

CORPORATION
OF THE
TOWNSHIP OF GREATER MADAWASKA
ZONING BY-LAW NO. 22-2003

Prepared For:

The Corporation of the
Township of Greater Madawaska

Prepared By:

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Adopted by Township of Greater Madawaska Council: November 25, 2003
Approved by Ontario Municipal Board: July 19, 2004, except Section 6.3(b) and
corresponding area on Schedule "D"
(Inset#3)

Consolidated: October 23, 2017

TOWNSHIP OF GREATER MADAWASKA
FORM 1 - NOTICE OF PASSING OF A COMPREHENSIVE ZONING BY-LAW

TAKE NOTICE that the Council of the Corporation of the Township of Greater Madawaska passed By-law _____ on the _____ day of _____, 19____ under Section 34 of the Planning Act, 1990.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the By-law by filing with the Clerk of the Corporation of the Township of Greater Madawaska not later than the _____ day of _____, 19____, a notice of appeal setting out the objection to the By-law and the reasons in support of the objection. The notice of appeal must be accompanied by the fee required by the Ontario Municipal Board (\$125).

Only individuals, corporations and public bodies may appeal a zoning by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

An explanation of the purpose and effect of the By-law is attached. As the By-law effects all lands in the Township of Greater Madawaska, a Key Map is not attached.

EXPLANATORY NOTE

This new zoning by-law repeals the zoning by-laws of the former Township of Bagot and Blythfield, the former Township of Brougham and the former Township of Griffith and Matawatchan. As such it, establishes new zones and zone provisions for the Township of Greater Madawaska.

The Council of a municipality may, under Section 34 of the Planning Act, 1990, pass a Zoning By-law to govern the use of land. The effect of By-law Number _____ is to regulate the use of land and the erection, location and use of buildings and structures within the entire Township of Greater Madawaska. After the By-law is in force, no land shall be used and no building or structure shall be erected, altered or used in any manner except in conformity with the provisions of the By-law. All previous Zoning By-laws are repealed by the new By-law.

The By-law will not apply to prevent or hinder the continued use of any land, building or structure, if such land, building or structure was lawfully used for such purpose on the day of the passing of the By-law, so long as it continues to be used for that purpose.

As the By-law effects all lands within the Township of Greater Madawaska, a Key Map has not been provided.

DATED at the Township of Greater Madawaska this _____ day of _____, 20_____.

Cathy Reddy
Clerk-Treasurer
Box 180, 1101 Francis Street
Calabogie, Ontario KOJ 1H0

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LIST OF ZONING MAPS

Township of Greater Madawaska

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Schedule "B" - geographic Township of Brougham

Schedule "C" - geographic Township of Griffith and Matawatchan

Schedule "D" - Insets #1-#5 - geographic Township of Bagot, Blythfield and Brougham

Schedule "E" - Insets #6-#10 - geographic Township of Griffith and Matawatchan

(23-2008)

*Schedule "F" - Part of Lot 27, Concessions III & IV, geographic Township of
Matawatchan*

THE CORPORATION OF THE TOWNSHIP OF GREATER MADAWASKA

BY-LAW NUMBER 22-2003

Being a By-law to regulate the use of lands and the character, location and use of buildings and structures within the Township of Greater Madawaska pursuant to Section 34 of the Planning Act, 1990.

PREAMBLE

WHEREAS Section 34 of the Planning Act, 1990, provides that the Council of a local municipality may pass By-laws to regulate the use of lands and the character, location and use of buildings and structures;

AND WHEREAS the Council of The Corporation of the Township of Greater Madawaska wishes to ensure proper and orderly development within the limits of the Township of Greater Madawaska;

AND WHEREAS this By-law encompasses all lands within the former Township of Bagot and Blythfield, the former Township of Brougham and the former Township of Griffith and Matawatchan;

AND WHEREAS the Council of The Corporation of the Township of Greater Madawaska has deemed it to be in the public interest that such a By-law be enacted;

NOW THEREFORE the Council of The Corporation of the Township of Greater Madawaska enacts as follows:

SECTION 1.0 - AUTHORIZATION AND USAGE**1.1 TITLE**

This By-law shall be known and may be cited as the "Zoning By-law" of the Corporation of the Township of Greater Madawaska.

1.2 SCOPE**1.2.1 Application of By-law**

The provisions of this By-law shall apply to all lands within the Township of Greater Madawaska.

1.2.2 Conformity with By-law

No building or structure shall hereafter be erected or altered, nor shall the use of any building, structure or lot hereafter be changed, in whole or in part, except in conformity with the provisions of this By-law.

1.2.3 Changes Causing Contravention of By-law

No person shall change the purpose of which any lot, building or structure is used, or erect any new building or structure or alter any existing building, structure or lot, or sever any lands from any existing lot, if the effect of such action is to create a situation where any original, adjoining, remaining or new building, structure or lot contravenes any of the applicable provisions of this By-law.

1.2.4 Violations of Previous Zoning By-laws

Any use established in violation of a predecessor of this By-law shall be deemed to have been established unlawfully.

1.2.5 Other Restrictions

This By-law shall not be used or have the effect to reduce or mitigate any other restrictions by an authority having lawful jurisdiction to make such restrictions.

1.2.6 Permits and Licences

No Municipal permit, certificate or licence shall be issued for a proposed use of land, including any establishment, enlargement, alteration or change in use of any building or structure, that contravenes any provision of this By-law.

1.3 ADMINISTRATION

1.3.1 Administrator

This By-law shall be administered by the Chief Building Official or by a Zoning Administrator appointed by Council, or by such other person as Council may designate from time to time for such purpose.

1.3.2 Inspection

The Zoning Administrator, Chief Building Official or any officer or employee of the Corporation assigned the responsibility for enforcing this By-law may at all reasonable times and upon producing proper identification, enter and inspect any property on or in respect of which he or she believes a contravention is occurring. However, such officer shall not enter any room or place actually used as a dwelling without requesting and obtaining the consent of the occupier, except under the authority of a search warrant as set out in Section 49.1 of the Planning Act, 1990.

1.3.3 Violations and Penalties

Every person who contravenes any provision of this By-law on conviction is liable:

- (a) on a first conviction to a fine of not more than \$25,000.00; and
- (b) on a subsequent conviction to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted; and

Every corporation which contravenes any provision of this By-law on conviction is liable:

- (c) on a first conviction to a fine of not more than \$50,000.00 and
- (d) on a subsequent conviction a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.

Every such penalty described herein is subject to the provisions of Section 67 of the Planning Act, 1990, as amended, and will change from time to time in accordance with the said Act.

1.3.4 Remedies

Where a building or structure is or is proposed to be erected, altered or enlarged, or a building, structure or lot is or is proposed to be used in contravention of any provision of this By-law, such contravention may be restrained by action at the insistence of any ratepayer or of the Corporation.

1.3.5 Plans to Accompany Applications

In addition to all of the requirements of the Building Code and this By-law or any other By-law of the Corporation, every application for a building permit shall be accompanied by a plan, in duplicate, drawn to scale and showing;

- (a) the true dimensions of the lot to be built upon or otherwise used;
- (b) the location of all existing buildings, structures or uses on the lot;
- (c) the proposed location, height and dimensions of any building, structures or use proposed for such lot;
- (d) the proposed locations and dimensions of yards, landscaped open spaces, parking areas and loading spaces required by this By-law;
- (e) a statement, signed by the owner, disclosing the specific existing or proposed use for each existing or proposed building or structure, and containing all information necessary to determine if such existing or proposed building, structure or use conforms to the requirements of this By-law.

1.4 VALIDATION

1.4.1 Effective Date

This By-law shall come into effect from the date of its passing by Council and shall come into force in accordance with Section 34 of the Planning Act, 1990.

1.4.2 Repeal of Existing By-laws

From the coming into force of this By-law all previous By-laws passed by the Council(s) of the former Township of Bagot and Blythfield, the former Township of Brougham and the former Township of Griffith and Matawatchan, under Section 34 of the Planning Act, 1990, or a predecessor thereof, shall be repealed, except to the extent that any of the said By-laws prohibit the use of any land, building or structure for a purpose or in a manner that is also prohibited by this By-law.

1.4.3 Provisions Validity Separable

A decision of a competent court that one or more of the provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or part of provisions of this By-law.

1.4.4 Schedules to By-law

The Zones set out in this By-law and the boundaries of such Zones are set out on the maps that are attached hereto and marked as Schedules. The Schedules are hereby made a part of this By-law as fully and to all intents and purposes as though recited in full herein.

1.5 INTERPRETATION

1.5.1 For the purposes of this By-law, words used in the present tense include the future; words in the singular number include the plural and words in the plural include the singular number; the word "shall" is mandatory; the word "used" shall also mean "designed to be used"; and the word "occupied" shall also mean "designed to be occupied".

1.5.2 Boundaries of Zones

Where uncertainty exists with respect to the boundaries of the various zones as shown on the Schedules (Zoning maps) attached to this By-law the following rules shall apply:

(a) Centreline Limits

Where the boundary is shown as following a street, lane, railway right-of-way or other right-of-way, such Zone boundary shall be the centreline of the street, lane, railway right-of-way or other right-of-way.

(b) Lot Lines

Where the boundary is not shown to be a street, or other feature described in item (a), but is shown to substantially follow a lot line, such lot line shall be the Zone boundary unless specifically indicated otherwise on the Schedule.

(c) Closed Road, Right-of-Way

In the event that a dedicated road, lane or railway right-of-way shown on the Schedule is closed, the property formerly in such road, lane or railway right-of-way shall be included within the Zone of adjoining property on either side of such closed feature. Where such closed feature formed a Zone boundary, the new Zone boundary shall be the former centreline of the closed road, lane or railway right-of-way.

(d) Shoreline

Where the boundary is shown as following the shoreline of any water body, the high water mark shall be the Zone boundary.

(e) Other Boundaries

Where none of the above interpretations can be applied, then the location of the boundary shall be determined by scaling from the original Schedule(s) located in the Municipal offices.

1.5.3 Measurements

Where linear distances, other than those referring to vertical measurements are specified, such linear distances are measured on a horizontal plane.

SECTION 2.0 - DEFINITIONS

For the purpose of this By-law the definitions and interpretations of this section shall apply.

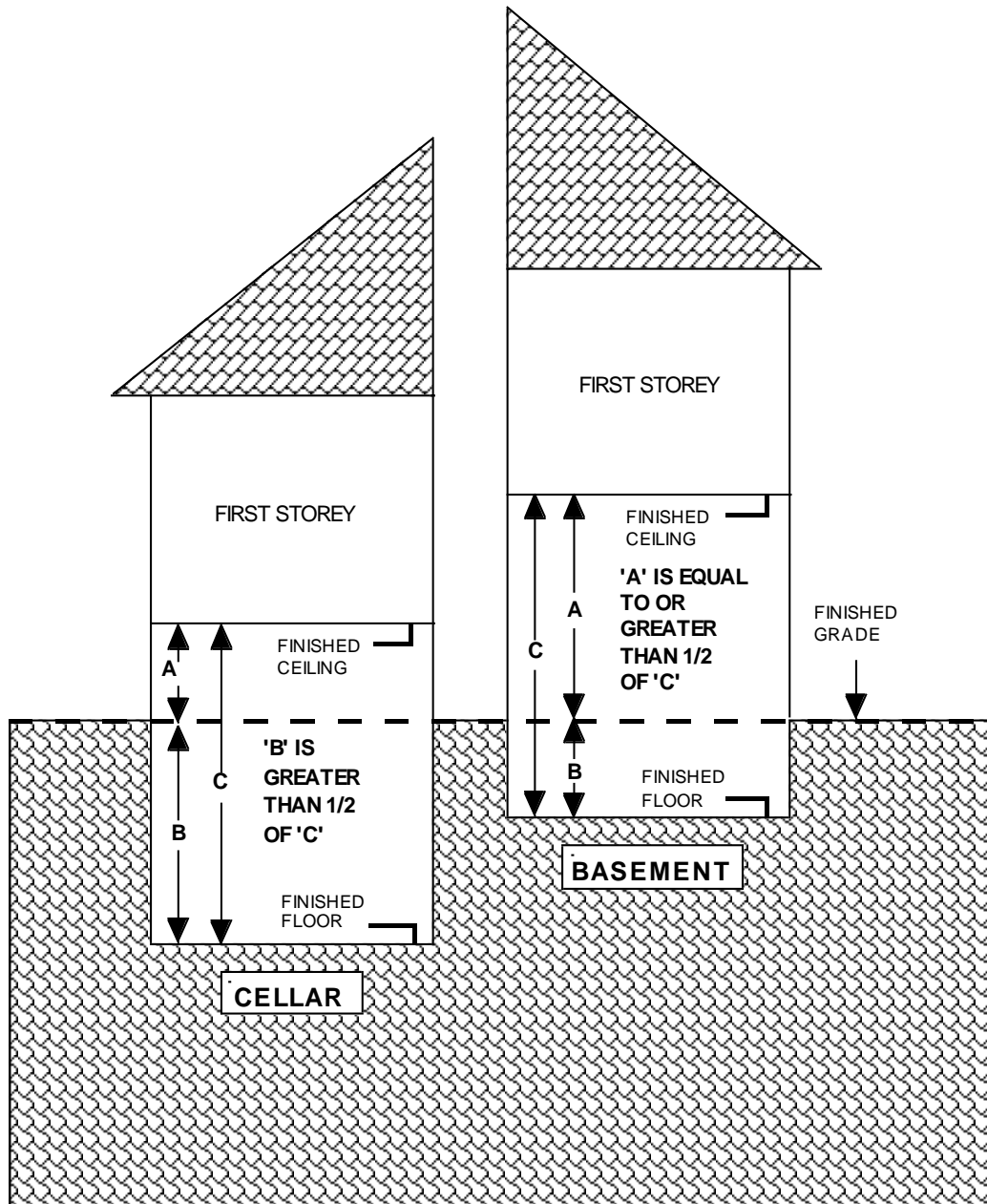
- 2.1 ABANDONED means the failure, in the opinion of the Zoning Administrator, to proceed expeditiously with construction work during any continuous 12 month period.
- 2.2 ABATTOIR means a building, structure or lot or part thereof used for the slaughter of livestock or other animals for the purpose of processing or rendering.
- 2.3 ACCESSORY when used to describe a use, building or structure, means a use, or a detached building or structure, that is customarily incidental, subordinate and exclusively devoted to supporting the principle use, building or structure and located on the same lot therewith. This does not include an accessory residence unless otherwise specified.
- 2.4 ADULT ENTERTAINMENT PARLOUR means any premises or part thereof in which, in pursuance of a business, trade, calling or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations, are provided. This definition does not include the exhibition, rental or sale of film or videos approved for distribution pursuant to the Theatres Act, or the sale of magazines or other printed material provided such sale does not contravene any law. "Services appealing to or designed to appeal to erotic or sexual appetites or inclinations" shall mean a performance, exhibition or activity of which a principal feature or characteristic is the nudity or partial nudity of any person.
- 2.5 AGGREGATE means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite and rock other than metallic ores.
- 2.6 AGRICULTURAL COMMERCIAL ESTABLISHMENT means the use of land, buildings or structures for the wholesale or retail sales of goods that are necessary to support agricultural uses and for the processing and sale of products derived from farm uses. Without limiting the generality of the foregoing, these include such goods as farm machinery and equipment, products used for the housing and husbandry of livestock, poultry and fur bearing animals, and materials and equipment for sub-surface drainage and such services as the selling, processing, storage and transportation of seed, feed, crops, milk and eggs and livestock, and the selling of fertilizer and chemical products.
- 2.7 AIRFIELD, PRIVATE means land used for the purpose of the landing, storing, taxiing or taking-off of private aircraft and uses, buildings and structures accessory thereto, but not an airport under the regulation of Transport Canada.
- 2.8 AIRPORT means the use of land licensed by Transport Canada for the landing and take-off of commercial and/or private aircraft and shall include any buildings or structures accessory thereto.

- 2.9 ALTER means any alteration in a bearing wall or partition or column, beam, girder or other supporting member of a building or structure or any increase in area or volume of a building or structure. When used in reference to a lot, the word alter means to decrease the width, depth or area of any required yard, setback, landscaped open space or parking area, or to change the location of any boundary of such lot with respect to a street or lane. The words "altered" and "alteration" shall have a corresponding meaning.
- 2.10 AMUSEMENT ARCADE means any premises or part thereof containing four or more electronic, mechanical pinball or amusement machines operated for gain and made available for the entertainment or amusement of the general public. This definition shall not include establishments which sell such devices, provided that such devices are not made available on the premises for use on a commercial basis by the public.
- 2.11 ANIMAL HOSPITAL means a building or structure where domestic animals, birds or other livestock are treated and where domestic animals or birds are kept for treatment only and shall include the clinic of a registered veterinarian.
- 2.12 ANSI (Area of Natural and Scientific Interest) means an area identified as provincially significant by the Ministry of Natural Resources using evaluation procedures established by the province.
- 2.13 ASPHALT MANUFACTURING PLANT means an industrial facility used for the production of asphalt for immediate use in the paving of roads and driveways and the damp-proofing of buildings or structures.
- 2.14 ASSEMBLY HALL means a building or part of a building in which facilities are provided for such purposes as meetings of civic, education, political, religious or social purposes, and shall include a banquet hall.
- 2.15 ATTACHED means a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.
- 2.16 AUTOMOTIVE-BODY SHOP means a building or structure used for the painting or repairing of vehicle bodies or fenders, but shall not include a salvage yard.
- 2.17 AUTOMOTIVE-CAR WASH shall mean a building or structure containing facilities for washing vehicles, either by production line methods and mechanical services or by a self-service operation.

- 2.18 AUTOMOTIVE-COMMERCIAL GARAGE means a building where all functions of an automotive service station may be carried out and where major repairs of vehicles may be performed, including body work and welding but shall not include dismantling of motor vehicles for scrap or the storage of motor vehicles awaiting scrapping.
- 2.19 AUTOMOTIVE-GASOLINE BAR means one or more pump islands, each consisting of one or more gasoline pumps, and shelter having a floor area of not more than 10 square metres, excluding washrooms, which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles and shall not be used for repairs, oil changes or greasing.
- 2.20 AUTOMOTIVE-SERVICE STATION means a building or place where gasoline, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries changed, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed.
- 2.21 AUTOMOTIVE-STORE means an establishment primarily engaged in the retail sale of vehicle parts, accessories and tools. Accessory uses may include service bays for performing maintenance repair operations on motor vehicles.
- 2.22 AUTOMOTIVE-VEHICLE SALES OR RENTAL ESTABLISHMENT means an establishment having as its main use the storage of vehicles for sale or the storage of vehicles for rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles.
- 2.23 BASEMENT means that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above adjacent finished grade as approved.
- 2.24 BED AND BREAKFAST ESTABLISHMENT means an owner-occupied single-detached dwelling in which there are up to four rooms for rent as short-term accommodation for tourists or vacationers, and may include the provision of meals. The Bed and Breakfast use shall remain subordinate to the primary use of the building as a single-detached dwelling. This definition does not include any other establishment defined in this By-law.
- 2.25 BERM means a landscaped mound of earth.
- 2.26 BOARDING HOUSE means a dwelling in which the proprietor resides and supplies for gain, more than three bedrooms for boarders and may include the provision of meals. Rooming house shall have a corresponding meaning.
- 2.27 BOAT DOCKING OR LAUNCHING FACILITY means a structure for the mooring or launching of boats or watercraft, attached to or forming part of the mainland or used in conjunction with a use on the mainland.

- 2.28 BOATHOUSE means an accessory building or structure which is designed or used for the sheltering of a boat or other form of watercraft and equipment accessory to their use.
- 2.29 BUFFER STRIP means an area to be used only for the purpose of screening land, buildings or other structures by the planting and maintenance of trees or shrubs or the construction and maintenance of a berm.
- 2.30 BUILDING means any structure used or designed to be used for shelter, accommodation or enclosure of persons, animals or chattels.
- 2.31 BUILDING ENVELOPE means the buildable area on a lot, defined by the minimum front yard depth, rear yard depth and side yard width requirements and maximum height requirements, within which a building can be erected.
- 2.32 BUILDING SUPPLY STORE means an establishment engaged in the selling of building supplies including lumber, siding, roofing, electrical, heating and similar items.
- 2.33 CABIN, SLEEPING means a building containing not more than two sleeping rooms, which building shall not include cooking facilities or any plumbing facilities.
- 2.34 CAMP, RECREATION means a recreational establishment operated by a private or public organization where children and/or adults are temporarily accommodated in tents, cabins, cottages and/or lodge houses and shall include a church camp, a day camp or a scout camp but does not include any tourist establishment or mobile home park.
- 2.35 CAMPING ESTABLISHMENT means a tourist establishment consisting of at least five camping lots and comprising land used or maintained as grounds for the camping or parking of recreational vehicles and tents.
- 2.36 CELLAR means the portion of a building between two floor levels, which is partly underground and which has more than one-half of its height from finished floor to finished ceiling, below adjacent finished grade.
- 2.37 CEMETERY means a cemetery, columbarium or mausoleum within the meaning of the Cemetery Act of Ontario.
- 2.38 CHURCH means a building commonly used by any religious organization as defined in the Religious Organizations Land Act, R.S.O. 1980 as amended, for public

ILLUSTRATION OF CELLAR AND BASEMENT DEFINITIONS



Note: The above illustration is for clarification purposes only.

worship, and may include a rectory or manse, church hall, auditorium, day nursery or religious school associated with or accessory thereto.

- 2.39 CLINIC means a building or part thereof, used exclusively by physicians, dentists, their staff, and their patients for the purpose of consultation, diagnosis and office treatment. Without limiting the generality of the foregoing, a clinic may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies and dispensaries directly associated with the clinic, but shall not include accommodation for in-patient care or operating rooms.
- 2.40 COMMUNITY CENTRE means any tract of land or buildings or any part of any buildings used for community activities whether used for commercial purposes or not, and the control of which is vested in the municipality, a local board or agent thereof.
- 2.41 CONCRETE MANUFACTURING PLANT means an industrial facility used for the production of concrete for immediate use in the construction of buildings, structures, roads or driveways. This definition also means the manufacturing of finished concrete products and may include the retail sale of such products.
- 2.42 CONSTRUCT means to do anything in the erection, installation, extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere and “construction” has corresponding meaning.
- 2.43 CONTRACTOR'S YARD OR SHOP means an area of land of a contractor of any building or construction trade where equipment and materials are stored, or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.
- 2.44 CONVENIENCE STORE means a retail commercial establishment supplying groceries, sundries and other daily household necessities to the immediate surrounding area.
- 2.45 CORPORATION means the Corporation of the Township of Greater Madawaska.
- 2.46 COTTAGE means a building to accommodate one or more guests for temporary occupancy,
- (a) that contains at least two rooms;
 - (b) that is at least partially furnished; and
 - (c) in which the guest may be permitted to prepare and cook food.
- 2.47 COTTAGE ESTABLISHMENT means a tourist establishment comprised of two or more cottages owned or leased by the same person. Cabin establishment shall have a corresponding meaning.

(43-2005)

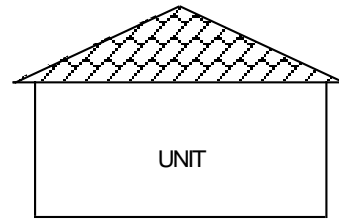
- *2.48 CUSTOM WORKSHOP means a building or structure or part thereof where the manufacturing of small quantities of articles is performed by a tradesman requiring manual or mechanical skills, but does not include machining, stamping or forging of materials.*
- 2.49 DAY NURSERY means a building or part thereof duly licensed by the Province of Ontario for use as a facility for the day-time care of children.
- 2.50 DRIVEWAY means a vehicle access provided between a street or lane and a parking area or a loading space, or between two parking areas, but does not include a parking aisle.
- 2.51 DWELLING means a building or part of a building containing one or more dwelling units.
- 2.52 DWELLING, SINGLE DETACHED means a single dwelling unit which is freestanding, separate and detached from other main buildings or main structures and includes a prefabricated single dwelling unit but does not include a mobile home.
- 2.53 DWELLING, SEMI-DETACHED means a building that is divided vertically into two separate dwelling units each of which has an independent entrance either directly from the outside or from a common vestibule.
- 2.54 DWELLING, DUPLEX means a building that is divided horizontally into two separate dwelling units each of which has an independent entrance either directly from outside or through a common vestibule.
- 2.55 DWELLING, TRIPLEX means a building that is divided horizontally into three separate dwelling units each of which has an independent entrance either directly from outside or through a common vestibule.
- 2.56 DWELLING, ROW HOUSE means a building that is divided vertically into three or more dwelling units, each of which has a separate and independent entrance at finished grade and separated from the adjoining unit or units by a common unpierced wall with no interior access between each dwelling unit. Townhouse shall have a corresponding meaning.
- 2.57 DWELLING, MAISONETTE means a building that is divided vertically into five or more dwelling units, each of which has independent entrances, one to a common corridor and the other directly to an outside yard area adjacent to the said dwelling unit.
- 2.58 DWELLING, APARTMENT means the whole of a building not otherwise defined herein, which contains four (4) or more dwelling units served by a common entrance or by an independent entrance directly from the outside in which the occupants have the right to use in common any corridors, stairs or elevators contained therein, and the yards appurtenant thereto.

- 2.59 DWELLING, LIMITED SERVICE means a single-detached dwelling that:
- (a) has no frontage on a municipally maintained street, and
 - (b) the owner is responsible for services, such as snow clearing and road maintenance, and for ensuring that the road condition is adequate for access by emergency vehicles, including fire, ambulance and police;
 - (c) has a means of access to the lot that is not part of the municipal street network.
- 2.60 DWELLING UNIT means a suite of habitable rooms which:
- (a) is located in a building;
 - (b) is used or intended to be used in common by one or more persons as a single, independent and separate housekeeping establishment;
 - (c) contains food preparation and sanitary facilities provided for the exclusive common use of the occupants thereof; and
 - (d) has a private entrance directly from outside the building or from a common hallway or stairway inside the building.
- 2.61 DWELLING UNIT, ACCESSORY means a dwelling unit accessory to a permitted non-residential use.
- 2.62 DWELLING UNIT AREA means the aggregate of the floor area of all habitable rooms, hallways and lobbies within a dwelling unit, excluding the thickness of any exterior walls.
- 2.63 EATING ESTABLISHMENT means a building or part of a building where food is offered for sale or sold to the public for immediate consumption therein and includes a restaurant, café, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar, refreshment room or stand or a mobile food vehicle, but does not include a boarding house.
- 2.64 EATING ESTABLISHMENT, DRIVE-IN means a premises consisting of a building or structure, together with a parking lot, from which food, refreshments, dairy products or beverages are offered for sale or sold to the public for consumption either in automobiles parked on the parking lot or for consumption elsewhere on the premises, but not necessarily within such building or structure, and does not include any other use defined in this By-law.
- 2.65 EATING ESTABLISHMENT, FULL SERVICE means a building or part thereof where food is prepared and offered for retail sale to the public for immediate consumption either on or off the premises.

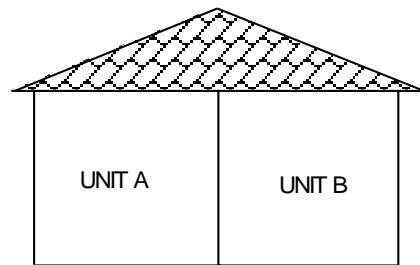
ILLUSTRATIONS OF DWELLING TYPES

DETACHED

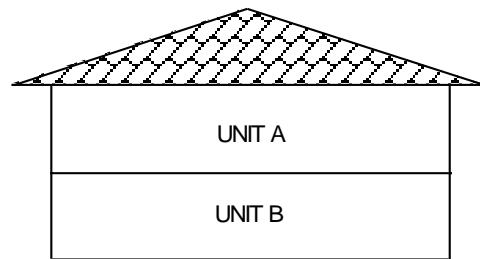
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SEMI-DETACHED



DUPLEX



ROW



Note: The above illustrations are for clarification purposes only.

- 2.66 EATING ESTABLISHMENT, HOME BASED means any building or part of a building where meals or portions are prepared for immediate consumption or sold or served to the public in a form that will permit immediate consumption on the premise or elsewhere offsite and also includes caterers.
- 2.67 EATING ESTABLISHMENT, TAKE-OUT means a building or structure used for the sale of food to the general public and from which food is made available to the customer from within the building. No provision is made for consumption of food on the site.
- 2.68 ERECT means build, construct, reconstruct, alter, enlarge or relocate and without limiting the generality of the foregoing, shall include any preliminary physical operations such as cutting, grading, excavating, berming, piling, cribbing, filling or drainage, or any altering of any existing building by an addition, deletion, enlargement, extension or other structural change.
- 2.69 ESTABLISHED BUILDING LINE means the average distance from the street line to existing buildings on the same side of a street within 150 metres of a lot, where a minimum of 3 dwellings have been built within this area prior to the date of passing of this By-law. Where the established building line is being calculated for water setback, the average distance is to be measured in accordance with the foregoing, except that it will be calculated using the distances between the high water mark and existing buildings.
- 2.70 EXISTING means existing as of the date of final passing of this By-law.
- 2.71 EXTRACTIVE INDUSTRIAL FACILITY means a building, structure or facility used for processing aggregate and includes the screening, sorting, washing, crushing, storing and other similar operations allied to an extractive industrial operation.
- 2.72 FACTORY OUTLET means a building accessory to a permitted industrial use where the products manufactured by that industry are kept and offered for wholesale or retail sale.
- 2.73 FARM means land used for the tillage of soil; the growing and harvesting of field crops, vegetables, fruits, horticultural crops and trees; the grazing, breeding, raising, boarding or training of livestock and horses; dairying; beekeeping, fish farming; any other operation that is normal farming practice; and includes one farm dwelling as well as barns, sheds and other accessory structures. A farm use includes a hobby farm.
- 2.74 FARM LIMITED means land used for growing and harvesting field, bush, vine, forest or tree crops or grazing and does not include a farm dwelling and accessory buildings and uses.
- 2.75 FARM PRODUCE SALES OUTLET means a stand set up as an accessory use on a farm, used for the sale or produce from that same agricultural use.

- 2.76 FLOOD means a temporary rise in the water level resulting in the inundation of areas that are adjacent to a water course and not ordinarily covered by water.
- 2.77 FLOOD FRINGE means the outer portion of the flood plain between the floodway and the upper elevation of the flood plain limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway.
- 2.78 FLOOD PLAIN means the area of land within a watershed which is subject to inundation during a flooding event. This area shall be calculated as being the area that would be flooded with an expected average frequency of once in a hundred years. Lands subject to flooding shall have a corresponding meaning.
- 2.79 FLOODPROOFED means the installation of power service metering equipment, major electrical appliances, etc., such that they are not located below the flood plain design elevation but this does not prohibit the installation of electrical wall outlets equipped with ground fault plugs; the design and installation of heating, air conditioning, ventilation, plumbing, sewer and water systems which consider flood susceptibility; sanitary sewer and storm drainage systems having openings below the flood plain elevation which are provided with automatic back flow preventers; water supply systems which are designed to prevent contamination by flood waters; fuel-fired furnaces which are provided with float operated automatic control valves which shut off the fuel supply in the event of flooding; septic systems which are designed to operate during flood conditions and which prevent sewer discharges which could result in a health hazard; and no building openings below the regulatory flood elevation.
- 2.80 FLOODWAY means the channel of a watercourse and the inner portion of the flood plain adjacent to the watercourse where flood depths and velocities are more severe than in the flood fringe. These flood depths and velocities are considered to have the potential to threaten lives and/or damage property.
- 2.81 FLOOR AREA, GROSS means, for a dwelling, the total area of the storeys exclusive of basements, cellars, attic, garages, sunrooms, unenclosed verandas or porches; and for a building other than a dwelling, the total area of all the floors contained within the outside walls of the building. Only that floor area having a clear height to the ceiling of at least two and one-quarter metres (2.25 metres) may be used to calculate floor area.
- 2.82 FLOOR AREA, GROSS LEASABLE means the total floor area of a building including basements, mezzanines and upper floors, minus common areas including public walkways, malls, public toilets, truck and service facilities, joint service facilities, elevator shafts and lobbies, boiler rooms, maintenance rooms, mechanical or electrical or utility rooms and any parking for autos within the building.
- 2.83 FLOOR AREA, NET means only the habitable or useable floor space in a building exclusive of any foyer, hallways, stairwell, closet, washroom or toilet room and shall be measured from the inside walls.

- 2.84 FRONTAGE see LOT FRONTAGE.
- 2.85 FORESTRY means the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection and production of water supplies, and preservation of the recreation resources.
- 2.86 FORTIFICATION means the installation, application or maintenance of devices, barriers or materials in a manner designed to restrict, obstruct or impede municipal and law enforcement officials and/or emergency personnel from accessing or exiting any land.
- 2.87 FUEL STORAGE TANK means a tank for the bulk storage of petroleum gasoline, fuel oil, gas or inflammable liquid or fluid but does not include a container for inflammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.
- 2.88 FURNITURE OR WOOD PRODUCTS SHOP means an establishment where items are constructed primarily from wood, including such products as cabinets, furniture, caskets, trim, or sash and door works.
- 2.89 FUNERAL HOME means any premises where preparation of a human body for internment or cremation is undertaken.
- 2.90 GARAGE, PRIVATE means an enclosed or partially enclosed structure in which no business, occupation or service is conducted for profit, and which structure is used primarily for the storage of one or more vehicles and storage of household equipment incidental to the residential occupancy. Carport shall have a corresponding meaning.
- 2.91 GARAGE, PUBLIC means a municipal or provincial facility used for the storage and servicing of road construction and maintenance equipment and materials.
- 2.92 GARDEN CENTRE means an establishment primarily used for the retail sale of gardening equipment, products and planting materials, including greenhouses for the cultivation of such materials.
- *(30-2007)***
- *2.93 GAZEBO means an accessory freestanding roofed structure with open or screened in walls enclosing a single area used for the purpose of relaxation.*
- 2.94 GOLF COURSE means a public or private area operated for the purpose of playing golf and includes a par 3 golf course, an accessory club house and an accessory driving range.
- 2.95 GRAVEL PIT means any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral in order to supply material for construction, manufacturing or industrial purposes.

- 2.96 **GROUP HOME** means a single housekeeping unit in a residential dwelling in which up to ten unrelated residents, excluding staff or the receiving family, live as a family under responsible supervision consistent with the requirements of its residents and which is licensed or approved under Provincial statute.
- 2.97 **HAULED SEWAGE** means untreated sanitary waste from a septic tank, privy or holding tank.
- 2.98 **HEIGHT** means, when used with reference to a building, the vertical distance between the average elevation of the finished surface of the ground at the front of the building and,
- (a) in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greater;
 - (b) in the case of a mansard roof, the deck roof line;
 - (c) in the case of a gable, hip or gambrel roof, the mean height between the eaves and the ridge; and
 - (d) in the case of any other type of roof, the highest point of the roof surface.

(43-2005)

- 2.99 **HIGH WATER MARK** means the mark made by the action of water under natural conditions on the shore or bank of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark. **
- 2.100 **HOME DISPLAY AND SALES OUTLET** means an establishment or premises where prefabricated dwellings including cottages and mobile homes are erected or located for display purposes only and from which orders can be placed for the purchase and delivery of such dwellings or parts and accessories associated therewith.
- 2.101 **HOME FOR THE AGED** means a "home for the aged" as defined under the Homes for the Aged and Rest Homes Act, as amended from time to time.
- 2.102 **HOME INDUSTRY** means a gainful occupation including a day nursery, carpentry, electrical shop, woodworking, window framing, welding, plumbing, machine or auto repair shop, riding stables and a kennel with a maximum of four outdoor runs; a service shop; blacksmithing; or a storage building for school buses, boats or snowmobiles and conducted in whole or in part in an accessory building to a single detached dwelling or to a permitted farm use.
- 2.103 **HOME OCCUPATION** means any occupation for gain or support which is carried on as an accessory use either within a dwelling or dwelling unit and operated by members of the one family residing in a dwelling or dwelling unit. Such home occupation uses may include a service or repair shop; a personal service shop; caterer; the office or consulting room of a doctor, dentist, chiropractor, drug-less practitioner, lawyer, real

estate agent, insurance agent, planner, architect, photographer, teacher, music or dance instructor or engineer, but does not include a clinic, a hospital, a nursing home, a tea room, kennel, a taxi business or a small internal combustion engine repair shop.

- 2.104 HOSPITAL means a hospital as defined in the Private Hospitals Act, 1980, a sanitarium as defined by the Private Sanitarium Act, 1980 or a hospital as defined by the Public Hospital Act, 1970.
- 2.105 HOTEL means a tourist establishment that consists of the following: 1) one or more than one building containing four or more accommodation units grouped under one roof and accessible from the interior or partially from the exterior, and 2) may or may not have facilities for serving meals.
- 2.106 HUNTING & FISHING CAMP means a building or structure intended to provide basic shelter and accommodation on an occasional basis for a person or group of persons engaged in hunting or fishing activities. Such structure may be described as being of light frame construction without any interior finish on its walls and ceiling.
- 2.107 KENNEL means an establishment in which dogs or other domesticated animals are housed, groomed, boarded, bred or trained for gain or profit.
- 2.108 LANDSCAPED OPEN SPACE means open space comprised of lawn and/or ornamental shrubs, flowers and trees and may include space occupied by paths, walks, courts and patios, but shall not include parking areas, traffic aisles, driveways, ramps or storage of equipment, vehicles or other materials.
- 2.109 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.
- 2.110 LAUNDROMAT means a building or structure where coin-operated laundry machines, using only water, detergents and additives are made available to the public for the purpose of laundry cleaning.
- 2.111 LIVESTOCK means chickens, turkeys, cattle, hogs, mink, rabbits, sheep, horses, goats or any domestic animal used or raised for consumption or for commercial purposes.
- 2.112 LIVESTOCK FACILITY means barns, buildings or structures where livestock are housed and shall also include beef feedlots and the associated manure storage facilities.
- 2.113 LODGE HOUSE means a building in which bedrooms, common areas, dining areas, games areas and meals are available for the guests of an establishment.
- 2.114 LOGGING HAULER means an area of land and/or building of a logging contractor where equipment and materials are stored and may include repairs to logging equipment belonging to the logging contractor.
- 2.115 LOT means a parcel or tract of land:
- (a) which is a whole lot as shown on a Registered Plan of Subdivision, but a Registered Plan of Subdivision for the purposes of this paragraph does not

include a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a By-law passed pursuant to Section 50 of The Planning Act.

(b) which is a separately conveyable parcel of land the owner of which does not retain the fee or equity of redemption in, or a power or right to grant, assign, or exercise a power of appointment with respect to any abutting land, or

(c) for the purpose of this By-law, a mobile home site shall be considered a lot.

2.116 LOT AREA means the total horizontal area within the lot lines of a lot. In the case of a corner lot having street lines rounding at the corner with a radius of six (6) metres, or less, the lot area of such land shall be calculated as if the lot lines were produced to their point of intersection.

2.117 LOT, CORNER means a lot situated at the intersection of two or more streets, or upon two parts of the same street, the adjacent sides of which street or streets (or, in the case of a curved corner, the tangents at the street extremities of the side lot lines) contain an angle of not more than one hundred and thirty-five degrees. In the case of a curved corner, the corner of the lot shall be that point on the street line nearest to the point of intersection of the said tangents.

2.118 LOT COVERAGE means the percentage of the lot area covered by buildings, including accessory buildings.

(43-2005)

2.119 LOT FRONTAGE means the horizontal distance between the side lot lines measured along the street line. Where the street line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured along a line seven and one-half (7.5) metres back from and parallel to the straight line joining the two points where the side lot lines intersect the street line.

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

2.121 LOT LINE means any boundary of a lot or a vertical projection thereof.

2.122 LOT LINE, FRONT means the lot line that divides the lot from the street or street allowance or private road with the following clarifications:

(a) in the case of a corner lot, the shorter lot line that abuts the street shall be deemed the front lot line and the longer lot line that abuts the street shall be deemed the side lot line;

(b) in the case of a corner lot with two street lines of equal lengths, the lot line that abuts the wider street or abuts a Provincial Highway or abuts a County Road shall be deemed to be the front lot line, and in the case of both streets being under the same jurisdiction, or of the same width, the lot line where the principal access to the lot is approved shall be deemed to be the front lot line;

- (c) in the case of a corner lot abutting a .3 metre reserve the lot line so abutting the .3 metre reserve shall be deemed an exterior side lot line and the other line abutting the street shall be deemed the front lot line;
- (d) in the case of a through lot, the longer boundary dividing the lot from the street shall be deemed to be the front line and the opposite shorter boundary shall be deemed to be the rear lot line. In case each of such lot lines should be of equal length the lot line where the principal access to the lot is approved shall be deemed to be the front lot line.
- 2.123 LOT LINE, REAR means, in the case of a lot having four or more lot lines, the lot line furthest from and opposite to the front lot line. In the case of a lot with less than four lot lines, there shall be deemed to be no rear lot lines.
- 2.124 LOT LINE, SIDE means a lot line other than a front or rear lot line.
- 2.125 LOT, THROUGH means a lot bounded on two opposite sides by a street. If any lot qualifies as being both a "Lot, Corner" and a "Lot, Through" as hereinbefore defined, such lot shall be deemed a "Lot, Corner" for the purpose of this By-law.
- 2.126 MAIN BUILDING means a building in which the principal use is conducted on the lot on which the building is located. In the residential zone the dwelling is the main building.
- 2.127 MANUFACTURING PLANT means a building or structure in which a product is fabricated or materials are processed or assembled and from which such product is shipped to a wholesale or retail outlet.
- 2.128 MANUFACTURING PLANT, LIGHT means a building or structure in which materials or component parts are manufactured, assembled or processed to produce finished products suitable for the retail trade but does not include any industry involving stamping presses, furnaces or other machinery that emits dirt, dust or noxious fumes into the air or that results in noise or vibration beyond the property in excess of Ministry of the Environment guidelines.
- 2.129 MARINA means a building, structure or place, containing docking facilities and located on a water body, where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided.
- 2.130 MEAT PRODUCTS PLANT means a canned meat factory, sausage factory, meat processing plant and any other factory where meat or poultry are cooked, cured, smoked or otherwise processed or packed but does not include a stock-yard, abattoir, tannery or hide processing plant, a poultry-killing establishment, an animal food factory or an animal by-products plant.
- 2.131 MINE means any opening or excavation in, or working of the ground for the purpose of opening up or proving any mineral or mineral-bearing substance, and any ore body, mineral deposit, stratum, rock, earth, clay, sand or gravel, or place where mining is or

may be carried on, and all ways, works, machinery, plant, buildings and premises below or above ground belonging to or used in connection with the mine, and also any quarry, excavation or opening of the ground made for the purpose of searching for or removal of mineral rock, stratum, earth, clay, sand or gravel and any roasting or smelting furnace, concentrator mill, work or place used for in connection with washing, crushing, sifting, reducing, leaching, roasting, smelting, refining, treatment or research on any of such substance.

- 2.132 MINERAL PROVING means work necessary to determine the presence of a mineral deposit and/or the economic potential for a mine. This work may include geophysical surveys, drilling, sinking of a test shaft or a decline, piling excavated overburden or rock, and removing from the site quantities of mineral-bearing substance sufficient for testing purposes only.
- 2.133 MINERAL EXPLORATION means work necessary to determine the presence of a mineral deposit. This work may include geophysical surveys and drilling.
- 2.134 MINING means any mode or method of working whereby the earth or any rock, stratum, stone or mineral-bearing substance may be disturbed, removed, washed, sifted, leached, roasted, smelted, refined, crushed or dealt with for the purpose of obtaining any mineral there from, whether it has been previously disturbed or not.
- 2.135 MINI STORAGE ESTABLISHMENT means one or more than one building containing separate spaces of varying sizes that are offered by lease or rent to persons for the storage of chattels. Self-service storage building shall have a corresponding meaning.
- 2.136 MOBILE HOME means any dwelling that is designed to be made mobile and constructed or manufactured to be used in like manner as a single detached dwelling for the permanent accommodation of one or more persons, notwithstanding that the running gear is or may be removed, or that such dwelling is or may be fixed on a finished and permanent foundation or has become in any other manner so adapted and affixed to the land upon which it is situated that it is, or has become, an immobile and permanent structure, and includes any mobile home as defined in Section 46(1) of the Planning Act, 1990 amended from time to time, or any successors thereto. A mobile home is deemed to be a building or structure as authorized by Section 34(4) of the Planning Act.
- 2.137 MOBILE HOME PARK means a lot containing two or more mobile home sites and which is under single management and ownership, used for the siting of mobile homes together with commercial-recreational and service uses for Mobile Home Park residents, including any building, structure or enclosure forming a part of such a mobile home park.
- 2.138 MOBILE HOME SITE means an area of land which shall be considered a lot within a mobile home park occupied by or intended for occupancy by one mobile home together with all yards and open space required by this By-law.

- 2.139 **MOTEL** means a tourist establishment that consists of the following: 1) one or more than one building containing four or more attached accommodation units accessible from the exterior only, 2) may or may not have facilities for serving meals, and 3) is designed to accommodate the public for whom the automobile is the principal means of transportation.
- 2.140 **MOTOR HOTEL** means a tourist establishment that consists of one 1) one or more than one building containing four or more accommodation units grouped under one roof and accessible from the interior or partially from the exterior, 2) may or may not have facilities for serving meals, and 3) is designed to accommodate the travelling public for whom the automobile is the principle means of transportation.
- 2.141 **MUTUAL DRIVEWAY** means an ingress or egress that is common to two or more owners of abutting lands as a right-of-way registered against the title of the lands.
- 2.142 **NAVIGABLE WATERWAY** means a navigable body of water or stream as deemed under the Navigable Waters Protection Act.
- 2.143 **NON-CONFORMING** means that which does not conform, comply or agree with the regulations of this Bylaw as of the date of final passing thereof.
- 2.144 **NURSERY** See GARDEN CENTRE.
- 2.145 **NURSING HOME** means a nursing home as defined under the Nursing Home Act, as amended from time to time.
- 2.146 **OFFICE, BUSINESS** means an office where one or more persons are employed in the management, direction or conducting of any agency, business, brokerage, labour or fraternal organization and shall include a newspaper plant, a radio and television broadcasting studio or theatre.
- 2.147 **OFFICE, PROFESSIONAL** means any office where professionally qualified persons, technical assistants and clerical staff are employed and where clients or patients seek advice, consultation, or treatment. Notwithstanding the foregoing, said office shall not be a hospital or any other use defined herein.
- 2.148 **OPEN STORAGE** means the storage of goods, merchandise or equipment in the open air and in unenclosed portions of buildings which are open to air on the side.
- 2.149 **OUTDOOR FURNACE** means a solid fuel burning appliance located to the exterior of the building it serves and is used for the space heating of buildings and/or domestic water heating and does not include the incineration of waste as defined in Section 25 of the Environmental Protection Act, c.E.19., R.S.O. 1990.
- 2.150 **PARK** means a recreational area that consists largely of open space and which may include a picnic area, swimming pool or area, playground, play field or similar use, but shall not include a mobile home park or recreational vehicle park.

- 2.151 PARK, PRIVATE means a park other than a public park.
- 2.152 PARK, PUBLIC means a park owned or controlled by the Corporation or by any Ministry, Board, Commission or Authority established under any statute of Ontario or Canada.
- 2.153 PARKING AREA means an area provided for the parking of motor vehicles and encompassing at least the required number of parking spaces and all driveways, aisles, manoeuvring areas, entrances, exits and similar areas for access to parking spaces, but shall not include any part of a street or private road.
- 2.154 PARKING SPACE means an area of not less than 14.85 square metres measuring (2.7) metres by (5.5) metres, exclusive of driveways or aisles, for the temporary parking or storage of motor vehicles.
- 2.155 PERMITTED means permitted by this By-law.
- 2.156 PERSON means an individual, an association, a chartered organization, a firm, a partnership or a corporation.
- 2.157 PLACE OF ENTERTAINMENT means an athletic, recreational or social club operated for gain or profit as well as a motion picture or other theatre, auditorium, billiard or pool room, bowling alley, ice or roller skating rink, curling rink, or dance hall, but does not include any place of entertainment or recreation otherwise defined or classified in this By-law.
- 2.158 PORTABLE ASPHALT PLANT means a facility operated by, or on behalf of, a public road authority for a particular construction project, with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material and includes the stockpiling and storage of bulk materials used in the process. Such a facility is not of permanent construction, but is designed to be dismantled and moved to another location as required.
- 2.159 PRIVATE ROAD means a registered right-of-way not dedicated and accepted as, or otherwise deemed at law to be a public highway, that serves as a privately maintained motor vehicle access-route to one or more abutting, legally conveyable parcels of land.
- 2.160 PRIVATE CLUB means a building or part of a building used as a meeting and social place exclusively for members of a chartered organization and their guests, and shall include a fraternal lodge (e.g. Free Masons) a fraternity or sorority house, hostel, and a labour union hall, none of which nor the land they are located on shall contain any elements of fortification.
- 2.161 PROPANE TANK shall mean a structure consisting of a tank used for the storage of propane gas.
- 2.162 PROVINCIALLY SIGNIFICANT WETLAND means an area identified as Provincially Significant by the Ministry of Natural Resources using evaluation procedures established by the province.

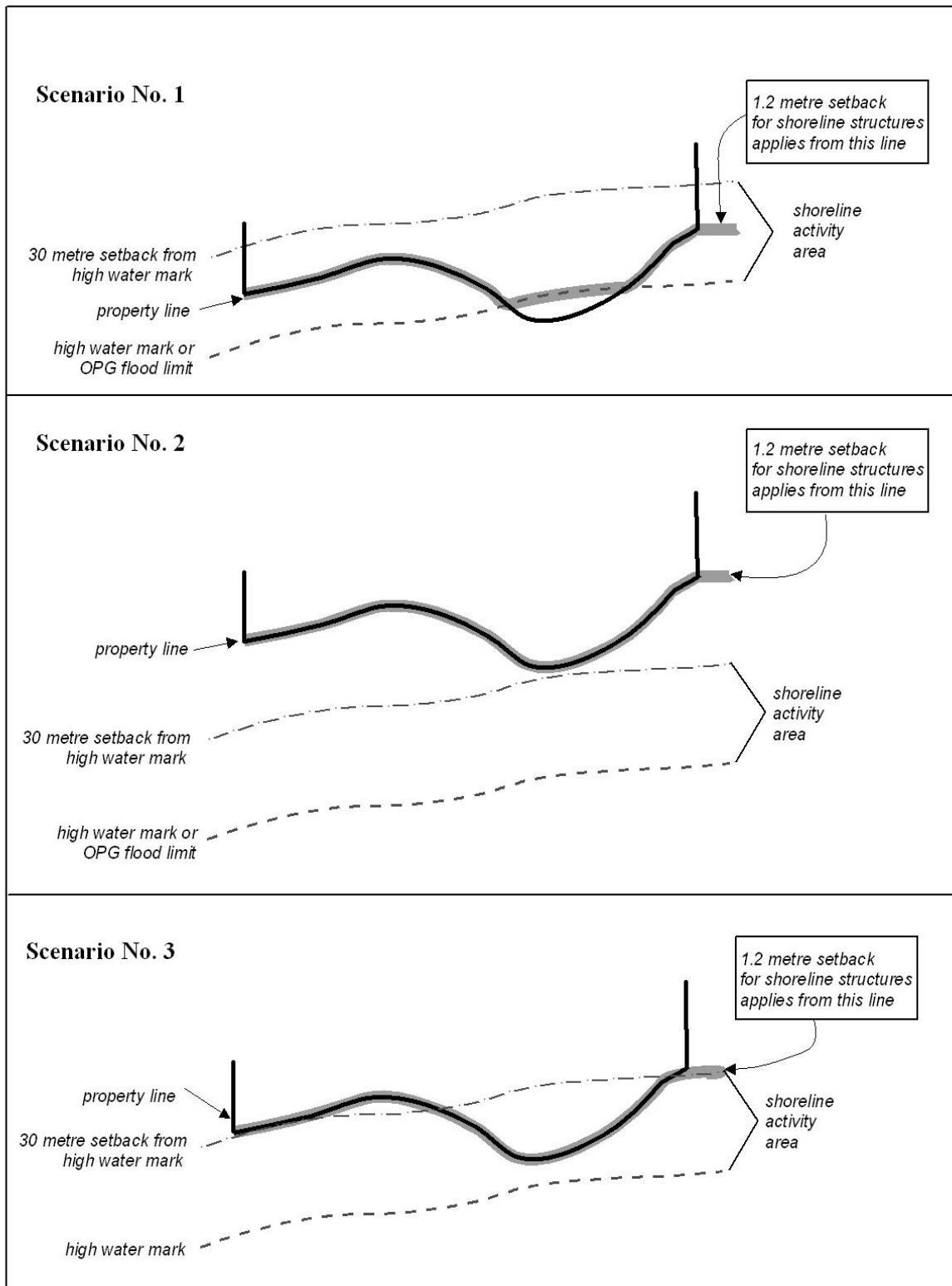
- 2.163 PUBLIC AUTHORITY means the Council and any School Board, Public Utility Commission, Transportation Commission, Public Library Board, Board of Parks Management, Board of Health, Planning Committee or other board or commission or committee of the Township of Greater Madawaska established or exercising any power or authority under any general or special statutes of Ontario with respect to any of the affairs or purposes of the Municipality or a portion thereof, and includes any committee or local authority established by By-law of the Municipality.
- 2.164 PUBLIC BUILDING means any building or structure owned or leased by a municipal corporation, the County of Renfrew, Province of Ontario or the Government of Canada and in which government activities are carried out.
- 2.165 PUBLIC UTILITY means a waterworks, a water supply system, sewage works, electrical power or energy generating, transmission or distribution system, street lighting system, natural or artificial gas works or supply system or a telephone system, and includes any lands, buildings or equipment required for the administration or operation of any such system.
- 2.166 QUARRY means any open excavation made for the removal of any consolidated rock or mineral including limestone, sandstone or shale, in order to supply material for construction, industrial or manufacturing purposes, but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation or an excavation incidental to the construction of any public works.
- 2.167 RECREATION, ACTIVE means the use of land, water and/or building for the purpose of organized active leisure activities and shall include an arena, a golf course, a sports field, and motorized vehicle trails.
- 2.168 RECREATION, PASSIVE means the use of land and/or water for the purpose of passive leisure activity and shall include a park, a garden, a picnic area and the like, equestrian and hiking trails, as well as a playlet with activity equipment for children.
- 2.169 RECREATIONAL VEHICLE means a structure or vehicle designed, intended and used as accommodation exclusively for travel, recreation and vacation and which is either capable of being drawn by a passenger vehicle or is self-propelled and shall include travel trailers, park model trailers, tent trailers, vans, motor homes, and similar transportable accommodation excepting a mobile home.

- 2.170 RECREATIONAL VEHICLE CAMPGROUND means a parcel of land under single ownership which is designed, developed and maintained or intended to provide accommodation on a temporary or seasonal basis, for recreational vehicles and/or tents plus accompanying towing or carrying vehicles. It may also include accessory uses such as an administration office, clubhouse, snack bar, laundry, convenience and souvenir shop, swimming pool, washrooms, showers, managers dwelling and recreational facilities. Recreational Vehicle Park shall have a corresponding meeting.
- 2.171 RECREATIONAL VEHICLE SITE means a plot of ground within a recreational vehicle campground or a camping establishment intended for exclusive occupancy by the renter(s), and on which accommodations and vehicles can be placed.
- 2.172 RELIGIOUS EDUCATION FACILITY means an establishment used by religious groups for study, relaxation, meditation and similar activities, including dining and lodging facilities, accommodation for staff and compatible accessory uses.
- 2.173 REQUIRED means required by this By-law. REQUIREMENT shall have a corresponding meaning.
- 2.174 RESORT means a tourist establishment catering to the vacationing public, designed as a destination-oriented operation and/or being within an area recognized as a destination for vacations, and providing meals and sleeping accommodations that may consist of lodge houses, guest rooms or cottages, but shall not include any other use defined herein.
- 2.175 RESTAURANT see EATING ESTABLISHMENT.
- 2.176 RETAIL STORE means a building or part of a building in which goods, wares, merchandise, substance, articles or things are offered or kept for sale at retail, but does not include any establishment otherwise defined herein or specifically named elsewhere in this By-law.
- 2.177 RIDING STABLES means an establishment where horses are boarded and where, for a fee, horses are hired out to the general public for riding or for riding lessons.
- 2.178 ROAD see STREET.
- 2.179 ROOM, HABITABLE means a room which:
- (a) is located within a dwelling unit;
 - (b) is designed for living, sleeping or eating or for sanitary purposes;
 - (c) can be used at all times throughout the year; and
 - (d) is not located within a cellar.

- 2.180 ROOM, NON-HABITABLE means any room located within a dwelling unit that is not a habitable room, including, but not so as to limit the generality of the foregoing, a laundry room, a pantry, a lobby, a stairway, a closet, a verandah, a recreation room, a porch, a balcony, a private garage, an unfinished attic, a cellar, a boiler room and any space used for the service and maintenance of such dwelling or for vertical travel between storeys.
- 2.181 SALVAGE YARD means a lot and/or premises for the storage and/or handling and/or sale of scrap or used materials, which, without limiting the generality of the foregoing, shall include waste paper, rags, wood, bottles, bicycles, vehicles, tires, metal and/or other scrap material and salvage includes a junk yard, scrap metal yard and a wrecking yard, including ancillary automotive sales and service establishment and premises.
- *(30-2007)***
- *2.182 SAUNA means an accessory building or structure wherein facilities are provided for the purpose of a sauna or steam bath and may include a change room and shower.*
- 2.183 SAWMILL means a building, structure or area where timber is cut or stored, either to finished lumber or as an intermediary step.
- 2.184 SCHOOL means a school under the jurisdiction of a Public, Separate or High School Board, a college or a university or any other school established and maintained either wholly or partially at public or private expense whether or not the same is also a boarding school, and includes any dormitory building accessory to a school.
- 2.185 SENIOR CITIZEN'S HOME means any home for senior citizens sponsored and administered by any public agency or any service club, church or other profit or non-profit organization, either of which obtains its financing from Federal, Provincial or Municipal Governments or agencies, or by public subscription, donation or residents payments, or by any combination thereof, and such homes shall include auxiliary uses such as club, kitchen, dining and/or lounge facilities, usually associated with Senior Citizens development.
- 2.186 SEPARATION DISTANCE means the horizontal distance between buildings or structures or physical features measured from the closest point of the exterior wall of such building or structure, or from the closest point of such physical feature.
- 2.187 SERVICE SHOP, GENERAL means a building or part of a building used for the servicing or repairing of articles, goods or materials, and in which no product is manufactured and includes radio, television and appliance repair shops, a laundromat, but does not include any automotive uses as defined by this By-law.
- 2.188 SERVICE SHOP, PERSONAL means a building or part thereof in which services are provided and administered to the individual and personal needs of persons, and without limiting the generality of the foregoing, includes barber shops, hairdressing establishments and workrooms for shoe repair and shoe shining shops, tailor shops, bakery shops and photographic studios.

- 2.189 **SETBACK** means, with reference to a road, the distance between the centre line of the road and the nearest building or structure and with reference to a water body, the distance between the high water mark and the nearest building or structure.
- 2.190 **SEWAGE SLUDGE**, means the aqueous suspension of residual solids generated from the treatment of municipal or industrial wastewater.
- 2.191 **SHOPPING CENTRE** means a group of commercial and service establishments related in size and type, primarily to the specific commodity needs of the community and designed, developed and managed as a unit whether by a single owner, a group of owners or tenants acting in collaboration and shall include as a primary establishment a department store. Generally, but not prerequisite, the public access to individual functions within a Shopping Centre will be from an enclosed common mall area.
- 2.192 **SHOPPING PLAZA** means a group of commercial and service establishments or uses, related in size and type, primarily to the day to day needs of a residential area and designed, developed and managed as a unit, whether by a single owner, a group of owners or tenants in collaboration. Access to individual functions generally may be from an open mall area.
- *(30-2007)***
- *2.193 **SHORELINE ACTIVITY AREA** means the area along the shoreline on privately owned land in which shoreline structures are permitted. The shoreline activity area shall be *that area between the high water mark and the required water setback*. The shoreline activity area does not include the shorelines of sensitive lakes.
- 2.194 **SHORELINE STORAGE SHED** means a storage shed located within the shoreline activity area used to store yard maintenance equipment, paddles, life jackets, water skis/wakeboards, boat coverings, and similar aquatic accessories, but shall not include a boathouse or be used for human habitation. The floor area of a shoreline storage shed shall not exceed 10 square metres.

ILLUSTRATION OF SHORELINE ACTIVITY AREA AND SETBACKS



Note: The above illustrations are for clarification purposes only.

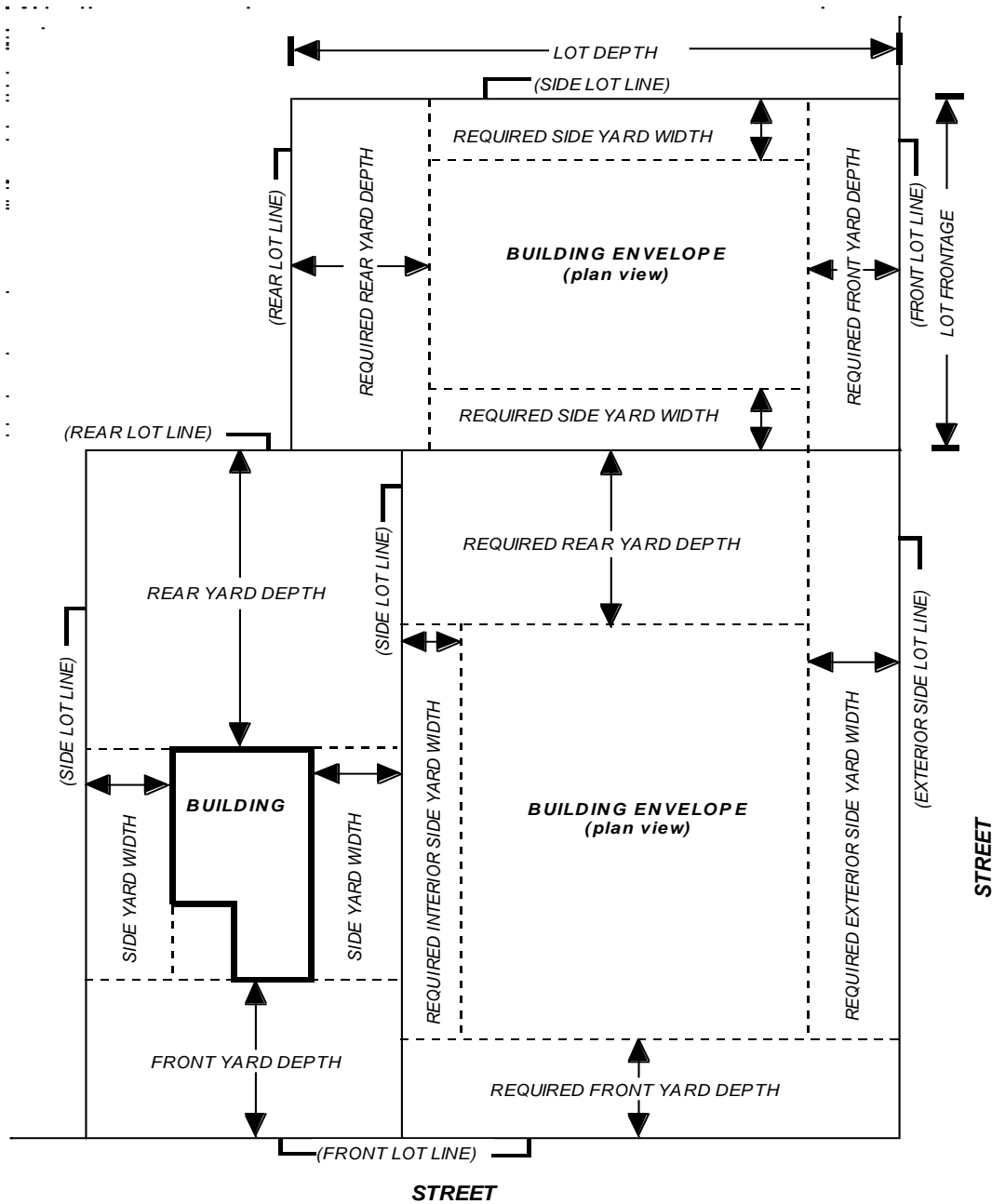
- 2.195 SHORELINE STRUCTURE means those *detached accessory structures* that are located in the shoreline activity area and includes pump houses, gazebos, decks, shoreline storage shed and similar buildings and structures, but does not include parking areas, private waste disposal systems, structures that require a pressurized water system (Sauna, Steam Bath, hot tub), and power lines.*
- 2.196 STREET means a public highway or public road under the jurisdiction of either the Corporation, the County of Renfrew or the Province of Ontario, and includes any highway as defined in the Municipal Act (R.S.O. 1980), Chapter 302, as amended but does not include a lane, a driveway or a private road.
- 2.197 STREET ALLOWANCE means land held under public ownership for the purpose of providing a street.
- 2.198 STREET, IMPROVED means a public road which has been constructed in such a manner so as to permit its use by normal vehicular traffic on a year-round basis and is maintained, including snow ploughing, on a year-round basis.
- 2.199 STREET LINE means the limit of the road or street allowance and is the dividing line between a lot and a street.
- 2.200 STRUCTURE means anything constructed or erected, the use of which requires location on or in the ground or attached to something having location on or in the ground.
- 2.201 TAILINGS AND SLAG PILES means waste material or residue resulting from the reduction of metals from their ores.
- 2.202 TARPAULIN GARAGE means a supporting metal or wood framework with a fabric cover made of canvas, nylon, or similar material. Such structures must be ancillary to a main permitted use and can be dismantled and moved.
- 2.203 TAVERN OR PUBLIC HOUSE means a tavern or public house as defined in the Liquor Licence Act, but does not include a hotel or eating establishment.
- 2.204 TAXI STAND means the permanent location of the taxi business and the source of dispatch rather than the location of the taxi on its dispatch.
- 2.205 TOURIST ESTABLISHMENT means a commercial building, structure or area of land designed for the accommodation of travelling or vacationing public.
- 2.206 TOWNSHIP means the Corporation of the Township of Greater Madawaska.
- 2.207 TRAILER means any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, even if the vehicle is jacked up or its running gear is removed, but “trailer” does not include a mobile home or farm implement. A trailer designed for the living, sleeping or eating accommodation of persons is deemed to be a building or structure for the purposes of this by-law, as authorized by Section 34(4) of the Planning Act.

- 2.208 TRAILER, PARK MODEL, means a trailer constructed to CSA Z-241 standard that is built on a single chassis mounted on wheels, designed for relocation from time to time, designed as living quarters for seasonal camping with the possibility for connection to services, and has a gross floor area, including lofts, not greater than 50 square metres when in set-up mode and having a width greater than 2.6 metres in transit mode. A park model trailer is deemed to be a building or structure for the purposes of this By-law, as authorized by Section 34(4) of the Planning Act.
- 2.209 TRAILER, TENT OR TRAVEL means any trailer capable of being used for the temporary living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked up or that its running gear is removed. A tent or travel trailer is deemed to be a building or structure for the purposes of this By-law, as authorized by Section 34(4) of the Planning Act.
- 2.210 TRAILER PARK see RECREATIONAL VEHICLE CAMPGROUND.
- 2.211 TRUCK TERMINAL means a building, structure or place where trucks or transports are rented, leased, kept for hire, or stand or park for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers or where goods are stored temporarily for further shipment.
- 2.212 VEHICLE means a passenger automobile or other motor vehicle, a boat, a farm implement, a commercial motor vehicle, a recreational vehicle, a snowmobile, a trailer and any other device that is capable of being propelled or driven by any kind of power but not any other device powered solely by human effort except a boat.
- 2.213 WAREHOUSE means a building or part of a building used primarily for the operation of general merchandise warehousing, cold storage and other storage facilities and also includes a centre for the distribution of wholesale goods and commodities for resale to retailers; to industrial, commercial, institutional, or professional users; to wholesalers.
- 2.214 WASTE DISPOSAL SITE means any land approved by the Ministry of the Environment upon, into, or in which waste may be deposited or processed.
- 2.215 WATER COURSE means the natural or artificial channel for a stream of water and, for the purposes of this by-law includes any water course shown on a Schedule or Schedules of this By-law.
- 2.216 WATER FRONTAGE means the straight line horizontal distance between the two most widely separated points on any one shoreline of a waterfront lot.

- 2.217 **WATER SETBACK** means the straight line horizontal distance from the high water mark of a watercourse, bay or lake to the nearest part of any excavation, building, structure or open storage use on the lot.
- 2.218 **WATER SYSTEM, COMMUNAL** means a private water distribution supply system in which water is piped to more than one dwelling or business operation.
- 2.219 **WATER TAKING, COMMERCIAL** means the operation of extracting water from a groundwater aquifer for the purposes of bottling and selling water on premises or for the purpose of shipping water off-site for bottling and/or commercial sales.
- 2.220 **WAYSIDE PIT, QUARRY** means a temporary gravel pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.
- 2.221 **WETLANDS** means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils (soils in which there is an abundance of moisture) and has favoured the dominance of either plants that commonly grow in water or in water logged soil, or water tolerant plants. The four major categories of wetland are swamps, marshes, bogs and fens.
- 2.222 **WELDING SHOP** means a building or structure or part thereof where metal products are joined, repaired or shaped by welding but no mass productions shall be involved.
- 2.223 **YARD** means an open space on the same lot with a building or structure or excavation, unoccupied and unobstructed except as for such accessory buildings, structures or uses specifically permitted in this By-law.
- 2.224 **YARD, FRONT** means a yard extending across the full width of a lot between the front lot line and the nearest part of any building, structure or excavation on the lot; **FRONT YARD DEPTH** means the shortest horizontal distance between the front lot line of the lot and the nearest part of any building, structure or excavation on the lot.
- 2.225 **YARD, REAR** means a yard extending across the full width of a lot between the rear lot line and the nearest part of any building, structure or excavation on the lot; **REAR YARD DEPTH** means the shortest horizontal distance between the rear lot line of the lot and the nearest part of any building, structure or excavation on the lot.
- 2.226 **YARD, SIDE** means a yard extending from the front yard to the rear yard of a lot and from the side lot line of such lot to the nearest part of any building, structure or excavation on the lot. **SIDE YARD WIDTH** means the shortest horizontal distance between a side lot line and the nearest part of any building, structure or excavation on the lot.

- 2.227 YARD, EXTERIOR SIDE means a yard adjacent to a street between the nearest part of any building, structure or excavation on the lot and a street, a 1-foot reserve or a road allowance, extending from the front yard to the rear lot line. EXTERIOR SIDE YARD WIDTH means the shortest horizontal distance between a side lot line on the exterior side yard side and the nearest part of any building structure or excavation on the lot.
- 2.228 YARD, INTERIOR SIDE means a side yard other than an exterior side yard.
- 2.229 YARD, REQUIRED means a yard with the minimum front yard depth, rear yard depth or side yard width required by the provisions of this By-law. A required side yard shall extend from the required front yard to the required rear yard.
- 2.230 ZONE means an area delineated on a Zoning Map Schedule and established by this By-law for a specific use or group of uses.
- 2.231 ZONING ADMINISTRATOR means the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.

ILLUSTRATION OF YARDS, REQUIRED YARDS AND RELATED TERMINOLOGY



Note: The above illustration is for clarification purposes only.

SECTION 3.0 - GENERAL PROVISIONS**3.1 APPLICATION**

The requirements contained in the General Provisions shall apply to all zones, except as otherwise indicated.

3.2 ACCESS see Subsection 3.14 Lots to Front on a Street.**3.3 ACCESSORY USES, BUILDINGS AND STRUCTURES**

Where accessory uses, buildings and structures are permitted by Zone Provisions the following shall apply:

3.3.1 No accessory use, building or structure shall be built on a lot until the principal or main use, building or structure has been built on the lot.

3.3.2 No accessory building or structure shall be used for human habitation except where a dwelling is a permitted accessory use.

3.3.3 The accessory building or structure shall not be located within any minimum required front yard depth or within any minimum required exterior side yard except in accordance with specific exterior side yard requirements established by this By-law. This provision shall not apply to a shelter for use by children waiting for a school bus in any Rural (RU) Zone nor to any farm produce sales outlet, provided the structures have less than 9.3 sq. m. gross floor area.

3.3.4 Where paragraph 3.3.3 preceding does not apply and unless indicated otherwise in this By-law, no accessory building or structure or use shall be located closer than 3.0 metres to any lot line except:

(a) that common semi-detached garages may be centred on the mutual side lot line;

(b) that no setback shall apply to boat docking or boat launching facilities.

(c) that prescribed uses and structures may be permitted in accordance with the provisions of this By-law for Encroachments On Required Yards, and with the Parking Requirements of this By-law.

(d) Accessory buildings or structures located in the minimum required rear yard shall be built no closer than 1.2 metres to any lot line.

3.3.5 Accessory buildings and structures shall not exceed 5.0 metres in height in any Residential or Commercial Zone or 7.5 metres in any Industrial Zone.

3.3.6 Buildings and structures shall not be considered accessory if attached to the main building.

- 3.3.7 Accessory buildings and structures shall not be constructed on lands subject to slope failure or to flooding.
- 3.3.8 Notwithstanding paragraphs 3.3.3, 3.3.4 and 3.3.5 preceding, where an accessory structure is a satellite dish or similar device designed to receive communication signals from a satellite,
- (a) in any Zone, no part of such structure shall be located in the minimum front yard depth or in the required exterior side yard and such structure shall not exceed the height of the main building by more than 2.0 metres;
- 3.3.9 Tarpaulin garages shall be prohibited in all zones, except the Rural (RU) zone and the tarpaulin garage will be maintained in an orderly fashion.

3.4 **ATTACHED GARAGE SIDE YARD**

Notwithstanding any provision of this By-law to the contrary, in any Residential Zone where a private one-storey garage is attached to a single detached dwelling,

- (a) The required side yard width shall be one (1.0) metre on the garage side if it is an interior yard,
- (b) Where the garage is more than one storey high and in other situations the normal yard requirements apply.

3.5 **AUTOMOTIVE SERVICE STATIONS, GASOLINE BARS AND, COMMERCIAL GARAGES**

Where service stations, gasoline bars and commercial garages are permitted in this By-law, the following provisions shall apply in addition to Zone provisions:

- 3.5.1 Notwithstanding any provisions of this By-law to the contrary, where an automotive service station is a permitted use, no portion of any pump island shall be located closer than 6 metres from the street line of any street.
- 3.5.2 The minimum distance from the intersection of two street lines or from straight line projections of such, to the nearest ingress or egress ramp shall be not less than 10.0 metres (i.e. entrance or exit point).
- 3.5.3 The maximum width of a ramp at the street line shall be not more than 10.0 metres and the minimum width not less than 7.5 metres.
- 3.5.4 The minimum distance between ramps shall be not less than 9.0 metres.
- 3.5.5 The minimum interior angle of a ramp to a street line shall be 45.0 degrees and the maximum interior angle of a ramp to the street line shall be 90.0 degrees.
- 3.5.6 The minimum distance between any side lot line of the property at the street line and the nearest ramp shall be 3.0 metres.

3.5.7 The area included between ramps, or between ramps and a street line or a property line, as required by this By-law, shall be used for landscaped open space only, to a minimum width of 1.0 metre.

3.6 **BUILDINGS TO BE MOVED**

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

(43-2005)

3.7 **CROWN LANDS *AND COUNTY FORESTS***

Regardless of anything else in this By-law, including the Schedules, Crown Lands *and County Forests* are not subject to the provisions of this By-law.

3.8 **DWELLINGS PER LOT**

No more than one building used as a dwelling or containing one or more dwelling units shall be erected on any lot, unless stated otherwise in this By-law. Where an accessory dwelling unit is a permitted use, no more than one accessory dwelling unit shall be permitted on any lot. Refer to subsection 3.31 TEMPORARY CONSTRUCTION USES PERMITTED.

3.9 **ENCROACHMENTS ON REQUIRED YARDS**

Every part of any minimum required yard shall be open and unobstructed from the ground to the sky by any structure other than an accessory building permitted elsewhere in this By-law provided, however, that those structures and items listed in the following table shall be permitted to project into the minimum required yards indicated, for the distances specified:

<u>Structure</u>	<u>Yards in Which Encroachment is Permitted</u>	<u>Maximum Projection Permitted into Minimum Required Yard</u>
(a) Sills, belt courses, eaves, gutters, chimneys, bay windows, solar collectors, heat pumps, ventilators, shutters, cornices, parapets, pilasters or other ornamental structures.	All	0.60 metres
(b) Fire escapes exterior staircases	Side and Rear only	1.5 metres
(c) Balconies, steps, unenclosed porches, sundecks, attached	Front and Rear only	2 metres

solarium

- | | | |
|---|---------------------|-----------|
| (d) Railway Spur | All | Unlimited |
| (e) Gate House in any Industrial Zone | Front and Side only | Unlimited |
| (f) Fences, Hedges, Shrubs, Flagpoles, Light Standards, Clothes Poles | All | Unlimited |

3.10 **EXCEPTIONS TO HEIGHT LIMITATIONS**

The height limitations of this By-law shall not apply to chimneys, church spires, public buildings, water tanks, elevator enclosures, flag poles, television or radio antennae, electrical transmission facilities, ventilators and skylights.

3.11 **GRAVEL PITS, QUARRIES, WAYSIDE PITS AND QUARRIES AND PORTABLE ASPHALT PLANTS**

A gravel pit or quarry, with the exception of a wayside pit or quarry, shall be prohibited in all Zones, except in an Extractive Industrial (EM) Zone. Wayside pits or quarries and portable asphalt plants shall be permitted in all Zones except in a Residential Zone or an Environmental Protection Zone.

Portable asphalt plants must comply with the Ministry of the Environment separation distances and must obtain a Certificate of Approval from the Ministry of the Environment.

3.12 **HOME INDUSTRY**

Where a home industry is a permitted use, such home industry shall conform to the following provisions:

- 3.12.1 No more than two persons, other than a person(s) residing on the premises, shall be employed in the home industry.
- 3.12.2 There shall be no external display or advertising other than a non-illuminated sign not more than 0.5 square metres in area.
- 3.12.3 Such home industry shall not be a hazardous or obnoxious trade, and shall not create or become a public nuisance.
- 3.12.4 Such home industry is clearly secondary to the main use and does not change the residential character of any dwelling, or the agricultural character of any farm unit.
- 3.12.5 The parking requirements of this By-law shall apply to any home industry use.

- 3.12.6 No goods, wares or merchandise shall be offered or exposed for sale or rent on the premises unless such goods, wares and merchandise are either:
- (a) incidental to the home industry; or
 - (b) arts and crafts produced on the premises; or
 - (c) farm produce resulting from the main use.
- 3.12.7 Not more than 10.0 percent of the gross floor area of the dwelling unit shall be dedicated to the home industry.

3.13 **HOME OCCUPATIONS**

A home occupation shall be permitted in any Zone provided such home occupation conforms to the following provisions:

- 3.13.1 The use shall be conducted entirely within the dwelling unit and carried on by person(s) residing in the dwelling unit. One employee, other than a resident of the premises, will be permitted to be employed.
- 3.13.2 There shall be no external display or advertising other than a non-illuminated sign not more than .3 of a square metre in area, to indicate to persons outside that any part of the dwelling unit or lot is being used for a purpose other than residential.
- 3.13.3 Not more than 25% of the dwelling unit area shall be used for the purpose of home occupation uses.
- 3.13.4 Such home occupation shall be clearly secondary to the main residential use and there shall be no change to the outside appearance of the dwelling unit or premises or any visible evidence of the conduct of a home occupation.
- 3.13.5 There shall be no storage of equipment, vehicles, or supplies associated with the home occupation outside the dwelling.
- 3.13.6 The use shall not require additional off-street parking spaces for clients or customers of the home occupation.
- 3.13.7 The use shall not generate additional pedestrian or vehicular traffic beyond that normal to the neighbourhood in which it is located.
- 3.13.8 No equipment or process shall be used in a home occupation which creates excessive noise, vibration, glare, fumes, or odour detrimental to the health, safety, and general welfare of persons residing in the neighbourhood.
- 3.13.9 Where instruction is carried on, no more than six pupils are in attendance at any one time.

3.14 LOTS TO FRONT ON STREETS

3.14.1 No person shall erect or use any building or structure on a lot in any zone unless the lot fronts on and has direct access to an improved street being a Provincial Highway, County Road, or Township Road. Vacant lots which directly abut the K&P Trail shall not be issued building permits as the K&P Trail is not an improved street.

3.14.2 Exceptions

(a) Limited Service Residential

Notwithstanding the provisions of paragraph 3.14.1 of this subsection, a limited service dwelling may be erected or used on a lot in a Limited Service (LSR) Zone provided such lot fronts along a private road, the subject lot and use are legally entitled to use for access.

Where an existing lot zoned Limited Service Residential (LSR) is enlarged, the provisions of Section 3.14.2(a) shall also apply to the enlarged portion of the lot and notwithstanding anything in this By-law to the contrary, a limited service dwelling and accessory structure may be permitted on the enlarged portion of the lot, unless it is zoned Environmental Protection EP, whereby the normal provisions of the EP Zone shall apply. Only one dwelling or dwelling unit shall be permitted on any one lot unless specifically permitted elsewhere in this by-law.

(b) Hunting and Fishing Camp

A hunting and fishing camp shall not be required to meet the provisions of paragraph 3.14.1.

(c) Resource Land Uses

Notwithstanding the provisions of paragraph 3.14.1 of this subsection, a building or structure accessory to a permitted forestry, farm or mineral exploration use may be erected or used on a lot that has frontage on a seasonally maintained street; this provision shall not be construed so as to permit any type of dwelling.

(d) Registered Plan of Subdivision

A building or structure may be erected upon a lot within a registered plan of subdivision in accordance with the provisions of a Subdivision Agreement in respect of such plan of subdivision notwithstanding that the roads within such plan of subdivision have not been assumed and are not maintained by the Municipality, but provided that all other provisions of this By-law are complied with.

Subsections 3.14.1 and 3.14.2 shall not apply to a lot on a registered plan of subdivision where an agreement between the owner and the Corporation which

includes provisions for the construction of the streets in the subdivision is registered in the Registry or Land Titles Office.

3.15 **MOBILE HOMES**

Mobile homes are prohibited in all Zones, other than the Mobile Home Park (MHP) Zone.

3.16 **NON-CONFORMING USES**

3.16.1 Accessory Buildings

Nothing in this By-law shall prevent the erection of a building or structure accessory to an existing legal non-conforming use provided that such accessory building or structure complies with all other relevant provisions of this By-law.

3.16.2 Continuation of Existing Uses

Nothing in this By-law shall prevent the use of any land, building or structure for any purpose prohibited by the By-law if such land, building or structure was lawfully used for such purpose on the day of passing of the By-law, so long as it continues to be used for that purpose.

3.16.3 Repair of Existing Buildings

If a non-conforming building or structure should be damaged by fire, flood, wind, earthquake, or other natural or unnatural occurrence beyond the owners control, nothing in this By-law shall prevent such a building from being restored and strengthened to a safe condition, provided the height, size or volume is not increased and provided that reconstruction or restoration is commenced within twelve months and completed within twenty-four months of the date on which the damage took place.

3.16.4 Enlargements to Existing Undersized Lots

Nothing in this By-law shall prevent an undersized lot that was held in separate ownership from adjoining parcels on the date of passage of this By-law or that was created by expropriation subsequent to the passage of this By-law from being enlarged even if the enlargement does not result in a lot that meets the minimum frontage and/or area required by this By-law. Nothing in this By-law shall prevent such a lot from being used for a purpose permitted in the Zone in which the lot is located provided that:

- (a) where the development is on private services, the lot is of an adequate size for water supply and sewage disposal systems approved by the Ministry of the Environment and/or its agents; and
- (b) where the development is on private services, the enlargement, reconstruction, repair or renovation satisfies the requirements of the applicable approval authority for the subject private services;

- (c) an undersized lot is not reduced further in size or created as a result of the proposed development; and
- (d) all other applicable provisions of this By-law are complied with.

3.16.5 Existing Buildings with Inadequate Lot or Yard Size

Where a building has been erected prior to the date of passing of this By-law and where such building has less than the minimum required side yard, front yard, rear yard, or setback, said building may be enlarged, reconstructed, repaired or renovated provided that:

- (a) such enlargement, reconstruction, repair or renovation does not further contravene any provisions of this By-law;
- (b) where the development is on private services the enlargement, reconstruction, repair or renovation satisfies the requirements of the applicable approval authority for the subject private services; and
- (c) all other applicable provisions of this By-law are complied with.

3.16.6 Less than Required Floor Area

Nothing in this By-law shall prevent an extension or addition being made to a permitted dwelling which existed at the time of passing of this By-law but which has a floor area or dwelling unit area less than that required by this By-law, provided such extension or addition does not contravene any other provisions of this By-law.

3.16.7 Undersized Lots

Where a lot with less than the minimum frontage or lot area required by this By-law was held in separate ownership from adjoining parcels on the date of passage of this By-law, or where a lot was created by expropriation subsequent to the date of passage, such undersized, lot may be used for a purpose permitted in the Zone in which the said lot is located, provided that:

- (a) all other applicable provisions of this By-law are complied with;
- (b) written approvals for the water supply and sewage disposal systems are obtained from the applicable approval authority for the proposed services; and

This provision shall not apply to a home industry, a contractor's yard or shop, a forestry use or a logging hauler in the RU zone; nor shall it apply to a semi-detached dwelling or a duplex dwelling in R1, RR or RU zone.

3.16.8 Prior Building Permits

Nothing in this By-law shall prohibit the erection of a building or structure for which a building permit has been issued prior to the date of passing of the By-law provided that the building permit has not been revoked under the Building Code Act.

3.17 NOXIOUS USES

No use shall be permitted which, from its nature or the materials used therein, is declared to be a noxious trade, business or manufacture under the Health Protection and Promotion Act and Regulations thereunder, and the Environmental Protection Act and Regulations thereunder. Noxious uses do not include normal farm operations using commercial fertilizers and manure, the spraying of crops with herbicides, insecticides, and pesticides, or the use of heavy machinery for farm purposes.

3.18 OCCUPANCY OF INCOMPLETE BUILDINGS

No dwelling shall be occupied before the kitchen, heating and sanitary conveniences have been installed and rendered usable, and before the exterior has been weather proofed.

(43-2005)

*3.19 OCCUPANCY OF VEHICLES

No truck, bus, coach, vehicle, recreational vehicle or trailer shall be used as a residence for human habitation within the Municipality whether or not the same is mounted on wheels. Trucks, buses, coaches, vehicles, recreational vehicles and trailers may be stored as an accessory use on the same lot as a permitted use.*

3.20 OPEN STORAGE

Except as otherwise specifically provided in this By-law, no open storage shall be permitted in any Zone except in accordance with the following provisions:

3.20.1 Open storage shall be accessory to a permitted or existing non-residential use on the same lot.

3.20.2 No open storage shall be permitted in any required minimum front yard or required exterior side yard, except in the case of an agricultural use, nor within any required minimum side or rear yard where the side or rear lot lines abut a property used for residential purposes.

3.20.3 No open storage area shall be visible from any street, or from any adjacent lot where such adjacent lot is in a Zone other than a Commercial or an Industrial Zone. Wherever it is necessary, visual screening such as plant materials, a buffer strip, a berm, fencing or other opaque barrier to a minimum height of 1.5 metres shall be used. Exceptions to this provision are for open storage accessory to an agricultural use or for outdoor display used in conjunction with a permitted commercial use.

- 3.20.4 A strip of landscaped open space with a minimum width of 3 metres shall be maintained around all open storage areas.
- 3.20.5 Any open storage area shall be maintained as landscaped open space, or surfaced and maintained with stable materials to prevent the raising of dust and particles, and shall be properly drained. However, this provision shall not apply where the main use is an agricultural use.
- 3.20.6 No parking spaces or loading spaces required by this By-law shall be used for open storage purposes.

3.21 **OUTDOOR FURNACES**

(43-2005)

Outdoor furnaces are permitted in all Zones other than the Residential One (R1), Rural Residential (RR), Limited Service Residential (LSR) and Hamlet Commercial (HAC) Zones. Where outdoor furnaces are permitted, they shall be located a minimum of *50* metres from a lot line. Where an outdoor furnace is located more than *50* metres but less than 200 metres from a lot line, the smokestack of the outdoor furnace shall be higher than the highest building it serves.

3.22 **PARKING AND LOADING SPACE REQUIREMENTS**

3.22.1 **PARKING REQUIREMENTS**

(a) Number of Spaces

In any Zone the owner of every building hereafter erected, enlarged or changed in use after the passing of this By-law shall provide and maintain off-street parking space in accordance with the following:

<u>Type of Use</u>	<u>Minimum Parking Required</u>
i) Dwelling, Single Detached, Semi Detached and Duplex:	2 parking spaces per dwelling unit
ii) Dwelling, Triplex, Rowhouse and Apartment:	1.5 parking spaces per dwelling unit
iii) Group Home	1 parking space per each 3 persons licensed or approved capacity
iv) Boarding House	1 parking space plus 1 parking space per every 3 beds
v) Bank or Trust Company	5.9 spaces per 100 square metres gross leasable area
vi) Bed and Breakfast	2 parking spaces per dwelling unit and 1 parking space for each room rented

vii)	Tavern, Public House	1 parking space per 4 persons design capacity
viii)	Church, Assembly Hall	The greater of 1 parking space per 10 square metres of gross floor area or per every four fixed seats or per every 2.5 metres of bench space
ix)	Place of Entertainment/ recreation facility including arena, auditorium, recreation centre, theatre, tennis club, stadium, racquet club, cinema, fitness club, fairgrounds	1 parking space per 6 seat capacity
x)	Hospital, Nursing Home Home for the Aged, Senior Citizens Home	1 parking space per each 2 beds
xi)	Hotel, Motor Hotel	1 space per guest room plus 10 spaces per 100 square metres of public use area
xii)	Industrial Establishment	1 parking space per each one 100 square metres of gross floor area
xiii)	Clinic	6 spaces per practitioner for the first 5 practitioners, 4 spaces per each practitioner after 5
xiv)	Motel	1 space per guest room
xv)	Office (Business/Professional)	3.5 spaces per 100 square metres of gross leasable area
xvi)	Eating Establishment, Drive-In/Fast Food	29.0 spaces per 100 square metres of gross leasable floor area
xvii)	Eating Establishment, Full Service	22.0 spaces per 100 square metres of gross leasable area
xviii)	Eating Establishment, Take Out	7.0 spaces per 100 square metres of gross leasable area
xix)	Retail, General including Convenience Store and Personal Service Shop	5.4 spaces per 100 sq. metres of gross leasable area

xx)	School	The greater of: 1.5 parking spaces per classroom, or 1 parking space per 3.0 square metres of floor area in the gymnasium, or 1 parking area per 3.0 square metres of floor area in the auditorium
xxi)	Shopping Centre	5.4 spaces per 100 sq. m of gross leasable area
xxii)	Shopping Plaza	4.9 spaces per 100 square metres of gross leasable area
xxiii)	Other Non-Residential Uses	1 parking space per 30 square metres of gross floor area

(b) Calculation of Spaces

If the calculation of the required parking spaces results in a fraction, the required parking spaces shall be the next higher whole number.

(c) Location of Parking Areas

In a Residential Zone, or in any Zone which permits residential uses, the required residential parking shall be located on the same lot as the dwelling unit. In all other areas and for other uses, the parking area shall be located within 150 metres of the location of the use it is intended to serve, and shall be situated in the same Zone; and shall be secured and retained for parking purposes for the duration of the use.

(d) Yard Where Permitted

Notwithstanding the yard and setback provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted in the required yards or in the area between the street line and the required setback in accordance with the following:

	<u>Zones</u>	<u>Required Yards in which Required Parking Area Permitted</u>
i)	Residential Zones	All yards provided that no part of any parking area, other than a driveway, is located closer than 1.0 metre to any street line and provided further that a parking area for a Residential use containing three or more dwelling units is located in the rear yard only.
ii)	General Industrial	Interior side and rear yards only except for visitor parking provided that no part of any parking area, other than a driveway, is located closer than 1.0 metre to any streetline and further provided that where

the Industrial zone abuts a Residential Zone, the parking area shall be set back 3.0 metres from the lot line.

- iii) Disposal Industrial, Extractive Industrial
No yards except for the driveway portion of a parking area
- iv) Other Zones
All yards provided that no part of any parking area, other than a driveway, is located closer than 1.0 metre to any street line. Where the subject zone abuts a Residential zone, the parking area shall be set back 3.0 metres from the lot line.

(e) Surface and Drainage

- (i) The parking area and approaches shall be surfaced with concrete, asphalt, crushed stone, gravel or a combination thereof with a stable surface.
- (ii) Where more than 4.0 parking spaces are required, the surface treatment shall prevent the raising of dust or loose particles.
- (iii) Provision for drainage facilities shall be made in compliance with the requirements of the Municipality.

(f) Access to Parking Spaces and Parking Areas

- (i) Every parking space shall be provided with unobstructed access to a street by a driveway aisle or lane, except where such spaces are provided for the use of occupants of a single detached or semi-detached dwelling.
- (ii) Access to parking areas for commercial or industrial uses shall not pass through a Residential Zone.

(g) Dimensions of Parking Spaces

Every required parking space shall have minimum rectangular dimensions of 2.7 metres by 5.5 metres.

3.22.2 LOADING REQUIREMENTS

(a) Uses Where Applicable

No person shall, in any Zone, erect or use any permitted building or structure for manufacturing, storage, warehouse, department store, retail store, wholesale store, market, freight or passenger terminal, hotel, hospital, mortuary, or other permitted uses similarly involving the frequent shipping, loading or unloading of persons, animals or goods, unless there is maintained on the same premises with every such structure or use, off-street space for standing, loading and unloading.

(b) Dimensions of Loading Spaces

Every required loading space shall have minimum rectangular dimensions of 3.5 metres by 9.0 metres with a minimum height clearance of 4.0 metres.

(c) Minimum Number of Loading Spaces

This requirement does not apply to buildings and structures having less total floor area than 300 square metres. For all other buildings, there shall be one loading space for each 1500 square metres of floor area or part thereof, above the 300 square metre threshold.

(d) Location

The loading space required shall be located in the interior side yard or rear yard unless set back a minimum distance of 16 metres from the street line.

(e) Surfacing

The loading space and approaches shall be surfaced with concrete, asphalt, crushed stone or gravel.

3.23 **PROPANE TANKS**

Propane tanks shall be permitted in any Zone but shall be located in the rear yard only and shall be built no closer than 3.0 metres to a side or rear lot line. In the case of a corner lot, the propane tank shall not be permitted in the exterior side yard.

For a waterfront lot, a propane tank may be permitted in the front yard, but not the required front yard.

3.24 **PUBLIC SERVICES**

The provisions of this By-law shall not apply to the use of any land or to the erection or use of any building or structure for the purpose of a public service by the Municipality or any local board thereof defined by the Municipal Affairs Act (R.S.O. 1980), by any telephone, gas, electrical generating or distribution company, communications company, or by any department or agent of the Government of Ontario or Canada, provided that:

- (a) With the exception of a public utility, the lot coverage, parking and loading, setback and yard requirements prescribed for the Zone in which such land, building or structure is located shall be complied with; and
- (b) No goods, material, or equipment shall be stored in the open in a Residential Zone; and
- (c) Any building erected in a Residential Zone or in a Zone which permits residential uses under the authority of this paragraph shall be designed and maintained in general harmony with residential buildings of the type permitted in the Zone.

3.25 SEPARATION DISTANCES

(a) Dwellings

- (i) No dwelling, community facility or institutional use shall be erected within the minimum distance from a livestock facility required by the Minimum Distance Separation I (MDS I).
- (ii) No dwelling shall be erected within 60 metres of any Industrial Zone or Industrial-Holding Zone.
- (iii) No dwelling, senior citizens home, nursing home, school or hospital shall be erected within 150 metres of any Extractive Industrial or Extractive Industrial Reserve Zone.
- (iv) No dwelling, senior citizen home, nursing home, school or hospital shall be erected within 300 metres of a quarry.
- (v) No dwelling shall be erected within 200 metres of a hauled sewage disposal site, unless it is the owner's dwelling in which case the required separation distance shall be 60 metres.
- (vi) No dwelling shall be erected within 100 metres of any animal hospital or kennel if such hospital or kennel has more than four outdoor runs or more than 30 square metres of total area of outdoor facilities for animals.
- (vii) No dwelling shall be erected within 500 metres of either an active or inactive waste disposal site.

(b) Gravel Pits, Quarries and Associated Extractive and Manufacturing Plants and Facilities

- i) No land identified as a buffer strip in a licence or permit under the Aggregate Resources Act shall be used for any other purpose.
- ii) No concrete or asphalt manufacturing plant or extractive industrial facility shall be located within 50 metres of any high water mark.

OMB PL040013 – Order No. 1200

- iii) No ** asphalt manufacturing plant shall be located within 300 metres of a dwelling, a school, an institution with a residential component or land restricted to residential use in a by-law passed under Section 34 of the Planning Act. Notwithstanding the foregoing, where an operator possesses a valid Certificate of Approval for a particular asphalt plant, the required separation distance shall be as established by that Certificate.
- iv) No gravel pit shall be located within 150 metres of an existing dwelling.

- v) No quarry shall be located within 300 metres of an existing dwelling.

OMB PL040013 – Order No. 1200

- *vi) No concrete manufacturing plant shall be located within 1000 metres of a dwelling, school, an institution with a residential component or land restricted to residential use in a by-law passed under Section 34 of the Planning Act.*

(c) Farm Uses

No livestock facilities, manure storage area or farm use shall be located within:

- (i) The minimum distance from residential uses required by the Minimum Distance Separation II (MDS II) formulae;
- (ii) 30 metres of any lot line.

(d) Animal Hospital, Kennel

- (i) No animal hospital and no kennel shall be located within 100 metres of any Residential Zone or any dwelling on another lot if such animal hospital or kennel has more than four outdoor runs or more than 30 square metres of total area of outdoor facilities for animals.

(e) Hauled Sewage Disposal Site

No disposal of hauled sewage shall be permitted unless the disposal site has been approved by the Ontario Ministry of the Environment and no disposal site shall be located within:

- (i) 200 metres of any dwelling on another lot;
- (ii) 750 metres of any subdivision or land zoned for residential development;
- (iii) 150 metres of any uncased well;
- (iv) 75 metres of any well with a casing depth of 6.0 metres or less;
- (v) 180 metres of any surface water;
- (vi) 60 metres of the right-of-way of any road;
- (vii) 60 metres of any land used for livestock pasturing;

(f) Waste Disposal Site

No waste disposal site shall be located within 500 metres of a residential dwelling or structure.

3.26 SETBACKS

No person shall erect any building or structure in any Zone unless such building or structure conforms to the following setback requirements:

(a) Provincial Highway

Any development which is to occur adjacent to a Provincial highway shall be carried out in accordance with the setback requirements, access and building permit controls of the Ministry of Transportation. Any proposed access to the highway will be subject to the prior approval of the Ministry of Transportation.

(b) County Road

Any development which is to occur adjacent to a County Road shall be carried out in accordance with the setback requirements, access and building permit controls of the County of Renfrew Public Works Department. Any proposed access to the road will be subject to the prior approval of the County of Renfrew.

**** *(37-2009)***

*(c) Municipal Road

The setback requirement shall be the minimum required Front Yard setback as defined for such use in the Zone where it is located. Any proposed access to the road will be subject to the prior approval of the Township of Greater Madawaska.

(d) Private Road / Laneway, Right-of-Way

The setback shall be the minimum front yard depth required for such use in the zone where it is located, measured from the edge of the travelled road or surveyed right-of-way, whichever is greater.*

(e) Water Setback

A minimum water setback of 30 metres from the high water mark shall be provided for lakes and rivers. For all other water courses a minimum water setback of 15 metres from the high water mark shall be provided. Accessory boat docking or boat

launching facilities shall not be required to meet the water setback however, accessory boathouses shall be prohibited within the water setback.

(43-2005)

For an existing lot of record which has less than **forty-six (46)** metres of lot depth, the minimum water setback shall be **fifteen (15)** metres. For the purposes of this subsection, lot depth is the average distance between the front and rear lot lines.

For an existing lot of record situated between two existing dwellings separated by not more than one hundred (100) metres, the minimum water setback may be reduced to the building line established by the two existing dwellings, provided that it shall not be less than fifteen (15) metres from the high water mark.

(43-2005)

An existing, non-conforming dwelling may be moved or reconstructed to improve the existing water setback(s) of the dwelling, even if the improved setback(s) does not meet any other minimum required water setback described in the subsection, provided the dwelling to be moved or reconstructed is not increased in height, size or volume and the appropriate approvals for private sewage disposal services are obtained, and all other provisions of the By-law are complied with.

(37-2009)

Legal non-conforming buildings and structures encroaching into the 30 metre water setback may be expanded or enlarged provided that the water setback is not further contravened (the straight line horizontal distance from the high water mark is not reduced), and all other provisions of this By-law are complied with.

(30-2007)

***(f) Shoreline Activity Area**

*Explanatory Note: (This does not form part of this By-law)
The purpose of the shoreline activity area is to allow for the placement of specific structures near the shoreline while maintaining the natural viewscape and protecting the environmental integrity of the shoreline. The removal of natural vegetation should be limited to what is required to accommodate the shoreline structure.*

Notwithstanding Section 3.26(d) a shoreline structure shall be permitted within the Shoreline Activity Area in accordance with the following provisions:

- i) No shoreline structure shall be used for commercial purposes or home based occupation;
- ii) No shoreline structure shall be used for habitation or contain a habitable room;
- iii) The construction of shoreline structures shall not destroy fish habitat nor permanently alter the shoreline below the high water mark;

- iv) Addition and or / removal of fill, site alteration and construction of shoreline structures shall require permits and approvals of the appropriate governmental authorities having jurisdiction before any work proceeds;
- v) A Shoreline Storage Shed shall not exceed 10 square metres in area;
- vi) No more than one Shoreline Storage Shed shall be permitted per lot;
- vii) The total area of all Shoreline Structures shall not exceed 35 square metres;
- viii) A site sketch must be submitted prior to the construction of any shoreline structure regardless of size that illustrates:
 - a. Dimensions of the subject property;
 - b. Existing shoreline;
 - c. High water mark;
 - d. Boundary of any lands owned or restricted by Ontario Power Generation;
 - e. Location and dimensions of all existing and proposed shoreline structures;
 - f. Natural shoreline vegetation on site;
- ix) Setbacks and Height
 - a. Side yard setback 3 metres (minimum)
 - b. Setback from the water body shall be the greater of:
 - i. High water mark 1.2 metre (minimum)
 - ii. OPG flood limit 1.2 metre (minimum)
 - iii. Property line abutting
high water mark 1.2 metre (minimum)
 - c. Height 4 metres (maximum)*

3.27 **STANDARDS - CUMULATIVE**

- (a) Unless permitted elsewhere in this By-law, where a lot contains more than one use, the lot area requirements shall be the sum of the requirements for the separate uses thereof but the lot frontage requirements shall be no less than the greater of the lot frontage requirements for each individual use in the Zone where such lot is located.
- (b) When a building, structure or lot accommodates more than one use, loading space requirement and parking space requirement for each building, structure or lot shall be the sum of the requirements for the separate uses thereof unless exempted elsewhere in this By-law.

3.28 **STORAGE OF LIQUID MANURE, HAULED SEWAGE OR SEWAGE SLUDGE**

No facility for the storage of liquid manure, hauled sewage or sewage sludge shall be erected, used or altered except in accordance with the following provisions:

- (a) The storage facility shall be constructed of materials that are durable and stable and that do not afford passage of the contents;
- (b) The storage facility shall have,
 - (i) walls that extend 2.0 metres or more above the surrounding grade level, or
 - (ii) walls that extend 0.3 metres above the surrounding grade level and have a solid cover, or a minimum 0.7 metre extension of the walls, that completely seals the facility from human entry; or
 - (iii) be an inground facility that is situated below and totally enclosed by a livestock barn;
- (c) Notwithstanding item (b), preceding, a lagoon may be used for the storage of liquid manure, hauled sewage or sewage sludge provided that,
 - (i) it is approved under all appropriate provincial legislation and regulations; and
 - (ii) it is designed, constructed and maintained in accordance with all governing By-laws of the Municipality.

3.29 **MADAWASKA RIVER FLOODPLAIN**

- (a) For those lands located within the floodway of the Madawaska River Flood Plain, no buildings, alterations, or structures shall be permitted with the exception of boat docking or launching facilities, and with the exception of alterations to existing buildings that do not increase the size or usability or lot coverage thereof.
- (b) An elevation survey prepared by an Ontario Land Surveyor may be required in conjunction with a building permit or consent application in order to verify the limit of the 1 in 100 year floodplain.

3.30 **SENSITIVE LAKE**

The following provisions shall apply to all lands bordering and adjacent to Hurds Lake and Norway Lake as shown on Schedule "A", Wabun Lake as shown on Schedule "B" and Burns Lake as shown on Schedule "C".

- (i) A minimum water setback for all buildings, structures and excavations of thirty (30) metres shall be provided. An exception, where an existing lot has less than forty-six (46) metres in depth, then the minimum water setback shall be fifteen (15) metres.

- (ii) No more than a single one family dwelling shall be permitted on a single lot.
- (iii) No buildings or structures, nor the placing or removal of fill of any kind, whether it originates on the site or elsewhere, shall be permitted in the area of the water setback, except where such buildings, structures, or fill are intended for flood or erosion control.
- (iv) Boat docks or boat launching facilities shall not be required to meet the provision of this subsection.

3.31 **TEMPORARY CONSTRUCTION USES PERMITTED**

Nothing contained in this By-law shall prevent the erection or location of any sheds, scaffolds, or other structures (including trailers or recreational vehicles) incidental to building construction on the premises for so long as the same is necessary for work in progress which has neither been finalized, nor abandoned.

Notwithstanding subsection 3.8 **DWELLINGS PER LOT** to the contrary, on a lot having a residential use, where new construction of a dwelling is proposed, and where a written agreement between the owner and the corporation for its removal is implemented, the existing dwelling may be used as temporary accommodation only for the time period when new construction is in progress. The existing dwelling, used as temporary accommodation, shall be removed from the lot within 30 days of occupancy of the replacement dwelling.

3.32 **THROUGH LOTS**

Where a lot which is not a corner lot has frontage on more than one street, the requirements for front yards contained in the By-law shall apply to each yard abutting the street.

3.33 **VISIBILITY AT INTERSECTIONS**

- (a) At the intersection of any two streets, no building, or structure shall be erected, no landscaping materials shall be allowed to grow, no land shall be graded and no vehicle shall be parked above the height of 0.75 metres above the centreline grade of such streets, so as to materially impede the vision of the operator of a vehicle on the street, within the triangular area bounded by the lot lines to a distance of 6.0 metres from the points of intersection of the corner lot lines, or of the projection of the corner lot lines, or within such area required according to the standards of the Ministry of Transportation.
- (b) At the intersection of a street and a railway right-of-way, the vision of the operator of a motor vehicle shall be unimpeded, as described above, within the triangular area

bounded by the lot lines to a distance of 23.0 from the points of intersection of the street lot line and the railway lot line.

- (c) At all intersections involving a Provincial highway, the requirements of the Ministry of Transportation regarding visibility triangles shall apply.

SECTION 4.0 - ZONE CLASSIFICATIONS, EXCEPTION ZONE PROVISIONS**4.1 ZONE CLASSIFICATIONS**

For the purpose of this By-law, the following zones are established as shown on the Schedule(s) (Zoning Maps).

<u>Zones</u>	<u>Zone Symbol</u>
(a) Residential Zones	
i) Residential One	R1
ii) Rural Residential	RR
iii) Limited Service Residential	LSR
iv) Mobile Home Park	MHP
v) Rural	RU
(b) Commercial Zones	
i) Hamlet Commercial	HAC
ii) Highway Commercial	HC
iii) Tourism Commercial	TC
(c) Industrial Zones	
i) General Industrial	GM
ii) Disposal Industrial	DM
iii) Extractive Industrial	EM
iv) Extractive Industrial Reserve	EMR
v) Mining Industrial	MM
vi) Mining Industrial Reserve	MMR
vii) Light Industrial	LM
(d) Additional Zones	
i) Rural	RU
ii) Community Facility	CF
iii) Environmental Protection	EP
iv) Natural Heritage Feature	NHF
v) Open Space	OS

4.2 **EXCEPTION ZONES**

Where a Zone classification is followed by the numbered suffix "-Exception One", this denotes the further classification as an Exception Zone. The corresponding Zone symbol suffix is "-E1". Additional Exception Zones within the same zone classification are numbered consecutively (i.e. Highway Commercial - Exception One (HC-E1), etc.

Exception Zone provisions are listed separately under the applicable Zone classification requirements sections in the text of this By-law. All provisions of this By-law will apply equally to the respective Exception Zone classification, except as otherwise specified by the Exception Zone provisions.

For the purpose of this By-law, Exception Zones are established as shown on the Schedule(s) (Zoning Maps).

4.3 **HOLDING PROVISIONS**

Any parcel of land zoned for residential, commercial or industrial development where the principle of development has been established (i.e. R1, HC, R2) may be further classified as a holding zone with the addition of the suffix "-h". Certain criteria for development (i.e. phasing, financial considerations, geotechnical studies, access etc.) must be met to the satisfaction of Council prior to the removal of the holding provision.

Under this holding Zone, interim and passive uses such as open space and conservation will be permitted. Uses existing at the time of passing of the By-law will also be permitted. When the holding provision is removed these uses would no longer apply. The individual residential, commercial or industrial Zone provisions (i.e. R1, R2, HC, etc.) as the case may be would then apply.

The removal of the holding provisions shall require an amendment to this By-law. No public participation with mechanism for appeal shall be required where the principle of development has been established.

SECTION 5.0 - REQUIREMENTS FOR RESIDENTIAL ONE (R1) ZONE**5.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any R1 Zone except for:

(a) Residential Uses

- single detached dwelling
- semi-detached dwelling
- duplex dwelling
- group home

5.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in any R1 Zone except in accordance with the following provisions:

(a) Lot Area (minimum):

- | | |
|--|-----------------|
| - single detached dwelling/group home | 2025 sq. metres |
| - duplex dwelling | 3065 sq. metres |
| - semi-detached dwelling | 3065 sq. metres |
| - semi-detached dwelling (each unit on a separate lot) | 1532 sq. metres |

(b) Lot Frontage (minimum)

- | | |
|--|-----------|
| - single detached dwelling/group home | 30 metres |
| - duplex dwelling | 30 metres |
| - semi-detached dwelling | 40 metres |
| - semi-detached dwelling (each unit on a separate lot) | 20 metres |

(c) Front Yard Depth (minimum) 7.5 metres***(43-2005)*****(d) Exterior Side Yard Width (minimum) *4.0* metres****(e) Interior Side Yard Width (minimum)**

- | | |
|---------------------------------------|----------|
| - single detached dwelling/group home | 3 metres |
| - duplex dwelling | 3 metres |
| - semi-detached dwelling | 3 metres |

- | | | |
|-----|--|--|
| - | semi-detached dwelling
(each unit on a separate lot) | Requires Interior or Exterior
Side Yard on One Side Only. |
| (f) | Rear Yard Depth (minimum) | 7.5 metres |
| (g) | Dwelling Unit Area (minimum) | |
| - | single detached dwelling/group home | 75 sq. metres |
| - | duplex dwelling (per unit) | 65 sq. metres |
| - | semi-detached dwelling (per unit) | 65 sq. metres |
| (h) | Lot Coverage (maximum) | 35% |
| (i) | Building Height (maximum) | 10.5 metres |
| (j) | Open Storage: In accordance with the provisions for Open Storage in Section 3 -
General Provisions of this By-law. | |
| (k) | Parking and Loading: In accordance with the provisions for Parking and Loading in
Section 3 - General Provisions of this By-law. | |
| (l) | Separation Distance: In accordance with the provisions for Separation Distance in
Section 3 - General Provisions of this By-law. | |
| (m) | Setbacks: In accordance with the provisions for Setbacks in Section 3 - General
Provisions of this By-law. | |
| (n) | Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions of
this zone to the contrary, uses, buildings and structures that are accessory to the
permitted uses of this zone shall be permitted in accordance with the requirements
for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of
this By-law. | |

5.3 **EXCEPTION ZONES**

(a) **Residential One - Exception One (R1-E1)**

Notwithstanding Section 5.2(a) to the contrary, for those lands described as part of Lot 18, Concession X, in the geographic Township of Bagot and delineated as Residential One-Exception One (R1-E1) on Schedule "D" (Inset #4) to this By-law, the minimum lot area for a single detached dwelling shall be 960 square metres.

(b) Residential One - Exception Two (R1-E2)

Notwithstanding any provision of this By-law to the contrary, for those lands described as part of Lot 18, Concession X, in the geographic Township of Bagot and delineated as Residential One-Exception Two (R1-E2) on Schedule “D” (Inset #4) to this By-law, the following provisions shall apply:

- i) Residential Uses Permitted
 - multiple dwelling
- ii) Non-Residential Uses Permitted:
 - retail store permitted on ground floor not to exceed 310 square feet.
- iii) Dwelling - multiple: means a residential building containing a maximum of five dwelling units.
- iv) Dwelling Unit Area (minimum)

- two bedroom dwelling unit	49 square metres
- three bedroom dwelling unit	75 square metres
- v) Lot Area (minimum) 1000 square metres
- vi) Front Yard Depth (minimum) 0.1 metres
- vii) Parking (minimum) 1.5 spaces per dwelling unit

(c) Residential One - Exception Three (R1-E3)

Notwithstanding any provision of this By-law to the contrary, for those lands described as part of Lot 18, Concession XI, in the geographic Township of Bagot and delineated as Residential One-Exception Three (R1-E3) on Schedule “D” (Inset #4) to this By-law, a bed and breakfast establishment shall be a permitted use.

(3-2004)

*(d) Residential One – Exception Four (R1-E4)

Notwithstanding Sections 5.2(a) to the contrary, for those lands described as part of Lot 18, Concession XI, geographic Township of Bagot and delineated as Residential

One-Exception Four (R1-E4) on Schedule “D” (Inset #4) to this By-law, the minimum required lot area shall be 600 square metres.*

(e)

(4-2008)

***(f)** Residential One – Exception Six (R1-E6)

Notwithstanding Section 5.2(a) to the contrary, for those lands described as Lots 1 to 9 inclusive, on Plan 505 and Lots 25-34 inclusive and Lot 36 on Plan 440, in Part of Lot 18, Concession X, geographic Township of Bagot, and delineated as Residential One-Exception Six (R1-E6) on Schedule D (Inset #4) to this By-law, the minimum lot area for a single detached dwelling/group home shall be 1390 square metres.*

(g)

(21-2008)

***(h)** Residential One – Exception Eight (R1-E8)

Notwithstanding Section 5.1(a) to the contrary, for those lands described as Part of Lot 18, Concession X, geographic Township of Bagot, and delineated as Residential One-Exception Eight (R1-E8) on Schedule D (Inset #4) to this By-law, a cottage as defined by this By-law, shall be an additional permitted use.*

(17-2009)

***(i)** Residential One – Exception Nine (R1-E9)

Notwithstanding Section 5.1(a) to the contrary, for those lands described as Part of Lot 17, Concession X, geographic Township of Bagot, know municipally as 508 Blake Street and delineated as Residential One-Exception Nine (R1-E9) on Schedule D (Inset #4) to this By-law, a cottage as defined by this By-law, shall be an additional permitted use.*

(03-2011)

***(j)** Residential One – Exception Ten (R1-E10)

Notwithstanding anything in this By-law to the contrary, for those lands described as Part of Lots 108 and 109 and Part of Lots 114 and 116, Plan 156, geographic Township of Bagot, and delineated as Residential-Exception Ten (R1-E10) on Schedule D (Inset 4) to this By-law, the following provisions shall apply:

Permitted Uses

Multiple Attached Residential Units in one or more buildings (maximum)	14 units
---	----------

Zone Provisions

Lot Frontage (minimum)	18 metres
------------------------	-----------

On-Site Parking spaces (minimum)	16 spaces
----------------------------------	-----------

Water Setback (minimum)	16 metres
-------------------------	-----------

Side Yard setback from the adjacent Tourist Commercial Zone (TC) shall be	6 metres
--	----------

Side Yard setback from the adjacent Residential One Zone (R1) shall be	9 metres
---	----------

- (ii) Notwithstanding Section 3.22.1 (d) (i), for the lands described as Part of Lots 108 and 109 and Part of Lots 114 and 116, Plan 156, geographic Township of Bagot, and delineated as Residential-Exception Ten (R1-E10) on Schedule D (Inset 4) to this By-law, a parking area for a Residential use containing three or more dwelling units is located in the front yard.

(07-2015)

***(k)** Residential One – Exception Eleven (R1-E11)

Notwithstanding subsections 5.1(a) and 5.2(c) of this By-law to the contrary, for those lands described as Part of Lot 10, Concession 2, geographic Township of Griffith, and delineated as Residential One-Exception Eleven (R1-E11) on Schedule 'A' to this By-law, a minimum front yard setback of 5.0 metres shall be permitted and senior citizens housing shall be permitted as an additional use.

For the purposes of this subsection, Senior Citizens Housing means two or more separate apartment dwellings for senior citizens located on the same lot, which lot is retained under common ownership and is sponsored and administered by any public agency, service club, church or other profit or non-profit organization, which obtains its financing from Federal, Provincial or Municipal Government or by agencies, or by public subscription, donation, or residents' payments, or by any combination thereof. Care may be provided to residents of the Senior Citizens Housing and to community seniors. Care shall mean (a) health care services, (b) rehabilitative or

therapeutic services or (c) services to provide assistance with the tasks of daily living.*

5.4 **INTERIM USES AND STANDARDS (HOLDING)**

(a) Residential One-Exception Ten-holding

Until such time as the holding symbol (-h) is removed from any of the lands located in Part of Lots 108 and 109 and Part of Lots 114 and 116, Plan 156, geographic Township of Bagot, and delineated as Residential-Exception Ten-holding (R1-E10-h) on Schedule D (Inset 4) to this By-law, in accordance with the conditions set forth herein, no person shall use land or erect or use a building or structure in accordance with the following:

(i) Permitted Uses

- Existing uses in existing locations
- Open space
- Passive recreation that does not require a building

(ii) Conditions for removal of the Holding Symbol (-h)

- The development shall comply with all municipal and provincial design, approval and construction and certification requirements and regulations for on-site water and on-site sewage disposal system
- The Owner enters into a Site Plan Agreement with the Municipality under Section 41(7) of the *Planning Act* that is executed and registered on title.*

SECTION 6.0 - REQUIREMENTS FOR RURAL RESIDENTIAL (RR) ZONE**6.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any RR Zone except for:

(a) Residential Uses

- single detached dwelling
- semi-detached dwelling
- duplex dwelling
- group home

6.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in any RR Zone except in accordance with the following provisions:

(a) Lot Area (minimum):

- | | |
|--|-----------------|
| - single detached dwelling, group home,
duplex dwelling, semi-detached dwelling | 4047 sq. metres |
| - semi-detached dwelling (each unit on
a separate lot) | 2024 sq. metres |

(b) Lot Frontage (minimum)

- | | |
|---|-----------|
| - single detached dwelling, group home | 45 metres |
| - duplex dwelling, semi-detached dwelling | 45 metres |
| - semi-detached dwelling
(each unit on a separate lot) | 23 metres |

(c) Water Frontage (minimum) 45 metres**(d) Front Yard Depth (minimum) 7.5 metres****(e) Exterior Side Yard Width (minimum) 7.5 metres****(f) Interior Side Yard Width (minimum)**

- | | |
|---------------------------------------|----------|
| - single detached dwelling/group home | 3 metres |
| - duplex dwelling | 3 metres |
| - semi-detached dwelling | 3 metres |

- | | | |
|-----|--|--|
| - | semi-detached dwelling
(each unit on a separate lot) | Requires Interior or Exterior
Side Yard on One Side Only. |
| (g) | Rear Yard Depth (minimum) | 7.5 metres |
| (h) | Dwelling Unit Area (minimum) | |
| - | single detached dwelling/group home | 75 sq. metres |
| - | duplex dwelling (per unit) | 65 sq. metres |
| - | semi-detached dwelling unit | 65 sq. metres |
| (i) | Lot Coverage (maximum) | 35% |
| (j) | Building Height (maximum) | 10.5 metres |
| (k) | Open Storage: In accordance with the provisions for Open Storage in Section 3 -
General Provisions of this By-law. | |
| (l) | Parking and Loading: In accordance with the provisions for Parking and Loading in
Section 3 - General Provisions of this By-law. | |
| (m) | Separation Distance: In accordance with the provisions for Separation Distance in
Section 3 - General Provisions of this By-law. | |
| (n) | Setbacks: In accordance with the provisions for Setbacks in Section 3 - General
Provisions of this By-law. | |
| (o) | Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions of
this zone to the contrary, uses, buildings and structures that are accessory to the
permitted uses of this zone shall be permitted in accordance with the requirements
for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of
this By-law. | |

6.3 **EXCEPTION ZONES**

(a) Rural Residential – Exception One (RR-E1)

Notwithstanding Section 3.26(d) to the contrary, for those lands described as Lot 17, Plan 442 in part of Lot 16, Concession VIII, in the geographic Township of Matawatchan and delineated as Rural Residential – Exception One (RR-E1) on Schedule “E” (Inset #7) to this By-law, the following shall apply:

Main building:

Rear Yard Depth (minimum) <i>(from lot line measuring 71.85 feet)</i>	12.5 m
Side Yard Depth (minimum) <i>(from lot line measuring 145.70 feet)</i>	3.6 m

Accessory building:

Side Yard Depth (minimum) <i>(from lot line measuring 239.79 feet)</i>	3.0 m
--	-------

Notwithstanding Section 3.3.3 of this By-law to the contrary, an accessory building shall be permitted in the front yard.

OMB PL040013 – Order No. 1551***(b)** Rural Residential – Exception Two (RR-E2)

Notwithstanding Section 3.26(d) of this By-law to the contrary, for those lands described as Lot 23, Plan 552 in part of Lot 18, Concession III, geographic Township of Bagot, and delineated as Rural Residential - Exception Two (RR-E2) on Schedule “D” (Inset #3) to this By-law, the minimum required water setback from the high water mark shall be 25 metres and the following provisions shall apply:

- there shall be no vegetation or tree removal between the permitted dwelling and the high water mark, to maintain the slope stability and integrity of the shoreline;
- no septic system shall be closer than 40 metres from the high water mark;
- during construction of a permitted dwelling, silt curtains and straw bails must be applied for any work conducted in the drainage ditch to ensure that no deleterious substance enters the water course.*

(08-2004)***(c)** Rural Residential – Exception Three (RR-E3)

Notwithstanding Section 6.2(b) to the contrary, for those lands described as part of Lot 3, Plan 554, save and except Part 3, Plan 49R-15359, in part of Lot 19, Concession I, geographic Township of Blythfield and delineated as Rural Residential-Exception Three (RR-E3) on Schedule “D” (Inset #4) to this By-law, the minimum required lot frontage shall be 24, metres.*

(43-2005)***(d)** Rural Residential – Exception Four (RR-E4)

Notwithstanding Section 6.1(a) to the contrary, for those lands described as Lot 2, Plan 553, in part of Lot 17, Concession XI, geographic Township of Bagot, and delineated as Rural Residential-Exception Four (RR-E4) on Schedule “D” (Inset #4),

to this By-law, a bed and breakfast establishment shall be an additional permitted use.*

(29-2005)

***(e) Rural Residential – Exception Five (RR-E5)**

Notwithstanding Section 2.120(a) to the contrary, for those lands described as part of Lot 2, Concession V, geographic Township of Griffith and delineated as Rural Residential-Exception Five (RR-E5) on Schedule “E” (Inset #10) to this By-law, the front lot line shall be the longer lot line that abuts the street within the registered plan of subdivision.*

OMB PL040013 - Order No. 1200

(43-2005)* *

***(f) Rural Residential – Exception Six (RR-E6)**

Notwithstanding any provision of Section 6.2 to the contrary, for those lands described as part of Lot 25, Concession II, geographic Township of Bagot, more specifically described as Lots 3, 4, 5, 6, 7, 9,10, 11, 13 14, 15 and 16 on Registered Plan 555 and delineated as Rural Residential – Exception Six (RR-E6) on Schedule “D” (Inset 1) to this By-law, the provisions of the RR Zone shall apply with the following exceptions:

(i)	Lot Area (minimum)	2025 square metres
(ii)	Lot Frontage (minimum)	30 metres
(iii)	Water Frontage (minimum)	30 metres
(iv)	Front Yard Depth (minimum)	7.5 metres
(v)	Exterior Side Yard Width (minimum)	4.0 metres
(vi)	Interior Side Yard Width (minimum)	3.0 metres
(vii)	Rear Yard Depth (minimum)	7.5 metres except where Section 3.30(i) applies*

(28-2006)

***(g) Rural Residential – Exception Seven-holding (RR-E7-h)**

When the holding symbol (-h) is removed, in accordance with the conditions set forth herein, from any of the lands described as part of Lot 16, Concession XI, geographic Township of Bagot, and delineated as Rural Residential-Exception Seven-holding (RR-E7-h) on Schedule “D” (Inset 4) to this By-law, the minimum required lot area for a single detached dwelling shall be 3500 square metres and the minimum required lot frontage for a single detached dwelling shall be 31 metres.

The conditions that must be fulfilled to the satisfaction of Council, prior to the

removal of the holding symbol are:

- i) the technical investigations being acceptable to the Municipality;
- ii) any suitable measures being taken respecting the archaeological investigations done on site, to the satisfaction of the Ministry of Culture;
- iii) the registration on title, of a subdivision agreement.

(h) Rural Residential – Exception Eight-holding (RR-E8-h)

When the holding symbol (-h) is removed, in accordance with the conditions set forth herein, for those lands described as part of Lot 16, Concession XI, geographic Township of Bagot, and delineated as Rural Residential-Exception Eight-holding (RR-E8-h) on Schedule “D” (Inset 4) to this By-law, the minimum required lot frontage for a single detached dwelling shall be 30 metres.

The conditions that must be fulfilled to the satisfaction of Council, prior to the removal of the holding symbol are:

- i) the technical investigations being acceptable to the Municipality;
- ii) any suitable measures being taken respecting the archaeological investigations done on site, to the satisfaction of the Ministry of Culture;
- iii) the registration on title, of a subdivision agreement.*

(45-2005)

***(i) Rural Residential – Exception Nine (RR-E9)**

Notwithstanding Sections 6.1 and 6.2 of this By-law to the contrary, for those lands described as part of Lot 15, Concession XII, in the geographic Township of Bagot and delineated as Rural Residential-Exception Nine (RR-E9) on Schedule “D” (Inset #4) to this By-law, the following provisions shall apply:

a) Residential Uses

- dwelling, condominium

b) Zone Provisions

i)	Lot Area (minimum)	2700 m ²
ii)	Lot Frontage (minimum)	27 m
iii)	Front Yard Depth (minimum)	29 m
iv)	Side Yard Width (minimum)	5 m
v)	Rear Yard Depth (minimum)	7.5 m
vi)	Lot Coverage (maximum)	40%

vii)	Density (maximum)	29 units per hectare
viii)	Building Height (maximum)	12 m
ix)	Dwelling Unit Area (minimum)	55 square metres
x)	Open Storage, Parking and Loading, Separation Distance, Setbacks, Accessory Uses, Buildings and Structures	In accordance with Section 3 – General Provisions of this By-law.

For the purposes of this subsection, Dwelling, Condominium shall mean an individual dwelling unit under individual ownership in a multiple unit development with common elements in which:

- i) the unit comprises not only the space enclosed by the unit boundaries, but all material parts of the land within the space;
- ii) the common element means all the property within the development except the units;
- iii) the common element is owned by all the owners as tenants in common.*

(3-2006)

***(j)** Rural Residential – Exception Ten (RR-E10)

Notwithstanding Section 6.1(a) to the contrary, for those lands described as part of Lots 25 and 26, Range D South, geographic Township of Brougham, and delineated as Rural Residential-Exception Ten (RR-E10) on Schedule “A” to this By-law, a maximum of six apartment units shall be permitted.*

(28-2006)

***(k)** Rural Residential-holding (RR-h)

When the holding symbol (-h) is removed, in accordance with the conditions set forth herein, those lands described as part of Lot 16, Concession XI, geographic Township of Bagot, and delineated as Rural Residential-holding (RR-h) on Schedule “D” (Inset 4) to this By-law, shall be developed in accordance with the provisions of the Rural Residential (RR) Zone.

The conditions that must be fulfilled to the satisfaction of Council, prior to the removal of the holding symbol are:

- i) the technical investigations being acceptable to the Municipality;

- ii) any suitable measures being taken respecting the archaeological investigations done on site, to the satisfaction of the Ministry of Culture;
- iii) the registration on title, of a subdivision agreement.*

(31-2008)***(1) Rural Residential-Exception Eleven (RR-E11)**

Notwithstanding anything in this By-law to the contrary, for those lands described as Part of Lot 19, Concession II, geographic Township of Blythfield, and delineated as Rural Residential-Exception Eleven (RR-E11) on Schedule D (Inset#4) to this By-law, the following provisions shall apply:

(i) Permitted Uses

- single detached dwelling
- semi detached dwelling
- duplex dwelling
- triplex dwelling
- row house dwelling
- apartment dwelling
- maisonette dwelling
- hotel condominium

(ii) Zone Provisions

- | | |
|--------------------------------|--------------------|
| (a) Lot area (minimum) | 1900 square metres |
| (b) Lot frontage (minimum) | 20 metres |
| (c) Front Yard Depth (minimum) | 7.5 metres |
| (d) Side Yard Depth (minimum) | 3.0 metres |
| (e) Rear Yard Depth (minimum) | 6.0 metres |

(iii) For the purposes of this subsection the following provisions shall also apply:

- (a) A retaining wall shall not be considered a structure.
- (b) Parking areas shall be permitted in the front yard.
- (c) Parking areas shall be permitted closer than 1.0 metre from a street line.
- (d) Granular parking surfaces shall be permitted.

(iv) For the purposes of this subsection, the following definition shall apply:

“Hotel condominium shall mean an establishment or structure containing a number of units that provides for sleeping accommodation, sanitary facilities and minimal kitchen facilities. Each individual unit may be held in separate

or private ownership and some or all rooms are available to transients for rent.”

(m) Rural Residential-Exception Twelve (RR-E12)

Notwithstanding anything in this By-law to the contrary, for those lands described as Part of Lot 19, Concession II, geographic Township of Blythfield, and delineated as Rural Residential-Exception Twelve (RR-E12) on Schedule D (Inset #4) to this By-law, the following provisions shall apply:

(i) Permitted Uses

- single detached dwelling
- semi detached dwelling
- duplex dwelling
- triplex dwelling
- row house dwelling
- apartment dwelling
- maisonette dwelling
- hotel condominium

(ii) Zone Provisions

(a) Lot area (minimum)	1900 square metres
(b) Lot frontage (minimum)	20 metres
(c) Front Yard Depth (minimum)	3.0 metres
(d) Side Yard Depth (minimum)	3.0 metres
(e) Rear Yard Depth (minimum)	6.0 metres

(iii) For the purposes of this subsection the following provisions shall also apply:

- (a) A retaining wall shall not be considered a structure.
- (b) Parking areas shall be permitted in the front yard.
- (c) Parking areas shall be permitted closer than 1.0 metre from a street line.
- (d) Granular parking surfaces shall be permitted.

(iv) For the purposes of this subsection, the following definition shall apply:

“Hotel condominium shall mean an establishment or structure containing a number of units that provides for sleeping accommodation, sanitary facilities and minimal kitchen facilities. Each individual unit may be held in separate

or private ownership and some or all rooms are available to transients for rent.”

(62-2012)

***(n)** Rural Residential-Exception Eleven (RR-E13)

Notwithstanding subsections 6.2 (b) of this By-law to the contrary, for those lands described as Part of Lots 14 and 15, Concession 12, geographic Township of Bagot, and delineated as Rural Residential-Exception Thirteen (RR-E13) on Schedule “A” to this By-law, for a single detached dwelling, the minimum required lot frontage shall be 38 metres.

(o) Rural Residential-Exception Fourteen (RR-E14)

Notwithstanding subsections 6.2(a) and (b) of this By-law to the contrary, for those lands described as Part of Lots 14 and 15, Concession 12, geographic Township of Bagot, and delineated as Rural Residential-Exception Fourteen (RR-E14) on Schedule “A” to this By-law, for a single detached dwelling, the minimum required lot area shall be 3900 square metres and the minimum lot frontage shall be 29 metres.*

(19-2014)

***(p)** Rural Residential-Exception Fifteen (RR-E15)

Notwithstanding subsections 6.2(b) of this By-law to the contrary, for those lands described as Part of Lots 13 and 14, Concession 3, geographic Township of Blythfield, and delineated as Rural Residential-Exception Fifteen (RR-E15) on Schedule “A” to this By-law, the minimum required lot frontage shall be 10 metres.

(q) Rural Residential-Exception Sixteen (RR-E16)

Notwithstanding subsections 6.2(b) of this By-law to the contrary, for those lands described as Part of Lot 14, Concession 4, geographic Township of Blythfield, and delineated as Rural Residential-Exception Sixteen (RR-E16) on Schedule “A” to this By-law, the minimum required lot frontage shall be 20 metres*.

6.4 **INTERIM USES AND STANDARDS (HOLDING)**

(a) RR-E11-h (Part of Lot 19, Concession II, geographic Township of Blythfield)

Until such time that the holding is removed from any of the land in this location zoned RR-E11-h, in accordance with the conditions set forth herein, no person shall

use land or erect or use a building or structure except in accordance with the following:

(i) Permitted Uses

- existing uses in existing locations
- open space
- passive recreation that does not require a building

(ii) Conditions for removal of Holding Symbol (h)

- i) A site plan pursuant to Section 41 of the Planning Act for the development permitted under the RR-E11 Zone is submitted to the municipality, approved by Council and an agreement under Section 41 of the Planning Act is executed and registered on title.*

(19-2014)

***(b) RR-h (Part Lots 14 and 15, Concession 4, geographic Township of Blythfield)**

Until such time that the holding is removed from any of the land in this location zoned RR-h, in accordance with the conditions set forth herein, no person shall use land or erect or use a building or structure except in accordance with the following:

(i) Permitted Uses

- existing uses in existing locations
- open space
- passive recreation that does not require a building

(ii) Conditions for removal of Holding Symbol (h)

- Fifty percent (4) waterfront lots in Phase 1 must be sold
- The developer must demonstrate sufficient securities for the proposed works in Phase 2 in the form of an irrevocable letter of credit.*

SECTION 7.0 - REQUIREMENTS FOR LIMITED SERVICE RESIDENTIAL (LSR) ZONE**7.1 PERMITTED USES**

No person shall use any land or erect or use a building or structure in any LSR Zone except for:

- a) Residential Uses
 - limited service dwelling

7.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in any LSR Zone except in accordance with the following provisions:

- a) Lot Area (minimum) 4047 m²
- b) Lot Frontage (minimum) 45 metres
- c) Water Frontage (minimum) 45 metres
- d) Front Yard Depth (minimum) 7.5 metres
- e) Side Yard Width (minimum) 3 metres
- f) Exterior Side Yard Width (minimum) 7.5 metres
- g) Rear Yard Depth (minimum) 7.5 metres
- h) Dwelling Unit Area (minimum) 65 m²
- i) Lot Coverage (maximum) 33%
- j) Building Height (maximum) 10.5 metres
- k) Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.
- l) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.

- m) Separation Distance: In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
- n) Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- o) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provisions of this zone to the contrary, Uses, Buildings and Structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

7.3 **EXCEPTION ZONES**

(a) **Limited Service Residential-Exception One (LSR-E1)**

Notwithstanding any other provisions of this By-law to the contrary, for those lands described as part of Lot 14, Concession IV, in the geographic Township of Brougham and delineated as Limited Service Residential-Exception One (LSR-E1), on Schedule “D” (Inset #5) to this By-law, three limited service residential dwellings shall be permitted.

(b) **Limited Service Residential-Exception Two (LSR-E2)**

Notwithstanding any other provisions of this By-law to the contrary, for those lands described as part of Lot 14, Concession IV and described as Block 16, Plan 525, in the geographic Township of Brougham and delineated as Limited Service Residential-Exception Two (LSR-E2) on Schedule “D” (Inset #5) to this By-law, the following provisions shall apply:

(i) Permitted Uses

- Limited service dwelling

(ii) Lot Area Required (minimum) 7 Ha.

(c) **Limited Service Residential-Exception Three (LSR-E3)**

Notwithstanding any provisions of this By-law to the contrary, for those lands described as part of Lot 14, Concession VII, in the geographic Township of Brougham, and delineated as Limited Service Residential-Exception Three (LSR-E3) on Schedule “D” (Inset #5) to this By-law, the following provisions shall apply:

- (i) Permitted Uses
 - Limited service dwelling

- (ii) Front Lot Line

The front lot line shall be deemed to be the lot line opposite the lot line that is adjacent to Green Lake.

- (iii) Required Lot Frontage (minimum) 5 metres, which shall be measured along that segment of a front lot line or side lot line that abuts a private road or Crown land road

- (vi) Lot Area (minimum) 1900 square metres

(d) Limited Service Residential-Exception-Four (LSR-E4)

Notwithstanding any provisions of this By-law to the contrary, for those lands described as Part of Lot 10, Concessions I and II, in the geographic Township of Matawatchan, and delineated as Limited Service Residential-Exception Four (LSR-E4) on Schedule "C" to this By-law, the following provisions shall apply:

- (i) Permitted Uses
 - Limited service dwelling

- (ii) Zone Provisions

- (a) Lot Area (minimum) 6070.5 square metres
- (b) Lot Frontage (minimum) 65 metres
- (c) Side Yard Depth (minimum) 10 metres
- (d) Dwelling Unit Area (minimum) 55 square metres
- (e) Lot Coverage (maximum) 10%

(e) Limited Service Residential-Exception Five (LSR-E5)

Notwithstanding any provisions of this By-law to the contrary, for those lands described as part of Lots 6 and 7, Concession VIII, in the geographic Township of

Matawatchan, and delineated as Limited Service Residential-Exception Five (LSR-E5) on Schedule “C” to this By-law, the following provisions shall apply:

- (i) Permitted Uses
 - Limited service dwelling
 - Hunting and fishing camp

(f) Limited Service Residential-Exception Six (LSR-E6)

Notwithstanding any provisions of this By-law to the contrary, for those lands described as part of Lot 3, Concession V, in the geographic Township of Griffith, and delineated as Limited Service Residential-Exception Six (LSR-E6) on Schedule “E” (Inset #10) to this By-law, the following provisions shall apply:

- (i) Permitted Uses
 - Limited service dwelling
 - Hunting and fishing camp
- (ii) Zone Provisions
 - (a) Lot Frontage (minimum) 30 metres
 - (b) Dwelling Unit Area (minimum) 55 square metres
 - (c) Lot Coverage (maximum) 15%

(28-2005)

***(g)** Limited Service Residential-Exception Six-holding (LSR-E6-h)

Notwithstanding Section 7.3(f) to the contrary, for those lands described as part of Lot 3, Concession V, geographic Township of Griffith, and delineated as Limited Service Residential-Exception Six-holding (LSR-E6-h) on Schedule “E” (Inset 10) to this By-law, only existing uses shall be permitted. A new building or addition to an existing building will only be permitted upon the removal of the holding (h) symbol, on condition that the owner provides certification to the Township of Greater Madawaska of the following:

- i) That the water quality meets the Ministry of the Environment “Ontario Drinking Water Objectives”;
- ii) That there is sufficient quantity of water for the intended residential use of the property;
- iii) That the certification be prepared by a Professional Engineer.*

(h) Limited Service Residential-Exception Seven (LSR-E7)

Notwithstanding any provisions of this By-law to the contrary, for those lands described as part of Lot 2, Concession V, in the geographic Township of Griffith and delineated as Limited Service Residential-Exception Seven (LSR-E7) on Schedule “E” (Inset #10) to this By-law, the following provisions shall apply:

(i) Permitted Uses:

- Limited service dwelling
- Hunting and fishing camp

(ii) Zone Provisions:

- | | | |
|-----|------------------------------|---------------------|
| (a) | Lot Area (minimum) | 6,070 square metres |
| (b) | Lot frontage (minimum) | 30 metres |
| (c) | Dwelling Unit Area (minimum) | 55 square metres |
| (d) | Lot Coverage (maximum) | 15 % |

(i) Limited Service Residential-Exception Eight (LSR-E8)

Notwithstanding any provisions of this By-law to the contrary, for those lands described as part of Lots 1 and 2, Concession V, in the geographic Township of Griffith and delineated as Limited Service Residential-Exception Eight (LSR-E8) on Schedule “E” (Inset #10) to this By-law, the following provisions shall apply:

(i) Permitted Uses:

- Limited service dwelling
- Hunting and fishing camp

(ii) Zone Provisions:

- | | | |
|-----|--------------------|--------------|
| (a) | Lot Area (minimum) | 4.0 hectares |
|-----|--------------------|--------------|

(j) Limited Service Residential-Exception Nine (LSR-E9)

Notwithstanding any provisions of this By-law to the contrary, for those lands described as part of Lots 1 and 2, Concession V, in the geographic Township of

Griffith and delineated as Limited Service Residential-Exception Nine (LSR-E9) on Schedule "E" (Inset #10) to this By-law, the following provisions shall apply:

(i) Permitted Uses:

- Limited service dwelling
- Hunting and fishing camp

(ii) Zone Provisions:

- (a) Lot Area (minimum) 8,000 square metres

(k) Limited Service Residential-Exception Ten (LSR-E10)

Notwithstanding any provisions of this By-law to the contrary, for those lands described as part of Lot 7, Concession VIII, in the geographic Township of Matawatchan and delineated as Limited Service Residential-Exception Ten (LSR-E10) on Schedule "C" to this By-law, the following provisions shall apply:

(i) Permitted Uses:

- Limited service dwelling
- Hunting and fishing camp

(ii) Zone Provisions:

- Minimum Water Setback 14.5 metres

Accessory boat dock and boat launching facilities shall not be required to meet the water setback.

(l) Limited Service Residential-Exception Eleven (LSR-E11)

Notwithstanding Section 7.2(e) side yard width requirements and Section 3.26(d) Water Setback to the contrary, for those lands described as Lot 3, Plan 443 in part of Lot 13, Concession VI, in the geographic Township of Brougham and delineated as Limited Service Residential-Exception Eleven (LSR-E11) on Schedule "D" (Inset #5) to this By-law, the minimum required northern side yard shall be 1.2 metres and the minimum water setback shall be 11.7 metres for the existing limited service seasonal dwelling. All other provisions of the Limited Service Residential (LSR) Zone shall apply.

(m) Limited Service Residential-Exception Twelve (LSR-E12)

Notwithstanding Section 7.2(a) to the contrary, for those lands described as part of Lot 21, Concession VII, in the geographic Township of Bagot and delineated as Limited Service Residential-Exception Twelve (LSR-E12) on Schedule “D” (Inset #2) to this By-law, the minimum required lot area shall be 1975 square metres.

(10-2004)*(n) Limited Service Residential-Exception Thirteen (LSR-E13)

Notwithstanding Section 3.26(d) to the contrary, for those lands described as part of Lot 16, concession VIII, geographic Township of Matawatchan and delineated as Limited Service Residential-Exception Thirteen (LSR-E13) on Schedule “E” (Inset #7) to this By-law, the minimum required setback from the current high water mark, for a proposed residential addition shall be 15 metres. The north corner of the proposed addition shall therefore be set back a minimum of 7.9 metres (25.8 feet) from the lot line measuring 61.68’ (N83°22’50”E) of Part 1 on Plan 49R-15246.*

(19-2004)*(o) Limited Service Residential-Exception Fourteen (LSR-E14) Zone

Notwithstanding section 7.2(b) to the contrary for those lands described as part of Lot 17, Concession XI, geographic Township of Bagot and delineated as Limited Service Residential-Exception Fourteen (LSR-E14) on Schedule “D” (Inset #4) to this By-law, the minimum required lot frontage shall be 21 metres.

(p) Limited Service Residential-Exception Fifteen (LSR-E15) Zone

Notwithstanding section 7.2(b) to the contrary for those lands described as part of Lot 17, Concession XI, geographic Township of Bagot and delineated as Limited Service Residential-Exception Fifteen (LSR-E15) on Schedule “D” (Inset #4) to this By-law, the minimum required lot frontage shall be 15 metres.

(q) Limited Service Residential-Exception Sixteen (LSR-E16) Zone

Notwithstanding section 7.2(b) to the contrary for those lands described as part of Lot 17, Concession XI, geographic Township of Bagot and delineated as Limited Service Residential-Exception Sixteen (LSR-E16) on Schedule “D” (Inset #4) to this By-law, the minimum required lot frontage shall be 44 metres.*

(09-2005)***(r)** Limited Service Residential-Exception Seventeen (LSR-E17) Zone

Notwithstanding Section 3.26(d) to the contrary, for those lands described as part of Lot 21, Concession VII, and part of the road allowance between Lots 21 and 22, Concession VII, geographic Township of Bagot, and delineated as Limited Service Residential-Exception Seventeen (LSR-E17) on Schedule “D” (Inset #4) to this By-law, the required water setback for the proposed dwelling is as follows:

From the high water mark of the north shore	9 metres (minimum)
From the high water mark of the west shore	11 metres (minimum)*

(14-2007)***(s)** Limited Service Residential-Exception Eighteen (LSR-E18) Zone

Notwithstanding Sections 3.26(d), 7.1 and 7.2 to the contrary, for those lands described as part of Lot 2, Concession 1, geographic Township of Bagot, and delineated as Limited Service Residential-Exception Eighteen (LSR-E18) on Schedule “A” to this By-law, a sleeping cabin as defined in Section 2.33 of this By-law shall be an additional accessory permitted use to an existing cottage. The minimum required setback from the current high water mark shall be 3.0 metres for the accessory cabin and 2.0 metres for the existing cottage. Any new buildings and structures, or additions to the existing buildings must meet the requirements of the Zoning By-law.*

(44-2005)***(t)** Limited Service Residential-Exception Nineteen (LSR-E19)

Notwithstanding Section 7.2(b) to the contrary, for those lands described as part of Lot 18, Concession IV, geographic Township of Bagot, and delineated as Limited Service Residential-Exception Nineteen (LSR-E19) on Schedule “D” (Inset #3) to this By-law, the minimum required lot frontage shall be 42 metres.*

(6-2006)***(u)** Limited Service Residential-Exception Twenty (LSR-E20)

Notwithstanding Section 7.1(a) to the contrary, for those lands described as part of Lot 20, Concession III, geographic Township of Brougham, and delineated as Limited Service Residential-Exception Twenty (LSR-20) on Schedule “D” (Inset #5) to this By-law, the accessory building existing at the time of passing of this by-law shall be considered a permitted use on a lot by itself, until such time as a residence is constructed on the same lot, then the building shall be considered an accessory use. All other provisions of the LSR Zone shall apply.*

(14-2006)

***(v)** Limited Service Residential-Exception Twenty-One (LSR-E21) (refer to schedule 'B')

Notwithstanding Section 3.26(d) to the contrary, for those lands described as part of Lot 17, Concession VII, geographic Township of Brougham, and delineated as Limited Service Residential-Exception Twenty-One (LSR-E21) on Schedule "D" (Inset #5) to this By-law, the required water setback for the proposed residential addition shall be 11 metres.*

(21-2006)

***(w)** Limited Service Residential-Exception Twenty-Two (LSR-E22)

Notwithstanding Section 3.14.1, 3.14.2(a) and 7.2 (b) to the contrary, for those lands described as part of Lots 2, Concession IV, geographic Township of Brougham, and delineated as Limited Service Residential-Exception Twenty-Two (LSR-E22) on Schedule "A" to this By-law, a permanent, year-round limited service dwelling shall be permitted on a lot with Crown road frontage and access only. The Crown road access shall be that which exists at the date of passing of this By-law and the minimum requirement for lot frontage shall be nil.*

(40-2006)

***(x)** Limited Service Residential-Exception Twenty-Three (LSR-E23)

Notwithstanding Section 3.26(d) to the contrary, for those lands described as part of Lot 28, Concession III, geographic Township of Bagot, and delineated as Limited Service Residential-Exception Twenty-Three (LSR-E23) on Schedule "A" to this By-law, the footprint of a new dwelling shall be permitted to extend beyond the existing cottage building footprint, as follows:

Extension of dwelling footprint to the north	2.25 metres (maximum)
Extension of dwelling footprint to the east	4.0 metres (maximum)

The proposed dwelling footprint shall not extend beyond the west and south walls of the existing cottage footprint.

New dwelling footprint area	161 square metres (maximum)*
-----------------------------	------------------------------

(42-06)

***(y)** Limited Service Residential-Exception Twenty-Four (LSR-E24)

Notwithstanding Section 3.26(d) to the contrary, for those lands described as part of Lot 23, Concession VII, geographic Township of Bagot, and delineated as Limited

Service Residential-Exception Twenty-Four (LSR-E24) on Schedule “A” to this By-law, the minimum required water setback from the high water mark, for the proposed dwelling is 6.0 metres.*

(49-2006)

***(z)** Limited Service Residential-Exception Twenty-Five (LSR-E25)

Notwithstanding Sections 3.14.1, 3.14.2 (a) and 7.2 (b) to the contrary, for those lands described as part of Lot 21, Concession VII, geographic Township of Griffith, and delineated as Limited Service Residential-Exception Twenty-Five (LSR-E25) on Schedule “A” to this By-law, a permanent, year-round limited service dwelling shall be permitted on a lot with Crown road frontage and Crown road and seasonal municipal road access. The Crown road access shall be that which exists at the date of passing of this By-law and the minimum requirement for lot frontage shall be nil.*

(37-2007)

***(aa)** Limited Service Residential-Exception Twenty-Six (LSR-E26)

Notwithstanding Section 7.2(c) to the contrary, for those lands described as part of Lot 15, Concession IX, geographic Township of Matawatchan and delineated as Limited Service Residential-Exception Twenty-Six (LSR-E26) on Schedule “E” (Inset #7) to this By-law, the minimum required water frontage shall be 40 metres.*

(23-2008)

***(bb)** Limited Service Residential-Exception Twenty-Seven (LSR-E27)

Notwithstanding Sections 3.14.1, 3.14.2(a), 3.25(a)(iii), 3.26(c), 3.26(d) and 7.2(d) to the contrary, for those lands described as part of Lot 27, Concessions III and IV, geographic Township of Matawatchan, the following provisions shall apply:

- (i) Access to the lot shall only be by means of a right-of-way
- (ii) The minimum setback from the centerline of a private road on the lot shall be 10 metres.
- (iii) Separation Distance between a dwelling and an EM or EMR Zone shall be 0 metres.
- (iv) The minimum setback to lands zoned Flooded Area shall be 7.5 metres.
- (v) Front Yard Depth (minimum) 50 metres.*

(50-2007)***(cc)** Limited Service Residential-Exception Twenty-Eight (LSR-E28)

Notwithstanding Section 3.26(d) to the contrary, for those lands described as Part of Lot 21, Concession III, geographic Township of Brougham, and delineated as Limited Service Residential-Exception Twenty-Eight (LSR-E28) on Schedule D (Inset#5) to this By-law, the minimum required water setback from the high water mark shall be 21 metres for a single detached dwelling.*

(38-2008)***(dd)** Limited Service Residential-Exception Twenty-Nine (LSR-E29)

Notwithstanding Sections 3.14.1, 3.14.2(a) and 3.26(c) to the contrary, for those lands described as Part of Lots 28 and 29, Concession 4, geographic Township of Blythfield and delineated as Limited Service Residential-Exception Twenty-Nine (LSR-E29) on Schedule "A" to this By-law, the following provisions shall apply:

- (i) Access to and from the lot shall be only by means of a private road
- (ii) The setback requirement from the centreline of a private road on the lot shall be only 10 metres.*

(51-2008)***(ee)** Limited Service Residential-Exception Thirty (LSR-E30)

Notwithstanding Section 73.26(d) to the contrary, for those lands described as Part of Lots 16 & 17, Concession I, geographic Township of Brougham, know municipally as 1007A Hydro Dam Road and delineated as Limited Service Residential – Exception Thirty (LSR-E30) on Schedule 'B' to this By-law, one 24 foot by 32 foot accessory storage shed shall be permitted a minimum of 24.3 metres from the high water mark.*

(36-2009)***(ff)** Limited Service Residential-Exception Thirty-One (LSR-E31)

Notwithstanding Sections 3.14 and 7.2(b) to the contrary, for those lands described as Part of Lot 21, Concession 5, geographic Township of Brougham, and delineated as Limited Service Residential-Exception Thirty-One (LSR-E31) on Schedule D (Inset 5) to this By-law, the subject lands require no minimum road frontage and will be accessed by water only.*

(43-2009)***(gg)** Limited Service Residential-Exception Thirty-Two (LSR-E32)

Notwithstanding Section 7.2(b) to the contrary, for those lands described as Part of Lot 6, Concession 3, geographic Township of Matawatchan, located on Malcolm Lane and delineated as Limited Service Residential-Exception Thirty-Two (LSR-E32) on Schedule E (Inset 6) to this By-law, the minimum required lot frontage shall be 20 metres.*

(54-2010)***(hh)** Limited Service Residential-Exception Thirty-Three (LSR-E33)

Notwithstanding Sections 7.2(a) and (b) to the contrary, for those lands described as Part of Lot 22, Concession 8, geographic Township of Bagot, and delineated as Limited Service Residential-Exception Thirty-Three (LSR-E33) on Schedule D (Inset 2) to this By-law, the minimum required lot area shall be 2700 square metres and the minimum required lot frontage shall be 9 metres.*

(23-2010)***(ii)** Limited Service Residential-Exception Thirty-Four (LSR-E34)

Notwithstanding Section 7.2(b) to the contrary, for those lands described as Part of Lot 21, Concession 1, geographic Township of Bagot, and delineated as Limited Service Residential-Exception Thirty-Four (LSR-E34) on Schedule A to this By-law, the minimum required lot frontage shall be 20 metres.*

(24-2010)***(jj)** Limited Service Residential-Exception Thirty-Five (LSR-E35)

Notwithstanding Section 3.14.1 and 3.14.2(a) to the contrary, for those lands described as Part of Lot 24, Concession 1, geographic Township of Bagot, and delineated as Limited Service Residential-Exception Thirty-Five (LSR-E35) on Schedule A to this By-law, a dwelling and accessory uses shall be permitted on a lot with legal access over an unopened road allowance.*

(44-2010)***(kk)** Limited Service Residential-Exception Thirty-Six (LSR-E36)

Notwithstanding Section 7.2(c) to the contrary, for those lands described as Part of Lot 20, Concession 3, geographic Township of Brougham, and delineated as Limited Service Residential-Exception Thirty-Six (LSR-E36) on Schedule A to this By-law, a minimum water frontage of 15 metres shall be permitted.

(ll) Limited Service Residential-Exception Thirty-Seven (LSR-E37)

Notwithstanding Section 7.2(b) to the contrary, for those lands described as Part of Lots 19 & 20, Concession 3, geographic Township of Brougham, and delineated as Limited Service Residential-Exception Thirty-Seven (LSR-E37) on Schedule A to this By-law, a minimum lot frontage of 20 metres shall be permitted.*

(63-2010)***(mm)** Limited Service Residential-Exception Thirty-Eight (LSR-E38)

Notwithstanding Section 3.26(d) to the contrary, for those lands described as Part of Lot 14, Concession 4, geographic Township of Brougham, and delineated as Limited Service Residential-Exception Thirty-Eight (LSR-E38) on Schedule D (Inset 5) to this By-law, the minimum water setback shall be 20 metres to a dwelling or enclosed sunroom and 10 metres to an unenclosed deck.*

(65-2010)***(nn)** Limited Service Residential-Exception Thirty-Nine (LSR-E39)

Notwithstanding Section 7.2(b) to the contrary, for those lands described as Part of Lots 16 and 17, Concession 4, geographic Township of Matawatchan, and delineated as Limited Service Residential-Exception Thirty-Nine (LSR-E39) on Schedule C to this By-law, a minimum lot frontage of 20 metres shall be permitted.*

(64-2010)***(oo)** Limited Service Residential-Exception Forty (LSR-E40)

Notwithstanding Section 7.2(b) to the contrary, for those lands described as Part of Lot 28, Concession 2, geographic Township of Bagot, and delineated as Limited Service Residential-Exception Forty (LSR-E40) on Schedule A (Inset 1) to this By-law, a minimum lot frontage of 19 metres shall be permitted.*

(37-2011)***(pp)** Limited Service Residential-Exception Forty-One (LSR-E41)

Notwithstanding Section 7.2(b) of this By-law to the contrary, for those lands described as Part of Lot 11, Concession 2, geographic Township of Matawatchan, and delineated as Limited Service Residential-Exception Forty-One (LSR-E41) on Schedule 'C' to this By-law, the minimum required lot frontage shall be 20 metres.*

(47-2011)***(qq) Limited Service Residential-Exception Forty-Two (LSR-E42)**

Notwithstanding Section 7.2(b) of this By-law to the contrary, for those lands described as Part of Lots 21 and 22, Concession 6, geographic Township of Matawatchan, and delineated as Limited Service Residential- Exception Forty-Two (LSR-E42) on Schedule “E” (Inset 7) to this By-law, the minimum required lot frontage shall be 19 metres.

(rr) Limited Service Residential-Exception Forty-Three (LSR-E43)

Notwithstanding Section 7.2(b) of this By-law to the contrary, for those lands described as Part of Lots 21 and 22, Concession 6, geographic Township of Matawatchan, and delineated as Limited Service Residential- Exception Forty-Three (LSR-E43) on Schedule “E” (Inset 7) to this By-law, the minimum required lot frontage shall be 10 metres.*

(16-2012)***(ss) Limited Service Residential-Exception Forty-Four (LSR-E44)**

Notwithstanding Section 3.14 and 7.2(b) to the contrary, for those lands described as Part of Lot 10, Concession 8, geographic Township of Matawatchan, and delineated as Limited Service Residential-Exception Forty-Four (LSR-E44) on Schedule C to this By-law, the subject lands require no minimum road frontage and will be accessed by water only.*

(tt)

(33-2012)***(uu) Limited Service Residential-Exception Forty-Six (LSR-E46)**

Notwithstanding Sections 7.1 and 3.26(e) of this By-law to the contrary, for those lands described as Part of Lots 23 and 24, Concession 9, geographic Township of Bagot, and delineated as Limited Service Residential-Exception Forty-Six (LSR-E46) on Schedule “A” to this By-law, the minimum water setback shall be 19.8 metres.*

(31-2012)***(vv) Limited Service Residential-Exception Forty-Seven (LSR-E47)**

Notwithstanding Sections 7.2(b) of this By-law to the contrary, for those lands described as Part of Lot 6, Concession 5, geographic Township of Matawatchan, and delineated as Limited Service Residential-Exception Forty-Seven (LSR-E47) on Schedule ‘E’ (Inset 6) to this By-law, the minimum required lot frontage shall be 20

metres.*

(30 -2012)

***(ww) Limited Service Residential-Exception Forty-Eight (LSR-E48)**

Notwithstanding Sections 3.14, 7.2(b) of this By-law to the contrary, for those lands described as Part of Lot 20, Concession 6, geographic Township of Matawatchan, and delineated as Limited Service Residential-Exception Forty-Eight (LSR-E48) on Schedule “E” (Inset 7) to this By-law, the subject lands require no public road frontage on an improved street or no private road frontage.*

(61 -2012)

***(xx) Limited Service Residential-Exception Forty-Nine (LSR-E49)**

Notwithstanding subsections 7.2(a), (b) and (c) of this By-law to the contrary, for those lands described as Part of Lot 22, Concession 8, geographic Township of Bagot, and delineated as Limited Service Residential-Exception Forty-Nine (LSR-E49) on Schedule “A” to this By-law, the following provisions shall apply:

i)	Lot Area (minimum)	2000 square metres
ii)	Lot Frontage (minimum)	35 metres
iii)	Water Frontage (minimum)	35 metres

***(yy) Limited Service Residential-Exception Fifty (LSR-E50)**

Notwithstanding subsections 7.2(a), (b) and (c) of this By-law to the contrary, for those lands described as Part of Lot 22, Concession 8, geographic Township of Bagot, and delineated as Limited Service Residential-Exception Fifty (LSR-E50) on Schedule “A” to this By-law, the following provisions shall apply:

i)	Lot Area (minimum)	790 square metres
ii)	Lot Frontage (minimum)	18 metres
iii)	Water Frontage (minimum)	20 metres.*

(51 -2014)

***(zz) Limited Service Residential-Exception Fifty-One (LSR-E51)**

Notwithstanding subsection 7.2(c) of this By-law to the contrary, for those lands described as Part of Lots 19 and 20, Concession 3, geographic Township of Brougham and delineated as Limited Service Residential-Exception Fifty-One (LSR-E51) on Schedule “A” to this By-law the minimum water frontage shall be 27 metres.

(aaa) Limited Service Residential-Exception Fifty-Two (LSR-E52)

Notwithstanding subsections 7.2(a) and (c) of this By-law to the contrary, for those lands described as Part of Lots 19 and 20, Concession 3, geographic Township of Brougham and delineated as Limited Service Residential-Exception Fifty-Two (LSR-E52) on Schedule "A" to this By-law the minimum lot area shall be 3000 square metres and the minimum water frontage shall be 29 metres.*

(59 -2015)

*(bbb) Limited Service Residential-Exception Fifty-Three (LSR-E53)

Notwithstanding subsection 3.3.1 of this By-law to the contrary, for those lands described as Part of Lot 21, Concession 7, geographic Township of Bagot, and delineated as Limited Service Residential-Exception Fifty-Three (LSR-E53) on Schedule "A" to this By-law, a shed shall be permitted prior to the construction of a dwelling.*

(04 -2017)

*(ccc) Limited Service Residential-Exception Fifty-Four (LSR-E54)

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the LSR-E54 Zone, located in part of Lot 16, Concession 1, in the geographic Township of Brougham, the following shall apply:

- i) Lot Frontage (minimum) 11 metres.*

(50 -2017)

*(ddd) Limited Service Residential-Exception Fifty-Five (LSR-E55)

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the LSR-E55 Zone, known as 48 Majestic Way, and located in part of Lot 18, Concession 5, in the geographic Township of Bagot, a second dwelling unit above a detached garage shall be a permitted use.

A second dwelling unit shall mean a self-contained residential unit which contains a kitchen, bathroom, and sleeping area.*

(63-2010)

*7.4 INTERIM USES AND STANDARDS (HOLDING)(a) Limited Service Residential-Exception Thirty-Eight-holding (LSR-E38-h)

Until such time as the holding symbol (-h) is removed from any of the lands located in Part of Lot 14, Concession 4, geographic Township of Brougham, and

delineated as Limited Service Residential-Exception Thirty-Eight-holding (LSR-E38-h) on Schedule D (Inset 5) to this By-law, in accordance with the conditions set forth herein, no person shall use land or erect a building or structure in accordance with the following:

(i) Permitted Uses

- Existing uses in existing locations
- Open Space
- Passive recreation that does not require a building

(ii) Conditions for removal of Holding Symbol (-h)

A site plan pursuant to Section 41 of the Planning Act for the development permitted under the LSR-E38 Zone is submitted to the municipality, approved by Council and an agreement under Section 451 of the Planning Act is executed and registered on title.*

SECTION 8.0 - REQUIREMENTS FOR MOBILE HOME PARK (MHP) ZONE**8.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any MHP Zone except for:

(a) Residential Uses

- mobile homes
- accessory single detached dwelling

(b) Non-Residential Uses

- business office accessory to a mobile home park

8.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure within an MHP Zone except in accordance with the following provisions:

(a) Mobile Homes on one communal service:

- | | | |
|-------|---|-----------------|
| (i) | Mobile Home Site Area (minimum) | 1400 sq. metres |
| (ii) | Mobile Home Site Frontage (minimum) | 30 metres |
| (iii) | Mobile Home Site Front Yard Depth (minimum) | 6 metres |
| (iv) | Mobile Home Site Side Yard Width (minimum) | 3 metres |
| (v) | Mobile Home Site Rear Yard Depth (minimum) | 10.5 metres |

(b) Mobile Homes on two communal services:

- | | | |
|-------|---|----------------|
| (i) | Mobile Home Site Area (Minimum) | 600 sq. metres |
| (ii) | Mobile Home Site Frontage (Minimum) | 15 metres |
| (iii) | Mobile Home Site Front Yard Depth (Minimum) | 5.0 metres |

- | | | |
|------|---|------------|
| (iv) | Mobile Home Site Side Yard Width
(Minimum) | 2.0 metres |
| (v) | Mobile Home Site Rear Yard Depth
(Minimum) | 7.5 metres |
- (c) Mobile Homes on private wells and private sewage disposal:
- | | | |
|-------|--|-----------------|
| (i) | Mobile Home Site Area | 2025 sq. metres |
| (ii) | Mobile Home Site Frontage (minimum) | 30 metres |
| (iii) | Mobile Home Site Front Yard Depth
(minimum) | 7.5 metres |
| (iv) | Mobile Home Site Side Yard Width
(minimum) | 5 metres |
| (v) | Mobile Home Site Rear Yard Depth
(minimum) | 10.5 metres |
- (d) Dwelling Unit Area (minimum):
- | | | |
|------|------------------------------------|------------------|
| (i) | Mobile Home | 55 square metres |
| (ii) | Accessory Single Detached Dwelling | 75 square metres |
- (e) Mobile Home Park Lot Area (minimum) 1.2 hectares
- (f) Mobile Home Park Lot Frontage (minimum) 90 metres
- (g) Building Height (maximum) 10.5 metres
- (h) All roads within a Mobile Home Park shall have a minimum width of 10 metres and shall be constructed and maintained in such a manner as to eliminate dust.
- (i) Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.
- (j) Parking and Loading: In accordance with the Parking and Loading Space Requirements in Section 3 - General Provisions of this By-law.

- (k) Separation Distances: In accordance with the provisions for Separation Distances in Section 3 - General provisions of this By-law.
- (l) Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- (m) Setback for Buildings and Structures: No building or structure within an MHP Zone shall be located within 20 metres of the boundary of an MHP Zone.
- (n) Accessory Uses, Buildings and Structures: Notwithstanding any Zone provision of this Zone to the contrary, uses, buildings and structures which are accessory to the permitted uses of this Zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

8.3 **EXCEPTION ZONES**

SECTION 9.0 - REQUIREMENTS FOR HAMLET COMMERCIAL (HAC) ZONE9.1 **PERMITTED USES**

No person shall use land or erect or use a building or structure in any HAC Zone except for:

(a) **Residential Uses**

- an accessory dwelling unit, EXCEPT, in the case of an automobile service station or commercial garage where the accessory dwelling unit shall be a single detached dwelling.

(b) **Non-Residential Uses**

- automotive-car wash
- automotive-commercial garage
- automotive-gasoline bar
- automotive-service station
- automotive-store
- automotive-vehicle sales or rental establishment
- bed and breakfast establishment
- business office
- clinic
- convenience store
- day nursery
- eating establishment, drive-in
- eating establishment, full service
- eating establishment, take-out
- furniture or wood products shop
- funeral home
- garden centre
- general service shop
- home display and sales outlet
- hotel
- laundromat
- motel
- motor hotel
- park
- personal service shop
- place of entertainment
- professional office

- retail store including one in which the products are manufactured on the premises, provided that the space devoted to such manufacturing is secondary to the retail use

9.2 **ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in any HAC Zone except in accordance with the following provisions:

(a) Lot Area (minimum):

- | | | |
|-----|-----------------------------|--|
| i) | hotel, motel or motor hotel | 2750 square metres plus an additional 185 square metres for each guest room in excess of four guest rooms. |
| ii) | other uses | 2025 square metres |

(b) Lot Frontage (minimum):

- | | | |
|------|--|-----------|
| i) | automotive-gas bar,
automotive-service station,
automotive-commercial garage | |
| | - interior lot | 35 metres |
| | - corner lot | 40 metres |
| ii) | hotel, motel or motor hotel | 46 metres |
| iii) | other uses | 30 metres |

(c) Lot Depth (minimum):

- | | | |
|----|--|-----------|
| i) | automotive-gas bar,
automotive-service station,
automotive-commercial garage | 40 metres |
|----|--|-----------|

- | | | |
|-----|---|---|
| (d) | Front Yard Depth (minimum): | |
| | i) | hotel, motel, motor hotel
automotive-commercial garage,
automotive- vehicle sales or
rental establishment,
automotive-service station |
| | | 12 metres |
| | ii) | all other permitted uses |
| | | 7.5 metres |
| (e) | Side Yard Width (minimum) | 6 metres provided that where
the side lot line abuts any
Residential Zone, the
minimum side yard width shall
be 9.0 metres. |
| (f) | Exterior Side Yard Width (minimum) | |
| | i) | hotel, motel, motor hotel, automotive-
commercial garage, automotive-vehicle
sales or rental establishment, automotive-
service station |
| | | 12 metres |
| | ii) | all other permitted uses |
| | | 7.5 metres |
| (g) | Rear Yard Depth (minimum) | 7.5 metres provided that where
the rear lot line abuts any
Residential Zone, the
minimum rear yard depth shall
be 10.5 metres. |
| (h) | Lot Coverage (maximum) | 33% |
| (i) | Building Height (maximum): | 10.5 metres |
| (j) | Dwelling Unit Area (minimum): | |
| | (i) | accessory single detached dwelling |
| | | 75 m ² |
| | (ii) | other accessory dwelling unit |
| | | 51 m ² |
| (k) | Open Storage: In accordance with the provisions for Open Storage in Section 3 -
General Provisions of this By-law. | |

- (l) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.
- (m) Separation Distance: In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
- (n) Setbacks: In accordance with the provisions for Setbacks in Section 3 -General Provisions of this By-law.
- (o) Additional Zone Provisions: In accordance with the provisions for Automotive Uses, Automotive-Commercial Garage, Gasoline Bar, Service Station in Section 3 - General Provisions of this By-law.
- (p) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

9.3 **EXCEPTION ZONES**

(3-2004)

***(a) Hamlet Commercial – Exception One (HAC-E1)**

Notwithstanding Section 9.2(a)(ii) and Section 9.2(e) to the contrary, for those lands described as part of Lot 18, Concession XI, geographic Township of Bagot and delineated as Hamlet Commercial-Exception One (HAC-E1) on Schedule “D” (Inset #4) to this By-law, the following shall apply:

Southwest Side Yard Width (minimum)	6.0 metres.*
-------------------------------------	--------------

(4-2006)

(10-2008)* *

(20-2009)

***(b) Hamlet Commercial – Exception Two (HAC-E2)**

Notwithstanding Sections 9.1(b), and 3.22.1(a) to the contrary, for those lands described as Part of Lot 18, Concession 11, geographic Township of Bagot, known municipally as 4983 Calabogie Road and delineated as Hamlet Commercial-Exception Two (HAC-E2) on Schedule D (Inset 4) to this By-law, the following provisions shall apply:

- i) a mini storage establishment shall be an additional permitted use
- ii) a minimum of 39 parking spaces shall be provided on-site.*

(2-2010)

***(c)** Hamlet Commercial – Exception Three (HAC-E3)

Notwithstanding Section 9.1(a) and (b) to the contrary, for those lands described as part of Lot 18, Concession 11, geographic Township of Bagot, know municipally as 1117 Francis Street and delineated as Hamlet Commercial – Exception Three (HAC-E3) on Schedule D (Inset 4) to this By-law, the only permitted use shall be a mini storage establishment.

9.4 **INTERIM USES AND STANDARDS (HOLDING)**

(a) Hamlet Commercial - Exception Three-holding (HAC-E3-h)

For those lands described as Part of Lot 18, Concession 11, geographic Township of Bagot, until such time that the holding is removed from any of the land in this location zoned HAC-E3-h, in accordance with the conditions set forth herein, no person shall use land, erect or use a building or structure except in accordance with the following:

(i) Permitted Uses

- existing uses in existing locations
- open space

(ii) Conditions for removal of Holding Symbol (h)

A site plan pursuant to Section 41 of the Planning Act for the development permitted under the HAC-E3 Zone is submitted to the municipality, approved by Council and an agreement under Section 41 of the Planning Act is executed and registered on title.*

SECTION 10.0 - REQUIREMENTS FOR HIGHWAY COMMERCIAL (HC) ZONE**10.1 PERMITTED USES**

No person shall use any lot or erect, alter or use a building or structure in any HC Zone except for:

(a) Residential Uses

An accessory dwelling unit, EXCEPT, in the case of an automobile service station or commercial garage where the accessory dwelling unit shall be a single detached dwelling.

(b) Non-Residential Uses

- animal hospital
- automotive - body shop
- automotive - car wash
- automotive - commercial garage
- automotive - gasoline bar
- automotive - service station
- automotive - store
- automotive - vehicle sales or rental establishment
- bed and breakfast establishment
- building supply store
- contractor's yard or shop
- eating establishment - drive-in
- eating establishment - full service
- eating establishment - take out
- furniture or wood products shop
- garden centre
- hotel
- kennel
- meat products plant
- mini storage establishment
- motel
- motor hotel
- retail stores involving the sale and/or rental of heavy machinery, fuels, factory equipment, boats, recreational vehicles, motorcycles, snowmobiles
- welding shop

10.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in any HC Zone, except in accordance with the following provisions:

- | | | |
|-----|---|--|
| (a) | Lot Area (minimum) | 4047 square metres |
| (b) | Lot Frontage (minimum) | 30 metres |
| (c) | Front Yard Depth (minimum) | 12 metres |
| (d) | Side Yard Width (minimum) | 3.0 metres, provided that where the side lot line abuts lands zoned R1, RU or LSR, the minimum side yard width shall be 6.0 metres |
| (e) | Exterior Side Yard Width (minimum) | 12 metres |
| (f) | Rear Yard Depth (minimum) | 7.5 metres provided that where the rear line abuts lands Zoned R1, RU, or LSR, the minimum rear yard depth shall be 12 metres |
| (g) | Lot Coverage (maximum) | 33% |
| (h) | Building Height (maximum) | 10.5 metres |
| (i) | Dwelling Unit Area (minimum) | |
| | (i) accessory single-detached dwelling | 75 square metres |
| | (ii) other accessory dwelling unit | 51 square metres |
| (j) | Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law. | |
| (k) | Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law. | |
| (l) | Separation Distance: In accordance with the provisions for Separation Distances in Section 3 - General Provisions of this By-law. | |

- (m) Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- (n) Accessory Uses, Buildings and Structures: Notwithstanding any Zone provision of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

10.3 **EXCEPTION ZONES**

(By-law 08-2016)

***(a) Highway Commercial-Exception One (HC-E1)**

Notwithstanding subsection 10.1(b) of this By-law to the contrary, for those lands described as Part of Lot 18, Concession 11, geographic Township of Bagot, and delineated as Highway Commercial-Exception One (HC-E1) on Schedule 'A' to this By-law a home sales and display outlet shall be an additional permitted use.*

(By-law 25-2010)

***10.4 INTERIM USES AND STANDARDS (HOLDING)**

(a) Highway Commercial-holding (HC-h) Zone

For those lands described as Part 2, Plan 49R-8198, located in Part of Lot 18, Concession 11, geographic Township of Bagot, until such time that the holding is removed from any of the land in this location zoned HC-h, in accordance with the conditions set forth herein, no person shall use land, erect or use a building or structure except in accordance with the following:

(i) Permitted Uses

- existing uses in existing locations
- open space

(ii) Conditions for removal of Holding Symbol (-h)

- A site servicing options report prepared by a qualified engineer is submitted to Council's satisfaction
- A Hydrogeological assessment prepared by a qualified engineer is submitted to Council's satisfaction
- A site plan pursuant to Section 41 of the Planning Act for the development permitted under the HC Zone is submitted to the

municipality, approved by Council and an agreement under Section 41 of the Planning Act is executed and registered on title.*

SECTION 11.0 - REQUIREMENTS FOR TOURISM COMMERCIAL (TC) ZONE**11.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in a TC Zone except for:

(a) Residential Uses

- single detached dwelling
- semi-detached dwelling
- duplex dwelling
- accessory dwelling unit
- staff dormitory dwelling

(b) Non-Residential Uses

- active recreational use
- amusement arcade
- artisan shop or studio
- automotive gasoline bar
- bed and breakfast establishment
- camping establishment
- cottage establishment
- convenience store
- custom workshop
- eating establishment
- eating establishment - drive in
- eating establishment - full service
- eating establishment - take out
- furniture showroom and workshop
- golf course
- hotel
- motel
- motor hotel
- marina
- office, business
- office, professional
- park, private
- park, public
- passive recreational uses
- place of entertainment
- recreational vehicle campground or park
- resort

- retail store
- retail store including one in which the products are manufactured on the premises provided that the space allocated to such manufacturing does not exceed 50% of the gross leasable floor area
- riding stables
- tavern or public house
- tourist establishment
- yacht club
- accessory office and laundry facilities

11.2 **ZONE PROVISIONS**

No person shall use any lot or erect, alter or use any building or structure in a (TC) Zone except in accordance with the following provisions:

- | | |
|---|--|
| (a) Lot Area (minimum) | |
| (i) camping establishment, recreational | 2750 square metres plus an additional 185 square metres for each campsite in excess of 4 sites |
| (ii) cottage establishment | 2750 square metres plus an additional 200 square metres for each cottage in excess of 4 cottages |
| (iii) hotel, motel or motor hotel | 3250 square metres plus an additional 185 square metres for each guest room in excess of 4 guest rooms |
| (iv) all other permitted uses | 3250 square metres |
| (b) Lot Frontage (minimum) | |
| (i) hotel, motel or motor hotel | 65 metres |
| (ii) all other permitted uses | 53 metres |

(c)	Front Yard Depth (minimum)	
	(i) camping establishment recreational cottage establishment recreational campground or park hotel, motel or motor hotel	12 metres
	(ii) all other permitted uses	7.5 metres
(d)	Side Yard Width (minimum)	6 metres provided that where the side lot line abuts any Residential Zone, the minimum side yard width shall be 9 metres
(e)	Rear Yard Depth (minimum)	7.5 metres provided that where the rear lot line abuts any Residential Zone, the minimum rear yard depth shall be 10.5 metres
(f)	Lot Coverage (maximum)	30%
(g)	Building Height (maximum)	12 metres
(h)	Dwelling Unit Area (minimum) accessory dwelling unit	50 square metres
(i)	Recreational Vehicle Site Density	
	(i) connected to individual on site sewage disposal system (maximum)	5 per hectare based on the area of the entire park, provided 2025 square metres are deducted from the total area, if an accessory dwelling unit is used or erected.
	(ii) connected to a communal sewage system or utilizing an internal holding tank/system and not connected to any sewage system (maximum)	20 per hectare based on the area of the entire park.

- (j) Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.
- (k) Parking and Loading: In accordance with the provisions for Parking and Loading Space Requirements in Section 3 - General Provisions of this By-law.
- (l) Separation Distances: In accordance with the provisions for Separation Distances in Section 3 - General Provisions of this By-law.
- (m) Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- (n) Additional Zone Provisions for Automotive - Gasoline Bar: In accordance with the provisions for Automotive - Service Stations, - Commercial Garages, and - Gasoline Bars in Section 3 - General Provisions of this By-law.
- (o) Accessory Uses, Buildings and Structures: Notwithstanding any Zone provision of this Zone to the contrary, uses, buildings and structures which are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

11.3 **EXCEPTION ZONES**

(a) **Tourist Commercial-holding-Exception One (TC-h-E1)**

Notwithstanding Section 11.1(a) and (b) to the contrary, for those lands described as part of Lots 19 and 20, Concession II, in the geographic Township of Blythfield and delineated as Tourist Commercial-holding-Exception One (TC-h-E1) on Schedule “D” (Inset #4) to this By-law, prior to Council lifting the holding provision, a site plan agreement must be approved by Council and property owners within 120 metres of the zoned lands must be given notice of Council’s consideration of a site plan and an opportunity to review the site plan and address Council.

(b) **Tourist Commercial-Exception One (TC-E1)**

Notwithstanding any provisions of this By-law to the contrary, for the lands described as part of Lot 18, Concession XI, in the geographic Township of Bagot and delineated as Tourist Commercial - Exception One (TC-E1) on Schedule “D” (Inset #4) to this By-law, shall be used in compliance with the provisions of the Tourist Commercial (TC) Zone, excepting however, that:

- (i) a sewage disposal system, tennis courts and related recreational uses shall be

the only permitted uses;

- (ii) for the purpose of this subsection, sewage disposal system shall mean a privately owned system of underground pipes or conduits (and possibly related pumping equipment) and a treatment system, such as a leaching or filter bed, used for the disposal of sanitary sewage and duly approved by the Minister of Environment and Energy or his or her authorized agent.

(c) Tourist Commercial-Exception Two (TC-E2)

In addition to those uses normally permitted in the TC Zone, for those lands described as part of Lot 19, Concession XII, in the geographic Township of Bagot and delineated as Tourist Commercial-Exception Two (TC-E2) on Schedule “A” to this By-law, an apartment dwelling containing a maximum of four dwelling units shall also be permitted.

(d) Tourist Commercial-Exception Three (TC-E3)

Notwithstanding any provisions of this By-law to the contrary, for the lands described as part of Lot 19, Concession II, in the geographic Township of Blythfield and delineated as Tourist Commercial-Exception Three (TC-E3) on Schedule “D” (Inset #4) to this By-law, the only permitted Tourist Commercial use shall be a Recreational Vehicle Park with uses and buildings accessory to it and the following provisions shall apply:

- i) A maximum of thirteen (13) recreational vehicles shall be permitted on this site, with no more than one (1) recreational vehicle per site.

(16-2004)

***(e) Tourist Commercial-Exception Four (TC-E4)**

Notwithstanding Section 11.1(a) to the contrary, for those lands described as part of Lot 19, Concession XII, geographic Township of Bagot and delineated as Tourist Commercial-Exception Four (TC-E4) on Schedule “A” to this By-law, one mobile home shall also be permitted on the subject lands.*

(f) Tourist Commercial-Exception Five (TC-E5) (Golf Course)

Notwithstanding any provisions of this By-law to the contrary, the lands described as part of Lots 19 and 20, Concession II, in the geographic Township of Blythfield and delineated as Tourist Commercial-Exception Five (TC-E5) on Schedule “D” (Inset #4) to this By-law, shall only be used for the following permitted uses:

- forestry

- golf course
- landscaped open space
- park
- recreation, passive
- a maximum of 30 dwelling units, each having a minimum dwelling unit area of 25 m², may be used exclusively as accommodation for staff employed at Calabogie Peaks Resort.

(g) Tourist Commercial-Exception Six (TC-E6) (Resort Centre)

Notwithstanding any provisions of this By-law to the contrary, the lands described as part of Lot 19, Concession II, in the geographic Township of Blythfield and delineated as Tourist Commercial-Exception Six (TC-E6) on Schedule “D” (Inset #4) the following shall apply:

Permitted Uses:

- artisan shop or studio
- convenience store
- forestry
- landscaped open space
- office, business
- park
- recreation, passive
- retail store
- ski hill
- executive golf course
- yacht club containing up to 40 boat slips
- a maximum of 80 hotel/motel/tourist establishment units.

Additional Provisions:

Additional commercial gross floor area (maximum) 1300 m²

Parking for each tourist establishment unit (minimum) 1.5 spaces

Building Height for two clock towers (maximum) 30 metres

Water Setback (minimum) – on the west side of Barrett Chute Road Only:

- Northeast kitchen wall of ski lodge 8 metres
- All other buildings 15 metres

Side Yard Width (minimum) – on the west side of Barrett Chute Road Only:

- Southeast wall of 2-storey tourist accommodation building 3 metres
- Northwest wall of 3-storey tourist accommodation building 3 metres

For the Barrett Chute Road Allowance on the four corners of the intersection formed by Barrett Chute Road and one private road connecting development located in the portions of the TC-E6 zone located on both sides of Barrett Chute Road, the minimum required Front Yard Depth and minimum required Side Yard Width shall be 0.5 metres.

(h) Tourist Commercial-Exception Seven (TC-E7) (Hillside Plateau)

Notwithstanding any provisions of this By-law to the contrary, the lands described as part of Lots 17, 18 and 19, Concession II, in the geographic Township of Blythfield and delineated as Tourist Commercial-Exception Seven (TC-E7) on Schedule “D” (Inset #4) shall only be used for the following permitted uses:

- forestry
- landscaped open space
- park
- recreation, passive
- a maximum of 32 tourist establishment units.

A minimum of 1.5 parking spaces shall be provided for each tourist establishment unit.

(i) Tourist Commercial-Exception Eight (TC-E8)

Notwithstanding any provisions of this By-law to the contrary, the lands described as part Lots 16, 17, 18, 19 and 20, Concessions II and part of Lots 18 and 19, Concession III, in the geographic Township of Blythfield and delineated as Tourist Commercial-Exception Eight (TC-E8) on Schedule “D” (Inset #4) shall only be used for the following permitted uses:

- forestry
- park
- ski hill
- landscaped open space
- recreation, passive

(j) Tourist Commercial-Exception Nine (TC-E9)

Notwithstanding Section 11.1(b) to the contrary, for those lands described as:

- part of Lots 26 and 27, Concession III, in the geographic Township of Matawatchan and delineated as Tourist Commercial-Exception Nine (TC-E9) on Schedule C to this By-law;
- part of Lot 18, Concession XIV, in the geographic Township of Matawatchan and delineated as Tourist Commercial-Exception Nine (TC-E9) on Schedule C to this By-law;

(06-2013)* *

- part of Lots 6 and 7, Concession V, in the geographic Township of Matawatchan and delineated as Tourist Commercial-Exception Nine (TC-E9) on Schedule E (Inset #6) to this By-law;
- part of Lots 21 and 22, Concession 6, in the geographic Township of Matawatchan and delineated as Tourist Commercial-Exception Nine (TC-E9) on Schedule E (Inset #7) to this By-law;

the following non-residential uses shall be permitted:

- camping establishment
- cottage establishment
- recreational vehicle campground or park.

(45-2005)* ****(38-2007)******(m)** Tourist Commercial-Exception Twelve (TC-E12)

Notwithstanding Section 3.26(d) to the contrary, for those lands described as part of Lots 114 and 116 and Lots 108 and 109, Plan 156, known municipally as 22 Squaw Point Road, geographic Township of Bagot, and delineated as Tourist Commercial-Exception Twelve (TC-E12) on Schedule "A" to this By-law, the minimum required water setback for the screened porch on the northwest side of the dwelling shall be 16 metres.*

(10-2008)***(n)** Tourist Commercial-Exception Thirteen (TC-E13)

Notwithstanding Sections 11.2(d) and 11.2(e) to the contrary, for those lands

described as Part of Lot 18, Concession XI, geographic Township of Bagot, and delineated as Tourist Commercial-Exception Thirteen (TC-E13) on Schedule D (Inset #4) to this By-law, the minimum required side yard abutting a Residential Zone shall be 4.8 metres and the minimum required rear yard depth shall be 3.0 metres.*

(31-2008)

***(o)** Tourist Commercial-Exception Fourteen (TC-E14)

Notwithstanding anything in this By-law to the contrary, for those lands described as Part of Lot 19, Concession II, geographic Township of Blythfield, and delineated as Tourist Commercial-Exception Fourteen (TC-E14) on Schedule D (Inset #4) to this By-law, shall only be used for the following permitted uses:

- forestry
- landscaped open space
- park
- recreation, passive
- a maximum of 32 tourist establishment units

A minimum of 1.5 parking spaces shall be provided for each tourist establishment unit.

Rear yard setback (minimum)

3.0 metres*

(3-2009)

***(p)** Tourist Commercial-Exception Fifteen (TC-E15)

Notwithstanding Sections 11.2(d) and (e) to the contrary, for those lands described as Part Lot 18, Concession XI, geographic Township of Bagot and delineated as Tourist Commercial – Exception Fifteen (TC-E15) on Schedule “D” (Inset #4) the following provisions shall apply:

The inner Side Yard Width and Rear Yard Depth shall be 0 metres (minimum) where there is a shared property line between lands zoned TC-E15.*

(q)

(18-2012)

***(r)** Tourist Commercial-Exception Seventeen (TC-E17)

Notwithstanding Section 11.3(b)(ii) to the contrary, for those lands described as Part of Lot 20, Concession 1, geographic Township of Blythfield, and delineated as Tourism Commercial-Exception Seventeen (TC-E17) on Schedule ‘A’ to this

By-law, the minimum required lot frontage shall be 45 metres.

(s) Tourist Commercial-Exception Eighteen (TC-E18)

Notwithstanding Section 11.3(b)(ii) to the contrary, for those lands described as Part of Lots 20 and 21, Concession 1, geographic Township of Blythfield, and delineated as Tourism Commercial-Exception Eighteen (TC-E18) on Schedule 'A' to this By-law, the minimum required lot frontage shall be 30 metres.*

(06-2013)

*(t) Tourist Commercial-Exception Nineteen (TC-E19)

Notwithstanding subsections 11.2(b)(ii) of this By-law to the contrary, for those lands described as Part of Lot 16, Concession 3, geographic Township of Brougham, and delineated as Tourism Commercial-Exception Nineteen (TC-E19) on Schedule "D" (Inset #5) to this By-law, a minimum lot frontage of 35 metres shall be permitted.*

(33-2017)

*(u) Tourist Commercial-Exception Twenty (TC-E20)

Notwithstanding any other provision of the By-law to the contrary, for the lands located in the TC-E20 Zone within part of Lot 19, Concession 2, in the geographic Township of Blythfield, the provisions of the Tourism Commercial – Exception Twenty (TC-E20) Zone will apply, access shall be by a private service road, and the following provision shall apply:

- | | |
|---------------------------|-------------|
| i) Lot Frontage (minimum) | 27 metres.* |
|---------------------------|-------------|

11.4 **INTERIM USES AND STANDARDS (HOLDING)**

a) Tourist Commercial-Exception Fifteen Holding (TC-E15-h)

For those lands described as Part Lot 18, Concession XI, geographic Township of Bagot, until such time that the holding is removed from any of the land in this location zoned TC-E15-h, in accordance with the conditions set forth herein, no person shall use land, or erect or use a building or structure except in accordance with the following:

- i) Permitted Uses
- Existing uses in existing locations
 - Open space

- Passive
- ii) Conditions for removal of Holding Symbol (h)
 - A site plan pursuant to Section 41 of the Planning Act for the development permitted under the TC-E15 Zone is submitted to the municipality, approved by Council and an agreement under Section 41 of the Planning Act is executed and registered on title; and
 - A servicing options report and hydrogeological study in support of the development is completed to the satisfaction of the Township.*

SECTION 12.0 - REQUIREMENT FOR GENERAL INDUSTRIAL (GM) ZONE**12.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any GM Zone except for:

(a) Residential Uses

- accessory dwelling unit, EXCEPT in the case of a body shop or commercial garage, where the accessory dwelling unit may be a single detached dwelling

(b) Non-Residential Uses

- abattoir
- automotive-body shop
- automotive-commercial garage
- automotive-vehicle sales or rental establishment
- concrete manufacturing plant
- contractor's yard or shop
- factory outlet
- fuel storage tank
- light manufacturing plant
- logging hauler
- manufacturing plant
- mini storage establishment
- public garage
- sawmill
- service shop, general
- truck terminal
- warehouse
- welding shop
- business office accessory to a permitted use
- retail uses accessory to a permitted use
- retail stores involving the sale and/or rental of heavy machinery, fuels, factory equipment, boats, recreational vehicles, motorcycles, snowmobiles

12.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in any GM Zone except in accordance with the following provisions:

Residential Uses - single detached dwelling

- (a) In accordance with the zone provisions of Section 19.0 – Rural (RU) Zone.

Non-residential Uses

(b)	Lot Area (minimum)	4000 square metres	
(c)	Lot Frontage (minimum)	35 metres	
(d)	Yards (minimum):	Abutting an Industrial <u>Zone</u>	Abutting Other <u>Zone</u>
	i) Front Yard Depth	15 metres	30 metres
	ii) Side Yard Width	3 metres	30 metres
	iii) Exterior Side Yard Width	15 metres	30 metres
	iv) Rear Yard Depth	9 metres	30 metres

Provided that no side or rear yard is required along any portion of a lot line which abuts a railroad right-of-way.

- (e) Lot Coverage (maximum) 50%
- (f) Building Height (maximum) 15 metres
- (g) Dwelling Unit Area (minimum) 65 m²
- (h) Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.
- (i) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.
- (j) Separation Distance: In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
- (k) Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- (l) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this Zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this Zone shall be permitted in accordance with the requirements

for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

- (m) Additional Zone Provisions for Automotive Uses: In accordance with the provisions of for automotive uses: Automotive-Commercial Garage, Automotive-Gasoline Bar, Automotive-Service Station in Section 3 - General Provisions of this By-law.

12.3 **EXCEPTION ZONES**

SECTION 13.0 - REQUIREMENTS FOR DISPOSAL INDUSTRIAL (DM) ZONE**13.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any DM Zone except for:

(a) Residential Uses

- prohibited

(b) Non-Residential Uses

- waste disposal site, including transfer stations and composting sites
- salvage yard

13.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in any DM Zone except in accordance with the following provisions:

(a) Yards (minimum):

	<u>Abutting Industrial Zone</u>	<u>Abutting Other Zone</u>
i) Front Yard Depth	22 metres	30 metres
ii) Side Yard Width	15 metres	30 metres
iii) Rear Yard Depth	15 metres	30 metres

(b) Buffer Strip

No land in any DM Zone shall be used for any other purpose than a buffer strip within,

- i) thirty (30) metres of any Zone other than an industrial zone; and
- ii) twenty-two (22) metres of any street line.

(c) Abandoned or Rehabilitated

No building shall be erected or constructed in a waste disposal site that has been abandoned or rehabilitated.

- (d) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this Zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this Zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

13.3 **EXCEPTION ZONES**

SECTION 14.0 - REQUIREMENTS FOR EXTRACTIVE INDUSTRIAL (EM) ZONE**14.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any EM Zone except for:

(a) Residential Uses

- prohibited

(b) Non-Residential Uses

OMB PL040013 – Order No. 1200

- *concrete manufacturing plant*
- extractive industrial facility
- forestry
- gravel pit
- limited farm
- quarry

14.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in any EM Zone except in accordance with the following provisions:

- (a) Lot Frontage (minimum) 35 metres
- (b) Buffer Strip

No land in any EM Zone shall be used for any purpose other than a buffer strip within,

- i) thirty (30) metres of any Zone other than an industrial zone; and
 - ii) twenty-two (22) metres of any street line.
- (c) Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.
- (d) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.

- (e) Separation Distance: In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
- (f) Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- (g) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this Zone to the contrary, uses, buildings and structure that are accessory to the permitted uses of this Zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

14.3 **EXCEPTION ZONES**

**SECTION 15.0 - REQUIREMENTS FOR EXTRACTIVE INDUSTRIAL RESERVE
(EMR) ZONE****15.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any EMR Zone except for:

(a) Residential Uses

- single detached dwelling existing at the date of passing of this By-law.

(b) Non-Residential Uses

- non-residential uses existing on the date of passing of this By-law
- forestry
- limited farm
- passive recreation

15.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in any EMR Zone except in accordance with the following provisions:

- | | | |
|-----|----------------------------|-------------|
| (a) | Front Yard Depth (minimum) | 10.5 metres |
| (b) | Side Yard Width (minimum) | 10.5 metres |
| (c) | Rear Yard Depth (minimum) | 15.0 metres |

15.3 EXCEPTION ZONES

(48-2008)

***(a) Extractive Industrial Reserve-Exception One (EMR-E1)**

Notwithstanding Section 15.1 to the contrary, for those lands described as part of Lot 5, Concession XV, geographic Township of Brougham and delineated as Extractive Industrial Reserve Exception One (EMR-E1) on Schedule "B" to this By-law, a Hunting and Fishing camp shall also be a permitted use.*

SECTION 16.0 - REQUIREMENTS FOR MINING INDUSTRIAL (MM) ZONE**16.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any MM Zones except for:

(a) Residential Uses

- accessory single detached dwelling

(b) Non-Residential Uses

- accessory business office
- farm, limited
- forestry
- manufacturing plant
- mine
- mining
- passive recreation
- warehouse

16.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in any MM Zone except in accordance with the following provisions:

(a)	Lot Area (minimum)	2.0 hectares	
(b)	Lot Frontage (minimum)	35 metres	
(c)	Yards (minimum)		
		<u>Abutting Industrial Zone</u>	<u>Abutting Any Other Zone</u>
i)	Front Yard Depth	30 metres	45 metres
ii)	Side Yard Width	3 metres	45 metres
iii)	Rear Yard Depth	9 metres	45 metres

Provided that no side or rear yard is required along any portion of a lot line which abuts a railroad right-of-way.

- (d) Lot Coverage (maximum) 50%
- (e) Dwelling Unit Area (minimum) 65 m²
- (f) Buffer Strip

No land in any MM Zone shall be used for any other purpose than for a buffer strip within,

- i) forty-five (45) metres of any zone other than an Industrial Zone, and
 - ii) thirty (30) metres of any street line.
- (g) Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.
 - (h) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.
 - (i) Separation Distance: In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
 - (j) Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
 - (k) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this zone to the contrary, Uses, Buildings and Structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

16.3

EXCEPTION ZONES

**SECTION 17.0 - REQUIREMENTS FOR MINING INDUSTRIAL RESERVE
(MMR) ZONE**
17.1 PERMITTED USES

No person shall use land or erect or use a building or structure in any MMR Zone except for:

- (a) Residential Uses
 - existing dwellings
- (b) Non-Residential Uses
 - existing uses in existing locations
 - forestry
 - farm, limited
 - mineral proving
 - passive recreation

17.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure within any MMR Zone except in accordance with the following provisions:

- (a) Lot area (minimum)

i) residential uses	existing lot area
ii) non-residential uses	24 hectares
- (b) Lot Frontage (minimum)

i) residential uses	existing lot frontage
ii) non-residential uses	300 metres
- (c) Front Yard Depth (minimum) 10.5 metres
- (d) Side Yard Width (minimum) 3 metres
- (e) Rear Yard Depth (minimum) 15 metres
- (f) Building Height (maximum) 10.5 metres

- (g) Lot Coverage (maximum)
 - i) residential 33%
 - ii) non-residential uses 125% of existing Lot Coverage
- (h) Dwelling Unit Area (maximum) 125% of existing dwelling unit area
- (i) Gross Floor Area for non-residential uses, and for accessory buildings and structures (maximum)
 - i) mineral proving 50 m²
 - ii) other uses 10 m²
- (j) Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- (k) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

17.3 **EXCEPTION ZONES**

*** (12-2004) ***

*** (a) Mining Industrial Reserve-Exception One (MMR-E1)**

Notwithstanding Section 17.2(a)(ii) to the contrary, for those lands described as part of Lot 28, Concession IV, geographic Township of Bagot and delineated as Mining Industrial Reserve-Exception One (MMR-E1) on Schedule "A" to this By-law, the minimum required lot area shall be 16 hectares.*

*** (33-2007) ***

*** (b) Mining Industrial Reserve-Exception Two (MMR-E2)**

Notwithstanding Sections 17.2 (a) and (b) to the contrary, for those lands described as part of Lot 28, Concession IV, geographic Township of Bagot, and delineated as Mining Industrial Reserve-Exception Two (MMR-E2) on Schedule "A" to this By-law, the minimum required lot area shall be 18 hectares and the minimum required lot frontage shall be 30 metres.*

SECTION 18.0 - REQUIREMENTS FOR LIGHT INDUSTRIAL (LM) ZONE**18.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any LM Zone except for:

(a) Residential Uses

- accessory dwelling unit, EXCEPT in the case of a body shop or commercial garage, where the accessory dwelling unit may be a single detached dwelling.

(b) Non-Residential uses

- agriculture commercial establishment
- factory outlet
- light manufacturing plant
- public garage
- truck terminal
- warehouse
- business office accessory to a permitted use
- retail uses accessory to a permitted use
- those non-residential uses of the Highway Commercial (HC) Zone as listed in Section 10.1(b).

18.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in any LM Zone except in accordance with the provisions of Section 10.2 (Highway Commercial).

18.3 EXCEPTION ZONES

SECTION 19.0 - REQUIREMENTS FOR RURAL (RU) ZONE**19.1 PERMITTED USES**

No person shall use land or erect, alter or use a building or structure in any RU Zone except for:

(a) Residential Uses

- single detached dwelling
- semi-detached dwelling
- duplex dwelling
- a limited service dwelling on an existing lot of record
- group home

(b) Non-Residential Uses

- bed and breakfast establishment
- cemetery
- contractors yard or shop
- farm
- farm limited
- farm produce sales outlet
- forestry
- home industry
- hunting and fishing camp
- logging hauler
- mineral exploration
- private club
- public building
- religious education facility

19.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in any RU Zone except in accordance with the following provisions:

(a) Lot Area (minimum)

- (i) single detached, semi-detached, limited service dwelling, home industry or duplex dwelling 4047 square metres

(ii)	semi-detached dwelling (each unit on a separate lot)	2024 square metres
(iii)	other permitted uses	2 hectares
(b)	Lot Frontage (minimum)	
(i)	single detached, semi-detached or duplex dwelling, or other uses	45 metres
(ii)	semi-detached dwelling (each unit on a separate lot)	23 metres
(c)	Water Frontage (minimum)	45 metres
(d)	Front Yard Depth (minimum)	7.5 metres
(e)	Exterior Side Yard (minimum)	7.5 metres

(43-2005)* *

* (f)	Interior Side Yard (minimum)	
-	single detached dwelling, duplex dwelling, semi-detached dwelling, group home or other uses	3 metres
-	semi-detached dwelling (each unit on a separate lot)	Requires Interior or Exterior Side Yard on One Side Only
-	logging hauler	15 metres*
(g)	Rear Yard Depth (minimum)	7.5 metres
(h)	Dwelling Unit Area (minimum)	65 square metres
(i)	Gross Floor Area (maximum) for Mineral Exploration	9.3 square metres
(j)	Lot Coverage (maximum)	33%
(k)	No land on the lot of a logging hauler use, a contractor's yard or shop, a forestry use, or a home industry shall be used for any other purpose than for a buffer strip within,	
	- 15.0 metres of a lot in any Zone other than an Industrial Zone	
	- 12.0 metres of any street line.	

- (l) **Open Storage:** In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.
- (m) **Parking and Loading:** In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.
- (n) **Separation Distance:** In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
- (o) **Setbacks:** In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- (p) **Accessory Uses, Buildings and Structures:** Notwithstanding any Zone Provision of this Zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this Zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

19.3 **EXCEPTION ZONES**

(a) **Rural-Exception One (RU-E1)**

Notwithstanding Section 3.14.1 to the contrary, those lands described as part of Lot 18, Concessions III and IV, in the geographic Township of Bagot and delineated as Rural-Exception One (RU-E1) on Schedule “D” (Inset #3) to this By-law, may be accessed by a mutual entrance approved by the applicable road authority.

(b) **Rural-Exception Two (RU-E2)**

Notwithstanding anything in this By-law to the contrary, those lands described as part of Lot 16, Plan 226 being part of Lot 19, Concession XII, in the geographic Township of Bagot, and delineated as Rural Exception Two (RU-E2) on Schedule “D” (Inset #4) to this By-law, may be used for the purposes of a hobby shop in conjunction with a single detached dwelling. The hobby shop use shall comply with all provisions of this By-law, except for the following:

- | | | |
|-------|------------------------------------|---|
| (i) | Interior Side Yard Width (minimum) | 6 metres |
| (ii) | Gross Floor Area (maximum) | 50% of gross floor area of the dwelling |
| (iii) | Parking Spaces | minimum - 2 |

maximum - 5

- (iv) Water Setback (minimum) 15 metres
- (iv) Hobby Shop means, for the purposes of this subsection, a building or structure where objects of personal property which have unique appeal, crafts, and/or works of art are collected, exhibited or sold.

(c) Rural-Exception Three (RU-E3)

Notwithstanding anything in this By-law to the contrary, those lands described as part of Lot 20, Concession XII, in the geographic Township of Bagot and delineated as RU-E3 on Schedule “A” to this By-law may be used for the purposes of a single-detached dwelling and accessory uses, in compliance with the provisions of the RU Zone, excepting, however, that the following provisions shall apply:

- (i) Lot Frontage (minimum) nil
- (ii) Lot Area (minimum) 16,000 square metres

(d) Rural-Exception Four (RU-E4)

Notwithstanding Section 19.2(a) iii), 19.2(b) ii) and 19.2 (c) to the contrary, for those lands described as part of Lot 19, Concession I, in the geographic Township of Blythfield and delineated as Rural-Exception Four (RU-E4) on Schedule “D” (Inset #4) to this By-law, the following provisions shall apply:

- (i) Lot Frontage (minimum) 21 metres
- (ii) Lot Area (minimum) 1750 square metres
- (iii) Water Frontage (minimum) 30 metres

(e) Rural-Exception Five (RU-E5)

Notwithstanding Section 3.26 (d) to the contrary, the minimum water setback for all buildings, structures or excavations shall be ten (10) metres for those lands described as part of Lot 19, Concession II (Lot 7, Plan 49M-7), in the geographic Township of Blythfield and delineated as Rural-Exception Five (RU-E5) on Schedule “D” (Inset #4) to this By-law.

(f) Rural-Exception Six (RU-E6)

Notwithstanding any provisions of this By-law to the contrary, the land described as part of Lot 14, Concession VI, in the geographic Township of Brougham, and

delineated as Rural-Exception Six (RU-E6) on Schedule “D” (Inset #5) to this By-law, shall be used in compliance with all provisions of this By-law except as specified by the following provisions:

(i) Permitted Uses

No person shall use land or erect, alter or use any building or structure except for a single detached dwelling.

(ii) Accessory Uses, Buildings and Structures

Uses, buildings and structures that are accessory to the permitted uses of the RU-E6 Zone shall be permitted in accordance with the requirements of Section 3.0 of this By-law.

(g) Rural-Exception Seven (RU-E7)

Notwithstanding any provisions of this By-law to the contrary, the land described as part of Lots 2 and 3, Concession V, in the geographic Township of Griffith, and delineated as Rural-Exception Seven (RU-E7) on Schedule “E” (Inset #10) to this By-law, the only permitted uses shall be a shall be a single detached dwelling and a hunting and fishing camp used in compliance with the provisions of the Rural (RU) Zone and all provisions of this By-law except as specified by the following:

(i) Lot Area (minimum)	2025 square metres
(ii) Lot Frontage (minimum)	30 metres
(iii) Dwelling Unit Area (minimum)	55 square metres
(iv) Lot Coverage (maximum)	35%

(h) Rural-Exception Eight (RU-E8)

Notwithstanding any provisions of this By-law to the contrary, the land described as part of Lot 9, Concessions III and IV, in the geographic Township of Matawatchan, and delineated as Rural-Exception Eight (RU-E8) on Schedule “E” (Inset #6) to this By-law, the only permitted use shall be a single detached dwelling used in compliance with the provisions of the Rural (RU) Zone and all provisions of this By-law except as specified by the following:

(i) Lot Area (minimum)	1.0 hectare
------------------------	-------------

- | | |
|-----------------------------------|------------------|
| (ii) Lot Frontage (minimum) | 60 metres |
| (iii) Front Yard Depth (minimum) | 10.0 metres |
| (iv) Dwelling Unit Area (minimum) | 55 square metres |
| (v) Lot Coverage (maximum) | 10% |

(i) Rural-Exception Nine (RU-E9)

Notwithstanding any provisions of this By-law to the contrary, the land described as part of Lots 2 and 3, Concession V, in the geographic Township of Griffith, and delineated as Rural-Exception Nine (RU-E9) on Schedule “E” (Inset #10) to this By-law, the only permitted use shall be a single detached dwelling and a hunting and fishing camp used in compliance with the provisions of the Rural (RU) Zone and all other provisions of this By-law except as specified by the following:

- | | |
|------------------------------------|---------------------|
| (i) Lot Area (minimum) | 7,000 square metres |
| (ii) Lot Frontage (minimum) | 60 metres |
| (iii) Dwelling Unit Area (minimum) | 55 square metres |
| (iv) Lot Coverage (maximum) | 15% |

(j) Rural-Exception Ten (RU-E10)

Notwithstanding Section 19.2(c) of this By-law to the contrary, the land described as part of Lot 15, Concession III, in the geographic Township of Blythfield, and delineated as Rural-Exception Ten (RU-E10) on Schedule “D” (Inset #4) to this By-law, the minimum required water frontage shall be 20 metres. All other provisions of the Rural (RU) Zone shall continue to apply.

(k) Rural-Exception Eleven (RU-E11)

Notwithstanding Section 19.2(b)(i) to the contrary, the land described as part of Lot 30, Concession I, geographic Township of Bagot, and delineated as Rural-Exception Eleven (RU-E11) on Schedule “A” to this By-law, the minimum lot frontage shall be 9.0 metres.

(l) Rural-Exception Twelve (RU-E12)

Notwithstanding Section 19.2(b)(i) to the contrary, for those lands described as part of Lot 16, Concession XI, in the geographic Township of Bagot and delineated as Rural-Exception Twelve (RU-E12) on Schedule D (Inset #4) to this By-law, the minimum lot frontage shall be 29 metres.

(m) Rural-Exception Thirteen (RU-E13)

Notwithstanding Section 3.14.1 to the contrary, for those lands described as part of Lot 17, Concession IV, in the geographic Township of Bagot and delineated as Rural-Exception Thirteen (RU-E13) on Schedule "A" to this By-law, no public road frontage shall be required and no residential or non-residential development may be permitted except for a hunt camp or snowmobile camp.

(n) Rural-Exception Fourteen (RU-E14)

Notwithstanding any provision of this by-law to the contrary, for the lands described as part of Lot 13, Concession X, in the geographic Township of Bagot and delineated as Rural-Exception Fourteen (RU-E14) on Schedule "D" (Inset #4) to this By-law, a commercial riding stable, motel, two dwelling units and a camping establishment shall be permitted.

(ZB0306.8; OMB Order 2149; OMB Order 0292)*(o) Rural-Exception Fifteen (RU-E15)

Notwithstanding Section 19.1(a) and (b) of this by-law to the contrary, for those lands described as part of Lots 13, 14 and 15, Concession VIII, geographic Township of Bagot and more particularly described as the outer limit 300 m offset from the edge of the track as shown on the final approved site plan of the Calabogie Motorsports Park, dated June 28, 2004 and which is schedule B1 to the site plan agreement that is registered on title as RE28403, and delineated as Rural-Exception Fifteen (RU-E15) on Schedule "A" to this by-law, a motor sport track shall be the only permitted use.

For the purposes of this subsection, a "motor sport track" shall mean a paved track, not wider than 12 metres and used for the purpose of accommodating recreational and educational motor sports including driving schools, car clubs, corporate motoring activities, promotions and vehicle demonstrations and does not include major spectator events and professional motor racing, drag racing or demolition events. Accessory facilities including parking and paved paddocks as well as buildings for administration, maintenance and track control facilities shall

also be permitted. Seating areas for spectators on the entire site shall be limited to one or more structures with a combined total seating capacity of not more than 125 persons.*

(15-2004)

***(p)** Rural-Exception Sixteen (RU-E16)

Notwithstanding Section 19.2(d) to the contrary, for those lands described as part of Lot 19, concession XII, geographic Township of Bagot, and delineated as Rural-Exception Sixteen (RU-E16) on Schedule “D” (Inset #4) to this By-law, the minimum required front yard depth shall be 2 metres.*

(By-law 16-2011)

***(q)** Rural-Exception Seventeen (RU-E17)

Notwithstanding Sections 19.2(a), 19.2(b), 19.2(c) to the contrary, for those lands described as Part of Lot 16, Concession 11, geographic Township of Bagot, and delineated as Rural-Exception Seventeen (RU-E17) on Schedule D (Inset 4) to this By-law, the following provisions apply:

Zone Provisions

i)	Lot Area (minimum)	3500 square metres
ii)	Lot Frontage (minimum)	41 metres
iii)	Water Frontage (minimum)	42 metres.*

(15-2006)

***(r)** Rural-Exception Eighteen (RU-E18)

Notwithstanding Sections 3.8, 3.14.1 and 19.1(a) to the contrary, for those lands described as part of Lots 9 and 10, Concession XIII, geographic Township of Brougham, and delineated as Rural-Exception Eighteen (RU-E18) on Schedule “B” to this By-law, the existing residential dwelling and seasonal pre-existing residential dwelling shall be permitted uses, on a lot with frontage on a seasonally maintained municipal road. All other provisions of the By-law shall apply.*

(21-2007)

***(s)** Rural-Exception Nineteen (RU-E19)

Notwithstanding Sections 19.2(d) and (e) to the contrary, for those lands described as part of Lot 19, Concession XI, geographic Township of Bagot, and delineated as Rural-Exception Nineteen (RU-E19) on Schedule “A” to this By-law, the following shall apply:

Front Yard Depth (minimum)	0.03 metres
Exterior Side Yard Depth (minimum)	4.0 metres*

(36-2007)***(t)** Rural-Exception Twenty (RU-E20)

Notwithstanding Sections 19.2(b)(i) and 3.14.1 to the contrary, for those lands described as part of Lot 19, Concession VI, geographic Township of Matawatchan and delineated as Rural-Exception Twenty (RU-E20) on Schedule “E” (Inset #7) to this By-law, the minimum required lot frontage shall be 40 metres and access to the lot shall be permitted by a private road.

(u) Rural-Exception Twenty-One (RU-E21)

Notwithstanding Section 19.2(b)(i) to the contrary, for those lands described as part of Lot 19, Concession VI, geographic Township of Matawatchan and delineated as Rural-Exception Twenty-One (RU-E21) on Schedule “E” (Inset #7) to this By-law, the minimum required lot frontage shall be 33 metres.*

(23-2008)***(v)** Rural-Exception Twenty-Two (RU-E22)

Notwithstanding Sections 3.25(a)(iii), 3.26(c) and 19.2(d) to the contrary, for those lands described as part of Lot 27, Concession III, geographic Township of Matawatchan, the following provisions shall apply:

- (i) The minimum setback from the centreline of a private road on the lot shall be 10 metres.
- (ii) Separation Distance between a dwelling and an EM or EMR Zone shall be 0 metres.
- (iii) The minimum setback to lands zoned Flooded Area shall be 7.5 metres.
- (iv) Front Yard Depth (minimum) 30 metres.

(w) Rural-Exception Twenty-Three (RU-E23)

Notwithstanding Sections 3.25(a)(iii), 3.26(d), 19.2(a) and 19.2(f) to the contrary, for those lands described as part of Lot 27, Concession III, geographic Township of Matawatchan, the following provisions shall apply:

- (i) In addition to the permitted uses of the RU Zone, existing buildings and structures in existing locations shall be a permitted use.

- (ii) Separation Distance between a dwelling and an EM or EMR Zone shall be 0 metres.
- (iii) The minimum setback to lands zoned Flooded Area shall be 7.5 metres.
- (iv) Southeast Side Yard Depth (minimum) 80 metres.*

(42-2007)***(x) Rural-Exception Twenty-Four (RU-E24)**

Notwithstanding Sections 19.2(a)(i) and 19.2(b)(i) to the contrary, for those lands described as part of Lot 19, Concession VI, geographic Township of Matawatchan and delineated as Rural-Exception Twenty-Four (RU-E24) on Schedule "E" (Inset #7) to this By-law, the minimum required lot area shall be 3800 square metres and the minimum required lot frontage shall be 40 metres.*

(33-2008)***(y) Rural-Exception Twenty-Five (RU-E25)**

Notwithstanding Sections 3.26(c) and (d) of this By-law to the contrary, for those lands described as Part of Lot 25, Concession I, geographic Township of Bagot, and delineated as Rural-Exception Twenty-Five (RU-E25) on Schedule D (Inset #1) to this By-law, the following provisions shall apply:

- (i) the minimum required setback for any building or structure from the centreline of Lakeview Lane shall be 2.438 metres plus the minimum front yard setback of 7.5 metres;
- (ii) the minimum required water setback from the high water mark for a dwelling shall be 15 metres.*

(08-2008)***(z) Rural-Exception Twenty-Six (RU-E26)**

Notwithstanding Sections 19.1 and 19.2(a) and (b) to the contrary, for those lands described as Block B, Plan 442, in part of Lot 15, Concession VIII, geographic Township of Matawatchan, the only permitted use shall be a single detached dwelling and the following provisions shall apply:

- (i) Lot area (minimum) 1.3 hectares
- (ii) Lot frontage (minimum) 65 metres*

(47-2007)***(aa)** Rural-Exception Twenty-Seven (RU-E27)

Notwithstanding Section 3.26(d) to the contrary, for those lands described as Part of Lots 12 and 13, Concession VI, geographic Township of Brougham, and delineated as Rural-Exception Twenty-Seven (RU-E27) on Schedule D (Inset #5) to this By-law, the minimum required water setback from the high water mark shall be 9.0 metres for a pool.*

(35-2009)***(bb)** Rural-Exception Twenty-Eight (RU-E28)

Notwithstanding Sections 3.26(d) and 19.2(g) to the contrary, for those lands described as Part of Lot 30, Concession 3, geographic Township of Brougham, known municipally as 2743 Centennial Lake Road and delineated as Rural-Exception Twenty-Eight (RU-E28) on Schedule B to this By-law, the following exceptions shall apply:

- | | | |
|------|---|-------------|
| (i) | Required setback from the high water mark
of Centennial Lake (minimum) | 5.0 metres |
| (ii) | Rear Yard Depth (minimum) | 3.0 metres* |

(36-2009)***(cc)** Rural-Exception Twenty-Nine (RU-E29)

Notwithstanding Sections 19.1 and 19.2(p) to the contrary, for those lands described as Part of Lot 21, Concession 5, geographic Township of Brougham, and delineated as Rural-Exception Twenty-Nine (RU-E29) on Schedule D (Inset 5) to this By-law, the subject lands the following shall apply:

Permitted Uses:

- Private parking for vehicles and boat trailers
- Docking Facilities approved by the Ministry of Natural Resources and Ontario Power Generation

Prohibited Uses:

- Residential uses and incidental accessory uses
- Boat launching
- Boat launching facilities*

(24-2011)***(dd)** Rural-Exception Thirty (RU-E30)

Notwithstanding Section 3.3.1 of this By-law to the contrary, for those lands described as Part of Lot 13, Concession 1, geographic Township of Blythfield, and delineated as Rural-Exception Thirty (RU-E30) on Schedule D (Inset 4) to this By-law, an accessory building shall be permitted prior to the principle or main use being built on the lot.*

(06-2012)***(ee)** Rural-Exception Thirty-One (RU-E31)

Notwithstanding Sections 3.26(e) and 3.30 of this By-law to the contrary, for those lands described as Part of Lot 28, Concession 3, geographic Township of Bagot, and delineated as Rural-Exception Thirty-One (RU-E31) on Schedule “D” (Inset 1) to this By-law, the minimum required water setback from the high water mark of Hurds Lake for an accessory detached garage shall be 10 metres.*

(46-2012)***(ff)** Rural-Exception Thirty-Two (RU-E32)

Notwithstanding Sections 3.8 and 3.14, or any other section of this By-law to the contrary, for those lands described as Part of Lot 30, Concession 4, geographic Township of Blythfield, and delineated as Rural Exception Thirty-Two (RU-E32) on Schedule “A” to this By-law, a second dwelling shall be permitted on a lot with no road frontage. No buildings or structures shall be permitted within 30 metres of a Provincially Significant Wetland.*

(gg)

(57-2016)***(hh)** Rural-Exception Thirty-Four (RU-E34)

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E34 Zone, located in Part of Lot 21, Concessions 7 & 8, in the geographic Township of Bagot, now in the Township of Greater Madawaska, the minimum lot area shall be 1756 square metres.*

(63-2016)***(ii)** Rural-Exception Thirty-Five (RU-E35)

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E35 Zone, located in Part of Lot 31, Concession 3, in the geographic Township of Brougham, now in the Township of Greater Madawaska,

a garage shall be permitted without the principle or main use being built on the lot.*

(28-2017)

***(jj) Rural-Exception Thirty-Six (RU-E36)**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E36 Zone, known as 14 Devine Lane, and located in part of Lot 19, Concession 12, in the geographic Township of Bagot, a garage containing a bedroom and bathroom shall be permitted. Cooking and/or eating facilities shall be prohibited from being located in the garage, and the following provision shall apply:

- i) Building Height (maximum) 6.5 metres.*

(34-2017)

***(kk) Rural-Exception Thirty-Seven (RU-E37)**

Notwithstanding any other provision of this By-law to the contrary, for the lands located in the RU-E37 Zone within part of Lot 28, Concession 10, in the geographic Township of Bagot, two single detached dwellings shall be permitted.*

(35-2017)

***(ll) Rural-Exception Thirty-Eight (RU-E38)**

Notwithstanding any other provision of this By-law to the contrary, for the lands located in the RU-E38 Zone within part of Lot 30, Concession 3, and part of Lot 31, Concession 3, in the geographic Township of Griffith, a Hunting and Fishing Camp shall be the only permitted use and the minimum lot area shall be the lot area existing at the date of passing of this by-law.*

(51-2017)

***(mm) Rural-Exception Thirty-Nine (RU-E39)**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RU-E39 Zone, and located in part of Lot 13, Concession 2, in the geographic Township of Blythfield, access is via a private service road.*

(18-2016)

***19.4 INTERIM USES AND STANDARDS (HOLDING)**

- (a) Rural-holding (RU-h) (179 Church Farm Road)

For those lands located in Part of Lot 14, Concession 2, geographic Township of Blythfield, until such time as the holding (-h) is removed from any land in this location zoned Rural-holding (RU-h), in accordance with the condition set forth herein, no person shall use land, erect or use a building or structure except in accordance with the following:

(i) Permitted Uses

- existing uses in existing locations
- open space

(ii) Conditions for Removal of Holding Symbol (-h)

- A noise assessment, prepared by a qualified professional, that assesses potential noise impacts of the Barrett Chute dam on a residential use and that recommends any necessary mitigation measures.*

SECTION 20.0 - REQUIREMENTS FOR COMMUNITY FACILITY (CF) ZONE**20.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any CF Zone except for:

(a) Residential Uses

- senior citizens home
- accessory single detached dwelling
- nursing home
- home for the aged

(b) Non-Residential Uses

- assembly hall
- cemetery
- church
- clinic
- community centre
- forestry
- hospital
- private club
- private park
- public building
- public garage
- public park
- public utility
- recreation, active
- recreation, passive
- schools

20.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in a CF Zone except in accordance with the following provisions:

- | | | |
|-----|----------------------------|--------------------|
| (a) | Lot Area (minimum) | 2025 square metres |
| (b) | Lot Frontage (minimum) | 30 metres |
| (c) | Front Yard Depth (minimum) | 10.5 metres |

- (d) Side Yard Width (minimum) 5 metres or 1/2 the height of the building whichever is greater
- (e) Exterior Side Yard 10.5 metres
- (f) Rear Yard Depth (minimum) 15 metres
- (g) Lot Coverage (maximum) 40%
- (h) Building Height (maximum) 10.5 metres
- (i) Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.
- (j) Parking and Loading Space: In accordance with the provisions for Space Requirements Parking and Loading Space Requirements in Section 3 of this By-law.
- (k) Separation Distances: In accordance with the provisions for Separation Distances in Section 3 of this By-law.
- (l) Setbacks: In accordance with the provisions for Setbacks in Section 3 of this By-law.
- (m) Accessory Uses, Buildings and Structures: Notwithstanding any Zone provision of this Zone to the contrary, uses, buildings and structures which are accessory to the permitted uses of this Zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

20.3 **EXCEPTION ZONES**

(a) Community Facility-Exception One (CF-E1)

Notwithstanding any other provision of this By-law to the contrary, for the lands described as part of Lot 18, Concession IV, in the geographic Township of Bagot, and delineated as Community Facility-Exception-One (CF-E1) on Schedule "D" (Inset #3) to this By-law a Religious Rooming Dwelling shall be a permitted use and the existing site performance standards shall apply for all existing buildings or structures only. New buildings or structures, including additions, shall meet the requirements of this By-law. The following definition shall apply:

Religious Rooming Dwelling means a dwelling used for religious retreats, worship and instruction for up to ten (10) people.

The following provision shall also apply:

i) Floodproofing

No building permit shall be issued for new development, including additions or enlargements, unless such development is floodproofed to the design elevation of 148 metres. No development, with the exception of boat docking and launching facilities shall, be permitted on lands below the floodway elevation of 147 metres.

(40-2007)

***(b)** Community Facility-Exception Two (CF-E2)

Notwithstanding Sections 20.2(d) and (f) to the contrary, for those lands described as Part of Lot 17, Concession X, geographic Township of Bagot, and delineated as Community Facility-Exception Two (CF-E2) on Schedule D (Inset #3) to this By-law, the following provisions shall apply:

- | | | |
|-------|-----------------------------------|------------|
| (i) | Eastern Side Yard Width (minimum) | 3.5 metres |
| (ii) | Western Side Yard Width (minimum) | 2.4 metres |
| (iii) | Rear Yard Depth (minimum) | 4 metres.* |

SECTION 21.0 - REQUIREMENTS FOR ENVIRONMENTAL PROTECTION (EP) ZONE**21.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any EP Zone except for:

(a) Residential Uses

- a single detached dwelling existing at the date of passing of this By-law.

(b) Non-Residential Uses

- dam or other water control structure
- erosion control structure
- existing farm
- limited farm
- passive recreation
- no new buildings or structures other than for flood or erosion control

21.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in any EP Zone except in accordance with the following provisions:

- | | | |
|-----|----------------------------|-------------|
| (a) | Front Yard Depth (minimum) | 10.5 metres |
| (b) | Side Yard Width (minimum) | 5 metres |
| (c) | Rear Yard Depth (minimum) | 15 metres |
| (d) | Lot Coverage (maximum) | 1% |
| (e) | Building Height (maximum) | 5 metres |

21.3 EXCEPTION ZONES

(29-2005)

***(a) Environmental Protection-Exception One (EP-E1)**

Notwithstanding Section 21.1(a) and (b) to the contrary, for those lands described as part of Lot 1, Concession V, geographic Township of Griffith and delineated as Environmental Protection-Exception One (EP-E1) on Schedule "E" (Inset #10) to

this By-law, no development shall be permitted. For the purposes of this subsection, development shall mean all buildings or structures, site alteration and construction of roads.*

(28-2005)

***(b)** Environmental Protection-Exception Two (EP-E2)

Notwithstanding Section 21.1(a) and (b) to the contrary, for those lands described as part of Lot 27, Concession IV, geographic Township of Blythfield, and delineated as Environmental Protection-Exception Two (EP-E2) on Schedule “A” to this By-law, no development shall be permitted. For the purposes of this subsection, development shall mean all buildings or structures, site alteration and construction of roads.*

(28-2006)

***(c)** Environmental Protection-Exception Three (EP-E3)

Notwithstanding Section 21.1(a) and (b) to the contrary, for those lands described as part of Lot 16, Concession XI, geographic Township of Bagot, and delineated as Environmental Protection-Exception Three (EP-E3) on Schedule “A” to this By-law, no development shall be permitted. For the purposes of this subsection, development shall mean all buildings or structures, site alteration and construction of roads.*

SECTION 22.0 - REQUIREMENTS FOR NATURAL HERITAGE FEATURE (NHF) ZONE**22.1 PERMITTED USES**

No person shall use land or erect or use a building or structure or do any site alteration in any NHF Zone [Provincially Significant Wetlands and Areas of Natural and Scientific Interest (ANSIs)], except for:

(a) Residential Uses

- an dwelling existing at the time of passing of this by-law

(b) Non-residential Uses

- existing farm

22.2 ZONE PROVISIONS**22.3 EXCEPTION ZONES**

(a) Natural Heritage Feature-Exception One (NHF-E1)

(43-2005)

Notwithstanding any other provisions of this By-law to the contrary, for those lands delineated as Natural Heritage Feature-Exception One (NHF-E1) being a 120 m buffer from the NHF Zone as shown on Schedules “A” to “E”, inclusive to this By-law, development *in accordance with the underlying RU Zone (on a public road) and LSR Zone (on a private road)* and site alteration may be permitted, if it has been demonstrated that there will be no negative impacts on the natural features or the ecological functions for which the area is identified. Council may require an Environmental Impact Study (EIS) and consult with the Ministry of Natural Resources and the County of Renfrew regarding development and its possible impacts.

(b) Natural Heritage Feature-Exception Two (NHF-E2)

Notwithstanding any other provisions of this By-law to the contrary, for those lands described as Lots 15, 16, 17, 18 and 19, Plan 535 in Part of Lots 13 and 14, Concessions XI and XII and delineated as Natural Heritage Feature-Exception Two (NHF-E2) on Schedule “D” (Inset #4), being a 120 m buffer from the NHF Zone, a single detached dwelling on an existing lot of record may be permitted.

OMB PL040013-Order No. 1200***(c) Natural Heritage Feature-Exception Three (NHF-E3)**

Notwithstanding any other provisions of this By-law to the contrary, for those lands described as part of Lot 14, Concessions XI and XII, geographic Township of Bagot and delineated as Natural Heritage Feature-Exception Three (NHF-E3) on Schedule “D” (Inset #4) to this By-law, a golf course shall be a permitted use.*

(38-2008)***(d) Natural Heritage Feature-Exception Four (NHF-E4)**

Notwithstanding Sections 22.1 and 22.2 to the contrary, for those lands described as Part of Lots 28 and 29, Concession 4, geographic Township of Blythfield and delineated as Natural Heritage Feature-Exception Four (NHF-E4) on Schedule “A” to this By-law, the only permitted use shall be:

- (i) a walking access path to the shoreline of Ferguson Lake
- (ii) a removable dock*

SECTION 23.0 - REQUIREMENTS FOR OPEN SPACE (OS) ZONE**23.1 PERMITTED USES**

No person shall use land or erect or use a building or structure in any OS Zone except for:

(a) Residential Uses

- prohibited

(b) Non-Residential Uses

- buffer strip
- golf course
- landscaped open space
- natural area
- passive recreation
- private park
- public park

23.2 ZONE PROVISIONS

No person shall use any lot or erect, alter or use any building or structure in any OS Zone, except in accordance with the following provisions:

- | | | |
|-----|---|----------|
| (a) | Lot Area (minimum) | NIL |
| (b) | Front Yard Depth (minimum) | NIL |
| (c) | Side Yard Width (minimum) | NIL |
| (d) | Rear Yard Depth (minimum) | NIL |
| (e) | Building Height (maximum) | 5 metres |
| (f) | Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this Zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this Zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law. | |

23.3 EXCEPTION ZONES***(19-2004)******(a) Open Space-holding (OS-h)**

Notwithstanding Section 23.1 and 23.2 to the contrary, for those lands described as part of Lot 17, Concession XI, geographic Township of Bagot and delineated as Open Space-holding (OS-h) on Schedule “D” (Inset #4) to this By-law, this area represents two archaeological loci and a buffer 10 metres in diameter extending from the outer limits of each loci. This area shall be surveyed, set aside and surrounded by protective snow fencing in order to prevent inadvertent damage during construction-related activities. No disturbance of this area shall occur unless preceded by a Stage 3 and, if necessary, a Stage 4 archaeological assessment and mitigation of impacts; such assessment to be conducted by a licensed archaeologist and completed to the satisfaction of the Ministry of Culture.*

(38-2008)***(b) Open Space-Exception One (OS-E1)**

Notwithstanding Sections 23.1 and 23.2, to the contrary, for those lands described as Part of Lots 28 and 29, Concession 4, geographic Township of Blythfield and delineated as Open Space-Exception One (OS-E1) on Schedule “A” to this By-law, the only permitted use shall be a private road.

(c) Open Space-Exception Two (OS-E2)

Notwithstanding Sections 23.1 and 23.2, to the contrary, for those lands described as Part of Lots 28 and 29, Concession 4, geographic Township of Blythfield and delineated as Open Space-Exception Two (OS-E2) on Schedule “A” to this By-law, the only permitted uses shall be natural area. Accessory buildings or structures shall not be permitted.

For the purposes of this subsection, natural area is defined as activities and uses that have minimal impact and disturbance to the natural vegetation and does not include the erection of buildings or structures.*


SECTION 24.0 - ENACTMENT

This By-law shall become effective on the date of passing by Council.

This By-law read a FIRST and SECOND time this 25th day of November, 2003.

This By-law read a THIRD time and finally passed this 25th day of November, 2003.


REEVE


CLERK

IMPERIAL – METRIC CONVERSIONS

SPECIFIC LINEAR CONVERSIONS			
0.3	m	=	0.98 ft.
0.5	m	=	1.64 ft.
0.6	m	=	1.97 ft.
0.7	m	=	2.30 ft.
0.9	m	=	2.95 ft.
1.0	m	=	3.28 ft.
1.5	m	=	4.92 ft.
2.0	m	=	6.56 ft.
2.5	m	=	8.20 ft.
2.7	m	=	8.86 ft.
3.0	m	=	9.84 ft.
4.0	m	=	13.12 ft.
5.0	m	=	16.40 ft.
5.5	m	=	18.04 ft.
6.0	m	=	19.69 ft.
7.5	m	=	24.61 ft.
9.0	m	=	29.53 ft.
10.0	m	=	32.81 ft.
10.5	m	=	34.45 ft.
12.0	m	=	39.37 ft.
15.0	m	=	49.21 ft.
18.0	m	=	59.06 ft.
20.0	m	=	65.62 ft.
22.0	m	=	72.18 ft.
23.0	m	=	75.46 ft.
30.0	m	=	98.43 ft.
35.0	m	=	114.83 ft.
38.0	m	=	124.67 ft.
40.0	m	=	131.23 ft.
45.0	m	=	147.64 ft.
46.0	m	=	150.92 ft.
50.0	m	=	164.04 ft.
53.0	m	=	173.88 ft.
60.0	m	=	196.85 ft.
65.0	m	=	213.25 ft.
75.0	m	=	246.06 ft.
90.0	m	=	295.28 ft.
100.0	m	=	328.08 ft.
120.0	m	=	393.70 ft.
150.0	m	=	492.13 ft.
180.0	m	=	590.55 ft.
200.0	m	=	656.17 ft.
750.0	m	=	2460.63 ft.

SPECIFIC AREA CONVERSIONS			
1	m ²	=	10.76 sq. ft.
9	m ²	=	96.88 sq. ft.
51	m ²	=	548.98 sq. ft.
65	m ²	=	699.68 sq. ft.
75	m ²	=	807.32 sq. ft.
93	m ²	=	1001.08 sq. ft.
185	m ²	=	1991.39 sq. ft.
300	m ²	=	3229.28 sq. ft.
600	m ²	=	6458.56 sq. ft.
700	m ²	=	7534.98 sq. ft.
900	m ²	=	9687.84 sq. ft.
1400	m ²	=	15069.97 sq. ft.
1450	m ²	=	15608.18 sq. ft.
1500	m ²	=	16146.39 sq. ft.
1532	m ²	=	16490.85 sq. ft.
2000	m ²	=	21528.53 sq. ft.
2024	m ²	=	21786.87 sq. ft.
2025	m ²	=	21797.63 sq. ft.
2300	m ²	=	24757.80 sq. ft.
2750	m ²	=	29601.72 sq. ft.
2800	m ²	=	30139.94 sq. ft.
3035	m ²	=	32669.54 sq. ft.
3065	m ²	=	32992.47 sq. ft.
3250	m ²	=	34983.85 sq. ft.
4000	m ²	=	43057.05 sq. ft.
4047	m ²	=	43562.97 sq. ft.
1	ha	=	2.47 ac.
1.2	ha	=	2.97 ac.
1.5	ha	=	3.71 ac.
2.0	ha	=	4.94 ac.
10.0	ha	=	24.71 ac.
20.0	ha	=	49.42 ac.
24.0	ha	=	59.30 ac.
40.0	ha	=	98.84 ac.
80.0	ha	=	197.68 ac.