recycling, and other waste shall only be stored in a fully enclosed **waste storage enclosure**, with or without a roof, within a wholly enclosed **building**, or within an in-ground refuse container.
- .2 Notwithstanding subsection .1, in-ground refuse containers are not required to be within a fully enclosed **waste storage enclosure** or wholly enclosed within a **building**.
- .3 A **waste storage enclosure** shall only be permitted in an **interior side yard** or **rear yard**.
- .4 A **waste storage enclosure**, where required, shall be **setback** a minimum of 3.0 m from any abutting Residential or Future Development **zone** and shall be subject to all other provisions for **accessory structures**.
- .5 A **waste storage enclosure** shall not be permitted within any required **planting strip** and shall not obstruct a required **parking space, parking aisle, stacking lane, or driveway**.
- .6 The provisions of this section shall not apply to any temporary waste disposal **structure** used in conjunction with a temporary construction **use**. The provisions shall also not apply to prevent any temporary storage for the purposes of any scheduled removal.

5.0 Parking and Loading Facilities

5.1 Off Street Parking Space Requirements

- .1 Where a **building** or **structure** is **erected** or **used** in any **zone**, the required **parking spaces** shall be provided in accordance with **Table 5-1**.

Table 5-1: Parking Requirements	
Permitted Uses	Minimum Number of Parking Spaces Required
RESIDENTIAL USES	
Accessory Dwelling Unit	1.0 space, in addition to the parking required for the non-residential uses
Additional Residential Dwelling Unit	No requirement for the first additional residential dwelling unit on a lot ; 1.0 space for the second additional residential dwelling unit , which may be provided in tandem
Bed and Breakfast	1.0 space per guest room, in addition to the parking required for the principal dwelling
Converted Dwelling	1.0 space per dwelling unit
Garden Suite	1.0 space per garden suite
Group Home	1.0 space per dwelling unit
Home Occupation	No requirement beyond the minimum requirement for the dwelling .
Mobile Home Park	1.0 space within each mobile home site
Single Detached Dwelling	2.0 spaces per dwelling unit
AGRICULTURAL USES	
Abattoir	1.0 space per 100.0 m ² of gross floor area
Agri-Tourism	1.0 spaces per 40.0 m ² of gross floor area dedicated to any building or structure accessory to the agri-tourism use
Agriculture	No minimum requirement. Where applicable, parking for a single detached dwelling shall be provided.
Agricultural Products Processing Establishment	1.0 space per 100.0 m ² of gross floor area
Agricultural Products Warehouse	1.0 space per 100.0 m ² of gross floor area
Agricultural Research Facility	1.0 space per 100.0 m ² of gross floor area

Table 5-1: Parking Requirements	
Permitted Uses	Minimum Number of Parking Spaces Required
Airstrip	No minimum requirement. Where applicable, parking for accessory buildings and structures shall be provided.
Contractor's Yard	1.0 space per 50.0 m ² of gross floor area
Custom Workshop	1.0 space per 50.0 m ² of gross floor area
Dog Kennel	1.0 space per 30.0 m ² of gross floor area dedicated to any office use
Farm Café and Shop	1.0 space per 20.0 m ² of gross floor area
Farm Implement Sales and Service Establishment	1.0 space per 40.0 m ² of gross floor area
Farm Micro-Brewery	1.0 space per 20.0 m ² of gross floor area
Farm Supply Outlet	1.0 space per 40.0 m ² of gross floor area
Farmer's Market	1.0 space per 30.0 m ² of gross floor area
Nursery	1.0 space per 20.0 m ² of gross floor area
On-Farm Diversified Uses	1.0 space per 40.0 m ² of gross floor area
Riding Stable or Equestrian Centre	1.0 space per 100.0 m ² of gross floor area
Seasonal Farm Help Dwelling	1.0 space per 2 beds
Value-Added Farm Use	1.0 space per 100.0 m ² of gross floor area
COMMERCIAL USES	
Animal Hospital	1.0 space per 20.0 m ² of gross floor area
Artisan Market	1.0 space per 10.0 m ² of gross floor area
Artisan Studio	1.0 space per 20.0 m ² of gross floor area
Auction Establishment	1.0 space per 10.0 m ² of gross floor area
Bakery	1.0 space per 30.0 m ² of gross floor area
Building Supply Outlet	1.0 space per 30.0 m ² of gross floor area
Campground	1.0 space for each site plus 1.0 space per 100 m ² of gross floor area used for commercial purposes accessible by the public
Clinic	1.0 space per 30.0 m ² of gross floor area
Club	1.0 space per 30.0 m ² of gross floor area
Commercial Greenhouse	1.0 space per 20.0 m ² of gross floor area
Commercial School	1.0 space per 20.0 m ² of gross floor area
Dry Land Marina	1.0 space per 20.0 m ² of gross floor area
Financial Institution	1.0 space per 20.0 m ² of gross floor area
Fuel Depot	1.0 space per 100.0 m ² of gross floor area
Funeral Services	1.0 space per 30.0 m ² of gross floor area
Garden and Nursery Supplies	1.0 space per 20.0 m ² of gross floor area devoted to office uses or retail display of materials, and 1.0 space per 30.0 m ² devoted to warehouse uses for storage of materials that are not on display for sale

Table 5-1: Parking Requirements	
Permitted Uses	Minimum Number of Parking Spaces Required
Hotel and Small Scale Hotel	1.0 space per suite or guest room. For any uses provided as an accessory use to the hotel or small scale hotel and are open to the public, such as a restaurant , parking requirements shall be calculated separately for each use in accordance with Section 5.2.2. For clarity, any accessory uses provided for use by guests only shall not be subject to an additional parking requirement, such as a fitness facility provided for use by guests.
Motel	1.0 space per suite or guest room
Motor Vehicle Rental Establishment	1.0 spaces per 30.0 m ² of gross floor area plus 1.0 space per service bay
Marina	1.0 space per 20.0 m ² of gross floor area of commercial space, plus 1.0 space per boat slip
Office	1.0 space per 30.0 m ² of gross floor area
Outdoor Patio	1.0 space per 9.0 m ² of outdoor patio area
Parking Lot	No minimum requirement. Where applicable, 1.0 space shall be provided for a parking attendant.
Personal Service	1.0 space per 30.0 m ² of gross floor area
Place of Entertainment	1.0 space per 18.0 m ² of gross floor area
Recreational Equipment Rental	1.0 space per 30.0 m ² of gross floor area plus 1.0 space per service bay
Recreational Vehicle Park	1.0 space per camping site
Recreational Vehicle Sales and Service	1.0 space per 20.0 m ² of gross floor area
Rental Cabin	1.0 space for each cabin plus 1.0 space per 100 m ² of gross floor area used for commercial purposes accessible by the public
Restaurant	1.0 space per 9.0 m ² of gross floor area
Restaurant, Take-Out	1.0 space per 20.0 m ² of gross floor area
Retail	1.0 space per 20.0 m ² of gross floor area
Retail, Convenience	1.0 space per 30.0 m ² of gross floor area
Service or Repair Shop	1.0 space per 30.0 m ² of gross floor area
Taxi Stand	1.0 space per 30.0 m ² of gross floor area
Tourist Resort	1.0 space per cabin or guest room
Tourist Information Centre	1.0 space per 30.0 m ² of gross floor area
INDUSTRIAL USES	
Cannabis Production and Processing Facility	1.0 space per 40.0 m ² of gross floor area
Concrete and Asphalt Plant	1.0 space per 100.0 m ² of gross floor area
Contractor's Shop	1.0 space per 100.0 m ² of gross floor area
Contractor's Yard	1.0 space per 100.0 m ² of gross floor area or outside storage area
Correctional Facility	1.0 space per 100.0 m ² of gross floor area

Table 5-1: Parking Requirements	
Permitted Uses	Minimum Number of Parking Spaces Required
Custom Workshop	1.0 space per 100.0 m ² of gross floor area
Heavy Equipment Sales and Service	1.0 space per 100.0 m ² of gross floor area
Manufacturing or Processing Facility	1.0 space per 40.0 m ² of gross floor area
Mineral Aggregate Operations	1.0 space per 30.0 m ² accessory office space, otherwise no requirement
Motor Vehicle Body Repair	4.0 spaces per service bay
Motor Vehicle Repair	4.0 spaces per service bay
Motor Vehicle Sales Establishment	1.0 space per 20.0 m ² of gross floor area
Motor Vehicle Service Station	1.0 space per 20.0 m ² of gross floor area
Motor Vehicle Washing Establishment	1.0 space per 30.0 m ² of gross floor area plus 1.0 space per service bay
Printing or Publishing Establishment	1.0 space per 30.0 m ² of gross floor area
Recycling Depot	1.0 space per 100.0 m ² of gross floor area
Salvage Yard	1.0 space per 500.0 m ² of gross floor area or outside storage area
Scrap Yard	1.0 space per 500.0 m ² of gross floor area or outside storage area
Service and Repair Shop	1.0 space per 20.0 m ² of gross floor area
Recreational Vehicle Storage	1.0 space per 100.0 m ² of gross floor area
Transportation Terminal	1.0 space per 100.0 m ² of gross floor area
Waste Disposal Site	1.0 space per 30.0 m ² of accessory office space
Waste Transfer Station	1.0 space per 30.0 m ² of gross floor area
Warehouse	1.0 space per 100.0 m ² of gross floor area
ENVIRONMENTAL PROTECTION AND OPEN SPACE USES	
Community Garden	No minimum requirement.
Conservation Use	No minimum requirement.
Fairground	No minimum requirement. For any facilities or buildings provided as an accessory use to the fairground , parking requirements shall be calculated separately for each use in accordance with Section 5.2.2.
Forestry	No minimum requirement.
Golf Course	2.0 spaces per hole, plus 1.0 space per 100.0 m ² for an accessory use
Hunt Camp	No minimum requirement.
Passive Recreational Use	No minimum requirement. For any facilities or buildings provided as an accessory use to the passive recreational use , parking requirements shall be calculated separately for each use in accordance with Section 5.2.2.

Table 5-1: Parking Requirements	
Permitted Uses	Minimum Number of Parking Spaces Required
Private Park	No minimum requirement. For any facilities or buildings provided as an accessory use to the private park , parking requirements shall be calculated separately for each use in accordance with Section 5.2.2.
Private Recreation	No minimum requirement. For any facilities or buildings provided as an accessory use to the private recreation use , parking requirements shall be calculated separately for each use in accordance with Section 5.2.2.
Public Park	No minimum requirement. For any facilities or buildings provided as an accessory use to the public park , parking requirements shall be calculated separately for each use in accordance with Section 5.2.2.
COMMUNITY USES	
Assembly Hall	1.0 space per 5 fixed seats, 1.0 space per 3.0 m of bench seating, or 1.0 space per 9.0 m ² of gross floor area devoted to public use , whichever is greater
Banquet Hall	1.0 space per 5 fixed seats, 1.0 space per 3.0 m of bench seating, or 1.0 space per 9.0 m ² of gross floor area devoted to public use , whichever is greater
Cemetery	2.0 spaces
Charitable or Service Club	1.0 space per 18.0 m ² of gross floor area
Club	1.0 space per 18.0 m ² of gross floor area
Community Facility	1.0 space per 18.0 m ² of gross floor area
Day Care Centre	1.0 space per 40.0 m ² of gross floor area
Emergency Service	1.0 space per 30.0 m ² of gross floor area
Flood and Erosion Control	No requirement.
Hospital	1.0 space per 4 beds or 1.0 space per 100.0 m ² of gross floor area , whichever is greater
Long-Term Care Home	1.0 space for every 4 beds
Parking Lot	No requirement.
Place of Entertainment	1.0 space per 18.0 m ² of gross floor area
Place of Worship	1.0 space per 5 fixed seats, 1.0 space per 3.0 m of bench seating, or 1.0 space per 9.0 m ² of gross floor area devoted to public use , whichever is greater
Post Office	1.0 space per 18.0 m ² of gross floor area
Public School	Elementary School: 1.5 spaces for each teaching classroom Secondary School: 4.0 spaces for each teaching classroom

Table 5-1: Parking Requirements	
Permitted Uses	Minimum Number of Parking Spaces Required
Private School	Elementary School: 1.5 spaces for each teaching classroom Secondary School: 4.0 spaces for each teaching classroom
Recreational Use	1.0 space per 18.0 m ² of gross floor area
OTHER USES	
Any other use permitted by this by-law other than those listed above	1.0 space per 30.0 m ² of gross floor area

- .2 The **parking space** requirements of this By-law shall be provided for and located on the same **lot** as the **use** for which the **parking space(s)** is required.

5.2 Calculation of Required Parking Spaces

5.2.1 Rounding

- .1 Where the calculation of the minimum **parking spaces** required results in a fraction, the applicable requirement shall be rounded up to the next whole number.

5.2.2 Multiple Uses on a Lot

- .1 When a **building** or **structure** accommodates more than one (1) type of **use**, as defined in this By-law, the **parking space** requirement for the whole **building** shall be the sum of the requirements for the separate parts of the **building** occupied by the separate **uses**, including any **accessory uses** with a defined parking requirement under Section 5.1.

5.2.3 Driveway Used as Parking Areas

- .1 On a **lot** with a **dwelling unit**, a private **driveway** or **carport** devoted to the **dwelling unit** and located on the **lot** may be included in the calculation of **parking spaces**.

5.2.4 Building Additions

- .1 When a **building** or **structure** has insufficient **parking spaces** on the date of passing of this By-law to conform to the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition.

- .2 No addition may be built, and no change of **use** may occur, the effect of which would be an increase in the deficiency.

5.3 Parking Area and Driveway Requirements

5.3.1 Parking Space Dimensions and Requirements

- .1 A **parking space** shall be rectangular in shape having a minimum width of 3.0 m and a minimum length of 5.8 m.
- .2 The minimum dimensions of a parallel **parking space** shall be 2.4 m by 7.0 m.
- .3 In any **zone** except an Agriculture or Industrial **zone**, **parking spaces** shall be clearly defined with the layout of spaces appropriately marked on the ground or signed.
- .4 Unless otherwise provided for elsewhere in this By-law, all parking shall be located on the same **lot** as the **use** for which it is intended to serve.

5.3.2 Driveways

- .1 The minimum distance between a **driveway** and intersection of **street lines** measured along the **street line** intersected by such **driveway** shall be 10.0 m. Notwithstanding this provision, in any Residential **zone**, the minimum distance between a **driveway** and intersection of **street lines** shall be the lesser of 6.0 m or the minimum required **exterior side yard** plus 3.0 m.

5.3.3 Parking Area Aisles

- .1 Each **parking space** shall be accessed either directly by a **driveway** or a **parking aisle**.
- .2 The width of the aisle in a **parking area** shall be based on the angle of the **parking spaces** to the aisle. If the angle of parking is different on each side of the aisle, then the aisle width shall be based on the **parking spaces** requiring the widest aisle width. The **parking aisle** requirements are as follows in Table 5-2:

Angle of Parking Space to Aisle	Minimum Parking Aisle Width
Parallel parking or less than 30 degrees	3.5 m
Equal to or greater than 30 degrees but less than 50 degrees	4.0 m
Equal to or greater than 50 degrees but less than 70 degrees	5.5 m

Table 5-2: Aisle Requirements	
Angle of Parking Space to Aisle	Minimum Parking Aisle Width
Equal to or greater than 70 degrees but less than or equal to 90 degrees	7.0 m

- .3 Notwithstanding subsection .1, tandem **parking spaces**, which abut end to end, are permitted for any **dwelling**.
- .4 Where a **parking aisle** is designed to provide one-way traffic only, and the **parking spaces** are provided at an angle not exceeding 45 degrees measured at the **parking aisle**, the minimum width shall be 4.5 m.

5.3.4 Parking Area Surface

- .1 **Parking spaces, parking areas and driveways** connecting the **parking spaces** to a **street** shall be maintained with a stable surface which is treated to prevent the raising of dust.
- .2 In all **zones**, except an Agriculture or Industrial **zone**, **parking spaces, parking areas and driveways** shall, before being **used**, be constructed of crushed stone, gravel, asphalt, brick, concrete, permeable paving, interlocking brick, or similar material.

5.3.5 Commercial and Recreational Vehicles in Residential Zones

- .1 The parking or storage of a **commercial vehicle** or **recreational vehicle** on a vacant **lot** shall be prohibited.
- .2 In any Residential **zone**, the parking of a maximum of one **commercial vehicle** shall be permitted subject to the following requirements:
 - .a The parking of a **commercial vehicle** shall only be permitted in a **driveway** or **private garage**.
 - .b Where parked in a **driveway**, the maximum dimensions of a **commercial vehicle**, including any attached equipment or accessories, shall not exceed 2.2 m in **height** and 5.6 m in length. For clarity, a **commercial vehicle** in excess of these dimensions shall only be permitted within a **private garage**.
 - .c The provisions of this subsection shall not apply to restrict the normal **use** of any **loading space** or the temporary parking of a **commercial vehicle** associated with temporary construction activities.

- .3 In a Hamlet Residential **zone**, the parking of **recreational vehicles** or **trailers** shall be subject to the following requirements:
- .a Any **recreational vehicle** or **trailer** that does not exceed a **height** of 3.2 m and a maximum length of 7.5 m exclusive of hitch or tongue may be parked in any **interior side yard** or **rear yard** year-round, provided that a minimum **setback** of 0.6 m to the nearest **interior side lot line** or **rear lot line** is maintained.
 - .b Any **recreational vehicle** or **trailer** that does not exceed a **height** of 3.2 m and a maximum length of 7.5 m exclusive of hitch or tongue may be parked in a **driveway** only between May 1st and October 31st.
 - .c Notwithstanding subsections .a and .b, any **recreational vehicle** or **trailer** that exceeds a **height** of 3.2 m and a maximum length of 7.5 m exclusive of hitch or tongue may be parked on a **lot** in any **interior side yard** or **rear yard** year-round, provided that a minimum setback of 12.0 m to the nearest **lot line** is maintained.
 - .d The minimum number of required **parking spaces** shall not be occupied or otherwise obstructed by the parking of a **recreational vehicle**.

5.3.6 Use of Parking Spaces and Areas

- .1 No gasoline pumps or other service station equipment shall be located or maintained in any **parking area**. Stations for charging electric vehicles shall be permitted in any **parking area**.
- .2 A **structure**, not more than 4.5 m in **height** and not more than 15.0 m² in **gross floor area** shall be permitted in any **parking area** for the purpose of accommodating a **parking area** attendant.

5.4 Barrier-Free Parking Space Requirements

5.4.1 General Provisions for Barrier-Free Parking Spaces

- .1 A **barrier-free parking space** shall be included in the calculation of the total **parking space** requirements of this By-law.
- .2 **Barrier-free parking spaces** shall not be required within any Residential **zone**.

- .3 A **barrier-free parking space** shall be accessible by a **barrier-free access aisle** and shall be free of any encroachment.
- .4 **Barrier-free parking spaces** shall be the **parking spaces** located closest to the **principal building** entrance that is accessible from the **parking area**.
- .5 A **barrier-free access aisle** shall be permitted to be shared between two **barrier-free parking spaces**.

5.4.2 Barrier-Free Parking Space Dimensions

The minimum dimensions of a **barrier-free parking space** shall be provided in accordance with Table 5-3.

Table 5-3: Barrier-Free Parking Space Dimensions		
Minimum Dimension	Type A Space	Type B Space
Minimum Width (m)	3.65	2.7
Minimum Length (m)	5.7	5.7
Minimum Vertical Clearance (m)	2.75	2.75
Minimum Barrier-Free Access Aisle Width (m)	1.5	1.5
Minimum Barrier-Free Access Aisle Length (m)	5.8	5.8

5.4.3 Barrier-Free Parking Space Rates

- .1 The minimum number of **barrier-free parking spaces** shall be in accordance with Table 5-4.

Table 5-4: Barrier-Free Parking Space Rates	
Total Required Parking Spaces	Required Barrier-Free Parking Spaces
12 or less	1
13 – 100	4% of total required parking spaces
101 – 200	3% of total required parking spaces
201 – 1,000	2% of total required parking spaces
Over 1,000	1, plus 1% of total required parking spaces

- .2 In calculating the total minimum **barrier-free parking space** requirement, the total number of **barrier-free parking spaces** shall be interpreted in accordance with the following:
 - .a Where an even number of **barrier-free parking spaces** are required, an equal number of Type A and Type B **barrier-free parking spaces** shall be provided.

- .b Where an odd number of **barrier-free parking spaces** are required, the number of **barrier-free parking spaces** must be divided equally between Type A and Type B **barrier-free parking spaces**, with the remainder provided as a Type B **barrier-free parking space**.

5.5 Loading Space Requirements

Where a **building** or **structure** is **erected** or **used** in any **zone**, the required **loading spaces** shall be provided in accordance with Table 5-5.

Table 5-5: Loading Space Requirements	
Floor Area of Buildings	Minimum Number of Loading Spaces
Less than 300.0 m ²	0
300.0 m ² to 2000.0 m ²	1
Greater than 2001.0 m ²	2

- .1 A **loading space** shall be at least 4.0 m by 12.0 m, with a minimum 4.5 m **height** clearance.
- .2 A **loading space** shall be unobstructed, and free of any **structures** and encroachments.
- .3 The required **loading spaces** shall be provided on the **lot** occupied by the **building, structure** or **use** for which such **loading spaces** are required and shall not form a part of any **street, lane, parking space** or delivery space.
- .4 Access to **loading spaces** shall be by means of a **driveway** at least 3.5 m wide contained within the **lot** on which the **loading spaces** are located and leading to a **street** or lane located within or adjoining the **zone** in which the **use** is located.
- .5 The **driveways** and **loading spaces** shall be maintained with a stable surface which is treated to prevent the raising of dust or loose particles. Before being **used**, they shall be constructed of one or more of the following: crushed stone, slab, gravel, permeable pavers, crushed brick (or tile) cinders, asphalt, concrete, or Portland cement binder, for a combined depth of at least 0.15 m and with provisions for drainage facilities.
- .6 No **loading space** or platform or loading door shall be located in any **yard** or wall of any **building** or **structure** which adjoins or faces a **street**. In addition to **motor vehicle parking areas**, a **parking area** for the **use** of **commercial**

vehicles shall be provided but shall not be located in any **yard** flanking a **street**.

- .7 No portion of any **loading space** shall be located closer to any street line than the minimum **front yard setback** for such **building, structure** or **use** in the **zone** where it is located.
- .8 When a **building** or **structure** accommodates more than one type of **use**, as defined in this By-law, the **loading space** requirement for the whole **building** shall be the sum of the requirements for the separate parts of the **building** occupied by the separate **uses**, including any **accessory uses** with a defined **loading space** requirement under Section 5.5.

5.6 Bicycle Parking Requirements

5.6.1 General

- .1 The owner or occupant of any **lot, building, or structure erected** in conjunction with select **uses** shall provide and maintain **bicycle parking spaces** in accordance with Table 5-6.

Use	Minimum Number of Required Bicycle Parking Spaces
Agriculture Zones	
Agri-Tourism Use	4.0 spaces
Farm Micro-Brewery	4.0 spaces
Commercial General Zone Community Use Zone	
Any Community, Commercial, or Employment Use	1.0 spaces per 100.0 m ² of building gross floor area
Public School or Private School	1.0 spaces per 10 students of design capacity and 2.0 spaces per 35 employees

5.6.2 Rounding

- .1 Where the calculation of the required number of **bicycle parking spaces** under 5.6.1 results in a fraction, the value shall be rounded up to the next whole number.

5.6.3 Multiple Uses on a Lot

- .1 When a **building** or **structure** accommodates more than one (1) type of **use**, as defined in this By-law, the **bicycle parking space** requirement for the whole **building** shall be the sum of the requirements for the separate parts of the **building** occupied by the separate **uses**.

5.6.4 Building Additions

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

5.6.5 Bicycle Space and Parking Area Requirements

- .1 A **bicycle parking space** shall be an unobstructed space at 0.6 m by 1.8 m. A bicycle rack shall be provided to enable a bicycle to be locked in place.
- .2 **Bicycle parking spaces** shall be accessed by an unobstructed aisle with a minimum width of 1.5 m.
- .3 Notwithstanding any other provision of this By-law, **bicycle parking spaces** shall be permitted in any **yard**, but not closer than 0.6 m to any **lot line** and shall not be located within a **sight triangle**.

6.0 Residential Zones

6.1 List of Residential Zones

For convenience, Table 6-1 lists the Residential **zones** established in Section 2 of this By-law.

Zone Name	Zone Symbol
Hamlet Residential	HR1, HR2, HR3, HR4
Rural Residential One	RR1A, RR1B, RR1C, RR1D
Rural Residential Two	RR2A, RR2B, RR2C
Rural Residential Three	RR3A, RR3B, RR3C, RR3D
Mobile Home Park	RMH

The provisions of Section 4 of this By-law should be consulted alongside the provisions of this Section.

6.2 Permitted Uses in the Residential Zones

No **person** shall **use** any **lot**, **building** or **structure** for any purpose except for one or more of the **uses** as permitted in accordance with Table 6-2. Permitted **uses** are denoted by the symbol “✓” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 6-2.

Permitted Use	Zone				
	HR	RR1	RR2	RR3	RMH
RESIDENTIAL USES					
Additional Residential Dwelling Unit	✓	✓	✓	✓	
Group Home	✓	✓	✓	✓	
Mobile Home Park					✓
Mobile Home					✓
Single Detached Dwelling	✓	✓	✓	✓	
SPECIFIED ACCESSORY USES Subject to the provisions of Section 4.0.					
Accessory Dwelling					✓
Bed and Breakfast	✓	✓	✓	✓	
Community Garden	✓	✓	✓	✓	✓
Home Industry ⁽¹⁾	✓	✓	✓	✓	
Home Occupation	✓	✓	✓	✓	
Mobile Home Park Accessory Uses					✓
Private Cabin			✓	✓	

Notes

1. This **use** shall not be permitted on a **lot** abutting a **waterbody**.

6.3 Lot and Building Requirements in the Hamlet Residential Zones

No **person** shall within any Hamlet Residential zone **use** any **lot**, or **erect**, **alter**, or **use** any **building** or **structure** except in accordance with Table 6-3.

Standard	Zones		
	HR1	HR2	HR3
Minimum Lot Area (m ²)	-	-	-
Full Services	460	-	-
Partial Services – Wastewater	830	-	-
Communal Services	1400	-	-
Partial Services – Water	1400	1400	-
Private Services	4000	4000	4000
Minimum Lot Frontage (m)	-	-	-
Full Services	15	-	-
Partial Services – Wastewater	17	-	-
Partial Services – Water	25	25	-
Private Services	30	38	90
Minimum Front Yard (m)	7.5	7.5	7.5
Minimum Rear Yard (m)	7.5	7.5	7.5
Minimum Exterior Side Yard (m)	7.5	7.5	7.5
Minimum Interior Side Yard (m)	3 ⁽¹⁾	3 ⁽¹⁾	3
Minimum Water Setback (m)	30 ⁽²⁾	30 ⁽²⁾	30 ⁽²⁾
Shoreline Naturalization Buffer	Section 4.32 applies to lots abutting a waterbody .		
Maximum Lot Coverage	30%	30%	30%
Maximum Building Height (m)	11	11	11
Minimum Landscaped Open Space	25%	25%	-

Notes

1. The minimum **interior side yard** is 3.0 m on one side and 1.3 m on the other side.
2. The minimum **water setback** shall be subject to the provisions of Section 4.32.2.

6.4 Lot and Building Requirements in the Rural Residential One Zones

No person shall within any Rural Residential One **zone** use any **lot**, or **erect, alter, or use** any **building** or **structure** except in accordance with Table 6-4.

Table 6-4: Lot and Building Requirements in the Rural Residential One Zones				
Standard	Zones			
	RR1A	RR1B	RR1C	RR1D
Minimum Lot Area (m ²)	2800	4000	4000	2000
Minimum Lot Frontage (m)	38	45	38	38
Minimum Shore Lot Line (m)	30	30	30	30
Minimum Front Yard (m)	6	7.5	7.5	15
Minimum Rear Yard (m)	6	7.5	7.5	6
Minimum Exterior Side Yard (m)	6	7.5	7.5	15
Minimum Interior Side Yard (m)	3 ⁽¹⁾	3	5	6
Minimum Water Setback (m)	30 ⁽²⁾	30 ⁽²⁾	30 ⁽²⁾	30 ⁽²⁾
Shoreline Naturalization Buffer	Section 4.32 applies to lots abutting a waterbody .			
Maximum Lot Coverage	30%	30%	30%	25%
Maximum Building Height (m)	11	11	11	11
Minimum Landscaped Open Space	30%	30%	30%	30%

Notes

1. The minimum **interior side yard** is 3.0 m on one side and 1.3 m on the other side.
2. The minimum **water setback** shall be subject to the provisions of Section 4.32.2.

6.5 Lot and Building Requirements in the Rural Residential Two Zones

No person shall within any Rural Residential Two zone use any lot, or erect, alter, or use any building or structure except in accordance with Table 6-5.

Table 6-5: Lot and Building Requirements in the Rural Residential Two Zones			
Standard	Zones		
	RR2A	RR2B	RR2C
Minimum Lot Area (m ²)	-	-	-
Full Services	-	460	-
Partial Services – Wastewater	-	830	-
Communal Services – Water	-	1700	-
Partial Services – Water	1400	1400	1400
Private Services	2000	2000	2000
Minimum Lot Frontage (m)	-	-	-
Full Services	-	15	-
Partial Services – Wastewater	-	17	-
Communal Services – Water	35	25	-
Partial Services – Water	25	30	-
Private Services	35	30	-
Private Services (No Shore Lot Line)	30	25	38
Minimum Shore Lot Line (m)	30	30	30
Minimum Front Yard (m)	7.5	6	15
Minimum Rear Yard (m)	7.5	6	6
Minimum Exterior Side Yard (m)	7.5	6	15
Minimum Interior Side Yard (m)	3 ⁽¹⁾	3 ⁽¹⁾	3
Minimum Water Setback (m)	30 ⁽²⁾	30 ⁽²⁾	30 ⁽²⁾
Shoreline Naturalization Buffer	Section 4.32 applies to lots abutting a waterbody.		
Maximum Lot Coverage	30%	30%	30%
Maximum Building Height (m)	11	11	11
Minimum Landscaped Open Space	25%	25%	25%

Notes

1. The minimum interior side yard is 3.0 m on one side and 1.2 m on the other side.
2. The minimum water setback shall be subject to the provisions of Section 4.32.2.

6.6 Lot and Building Requirements in the Rural Residential Three Zones

No person shall within any Rural Residential Three zone use any lot, or erect, alter, or use any building or structure except in accordance with Table 6-6.

Table 6-6: Lot and Building Requirements in the Rural Residential Three Zones				
Standard	Zones			
	RR3A	RR3B	RR3C	RR3D
Minimum Lot Area (m ²)	-	-	-	-
Partial Services – Water	1400	1400	1400	-
Private Services	1850	2000	2000	2000
Minimum Lot Frontage (m)	-	-	-	30
Partial Services – Water	25	24	30	-
Private Services	30	30	38	-
Minimum Shore Lot Line (m)	30	30	30	30
Minimum Front Yard (m)	7.5	7.5	15	7.5
Minimum Rear Yard (m)	7.5	7.5	6	6
Minimum Exterior Side Yard (m)	7.5	7.5	15	6
Minimum Interior Side Yard (m)	3 ⁽¹⁾	3 ⁽¹⁾	3	3
Minimum Water Setback (m)	30 ⁽²⁾	30 ⁽²⁾	30 ⁽²⁾	30 ⁽²⁾
Shoreline Naturalization Buffer	Section 4.32 applies to lots abutting a waterbody.			
Maximum Lot Coverage	30%	30%	30%	30%
Maximum Building Height (m)	11	11	11	11
Minimum Landscaped Open Space	30%	30%	30%	30%

Notes

1. The minimum interior side yard is 3.0 m on one side and 1.2 m on the other side.
2. The minimum water setback shall be subject to the provisions of Section 4.32.2.

6.7 Lot and Building Requirements in the Residential Mobile Home Park Zone

No person shall within any Residential Mobile Home Park zone use any lot, or erect, alter, or use any building or structure except in accordance with Table 6-7.

Table 6-7: Lot and Building Requirements in the Residential Mobile Home Park Zone	
Standard	Zones
	RMH
Minimum Lot Area (ha.)	4
Minimum Lot Frontage (m)	100
Minimum Front Yard (m)	15
Minimum Rear Yard (m)	8
Minimum Exterior Side Yard (m)	15
Minimum Interior Side Yard (m)	8
Minimum Water Setback (m)	30 ⁽¹⁾
Shoreline Naturalization Buffer	Section 4.32 applies to lots abutting a waterbody.
Maximum Building Height (m)	11
Maximum Lot Coverage	30%
Minimum Landscaped Open Space	30%

Notes

1. The minimum water setback shall be subject to the provisions of Section 4.32.2.

7.0 Agriculture Zones

7.1 List of Agriculture Zones

For convenience, Table 7-1 lists the Agriculture **zones** established in Section 2 of this By-law.

Zone Name	Zone Symbol
Agriculture	AG
Agriculture Related	AR
Agriculture Consolidation	AC

The provisions of Section 4 of this By-law should be consulted alongside the provisions of this Section.

7.2 Permitted Uses in the Agriculture Zones

No **person** shall **use** any **lot**, **building** or **structure** for any purpose except for one or more of the **uses** as permitted in accordance with Table 7-2. Permitted **uses** are denoted by the symbol “✓” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 7-2.

Where the symbol “E” is shown in Table 7-2, the **use** shall only be permitted on a **lot** in the corresponding **zone** if the **use** was legally **existing** and **used** on the **lot** on the effective date of this By-law.

Permitted Use	Zone		
	AG	AR	AC
AGRICULTURE AND AGRICULTURE-RELATED USES			
Abattoir	E	✓	E
Agriculture	✓	✓	✓
Agricultural Products Processing Establishment	E	✓	E
Agricultural Products Warehouse	E	✓	✓
Agricultural Research Facility	E	✓	E
Animal Hospital	E	✓	E
Auction Establishment	E	✓	E
Cannabis Production and Processing Facility	✓	✓	✓
Cemetery	✓	✓	✓
Commercial Greenhouse		✓	

Permitted Use	Zone		
	AG	AR	AC
Contractor's Yard	E	✓	E
Custom Workshop	E	✓	E
Dog Kennel	E	✓	E
Farm Implement Sales and Service Establishment	E	✓	E
Farm Supply Outlet	E	✓	E
Farmer's Market	E	✓	E
Feed Mill	E	✓	E
Forestry	✓	✓	✓
Nursery	✓	✓	✓
Riding Stable or Equestrian Centre	✓	✓	✓
Seasonal Farm Help Dwelling	✓	✓	
Value-Added Farm Use		✓	

RESIDENTIAL USES

Additional Residential Dwelling Unit <small>(Subject to the provisions of Section 4.0)</small>	✓	✓	
Single Detached Dwelling	✓	✓	

ON-FARM DIVERSIFIED USES

Subject to the provisions of Section 4.0.

Agri-Tourism Use	✓	✓	✓
Commercial Greenhouse	✓		✓
Farm Café and Shop	✓		✓
Farm Micro-Brewery	✓		✓
Farm Produce Outlet	✓	✓	✓
Home Industry			✓
Outdoor Patio	✓ (1)		✓ (1)
Value-Added Farm Use	✓		✓
Value-Retention Farm Service	✓		✓

SPECIFIED ACCESSORY USES

Subject to the provisions of Section 4.0.

Ancillary Retail		✓	
Bed and Breakfast	✓	✓	
Home Industry	✓	✓	
Home Occupation	✓	✓	
Outside Storage	✓	✓	✓
Shipping Container	✓	✓	✓

Notes

1. This use shall only be permitted as an **accessory use** to a **farm café and shop** and **farm micro-brewery**.

7.3 Lot and Building Requirements in the Agriculture Zones

No **person** shall within any Agriculture **zone** **use** any **lot**, or **erect, alter**, or **use** any **building** or **structure** except in accordance with Table 7-3.

Standard	Zone		
	AG	AR	AC
Minimum Lot Area (ha)	40	0.4	40
Minimum Lot Frontage (m)	120	60	120
Minimum Front Yard (m)	30	15	30
Minimum Rear Yard (m)	30	15	30
Minimum Exterior Side Yard (m)	15	15	15
Minimum Interior Side Yard (m)	9	6	9
Minimum Water Setback (m)	30 ⁽¹⁾	30 ⁽¹⁾	30 ⁽¹⁾
Shoreline Naturalization Buffer	Section 4.32 applies to lots abutting a waterbody .		
Maximum Lot Coverage	25% ⁽²⁾	25% ⁽²⁾	25% ⁽²⁾
Maximum Building Height (m)	11	11	11

Certain agricultural structures, such as barns, are exempt from the height requirements per Section 4.0 of this By-law.

Notes

1. The minimum **water setback** shall be subject to the provisions of Section 4.32.2.
2. A **farm greenhouse** shall be excluded from the calculation of **lot coverage**.

8.0 Commercial Zones

8.1 List of Commercial Zones

For convenience, Table 8-1 lists the Commercial **zones** established in Section 2 of this By-law.

Zone Name	Zone Symbol
Commercial General	CG
Commercial Highway	CH
Commercial Rural	CA
Commercial Recreation	CR
Commercial Campground	CC

The provisions of Section 4 of this By-law should be consulted alongside the provisions of this Section.

8.2 Permitted Uses in the Commercial Zones

No **person** shall **use** any **lot**, **building** or **structure** for any purpose except for one or more of the **uses** as permitted in accordance with Table 8-2. Permitted **uses** are denoted by the symbol “✓” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 8-2.

Permitted Use	Zone				
	CG	CH	CA	CR	CC
Agriculture			✓		
Agricultural Products Processing Establishment			✓		
Agricultural Products Warehouse			✓		
Animal Hospital	✓	✓	✓		
Artisan Market		✓			
Artisan Studio	✓	✓			
Assembly Hall	✓				
Auction Establishment		✓	✓		
Bakery	✓				
Banquet Hall	✓				
Bed and Breakfast	✓	✓		✓	
Building Supply Outlet		✓			
Campground				✓	✓
Clinic	✓				

Table 8-2: Permitted Uses in the Commercial Zones					
Permitted Use	Zone				
	CG	CH	CA	CR	CC
Club	✓				
Commercial Greenhouse		✓	✓		
Commercial School	✓				
Community Facility	✓				
Community Garden	✓		✓	✓	✓
Contractor's Yard		✓	✓		
Custom Workshop		✓	✓		
Dry Land Marina		✓			
Farm Implement Sales and Service Establishment		✓	✓		
Farmer's Market	✓	✓	✓		
Feed Mill			✓		
Financial Institution	✓				
Fuel Depot		✓			
Funeral Services	✓				
Garden and Nursery Supplies		✓	✓	✓	
Golf Course				✓	
Hotel		✓			
Hotel, Small Scale	✓	✓			
Micro-Brewery	✓		✓		
Motel		✓			
Motor Vehicle Service Station	✓	✓			
Motor Vehicle Sales Establishment	✓	✓			
Motor Vehicle Rental Establishment	✓	✓			
Motor Vehicle Repair		✓			
Motor Vehicle Washing Establishment		✓			
Marina				✓	✓
Office	✓				
Parking Lot	✓	✓			
Personal Service	✓				
Place of Entertainment	✓				
Post Office	✓				
Private Park				✓	
Public Park	✓	✓		✓	✓
Recreational Equipment Rental		✓		✓	
Recreational Vehicle Park				✓	✓

Table 8-2: Permitted Uses in the Commercial Zones					
Permitted Use	Zone				
	CG	CH	CA	CR	CC
Recreational Vehicle Sales and Service		✓		✓	
Rental Cabin				✓	
Restaurant	✓	✓		✓	
Restaurant, Take-Out	✓	✓		✓	
Retail	✓	✓ ⁽¹⁾	✓		
Retail, Convenience		✓ ⁽¹⁾		✓	✓
Service or Repair Shop	✓	✓	✓		
Tourist Resort				✓	
Tourist Information Centre	✓	✓	✓		

SPECIFIED ACCESSORY USES Subject to the provisions of Section 4.0.

Accessory Dwelling Unit	✓	✓		✓	✓
Drive-Through		✓			
Office		✓	✓	✓	
Outdoor Display Area		✓	✓		
Outdoor Patio	✓	✓		✓	
Outside Storage	✓	✓	✓		

Notes

1. The maximum **gross floor area** on each **lot** for all **uses** subject to this provision shall be 2,000.0 m².

8.3 Lot and Building Requirements in the Commercial Zones

No **person** shall within the Commercial **zones** **use** any **lot**, or **erect**, **alter**, or **use** any **building** or **structure** except in accordance with Table 8-3.

Table 8-3: Lot and Building Requirements in the Commercial Zones					
Standard	Zone				
	CG	CH	CA	CR	CC
Minimum Lot Area (ha)	-	0.4	0.4	5.5	4
Full Services	0.14	-	-	-	-
Private Services	0.4	-	-	-	-
Minimum Lot Frontage (m)	25	45	45	165	30
Minimum Front Yard (m)	3	6	15	150	10
Minimum Rear Yard (m)	9	12	15	45	4.5
Minimum Exterior Side Yard (m)	6	12	15	25	10
Minimum Interior Side Yard (m)	1.5	12	15	25	4.5
Minimum Water Setback (m)	30 ⁽¹⁾				

Table 8-3: Lot and Building Requirements in the Commercial Zones					
Standard	Zone				
	CG	CH	CA	CR	CC
Shoreline Naturalization Buffer	Section 4.32 applies to lots abutting a waterbody.				
Maximum Lot Coverage	30%	30%	40%	30%	30%
Maximum Building Height (m)	11	11	11	11	11
Minimum Landscaped Open Space	10%	20%	10%	-	25%
Required planting strip abutting a street line (width in m)	-	3	-	-	-
Required planting strip on any interior side lot line or rear lot line abutting a Residential zone or Environmental Protection and Open Space zone (width in m)	4.5	4.5	-	-	-
CAMPING SITE REQUIREMENTS					
Minimum Camping Site Area (m ²)	-	-	-	-	200
Minimum Camping Site Frontage (m)	-	-	-	-	10
Minimum Camping Site Front Yard (m)	-	-	-	-	3 ⁽²⁾
Minimum Camping Site Interior Side Yard (m)	-	-	-	-	1.5 ⁽²⁾
Minimum Camping Site Rear Yard (m)	-	-	-	-	1.5 ⁽²⁾
Maximum Number of Camping Sites per Hectare	-	-	-	-	20
Maximum Camping Site Coverage (m ²)	-	-	-	-	93
Maximum Number of Accessory Structures (exclusive of deck or attached enclosed structure)	-	-	-	-	1

Notes

1. The minimum **water setback** shall be subject to the provisions of Section 4.32.2.
2. For the purposes of this provision, the **lot line** shall be deemed to be the boundary of the **camping site**.

9.0 Industrial Zones

9.1 List of Industrial Zones

For convenience, Table 9-1 lists the Industrial **zones** established in Section 2 of this By-law.

The provisions of Section 4 of this By-law should be consulted alongside the provisions of this Section.

Table 9-1: List of Industrial Zones	
Zone Name	Zone Symbol
Industrial General	IG
Industrial Restricted	IR
Industrial Extractive	IX
Industrial Disposal	ID
Industrial Rural	IA

9.2 Permitted Uses in the Industrial Zones

No **person** shall **use** any **lot**, **building** or **structure** for any purpose except for one or more of the **uses** as permitted in accordance with Table 9-2. Permitted **uses** are denoted by the symbol “✓” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 9-2.

Permitted Use	Zone				
	IG	IR	IX	ID	IA
Agriculture			✓		✓
Agricultural Products Warehouse	✓				✓
Agricultural Products Processing Establishment	✓				✓
Agricultural Research Facility	✓				✓
Animal Hospital	✓	✓			✓
Auction Establishment	✓				✓
Building Supply Outlet	✓	✓			
Fuel Depot	✓				
Cannabis Production and Processing Facility	✓	✓			✓
Concrete and Asphalt Plant	✓				
Contractor’s Shop	✓				
Contractor’s Yard	✓	✓			
Correctional Facility	✓				

Table 9-2: Permitted Uses in the Industrial Zones					
Permitted Use	Zone				
	IG	IR	IX	ID	IA
Custom Workshop	✓	✓			
Dry Land Marina	✓	✓			
Farm Implement Sales and Service Establishment	✓				✓
Farmer's Market	✓				✓
Farm Supply Outlet	✓				✓
Feed Mill					✓
Forestry			✓		✓
Heavy Equipment Sales and Service	✓				
Manufacturing and Processing Facility ⁽¹⁾	✓	✓			
Micro-Brewery	✓	✓			
Mineral Aggregate Operation			✓		
Motor Vehicle Body Repair	✓	✓			
Motor Vehicle Repair	✓	✓			
Motor Vehicle Sales Establishment	✓	✓			
Motor Vehicle Service Station	✓	✓			
Motor Vehicle Washing Establishment	✓	✓			
Printing or Publishing Establishment	✓	✓			
Recreational Vehicle Sales and Service	✓				
Recycling Depot	✓			✓	
Salvage Yard				✓	
Scrap Yard				✓	
Service and Repair Shop	✓				
Recreational Vehicle Storage	✓				
Transportation Terminal	✓				
Waste Disposal Site				✓	✓
Waste Transfer Station				✓	
Warehouse	✓	✓			✓

SPECIFIED ACCESSORY USES

Subject to the provisions of Section 4.0.

Accessory Office	✓	✓	✓		✓
Ancillary Retail ⁽²⁾	✓	✓		✓	✓
Outside Storage	✓		✓		✓
Shipping Container	✓		✓	✓	✓

Notes

1. Where water services are not provided by the **Municipality**, only **dry industrial uses** shall be permitted.
2. The total **gross floor area** of all **ancillary retail uses** on any one **lot** shall not exceed 15% of the total **gross floor area** of all **buildings** on the same **lot**.

9.3 Lot and Building Requirements in the Industrial Zones

No **person** shall within any Industrial **zone** use any **lot**, or **erect, alter, or use** any **building** or **structure** except in accordance with Table 9-3.

Table 9-3: Lot and Building Requirements in the Industrial Zones					
Standard	Zone				
	IG	IR	IX	ID	IA
Minimum Lot Area (ha.)	0.4	0.4	(1)	0.4	0.4
Minimum Lot Area (ha.) for any waste disposal site	-	-	-	10	-
Minimum Lot Area (ha.) for any waste transfer station	-	-	-	1	-
Minimum Lot Frontage (m)	30	30	-	30	30
Minimum Lot Frontage (ha.) for any waste disposal site	--	-	-	150	-
Minimum Lot Frontage (ha.) for any waste transfer station	-	-	-	60	-
Minimum Front Yard (m)	15	15	30 (4)	30	15
Minimum Rear Yard (m)	15	12	30 (4)	30	15
Minimum Exterior Side Yard (m)	15	15	30 (4)	30	15
Minimum Interior Side Yard (m)	6 (2)	6 (2)	30 (4)	30	6
Minimum Water Setback	30 (3)	30 (3)	30 (3)	30 (3)	30 (3)
Maximum Lot Coverage	25%	25%	-	-	30%
Maximum Building Height (m)	11	11	-	11	11
Minimum Landscaped Open Space	20%	20%	-	20%	10%
Required planting strip abutting a street line (width in m)	3	3	-	3	3
Required planting strip on any interior side lot line or rear lot line abutting a Residential zone, Environmental Protection, or Open Space zone (width in m)	4.5	4.5	-	4.5	4.5

Notes

1. The minimum **lot area** shall be as legally existing.
2. The minimum **interior side yard** may be reduced to 3.0 m where a **lot** abuts another Industrial **zone**.

3. The minimum **water setback** shall be subject to the provisions of Section 4.32.2.
4. Where an Industrial Extractive **zone** abuts a **lot** which contains a residential **use**, the minimum setback for **buildings, structures, and outside storage** shall be 90.0 m.

10.0 Environmental Protection & Open Space Zones

10.1 List of Environmental Protection and Open Space Zones

For convenience, Table 10-1 lists the Environmental Protection and Open Space **zones** established in Section 2 of this By-law.

The provisions of Section 4 of this By-law should be consulted alongside the provisions of this Section.

Table 10-1: List of Open Space and Environmental Protection Zones	
Zone Name	Zone Symbol
Open Space	OS
Open Space Restricted	OSR
Open Space Special Use	OSS
Environmental Protection	EP

10.2 Permitted Uses in the Environmental Protection and Open Space Zones

No **person** shall **use** any **lot, building or structure** for any purpose except for one or more of the **uses** as permitted in accordance with Table 10-2. Permitted **uses** are denoted by the symbol “✓” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 10-2. Where the symbol “E” is shown in Table 12-2, the **use** shall only be permitted on a **lot** in the corresponding **zone** if the **use** was legally **existing** and **used** on the **lot** on the effective date of this By-law.

Permitted Use	Zone			
	OS	OSR	OSS	EP
Agriculture				✓ ⁽¹⁾
Cemetery	✓			
Community Garden	✓			
Conservation Use	✓	✓		✓
Fairground	✓			
Forestry	✓	✓	✓	✓ ⁽¹⁾
Golf Course	E			
Hunt Camp		✓	✓	
Parking Lot	✓			

Table 10-2: Permitted Uses in the Environmental Protection and Open Space Zones				
Permitted Use	Zone			
	OS	OSR	OSS	EP
Passive Recreational Use	✓	✓		
Private Park	✓		✓	
Private Recreation			✓	
Public Park	✓	✓		✓ ⁽¹⁾
Recreational Use	✓			
SPECIFIED ACCESSORY USES Subject to the provisions of Section 4.0.				
Dock		✓	✓	✓

Notes

1. No **buildings** or **structures** shall be permitted.

10.3 Lot and Building Requirements in the Environmental Protection and Open Space Zones

No **person** shall within any Environmental Protection or Open Space **zone use** any **lot**, or **erect, alter, or use** any **building** or **structure** except in accordance with Table 10-3.

Table 10-3: Lot and Building Requirements in the Environmental Protection and Open Space Zones				
Standard	Zone			
	OS	OSR	OSS	EP
Minimum Lot Area (ha.)	-	-	-	-
Minimum Lot Frontage (m)	-	-	-	-
Maximum Lot Coverage (%)	10	10	-	-
Minimum Front Yard (m)	7.5	1.2	-	-
Minimum Rear Yard (m)	3	3	-	-
Minimum Interior Side Yard (m)	7.5	1.2	-	-
Maximum Height (m)	11	11	-	-
Minimum Water Setback (m)	30 ⁽¹⁾	30 ⁽¹⁾	30 ⁽¹⁾	-
Shoreline Naturalization Buffer	-	-	Section 4.32 applies to lots abutting a waterbody .	-
Minimum Distance Between Buildings (m)	-	-	7.0	-
Minimum Setback from a Zone Boundary (m)	-	-	15.0	-
Minimum Separation Distance Between Hunt Camps (m)	-	-	400.0	-

Notes

1. The minimum **water setback** shall be subject to the provisions of Section 4.32.2.

11.0 Community Use Zone

11.1 List of Community Use Zones

For convenience, Table 11-1 lists the Community Use **zones** established in Section 2 of this By-law.

Zone Name	Zone Symbol
Community Use	CU

The provisions of Section 4 of this By-law should be consulted alongside the provisions of this Section.

11.2 Permitted Uses in the Community Use Zone

No **person** shall **use** any **lot, building or structure** for any purpose except for one or more of the **uses** as permitted in accordance with Table 11-2. Permitted **uses** are denoted by the symbol “✓” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 11-2.

Permitted Use	Zone
	CU
Assembly Hall	✓
Cemetery	✓
Club	✓
Community Facility	✓
Community Garden	✓
Conservation Use	✓
Day Care Centre	✓
Emergency Service	✓
Farmer’s Market	✓
Parking Lot	✓
Place of Worship	✓
Post Office	✓
Public Park	✓
Public School	✓
Private Park	✓
Private School	✓
Recreational Use	✓

SPECIFIED ACCESSORY USES

Subject to the provisions of Section 4.0.

Accessory Dwelling Unit	✓ ⁽¹⁾
Ancillary Retail	✓

Notes

1. This **use** shall only be permitted as an **accessory use** to a **place of worship**.

11.3 Lot and Building Requirements in the Community Use Zone

No **person** shall within the Community Use **zone use** any **lot**, or **erect, alter,** or **use** any **building** or **structure** except in accordance with Table 11-3.

Table 11-3: Lot and Building Requirements in the Community Use Zone	
Standard	Zone
	CU
Minimum Lot Area (m²)	-
Full Services	650
Private Services	4000
Minimum Lot Frontage (m)	-
Full Services	15
Private Services	45
Minimum Front Yard (m)	10
Minimum Rear Yard (m)	10
Minimum Exterior Side Yard (m)	10
Minimum Interior Side Yard (m)	6
Minimum Water Setback (m)	30 ⁽¹⁾
Maximum Lot Coverage	40%
Maximum Building Height (m)	11
Minimum Landscaped Open Space	30%
Required planting strip abutting a street line (width in m)	3
Required planting strip on any interior side lot line or rear lot line abutting a Residential zone or Environmental Protection and Open Space zone (width in m)	4.5

Notes

1. The minimum **water setback** shall be subject to the provisions of Section 4.32.2.

12.0 Future Development Zone

12.1 List of Future Use Zones

For convenience, Table 12-1 lists the Future Development **zones** established in Section 2 of this By-law.

Table 12-1: List of Future Development Zones

Zone Name	Zone Symbol
Future Development	FD

The provisions of Section 4 of this By-law should be consulted alongside the provisions of this Section.

12.2 Permitted Uses in the Future Development Zone

No **person** shall **use** any **lot**, **building** or **structure** for any purpose except for one or more of the **uses** as permitted in accordance with Table 12-2. Permitted **uses** are denoted by the symbol “✓” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 11-2.

Where the symbol “E” is shown in Table 12-2, the **use** shall only be permitted on that portion of a **lot** in the corresponding **zone** if the **use** was legally **existing** and **used** on the **lot** on the effective date of this By-law.

Table 12-2: Permitted Uses in the Future Development Zone

Permitted Use	Zone
	FD
Agriculture, excluding livestock facilities	✓
Conservation Use	E
Single Detached Dwelling	E

SPECIFIED ACCESSORY USES

Subject to the provisions of Section 4.0.

Bed and Breakfast	E
Farm Produce Outlet	✓
Home Industry	E
Home Occupation	✓
Outside Storage	E
Shipping Container	E

12.3 Lot and Building Requirements in the Future Development Zone

No person shall within the Future Development zone use any lot, or erect, alter, or use any building or structure except in accordance with Table 12-3.

Table 12-3: Lot and Building Requirements in the Future Development Zone	
Standard	Zone
	FD
Minimum Lot Area (m ²)	As legally existing
Minimum Lot Frontage (m)	As legally existing
Minimum Front Yard (m)	30
Minimum Rear Yard (m)	30
Minimum Exterior Side Yard (m)	15
Minimum Interior Side Yard (m)	9
Minimum Water Setback (m)	30 ⁽¹⁾
Maximum Lot Coverage	20%
Maximum Building Height (m)	11

Notes

1. The minimum **water setback** shall be subject to the provisions of Section 4.32.2.

13.0 Exception Zones

14.0 Enactment

14.1 Former Zoning By-laws are Repealed

Save and except to give effect to the transition clauses established in Section 1.5 of this By-law, the following former Zoning By-laws adopted under the *Planning Act*, as amended, as they apply to any part of the **defined area**, are hereby repealed.

- .1 By-law No. 93-09 of the former Township of Bexley;
- .2 By-law No. 79-2 of the former Township of Carden;
- .3 By-law 10-77 of the former Township of Dalton;
- .4 By-law 94-14 of the former Township of Eldon;
- .5 By-law 1996-30 of the former Township of Emily;
- .6 By-law 12-95 of the former Township of Fenelon;
- .7 By-law 32-83 of the former United Township of Laxton, Digby, and Longford;
- .8 By-law 87-06 of the former Township of Manvers;
- .9 By-law 94-07 of the former Township of Mariposa;
- .10 By-law 93-30 of the former Township of Ops;
- .11 By-law 78-45 of the former Township of Somerville;
- .12 By-law 339 of the former Village of Sturgeon Point;
- .13 By-law 6-87 of the former Township Verulam; and
- .14 By-law 1993-9 of the former Village of Woodville.

This By-law shall take effect from the date of passing thereof, subject to the provisions of Section 34 of the *Planning Act*.

14.2 Effective Date

This By-law shall come into force and effect on the date of its final passing. If any appeals are received in accordance with the *Planning Act*, as amended, this By-law shall come into force and effect except for those lands or sections of this By-law that are subject to the appeals.

14.3 Enactment

Enacted by the Council of the Corporation of the City of Kawartha Lakes this ____ day of _____, 20__.

Doug Elmslie, Mayor

Cathie Ritchie, City Clerk