



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

**April 17, 2024**

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**The Corporation of the Township of Greater Madawaska  
Comprehensive Zoning By-law 24-\_\_-**

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A by-law to regulate the use of land, and the character, location and use of buildings and structures in the Township of Greater Madawaska

**WHEREAS** Amendment No. 25 to the County of Renfrew Official Plan, which updated the County of Renfrew Official Plan, was approved on March 26, 2020 by the Ministry of Municipal Affairs and Housing;

**AND WHEREAS** Section 26 of the *Planning Act* requires that the Zoning By-law of the Township of Greater Madawaska be amended to conform to the Official Plan of the County of Renfrew;

**AND WHEREAS** the Township of Greater Madawaska now deems it desirable and in the public interest to rescind By-law 22-2003, and all Amendments thereto, and enact a new Comprehensive Zoning By-law under Section 34 of the *Planning Act*, S.O. 1990 c P. 13, as amended, which will serve to regulate the use of the land and the character, location and size of buildings and structures within the boundaries of the Township of Greater Madawaska;

**NOW THEREFORE BE IT RESOLVED** that the Township of Greater Madawaska enacts By-law No. 24-\_\_- as follows:

READ a first, second and third time and finally passed this \_\_\_\_day of \_\_, 2024.

# HOW TO READ THE ZONING BY-LAW

## Administration

Explains the legal basis of zoning and how to interpret the document.

## Definitions

Provides the definitions of a number of terms that can be found throughout the document.

Determine how to measure a yard, such as a "side yard".

Determine what land uses mean (e.g. "Agriculture").

## General Provisions

Rules that apply in larger portions (or the entirety) of the Township.

Where to look if I am:

- Building a garage
- Building a shed or other small structure
- Building a swimming pool

## Zone Classifications

Explains what can be constructed within each Zone.

Lists a number of "exceptions" or site-specific zones that have unique provisions or regulations.

## Schedules (Maps)

Identifies the zone applicable to each property within the Township.

Once the Zone is identified, see Zone Classifications.

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# LIST OF ZONING MAPS

- Schedule "A" - geographic Township of Bagot and Blythfield
- 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

# ADMINISTRATION AND USAGE

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## 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.

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### **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:

- a) on a first conviction to a fine of not more than \$50,000.00 and
- b) 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.

### **1.4 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.

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**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 Terminology**

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

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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.

## 1.6 CLARITY AND ACCURACY

In the development of this By-Law, every effort is made to ensure clarity and accuracy. This By-Law is a complex and detailed document, and inadvertent inconsistencies and errors may have occurred in its development. Notwithstanding any other provisions of this By-Law, corrections to technical errors including typographical, grammatical, spelling, section numbering, metric conversion, transposition errors and minor mapping irregularities may be made to this By-Law without formal amendment under the *Planning Act* and will not require public notification.

## 1.7 TRANSITION PROVISIONS

### 1.7.1 Complete Applications for a Building Permit

Nothing in this By-law prevents the development or use of a lot or a building for which a complete application for a building permit was received by the Township on or before the date of passing of this By-law, if the development or use complies, or the building permit application is amended to comply, with the provisions of the applicable former zoning by-law as it read immediately prior to the passing of this By-law.

### 1.7.2 Other Types of Complete Applications

- a) Where a complete application was received by the Township on or before the date of passing of this By-law for the development or use of a lot or one or more buildings, approval may be granted in the context of the applicable former zoning by-law as it read immediately prior to the passing of this By-law, for one or more of the following applications where they are consistent with the intent of the complete application:

- i) Any application under Section 45 of the *Planning Act*;

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- ii) Site plan control approval pursuant to Section 41 of the *Planning Act*;
  - iii) Consent pursuant to Section 53 of the *Planning Act*;
  - iv) Draft plan of subdivision pursuant to Section 51 of the *Planning Act* or a description under the Condominium Act, 1998, S.O. 1998, c.19;
  - v) Payment in lieu of parking agreement pursuant to Section 40 of the *Planning Act*; and
  - vi) A part lot control exemption pursuant to Section 50 of the *Planning Act*.
- b) Where the development or use of a lot or one or more buildings qualifies under subsection 1.7.2 a), a building permit may be issued after final approval is received for all required applications if the development or use complies, or the building permit application for the development or use is amended to comply, with the provisions of the applicable former zoning by-law as it read immediately prior to the passing of this By-law.
- c) Nothing in this By-law applies so as to continue the exemption provided by Section 1.7.2 beyond the issuance of the final building permit upon which the exemptions are founded.

## **1.8 MINOR VARIANCES**

### **1.8.1 Continuation of Approved Variances**

- a) During the one-year period commencing on the date of passing of this By-law and expiring on the date specified in Section 1.4.1, a building permit may be issued in the context of the applicable former zoning by-law as it read immediately prior to the passing of this By-law for any development subject to one or more approved minor variances under the provisions of the applicable former zoning by-law.
- b) After the one-year period in Section 1.5.1 a) expires, minor variances approved under the provisions of the applicable former zoning by-law may be relied upon only if the zoning provision respecting the minor variance is the same or more permissive in this By-law than in the applicable former zoning by-law.

## DEFINITIONS

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

**Abandoned** means the failure, in the opinion of the Zoning Administrator, to proceed expeditiously with construction work during any continuous 12-month period.

**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.

**Accessory** when used to describe a use, building or structure, means a use, or a detached building or structure, that is naturally and normally incidental, subordinate and exclusively devoted to supporting the principal use, building or structure and located on the same lot therewith. This does not include an accessory residence unless otherwise specified.

**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.

**Aggregate** means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, and rock other than metallic ores.

**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. 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 sub-surface drainage materials and equipment. This definition shall also include such goods and services as the selling, processing and storage of seed, feed and fertilizer and chemical products.

**Agriculture-Related Use** means a farm-related commercial or farm-related industrial use that is directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Examples of a farm-related commercial use include: retailing of agriculture products (e.g., farm supply co-ops, farmer’s market, retailers of value-added products like wine or cider

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made from produce grown in the area), livestock assembly yards, and farm equipment repair shops.

Examples of farm-related industrial uses may include such industrial operations that process farm commodities from the area such as: abattoirs, feed mills, grain dryers, cold/dry storage facilities, fertilizer storage/distribution facility, food and beverage processors (e.g., wineries and cheese factories) and agriculture biomass pelletizers.

Residential, recreational and institutional uses are not considered an agriculture-related use.

**Agri-Tourism Use** means those farm-related tourism uses, including limited accommodation such as a bed and breakfast and country inns, that promote the enjoyment, education or activities related to the farm operation or in proximity to farm operations.

**Air Filtration Systems** means a system designed, approved and implemented in accordance with a license issued by Health Canada as part of its requirements under the *Cannabis Act*, for the purposes of controlling emissions, including odour, for a licensed cannabis production facility.

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

**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.

**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.

**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.

**Amusement Arcade** means any premises or part thereof containing four or more electric, 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.

**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.



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**ANSI (Area of Natural and Scientific Interest)** means an area of land or water containing natural heritage landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

**Arena** means a building, or part of a building, in which facilities are provided for such purposes as ice skating, roller skating or curling but does not include any other establishment otherwise defined or classified in this By-law.

**Artisan Shop or Studio** means a building or structure or portion thereof, where an artist or skilled craftsperson creates unique articles and/or offers instruction in an art of skilled craft and where such unique articles may be offered for sale. This may include but is not limited to, a painter, a sculptor, a photographer, a gunsmith, a cabinetmaker, a wood carver, a potter, an ornamental welder or any similar artist or craftsperson whose workplace is not otherwise defined.

**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.

**Asphalt Plant, Portable** 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.

**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.

**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 adjacent building or buildings.

**Automotive-Body Shop** means a building or structure used for the painting or repairing of automobile bodies or fenders, but shall not include a salvage yard.

**Automotive-Car Wash** means a building or structure containing facilities for washing automobiles, either by production line methods and mechanical services or by a self-service operation.

**Automotive-Commercial Garage** means a building where all functions of an automobile service station may be carried out and where major repairs of motor 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.

**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,

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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.

**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.

**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.

**Automotive-Vehicle Sales or Rental Establishment** means an establishment having as its main use the storage of vehicles for sale, rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles.

**Backyard Hen or Duck Coop** see **Coop**.

**Bank** see **Financial Institution**.

**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.

**Bed and Breakfast Establishment** means a private single-detached dwelling in which there are up to four rooms for rent for sleeping accommodation for overnight guests only and includes the provision of meals. This definition does not include any establishment defined elsewhere in this By-law.

**Berm** means a landscaped mound of earth and/or stones.

**Boarding House** means a dwelling in which lodging is provided for more than four persons in return for remuneration or for the provision of services or for both, and in which the lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants.

**Boat Docking or Launching Facility** means a structure for the mooring or launching or boats or watercraft, attached to or forming part of the mainland or used in conjunction with a use on the mainland.

**Boat House** means a detached one-storey, accessory building or structure which is designed or used for the sheltering of a boat or other form of water transportation and the storage of household equipment incidental to the residential use of the property and shall not be used for human habitation nor contain food preparation or sanitary facilities.

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**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.

**Building** means any structure used or designed to be used for shelter, accommodation or enclosure of persons, animals or chattels.

**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.

**Building, Main** means a building in which is carried on the principal purpose for which the *lot* is used.

**Building Supply Store** means an establishment engaged in the selling of building supplies including lumber, mill work, siding, roofing, electrical, heating, air conditions and similar items.

**Bunkie** - See **Cabin, Sleeping**

**Bus Storage and Maintenance Establishment** means a building or part of a building, or area of land, used for the storage and repair or maintenance of buses.

**Cabin, Sleeping** means an accessory building separate from the principal residential dwelling, located on the same lot as the principal building, for the accommodation of persons but shall not contain cooking or kitchen facilities. Cooking or kitchen facilities are defined as an area where food is stored or prepared or cooked and which has cooking appliances and/or a kitchen sink. A sleeping cabin may contain sanitary facilities with the approval of the appropriate authority. A sleeping cabin shall not be used for monetary gain.

**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.

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

**Cannabis Production Facility** means the use of land, buildings or structures for the cultivation, processing, testing, destruction, packaging and/or shipping of cannabis produced for commercial purposes, and which is authorized by a federally issued license or permit.

**Carport** - see **"Garage, Private or Carport"**

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**Cellar** means the portion of a building between two floor levels, which is partly or wholly underground, but which has more than 50% of its height from finished floor to ceiling below adjacent finished grade. (see Illustration, Page 45)

**Cemetery** means a cemetery, columbarium or mausoleum within the meaning of the *Cemetery Act* of Ontario.

**Church** means a building commonly used by any religious organization, as defined in the Religious Organizations' Lands Act, for public worship, and may include a rectory or manse, church hall, auditorium, day nursery or religious school associated with or accessory thereto.

**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.

**Coach House** - See **Dwelling, Coach House**

**Commercial School** means a school operated by an individual or company on a for-profit basis, providing instruction in a specific trade, skill, vocation, service or for general learning.

**Communication Tower** means an installation which transmits and/or relays communications such as a microwave relay tower, significant antenna, cellular telephone or wireless internet tower, radio or television broadcast tower or similar facility. These towers are subject to Industry Canada approvals and are not subject to the requirements of this By-law.

**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.

**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.

**Conservation Uses** means the use of land for the purpose of planned management of natural resources, including:

- a) Forestry uses;
- b) Wildlife and Fisheries Management Uses; and,
- c) Watershed Management and Flood and Erosion Control Facilities.

**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 a corresponding meaning.

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**Contractor's Yard or Shop** means an area of land of a contractor of any building trade where equipment and material 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.

**Convenience Store** means a retail store serving the daily or occasional needs of the residents in the immediate area with a variety of goods such as, but not limited to, groceries, meats, beverages, dairy products, patent medicines, sundries, tobacco, stationery, hardware, magazines, and newspapers.

**Coop** means a fully enclosed weatherproof building where chickens or ducks are kept.

**Corporation** means the Corporation of the Township of Greater Madawaska.

**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.

**Cottage Establishment** means a tourist establishment comprising of two or more cottages owned or leased by the same person. Cabin establishment shall have a corresponding meaning.

**Craft Shop** see **Artisan Shop or Studio**.

**Custom Work Shop** means a building or structure or part thereof where the manufacturing of small quantities or articles is performed by the tradesman requiring manual or mechanical skills, but does not include machining, stamping or forging of materials.

**Dairy** means a building or part of building used for a dairy.

**Day Care (Private Dwelling)** means care provided to five children or fewer under 10 years of age, in a private residence other than the home of the parent/guardian of the child.

**Day Care Facilities** means a premises operated by a person licensed under the *Child Care & Early Years Act* to operate a child care centre for the purpose of providing temporary care to children for a continuous period not to exceed twenty-four (24) hours. Day care facilities may also include a premises for the purpose of providing temporary care to adults with special needs for a continuous period not to exceed twenty-four (24) hours.

**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.

**Deck** means a structure which has no roof or walls (except for visual partitions and railings) and which is constructed on piers or a foundation above grade, with direct access to the ground.

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**Deck, Sun** means a structure which has walls and a roof, and is enclosed with screens and/or windows but does not contain insulation, heating, or plumbing and which is constructed on piers or a foundation above grade, with direct access to the ground.

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

- a) activities that create or maintain infrastructure authorized under an environmental assessment process; or
- b) works subject to the Drainage Act.

**Drive-Through** means a building or structure or part thereof where goods and/or services are offered to the public within a parked or stationary vehicle by way of a service window or kiosk, where goods, money or materials are exchanged. Kiosks within a parking garage or associated with a surface parking area are not considered to be drive-through service facilities.

**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.

**Dry Cleaning Establishment** means a building used for the purpose of receiving articles or goods of fabric to be subjected to the process of dry cleaning, dry dyeing or cleaning elsewhere and for the pressing and/or distribution of any such articles or goods which have been subjected to any such process.

**Dwelling** means a building or part of a building containing one or more dwelling units.

**Dwelling, Apartment** means the whole of a building not otherwise defined herein, which contains more than four (4) 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.

**Dwelling, Coach House** means an Additional Residential Unit that is located on the same lot as an associated principal dwelling unit, but is contained in its own building, and shall not include a recreational vehicle, trailer, or mobile home as defined by this by-law.

**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.

**Dwelling, Garden Suite** means a one-unit, detached, residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

**Dwelling, Limited Service** means a single detached dwelling that:

- a) has no frontage on a municipally maintained street, and

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- 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.

**Dwelling, Modular** means a prefabricated single detached dwelling designed to be transported only once to a final location and constructed so as the shortest side of such dwelling is not less than six metres in width.

**Dwelling, Multiple Attached** means a building that is divided vertically into more than three (3) 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.

**Dwelling, Primary Unit** means a single detached dwelling, a townhouse dwelling unit, or a semi-detached dwelling unit but does not include, a garden suite, a boarding house, a converted dwelling, a coach house, a seasonal dwelling, an accessory dwelling unit or any other dwelling unit type as defined in this By-law.

**Dwelling, Secondary Unit** means a second, self-contained residential dwelling unit ancillary and subordinate to a primary dwelling unit, in which food preparation, eating, living, sleeping and sanitary facilities are provided for the exclusive use of the occupants thereof, and which may also be located within structures accessory to a dwelling such as a garage or other detached structure and includes a coach house as defined in this By-law but does not include a garden suite or an accessory dwelling unit as defined in the By-law.

**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.

**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.

**Dwelling, Staff Dormitory** means an accessory sleeping accommodation for employees.

**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.

**Dwelling, Two Unit (Three Unit, Four Unit)** means a building containing two dwelling units (or three dwelling units or four dwelling units respectively).

**Dwelling Unit** means a suite of habitable rooms which:

- a) is located in a building;

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- 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 one food preparation area;
- d) sanitary facilities provided for the exclusive common use of the occupants thereof; and
- e) has a private entrance directly from outside the building or from a common hallway or stairway inside the building.

**Dwelling Unit, Accessory** means a dwelling unit accessory to a permitted non-residential use.

**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.

**Eating Establishment** means a building or part of a building where food is offered for sale or sold to the public for consumption either on or off the premises and includes a restaurant, cafe, 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.

**Eating Establishment, Drive-Thru** means a building, or part thereof, designed, used or intended for the sale of food or refreshments to the general public and from which such food or refreshment is made available to the customer while in his motor vehicle or from within the building, and where provision is made for consumption of such food or refreshment by the customer while in his motor vehicle, within the building or elsewhere on the site.

**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. This includes a mobile food vehicle. No provision is made for consumption of the food on the site except for a mobile food vehicle.

**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.

**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.

**Existing** means existing as of the date of final passage of this By-law.

**Exterior Side Wall** means the primary exterior wall (facade) of a building, that is not a permitted projection or an attached garage or carport, which is located abutting the exterior side lot line.



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**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 related to an extractive industrial operation.

**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.

**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 on farm dwelling as well as barns, sheds and other accessory structures. A farm use includes a hobby farm, but does not include "Cannabis Production Facility".

**Farm Business** means any gainful occupation, trade or service that is carried on within an operating farm as a means of diversification but which is small in scale and clearly secondary to the main farm use. A farm business may include the storage of vehicles, equipment or commodities within a building or fully enclosed structure, a welding shop, a custom workshop, a general service shop, a blacksmith, a farm produce sales outlet, the processing of farm produce, an artisan shop or studio, a kennel, a riding stable, the repair of vehicles or farm equipment, a bed and breakfast establishment, or the use of similar character to the foregoing.

**Farm Help Accommodation** means residential accommodation for farm help where the accommodation is located on the same lot as a full-time operating farm.

**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.

**Farm Produce Sales Outlet** means a fruit, vegetable, flower or farm produce stand set up as an accessory use on a farm, used for the sale or produce from that same agricultural use.

**Farmer's Market** means a building or property where open spaces, stalls or sale areas that are not separated by permanent walls (but may have removable partitions), are leased, rented or otherwise provided to more than three individual vendors for the sale of local produce and food products as well as the goods of local artists and artisans to the general public.

**Financial Institution** means an institution where money is deposited, kept, lent and exchanged and shall include Trust Companies, Credit Unions, banks and other similar financial institutions.

**Flood** means a temporary rise in the water level resulting in the inundation of areas adjacent to a watercourse not ordinarily covered by water.

**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.

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**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.

**Flood Plain Concept, Two Zone** means the concept where a floodplain is divided into two components for regulatory purposes; the flood fringe and the floodway.

**Flood Plain Design Elevation** means the elevation established under this by-law below which all buildings must be floodproofed. This elevation shall be calculated based on the flood plain determined for a watershed.

**Flood Proofed** 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 opening below the flood plain elevation which are provided with automated back flow preventers; water supply system 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 opening below the regulatory flood elevation.

**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.

**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.

**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.

**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.

**Food Catering Establishment** means any premises where food is prepared for banquets, weddings, etcetera and where such food is prepared for consumption off the premises.

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**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.

**Frontage** - see “**Lot Frontage**”

**Fuel Depot** means the use of land, structures, or buildings for the purpose of distributing fuels from a fuel storage tank on the premises.

**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.

**Funeral Home** means a premises used for providing funeral supplies and services to the public and includes facilities intended for the preparation of the human body for interment.

**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. This shall also include an establishment engaged in the refinishing and restoration of antique furniture, and a showroom for the storage and display of the finished product.

**Garage, Private or Carport** 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.

**Garage, Public** means a municipal or provincial facility used for the storage and servicing of road construction and maintenance equipment and materials.

**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. Nursery shall have a corresponding meaning.

**Golf Course** means a public or private area operated for the purpose of playing golf including an accessory club house, driving range, miniature course or combination thereof.

**Gravel Pit** means any open excavation made for the removal of any unconsolidated aggregate including earth, clay, sand, and gravel 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.

**Group Home** means a single housekeeping unit in a residential dwelling in which up to nine unrelated residents, excluding staff or the receiving family, temporarily or permanently reside under responsible supervision consistent with the requirements of its residents.

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**Hauled Sewage** means untreated sanitary waste from a septic tank, privy or holding tank.

**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.

**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.

**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.

**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.

**Home Industry** means a gainful occupation, day nursery, carpentry, electrical, woodworking, window framing, welding, plumbing, machine or auto repair shop; service shop; blacksmith; 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 agricultural use.

**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, the office or consulting room of a doctor; dentist, chiropractor, drug-less practitioner, lawyer, or real estate agent, insurance agent, planner, architect, photographer, teacher, music or dance instructor or engineer, but not include a clinic, a hospital, a nursing home, a tea room, kennel or a small internal combustion engine repair shop.

**Hospital** shall mean a hospital as defined under the *Public Hospital Act*, as amended from time to time.

**Hotel** means a building or group of buildings used for the purpose of catering to the needs of the travelling public by providing short-term (generally less than one month) commercial

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accommodation, with or without meals, or with small dinettes, and includes a motel, but shall not include short term accommodation, as defined in this By-law.

**Hunting and 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 and without any source of heat.

**Institutional Use** means the use of buildings or structures for a public or non-profit purpose and without limiting the generality of the foregoing, may include such uses as schools, places of worship, indoor recreation facilities, community centre, hospitals, and government buildings.

**Kenel** means an establishment in which dogs or domesticated animals are housed, groomed, boarded, bred or trained for gain or profit.

**Landscaped Open Space** means open space comprised of lawn, flowers, ornamental shrubs, trees or other natural vegetation. This area may include space occupied by paths, courtyards and patios, but shall not include loading or parking areas, traffic aisles, driveways, ramps, or open outside storage areas.

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

**Laundromat** means a building or structure or part thereof where self-service or coin-operated laundry machines, using only water, detergents, and additives, are made available to the public for the purpose of laundry cleaning. This definition does not include dry-cleaning, dyeing or pressing.

**Livestock** means chickens, turkeys, cattle, hogs, mink, rabbits, sheep, goats or any other domestic animal used for consumption.

**Livestock Facility** means barns, buildings, or structure where livestock are housed and shall also include beef feedlots and the associated manure storage facilities.

**Lodging House** means a building in which bedrooms, common areas, dining areas, games areas and meals are available for the guests of an establishment.

**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.

**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.

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- 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.

**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 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.

**Lot, Interior** means a lot situated between adjacent lots and having access to one street.

**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.

**Lot Coverage** means the percentage of the lot area covered by buildings, including accessory buildings.

**Lot Depth** means:

- a) The shortest horizontal distance between the rear lot line and the front lot line of a lot, where such lot lines are parallel;
- b) The horizontal distance between the mid-point of the rear lot line and the mid-point of the front lot line of a lot, where such lot lines are not parallel; or,
- c) The horizontal distance between the mid-point of the front lot line and the point of intersection of the side lot lines of a lot where there is no rear lot line.

**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.

**Lot Line** means any boundary of a lot or a vertical projection thereof.

**Lot Line, Exterior** means a lot line abutting a street or street allowance or private road that is not a front lot line.

**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;

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- 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 0.3 metre reserve the lot line so abutting the 0.3 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.

**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 lots lines.

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

**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.

**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

**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.

**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.

**Marina** means a building, structure, or place, containing docking facilities and located on a waterbody, 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.

**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.

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**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.

**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.

**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 therefrom, whether it has been previously disturbed or not.

**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)(a) of the *Planning Act* as amended from time to time, or any successors thereto.

**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.

**Mobile Home Site** means a parcel of land 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.

**Mobile Home Site Line** means any boundary of a mobile home stand or the vertical projection thereof.

**Mobile Home Site Front Line** means the mobile home site line that divides the mobile home site from the interior road, provided that in the case of a corner mobile home site the shorter mobile home site line that abuts an interior road shall be deemed to be the mobile home site front line and the longer mobile home site front line that abuts an interior road shall be termed the flankage of the mobile home site.

**Mobile Home Site Rear Line** means the mobile home site line opposite the mobile home site front line.



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**Mobile Home Site Side Line** means the mobile home site line other than a mobile home site front line or mobile home site rear line.

**Mobile Home Site Frontage** means the horizontal distance between the mobile home site side lines measured along the mobile home site front line. Where the mobile home site front line is not a straight line, or where the mobile home site lines are not parallel, the mobile home site frontage shall be measured along a line six (6) metres back from and parallel to the interior road line.

**Mobile Home Site Depth** means the horizontal distance between the mobile home site front line and the mobile home site rear line.

**Mobile Home Site Yard** means a space, appurtenant to a structure located on the same mobile home site as the mobile home and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted elsewhere in this by-law.

**Mobile Home Site Front Yard Depth** means a mobile home site yard extending across the full width of a mobile home site on which a structure is situate and from the mobile home site front line to the nearest main wall of the structure or structures for which such mobile home site front yard is required.

**Mobile Home Site Rear Yard** means a mobile home site yard extending across the full width of the mobile home site, on which a structure is situate, and from the mobile home stand rear line to the nearest main wall of the structure or structures or the nearest open storage use for which such mobile home stand rear yard is required.

**Mobile Home Site Side Yard** means a mobile home site yard extending from the mobile home site front yard to the mobile home rear yard and from the mobile home stand site line to the nearest main wall of the structure or structures or open storage use for which mobile home site side yard is required.

**Motel** means a tourist establishment that consists of the following:

- a) One or more than one building containing four or more attached accommodation units accessible from the exterior only, and
- b) May or may not have facilities for serving meals.

**Motor Vehicle** means a wheeled self-propelling mode of transportation for passengers or goods and without limiting the generality of the foregoing includes automobiles, motorcycles, trucks, buses, ambulances, hearses, tractors and other self-propelled farm machinery, or as defined by the *Highway Traffic Act*, as amended.

**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.

**Navigable Waterway** means a navigable body of water or stream as deemed under the Beds of Navigable Waters Act.

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**Non-Complying** means a lot, building, or structure that does not fulfil the requirements of the Zone provisions or general provisions for the Zone within which the lot, building, or structure is located.

**Non-Conforming** means a use on a lot, or within a building or structure, that is not permitted by the Zone within which the lot, building, or structure is located.

**Noxious and Offensive Uses** means a use which, from its nature or operation creates a nuisance, or is liable to become a nuisance, offensive or dangerous by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust or objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste, or other material.

**Nursery** see **Garden Centre**.

**Nursing Home** means a nursing home as defined under the *Nursing Home Act*, as amended from time to time.

**Off-Road Vehicle** means all-terrain vehicles (ATVs), off-highway motorcycles or dirt bikes, utility terrain vehicles (UTVs or side-by-side vehicles), and snowmobiles.

**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.

**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.

**On-Farm Diversified Uses** means uses that are secondary to the primary agricultural use of the property and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.

**Open Space** means a parcel or area of land essentially unimproved, and unoccupied by a building, structure or driveway.

**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 in the side.

**Outdoor Furnace** means a solid fuel burning appliance located outside 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.

**Outhouse** means a latrine consisting of an excavation in the ground surmounted by a structure.

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**Park** means an area, consisting largely of open space, which may include a recreational area, playground, playfield or similar use, but shall not include a mobile home park or recreational vehicle park.

**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.

**Park, Private** means a park other than a public park.

**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, maneuvering areas, entrances, exits and similar areas for access to parking spaces, but shall not include any part of a street or private road.

**Parking Space** means an area for the temporary parking or storage of motor vehicles in accordance with Section 3.31 of this By-law.

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

**Person** includes an individual, an association, a chartered organization, a firm, a partnership or a corporation.

**Pet Grooming** means the grooming of a domestic animal, including bathing, cutting of hair, trimming of nails, and other services generally associated with the act of grooming but shall exclude veterinary services, breeding, boarding, and overnight accommodation.

**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.

**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.

**Place of Worship** means a building used by a religious congregation or organization and dedicated exclusively to worship and related religious, social and charitable activities and may include a hall, an auditorium, a convent, an office for religious leaders, a children's activity room, and an attached dwelling unit for a religious leader as accessory uses.

**Plaza Complex** means a group of commercial or industrial establishments which is planned, developed, managed and operated as a unit with shared on-site parking and containing three or more separated spaces for lease and/or occupancy.

**Portable Garage** means a supporting metal or wood framework with a fabric cover made of canvas, nylon, clear plastic or similar material for the storage of one or more vehicles and storage of household equipment incidental to the residential occupancy and is designed to be dismantled or removed.

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**Printing Shop** means a building or part of a building used for printing.

**Private Road** means a vehicular access 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.

**Private Club** means a building or part of a building used as a meeting place for members of a chartered organization, and shall include a lodge, a fraternity or sorority house, hostel, and a labour union hall.

**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 Municipality 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.

**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. This includes municipal offices, libraries, post offices, police stations, firehalls and the like.

**Propane Tank** shall mean a structure consisting of a tank used for the storage of propane gas.

**Provincially Significant Wetland** means an area identified as Provincially Significant by the Ministry of Natural Resources and Forestry using evaluation procedures established by the Province or evaluated by others and approved by the Ministry of Natural Resources and Forestry.

**Public and Private Utilities** means any use or facility that provides the public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection/treatment, storm water management or other similar infrastructure services.

**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.

**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 and a sports field, and motorized vehicle trails.

**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 playlot with activity equipment for children.

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**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 which has running gear and towing equipment that is permanently attached and which is not permanently affixed to the ground. A travel trailer, tent trailer, motor homes, and similar transportable accommodation, excepting a mobile home, shall have a corresponding meaning.

**Recreational Vehicle Campground or Park** 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.

**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.

**Rental Outlet** means a building or part thereof used for the rental of tools, appliances, office machines, recreation equipment, light construction equipment, party supplies or similar items, and includes facilities of the maintenance and repair of rental equipment, but does not include an equipment sales, rental and service establishment or the rental of motor or recreational vehicles.

**Required** means required by this By-law.

**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 uses as defined herein.

**Restaurant** see **Eating Establishment**.

**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.

**Riding Stable** means an establishment where horses are boarded and where, for a fee, horses are hired out for riding to the general public.

**Road, Public** - see **"Street"**.

**Road Allowance** - see **"Street Allowance"**

**Room, Habitable** means a room which is designed for:

- a) living;

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- b) sleeping;
- c) eating; or
- d) sanitary purposes.

**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 boiler room and any space used for the service and maintenance of such dwelling or for vertical travel between storeys.

**Rooming House** means a principal dwelling within the whole of a residential use building that contains at least four rooming units, and which may also contain dwelling units and an administration office accessory to the operation of the house.

**Rooming House, Converted** means the whole of a residential use building or the whole or part of any other building that was converted to a rooming house.

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

**Salvage Yard** means a lot 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, including ancillary automotive sales and service establishment and premises.

**Sawmill** means a building, structure or area where timber is cut or stored, either to finished lumber or as an intermediary step.

**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.

**Security Fence** means fencing that is required by Health Canada as part of its license requirements under the *Cannabis Act*.

**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.

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**Sensitive Land Use** means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effect(s) from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, daycare centres, and educational and health facilities.

**Separation Distance** means the horizontal distance between buildings or structures or physical features measured from the closest point on the exterior wall of such buildings or structures or such physical features.

**Septage** means untreated sanitary waste from a septic tank, privy or holding tank.

**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, and a carpet cleaning business but does not include any automotive uses as defined by this By-law.

**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.

**Sewage Disposal System, Private** means a private sanitary disposal system including a septic tank and tile bed disposal system approved by the Renfrew County and District Health Unit.

**Sewage Sludge** means the aqueous suspension of residual solids generated from the treatment of municipal or industrial wastewater.

**Shipping Container** means an enclosed metal structure designed to facilitate the transportation of goods by several different means of transportation, and shall include intermodal shipping containers, transport truck trailers, sea cans, and straight truck boxes, but does not include any vehicle or motor vehicle as defined herein.

**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.

**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.

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**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.

**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.

**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.

**Short Term Accommodation** means a dwelling unit or any part thereof that operates or offers a place of temporary residence, lodging or occupancy, by way of concession, permit, lease, license, rental agreement or similar commercial arrangement for any period less than a month, throughout all or any part of a calendar year. Short term accommodation uses shall not include a hotel, bed and breakfast establishment, lodging house, hospital, or similar residential or commercial use.

**Snow Disposal Facility** means a facility to which snow is transported for storage from other off- site locations.

**Stable, Commercial** means a building or part of a building in which horses or ponies are boarded or kept for commercial purposes, including riding and show.

**Stable, Private** means a building or part of a building in which horses or ponies are kept for private use and not for remuneration, hire or sale.

**Staff Dormitory** see **Dwelling, Staff Dormitory**.

**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.

**Street Allowance (Road Allowance)** means land held under public ownership for the purpose of providing a street.

**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 by the Municipality, including snow ploughing, on a year-round basis.



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**Street, Minimum Maintenance** means a public road that is under the jurisdiction of the Township and that is maintained to a standard acceptable for normal summer use only. "Street, Seasonal" shall have a corresponding meaning.

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

**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.

**Swimming Pool, Outdoor** shall mean a privately owned structure, erected or installed above ground or wholly or partly below ground, capable of being used for swimming, wading, diving, or bathing, and which, when filled, is capable of containing a maximum depth of 0.61 metres of water. An outdoor swimming pool shall not contribute to the calculation of lot coverage.

**Tailings and Slag Piles** means waste material or residue resulting from the reduction of metals from their ores.

**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.

**Taxi Stand** means the permanent location of the taxi business and the source of dispatch.

**Temporary Vehicle Shelter** see **Portable Garage**.

**Tiny Home** means an alternative form of housing that is self-sufficient in terms of servicing, is transportable, and includes a minimum gross floor area of 19 square metres but less than 37.2 square metres. A tiny home shall not have wheels and shall be affixed to the ground and shall not include a tent or travel trailer, recreational vehicle, or park model trailer.

**Top of Bank** means a line delineated at a point where the oblique plane of the slope meets the horizontal plane. Crest of slope shall have a corresponding meaning.

**Township** means the Corporation of the Township of Greater Madawaska.

**Tourist Establishment** means a commercial building, structure or area of land designed for the accommodation of travelling or vacationing public.

**Trailer** means any vehicle so constructed as to be suitable for attachment to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, except a mobile home or farm implement.

**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 setup mode and having a width greater than 2.6 metres in transit mode. A park model trailer is deemed

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to be a building or structure for the purposes of this By-law, as authorized by Section 34(4) of the *Planning Act*.

**Trailer (Storage)** means any vehicle so constructed as to be suitable for attachment to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, except a mobile home or farm implement.

**Trailer Park** see **Recreational Vehicle Campground**.

**Trailer, Tent or Travel** see **"Recreational Vehicle"**.

**Transfer Station** means a waste disposal site used for the purpose of transferring waste from one vehicle to another for transportation to another waste disposal site.

**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 which is a bonded warehouse.

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

**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.

**Veterinary Office/Clinic** means a facility where animal care or treatment is provided by one or more veterinarians and may include the temporary indoor housing of animals so cared for or treated.

**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 the wholesalers.

**Waste Disposal Site** means a "Waste Disposal Site" as defined by *The Environmental Protection Act*.

**Watercourse** means the natural channel for a stream of water.

**Water - 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. The high water mark includes the riparian area associated with a water feature and includes features such as beaches, wetlands, swamps, and bogs. These features may be

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above the normal water's edge but are considered to be within the normal high water mark to which the water setback is applicable.

**Water - Normal Water's Edge** means the edge where a water body has standing water and is used by surveyors to determine property boundaries.

**Water Frontage** means the straight line horizontal distance between the two most widely separated points on any one shoreline of a waterfront lot.

**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.

**Water System, Communal** means a private water distribution supply system in which water is piped to more than one dwelling or business operation.

**Watershed Management and Flood and Erosion Control Facilities** means works built specifically for the management of water and associated erosion control within a defined watershed or subwatershed.

**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.

**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.

**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.

**Wilderness Centre** means an establishment that is devoted to providing educational programs and passive recreational experiences relating to the natural environment. The provision of accommodation, in the form of wilderness camping and/or lodge houses, is integral to the experience rather than being the sole purpose of the establishment. A "Wilderness Centre" must have a remote setting, a high proportion of open space and/or natural areas, and an overall undeveloped appearance. A "Wilderness Centre" may be operated for gain or profit.

**Wildlife and Fisheries Management Uses** means the management of wildlife and fish habitats and populations for the purpose of sustaining and improving the quality and quantity of wildlife and fish.

**Wrecking Establishment** means a building and/or lot used for the wrecking or dismantling of vehicles as defined herein, and for the storage and sale of scrap material, salvage and parts obtained therefrom, but shall not include any other automotive use defined herein.

## TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW

### 2.0 DEFINITIONS

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**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. (see Illustration, Page 42)

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

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

**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 main building, structure or excavation on the lot.

**Exterior Side Yard Width** means the shortest horizontal distance between a side lot line and the nearest part of any main building, structure, or excavation on the lot.

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

**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.

**Zone** means an area delineated on a Zoning Map Schedule and established by this By-law for a specific use or group of uses.

**Zoning Administrator** means the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.

TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW  
2.0 DEFINITIONS

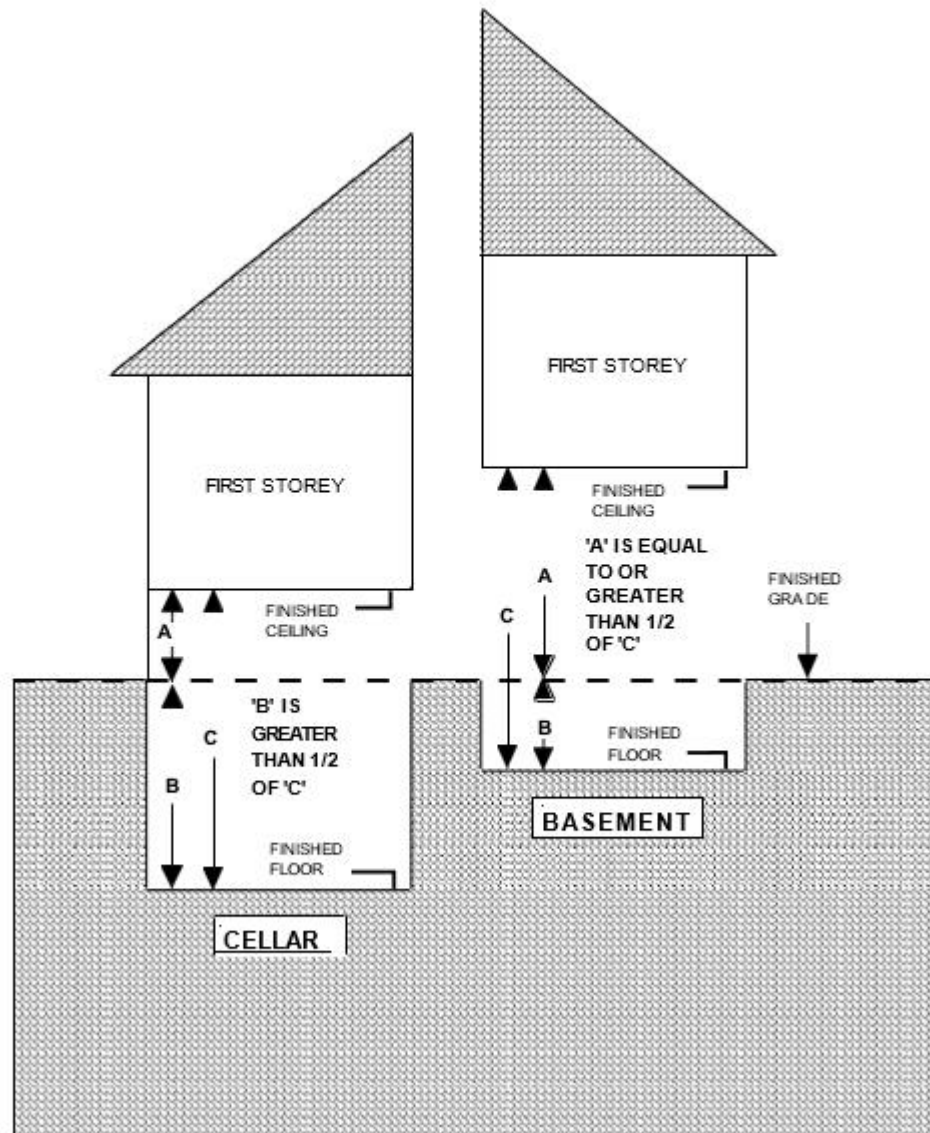


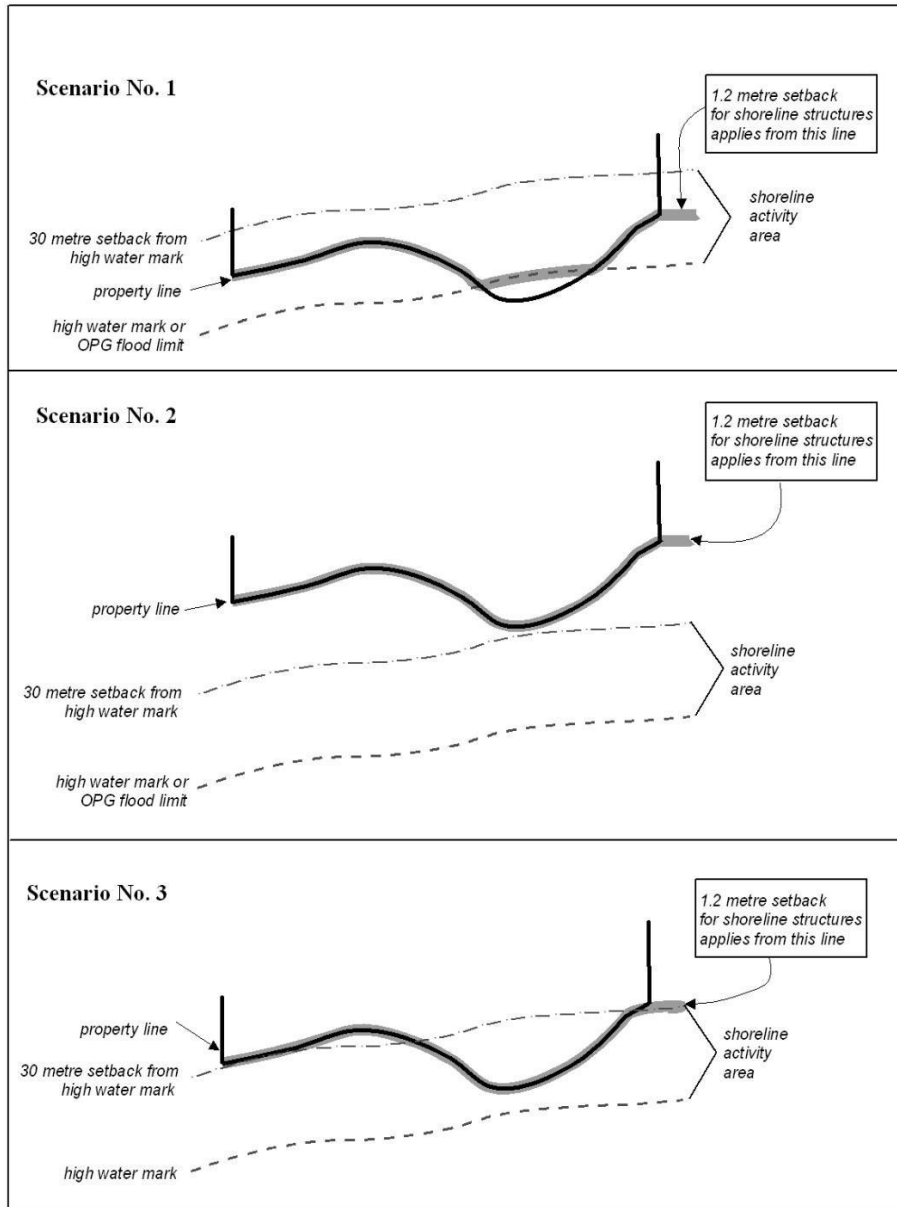
ILLUSTRATION OF CELLAR AND BASEMENT DEFINITIONS

Note: The above illustration is for clarification purposes only.

# TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW

## 2.0 DEFINITIONS

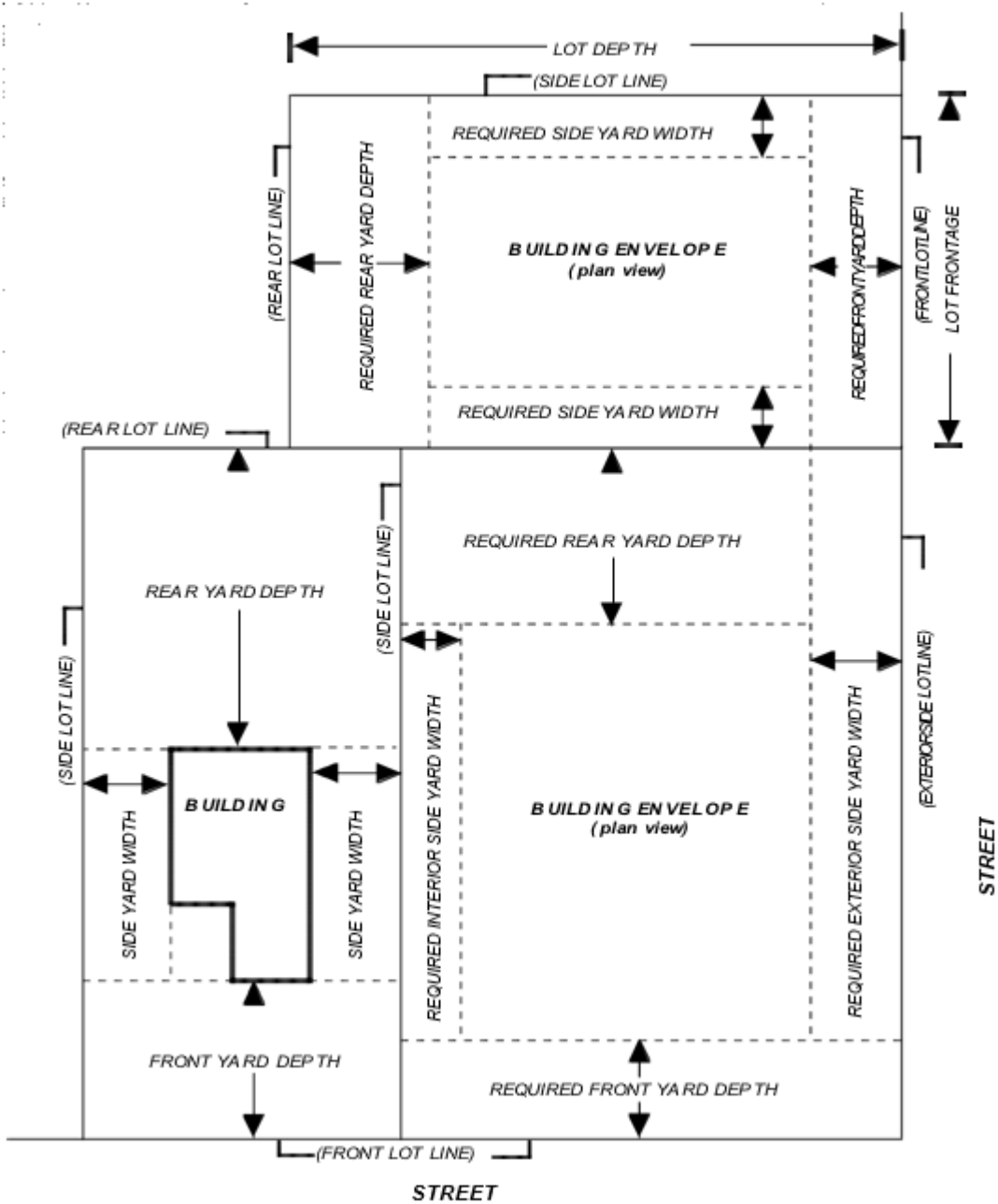
### ILLUSTRATION OF SHORELINE ACTIVITY AREA AND SETBACKS



Note: The above illustrations are for clarification purposes only.

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**2.0 DEFINITIONS**

ILLUSTRATION OF YARDS, REQUIRED YARDS AND RELATED TERMINOLOGY



Note: The above illustration is for clarification purposes only.

## GENERAL PROVISIONS

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### 3.1 APPLICATION

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

### 3.2 ACCESS

See Subsection 3.20 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 for additional residential units and where a dwelling is a permitted accessory use.

#### 3.3.3

<b>Provisions for Accessory Uses, Buildings or Structures</b>	<b>Zones</b>		
	<b>Residential or Rural</b>	<b>Commercial</b>	<b>Industrial</b>
(1) Minimum Required Setback from a Front Lot Line	Same as required for main (principal) building (see applicable Zone provisions)		
(2) Minimum Required Setback from an Exterior Side Lot Line	Same as required for main (principal) building (see applicable Zone provisions)		
(3) Minimum Required Setback from an Interior Side Lot Line	3.0 metres	3.0 metres	3.0 metres
(4) Minimum Required Setback from Rear Lot Line	1.2 metres	1.2 metres	1.2 metres



**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**3.0 GENERAL PROVISIONS**

---

(a) For a marine facility (boat docking or launching facility) where it abuts a watercourse	0 metres	0 metres	0 metres
(b) For shared garages or carports erected on a common side lot line	0 metres	0 metres	0 metres
(5) Maximum Permitted Height (see also Section 3.14 - Exceptions to Height)	5.0 metres	5.0 metres	7.5 metres

**3.3.4**

The provisions under Section 3.3.3 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.

**3.3.5**

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.

**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 Section 3.3.2 to the contrary, for waterfront lots on lakes and rivers and have an area equal or greater than 4047 m<sup>2</sup> (1 acre), one (1) sleeping cabin may be erected and used on a lot within the Rural (RU) Zone, the Rural Residential (RR) Zone, and the Limited Service Residential (LSR) Zone, where such cabin is accessory to a permitted single detached dwelling, provided that:

- a) The sleeping cabin does not exceed 18 square metres (194 square feet) gross floor area;
- b) Sleeping cabins shall not be permitted within the Shoreline Activity Area;
- c) Sleeping cabins shall not be permitted on waterbodies identified as "at capacity"; and
- d) The sleeping cabin shall not be made available for rent or lease.

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**3.0 GENERAL PROVISIONS**

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**3.3.9**

Notwithstanding any other provision of this By-law, a private outdoor swimming pool and structures to be used in conjunction with such swimming pool, may be erected and used in any Residential or Rural (RU) Zone, in the side or rear yard, provided that:

- a) No part of any such swimming pool shall be located closer than 1.5 metres to any side or rear lot line, nor closer than 3.0 metres to the portion of the rear lot line that adjoins the side yard of the adjoining lot;
- b) In the case of a corner lot, no swimming pool shall be located closer than 3.0 metres to an exterior side lot line, or 7.5 metres to a front lot line;
- c) Water circulating or treatment equipment such as pumps or filters, used in conjunction with an outdoor swimming pool, shall be located no closer than 3.0 metres to any rear or side lot line on an interior lot, and on a corner lot, no closer than 7.5 metres to any front lot line and no closer than 3.0 metres to any side lot line abutting a street. Notwithstanding the above, water circulating and treatment equipment may be located within 1.0 metre of any rear or side lot line on an interior lot provided that the accessory building containing said equipment is sufficiently insulated so as to prevent the emission of noxious sound or vibration;
- d) The perimeter of any swimming pool in a Residential zone shall be fenced in accordance with the applicable Township of Greater Madawaska Swimming Pool By-law and the Ontario Building Code Act; and
- e) No part of any such swimming pool shall be located within the Shoreline Activity Area on a lot adjacent to a waterbody.

**3.3.10**

Portable garages shall be prohibited in all zones, except the Rural (RU) zone and the portable garage will be maintained in an orderly fashion. This provision does not apply to cover all buildings (e.g., agricultural and commercial equipment buildings).

**3.3.11**

Recreational vehicles and trailers may be stored as an accessory use on the same lot as a permitted use but shall not be located on a vacant lot.

**3.3.12**

Shipping containers or sea cans may be used in the construction of a garage within the Rural (RU) Zone in accordance with Section 3.37 of this By-law, provided the construction of the garage meets Ontario Building Code requirements.

### **3.4 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:

- a) 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.
- b) 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).
- c) 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.
- d) The minimum distance between ramps shall be not less than 9.0 metres.
- e) 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.
- f) The minimum distance between any side lot line of the property at the street line and the nearest ramp shall be 3.0 metres.
- g) 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.
- h) Facilities relating to the handling and transfer of propane and natural gas, including tanks and associated compressors, pumps and other similar facilities must not be located in any required front, side corner, side, or rear yard, nor closer than 30 metres to any lot line abutting a residential zone.
- i) Despite paragraph (h) above, the minimum of 30 metres may be reduced to a minimum of 15 metres where it can be demonstrated that appropriate noise abatement measures have been undertaken to ensure that noise levels at the boundary of the residential zone do not create a nuisance for uses in that abutting residential zone.

### **3.5 BACKYARD CHICKENS / URBAN AGRICULTURE**

- a) The keeping of backyard chickens shall be permitted as an accessory use to a single detached dwelling.
- b) A maximum of 6 chickens shall be permitted on a lot with an area less than 4047 square metres.
- c) A maximum of 12 chickens shall be permitted on a lot with an area less than 2 hectares and greater than 4047 square metres.

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**3.0 GENERAL PROVISIONS**

---

- d) A coop must be located a minimum of 7.5 metres from any lot line.
- e) The keeping of roosters is prohibited.
- f) Minimum Distance Separation shall not apply to the keeping of backyard chickens and related structures.
- g) This section does not limit the number of chickens where a farm is a permitted use.
- h) Bee Keeping (apiary): In any residential zone, up to four (4) hives are permitted. Properties in the Rural (RU) Zone that are less than 2 hectares shall be limited to a maximum of ten (10) hives. There are no restrictions on the number of bee hives for properties that are greater than 2 hectares.

### **3.6 BARRIER FREE ACCESS RAMPS AND LIFTS**

Nothing in this By-law prevents the establishment of barrier-free entrances in accordance with the requirements of the Ontario Building Code. In addition, nothing prevents the location of barrier-free entrances in a private garage that is attached to a dwelling unit provided the required number of parking spaces can still be provided.

### **3.7 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.

### **3.8 CANNABIS PRODUCTION FACILITIES**

Cannabis Production Facilities are prohibited in all zones except as otherwise permitted by way of a Zoning By-law Amendment.

### **3.9 CORNER SIGHT TRIANGLES**

No obstruction to the vision of motor vehicle operators higher than 0.75 metres above grade, including but not limited to, buildings, structures or vegetation, is permitted within the triangle formed by that part of the lot lines measured along each street from the intersection of those lines at the street corner, or the projection of those lines, for the distance of 6 metres, and a line drawn between those two lines to form the base of a triangle. For the purposes of this subsection, an agricultural crop, chain link fence or other similar feature that can be seen through is not considered an obstruction.

### **3.10 CROWN LANDS AND COUNTY FORESTS**

Notwithstanding any part of this By-law to the contrary, including the Schedules, Crown Lands and County Forests are not subject to the provisions of this By-law.

### **3.11 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 a secondary dwelling unit is a permitted use, no more than one accessory dwelling unit shall be permitted on any lot.

#### **3.11.1 Secondary Dwelling Units**

Notwithstanding any other provision of this By-law to the contrary, a Secondary Dwelling Unit shall be permitted in all zones that permit a single detached dwelling, semi-detached dwelling or a townhouse dwelling unless specifically prohibited elsewhere in this By-law, in accordance with the following provisions:

- a) The minimum lot area shall be 8,000 square metres (0.8 ha) on lot with private services (well and/or septic). For properties with a lot area of 2 ha or less, the secondary dwelling unit is required to share the same water and/or septic services as the primary dwelling. For lots that are greater than 0.4 ha but less than
- b) 0.8 ha, Please see County of Renfrew Official Plan policy 2.2 (24)(3) - a secondary dwelling may be considered through the submission and approval of a minor variance application including a supporting study addressing the matters outlined in the Official Plan policy.
- c) The lot shall have frontage and direct access to an Improved Street or provided such lot fronts along a private road, which the subject lot is legally entitled to its use for access;
- d) A minimum of one (1) additional parking space is required for the Secondary Dwelling Unit;
- e) A Secondary Dwelling Unit shall not be located on lands within a flood plain;
- f) The minimum front yard, rear yard, and side yards applicable to a Single Detached Dwelling in the Zone for which the lands are located shall apply to a Coach House or other detached Secondary Dwelling Unit;
- g) A minimum dwelling unit area shall not apply to a Secondary Dwelling Unit;
- h) A maximum of one Secondary Dwelling Unit shall be permitted per lot;
- i) A Secondary Dwelling Unit shall not be permitted on a lot containing a Garden Suite, Boarding House, or an Accessory Dwelling Unit;
- j) Applications for Minor Variances or amendments to the Zoning By-law for lot coverage, height or setbacks shall not be permitted for any Secondary Dwelling Units;

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**3.0 GENERAL PROVISIONS**

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- k) Where a Secondary Dwelling Unit is located above a detached private garage, the maximum height of the building shall be 7.5 metres;
- l) All requirements of the Building Code and Fire Code shall apply to Secondary Dwelling Units;
- m) A Secondary Dwelling Unit must have direct pedestrian access from a public street or laneway. A direct pedestrian access may be by an unobstructed walkway that is built in accordance with the requirements of the Accessibility for Ontarians with Disabilities Act.
- n) A Secondary Dwelling Unit (detached) shall not be severed from the lot containing the primary dwelling unit;
- o) A Secondary Dwelling Unit (detached) shall be placed upon a permanent footing/foundation; and,
- p) Tenants of a Secondary Dwelling Unit must not be required to access the unit through the primary dwelling unit.
- q) Secondary Dwelling Units on Waterfront Lots:
  - i) Secondary dwellings shall not be permitted on lots within 300 metres of a lake identified as "at capacity";
  - ii) For lots with water frontage on a waterbody that is not identified as "at capacity", secondary dwellings shall not be permitted. See County of Renfrew Official Plan policy 2.2(24)(7) - A secondary dwelling may be considered through the submission and approval of a minor variance application. The proponent of the application is required to submit a study addressing matters outlined in the Official Plan policy.

**3.12 EATING ESTABLISHMENT, DRIVE-THRU**

Where a use in any zone includes a drive-thru facility, off-street motor vehicle queuing space shall be provided in accordance with the following provisions:

- a) the number of required queuing spaces shall be as follows:

Use	Number of Required Queuing Spaces
Financial institution or ATM machine	4 before or at each window/machine
Restaurant (no order board)	4 before or at first window
Restaurant (with order board)	5 before or at order board and 4 between the order board and the first window

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**3.0 GENERAL PROVISIONS**

All other drive-thru uses	4 before or at each window
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- b) a queuing space required hereby shall have minimum rectangular dimensions of 2.7 metres (8.9 ft) by 5.5 metres (18 ft);
- c) no queuing space, ordering boards or drive-thru windows may be located within 10 metres (32.8 ft) of a lot line that abuts a residential use or residential zone; and
- d) where queuing space, ordering boards or drive-thru windows are located in a yard that abuts a residential use or residential zone, the said queuing space, ordering boards or drive-thru windows shall be screened from view from the residential use or residential zone by a solid fence or planting strip with a minimum height of 2 metres (6.5 ft).

### 3.13 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:

	<b>Structure</b>	<b>Yards in which encroachment is permitted</b>	<b>Maximum projection permitted into minimum required yard</b>
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, enclosed porches, sundecks, attached solariums	Front and rear only	2.0 metres
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

### **3.14 EXCEPTIONS TO HEIGHT LIMITATIONS**

The height limitations of this By-law shall not apply to:

- Place of worship spires;
- Place of worship belfries;
- Chimneys;
- Clock towners;
- Transmission and telecommunication towers;
- Water storage tanks;
- Monuments;
- Flag poles;
- Agricultural buildings and structures, including silos and grain elevators;
- Storage tanks and silos associated with an industrial use;
- Any ornamental roof construction features including but not limited to domes, chimneys, towers and steeples;
- Any mechanical features, such as structures containing a mechanical penthouse or the equipment necessary to control an elevator;
- Aggregate processing facilities; and,
- Buildings and structures associated with a public works yard operated by a public authority.

### **3.15 FLOOD PLAIN**

There are numerous areas within the Township that are within a flood plain. Where Flood Damage Reduction Program (FDRP) mapping is available, a two-zone approach is applicable, and development may be permitted within the Flood Fringe subject to the policies of the County of Renfrew Official Plan. Where no FDRP mapping is available, a one zone approach is applied where development is prohibited in the flood plain.

A 15 metre (minimum) building setback to a flood plain (or 30 metres to a high-water mark, whichever is greater) shall be required to any permitted building or structure (except boat docking or launching facilities or works required for flood or erosion control measures).

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 storm floodplain.



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**3.0 GENERAL PROVISIONS**

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**3.15.1 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.

**3.16 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.

**3.17 HOME INDUSTRY**

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

- a) No more than two persons, other than a person(s) residing on the premises, shall be employed in the home industry;
- b) Such home industry shall not be a hazardous or obnoxious trade, and shall not create or become a public nuisance;
- c) 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;
- d) The parking requirements of this By-law shall apply to any home industry use;
- e) 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:
  - i) Incidental to the home industry; or
  - ii) Arts and crafts produced on the premises; or
  - iii) Farm produce resulting from the main use.
- f) Not more than ten percent (10%) of the gross floor area of the dwelling unit shall be dedicated to the home industry;
- g) Outdoor storage associated with a home industry shall not be permitted.

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### **3.18 HOME OCCUPATIONS**

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

- a) 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.
- b) There shall be no external display or advertising other than a non-illuminated sign not more than 0.3 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.
- c) Not more than 25% of the dwelling unit area shall be used for the purpose of home occupation uses.
- d) 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.
- e) There shall be no storage of equipment, vehicles, or supplies associated with the home occupation outside the dwelling.
- f) The use shall not require additional off-street parking spaces for clients or customers of the home occupation.
- g) The use shall not generate additional pedestrian or vehicular traffic beyond that normal to the neighbourhood in which it is located.
- h) 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.
- i) Where instruction is carried on, no more than six pupils are in attendance at any one time.
- j) Where a dwelling is located on a private road, a home occupation shall only be permitted provided that no public vehicular traffic is generated.
- k) Shall not include the following uses:
  - i) Adult entertainment uses;
  - ii) Any use requiring ventilation, other than ventilation typically found in any residence;
  - iii) Any use involving the treatment, care and/or grooming of any animal, including a kennel or day-kennel;
  - iv) Any use involving the storage, repair, maintenance, painting and/or towing of motor vehicles or recreational vehicles;

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**3.0 GENERAL PROVISIONS**

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- v) Industrial uses;
- vi) Places of amusement;
- vii) Restaurants;
- viii) Retail stores and,
- ix) Taxi and limousine service depot/dispatch establishments.

### **3.19 HUNTING AND FISHING CAMPS**

A hunting and fishing camp may be established within the RU Zone, subject to the following provisions:

- a) The gross floor area of the hunting or fishing camp structure shall not exceed 100 square metres.
- b) The minimum lot area shall be 10 hectares (25 acres)

### **3.20 LOTS ON FRONT STREETS**

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.

#### **3.20.1 Exceptions**

- a) Limited Service Residential

Notwithstanding the provisions of paragraph (i) 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 3.20.2(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) Water Access

Where a limited service dwelling is erected or used on an existing lot of record in a Limited Service Zone, and is accessible only by water, provided such lot fronts on a waterbody with a public access point (e.g., public boat launch), the subject lot and use are legally entitled to use for access.

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**3.0 GENERAL PROVISIONS**

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c) Hunting and Fishing Camp

A hunting and fishing camp shall not be required to meet the provisions of paragraph 3.20.

d) Resource Land Uses

Notwithstanding the provisions of Section 3.20 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.

e) 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.

Section 3.20 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.

### **3.21 MINIMUM DISTANCE SEPARATION**

All development shall comply with the Minimum Distance Separation Formulae contained in the publication "Minimum Distance Separation (MDS) Formulae, Implementation Guidelines", as amended from time to time.

No sensitive land use shall be erected within the minimum distance from a livestock facility required by the Minimum Distance Separation I (MDS I).

Notwithstanding any other yard or setback provision of this By-law to the contrary, no livestock facility shall be erected or expanded unless it complies with the guidelines of the "Minimum Distance Separation II (MDS II) or its calculations.

### **3.22 MOBILE HOMES**

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

### **3.23 NON-CONFORMING USES**

- a) A non-conforming use means that the lot and/or the buildings and structures on the lot are being used for a use that is not permitted by this By-law. Nothing in this By-law shall:

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**3.0 GENERAL PROVISIONS**

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- i) Make legal any use of any land, building or structure which was illegal under any previous Zoning By-law applicable within the Township of Greater Madawaska, and which continues to be illegal under the provisions of this By-law;
  - ii) Prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building or structure was legally used for such purpose on the day of the passing of this By-law, so long as it continues to be used for that purpose;
  - iii) Prevent such a building a non-conforming building or structure that has been damaged by fire, flood, wind or earthquake from being restored and strengthened to a safe condition and all efforts are made with such reconstruction to improve the non-conforming nature of the building or structure;
  - iv) Prevent the re-establishment of a non-conforming use provided that the non-conforming use has been discontinued due to restoration, renovation purposes, or as a result of change in ownership and/or tenancy;
  - v) Prevent the erection or use for a purpose prohibited by the By-law of any building or structure for which a permit had been issued under the Building Code Act, 1992, S.O. c. 23, as amended, prior to the date of passing of this By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked in accordance with the Building Code Act, as amended.
  - vi) Prevent the height of a non-conforming building or structure from being increased, for the sole purposes of floodproofing.
  - vii) 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 including the setbacks and lot coverage of the respective zone.
- b) When considering enlargements or extensions, construction standards and techniques that will minimize the degradation of ground or surface water quality, shall be required, as appropriate.
  - c) A non-conforming use of a lot, building or structure shall not be changed except to a use which is permissible within such zone, or such other compatible uses as may be approved under Section 45 of the Planning Act.
  - d) A non-conforming use shall be considered to be terminated once the use ceases and the property is used for a permitted use.

### **3.24 NON-COMPLYING USES**

All buildings or structures erected in any Zone prior to the date of passing of this By-law that no longer comply with the provisions of the Zone within which it is located shall be deemed to be legal non-complying to the provisions of the applicable Zone in which it is located, provided that said

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building or structure was constructed legally in accordance with the applicable requirements in force and effect at the time of construction. Nothing in this By-law shall:

- a) Prevent the reconstruction, repair or restoration of any existing, noncomplying building or structure, or part thereof, to a safe condition provided that such repair or restoration does not increase the height, area or density of such building or structure and that the building or structure continues to be used for the same purpose and in the same manner as it was used on the date of passing of this By-law; and,
- b) Prevent an extension or an addition to a building or structure which is non-complying to this By-law provided that such extension or addition does not contravene any provision of this By-law or cause further increase in the non-compliance.
- c) Additions and Accessory Uses Permitted

Nothing in this By-law shall prevent an accessory use, an extension, or an addition being made to a building or structure which is used for a purpose specifically permitted within the zone in which the use or building or structure is located.

### **3.25 NON-COMPLYING LOTS**

#### **3.25.1 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;
- 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.

#### **3.25.2 Existing Buildings with Inadequate 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:

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- 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.

**3.25.3 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.

**3.25.4 Lots with Less Lot Area and/or Lot Frontage than Required**

Where a conveyable lot existing on the date of passing of this By-law had less than the minimum lot area and/or lot frontage than that required by this By-law, or where a lot was or is created as a result of an expropriation, or conveyance to the municipality or other applicable road authority, such lot may be used and a building or structure may be altered, erected or used on such lot provided that:

- a) the use, building or structure is permitted in the Zone and all other requirements of this By-law are met;
- b) the water supply and sewage disposal systems meet provincial requirements, and written approvals are obtained from the applicable permit granting authority; and,
- c) 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.

**3.26 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.

**3.27 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.

## **3.28 OCCUPANCY OF VEHICLES**

### **3.28.1 Prohibited Forms of Dwelling Units**

No truck, bus, coach, street car body, or railway car, or other motor vehicle whether or not the same is mounted on wheels or other form of mounting or foundation, nor temporary structures such as tents, recreational vehicles, shipping containers and school portables, shall be used as a dwelling unit except for a mobile home or trailer where specifically permitted by this By-law.

Notwithstanding the above, this provision shall not apply in those situations where such temporary structures, or part thereof, are used as part of the construction of a dwelling unit under the Ontario Building Code.

## **3.29 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:

- a) Open storage shall be accessory to a permitted or existing non-residential use on the same lot.
- b) 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.
- c) 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.
- d) A strip of landscaped open space with a minimum width of 3 metres shall be maintained around all open storage areas.
- e) 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.
- f) No parking spaces or loading spaces required by this By-law shall be used for open storage purposes.

## **3.30 OUTDOOR FURNACES**

Outdoor Furnaces are permitted only in the Agriculture Commercial (AC), General Industrial (GM), Mining Industrial (MM), Extractive Industrial (EM), Extractive Industrial Reserve (EMR), Disposal Industrial (DM), Agriculture (A), Rural (RU), and Community Facility (CF) Zones and shall meet the following requirements:



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- g) be located a minimum of 50 metres from any lot line;
- h) be located a minimum of 100 metres from an existing dwelling on a separate lot;
- i) be located the minimum distance from any building on the property in accordance with the manufacturer’s specifications; and
- j) No more than one outdoor furnace shall be permitted on a lot, except where it serves a permitted accessory dwelling or an agriculture building on lands used primarily for agricultural purposes.

**3.31 PARKING AND LOADING SPACE REQUIREMENTS**

**3.31.1 Parking Space Requirements**

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:

Type of Use	Minimum Parking Required
Dwelling, Single Detached, Semi Detached and Duplex	1 parking spaces per dwelling unit
Triplex, Rowhouse and Apartment	1.5 parking spaces per dwelling unit
Group Home, Emergency Care Facility	1 parking space per each 3 persons licensed or approved capacity
Boarding House	1 parking space plus 1 parking space per every 3 beds
Bank or Trust Company	5.9 spaces per 100 square metres gross leasable area
Bed and Breakfast	2 parking spaces per dwelling unit and 1 parking space for each room rented
Tavern, Public House	1 parking space per 4 persons design capacity
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
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

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Hospital, Long-Term Care Facility, Residential Care Home, Respite Care Facility, Community House	1 parking space per each 2 beds
Hotel	1 space per guest room plus 10 spaces per 100 square metres of public use area
Industrial Establishment	1 parking space per each one 100 square metres of gross floor area
Clinic	6 spaces per practitioner for the first 5 practitioners, 4 spaces per each practitioner after 5
Office (Business/Professional)	3.5 spaces per 100 square metres of gross leasable area
Eating Establishment, Drive- In/Fast Food	29.0 spaces per 100 square metres of gross leasable floor area
Eating Establishment, Take Out	7.0 spaces per 100 square metres of gross leasable area
Retail, General including Convenience Store and Personal Service Shop	5.4 spaces per 100 sq. metres of gross leasable area
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
Shopping Centre	5.4 spaces per 100 sq. m of gross leasable area
Shopping Plaza	4.9 spaces per 100 square metres of gross leasable area
Other Non-Residential Uses	1 parking space per 30 square metres of gross floor area

a) 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.

b) Location of Parking Areas

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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.

c) 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:

<b>Zones</b>	<b>Required Yards in which Required Parking Area Permitted</b>
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.
General Industrial Zone	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 street line 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.
Disposal Industrial, Extractive Industrial Zones	No yards except for the driveway portion of a parking area.
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.

d) 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.

e) Access to Parking Spaces and Parking Areas

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- 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.
- f) **Dimensions of Parking Spaces**  
Every required parking space shall have minimum rectangular dimensions of 2.7 metres by 5.5 metres.

**3.31.2 Accessible Parking Spaces**

Accessible parking spaces for the exclusive use of persons with disabilities shall be provided in accordance with the following requirements:

**3.31.2.1 Types of Accessible Parking Spaces**

- a) Type A, a wider parking space which has a minimum width of 3.4 m and signage that identifies the space as “van accessible”.
- b) Type B, a standard parking space which has a minimum width of 2.7 m.

**3.31.2.2 Access Aisles**

Access aisles, the space between parking spaces that allows persons with disabilities to get in and out of their vehicles, must be provided for all parking spaces for the use of persons with disabilities in off-street parking facilities.

Access aisles may be shared by two parking spaces for the use of persons with disabilities in an off-street parking facility and must have a minimum width of 1.5 m with a minimum length of 6 m and must be marked with high tonal contrast diagonal lines where the surface is asphalt, concrete or some other hard surface.

**3.31.2.3 Number of Accessible Parking Spaces Required**

Accessible parking spaces shall be provided in accordance with the following table:

<b>Total Parking Requirement</b>	<b>Number of Accessible Parking Spaces Required</b>
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Total parking requirement: 12 spaces or less	One Type A parking space
Total parking requirement: 13-100 spaces	Four percent of the total number of parking spaces. The distribution of Type A and Type B parking spaces shall be in accordance with Section 3.30.2.
Total parking requirement: 101-200 spaces	Three percent of the total number of parking spaces plus one additional space. The distribution of Type A and Type B parking spaces shall be in accordance with Section 3.30.2.
Total parking requirement: 201-1000 spaces	Two percent of the total number of parking spaces plus one additional space. The distribution of Type A and Type B parking spaces shall be in accordance with Section 3.30.2.
Total parking requirement: Greater than 1000 spaces	One percent of the total number of parking spaces plus one additional space. The distribution of Type A and Type B parking spaces shall be in accordance with Section 3.30.2.

**3.31.2.4 Distribution of Type A and Type B Accessible Parking Spaces**

Where an even number of accessible parking spaces are required an equal number of Type A and Type B spaces must be provided.

Where an odd number of accessible parking spaces are required the number of parking spaces required will be divided equally between Type A and Type B spaces but the additional parking space, the odd numbered space, may be a Type B parking space.

**3.31.2.5 Multiple Off-Street Parking Facilities Provided**

Where more than one off-street parking facility is provided at a site, the number and type of parking spaces for the use of persons with disabilities shall be calculated according to the number and type of parking spaces required for each off-street parking facility.

The location of accessible parking spaces where there is more than one off-street parking facility at a site the required accessible parking spaces may be distributed among the off-street parking facilities in a manner that provides substantially equivalent or greater accessibility regarding distance from an accessible entrance or user convenience.

**3.31.3 Loading Requirements**

- a) Uses Where Applicable:

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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.

### **3.32 PUBLIC USES OF LAND**

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.

### **3.33 SEPARATION DISTANCES FROM SENSITIVE LAND USES**

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- a) No sensitive land use shall be erected within 60 metres of any Industrial Zone or Industrial Holding Zone.
- b) Industrial Land Uses
  - i) The minimum separation distance between a sensitive land use and industrial uses shall be the following:
    - 1) Class I Industrial Facility      20 m
    - 2) Class II Industrial Facility      70 m
    - 3) Class II Industrial Facility      300 m
  - ii) Notwithstanding the above to the contrary, the minimum setbacks from the industrial use may be reduced where mitigation at the industrial source is possible. Such a reduction shall require an amendment to this By-law.
- c) Gravel Pits, Quarries and Associated Extractive and Manufacturing Plants and Facilities
  - i) The minimum setback distance between a sensitive land use and the licensed boundary of an existing sand and gravel pit operating above the water table shall be 150 metres.
  - ii) The minimum setback distance between a sensitive land use and the licensed boundary of an existing sand and gravel pit operating below the water table shall be 300 metres.
  - iii) The minimum setback distance between a sensitive land use and the licensed boundary of a quarry shall be 500 metres.
  - iv) The minimum setback distance between a sensitive land use and a hauled sewage disposal site shall be 200 metres, unless it is the owner's dwelling, in which case the required separation distance shall be 60 metres.
  - v) No land identified as a buffer strip in a licence or permit under the Aggregate Resources Act shall be used for any other purpose.
  - vi) No concrete or asphalt manufacturing plant or extractive industrial facility shall be located within 50 metres of any high water mark.
  - vii) No asphalt manufacturing plant shall be located within 300 metres of a sensitive land use. 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.
  - viii) No gravel pit shall be located within 300 metres of an existing dwelling.
  - ix) No quarry shall be located within 300 metres of an existing dwelling.

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- x) 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.

d) Animal Hospital, Kennel

The minimum setback distance between a sensitive land use and an animal hospital or kennel shall be 100 metres 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 Ministry of the Environment, Conservation and Parks, 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

The minimum setback distance between a sensitive land use and a waste disposal site shall be 500 metres.

g) Cannabis Production Facility - See Section 3.8

### **3.34 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 prior approval of the Ministry of Transportation.

As per the Public Transportation and Highway Improvement Act, the Ministry of Transportation controls any developments within 45 metres of any limits of Kings Highway and 180 metres of



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the centre point of an intersection and any access to the highway will be subject to MTO approval.

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.

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

- i) 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.
- ii) Accessory boat docking or launching facilities shall not be required to meet the water setback however, accessory boathouses shall be prohibited within the water setback.
- iii) For an existing lot of record situated between two existing dwellings separated by not more than 100 metres, the minimum water setback may be reduced to the building line established by the two existing dwellings (measured to the wall of the primary building not including decks/or sundecks), provided that it shall not be less than 20 metres from the high water mark.
- iv) Legal non-complying buildings and structures encroaching into the 30 metre water setback may be expanded or enlarged, and may be relocated to improve the water setback, 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.

### **3.35 SHORELINE ACTIVITY AREA (see Illustration, Page 41)**

***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

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*vegetation should be limited to what is required to accommodate the shoreline structure. Replacement/establishment of natural vegetation within 30 metres of the high water mark is recommended.*

Notwithstanding Section 3.34(e), a shoreline structure shall be permitted within the Shoreline Activity Area in accordance with the following provisions:

- a) No shoreline structure shall be constructed on a lot identified as having water frontage on a waterbody considered "at capacity";
- b) No shoreline structure shall be used for commercial purposes or home based occupation;
- c) No shoreline structure shall be used for habitation or contain a habitable room;
- d) The construction of shoreline structures shall not destroy fish habitat nor permanently alter the shoreline below the high water mark;
- e) 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;
- f) A Shoreline Storage Shed shall not exceed 10 square metres in area;
- g) No more than one (1) Shoreline Storage Shed shall be permitted per lot;
- h) The total area of all Shoreline Structures shall not exceed 35 square metres;
- i) A site sketch must be submitted prior to the construction of any shoreline structure regardless of size that illustrates:
  - i) Dimensions of the subject property;
  - ii) Existing shoreline;
  - iii) High water mark;
  - iv) Boundary of any lands owned or restricted by Ontario Power Generation;
  - v) Location and dimensions of all existing and proposed shoreline structures;
  - vi) Natural shoreline vegetation on site;
- j) Setbacks and Height
  - i) Side yard setback 3 metres (minimum)
  - ii) Setback from the water body shall be the greater of:
    - a. High water mark 1.2 metre (minimum)

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- b. OPG flood limit 1.2 metre (minimum)
  - c. Property line abutting high 1.2 metre water mark (minimum)
- iii) Height 4 metres (maximum)

### **3.36 SEWAGE DISPOSAL APPROVAL**

Where the issuance of a permit for a building or structure or change of use of an existing building or structure may affect any sewage system either on the subject lands or adjacent lands or any water supply, no building permit shall be issued for such building or structure unless the building permit application is accompanied by an approved permit for the proposed method of sewage disposal in accordance with the Building Code for systems with a design capacity of less than 10,000 litres of effluent per day, or from the Ministry of the Environment for systems with a design capacity of greater than 10,000 litres of effluent per day.

### **3.37 SHIPPING CONTAINERS**

A shipping container may be used as an accessory building in all zones provided:

- a) A shipping container shall not be located within 20 metres of a front lot line;
- b) Where a shipping container cannot be located 20 metres from a front lot line, the shipping container must be located in a rear yard and be a minimum of 3.0 metres to any side or rear lot line;
- c) Shipping containers shall be visually screened from any street or from any adjacent lot where such adjacent lot is in a zone other than a Commercial or Industrial Zone; and
- d) Visual screening may include vegetative material, a berm, fencing, or other opaque barrier, and shall be a minimum height of 2.0 metres;
- e) The shipping container shall not be used for the display of advertising;
- f) In all cases, a shipping container shall require a building permit; and
- g) notwithstanding the above, a shipping container may be used as a Temporary Construction Use in accordance with the provisions of this By-law.

### **3.38 SHORT TERM ACCOMMODATION**

Short Term Accommodation, as defined herein, shall be permitted within the Municipality subject to the following provisions:

- a) Short term accommodation uses are only permitted within the R1, RR, LSR, and RU Zones only.

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- b) One (1) enclosed waste/recycling depot consisting of a self-enclosed building, structure or container, located outside of the short term accommodation, of sufficient size that it will store the garbage and waste generated by the premises until such garbage and waste is disposed of.
- c) 1 parking space for each room rented.
- d) Short term accommodation within the entire municipality may be subject to a licensing system under the Municipal Act.

### **3.39 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.

### **3.40 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:

The storage facility shall be constructed of materials that are durable and stable and that do not afford passage of the contents;

The storage facility shall have,

- a) walls that extend 2.0 metres or more above the surrounding grade level, or
- b) 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
- c) be an inground facility that is situated below and totally enclosed by a livestock barn;

Notwithstanding, a lagoon may be used for the storage of liquid manure, hauled sewage or sewage sludge provided that,

- a) it is approved under all appropriate provincial legislation and regulations; and
- b) it is designed, constructed and maintained in accordance with all governing By- laws of the Township.

### **3.41 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 3.11 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.

Nothing in this By-law shall prevent the use of land for a temporary sales office or a model home.

The temporary sales office or a model home must be located on lands that are subject to a draft approved plan of subdivision, plan of condominium or an approved site plan control agreement under the Planning Act. Up to two (2) model homes may be erected on lands that are subject to draft approved plan of subdivision.

### **3.42 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.

### **3.43 USES OF LOTS WITHOUT BUILDINGS**

Unless expressly permitted by this by-law, no permitted use in any zone is permitted unless a main building is erected on the same lot.

## ZONE CLASSIFICATIONS

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### 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>
<b>Residential Zones</b>	
Residential One	R1
Rural Residential	RR
Limited Service Residential	LSR
<b>Commercial Zones</b>	
Hamlet Commercial	HAC
Highway Commercial	HC
Tourism Commercial	TC
Mobile Home Park	MHP
<b>Industrial Zones</b>	
General Industrial	GM
Disposal Industrial	DM
Extractive Industrial	EM
Extractive Industrial Reserve	EMR
Mining Industrial	MM
Mining Industrial Reserve	MMR
Light Industrial	LM
<b>Additional Zones</b>	
Rural	RU
Community Facility	CF
Environmental Protection	EP
Natural Heritage Feature	NHF
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, 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 for removal.

# **RESIDENTIAL ONE (R1) ZONE**

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## **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      4047 sq. metres
  - duplex dwelling      3065 sq. metres
  - semi-detached dwelling      3065 sq. metres
  - semi-detached dwelling      1532 sq. metres (each unit on a separate lot)
  
- b) Lot Frontage (minimum)
  - single detached dwelling/group home      30 metres
  - duplex dwelling      30 metres
  - semi-detached dwelling      40 metres
  - semi-detached dwelling      20 metres (each unit on a separate lot)



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- c) Front Yard Depth (minimum) 7.5 metres
- 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 Requires Interior or Exterior Side Yard on a separate lot) on One Side Only.
- f) Rear Yard Depth (minimum) 7.5 metres
- g) Lot Coverage (maximum) 35%
- 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:  
In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.
- k) Separation Distance:  
In accordance with the provisions for Separation Distance 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) 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**

#### **5.3.1 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.

#### **5.3.2 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) Lot Area (minimum) 1000 sq.metres
- v) Front Yard Depth (minimum) 0.1 metres
- vi) Parking (minimum) 1.5 spaces per dwelling unit

#### **5.3.3 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.

#### **5.3.4 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.

#### **5.3.5 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

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Schedule D (Inset #4) to this By-law, the minimum lot area for a single detached dwelling/group home shall be 1390 square metres.

**5.3.6 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.

**5.3.7 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.

**5.3.8 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:

i) Permitted Uses

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

ii) Zone Provisions

- a) Lot Frontage (minimum)                      18 metres
- b) On-Site Parking spaces (minimum)        16 spaces
- c) Water Setback (minimum)                  16 metres
- d) Side Yard setback from the adjacent Tourist Commercial Zone (TC) shall be    6 metres
- e) Side Yard setback from the adjacent Residential One Zone (R1) shall be        9 metres

iii) 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.

**5.3.9 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

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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.

**5.3.10 Residential One - Exception Eleven (R1-E11)**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the R1- E11 Zone, and being Lot 7 on Registered Plan 505, a Private Garage shall be a permitted use and the minimum lot area for a single detached dwelling/group home shall be 1390 square metres.\*

**5.3.11 Residential One - Exception Twelve (R1-E12)**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the R1- E12 Zone, located in part of Lot 18, Concession 10, in the geographic Township of Bagot, the following shall apply:

- i) Interior Side Yard Width (minimum) for an existing private garage 1.5 metres.

**5.3.12 Residential One - Exception Thirteen (R1-E13)**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the Residential One-Exception Thirteen (R1-E13) Zone, located in Part of Lot 19, Concession 2, in the geographic Township of Blythfield, now in the Township of Greater Madawaska, the following provisions shall apply:

i) Permitted Uses

- Row house dwelling
- Stacked row house dwelling

ii) Zone Provisions

- |                                 |                 |
|---------------------------------|-----------------|
| a) Lot Area (minimum)           | 0 square metres |
| b) Lot Frontage (minimum)       | 0 metres        |
| c) Front Yard Depth (minimum)   | 0 metres        |
| d) Interior Side Yard (minimum) | 0 metres        |

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- e) Rear Yard Depth (minimum) 0 metres
- f) Dwelling Unit Area (minimum) 0 square metres
- g) Lot Coverage (maximum) 100%
- h) Building Height (maximum) 15 metres
- i) Parking Spaces (minimum) 0
- j) Road frontage on an open maintained public road not required
- k) All buildings and structures shall be shown on a site plan approved by the Township of Greater Madawaska
- l) Water and waste water services shall be provided by private communal systems.

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

### **5.4.1 Residential One-Exception Ten-holding (R1-E10-h)**

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.

## RURAL RESIDENTIAL (RR) ZONE

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### 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):
    - a) single detached dwelling, group home, duplex dwelling, semi-detached dwelling  
4,047 sq. metres
    - b) semi-detached dwelling (each unit on a separate lot)  
2,000 sq. metres
  - b) Lot Frontage (minimum)
    - c) single detached dwelling, group home, duplex dwelling, semi-detached dwelling  
45 metres
    - d) 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
-

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- f) Interior Side Yard Width (minimum)
- single detached dwelling/group home 3 metres
  - duplex dwelling 3 metres
  - semi-detached dwelling 3 metres
- g) Semi-detached dwelling (each unit on a separate lot):  
Requires Interior or Exterior Side Yard on One Side Only
- h) Rear Yard Depth (minimum) 7.5 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**

### **6.3.1 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:

- i) Main building:
  - Rear Yard Depth (minimum) (from lot line measuring 71.85 feet) 12.5m
  - Side Yard Depth (minimum) (from lot line measuring 145.70 feet) 3.6 m
- ii) Accessory building:
  - Side Yard Depth (minimum) (from lot line measuring 239.79 feet) 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.

### **6.3.2 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:

- i) 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;
- ii) no septic system shall be closer than 40 metres from the high water mark;
- iii) during construction of a permitted dwelling, silt curtains and straw bales must be applied for any work conducted in the drainage ditch to ensure that no deleterious substance enters the water course.

### **6.3.3 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.

### **6.3.4 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-



## TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW

### 6.0 RURAL RESIDENTIAL ONE (RR) ZONE

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Exception Four (RR-E4) on Schedule "D" (Inset #4), to this By-law, a bed and breakfast establishment shall be an additional permitted use and the following provision shall apply:

- i) Water Setback (minimum) for a covered or uncovered attached deck shall be 20 metres.

#### 6.3.5 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.

#### 6.3.6 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

#### 6.3.7 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.

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**6.0 RURAL RESIDENTIAL ONE (RR) ZONE**

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**6.3.8 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.

**6.3.9 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:

i) Permitted Residential Uses

- Dwelling, condominium

ii) Zone Provisions

- a) Lot Area (minimum) 2700 m<sup>2</sup>
- b) Lot Frontage (minimum) 27 m
- c) Front Yard Depth (minimum) 29 m
- d) Side Yard Width (minimum) 5 m
- e) Rear Yard Depth (minimum) 7.5 m
- f) Lot Coverage (maximum) 40%
- g) Density (maximum) 29 units per hectare
- h) Building Height (maximum) 12 m
- i) Dwelling Unit Area (minimum) 55 square metres
- j) Open Storage, Parking and Loading, Separation Distance, Setbacks, Accessory Uses, Buildings and Structures

In accordance with  
Section 3 - General  
Provisions of this By-law.

## TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW

### 6.0 RURAL RESIDENTIAL ONE (RR) ZONE

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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.

#### 6.3.10 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.

#### 6.3.11 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 sq. 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.

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**6.0 RURAL RESIDENTIAL ONE (RR) ZONE**

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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.”

**6.3.12 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 sq. 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.”

#### **6.3.13 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.

#### **6.3.14 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.

#### **6.3.15 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.

#### **6.3.16 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.

#### **6.3.17 Rural Residential-Exception Seventeen (RR-E17)**

i) Permitted Uses

- Row House Dwelling(s)
- Short and long term rental units
- Buildings and Structures accessory to Row House Dwelling(s)
- Parking and Loading Spaces

ii) Zone Provisions

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Row House Dwelling (each unit on a separate lot) and short and long term rental units

- Lot Area (minimum) 80 sq. metres
- Lot Frontage (minimum) 0 metres
- Front Yard Depth (minimum) 0 metres
- Exterior Side Yard Width (minimum) 0 metres
- Interior Side Yard Width (minimum) 0 metres
- Rear Yard Depth (minimum) 2 metres
- Dwelling Unit Area (minimum) 50 sq. metres
- Lot Coverage (maximum) 90%
- Building Height (maximum) 12 metres
- Parking Spaces (off-site) 1 parking space per dwelling unit

All other provisions of the Zoning By-law shall continue to apply.

**6.3.18 Rural Residential-Exception Eighteen (RR-E18)**

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lot 19, Concession 2, Blythfield and delineated as Rural Residential-Exception Eighteen (RR-E18) on Schedule 'D'

i) Permitted Uses

- Row House Dwelling(s)
- Semi-detached Dwelling(s)
- Single-detached Dwelling(s)
- Short and long term rental units
- Buildings and Structures accessory to Row House Dwelling(s)

ii) Zone Provisions

- Lot Area (minimum) 80 sq. metres
- Lot Frontage (minimum) 0 metres
- Front Yard Depth (minimum) 0 metres
- Exterior Side Yard Width (minimum) 0 metres
- Interior Side Yard Width (minimum) 0 metres

## TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW

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- Rear Yard Depth (minimum) 2 metres
- Dwelling Unit Area (minimum) 50 sq. metres
- Lot Coverage (maximum) 90%
- Building Height (maximum) 15 metres

#### iii) Services

Services shall be provided by private communal water and waste water systems. All other provisions of the Zoning By-law shall continue to apply.

#### 6.3.19 Rural Residential-Exception Nineteen (RR-E19)

Notwithstanding any provision of this By-law to the contrary, for those lands located in part of Lot 19, Concession 1, Blythfield, a bedroom and bathroom shall be permitted above a detached garage and the maximum permitted height of the garage shall be 6.6 metres.

#### 6.3.20 Rural Residential Exception Twenty (RR-E20)

Notwithstanding any other provisions of this By-law to the contrary, for the lands within the RR-E15 zone, and located in part of Lot 16, Concession 12, Bagot, a minimum setback of 20 meters from the high-water mark is permitted for a single detached dwelling.

#### 6.3.21 Rural Residential Exception Twenty-One (RR-E21)

Notwithstanding any other provision of this By-law to the contrary, for the lands in the RR-E21 Zone, and located in part of Lot 14, Concession 3, being Lot 22, Plan 49M-86, geographic Township of Blythfield to this By Law, the following provisions to the secondary dwelling unit shall apply:

##### i) Zone Provisions

- Accessory Building Height containing a Secondary Dwelling Unit (maximum): 8.28 m
- Secondary Dwelling Unit Area (maximum): 323 sq. m

## 6.4 INTERIM USES AND STANDARDS (HOLDING)

#### 6.4.1 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

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

**6.4.2 Rural Residential-holding (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.

**6.4.3 Rural Residential-holding (RR-h) (Part of Lot 16, Concession 11, geographic Township of Bagot)**

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.



## LIMITED SERVICE RESIDENTIAL (LSR) ZONE

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### 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
  - Single detached 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)                 | 4,047 m <sup>2</sup>  |
| 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) 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. |



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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

iv) Lot Area (minimum) 1900 square metres

**7.3.4 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:

- Permitted Uses Limited service dwelling
- Zone Provisions
  - a) Lot Area (minimum) 6070.5 sq. metres
  - b) Lot Frontage (minimum) 65 metres
  - c) Side Yard Depth (minimum) 10 metres
  - d) Dwelling Unit Area (minimum) 55 sq. metres
  - e) Lot Coverage (maximum) 10%

**7.3.5 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

**7.3.6 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
  - Lot Frontage (minimum) 30 metres
  - Dwelling Unit Area (minimum) 55 square metres
  - Lot Coverage (maximum) 15%

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
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**7.3.7 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.\*

**7.3.8 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
  - Single detached 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 %

**7.3.9 (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
  - Single detached dwelling
  - Hunting and fishing camp
- ii) Zone Provisions:
  - Lot Area (minimum) 4.0 hectares

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
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**7.3.10 (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
  - Single detached dwelling
  - Hunting and fishing camp
- ii) Zone Provisions:
  - Lot Area (minimum) 8,000 sq. metres

**7.3.11 (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
  - Single detached 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.

**7.3.12 (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.

**7.3.13 (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.

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
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**7 . 3 . 1 4 \*(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 Matawatchesan 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.

**7.3.15\*(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 8 metres.

**7.3.16 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 7.5 metres.

**7.3.17 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.

**7.3.18 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)

**7.3.19 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.

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**7.0 LIMITED SERVICE RESIDENTIAL (LSR) ZONE**

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**7.3.20 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.

**7.3.21 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.

**7.3.22 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.

**7.3.23 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.

**7.3.24 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:

- i) Extension of dwelling footprint to the north      2.25 metres (maximum)
- ii) Extension of dwelling footprint to the east      4.0 metres (maximum)
- iii) The proposed dwelling footprint shall not extend beyond the west and south walls of the existing cottage footprint.
- iv) New dwelling footprint area      161 square metres (maximum)

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
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**7.3.25 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.

**7.3.26 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.

**7.3.27 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.

**7.3.28 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.

**7.3.29 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.



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**7.3.30 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.

**7.3.31 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.

**7.3.32 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.

**7.3.33 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.

**7.3.34 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.

**7.3.35 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.

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**7.3.36 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.

**7.3.37 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.

**7.3.38 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.

**7.3.39 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.

**7.3.40 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.

**7.3.41 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.

**7.3.42 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.

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**7.0 LIMITED SERVICE RESIDENTIAL (LSR) ZONE**

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**7.3.43 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.

**7.3.44 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

**7.3.45 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.

**7.3.46 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.

**7.3.47 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.

**7.3.48 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.

**7.3.49 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          |

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**7.0 LIMITED SERVICE RESIDENTIAL (LSR) ZONE**

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- |      |                          |           |
|------|--------------------------|-----------|
| iii) | Water Frontage (minimum) | 35 metres |
|------|--------------------------|-----------|

**7.3.50 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         |

**7.3.51 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.

**7.3.52 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.

**7.3.53 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.

**7.3.54 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 |
|----|------------------------|-----------|

**7.3.55 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 Additional Residential Unit above a detached garage shall be a permitted use.

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**7.0 LIMITED SERVICE RESIDENTIAL (LSR) ZONE**

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Additional Residential Unit shall mean a self-contained residential unit which contains a kitchen, bathroom, and sleeping area.

**7.3.56 Limited Service Residential-Exception Fifty-Six (LSR-E56)**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the LSR-E56 Zone, and located in part of Lot 1, Concession 1, in the geographic Township of Bagot, the following provision shall apply:

- i) Lot Frontage (minimum) 10 metres

**7.3.57 Limited Service Residential-Exception Fifty-Seven (LSR-E57)**

Notwithstanding anything in this By-law to the contrary, for those lands located in part of Lot 11, Concession 3, Blythfield, and delineated as Limited Service Residential-Exception Fifty Seven (LSR-E57) on Schedule 'A' to this By-law, only one Limited Service Dwelling shall be permitted and a 0 metre setback from the lot line adjacent to Part 4 on Reference Plan 49R-3844 and Part 5 on Reference Plan 49R-3844 shall apply.

**7.3.58 Limited Service Residential-Exception Fifty-Eight (LSR-E58)**

Notwithstanding any other provision of this By-law to the contrary, for the lands in the LSR-E58 Zone, and located in part of Lot 15, Concession 12, the following provision shall apply:

- i) Water Setback (minimum) 15 metres

**7.3.59 Limited Service Residential-Exception Fifty-Nine (LSR-E59)**

Notwithstanding any other provisions of this By-law to the contrary, for the lands within the LSR-E59 zone, and located in part of Lot 23, Concession 7, Bagot, a minimum setback of 8 meters from the high-water mark is permitted for a single detached dwelling.

**7.3.60 Limited Service Residential-Exception Sixty (LSR-E60)**

Notwithstanding any other provision of this By-law to the contrary, for the lands in the LSR-E60 Zone, and located in Part Lot 8, Concession 9, Geographic Township of Bagot, a single detached dwelling, private septic and well is permitted within the zone, and the boundaries of the zone shall be treated as lot boundaries for the purposes of applying zoning provisions.

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

**7.4.1 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

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**7.0 LIMITED SERVICE RESIDENTIAL (LSR) ZONE**

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

**7.4.2 Limited Service Residential-Exception Thirty-Eight-holding (LSR-E60-T)**

Notwithstanding any other provision of this By-law to the contrary, for the lands in the LSR-E61-T Zone, and located in Part lot 13 and 14, Concession 1, in the Geographic Township of Blythfield to this By-Law, the following provisions to the garden suite shall apply:

a) Zone Provisions

- i) A garden suite shall be a permitted temporary use subject to the provisions of Section 39.1 of the Planning Act, R.S.O. 1990, c.P.13, as amended.
- ii) A “garden suite” shall mean a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.
- iii) That prior to the issuance of a building permit, the owner shall enter into a development agreement with the Township, which shall be registered on the title to the lands, to implement the supporting studies, and other matters that the Township deems appropriate, to the satisfaction of the Township.
- iv) The permitted temporary use of the property for a garden suite, shall lapse 3 years from the date of registration of the required development agreement.
- v) Upon the expiration of the 3-year period, Council may by by-law grant further periods of not more than three years each during which the temporary use may continue to be authorized and must be supported by a Geotechnical report.
- vi) The minimum required water setback from the high water mark shall be 7.8 metres (minimum).
- vii) All other provisions of the Zoning By-law shall continue to apply
- viii) 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.

## MOBILE HOME PARK (MHP) ZONE

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### 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

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**8.0 MOBILE HOME PARK (MHP) ZONE**

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- 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.



**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**8.0 MOBILE HOME PARK (MHP) ZONE**

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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**

## HAMLET COMMERCIAL (HAC) ZONE

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### 9.1 PERMITTED USES

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

i) 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.

ii) 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
- eating establishment, drive-in
- eating establishment, take-out
- furniture or wood products shop

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**9.0 HAMLET COMMERCIAL (HAC) ZONE**

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- funeral home
- garden centre
- home display and sales outlet
- hotel
- laundromat
- motel
- motor hotel
- park
- 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
- service shop, general
- service shop, personal

## 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 sq. 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

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**9.0 HAMLET COMMERCIAL (HAC) ZONE**

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- 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, unless the side lot line abuts any Residential Zone, in which case the minimum side yard width shall be 9.0 metres.
- f) Exterior Side Yard Width
  - 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, unless the rear lot line abuts any Residential Zone, in which case the minimum rear yard depth shall be 10.5 metres.
- h) Lot Coverage (maximum) 33%
- 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.

## TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW

### 9.0 HAMLET COMMERCIAL (HAC) ZONE

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n) 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.

o) 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

### 9.3.1 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.
-------------------------------------	-------------

### 9.3.2 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.\*

### 9.3.3 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)**

### **9.4.1 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.

## HIGHWAY COMMERCIAL (HC) ZONE

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### 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. An Additional Residential Unit accessory to the single detached dwelling is not permitted.

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
- eating establishment - drive-in
- eating establishment - take out
- furniture or wood products shop

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**10.0 HIGHWAY COMMERCIAL (HC) ZONE**

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- 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) Open Storage:                      |  |
|                                       | In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.                               |



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**10.0 HIGHWAY COMMERCIAL (HC) ZONE**

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- j) Parking and Loading:  
In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.
- k) Separation Distance:  
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) 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**

#### **10.3.1 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.

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

## TOURISM COMMERCIAL (TC) ZONE

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### 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

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

b) Non-Residential Uses

- 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 - take out
- furniture or wood products shop
- golf course

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**11.0 TOURISM COMMERCIAL (TC) ZONE**

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- hotel
- motel
- motor hotel
- marina
- office, business
- office, professional
- park, private
- park, public
- place of entertainment
- recreation, active
- recreation, passive
- 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 stable
- tavern or public house
- tourist establishment
- yacht club
- accessory office and laundry facilities

**TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW**  
**11.0 TOURISM COMMERCIAL (TC) ZONE**

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## 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) Recreational Vehicle Site Density (maximum)
  - i) connected to individual on site 5 per hectare based on the area sewage disposal system of the entire park, provided 2025 square metres are deducted from the total area, if an accessory dwelling unit is used or erected.

## TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW

### 11.0 TOURISM COMMERCIAL (TC) ZONE

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- 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.
- 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 provisions for 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) 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.
- 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.

## 11.3 EXCEPTION ZONES

### 11.3.1 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.

### 11.3.2 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;
  - a) 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

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and duly approved by the Minister of Environment and Energy or his or her authorized agent.

#### 11.3.3 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.

#### 11.3.4 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.

#### 11.3.5 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.

#### 11.3.6 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 m<sup>2</sup>, may be used exclusively as accommodation for staff employed at Calabogie Peaks Resort.

#### 11.3.7 Tourist Commercial-Exception Six (TC-E6) (Resort Centre)

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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 m <sup>2</sup>
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

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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.

#### 11.3.8 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.

#### 11.3.9 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

#### 11.3.10 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;
- 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;



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- 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.

#### 11.3.11 RESERVED

#### 11.3.12 RESERVED

#### 11.3.13 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.

#### 11.3.14 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.

#### 11.3.15 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

#### 11.3.16 Tourist Commercial-Exception Fifteen (TC-E15)

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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.

**11.3.17      Tourist Commercial-Exception Sixteen (TC-E16)**

Notwithstanding any provisions of this By-law to the contrary, for the lands described as Part of Lots 14 and 15, Concession VII and Part of Lots 13, 14 and 15, Concession VIII, in the Geographic Township of Bagot and as delineated as Tourism Commercial-Exception Sixteen (TC-E16) on Schedule "A", the following shall apply:

- a) Residential Uses
  - Accessory dwelling units
  - Staff dormitory dwelling
- b) Permitted Uses
  - active recreational use
  - automotive-gasoline bar
  - automotive-store
  - automotive-storage garage
  - automotive-go-kart track facility
  - automotive-vehicle sales or rental establishment
  - clubhouse facility
  - convenience store
  - eating establishment
  - eating establishment-full service
  - eating establishment-take-out
  - hotel
  - motel
  - motor hotel
  - motor sport track
  - office, business
  - park, private
  - passive recreational uses
  - resort



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**11.3.18 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.

**11.3.19 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.

**11.3.20 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.\*

**11.3.21 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

**11.3.22 Tourist Commercial-Exception Twenty One (TC-E21)**

Notwithstanding any other provision of this By-law to the contrary, for the lands in the TC-E21 Zone, and located in part of Lot 18, Concession 11, a parking lot, an enclosure for garbage bins, and a maintenance shed, shall be permitted uses. Additionally, access to the subject land shall be permitted by an internal road from the abutting land to the south.

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

**11.4.1 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

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- 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.

**11.4.2 Tourist Commercial-Exception Sixteen Holding (TC-E16-h)**

Notwithstanding any other provision of this By-law to the contrary, for the lands in the LSR-E60 Zone, and located in Part Lot 8, Concession 9, Geographic Township of Bagot, a single detached dwelling, private septic and well is permitted within the zone, and the boundaries of the zone shall be treated as lot boundaries for the purposes of applying zoning provisions:

- i) Permitted Uses
- Existing uses in existing locations
  - Open space
  - Active and passive recreation uses along existing trails
  - Passive recreation that does not require a building.
- ii) Conditions for removal of Holding Symbol (h)
- Approval of a site plan agreement by the Township under Section 41 of the Planning Act and registered on title to the property. The site plan agreement shall include, but not be limited to lot grading and drainage; parking; buffering; landscaping; construction and mitigation plans for the protection of wetland and aquatic habitat; tree retention plans.
  - All necessary Provincial approvals have been obtained to facilitate the proposed development.

## GENERAL INDUSTRIAL (GM) ZONE

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### 12.1 PERMITTED USES

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

i) 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. An Additional Residential Unit accessory to the single detached dwelling is not permitted.

ii) Non-Residential Uses

- abattoir
- asphalt manufacturing plant
- 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
- manufacturing plant, light
- logging hauler
- manufacturing plant
- mini storage establishment
- public garage

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- 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

- a) Lot Area (minimum) 4047 square metres
- b) Lot Frontage (minimum) 35 metres
- c) Yards (minimum):

	<b>Abutting an Industrial Zone</b>	<b>Abutting Other Zone</b>
Front Yard Depth	15 metres	30 metres
Side Yard Width	3 metres	30 metres
Exterior Side Yard Width	15 metres	30 metres
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.

- d) Lot Coverage (maximum) 50%

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- e) Building Height (maximum) 15 metres
- f) Open Storage:  
In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.
- g) Parking and Loading:  
In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.
- h) Separation Distance:  
In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
- i) Setbacks:  
In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- j) 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.
- k) 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**

### **12.3.1 General Industrial - Exception One (GM-E1)**

Notwithstanding any provision of this By-law to the contrary, for the lands located in part of Lots 11 and 12, Concession 9, Bagot, A Refreshment Vehicle shall be a permitted use.

A Refreshment Vehicle means any vehicle, whether mechanically propelled or otherwise, from which refreshments are sold for consumption by the general public.



## DISPOSAL INDUSTRIAL (DM) ZONE

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### 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):

	Abutting an Industrial Zone	Abutting Other Zone
Front Yard Depth	22 metres	30 metres
Side Yard Width	15 metres	30 metres
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.

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**13.0 DISPOSAL INDUSTRIAL (DM) ZONE**

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- 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**

## EXTRACTIVE INDUSTRIAL (EM) ZONE

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### 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
  - asphalt manufacturing plant
  - concrete manufacturing plant
  - extractive industrial facility
  - forestry
  - gravel pit
  - farm, limited
  - 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.

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**14.0 EXTRACTIVE INDUSTRIAL (EM) ZONE**

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- 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**

## EXTRACTIVE INDUSTRIAL RESERVE (EMR) ZONE

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### 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
  - farm, limited
  - recreation, passive

### 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

#### 15.3.1 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.

## MINING INDUSTRIAL (MM) ZONE

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### 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
  - recreation, passive
  - 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)

	<b>Abutting an Industrial Zone</b>	<b>Abutting Other Zone</b>
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### 16.0 MINING INDUSTRIAL (MM) ZONE

Front Yard Depth	30 metres	45 metres
Side Yard Width	3 metres	45 metres
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) 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.
- f) Open Storage:  
In accordance with the provisions for Open Storage in Section 3 -General Provisions of this By-law.
- g) Parking and Loading:  
In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.
- h) Separation Distance:  
In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
- i) Setbacks:  
In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- j) 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

## MINING INDUSTRIAL RESERVE (MMR) ZONE

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### 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
  - mine
  - recreation, passive

### 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



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**17.0 MINING INDUSTRIAL RESERVE (MMR) ZONE**

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- 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) Mine 50 m<sup>2</sup>
  - ii) other uses 10 m<sup>2</sup>
- 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**

### **17.3.1 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.

### **17.3.2 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.

## LIGHT INDUSTRIAL (LM) ZONE

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### 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
- manufacturing plant, light
- 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

## RURAL (RU) ZONE

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### 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
- contractor's yard or shop
- farm
- farm, limited
- farm produce sales outlet
- forestry
- home industry
- hunting and fishing camp
- logging hauler
- mineral exploration
- private club

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- 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 | 4,047 square metres                                      |
| ii) semi-detached dwelling (each unit on a separate lot)                                      | 2,000 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   |
| 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   |

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- h) Gross Floor Area (maximum) for Mineral Exploration      9.3 square metres
- i) Lot Coverage (maximum)      25%
- j) Building Height (maximum)      10.5 metres
- 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**

### **19.3.1 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.

### **19.3.2 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

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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
- v) 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.

**19.3.3 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

**19.3.4 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

**19.3.5 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.

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**19.3.6 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.

**19.3.7 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%

**19.3.8 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%

**19.3.9 Rural-Exception Nine (RU-E9)**

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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%                 |

#### 19.3.10 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.

#### 19.3.11 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.

#### 19.3.12 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.

#### 19.3.13 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.

#### 19.3.14 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.

#### 19.3.15 DELETED

#### 19.3.16 Rural-Exception Sixteen (RU-E16)



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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.

#### 19.3.17 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          |

#### 19.3.18 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.

#### 19.3.19 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  |

#### 19.3.20 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.

#### 19.3.21 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.

#### 19.3.22 Rural-Exception Twenty-Two (RU-E22)

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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.

#### 19.3.23 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.

#### 19.3.24 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.

#### 19.3.25 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.

#### 19.3.26 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:

## TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW

### 19.0 RURAL (RU) ZONE

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

#### 19.3.27 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.

#### 19.3.28 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 |

#### 19.3.29 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:

- i) Permitted Uses:
- Private parking for vehicles and boat trailers
  - Docking Facilities approved by the Ministry of Natural Resources and Ontario Power Generation
- ii) Prohibited Uses:
- Residential uses and incidental accessory uses
  - Boat launching
  - Boat launching facilities

#### 19.3.30 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, on accessory building shall be permitted prior to the principle or main use being built on the lot.

#### 19.3.31 Rural-Exception Thirty-One (RU-E31)

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Notwithstanding Sections any other section 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.

#### 19.3.32 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.

#### 19.3.33 RESERVED

#### 19.3.34 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.

#### 19.3.35 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.

#### 19.3.36 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

#### 19.3.37 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.

#### 19.3.38 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.

#### 19.3.39 Rural-Exception Thirty-Nine (RU-E39)

## TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW

### 19.0 RURAL (RU) ZONE

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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.

#### 19.3.40 RESERVED

#### 19.3.41 Rural-Exception Forty-One (RU-E41)

Notwithstanding any other provision of this By-law to the contrary, for the lands in the RU-E41 Zone, and located in part of Lot 28, Concession 3, Bagot, a single detached dwelling which is accessed by a seasonally maintained road shall be a permitted use.

#### 19.3.42 Rural-Exception Forty-Two (RU-E42)

Notwithstanding any other provision of this By-law to the contrary, for the lands in the RU-E42 Zone, and located in part of Lot 19, Concession 12, Bagot, the following provisions shall apply:

- i) Lot Frontage (minimum) 36 metres
- ii) Water Frontage (minimum) 38 metres

#### 19.3.43 Rural-Exception Forty-Three (RU-E43)

Notwithstanding any other provision of this By-law to the contrary, for the lands in the RU-E43 Zone, and located in Part of Lot 21, Concessions 7 & 8, Bagot, the following provisions shall apply:

- i) Lot Frontage (minimum) 24 metres
- ii) Lot Area (minimum) 2533 square metres

#### 19.3.44 Rural-Exception Forty-Four (RU-E44)

Notwithstanding any other provision of this By-law to the contrary, for the lands in the RU-E44 Zone, and located in Lot 6, Concession 12, Brougham, a 25 metre high tower is a permitted use, and the following provisions shall apply:

- i) The tower shall not be used for any commercial purpose, including for the installation of commercial transmitting devices.
- ii) No lights or illumination devices shall be installed on the tower.

The tower shall be setback a minimum distance of 265 metres from the east facing lot line, 300 metres from the south facing lot line, 130 metres from the west facing lot line, and 700 metres from the north facing lot line.

#### 19.3.45 Rural-Exception Forty-Five (RU-E45)

Notwithstanding any other provisions of this By-law to the contrary, for the lands within the RU-E45 zone, and located in part of Lot 16, Concession 12, Bagot, a minimum setback of 20 metres from the high-water mark is permitted for a single detached dwelling.

#### 19.3.46 Rural-Exception Forty-Six (RU-E46)

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### 19.0 RURAL (RU) ZONE

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Notwithstanding any other provision of this By-law to the contrary, for the lands in the RU-E46 Zone, and located in Lot 14, Concession 9, Matawatchan, access by a private service road is permitted.

#### 19.3.47 Rural-Exception Forty-Seven (RU-E47)

Notwithstanding any other provision of this By-law to the contrary, for the lands in the RU-E47 Zone, and located in Part of Lot 11, Concession 8, Bagot the following provisions shall apply:

- i) Front Yard Depth (minimum) 30 metres
- ii) Minimum separation distance from Extractive Industrial Reserve (EMR) Zone shall be represented by a minimum 30 metre setback from Stones Lake Road.

#### 19.3.48 Rural-Exception Forty-Eight (RU-E48)

Notwithstanding any other provision of this By-law to the contrary, for the lands in the RU-E48 Zone, and located in Part Lot 8, Concession 9, Geographic Township of Bagot, a single detached dwelling, private septic and well is permitted within the zone, and the boundaries of the zone shall be treated as lot boundaries for the purposes of applying zoning provisions.

- i) Zone Provisions

The minimum separation distance from an Extractive Industrial Reserve (EMR) zone shall be reduced from 150 metres to 76 metres to permit the construction of a single-detached dwelling, private system and well.

#### 19.3.49 Rural-Exception Forty-Nine (RU-E49)

Notwithstanding any provisions of this By-law to the contrary, for the lands in the RU-E49 Zone, and located in Part of Lot 30 & 31, Concession 3, geographic Township of Brougham, the accessory buildings existing at the time of passing of this by-law shall be permitted to continue to exist in the absence of a permitted principal use on the lot. All other provisions of the RU Zone shall apply.

#### 19.3.50 Rural-Exception Fifty (RU-E50)

Notwithstanding any other provision of this By-law to the contrary, for the lands in the RU-E50 Zone, and located in Part Lot 17, Concession 3, Geographic Township of Bagot, development is restricted to minimum of 300 m from the Madawaska River, until the lands are cleared of archaeological potential. All other provisions of the Rural (RU) Zone shall continue to apply.

#### 19.3.51 Rural-Exception Fifty-One (RU-E51)

Notwithstanding any other provision of this By-law to the contrary, for the lands in the RU-E51 Zone, access to the subject lands is permitted by an easement/right of way over an existing driveway on the abutting lot to the east described as Part on Plan 49R-20042. All other provisions of the Rural (RU) Zone shall continue to apply.

#### 19.3.52 Rural-Exception Fifty-Two (RU-E52)

Notwithstanding any other provision of this By-law to the contrary, for the lands in the RU-E52 Zone, and located in part of Lot 17, Concession 3, being Part 1 on 49R17651, geographic Township of Bagot to this By-Law, the following provisions to the secondary dwelling unit shall apply:

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i) Zone Provisions

Secondary Dwelling Unit Area (maximum) 252 m<sup>2</sup>

**19.3.53 Rural-Exception Fifty-Three (RU-E53)**

Notwithstanding any other provisions of this By-law to the contrary, for those lands described as being Parts 1, 2 and 3 on Plan 49R-20534, prepared by Adam Kasprzak OLS, Adam Kasprzak Surveying Ltd., and delineated as Rural-Exception Fifty-Three (RU-E53) Zone on Schedule 'A' to this By-law, in addition to the permitted uses and provisions of the RU Zone, the following provisions apply:

- i) A single detached dwelling and a dwelling unit within an automotive storage garage shall be permitted uses on a lot.
- ii) An automotive storage garage containing a dwelling unit may be constructed before a single detached dwelling.
- iii) An automotive storage garage with or without a dwelling unit shall have a maximum building height of 10.5 metres.
- iv) A secondary dwelling unit may be larger than the primary dwelling.
- v) The maximum height of a secondary dwelling unit shall be 10.5 metres.
- vi) The automotive storage garage shall not be used for monetary gain or commercial purposes. Storage of vehicles by the general public shall not be permitted.
- vii) The minimum lot areas and frontages shall be in accordance with the corresponding dimensions for front lot line and lot area shown for each lot described as Parts 1, 2, or 3 on Plan 49R-20534.
- viii) All lot development shall be in accordance with the Detailed Noise Control Study Severance of Three (3) Residential Lots on Wilson Farm Road, Calabogie, County of Renfrew, prepared by SS Wilson Associates Consulting Engineers, January 19, 2023, updated on October 20, 2023, Report No. WA21-003.

## **19.4 INTERIM USES AND STANDARDS (HOLDING)**

### **19.4.1 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:

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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.

**19.4.2 Rural-holding (RU-h) (Stones Lake Road)**

Notwithstanding any other provision of this By-law to the contrary, for the lands in the RU-h Zone, and located in Part of Lot 11, Concession 8, Bagot, until such time as the holding (-h) is removed from any land in this location zoned (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)

- Completion of a Stage 2 Archaeological Assessment and that the lands are cleared of archaeological potential, to the satisfaction of the Township.

**19.4.3 Rural-Exception Forty-Temporary (RU-E40-T)**

Notwithstanding any other provisions of this By-law to the contrary, for the lands zoned Rural-Exception Forty-Temporary (RU-E40-T) and located in Part Lot 3, Concession 3, geographic Township of Griffith, the following provisions shall also apply:

- i) A garden suite shall be a permitted temporary use subject to the provisions of Section 39.1 of the Planning Act, R.S.O. 1990, c.P.13, as amended.
- ii) A "garden suite" shall mean a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.
- iii) The permitted temporary use of the property for a garden suite, shall lapse on the **9th day of October 2038**, and
- iv) All other provisions of the Zoning By-law shall continue to apply.



## COMMUNITY FACILITY (CF) ZONE

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### 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

- special needs housing (all forms)
- accessory dwelling unit

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

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- school

## 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**

### **20.3.1 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 or launching facilities shall be permitted on lands below the floodway elevation of 147 metres.

### **20.3.2 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   |

### **20.3.3 Community Facility-Exception Three (CF-E3)**

Notwithstanding any provision of this By-law to the contrary, for the lands located in part of Lot 18, Concession 10, Bagot, a Day Nursery shall be an additional permitted use.

## ENVIRONMENTAL PROTECTION (EP) ZONE

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### 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
  - farm, limited
  - recreation, passive
  - 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**

### **21.3.1 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.

### **21.3.2 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.

### **21.3.3 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.

## NATURAL HERITAGE FEATURE (NHF) ZONE

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### 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
  - a dwelling existing at the time of passing of this by-law
- b) Non-residential Uses
  - existing farm

### 22.2 EXCEPTION ZONES

#### 22.2.1 Natural Heritage Feature-Exception One (NHF-E1)

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.

#### 22.2.2 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.

#### 22.2.3 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

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Feature-Exception Three (NHF-E3) on Schedule "D" (Inset #4) to this By-law, a golf course shall be a permitted use.

**22.2.4 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

## OPEN SPACE (OS) ZONE

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### 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
  - a dwelling existing at the time of passing of this by-law
- b) Non-Residential Uses
  - buffer strip
  - golf course
  - landscaped open space
  - natural area
  - recreation, passive
  - 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 |



## TOWNSHIP OF GREATER MADAWASKA ZONING BY-LAW

### 23.0 OPEN SPACE (OS) ZONE

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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

### 23.3.1 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.

### 23.3.2 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.

### 23.3.3 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.

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# ENACTMENT