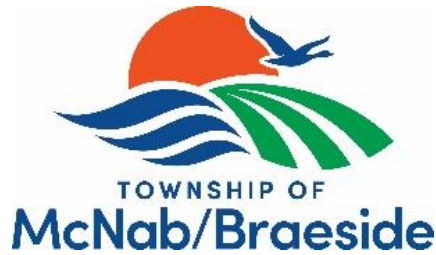


# **Township of McNab/Braeside Comprehensive Zoning By-law #2025-54**



Prepared by the County of Renfrew

Passed by the Council of the Corporation  
of the Township of McNab/Braeside, and in effect

June 17, 2025

**The Corporation of the Township of McNab/Braeside**

**By-Law 2025-54**

Being A by-law to regulate the use of land, and the character, location and use of buildings and structures in the Township of McNab/Braeside.

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**WHEREAS** the County of Renfrew Official Plan was updated as required by Section 26 of the *Planning Act* and approved by the Ministry of Municipal Affairs and Housing in August 2021.

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

**AND WHEREAS** the Township of McNab/Braeside now deems it desirable and in the public interest to rescind By-law 2010-49, 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 McNab/Braeside;

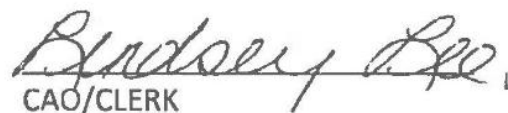
**NOW THEREFORE BE IT RESOLVED** that the Township of McNab/Braeside enacts By-law No. 2025-54, as attached:

READ a first time this 17<sup>th</sup> day of June, 2025.

READ a second time this 17<sup>th</sup> day of June, 2025.

READ a third and final time and passed this 17<sup>th</sup> day of June, 2025.

  
MAYOR

  
CAO/CLERK

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## **SECTION 1 – APPLICATION, INTERPRETATION AND ENFORCEMENT**

### **1.1 Title of By-law**

This By-law may be cited as “The Zoning By-law of the Township of McNab/Braeside” or short title as the “Township of McNab/Braeside Zoning By-law”.

### **1.2 Scope of By-law**

#### **1.2.1 Lands Subject to By-law**

The provisions of this By-law shall apply to all lands lying within the corporate limits of the Township of McNab/Braeside.

#### **1.2.2 Conformity with By-law**

No lands shall hereafter be used and no building or structure shall be erected, altered, or used within the Corporation except in conformity with the provisions of this By-law and except as permitted by this By-law.

#### **1.2.3 Existing Uses Continued**

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

### **1.3 Plans Approved Prior to the Passing of this By-law**

Nothing in this By-law shall prevent the erection or use of any building or structure for a purpose prohibited by the provisions of this By-law, if the plans for such building or structure were approved by the Corporation and a building permit was issued on or before the date of passing of this By-law, provided that: (a) when such building or structure is erected, it shall be used and shall continue to be used only for the same purpose for which the said building or structure was intended when such building permit was issued and shall not be altered in any way except in conformity with the provisions of this By-law; and (b) the erection of such building occurs pursuant to the building permit and said permit is not revoked or expired prior to construction.

### **1.4 Compliance with Other Restrictions**

This By-law shall not be construed so as to reduce or mitigate any restrictions or regulations in any By-law, permit, or license lawfully imposed or issued by the Corporation or by any governmental authority having jurisdiction to make such restrictions or regulations. Nothing in this By-law shall prevent the erection, alteration, or use of a building or structure, nor the use or alteration of a lot for which a minor variance has been granted by the Committee of Adjustment.

## 1.5 Enforcement

Any person or directors or officers of any corporation convicted of a violation of this By-law is liable to penalties in accordance with the provisions of Sections 67 and 67.1 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

## 1.6 Inspection

- a) Subject to Subsection 1.6 (b) of this Section, and any other applicable provisions of the Planning Act any officer or employee of the Corporation appointed by Council to administer or enforce the provisions of this By-law, or any person acting under his or her instructions, is hereby authorized, upon producing proper identification, to enter at all reasonable times, upon any property or premises to conduct an inspection of which he or she believes on reasonable grounds may be non-compliant with this By-Law;
- b) Notwithstanding anything to the contrary in Subsection 1.6 (a) of this Section, no officer or employee of the Corporation shall enter any room or place actually being used as a dwelling unit or part thereof without the consent of the occupier, except under the authority of a search warrant issued under Section 49.1 of the 'Planning Act', or any successors thereto. The occupant shall be informed that the right of entry may be refused and entry made only under the authority of a search warrant.

## 1.7 Requests for Amendments

Every request for an amendment to this By-law shall be accompanied by a completed copy of the appropriate application form provided by the Corporation, the required supporting material and any associated fees.

## 1.8 Risk, Expense, and Compliance

The facilities, yards, or other matters required by this By-law shall be provided and maintained at the sole risk and expense of the owner of the lands in respect of such matters as are hereby required and the said owner shall at all times bear full responsibility for ensuring compliance in all respects with this By-law.

## 1.9 Interpretation of By-law

### 1.9.1 Definitions

In this By-law, unless the context requires otherwise, the definitions and interpretations set out in Part 2 hereof shall apply. Words not defined shall have the customary meaning or as defined in a standard dictionary.

### 1.9.2 "Shall" is Mandatory

In this By-law, the word "shall" is mandatory.

### 1.9.3 “Use” and “Occupy”

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

- a) The verb “use” shall include “design to be used”, “arrange to be used”, “intend to be used”, and “permit to be used”; and
- b) The verb “occupy” shall include “design to be occupied”, “arrange to be occupied”, “intend to be occupied”, and “permit to be occupied”.

### 1.9.4 Schedules to By-law Part of By-law

Schedules which are attached hereto are hereby made a part of this By-law as fully and to all intents and purposes as though recited in full herein.

### 1.9.5 Interpretation of Zoning Boundaries

Zone boundaries, where possible, are construed to be lot lines, street lines, centrelines of streets or railway rights-of-way. In the case where uncertainty exists as to the boundary of any Zone, then the location of such boundary shall be determined by using the measurement tool on County Maps GIS website or Township mapping.

### 1.9.6 Multiple Uses

Unless otherwise prohibited by this By-law and provided all the applicable requirements of this By-law are satisfied, a lot, structure, or building may contain more than one use permitted in the designated Zone. Where any land or building is used for more than one purpose, use, or Zone, all provisions of this By-law relating to each use shall be complied with except as otherwise provided for in this By-law. Where there is conflict between the requirements of such uses (e.g. lot size, lot frontage, or yards), the more restrictive requirements shall prevail.

### 1.9.7 Typographical Corrections

Provided that the purpose, effect, intent, meaning and substance of this By-law are in no way affected, the following technical revisions to this By-law are permitted without a zoning by-law amendment:

- a) Changes to the numbering, cross-referencing, format and arrangement of the text, tables, schedules and maps;
- b) Additions to and revisions of technical information on maps and schedules including, but not limited to: infrastructure and topographic information, notes, legends, shading and title blocks;
- c) Alterations of punctuation or language; and,
- d) Correction of grammatical, dimensional, boundary, mathematical or typographic errors.

#### 1.9.8 Severability of Provisions

The provisions, sections or subsections of this By-law are hereby declared to be separate from each other and the invalidity of any provision, Section or Subsection does not affect the validity of any other provision, Section or Subsection.

#### 1.9.9 References to Other Legislation and Agencies

Where this By-law makes reference to legislation of the Government of Ontario or the Government of Canada, such reference shall be deemed to include any and all amendments or successors or changes in the titles, numbering, or regulations thereunder. Where this By-law makes reference to the jurisdiction or policy of a public agency and where the name or responsibilities of said public agency are changed, the said reference shall be deemed to include any and all successors to such public agency, legislation or policy.

#### 1.9.10 Compliance with Zoning Requirements

The extent and boundaries of all Zones are shown on the Schedule attached hereto. For all such Zones, both the general provisions and specific Zone provisions shall be met. The provisions of this By-law shall be held to be the minimum (or maximum, where applicable) requirements adopted by the Municipality. Nothing shall prevent any person from erecting a building or structure or from undertaking any development which is below the maximum (or above the minimum where applicable) requirements of this By-law. Except as otherwise provided in this By-law, no person shall hereafter use any land, buildings or structure unless the use is permitted in the Zone in which it is situated.

#### 1.9.11 Zone Symbols

The short form symbols used on the Schedule attached hereto refer to individual Zones used in the By-law and may be used when describing or making reference to any Zone herein.

#### 1.9.12 Lots in More than One Zone

Where a lot is divided into more than one Zone, each such portion of the lot shall be used in accordance with the provisions of this By-law for the Zone where such portion of the lot is located. Each such portion of the lot shall be considered as a separate lot for the purpose of measuring setbacks, yards, and lot coverage. Notwithstanding the foregoing, where each such Zone contains duplicated principal permitted uses, only one such principal use shall be permitted on the lot. A permitted accessory use may be located in a separate Zone contained within the lot.

#### 1.9.13 Calculation of Numerical Requirements

All standards of measurement applied in this By-law shall be subject to the normal rules of rounding numbers, within the degree of precision specified by the number of digits following the decimal point, if any, so that:

- a) for a whole number, measurements of less than 0.5 shall be rounded downward to the next whole unit;
- b) for a whole number, measurements of 0.5 and greater shall be rounded upward to the next whole unit;
- c) for a number having one decimal place, measurements of less than 0.05 shall be rounded downward to the next one-tenth unit;
- d) for a number having one decimal place, measurements of 0.05 and greater shall be rounded upward to the next one-tenth unit; and
- e) for numbers expressed as a ratio or as a percentage, rounding shall not be applied.

Where the application of this By-law results in less than a whole number, the more restrictive requirement shall apply.

#### 1.9.14 Measurement Units

This By-law uses the metric system to establish measurements when such measurements form part of a regulation or a requirement.

#### 1.9.15 Lots Affected by Government Action

Where a lot is reduced in area or frontage by a Government action, such as road widening, property acquisition, or expropriation and the lot is below the minimum lot frontage or area for the Zone as a result of such action, or is already undersized and is made smaller as result of such action, the lot shall be deemed to be in conformity with the requirements, provided all other applicable requirements of the Zone and this By-law are satisfied.

#### 1.9.16 Prohibited Uses

With respect to any lands to which this By-law applies, all uses are prohibited unless specifically permitted in this By-law.

#### 1.9.17 Explanatory Note

All Notes included in this By-law are intended for reference purposes only.

### **1.10 Penalties**

Every person who violates any of the provisions of this By-law is guilty of an offense and upon conviction is liable to a fine prescribed under the Planning Act or other applicable statute. Where a conviction is entered under the Act, in addition to any other remedy or any penalty provided by By-law, the applicable court may make an order prohibiting the continuation or repetition of the offence by the person convicted. Penalties imposed by conviction under this Section shall be recoverable under the Provincial Offences Act.

### **1.11 Remedies**

Where any building or structure is erected, altered, reconstructed, extended, or enlarged, or any building or structure or part thereof is used, or any lot is used, in contravention of any requirements or other provisions of this By-law, such contravention may be removed or altered at the insistence of the Township pursuant to the provisions of the Planning Act, or the Municipal Act. The contravention of any requirement of this By-law may be restrained by action of any ratepayer of the Township pursuant to the provisions of the Municipal Act.

### **1.12 Repeal of Former By-laws**

By-law No. 2010-49 and all amendments thereto passed under Section 34 of the Planning Act, or its predecessor, are hereby repealed and such repeal shall come into effect upon the date that this By-law comes in to force.

Adoption of this By-law shall not prevent any pending or future prosecution of, or action to abate any existing violation of the said By-laws if the violation is also a violation of any of the provisions of this By-law.

### **1.13 Transition for Minor Variances**

Notwithstanding Section 1.12 of this By-law, a minor variance to Zoning By-law 2010-49, under Section 45(1) of the *Planning Act* that has been approved by the Township's Committee of Adjustment and which is final and binding shall have its permission recognized and continue for a period of 18 months from the date of passing of this Zoning By-law.

### **1.14 Effective Date**

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

## SECTION 2 – DEFINITIONS

**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 customarily 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.

**ACCESSORY REPAIR GARAGE** means a repair garage where major repairs of vehicles may be performed, and is accessory to a licensed aggregate operation.

**ADULT ENTERTAINMENT PARLOUR** shall mean any premise 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 and for the processing and sale of products derived from farm uses. Without limiting the generality of the foregoing, these include such goods as farm machinery and equipment, products used for the housing and husbandry of livestock, poultry and fur bearing animals, and materials and equipment for sub-surface drainage and such services as the selling, processing, storage and transportation of seed, feed, crops, milk and eggs and livestock, and the selling of fertilizer and chemical products.

**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 cultivation and production facility.

**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 electronic, mechanical pinball or amusement machines operated for gain and made available for the entertainment or amusement of the general public. This definition shall not include establishments which sell such devices, provided that such devices are not made available on the premises for use on a commercial basis by the public.

**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.

**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.

**ANTIQUE FURNITURE RESTORATION WORKSHOP, CABINET-MAKING SHOP AND SHOWROOM** means an establishment engaged in the refinishing and restoration of antique furniture and includes a cabinet-making shop, and a showroom for the storage, and display of the finished product.

**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 or 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 an adjacent building or buildings.

**AUTOMOTIVE-BODY SHOP** means a building or structure used for the painting or repairing of vehicle bodies or fenders, but shall not include a salvage yard.

**AUTOMOTIVE-CAR WASH** shall mean a building or structure containing facilities for washing vehicles, either by production line methods and mechanical services or by a self-service operation.

**AUTOMOTIVE-COMMERCIAL GARAGE** means a building where all functions of an automotive service station may be carried out and where major repairs of vehicles may be performed, including body work and welding but shall not include dismantling of motor vehicles for scrap or the storage of motor vehicles awaiting scrapping.

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

**AUTOMOTIVE-SERVICE STATION** means a building or place where gasoline, propane, natural gas, diesel, 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 or the storage of vehicles for rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles.

**BANK** means an institution where money is deposited, kept, lent or exchanged.

**BASEMENT** means that portion of a building between two floor levels which is partly underground.

**BED AND BREAKFAST ESTABLISHMENT** means an owner-occupied single-detached dwelling in which there are up to four rooms for rent as short-term accommodation for tourists or vacationers, and may include the provision of meals. The Bed and Breakfast use shall remain subordinate to the primary use of the building as a single-detached dwelling. This definition does not include any other establishment defined in this By-law.

**BERM** means a landscaped mound of earth.

**BOAT DOCKING OR LAUNCHING FACILITY** means a structure for the mooring or launching of boats or watercraft, attached to or forming part of the mainland or used in conjunction with a use on the mainland.

**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.

**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 or fencing.

**BUNKIE** – See **CABIN, SLEEP**

**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 conditioning, and similar items.

**BUSINESS OFFICE** means an establishment used by an agency, business or organization for the transaction of administrative, clerical or management business, the practice of a profession and/or the provision of government or social services and other similar services, but which does not include a *medical office*.

**CABIN, SLEEP** means a building containing not more than two sleeping rooms, which building shall not include cooking facilities, sanitary facilities, and is not connected to any plumbing facilities.

**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 – LICENSED CULTIVATION AND PRODUCTION FACILITY** means any building or structure, licensed and/or authorized to grow, possess, sell, provide, ship, deliver, transport, destroy, test, produce export and/or import cannabis for medical or non-medical purposes, including related research as defined in applicable Federal Regulations as amended from time to time. For the purpose of describing a licensed cannabis cultivation and production facility, cultivation refers to the growing of cannabis, whereas production refers to the processing and producing of cannabis and cannabis related products.

**CARPORT** means a building or structure that is not wholly enclosed, and is used for the parking or storage of one or more motor vehicles. Two (2) sides of the carport shall remain open and unobstructed, and there shall not be any type of door where the automobile enters.

**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** means an Additional Dwelling Unit that is in a standalone structure, separated from the primary dwelling unit.

**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.

**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.

**COLD STORAGE LOCKER** means a building or part of building used for cold storage.

**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.

**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.

**CONTRACTOR'S YARD OR SHOP** means an area of land of a contractor of any building or construction trade where equipment and materials are stored, or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.

**CONVENIENCE STORE** means a retail commercial establishment supplying groceries, sundries and other daily household necessities to the immediate surrounding area.

**CORPORATION** means the Corporation of the Township of McNab/Braeside.

**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 comprised of two or more cottages owned or leased by the same person. Cabin establishment shall have a corresponding meaning.

**CRAFT SHOP** means a building or part thereof in which a handicraft is conducted for gain of profit and may include sales of such handicraft.

**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.

**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 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.

**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

**DRIVE-THROUGH** means a building or structure or part thereof where goods and/or services are offered to the public within a parked or stationery 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.

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

**DWELLING, ADDITIONAL 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, 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 Dwelling Unit that is a separate dwelling unit detached from a primary dwelling unit and is located in its own building and on the same lot as the primary dwelling unit.

**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 temporary, detached, and portable/removable housing unit which is accessory to and shares servicing with a principal residential dwelling unit. For the purposes of this By-Law, a Garden Suite does not include a Dwelling, Additional Dwelling Unit, recreational vehicles, travel trailers, tent trailers or motor homes.

**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, 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, 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, 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, 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, LIMITED SERVICE** means a single detached dwelling that:

- a) has no frontage on a municipally maintained street, and
- b) the owner is responsible for services, such as snow clearing and road maintenance, and for ensuring that the road condition is adequate for access by emergency vehicles including fire, ambulance and police;
- c) has a means of access to the lot that is not part of the municipal street network.

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

**DWELLING UNIT** means a suite of habitable rooms which:

- a) is located in a building;
- b) is used or intended to be used in common by one or more persons as a single, independent and separate housekeeping establishment;
- c) contains 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, café, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar, but does not include a boarding house.

**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 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 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. Where the established building line is being calculated for water setback, the average distance is to be measured in accordance with the foregoing, except that it will be calculated using the distances between the high water mark and existing buildings.

**EXISTING** means existing as of the date of final passing of this By-law.

**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 one farm dwelling as well as barns, sheds and other accessory structures. A farm use includes a hobby farm.

**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 other use of similar character to the foregoing.

**FARM – ON-FARM DIVERSIFIED USE** means a use that is secondary to the principal agricultural use of the property. On-farm diversified uses include, but are not limited to home occupations, home industries, agri-tourism uses, uses that produce value-added agricultural products, electricity generation facilities and transmission systems, and energy storage systems. On-farm diversified uses must be located on a farm property that is actively in agricultural use. For example, the on-farm diversified uses do not apply to small residential lots.

**FARM – 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, farmers' market, retailers of value-added products like wine or cider made from produce grown in the area), livestock assembly yards, and farm equipment repair shops.

Examples of a 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 agricultural biomass pelletizers.

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

**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 stand set up as an accessory use on a farm, used for the sale or produce from that same agricultural use.

**FINANCIAL INSTITUTION** means the premises of a bank, trust company, finance company, mortgage company or investment company.

**FLOOD** means a temporary rise in the water level resulting in the inundation of areas that are adjacent to a water course and not ordinarily covered by water.

**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.

**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.

**FLOODPROOFED** means the installation of power service metering equipment, major electrical appliances, etc., such that they are not located below the flood plain design elevation but this does not prohibit the installation of electrical wall outlets equipped with ground fault plugs; the design and installation of heating, air conditioning, ventilation, plumbing, sewer and water systems which consider flood susceptibility; sanitary sewer and storm drainage systems having openings below the flood plain elevation which are provided with automatic back flow preventers; water supply systems which are designed to prevent contamination by flood waters; fuel-fired furnaces which are provided with float operated automatic control valves which shut off the fuel supply in the event of flooding; septic systems which are designed to operate during flood conditions and which prevent sewer discharges which could result in a health hazard; and no building openings below the regulatory flood elevation.

**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, 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.

**FRONT of BUILDING** means the side of the building that faces the front lot line, for the purposes of this By-law.

**FRONTAGE** see **LOT FRONTAGE**.

**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.

**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.

**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.

**FUNERAL HOME** means any premises where preparation of a human body for internment or cremation is undertaken.

**GARAGE, PRIVATE** means an enclosed structure used primarily for the storage of one or more vehicles and storage of household equipment incidental to the residential occupancy, but no business, occupation or service is conducted for profit, unless permitted as a Home Industry.

**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.

**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.

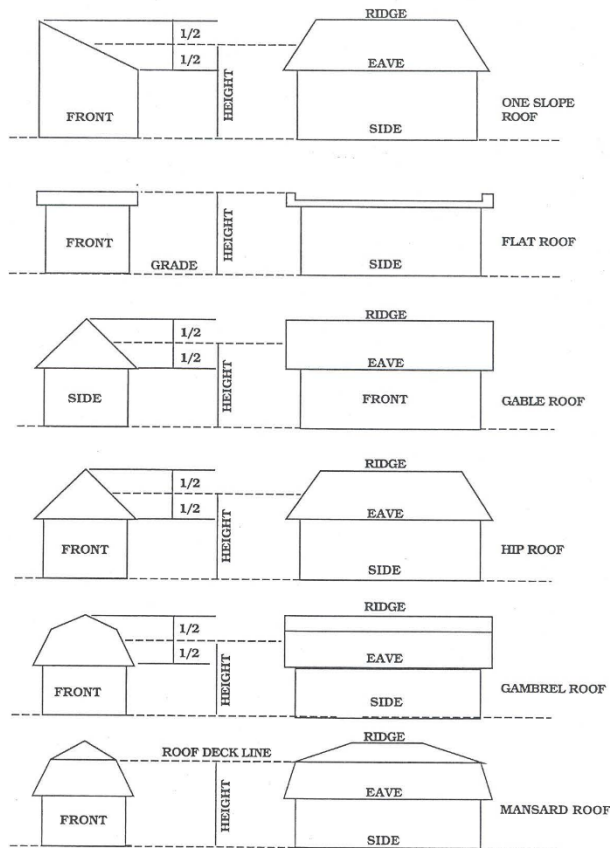
**HAULED SEWAGE** means untreated sanitary waste from a septic tank, privy or holding tank.

**HAULED SEWAGE/SEPTAGE DISPOSAL AREA** means an area where hauled sewage or septage shall be permitted to be spread and where the disposal site has been approved by the Ministry of the Environment.

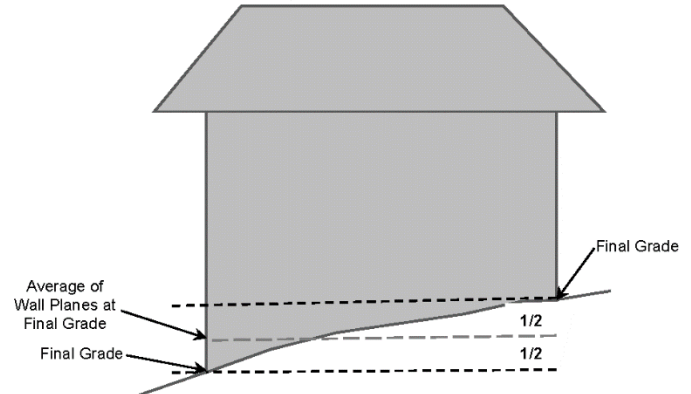
**HEIGHT** means, when used with reference to a building, the vertical distance between the average elevation of the finished surface of the ground at the Front of Building and,

- 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.

## ILLUSTRATION OF HEIGHT DEFINITION



## ILLUSTRATION OF AVERAGE ELEVATION



**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 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 INDUSTRY** means a gainful occupation including a day nursery, carpentry, electrical shop, woodworking, window framing, welding, plumbing, machine or auto repair shop, riding stables and a kennel with a maximum of four outdoor runs; a service shop; blacksmithing; or a storage building for school buses, boats or snowmobiles and may be conducted in whole or in part in a dwelling unit or an accessory building to a single detached dwelling or to a permitted farm 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 persons 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, day care (private dwelling), dentist, chiropractor, drug-less practitioner,

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

**HOSPITAL** means a hospital as defined in the Private Hospitals Act, a sanitarium as defined by the Private Sanitarium Act or a hospital as defined by the Public Hospital Act and includes facilities for mental health and addiction treatment.

**HOTEL** means a tourist establishment that consists of the following: 1) one or more than one building containing four or more accommodation units grouped under one roof and accessible from the interior or partially from the exterior, and 2) may or may not have facilities for serving meals.

**HUNTING & FISHING CAMP** means a building or structure intended to provide basic shelter and accommodation on an occasional basis for a person or group of persons engaged in hunting, fishing or other outdoor recreational activities. Such structure may be described as being of light frame construction without any interior finish on its walls and ceiling.

**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.

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

**LANDSCAPED OPEN SPACE** means open space comprised of lawn and/or ornamental shrubs, flowers and trees and may include space occupied by paths, walks, courts and patios, but shall not include parking areas, traffic aisles, driveways, ramps or storage of equipment, vehicles or other materials.

**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 where coin-operated laundry machines, using only water, detergents and additives are made available to the public for the purpose of laundry cleaning.

**LIVESTOCK** means chickens, turkeys, cattle, hogs, mink, rabbits, sheep, horses, goats or any domestic animal used or raised for consumption or for commercial purposes.

**LIVESTOCK FACILITY** means barns, buildings or structures where livestock are housed and shall also include beef feedlots and the associated manure storage facilities.

**LODGE 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 hauler where equipment and materials belonging to the logging hauler are stored and may include repairs to logging equipment belonging to the logging hauler. This definition does not include other logging activities such as a sawmill or the storage of logs on the ground or in storage buildings.

**LOT** means a parcel or tract of land:

- a) which is a whole lot as shown on a Registered Plan of Subdivision, but a Registered Plan of Subdivision for the purposes of this paragraph does not include a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a By-law passed pursuant to Section 50 of The Planning Act.
- b) which is a separate 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) the description of which is the same as in a deed which has been given consent pursuant to the Planning Act.

**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, CORNER** means a lot having street frontage adjoining the point of intersection of two or more streets.

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

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

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

**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 exterior side lot line;
- b) in the case of a corner lot with two street lines of equal lengths, the lot line that abuts the wider street or abuts a Provincial Highway or abuts a County Road shall be deemed to be the front lot line, and in the case of both streets being under the same jurisdiction, or of the same width, the lot line where the principal access to the lot is approved shall be deemed to be the front lot line;
- c) in the case of a corner lot abutting a 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; and
- e) in all other cases, 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 lot 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 or road allowance. 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, where boat trips may be offered, 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.

**MINI STORAGE ESTABLISHMENT** means one or more than one building containing separate spaces of varying sizes that are offered by lease or rent to persons for the storage of chattels. Self-service storage building shall have a corresponding meaning.

**MOBILE HOME** means any dwelling that is designed to be made mobile and constructed or manufactured to be used in like manner as a single detached dwelling for the permanent accommodation of one or more persons, notwithstanding that the running gear is or may be removed, or that such dwelling is or may be fixed on a finished and permanent foundation or has become in any other manner so adapted and affixed to the land upon which it is situated that it is, or has become, an immobile and permanent structure, and includes any mobile home as defined in Section 46(1) of the Planning Act 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 an area of land which shall be considered a lot within a mobile home park occupied by or intended for occupancy by one mobile home together with all yards and open space required by this By-law.

**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.

**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 Navigable Waters Protection Act.

**NON-CONFORMING** means that which does not conform, comply or agree with the regulations of this Bylaw as of the date of final passing thereof.

**NURSERY** see **GARDEN CENTRE**.

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

**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. Notwithstanding the foregoing, said office shall not be a hospital or any other use defined herein.

**OPEN SPACE** means a parcel or area of land essentially unimproved or unoccupied by any 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 on 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. This definition also applies to outdoor furnaces located in any accessory building.

**PARK** means a recreational area that consists largely of open space and which may include a picnic area, swimming pool or area, playground, play field or similar use, but shall not include a mobile home park or recreational vehicle park.

**PARK, PRIVATE** means a park other than a public 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.

**PARKING AREA** means an area provided for the parking of motor vehicles and encompassing at least the required number of parking spaces and all driveways, aisles, manoeuvring areas, entrances, exits and similar areas for access to parking spaces, but shall not include any part of a street or private road.

**PARKING SPACE** means an area exclusive of driveways or aisles, for the temporary parking or storage of motor vehicles.

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

**PERSON** means an individual, an association, a chartered organization, a firm, a partnership or a corporation.

**PET GROOMING ESTABLISHMENT** means the practice of cleaning and maintaining the pets of customers entirely within the building premises, but does not include a place for the selling, breeding, or overnight boarding of animals.

**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 or other use otherwise defined or classified in this By-law.

**PLACE OF WORSHIP** means a building or structure designed and constructed or erected for the sole purpose of public or private worship of a Supreme Deity or deities.

**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.

**PRINTING SHOP** means a building or part of a building used for printing.

**PRIVATE ROAD** means a registered right-of-way not dedicated and accepted as, or otherwise deemed at law to be a public highway, that serves as a privately maintained motor vehicle access-route to one or more abutting, legally conveyable parcels of land. New private roads shall have a minimum width of 10 metres (33 feet).

**PRIVATE CLUB** means a building or part of a building used as a meeting and social place exclusively for members of a chartered organization and their guests, and shall include a fraternal lodge (eg. Free Masons), a fraternity or sorority house, hostel, and a labour union hall.

**PROPANE TANK** shall mean a structure consisting of a tank/cylinder used for the storage of propane gas.

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

**PUBLIC AUTHORITY** means the Council and any School Board, Public Utility Commission, Transportation Commission, Public Library Board, Board of Parks Management, Board of Health, County of Renfrew, Planning Committee or other board or commission or committee of the Township of McNab/Braeside 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.

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

**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, 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 playground with activity equipment for children. Passive recreation may include private trails for motorized vehicles (ATV/dirt bike) provided they are not a course/track that results in noise concerns.

**RECREATIONAL VEHICLE** means any vehicle constructed to be attached and propelled by a motor vehicle and that is capable of being used by persons for living, sleeping or eating, even if the vehicle is jacked-up or its running gear is removed. It includes any vehicle designed, intended and used as accommodation exclusively for travel, recreation and vacation and which is either capable of being drawn by a passenger vehicle or is self-propelled and shall include travel trailers, park model trailers, tent trailers, vans, motor homes, Tiny Homes, and similar transportable accommodation excepting a mobile home.

**RECREATIONAL VEHICLE CAMPGROUND** means a parcel of land under single ownership which is designed, developed and maintained or intended to provide accommodation on a temporary or seasonal basis, for recreational vehicles and/or tents plus accompanying towing or carrying vehicles. It may also include accessory uses such as an administration office, clubhouse, snack bar, laundry, convenience and souvenir shop, swimming pool, washrooms, showers, managers dwelling and recreational facilities. Recreational Vehicle Park and Trailer Park shall have a corresponding meeting.

**RECREATIONAL VEHICLE SITE** means a plot of ground within a recreational vehicle campground or a camping establishment intended for exclusive occupancy by the renter(s), and on which accommodations and vehicles can be placed.

**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.

**REQUIRED** means required by this By-law. **REQUIREMENT** shall have a corresponding meaning.

**RESORT** means a tourist establishment catering to the vacationing public, designed as a destination-oriented operation and/or being within an area recognized as a destination for vacations, and providing meals and sleeping accommodations that may consist of lodge houses, guest rooms or cottages, but shall not include any other use defined herein.

**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.

**ROAD, PUBLIC** see **STREET**.

**ROAD ALLOWANCE** see **STREET ALLOWANCE**.

**ROOM, HABITABLE** means a room which is designed for:

- a) living;
- b) sleeping;
- c) eating;
- d) or for sanitary purposes; and

**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 and a wrecking 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 or Separate 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.

**SEPARATION DISTANCE** means the horizontal distance between buildings or structures or physical features measured from the closest point of the exterior wall of such building or structure, or from the closest point of such physical feature.

**SERVICE SHOP, GENERAL** means a building or part of a building used for the servicing or repairing of articles, goods or materials, and in which no product is manufactured and includes radio, television and appliance repair shops, a laundromat, but does not include any automotive uses as defined by this By-law.

**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 sanitary disposal system including a septic tank and tile bed disposal system approved by the Township's Sewage System Authority.

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

**SHIPPING CONTAINER** means a container with strength suitable to withstand shipment, storage, and handling. Shipping containers include large reusable steel boxes used for intermodal shipments. This definition also includes sea cans.

**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.

**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 "at capacity" 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 15 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, sauna, and similar buildings and structures, but does not include parking areas, private waste disposal systems, structures that require a pressurized water system (Pool, Steam Bath, hot tub), stairs required for water access, and power lines. A dock or boat launching facilities are not considered shoreline structures.

**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.

**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, 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.

**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. Any underground structure or part of a structure located in the ground shall be exempt from all setbacks as defined in this By-law with the exception of Section 3.27.5 Water Setback. A retaining wall that requires a permit under the Ontario Building Code is considered to be a structure. Landscaping features including patios and retaining walls that do not require a building permit are not considered structures.

**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 depth of 0.46 metres or more 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.

**TARPAULIN GARAGE** means a structure designed to be temporary, that consists of a frame that a tarp or other fabric/cloth material is covering.

**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.

**TINY HOME** means an alternative form of housing that is self-sufficient in terms of servicing and is transportable. A tiny home may be on wheels or be jacked-up or its running gear is removed. A tiny home is considered a recreational vehicle for the

purposes of this by-law and the provisions applicable to a recreational vehicle shall apply.

**TOP OF SLOPE** means a line delineated at a point where the oblique of the slope meets the horizontal plane.

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

**TOWNSHIP** means the Corporation of the Township of McNab/Braeside.

**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 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, TENT OR TRAVEL** – See definition of Recreational Vehicle

**TRAILER PARK** see **RECREATIONAL VEHICLE CAMPGROUND**.

**TRAINING CENTRE** means a place where an employer provides job-related training or instruction to its employees that is designed to improve job performance or enhance the career advancement opportunities of those employees.

**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 where goods are stored temporarily for further shipment.

**USE** means the purpose for which a lot or a building or structure, or any portion thereof, is designed, arranged, intended, occupied or maintained. 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.

**WAREHOUSE** means a building or part of a building used primarily for the operation of general merchandise warehousing, cold storage and other storage facilities and also includes a centre for the distribution of wholesale goods and commodities for resale to retailers; to industrial, commercial, institutional, or professional users; to wholesalers.

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

**WATERBODY** means a lake, canal, pond, wetland, river, watercourse, seasonal watercourse or municipal drain as defined by the *Drainage Act*, but does not include an artificially constructed swale or ditch intended for intermittent and minor surface drainage of residential lots.

**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 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.

**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.

**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.

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands.

**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.

**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.

**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.

**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.

**YARD, FRONT** means a yard extending across the full width of a lot between the front lot line and the nearest part 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. **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, EXTERIOR SIDE** means a yard adjacent to a street between the nearest part of any main building, structure or excavation on the lot and a street, a 1-foot reserve or a road allowance, extending from the front yard to the rear lot line. **EXTERIOR SIDE YARD WIDTH** means the shortest horizontal distance between a side lot line on the flank side yard side and the nearest part of any main building, structure or excavation on the lot.

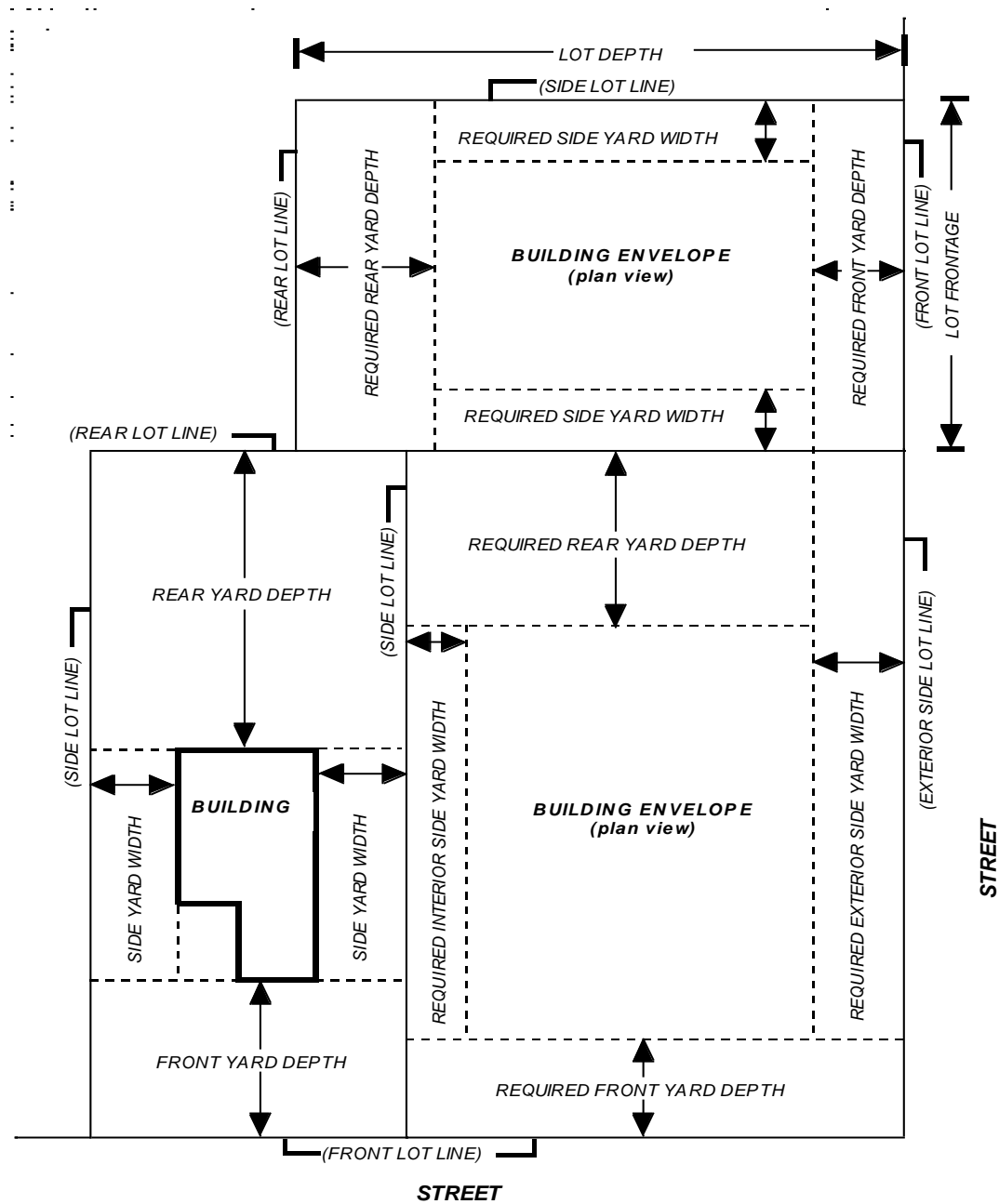
**YARD, INTERIOR SIDE** means a side yard other than an exterior side yard.

**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.

# ILLUSTRATION OF YARDS, REQUIRED YARDS AND RELATED TERMINOLOGY



Note: The above illustration is for clarification purposes only.

## SECTION 3 – GENERAL PROVISIONS

### 3.1 Application

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

### 3.2 Accessory Uses, Buildings and Structures

Accessory uses, buildings and structures shall be permitted in any Zone provided that:

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

3.2.2 No accessory building or structure shall contain a habitable room except where specifically permitted elsewhere in this by-law (i.e. an accessory dwelling unit, sleep cabin). A garden suite or additional dwelling unit permitted under Section(s) 3.9 of this By-law are not considered to be an accessory use or structure and are required to meet the zoning provisions for the primary use.

a) Notwithstanding Section 3.2.2 to the contrary, for waterfront lots on lakes and rivers that are not “at capacity”, as designated by the Province of Ontario, and have an area equal or greater than 4000 m<sup>2</sup> (1 acre) may have a sleep cabin that does not exceed 18 m<sup>2</sup> (194 square feet) and 4.5 metres in height (14.7 feet). The sleep cabin shall not be available for rent or leased.

#### 3.2.3 Provisions for Accessory Uses, Buildings or Structures

	RR, LSR	RU, A	All Other Zones
(1) Minimum Required setback from a front lot line	Same as required for principal building		
(2) Minimum required setback from an Exterior Side Lot Line or a Rear Lot Line abutting a street	Same as minimum exterior side yard setback		
(3) Minimum required setback from an Interior Side Lot Line or Rear Lot line (not abutting a street)	0.6 m	1.2 m (Does not apply to agricultural buildings or structures)	1.2 m
a) For a marine facility (dock or launching) where it abuts a watercourse	0 m		

	<b>RR, LSR</b>	<b>RU, A</b>	<b>All Other Zones</b>
b) For shared garages or carports erected on a common side lot line	0 m		
c) For children's play structure, aboveground swimming pools, hot/tubs located within a building/structure	1.2 m or a distance equal to the height of the structure (whichever is greater)		
(4) Minimum Required distance from any other building located on the same lot (except a hot tub)	1.2 m		
(5) Maximum permitted height (see also 3.11 – Exceptions to Height)	5 m	9 m (Does not apply to agricultural buildings or structures)	6 m
(6) Maximum permitted size (*not including outdoor swimming pool or hot tub)	Aggregate of all accessory buildings shall not exceed a cumulative floor area of 70 m <sup>2</sup>	Aggregate of all accessory buildings not to exceed a lot coverage of 5% or 400 m <sup>2</sup> , whichever is less (Does not apply to agricultural buildings or structures)	No maximum
(7) Maximum Number of Accessory Buildings permitted on a lot (*does not apply to an outdoor swimming pool or hot tub)	2	4 (Does not apply to agricultural buildings or structures)	3

3.2.4 The provisions under section 3.2.3 shall not apply to a partially enclosed shelter for use by children waiting for a school bus in any Rural (RU) or Agriculture (A) Zone nor to any farm produce sales outlet, provided the structures have less than 9.3 m<sup>2</sup> gross floor area.

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

- 3.2.6 Accessory buildings and structures shall not be constructed on lands subject to slope failure or to flooding.
- 3.2.7 Notwithstanding Section 3.2.2 to the contrary, for waterfront lots on lakes and rivers and have an area equal or greater than 4000 m<sup>2</sup> (1 acre), one sleep cabin that does not exceed 18 m<sup>2</sup> (194 square feet) and 4.5 metres in height (14.7 feet) shall be permitted. Sleep cabins shall not be permitted on waterbodies identified as "at capacity", as designated by the Province of Ontario. The sleep cabin shall not be made available for rent or lease.
- 3.2.8 Notwithstanding Section 3.2.2, an outhouse/pit or privy (as defined under the Ontario Building Code) is a permitted accessory building in the RU, A, and LSR zones.
- 3.2.9 Tarpaulin garages shall be prohibited in all zones, except the Agriculture (A) and Rural (RU) zones and the tarpaulin garage will be maintained in an orderly fashion.
- 3.2.10 A shipping container/storage trailer may be used as an accessory building in the Rural (RU) Zone, Agriculture (A) Zone, a Commercial Zone, or an Industrial Zone provided that:
- a) A shipping container/storage trailer shall not be located within 20 metres of a front lot line;
  - b) Where a shipping container/storage trailer cannot be located 20 metres from a front lot line, the shipping container/storage trailer 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/storage trailers shall be visually screened from any street or from any adjacent lot where such adjacent lot is in a zone other than an Industrial Zone;
  - 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) A shipping container/storage trailer shall not be used for the display of advertising;
  - f) Notwithstanding the above, a shipping container/storage trailer may be used as a Temporary Construction Use in accordance with the provisions of this By-law.

### **3.3 Automotive – Service stations, Gasoline bars, and Commercial garages**

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

- 3.3.1 No portion of any pump island shall be located closer than 7 metres from the street line of any street.
- 3.3.2 The minimum distance from the intersection of two street lines or from straight line projections of such, to the nearest ingress or egress ramp shall be not less than 10.0 metres (ie. entrance or exit point).
- 3.3.3 The maximum width of a ramp at the street line shall be not more than 10.0 metres and the minimum width not less than 7.5 metres.
- 3.3.4 The minimum distance between ramps shall be not less than 9.0 metres.
- 3.3.5 The minimum interior angle of a ramp to a street line shall be 45.0 degrees and the maximum interior angle of a ramp to the street line shall be 90.0 degrees.
- 3.3.6 The minimum distance between any side lot line of the property at the street line and the nearest ramp shall be 3.0 metres.
- 3.3.7 The area included between ramps, or between ramps and a street line or a property line, as required by this By-law, shall be used for landscaped open space only, to a minimum width of 1.0 metre.
- 3.3.8 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.
- 3.3.9 Despite subsection 3.3.8, 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.

### 3.4 Backyard Chickens / Urban Agriculture

- 3.4.1 The keeping of backyard chickens shall be permitted in all zones as an accessory use to a main permitted use. For the purposes of this section, backyard chickens shall not include roosters.
- 3.4.2 Minimum lot area requirements for backyard chickens are as follows:

Lot Size	Permissions/Requirements
Less than 0.4 Ha	- Maximum of 6 chickens

0.4 Ha to less than 0.8 Ha	- Maximum of 12 chickens
0.8 Ha to less than 2.0 Ha	- Maximum of 20 chickens
2.0 Ha and greater	- No limit on the number of backyard chickens

3.4.3 Notwithstanding Section 3.26.1(a) of this By-law to the contrary, Minimum Distance Separation (MDS 1) shall not apply to the keeping of backyard chickens and related structures where the number of kept chickens is 12 or less.

3.4.4 This section does not limit the number of chickens where a farm is a permitted use.

3.4.5 Location of the backyard chicken coop shall comply with the setbacks for accessory buildings as specified in Section 3.2 of this by-law.

3.4.6 The keeping of Honeybees shall be permitted in all zones.

3.4.7 Minimum lot area requirements for backyard honeybee keeping are as follows:

<b>Lot Size</b>	<b>Permissions/Requirements</b>
0.4 Ha to less than 0.8 Ha	- Maximum of 5 hives
0.8 Ha to less than 2.0 Ha	- Maximum of 15 hives
2.0 Ha and greater	- No maximum number of hives

3.4.8 Hives are required to be located:

3.4.8.1 A minimum of 3 metres from any property line;

3.4.8.2 A minimum of 10 metres from a property line adjacent to a road or highway; and

3.4.8.3 A minimum of 30 metres to a property line separating the land on which the hives are placed or left from land occupied as a dwelling or used for a community center, public park or other place of public assembly or recreation.

### **3.5 Barrier Free Access**

Nothing in this By-law shall prevent the establishment of barrier-free entrances on any given property in accordance with the requirements of the Ontario Building Code. Barrier-Free entrances shall include barrier-free hoists, lifts, ramps, railings, and associated landings. Where the barrier-free structures encroach in to any minimum required setback, the encroachment shall be kept to the minimum extent required that satisfies the Ontario Building Code.

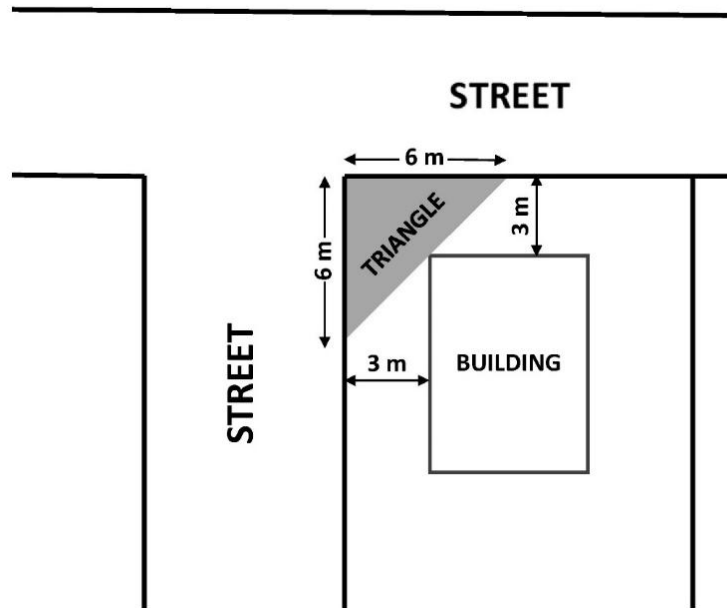
### **3.6 Buildings to be Moved**

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

### **3.7 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.

At the intersection of two County roads, the sight triangle dimensions shall be 10 metres by 10 metres.

**ILLUSTRATION OF CORNER SIGHT TRIANGLES****3.8 Crown Lands**

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

**3.9 Dwellings Per Lot**

3.4.3 No more than one (1) building used as a dwelling, containing one or more dwelling units shall be erected on any lot.

- a) Notwithstanding the above, apartment dwellings are permitted to have more than one building provided all other provisions of this by-law are met.
- b) Notwithstanding the above, a second building being a coach house or contains an Additional Dwelling Unit is permitted in accordance with the Additional Dwelling Unit provisions below

3.4.4 Additional Dwelling Units without full services (municipal water and sewer):

For lots that are not on full municipal water and sewer services (i.e. have a combination of a well, septic system, or both), an Additional 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, and shall be subject to the following criteria:

- 3.9.4.1 An Additional Dwelling Unit shall only be permitted where adequate servicing is or can be made available to accommodate the

additional dwelling unit, including, but not limited to water, waste water, stormwater and electricity.

- 3.9.4.2 Minimum lot area and location requirements for additional dwelling units on lots with private services (well and/or septic) are as follows:

Lot Size/Location	Permissions/Requirements
0.4 Ha or less	- Not permitted
Greater than 0.4 Ha but less than 0.8 Ha	- Not permitted - May be considered through the submission and approval of a minor variance supported by a study to address County of Renfrew Official Plan policy 2.2(24)(2)d. - Required to share the same water and/or septic services as the primary dwelling.
0.8 Ha to less than 2.0 Ha	- Permitted - Required to share the same water and/or septic services as the primary dwelling
2.0 Ha and greater	- Permitted - Not required to share well and septic services with the primary dwelling
Lots fronting on At-Capacity and Near Capacity Lakes	- Not permitted within 300 metres of an At-Capacity and Near-Capacity lakes, as designated by the Province of Ontario
Lots fronting on all other waterbodies (not described above)	- Not permitted - 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 2.2(24)(2)d.

- 3.9.4.3 An Additional Dwelling Unit may not be severed from the lot with the primary dwelling. (See County of Renfrew Official Plan policy 2.2(24)(2)(e))
- 3.9.4.4 That an Additional Dwelling Unit which is a Coach House or is located in an accessory building to the Primary Dwelling Unit shall be subject to the following provisions:
- The minimum side yard width and rear yard depth applicable to the Primary Dwelling Unit shall also apply to the Coach House.

- b) The Coach House shall not be located within a minimum front yard setback in a Rural (RU) or Agriculture (A) zone or within a front yard in all other zones.
  - c) For Townhouse and Semi-detached dwellings, a Coach House shall only be permitted where the Primary Dwelling Unit is a freehold unit located on a separate lot from the other townhouse dwelling units or semi-detached dwelling unit in the same building.
  - d) The maximum height shall be the permitted height of an accessory building (Section 3.2.3).
- 3.9.4.5 An Additional Dwelling Unit, not including a Coach House, shall be permitted in all types of townhouse dwelling units or semi-detached dwelling units whether or not the Primary Dwelling Unit is a freehold unit located on a separate lot from the other townhouse dwelling units or semi-detached dwelling unit, or is located on the same lot, provided that lot is serviced by both municipal sewer and water services.
- 3.9.4.6 A minimum of one (1) parking space, which may be a tandem parking space, is required for an Additional Dwelling Unit. Where an Additional Dwelling Unit is located within a detached garage, the parking space provided by the detached garage must be retained either within the detached garage or elsewhere on the lot in conformity with the applicable provisions of the zoning by-law.
- 3.9.4.7 A maximum of one Additional Dwelling Unit is permitted per Primary Dwelling Unit (unless additional dwelling units are permitted in a full serviced area).
- 3.9.4.8 An Additional Dwelling Unit shall not be permitted on lands within a floodway or on lands in a Natural Heritage Feature (NHF) zone, Environmental Protection (EP) zone or within 30 metres of the high water mark of a navigable waterbody.
- 3.9.4.9 An Additional Dwelling Unit shall be permitted in a Primary Dwelling Unit that has inadequate yard size provided the addition of the Additional Dwelling Unit does not increase the degree of non-compliance.
- 3.9.4.10 An Additional Dwelling Unit shall not be permitted on a lot where the Primary Dwelling Unit is a legal non-conforming use.
- 3.9.4.11 An Additional Dwelling Unit shall not be permitted on an existing undersized lot where the area is less than required by the provisions of the respective zone.

3.9.4.12 In the Agriculture (A) Zone, where a residential dwelling is permitted, up to two (2) additional residential units shall be permitted. Where two (2) additional residential units are proposed, at least one of these additional residential uses must be located within or attached to the principle dwelling and they must:

- a) Comply with MDS formula;
- b) Be limited in scale and be located within, attached, or in close proximity to the principle dwelling or farm building cluster; and
- c) Minimize land taken out of agricultural production.

### 3.10 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:

Structure	Yards in Which Encroachment is Permitted	Maximum Projection Permitted into Minimum Required Yard Setback
a) Sills, Belt Courses, eaves, gutters, chimneys, bay windows, solar collectors, heat pumps, ventilators, shutters, cornices, parapets, pilasters or other ornamental structures	All	0.6 metres
b) Fire escapes, exterior staircases	Side and rear only	1.5 metres
c) Balconies, steps, unenclosed porches, screened porches, sundecks, decks, attached solarium	Front and Rear only	2 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

The permitted encroachments do not apply to other setbacks required by this by-law. Examples include (but are not limited to) water setback, natural features such as PSW's or ANSI's, industrial uses, or aggregate.

### 3.11 Exceptions to Height Limitations

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

- a) Place of worship spires;
- b) Place of worship belfries;
- c) Chimneys;
- d) Clock towers;
- e) Transmission and telecommunication towers;
- f) Water storage tanks;
- g) Monuments;
- h) Flag poles;
- i) Agricultural buildings and structures, including silos and grain elevators;
- j) Storage tanks and silos associated with an industrial use in an Employment Zone;
- k) Any ornamental roof construction features including but not limited to domes, chimneys, towers and steeples;
- l) Any mechanical features, such as structures containing a mechanical penthouse or the equipment necessary to control an elevator;
- m) Aggregate processing facilities; and,
- n) Buildings and structures associated with a public works yard operated by a public authority.

### **3.12 Floodplain Provisions**

#### **3.12.1 Ottawa River Floodplain**

The 76.16 m G.S.C. contour represents the upper elevation of the floodplain of the Ottawa River.

Within the floodplain, on land below the 75.25 m G.S.C. contour, no development, with the exception of boat docking and launching facilities, shall be permitted. On land at or above the 75.25 m G.S.C. contour and below the 76.16 m G.S.C. contour, development is permitted but only if all development is floodproofed as defined elsewhere in this By-law.

NOTE: Maps delineating the 75.25 m G.S.C. contour are available in the Clerk's office but a detailed map, prepared by a qualified surveyor at the applicant's expense, will be required in order to identify the relevant elevations and demonstrate how these zone provisions will be met.

### 3.12.2 Madawaska River Floodplain

The lands along the Madawaska River that are subject to flooding are not to be developed. Although there are no Flood Damage Reduction Program (FDRP) maps available for the Madawaska River, based on input from Ontario Power Generation and the Ministry of Natural Resources, the following elevations based on flooding potential have been established:

- a) Along the Madawaska River between the Arnprior dam and the Stewartville dam, lands below the 100.58 m geodetic contour may be susceptible to flooding; and
- b) Along the Madawaska River above the Stewartville dam, lands below the 146.3 m geodetic contour are susceptible to flooding.

An elevation survey identifying the flood potential elevations mentioned above and prepared by an Ontario Land Surveyor shall be required for all building permit applications, unless Ontario Power Generation owns the lands up to or above the stated elevation. Based on the findings of any required flood plain study or elevation survey, land below the above contours shall be used in accordance with the permitted uses and provisions of the Environmental Protection (EP) Zone.

## **3.13 Gravel Pits, Quarries, Wayside Pits and Quarries, and Portable Asphalt Plants and Portable Concrete Plants**

A gravel pit or quarry, with the exception of a wayside pit or quarry, shall be prohibited in all Zones, except in a Mineral Aggregate Pit (MP) or Mineral Aggregate Quarry (MQ) 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 and concrete plants must comply with the Ministry of the Environment separation distances and must obtain an Environmental Compliance Approval from the Ministry of the Environment.

## **3.14 Home Industry**

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

- 3.14.1 No more than two persons, other than a person(s) residing on the premises, shall be employed in the home industry.
- 3.14.2 Such home industry shall not be a hazardous or obnoxious trade, and shall not create or become a public nuisance.
- 3.14.3 Such home industry is clearly secondary to the main use and does not change the residential character of any dwelling, or the agricultural character of any farm unit.

- 3.14.4 The parking requirements of this By-law shall apply to any home industry use.
- 3.14.5 No goods, wares or merchandise shall be offered or exposed for sale or rent on the premises unless such goods, wares and merchandise are either:
- a) incidental to the home industry; or
  - b) arts and crafts produced on the premises; or
  - c) farm produce resulting from the main use.
- 3.14.6 Not more than 10.0 percent of the gross floor area of the dwelling unit shall be dedicated to the home industry.
- 3.14.7 Outdoor storage associated with a home industry shall not be permitted.

### **3.15 Home Occupations**

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

- 3.15.1 The use shall be conducted entirely within the dwelling unit and carried on by person(s) residing in the dwelling unit. One employee, other than a resident of the premises, will be permitted to be employed.
- 3.15.2 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.
- 3.15.3 Not more than 25% of the dwelling unit area shall be used for the purpose of home occupation uses.
- 3.15.4 Such home occupation shall be clearly secondary to the main residential use and there shall be no change to the outside appearance of the dwelling unit or premises or any visible evidence of the conduct of a home occupation.
- 3.15.5 There shall be no storage of equipment, vehicles, or supplies associated with the home occupation outside the dwelling.
- 3.15.6 The use shall not require additional off-street parking spaces for clients or customers of the home occupation.
- 3.15.7 The use shall not generate additional pedestrian or vehicular traffic beyond that normal to the neighbourhood in which it is located.
- 3.15.8 No equipment or process shall be used in a home occupation which creates excessive noise, vibration, glare, fumes, or odour detrimental to the health, safety, and general welfare of persons residing in the neighbourhood.

- 3.15.9 Where instruction is carried on, no more than six pupils are in attendance at any one time.
- 3.15.10 Where a dwelling is located on a private road, a home occupation shall only be permitted provided that no public vehicular traffic is generated.
- 3.15.11 Home occupation shall not include the following uses:
- Adult entertainment uses;
  - Any use requiring ventilation, other than ventilation typically found in any residence;
  - Any use involving the storage, repair, maintenance, painting and/or towing of motor vehicles or recreational vehicles;
  - Industrial uses;
  - Kennel or a day-kennel;
  - Places of amusement;
  - Restaurants;
  - Retail stores; and,
  - Taxi and limousine service depot/dispatch establishments.

### **3.16 Lots to Front on Streets**

- 3.16.1 No person shall erect or use any building or structure on a lot in any zone unless the lot fronts on and has direct access to an improved street being a Provincial Highway, County Road, or Township Road.
- 3.16.2 Exceptions:
- a) Limited Service Residential  
Notwithstanding the provisions of 3.16.1 of this subsection, a limited service dwelling may be erected or used on a lot in a Limited Service Residential (LSR) Zone provided such lot fronts along a private road which the subject lot and use are legally entitled to use for access.
- b) Hunting and Fishing Camp  
A hunting and fishing camp shall not be required to meet the provisions of paragraph 3.16.1
- c) Resource Land Uses  
Notwithstanding the provisions of paragraph 3.16.1 of this subsection, a building or structure accessory to a permitted forestry, farm or mineral exploration use may be erected or used on a lot that has frontage on a seasonally maintained street; this provision shall not be construed so as to permit any type of dwelling.

d) Plan of Subdivision or Plan of Condominium

Subsection 3.16.1 shall not apply to a lot on a registered plan of subdivision or a plan of condominium where an agreement between the owner and the corporation which includes provisions for the construction of the streets is registered in the Registry or Land Titles Office.

### **3.17 Mobile Homes and Recreational Vehicles**

3.17.1 Mobile homes are prohibited in all Zones, other than the Agriculture (A), Rural (RU) or Mobile Home Park (MHP) Zones. In the Agriculture (A) or Rural (RU) Zones one mobile home may be permitted as a second accessory dwelling to accommodate farm help. A mobile home shall not be permitted as the primary residence on a separately conveyable agricultural parcel.

3.17.2 Notwithstanding section 3.17.1, a mobile home may be used as a temporary office, temporary residence, tool storage shed or similar use on a construction site. The approval is subject to the terms and conditions for the removal of the temporary mobile home as set out in a building permit or agreement with the municipality.

3.17.3 No recreational vehicle shall be occupied unless it is located within a recreational vehicle campground.

3.17.4 Notwithstanding subsection 3.17.3, for a period up to 18 months, with the possibility of a 1 year extension subject to Township approval, a recreational vehicle is permitted to be occupied if it is 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.

### **3.18 Non-Conforming Uses**

This Section applies to lots and buildings where the use of the property or building does not conform to the permitted uses of the zone.

Nothing in this By-law shall apply:

3.18.1 To prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building or structure was lawfully used for such purpose on the day of the passing of this By-law, so long as it continues to be used for that purpose; or

3.18.2 To prevent the erection for a purpose prohibited by this By-law of any building or structure for which a permit has been issued under Section 8 of the Building Code Act, prior to the day of the passing of this By-law, so long as the building or structure when erected and provided that the permit has not been revoked under Section 8(10) of the Building Code Act; or

- 3.18.3 To prevent the repair or replacement in whole or in part, or the strengthening to a safe condition of any building or structure or part of any such building or structure which does not comply with the provisions of this By-law, provided such alteration or repair does not increase the height, size or volume or change the use of such building or structure; or
- 3.18.4 To prevent the restoration of any building or structure which does not comply with the provisions of this By-law, where such building or structure is damaged by fire or an act of nature, provided that:
- Such restoration does not increase the height, size or volume or change the use of such building or structure; and
  - All efforts are made with such reconstruction to improve the non-conforming nature of the building or structure.
- 3.18.5 Change of Use  
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.
- 3.18.6 A non-conforming use shall be considered to be terminated once the use ceases and the property is used for a permitted use
- 3.18.7 Accessory Buildings  
Nothing in this By-law shall prevent the erection of a building or structure accessory to an existing legal non-conforming use provided that such accessory building or structure complies with all other relevant provisions of this By-law including the setbacks and lot coverage of the respective zone.

### **3.19 Non-Complying Building/Structure**

This Section applies to lots where the use of the property or structure is permitted but the building does not comply with the provisions of this By-law. These provisions do not apply to derelict or abandoned buildings. Refer to Sections 3.27.5 (e) and (f) for related waterfront provisions.

- 3.19.1 Rebuilding, Repairs and Renovations  
Nothing in this By-law shall prevent the rebuilding, repair or renovation of a non-complying building or structure, including buildings which have been damaged or destroyed by fire or natural disaster, provided that such rebuilding, repair or renovation does not further contravene this By-law. Efforts should be made to have the rebuilding of buildings or structures comply with all applicable setbacks and yard provisions of the applicable zone.
- 3.19.2 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 purposes

specifically permitted within the zone in which such building or structure is located and which building or structure legally existed at the date of passing of this By-law but which building or structure does not comply with one or more of the Zone Provisions of this By-law, provided such accessory use, extension or addition does not contravene any of the provisions of this By-law.

### **3.20 Non-Complying Lots**

A lot in existence prior to the effective date of this By-law that does not meet the lot area and/or lot frontage requirements of the applicable Zone, is permitted to be used and buildings and structures thereon be erected, enlarged, repaired or renovated provided the use conforms with the By-law and the buildings or structures comply with all of the other provisions of this By-law.

### **3.21 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.

### **3.22 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.

### **3.23 Occupancy of Vehicles**

No truck, bus, coach, vehicle, tiny home constructed on wheels, recreational vehicle or trailer shall be used as a primary residence for human habitation within the municipality whether or not the same is mounted on wheels unless the occupancy complies with Section 3.17 of this by-law.

### **3.24 Open Storage**

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

- 3.24.1 In a residential, rural, or agriculture zone, a maximum of one recreational vehicle/trailer and one boat may be stored on a property with a primary dwelling unit provided that:
- a) No parking space required by this by-law is used;
  - b) The recreational vehicle/trailer is not occupied/habituated;
  - c) It is not located within a front yard or exterior side yard;

- d) It is setback 1.2 metres from any interior side yard or rear yard.
  - e) Notwithstanding subsection 3.24.1 (c) the parking or outside storage of a recreational vehicle or boat may be permitted for a period of not more than 72 hours in any one calendar month in a front yard or exterior side yard.
  - f) Notwithstanding subsection 3.24.1, in the rural or agriculture zone on properties greater than 1 ha, a maximum of 2 recreational vehicles/trailers and up to 3 boats may be stored.
- 3.24.2 Open storage shall be accessory to a permitted or existing non-residential use on the same lot and a building for the primary use has been constructed provided that:
- a) 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.
  - b) 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.
  - c) A strip of landscaped open space with a minimum width of 3 metres shall be maintained around all open storage areas.
  - d) 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.
  - e) No parking spaces or loading spaces required by this By-law shall be used for open storage purposes.

### **3.25 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 public service by the Municipality or by any local board thereof defined by the Municipal Act (S.O. 2001), the County of Renfrew, any telephone, gas, or communications company, any department or agent of the Government of Ontario or Canada, including Ontario Power Generation and Hydro One Networks Inc., 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.

### **3.26 Separation Distances**

#### **3.26.1 Dwellings and Sensitive Uses (includes dwellings, senior citizen home, nursing home, schools, and hospitals)**

- a) No sensitive use shall be erected within the minimum distance from a livestock facility required by the Minimum Distance Separation I (MDS I).
- b) No sensitive use shall be erected within 60 metres of any Industrial Zone or Industrial-Holding Zone.
- c) No sensitive use shall be erected within 300 metres of any Mineral Aggregate Pit (MP) or Mineral Aggregate Pit - Reserve (MP-R) Zone.
- d) No sensitive use shall be erected within 500 metres of any Mineral Aggregate Quarry (MQ) or Mineral Aggregate Quarry - Reserve (MQ-R) Zone.
- e) No sensitive use shall be erected within 200 metres of a hauled sewage disposal site, unless it is the owner's dwelling in which case the required separation distance shall be 60 metres.
- f) No sensitive use shall be erected within 100 metres of any animal hospital or kennel unless it is the owner's dwelling.
- g) No sensitive use shall be erected within 500 metres of a waste disposal site.
- h) Licensed Cannabis Production Facility – See Section 3.35
- i) Notwithstanding Section 3.26.1 c) and d), for a lot that includes a dwelling as a permitted use, and where the lot is entirely located within the separation distance of an aggregate resource, the separation distance indicated in section c) and d) of this subsection shall not apply. The construction of a new dwelling is permitted and the enlargement, repair, or replacement of an existing dwelling is permitted. The dwelling is to be located as remotely from the aggregate zone as the lot will allow to the satisfaction of the chief building official.

3.26.2 Gravel Pits, Quarries and Associated Extractive and Manufacturing Plants and Facilities

- a) No land identified as a buffer strip in a licence or permit under the Aggregate Resources Act shall be used for any other purpose.
- b) No concrete or asphalt manufacturing plant or extractive industrial facility shall be located within 50 metres of any high water mark.
- c) No concrete or asphalt manufacturing plant shall be located within 300 metres of a dwelling, a school, an institution with a residential component or land restricted to residential use in a by-law passed under Section 34 of the Planning Act. Notwithstanding the foregoing, where an operator possesses a valid Certificate of Approval for a particular asphalt plant, the required separation distance shall be as established by that Certificate.
- d) No gravel pit shall be located within 300 metres of an existing dwelling or building lot for a dwelling.
- e) No quarry shall be located within 500 metres of an existing dwelling or building lot for a dwelling.

3.26.3 Farm Uses

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

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

3.26.4 Animal Hospital, Kennel

No animal hospital and no kennel shall be located within 100 metres of any Residential Zone or any dwelling on another lot.

3.26.5 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 and no disposal site shall be located within:

- a) 200 metres of any dwelling on another lot;
- b) 750 metres of any subdivision or land zoned for residential development;
- c) 150 metres of any uncased well;
- d) 75 metres of any well with a casing depth of 6.0 metres or less;
- e) 180 metres of any surface water;
- f) 60 metres of the right-of-way of any road;
- g) 60 metres of any land used for livestock pasturing;

### 3.26.6 Waste Disposal Site

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

### 3.26.7 Licensed Cannabis Production Facility - See Section 3.35

## 3.27 **Setbacks**

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

### 3.27.1 Provincial Highway

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

As per the Public Transportation and Highway Improvement Act, the Ministry of Transportation (MTO) controls any developments within 45 metres of any limits of Kings Highway and 180 metres of the centre point of an intersection and any access to the highway will be subject to MTO approval.

### 3.27.2 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 and Engineering Department. Any proposed access to the road will be subject to the prior approval of the County of Renfrew.

### 3.27.3 Other Road

The setback requirement shall be 10 metres from the road centreline plus the minimum front yard depth required 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 McNab/Braeside.

### 3.27.4 Ottawa Valley Recreational Trail & McNab/Braeside Recreation Trail

Buildings and structures (not including a septic system) shall be setback a minimum of 7.5 metres from the lot line adjacent to the trail.

### 3.27.5 Water Setback

- a) A minimum water setback of 30 metres from the high water mark shall be provided.

A minimum water setback of 15 metres shall be applied to the high water mark of a creek or watercourse that is considered to be non-navigable.

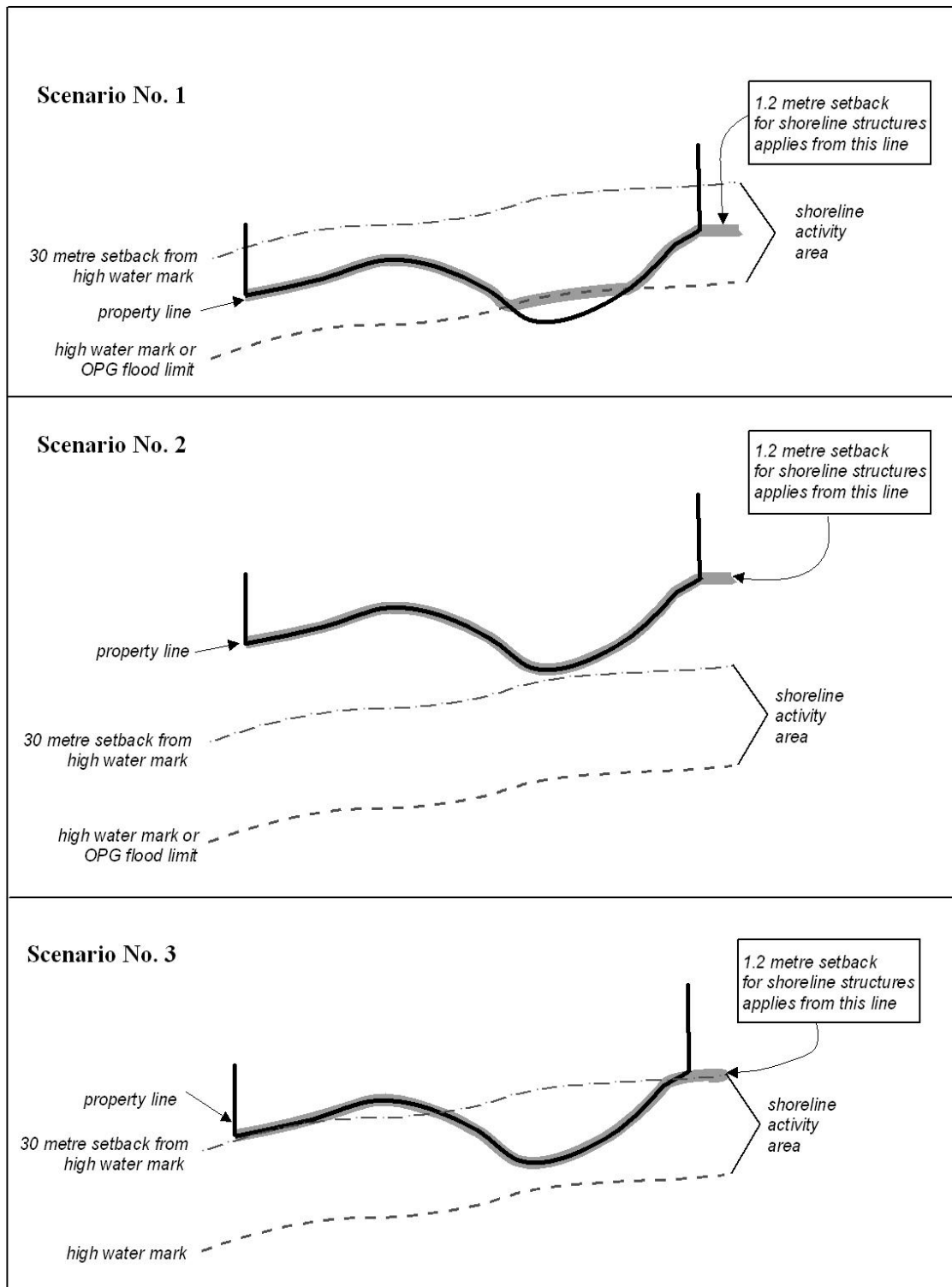
- b) Accessory boat docking or boat launching facilities shall not be required to meet the water setback identified in Section 3.27.5.a) or the required minimum rear yard setback of the zone provisions.
- c) For an existing lot of record which has less than 64 metres of lot depth, the minimum water setback shall be 20 metres. For the purposes of this subsection, lot depth is the average distance between the front and rear lot lines.
- d) 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.
- e) An existing, non-complying dwelling, building, or structure may be moved or reconstructed to improve the existing water setback(s), even if the improved setback(s) does not meet any other minimum required water setback described in the subsection, provided the dwelling, building, or structure to be moved or reconstructed is not increased in height, size or volume and the appropriate approvals for private sewage disposal services are obtained, and all other provisions of the By-law are complied with.
- f) An existing, non-complying dwelling may be enlarged within the water setback, provided that the enlargement is on the opposite side of the dwelling away from the water, and that the enlargement does not extend beyond the width of the existing dwelling.
- g) Shoreline Activity Area

*Explanatory Note: (This does not form part of this By-law) The purpose of the shoreline activity area is to allow for the placement of specific structures near the shoreline while maintaining the natural viewscape and protecting the environmental integrity of the shoreline. The removal of natural vegetation should be limited to what is required to accommodate the shoreline structure. Replacement/establishment of natural vegetation within 30 metres of the high water mark is recommended*

Notwithstanding Section 3.27.5, a shoreline structure shall be permitted within the Shoreline Activity Area in accordance with the following provisions:

- i) No shoreline structure shall be constructed on a lot identified as having water frontage on a waterbody considered “at capacity”, as designated by the Province of Ontario;
- ii) No shoreline structure shall be used for commercial purposes or home based occupation;

- iii) No shoreline structure shall be used for habitation or contain a habitable room;
- iv) The construction of shoreline structures shall not destroy fish habitat nor permanently alter the shoreline below the high water mark;
- v) 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;
- vi) A Shoreline Storage Shed shall not exceed 15 square metres in area;
- vii) No more than one Shoreline Storage Shed shall be permitted per lot;
- viii) The total area of all Shoreline Structures shall not exceed 35 square metres;
- ix) A site sketch must be submitted prior to the construction of any shoreline structure regardless of size that illustrates:
  - a. Dimensions of the subject property;
  - b. Existing shoreline;
  - c. High water mark;
  - d. Boundary of any lands owned or restricted by Ontario Power Generation;
  - e. Location and dimensions of all existing and proposed shoreline structures;
  - f. Natural shoreline vegetation on site;
- x) Setbacks and Height
  - a. Side yard setback 3 metres (minimum)
  - b. Water Body Setback 1.2 metres (minimum) from the greater of:
    - i. High water mark
    - ii. OPG flood limit
    - iii. Property line abutting high water mark
  - c. Water Body Setback for a dock and stairs/walkway leading to a dock shall be 0 metres.
  - d. Height 4 metres (maximum)

**ILLUSTRATION OF SHORELINE ACTIVITY AREA AND SETBACKS**

Note: The above illustrations are for clarification purposes only.

**3.27.6 Provincially Significant Wetland**

120 metres from the boundary of a provincially significant wetland as shown on Schedule "A".

**3.27.7 Areas of Natural and Scientific Interest (ANSI)**

- i) 120 metres from the boundary of a Life Science ANSI as shown on Schedule "A"
- ii) 50 metres from the boundary of an Earth Science ANSI as shown on Schedule "A".

**3.28 Standards – Cumulative**

3.28.1 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.

3.28.2 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.

**3.29 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:

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

3.29.2 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 in-ground facility that is situated below and totally enclosed by a livestock barn;

3.29.3 Notwithstanding subsection 3.29.2, preceding, 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 Municipality.

### **3.30 Temporary Construction, Sales Offices and Model Homes**

3.30.1 Nothing in this By-law shall prevent uses incidental to construction, such as a construction camp or other such temporary work camp, tool shed, scaffold or other building or structure (including trailers or recreational vehicles) incidental to the construction, only for so long as the same are necessary for work in progress that has neither been finished nor abandoned. Any temporary construction uses (including existing dwellings, trailers and recreational vehicles) shall be removed from the lot within 30 days of occupancy of the primary building.

3.30.2 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. Only one (1) model home may be erected on lands that are subject to a draft approved plan of subdivision.

### **3.31 Through Lots**

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

### **3.32 TransCanada Pipelines Limited (TCPL)**

Notwithstanding any other provisions of this By-law to the contrary, no building or structure shall be permitted within 7 metres of the pipeline right-of-way. A minimum setback of 7 metres from the pipeline right-of-way shall also apply to any parking area or loading area, including any parking spaces, loading spaces, stacking spaces, bicycle parking spaces, and any associated aisle or driveway.

### **3.33 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.

### 3.34 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.

### 3.35 Licensed Cannabis Production Facility

#### 3.35.1 Separation Distances

The following reciprocal separation distances shall be applied between a licensed cannabis production facility to any residential, commercial, institutional or open space use/zones.

	Reciprocal Setback (minimum)
A cannabis production and cultivation facility with a total gross floor area less than 7,000 square metres and with an air treatment control system	150 m
A cannabis production and cultivation facility with a total gross floor area greater than 7,000 square metres and less than 10,000 square metres and with an air treatment control system	200 m
A cannabis production and cultivation facility with a total gross floor area greater than 10,000 square metres and with an air treatment control system	250 m
A cannabis production and cultivation facility of any size where an air treatment control system is not provided	300 m

#### 3.35.2 Outdoor storage is prohibited

#### 3.35.3 Where permitted as an agricultural use (in the rural and agriculture zones) the following provisions apply to a licensed cannabis cultivation and production facility:

- |          |  |       |
|----------|--|-------|
| 3.35.3.1 | Minimum Lot Frontage                                   | 100 m |
| 3.35.3.2 | Minimum Lot Area                                       | 8 Ha  |
| 3.35.3.3 | Minimum Yard requirements for buildings and structures |       |
| 1.       | Front Yard   | 30 m  |
| 2.       | Exterior Side Yard                                     | 30 m  |
| 3.       | Interior Side Yard                                     | 30 m  |
| 4.       | Rear Yard  | 30 m  |

- 3.35.3.4 Maximum Building Height 11 m
- 3.35.3.5 In an Agriculture Zone, the maximum gross floor area of a licensed cannabis cultivation and production facility shall be 500 square metres.
- 3.35.3.6 In an Agriculture Zone, the maximum amount of land to be utilized for buildings (including greenhouses), structures, parking areas shall be 1 ha.
- 3.35.3.7 A security fence associated with a licensed cannabis cultivation and production facility shall be setback a minimum of 10 metres from all lot lines.
- 3.35.3.8 All loading spaces must be located in a wholly enclosed building.
- 3.35.3.9 Existing structures may not be converted or retrofitted for a licensed cannabis cultivation and production facility.
- 3.35.3.10 A cannabis production facility shall only be permitted on properties that have frontage and access to a County Road.

### **3.36 Outdoor Furnaces**

- 3.36.1 Outdoor furnaces are permitted in all Zones other than the Rural Residential (RR), Limited Service Residential (LSR), and commercial zones.
- 3.36.2 Outdoor furnaces shall be located a minimum of 100 metres from a lot line. Where an outdoor furnace is located more than 100 metres but less than 200 metres from a lot line, the smokestack of the outdoor furnace shall be higher than the highest building it serves.

### **3.37 Adult Entertainment Establishments**

An Adult Entertainment Establishment shall be prohibited in all zones except through an amendment to the Zoning By-law and in accordance with the following provisions:

- 3.37.1 An Adult Entertainment Establishment shall not be located within 500 metres of a dwelling or dwelling unit, day care centre, retirement home, place of worship, school, library, or park, or any Residential, Community Facility, or Open Space zone.
- 3.37.2 Where an Adult Entertainment Establishment is permitted, the lot on which it is located must not be within 1000 metres of another Adult Entertainment Establishment.
- 3.37.3 An Adult Entertainment Establishment must be located within a free-standing building, and shall not be located within a multi-tenant building.
- 3.37.4 No Adult Entertainment Establishment may be located on a lot having frontage on a rural arterial road.

- 3.37.5 An Adult Entertainment Establishment must be set back a minimum of 100 metres from any Provincial highway, County road, or local municipal road.

## **SECTION 4 – PARKING, QUEUEING, AND LOADING REQUIREMENTS**

### **4.1 General Parking Provisions**

- 4.1.1 Parking queuing and loading spaces and all driveways and aisles leading to those spaces must be provided for each land use in accordance with the provisions of Section 4 of this By-law, and
- a) must be set aside for and used exclusively for that purpose;
  - b) must not be obstructed; and
  - c) must be located on the same lot as the use or building for which they are provided, except where otherwise permitted.
- 4.1.2 Despite subsection 4.1.1, a seasonal garden centre or a temporary special event accessory to retail store, retail food store or shopping centre may be located such that it temporarily prevents the use of a portion of the required or provided parking spaces, aisles or driveways, provided that:
- a) the majority of the parking spaces continue to be available in compliance with this By-law;
  - b) the garden centre or temporary special event does not obstruct access to a fire route.
- No additional parking is required for these special activities or for an outdoor commercial patio. For the purpose of this Section, a temporary special event includes a seasonal or short-term fair, carnival, show, exhibit or other similar events.
- 4.1.3 All motor vehicle parking spaces and queuing and loading spaces must have unobstructed access directly to a public street by:
- a) a driveway or private lane;
  - b) an aisle leading to a driveway; or
  - c) a public lane.
- 4.1.4 All motor vehicle parking spaces, queuing and loading spaces, and aisles and driveways leading to those spaces must have a surface which is:
- a) hard, stable and dust preventative in urban areas or villages;
  - b) usable in all seasons in the Rural area;
  - c) drainage shall be provided so as to prevent the flow of surface water onto adjoining lots.

## 4.2 Number of Parking Spaces

- 4.2.1 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:

Land Use	Minimum Number of Parking Spaces Required	
	Urban/Village Area	All other areas
Residential and related uses		
Apartment – 3 storeys or less	1.2 per dwelling unit; +0.2 spaces per dwelling unit for visitors	1.2 per dwelling unit; +0.2 spaces per dwelling unit for visitors
Apartment – greater than 3 storeys	1 per dwelling unit; +0.2 spaces per dwelling unit for visitors	1.2 per dwelling unit; +0.2 spaces per dwelling unit for visitors
Bed and Breakfast	1 per dwelling unit plus 0.5 for each guest room	1 per dwelling unit plus 1 per guest room
Converted dwelling, Dwelling Units, in the same building with other uses	0.5 per dwelling unit	1 per dwelling unit
Detached, semi-detached and duplex dwelling	2 per dwelling unit	
Triplex, multiple attached dwelling	1.5 per dwelling unit	
Garden Suite	None	
Group Home	1 per 100 m <sup>2</sup> of gross floor area, minimum of 1	
Home-based Business	None	1
Residential Care Facility	0.25 per dwelling unit or rooming units plus 1 per 100 m <sup>2</sup> of gross floor area used for medical, health or personal services	
Retirement Home, converted retirement home Rooming House, converted Rooming House	0.25 per rooming unit	0.5 per rooming unit
Additional Dwelling Unit	See section 3.9.2.6	
Non-Residential Uses		
Agriculture	n/a	2
Airport	0.5 per 100 m <sup>2</sup> of gross floor area used for passenger terminal or aircraft hangar	
Amusement Centre	4 per alley, court, ice sheet, game table or other game surface plus 10 per 100 m <sup>2</sup> of gross floor area used for dining and assembly	
Amusement Park		
Animal Clinic	0.5 per 100 m <sup>2</sup> of gross floor area	4 per 100 m <sup>2</sup> of gross floor area

Land Use	Minimum Number of Parking Spaces Required	
	Urban/Village Area	All other areas
Artist Studio	2.5 per 100 m <sup>2</sup> of gross floor area	3.4 per 100 m <sup>2</sup> of gross floor area, minimum of 5 spaces
Automobile Body Shop	3 per service bay	
Automobile Dealership	1. sales/showroom area – 2 per 100 m <sup>2</sup> of gross floor area 2. other areas – 1 per 100 m <sup>2</sup> of gross floor area	
Automobile Rental Establishment		
Automobile Service Station	Greater of 1 per 100 m <sup>2</sup> of gross floor area or 2 per service bay	
Bank	2.5 per 100 m <sup>2</sup> of gross floor area	3.4 per 100 m <sup>2</sup> of gross floor area
Bank Machine	None	
Campground	1 per camping site within campground	
Car Wash	None	
Catering Establishment	0.75 per 100 m <sup>2</sup> of gross floor area	
Cemetery	None	
Cinema and theater	1 per 8 fixed seats	1 per 4 fixed seats
Convenience Store	2.5 per 100 m <sup>2</sup> of gross floor area	3.4 per 100 m <sup>2</sup> of gross floor area
Day nursery	2 per 100 m <sup>2</sup> of gross floor area	
Equestrian Establishment	None	
Fairground	None	
Forestry Operation	None	
Funeral establishment	7 per 100 m <sup>2</sup> of gross floor area	
Golf Course	1 per 100 m <sup>2</sup> of gross floor area plus 4 per hole	
Heavy Equipment and Vehicle Sales, Rental and Servicing	0.75 per 100 m <sup>2</sup> of gross floor area	
Hospital	1.4 per 100 m <sup>2</sup>	
Hotel	1 per guest unit for up to 40 guest units, and 1 per 6 guest units over 40 units	1 per guest unit
Library	2.5 per 100 m <sup>2</sup> of gross floor area	
Light Industrial Use	0.8 per 100 m <sup>2</sup> of gross floor area	
Marine Facility	1 per 100 m <sup>2</sup> of gross floor area plus 1 per boat slip	
Medical Facility	4 per 100 m <sup>2</sup> of gross floor area	
Mineral Extraction Operation	None	
Museum	1 per 100 m <sup>2</sup> of gross floor area	2 per 100 m <sup>2</sup> of gross floor area
Office	1.8 per 100 m <sup>2</sup> of gross floor area	2.3 per 100 m <sup>2</sup> of gross floor area

Land Use	Minimum Number of Parking Spaces Required	
	Urban/Village Area	All other areas
Personal Service Business	2.5 per 100 m <sup>2</sup> of gross floor area	3.4 per 100 m <sup>2</sup> of gross floor area
Place of Assembly Place of Worship	10 per 100 m <sup>2</sup> of gross floor area of assembly area	
Post Office	2 per 100 m <sup>2</sup> of gross floor area	
Post Secondary Educational Institution	1 per 100 m <sup>2</sup> of gross floor area	
Printing Plant	0.8 per 100 m <sup>2</sup> of gross floor area	
Recreational and Athletic Facility	4 per alley, court, ice sheet, game table or other game surface plus 10 per 100 m <sup>2</sup> of gross floor area used for dining, assembly or common area	
Restaurant	3 for first 50 m <sup>2</sup> of gross floor area plus 10 per 100 m <sup>2</sup> of gross floor area over 50 m <sup>2</sup> of gross floor area	10 per 100 m <sup>2</sup> of gross floor area
Restaurant – Fast Food		
Restaurant– Full Service		
Restaurant – Take Out	1.5 for first 50 m <sup>2</sup> of gross floor area plus 5 per 100 m <sup>2</sup> of gross floor area over 50 m <sup>2</sup> of gross floor area	5 per 100 m <sup>2</sup> of gross floor area
Retail Food Store	2.5 per 100 m <sup>2</sup> of gross floor area	3.4 per 100 m <sup>2</sup> of gross floor area
Retail Store		
School	1.5 per classroom Secondary School – 3 per classroom	
Service and Repair Shop	2.5 per 100 m <sup>2</sup> of gross floor area	3.4 per 100 m <sup>2</sup> of gross floor area
Shopping Centre	3.4 per 100 m <sup>2</sup> of gross leasable floor area	
Snow Disposal Facility	None	
Solid Waste Disposal Facility	None	
Sports Arena	1 per 4 fixed seats	
Storage Yard	1 per 100 m <sup>2</sup> of gross floor area	
Training Centre	1.8 per 100 m <sup>2</sup> of gross floor area	2.4 per 100 m <sup>2</sup> of gross floor area
Utility Installation	0.5 per 100 m <sup>2</sup> of gross floor area	0.8 per 100 m <sup>2</sup> of gross floor area
Warehouse	0.5 per 100 m <sup>2</sup> of gross floor area	0.8 per 100 m <sup>2</sup> of gross floor area
Wayside Pit or Quarry	None	

- 4.2.2 Despite subsection 4.2.1, where a restaurant, bar, place of assembly, place of worship or recreational and athletic facility is located within a shopping centre, and one or more occupancies of that same use comprise more than 30% of the gross leasable area of the shopping centre, then the minimum required parking for that use will be calculated at the parking rate specified for that use, and not at the shopping centre rate.
- 4.2.3 For uses that are not listed in Table 4.2, parking space rates for a comparable land use will be applied.

### 4.3 Accessible Parking Spaces

Included in the number of parking spaces required in Section 4.2 for all uses, save and except for Residential uses, shall be Accessible parking spaces designed in accordance with the following:

Parking Spaces Required (as calculated from subsection 4.2)	No. of Accessible Spaces Required
9 or less	0
10-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401+	2% of the total

### 4.4 Cash-in-lieu of Parking

The Minimum Parking Requirements for Non-Residential Uses required herein may be reduced or waived provided the owner enters into an Agreement with the Corporation under Section 40 of the *Planning Act, RSO 1990*.

### 4.5 Parking Lot Required

Where more than three (3) parking spaces are required and such parking spaces are to be located together, such parking spaces shall be located in a parking lot or parking garage.

### 4.6 Calculation of Spaces

When a building or lot accommodates more than one use or purpose the required parking spaces shall be the sum total of the required parking spaces for the separate uses or purposes. Parking facilities for one use shall not be considered as providing required parking for any other use.

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

#### **4.7 Size and Accessibility of Parking Spaces**

Every parking space shall maintain a minimum area and width and shall be accessible from unobstructed manoeuvring aisles and shall be in accordance with the following regulations:

- a) In the case of a private garage or carport, consisting of an area of not less than 14.3 m<sup>2</sup> with a minimum width of 2.6 m;
- b) In the case of regular or angled parking spaces, consisting of a minimum width of 2.75 m and a minimum length of 5.75 m, with the parking space measured at right angles to the angle of parking; and
- c) In the case of parallel parking spaces, consisting of a minimum width of 2.75 m and a minimum length of 6.7 m.
- d) Notwithstanding the parking space size requirements listed above, the minimum parking space width for accessible parking shall be 3.9 m (12.8 ft). Where two or more angled accessible parking spaces are located together, the minimum parking space width shall be 3.2 m (10.5 ft).

#### **4.8 Provisions and Locations of Spaces**

- 4.8.1 Parking spaces shall be provided at the time of erection, expansion, and/or conversion of any building or structure, or at the time any building or structure is enlarged.
- 4.8.2 Required parking in a Residential Zone shall be located on the same lot or within the same building as the use for which said parking is required.
- 4.8.3 Where the owner of a non-residential building or structure proposes to provide the required parking spaces and areas in a location other than on the same lot as the use that requires such spaces and areas, then such shall be located not more than 150 m (492 ft) from the said lot. Where required parking is not provided on the same lot, the lot or part of the lot where the parking is located shall be required to be dedicated parking under a long-term lease in favour of the property which requires the parking spaces and areas.
- 4.8.4 Unless otherwise provided for herein, uncovered parking spaces shall be permitted in yards in accordance with the following:
  - a) for apartment or group dwellings, all yards, except in the required front yard, provided no parking spaces shall be located within 6 m and no driveway shall be located within 3.5 m of a habitable room window,

and provided that where a dwelling house requires 4 or more parking spaces such spaces are no closer than 1.5 m to any lot line.

- b) for all other residential uses, other than those identified in 4.8.4(a), all yards, except in the required front yard, wherein a driveway may be located provided no parking spaces shall be located within 6 m and no driveways shall be located within 3.5 m, respectively of a habitable room window, unless the parking spaces and/or driveways are reserved for the exclusive use of the occupants of the dwelling unit containing the habitable room window.
- c) For open space and commercial uses, all yards, provided that no part of any parking area, other than a driveway, is located closer than 1.5 m to any street line.
- d) For industrial and institutional uses interior side and rear yards only, except for visitor parking covering not more than 15% of the front yard area, provided that no part of any parking area, other than a driveway, is located closer than 1.5 m to any street line.

## **4.9 Application of Parking Requirements**

- 4.9.1 The parking area requirements referred to herein shall not apply to any building in existence at the date of passing of this By-law so long as the floor area as it existed at such date is not increased and the building or structure is used for a purpose which does not require more parking spaces according to this section, than were required by its use at the date of passing of the By-law.
- 4.9.2 If a use is changed or a building is enlarged in floor area or there is an increase in the number of dwelling units or otherwise as would require an additional number of parking spaces, then such additional parking spaces shall be provided based on said change of use or expansion. In the case of a change in use, the number of additional parking spaces required will be determined by calculating the difference between that which would be required by the new and the existing uses.
- 4.9.3 When a building or structure accommodates more than one type of use, the parking area requirements shall be the sum of the requirements for the separate parts of the building or structure occupied by the separate types of use.

## **4.10 Driveways**

- 4.10.1 A driveway entrance to and from required parking spaces and lots, shall be provided by means of unobstructed driveways or passageways at least 3 m, but not more than 9 m, in width excluding curb ramps, except in a Residential Zone wherein the maximum width of all driveways or passageways on the lot shall be 9 m or 50% of the width of the lot, whichever is less.

- 4.10.2 The maximum width of any joint ingress and egress driveway ramp, measured along the street line, shall be 9 m, excluding curb ramps.
- 4.10.3 The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such a driveway, shall be 7 m except for automobile service stations, gas bars, and retail propane/compressed natural gas transfer facilities where the minimum shall be 4.5 m.
- 4.10.4 The minimum angle of intersection between a driveway and a street line shall be 70 degrees.
- 4.10.5 Every lot shall be limited to the following number of driveways:
- a) Up to the first 30 m (98.4 ft) of frontage measured along the street line, not more than 1 driveway.
  - b) For each additional 30 m (98.4 ft) of frontage measured along the street line, not more than 1 additional driveway to a maximum of three driveways.
  - c) Subject to the approval of the road authority.
- 4.10.6 Parking areas and associated driveway systems serving any use other than low-density residential or townhouse dwellings shall be designed in such a manner that any vehicle entering or leaving a street or public lane need not travel in a backwards motion.
- 4.10.7 A driveway serving a non-residential use shall not be located closer than 3 m (9.8 ft) to a lot containing a residential dwelling as a principal use.
- 4.10.8 A driveway serving a residential use shall not be located closer than 1 m (3.3 ft) to the side property line, save and except for a joint driveway servicing two lots in which case the driveway shall not require any setback.

#### **4.11 Illumination of Parking Areas or Driveways**

When parking areas and/or driveways are illuminated, lighting fixtures shall be so arranged that no part of any fixture shall be more than 9 m (29.5 ft) above the adjoining finished grade and light shall be directed downward only onto the parking area or driveway and away from any adjoining lands or the sky.

#### **4.12 Aisle Widths**

Aisles between parking spaces shall provide unobstructed access from each parking space to a driveway and shall be established on the basis of the following:

Angle of Parking	Minimum Aisle Width
0° to 55°	4 m
56° to 75°	5.8 m
90°	6 m

### 4.13 Landscaping Provisions for Parking Lots

4.13.1 Except in the case of an industrial zone, a minimum of 20% of the area of any parking lot must be provided as a perimeter or interior landscaped area comprised of the following:

- a landscaped buffer must be provided between the perimeter of the parking lot and a lot line in accordance with the following table. A driveway may cross the landscaped buffer;
- in addition to the landscaped buffer, interior landscaping may be provided including various landscaped islands, landscaped medians, pedestrian pathways or public plazas to meet the minimum 20% requirement;
- a landscaped island shall be located at the end of each parking aisle and shall be a minimum of 2.5 m wide and include one tree per parking row; and
- in the case of large-scale highway commercial and shopping centre developments, parking areas will be broken up into smaller areas separated by treed islands that are 1.8 m – 3.7 m wide, with trees every 7.6 m – 12.2 m.

Location of Landscaped Buffer	For a parking lot containing 10 or fewer spaces	For a parking lot containing more than 10 but fewer than 100 spaces	For a parking lot containing 100 or more spaces
Abutting a street	3 m		
Not abutting a street	1.5 m	3 m	5 m

4.13.2 All outdoor loading and refuse collection areas contained within a parking lot must:

- be located at least 9 m from a lot line abutting a public street;
- be located at least 3 m from any other lot line;
- be screened from view by an opaque screen with a minimum height of 2 m; and
- not be in a front yard.

## 4.14 Loading Regulations

- 4.14.1 The owner or occupant of any lot, building or structure erected or used for any purpose, other than an agricultural use, involving the frequent receiving, shipping, loading or unloading of persons, animals, goods, wares and merchandise and raw materials, shall provide and maintain at the premises, on the lot occupied by the building or structure and not forming part of a street or lane, within the zone in which such use is located, loading and unloading spaces in accordance with the following table:

Minimum Number of Vehicle Loading Spaces Required per m² of Gross Floor Area					
Land Use	Less than 350 m²	350-999 m²	1000-1999 m²	2000-4999 m²	5000 m² and over
Light industrial use, warehouse, hospital, museum, place of worship, post secondary educational institution, school, sports arena, theatre	0	1			2
Office	0	1			2
Retail food store, shopping centre	0		1	2	
All other non-residential uses	0	1		2	
Residential uses	None required				

### 4.14.2 Access

Access to loading spaces shall be by means of a driveway at least 4 m (13.1 ft) wide, contained within the lot on which the spaces are located and leading to a street or public lane located within or adjoining the zone in which the use is located.

#### 4.14.3 Loading Space Dimensions

Each loading space shall be at least 9 m (29.5 ft) long, at least 3 m (9.8 ft) wide and shall have a vertical clearance of at least 4 m (13.1 ft).

#### 4.14.4 Location of Loading Space

The loading space or spaces required shall be located in the interior side or rear yard. Loading spaces may be in front and exterior side yards if set back from the street line a minimum distance of 10 m and where there is a vegetative buffer.

#### 4.14.5 Surface and Drainage of Spaces and Driveways

Loading spaces and driveways thereto shall be surfaced with asphalt, concrete, interlocking pavers or similar hard surfaces. Drainage should be provided so as to prevent the flow of surface water onto adjoining lots.

#### 4.14.6 Application of Loading Space Requirements

The loading space requirements referred to herein shall not apply to any building in existence at the date of passing of this By-law so long as the floor area as it existed at such date is not increased. However, if a building is enlarged in floor area as would require an additional number of loading spaces, then such additional loading spaces shall be provided based on said expansion or enlargement. Notwithstanding Section 4.14.1, where the building or structure is deficient in loading spaces, a loading space shall not be required for an expansion of 25 m<sup>2</sup> (269 ft<sup>2</sup>) or greater and less than 100 m<sup>2</sup> (1076 ft<sup>2</sup>).

#### 4.14.7 Cumulative Standards

Where there are two or more uses located on the same lot, the loading space requirements shall be the sum of the requirements of each use.

#### 4.14.8 Landscaping

Where a loading area abuts any residential zone or a street, then a landscaped buffer area with a minimum width of 3 m (9.8 ft) shall be provided.

### **4.15 Queueing Lanes**

#### 4.15.1 Queueing Lane Requirements

Where drive-through service facilities are permitted, queueing lanes are required and shall be exclusive of any other parking space and aisle requirements contained within this By-law and shall be provided in accordance with the provisions of this section.

#### 4.15.2 Queueing Space Requirements

The minimum queueing space requirements within a designated queueing lane shall be in accordance with the standards set out in the Table, below:

Principle Use	Minimum Required Queueing Spaces
Financial Institution	5
Restaurant	11
Automotive Service Station or Gas Bar	4
Car Wash – Automated	6
All other uses	4

#### 4.15.3 Location of Ingress and Egress Spaces

Required queueing spaces for a restaurant shall be located up to and including the queueing space at the pick-up window and for all other uses up to and including the point of service.

#### 4.15.4 Length of Queueing Lane

The length of the queueing lane associated with the drive-through service facility shall be the total number of required queueing spaces.

#### 4.15.5 Multiple Queueing Lane Requirements

Where multiple queueing lanes are provided on a lot, the queueing space requirements shall be provided for each individual queueing lane in compliance with the provisions of Section 4.15 of this By-law.

#### 4.15.6 Size of Queueing Space

All queueing spaces shall be rectangular in shape, with a minimum width of 3.0 metres and a minimum length of 7.0 metres.

#### 4.15.7 Delineation of Queueing Lane Requirements

Queueing lanes shall be unobstructed and shall be clearly delineated by pavement markings or physical barriers, and shall be independent of the balance of the parking area.

#### 4.15.8 Location of Queueing Lanes Associated with a Drive-Through Service Facility

No queueing lanes associated with a drive-through service facility shall be located closer than 10.0 metres from any Residential Zone.

## SECTION 5 – ZONE CLASSIFICATIONS, EXCEPTIONS ZONE PROVISIONS

### 5.1 Zone Classifications

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

<u>Zones</u>	<u>Zone Symbol</u>
a) Residential Zones	
i) Rural Residential	RR
ii) Limited Service Residential	LSR
iii) Mobile Home Park	MHP
b) Commercial Zones	
i) General Commercial	GC
ii) Highway Commercial	HC
iii) Tourist Commercial	TC
c) Industrial Zones	
i) Disposal Industrial	DM
ii) Mineral Aggregate Pit	MP
iii) Mineral Aggregate Pit - Reserve	MP-R
iv) Mineral Aggregate Quarry	MQ
v) Mineral Aggregate Quarry - Reserve	MQ-R
vi) General Industrial	GM
vii) Light Industrial	LM
d) Additional Zones	
i) Rural	RU
ii) Agriculture	A
iii) Community Facility	CF
iv) Environmental Protection	EP
v) Open Space	OS

## **5.2 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).

## **5.3 Holding Provisions**

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

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

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

## SECTION 6 – REQUIREMENTS FOR RURAL RESIDENTIAL (RR) ZONE

### 6.1 Permitted Uses

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

- a) Residential Uses
  - Group Home
  - Single Detached Dwelling

### 6.2 Zone Provisions

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

- a) Lot Area (Minimum) 4047 m<sup>2</sup>
- b) Lot Frontage (Minimum) 45 m
- c) Front Yard Depth (Minimum) 7.5 m
- d) Side Yard Width (Minimum)
  - Interior 1.2 m
  - Exterior 7.5 m
- e) Rear Yard Depth (Minimum) 7.5 m
- f) Lot Coverage (Maximum) 25%
- g) Building Height (maximum) 10.5 m
- h) Dwellings per lot (maximum) – 1 \*See general provisions related to additional dwellings
- i) Open Storage – In accordance with the provisions for open storage in Section 3 of the General Provisions of this By-law.
- j) Parking and Loading – In accordance with the provisions for Parking and Loading in section 4 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 – General Provisions of this by-law.

### 6.3 Exception Zones

#### 6.3.1 Rural Residential-Exception One (RR-E1)

Notwithstanding Section 6.1 to the contrary, for those lands delineated as Rural Residential-Exception One (RR-E1) on the Schedules to this By-law, a Limited Farm shall be permitted in addition to the uses normally permitted under Section 6.1 (a).

#### 6.3.2 Rural Residential-Exception Two (RR-E2)

Notwithstanding any provisions of the Rural Residential (RR) zone to the contrary, for those lands described as part of Lot 2, Concession 8, in the geographic Township of McNab and delineated as Rural Residential-Exception Two (RR-E2) on Schedule "A" (Map 2) to this By-law the following provisions shall apply:

- |                            |  |
|----------------------------|--|
| i) Lot Area (minimum)      | as shown on a registered plan of subdivision |
| ii) Lot Frontage (minimum) | as shown on a registered plan of subdivision |
| iii) Dwelling Unit Area    | 100 square metres                            |

#### 6.3.3 Rural Residential-Exception Three (RR-E3)

Notwithstanding Section 6.1 to the contrary, for those lands described as Part of Lot 18, Concession 8, in the geographic Township of McNab and delineated as Rural Residential-Exception Three (RR-E3) on Schedule "A" (Map 5) to this By-law, a Contractors Yard shall be permitted in addition to the uses normally permitted under Section 6.1 (a).

#### 6.3.4 Rural Residential-Exception Four (RR-E4)

Notwithstanding anything in this By-law to the contrary, for those lands delineated as Rural Residential-Exception Four (RR-E4) on Schedule "A" (Map 1) to this By-law, a geotechnical and/or slope stability study and/or other study as determined by the Township, is required to be submitted with any application for a building permit for the purpose of a new structure, an enlargement to an existing structure or a pool. The

required study or studies shall examine any potential hazard on the subject lands and outline any conditions or mitigation methods, if any, on which a structure can be constructed. The study shall be completed to the satisfaction of the Township prior to the issuance of any building permit.

6.3.5 Rural Residential-Exception Five (RR-E5)

Notwithstanding any provision of this By-law to the contrary, for those lands described as part of Lot 17, Concession 2, in the geographic Township of McNab and delineated as Rural Residential-Exception Five (RR-E5) on Schedule "A" (Map 1) to this By-law, a single detached dwelling shall be permitted in accordance with a site specific site plan approved by the municipality.

6.3.6 Rural Residential-Exception Six (RR-E6)

Notwithstanding Section 3.26.3(b) or any provisions of this By-law to the contrary, for those lands described as part of Lot 18, Concession 1, in the geographic Township of McNab and delineated as Rural Residential-Exception Six (RR-E6) on Schedule "A" (Map 4) to this By-law, following shall apply:

*Permitted Uses:*

- Duplex dwelling
- Group home
- Limited farm
- Semi-detached dwelling
- Single detached dwelling

*Setbacks (minimum)*

Existing barn	4.0 metres
Existing shed	6.0 metres

6.3.7 Rural Residential-Exception Seven (RR-E7)

Notwithstanding Section 6.2(b), or any other provision of this By-law to the contrary, for those lands described as Part of Lot 7, Concession 12(A), in the geographic Township of McNab and delineated as Rural Residential-Exception Seven (RR-E7) on Schedule "A" (Map 7) to this By-law, the minimum lot frontage shall be 18 metres.

The following additional criteria shall apply to the installation of sewage systems:

- The sewage system shall consist of Waterloo biofilter double pass systems which can provide 40% reduction in total nitrogen levels.

Any proposal to change the type of system must be approved by Kollaard Associates Inc. and the system must be capable of achieving total nitrogen reductions of at least 40% confirmed by third party testing.

- The sewage systems are to be located in the side or rear yards.
- Sufficient separation of at least 15 metres plus twice the grade raise shall be provided between any existing or proposed wells (including any neighbouring wells) and the proposed sewage system.

6.3.8 Rural Residential–Exception Eight (RR-E8)

Notwithstanding any other provisions of this By-law to the contrary, for those lands described as part of Lot 1, Concession 11, in the geographic Township of McNab and delineated as Rural Residential–Exception Eight (RR-E8) on Schedule “A” (Map 2) to this By-law, the minimum required lot frontage shall be 20 metres.

6.3.9 Rural Residential–Exception Nine (RR-E9)

Notwithstanding Section 6.2(b), or any other provision of this By-law to the contrary, for those lands described as part of Lot 9, Concession 7, in the geographic Township of McNab and delineated as Rural Residential–Exception Nine (RR-E9) on Schedule “A” (Map 1) to this By-law, the minimum required lot frontage shall be 43 metres.

Notwithstanding Section 6.2(e) or any other provision of this By-law to the contrary, a minimum 1.0 metre rear yard depth shall also be permitted, from the rear lot line, for main permitted uses.

6.3.10 Rural Residential–Exception Ten (RR-E10)

Notwithstanding Section 3.9.1 or any other provision of this By-law to the contrary, for those lands described as part of Lot 9, Concession 7, in the geographic Township of McNab and delineated as Rural Residential–Exception Ten (RR-E10) on Schedule “A” (Map 1) to this By-law, in addition to the uses normally permitted in the RR zone, one model home on each proposed lot shall be permitted prior to the final approval of a plan of subdivision.

Notwithstanding Section 6.2(e) or any other provision of this By-law to the contrary, a minimum 1.0 metre rear yard depth shall also be permitted, from the rear lot line, for main permitted uses.

6.3.11 Rural Residential–Exception Eleven (RR-E11)

Notwithstanding Section 3.27.5(a), or any other provision of this By-law to the contrary, for those lands described as part of Lot 9, Concession

7, in the geographic Township of McNab and delineated as Rural Residential–Exception Eleven (RR-E11) on Schedule “A” (Map 1) to this By-law, the minimum required water setback from the ravine water course shall be 5 metres from the top of bank of the ravine.

Notwithstanding Section 6.2(e) or any other provision of this By-law to the contrary, a minimum 1.0 metre rear yard depth shall also be permitted, from the rear lot line, for main permitted uses.

6.3.12 Rural Residential–Exception Twelve (RR-E12)

Notwithstanding Sections 6.2(b), 3.27.5(a), or any other provision of this By-law to the contrary, for those lands described as part of Lot 9, Concession 7, in the geographic Township of McNab and delineated as Rural Residential–Exception Twelve (RR-E12) on Schedule “A” (Map 1) to this By-law, the minimum required lot frontage shall be 44 metres and the minimum required water setback from the ravine water course shall be 5 metres from top of bank of the ravine.

Notwithstanding Section 6.2(e) or any other provision of this By-law to the contrary, a minimum 1.0 metre rear yard depth shall also be permitted, from the rear lot line, for main permitted uses.

6.3.13 Rural Residential–Exception Thirteen (RR-E13)

Notwithstanding Section 6.2(b), or any other provision of this By-law to the contrary, for those lands described as part of Lot 9, Concession 7, in the geographic Township of McNab and delineated as Rural Residential–Exception Thirteen (RR-E13) on Schedule “A” (Map 1) to this By-law, the minimum required lot frontage shall be 26 metres.

Notwithstanding Section 6.2(e) or any other provision of this By-law to the contrary, a minimum 1.0 metre rear yard depth shall also be permitted, from the rear lot line, for main permitted uses.

6.3.14 Rural Residential–Exception Fourteen (RR-E14)

Notwithstanding Section 6.2(b), or any other provision of this By-law to the contrary, for those lands described as part of Lot 9, Concession 7, in the geographic Township of McNab and delineated as Rural Residential–Exception Fourteen (RR-E14) on Schedule “A” (Map 1) to this By-law, the minimum required lot frontage shall be 37 metres.

Notwithstanding Section 6.2(e) or any other provision of this By-law to the contrary, a minimum 1.0 metre rear yard depth shall also be permitted, from the rear lot line, for main permitted uses.

6.3.15 Rural Residential–Exception Fifteen (RR-E15)

Notwithstanding Section 6.2(e), or any other provision of this By-law to the contrary, for those lands described as Lots 13, 14, 15, 18, 19, 20, 21 and 24, Plan 49M-104, in part of Lot 9, Concession 7, in the geographic Township of McNab and delineated as Rural Residential–Exception Fifteen (RR-E15) on Schedule “A” (Map 1) to this By-law, the minimum required rear yard depth shall be 1.0 metre, from the rear lot line, for main permitted uses. All other provisions of the Zoning By-law shall apply.

6.3.16 Rural Residential–Exception Sixteen (RR-E16)

Notwithstanding Section 3.26.1 (c) or any other provisions of this By-law to the contrary, for those lands described as part of Lot 19, Concession 7, in the geographic Township of McNab and delineated as Rural Residential–Exception Sixteen (RR-E16) on Schedule “A” (Map 1) to this By-law, the minimum 300 metre separation distance from an Mineral Aggregate Pit - Reserve (MP-R) Zone shall not apply.

6.3.17 Rural Residential–Exception Seventeen (RR-E17)

Notwithstanding Sections 3.26.1(c) and 3.27.1 or any other provisions of this By-law to the contrary, for those lands described as part of Lot 19, Concession 7, in the geographic Township of McNab and delineated as Rural Residential–Exception Seventeen (RR-E17) on Schedule “A” (Map 1) to this By-law, the following provisions shall apply:

- i) A dwelling shall be located a minimum of 130 metres from the centerline of the Provincial highway.
- ii) The minimum 300 metre separation distance from a Mineral Aggregate Pit – Reserve (MP-R) Zone shall not apply.

6.3.18 Rural Residential–Exception Eighteen (RR-E18)

Notwithstanding Sections 3.26.1 (c) and 6.2(d) or any other provision of this By-law to the contrary, for those lands described as Part of Lots 17 & 18, Concession 2, in the geographic Township of McNab and delineated as Rural Residential–Exception Eighteen (RR-E18) on Schedule “A” (Map 1, 4) to this By-law, the following provisions shall apply:

- i) Separation from MP-R zone 60 metres  
(minimum)
- ii) East interior side yard depth 60 metres  
(minimum)

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

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lot 17, Concession 2, in the geographic Township of McNab and delineated as Rural Residential-Exception Nineteen (RR-E19) on Schedule "A" (Map 4) to this By-law, the following provisions shall apply:

- i) No structures, including accessory structures, shall be built within 7.5 metres of the right-of-way for County Road 508.
- ii) Notwithstanding Section 3.27.5(a) to the contrary, the minimum water setback from the Madawaska River shall be 20 metres from the high water mark.
- iii) No development, with the exception of boat docking and launching facilities, shall be permitted on lands below the 1:100 year flood contour elevation of 147.83 metres c.g.d.

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

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lot 5, Concession 3, in the geographic Township of McNab and delineated as Rural Residential-Exception Twenty (RR-E20) on Schedule "A" (Map 11) to this By-law, a 17-unit apartment dwelling shall be permitted in addition to the normal uses of the RR zone and the following provisions shall apply:

- i) Lot Area (minimum) 6,500 sq. metres
- ii) Lot Frontage (minimum) 60 metres
- iii) Front Yard Depth (minimum) 20 metres
- iv) Interior Side Yard Width (minimum) 9 metres
- v) Rear Yard Depth (minimum) 15 metres
- vi) Lot Coverage (maximum) 25%
- vii) Dwelling Unit Area (minimum)
  - 1 bedroom unit 50 sq. metres
  - 2 bedroom unit 60 sq. metres
- viii) Dwelling Units Per Lot (maximum) 17

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

Notwithstanding any provisions of this By-law to the contrary, for those lands described as part of Lot 12, Concession 12(A) and comprising part of Block B, Registered Plan 24 (Part 1, 49R-12503), in the geographic Village of Braeside and delineated as Rural Residential-Exception Twenty-One (RR-E21) on Schedule "A" (Map 3) to this By-

law, the lot line along County Road No. 1 (River Road) where the principle access to the lot is located shall be deemed to be the front lot line.

A drive-in eating establishment shall be an additional permitted use. The following provisions shall apply to a drive-in eating establishment:

- Setback to a road allowance 9 metres
- Side yard width 6.7 metres

6.3.22 Rural Residential-Exception Twenty-Two (RR-E22)

Notwithstanding Sections 3.9.1(a) and 6.1(a) of this By-law to the contrary, for those lands described as Lots 1, 2, 6 and 7, Block U, Registered Plan 44, in the geographic Village of Braeside and delineated as Rural Residential-Exception Twenty-Two (RR-E22) on Schedule "A" (Map 3) to this By-law, a multiple dwelling not exceeding three dwelling units, a boarding house, institutional use, park and cemetery shall be permitted in addition to the uses normally permitted in the Rural Residential (RR) Zone.

6.3.23 Rural Residential-Exception Twenty-Three (RR-E23)

Notwithstanding the provisions of Sections 3.24(2), 4, 6.1(a), 6.2(a), (b), (d), (f) and any other provision of this By-law to the contrary, for those lands described as part of Lots 34 and 36, Plan 23, located in Lot 6, Concession 13(B), in the geographic Township of McNab and delineated as Rural Residential-Exception Twenty-Three (RR-E23) on Schedule "A" (Map 6) to this By-law, the following uses shall be permitted:

*Residential Uses*

- Prohibited

*Non-Residential Uses*

- 1 Contractor's Shop or 1 General Service Shop (except Laundromat); and
- Seasonal Storage

*Open Storage*

- Prohibited for Seasonal Storage or General Service Shop
- Permitted for a Contractor's Shop provided visual screening, buffering and/or fencing is used to ensure that no storage area is visible from any street or from any adjacent lot

*Zone Provisions*

Lot Area (minimum)	3400 square metres
Lot Frontage (minimum)	4.5 metres
Lot Coverage (maximum)	25%
Interior Side Yard Width (minimum)	3 metres

*Parking*

- Minimum of 7 off-street parking spaces shall be provided and maintained

For the purposes of this section the following definition shall apply:

**Storage, Seasonal:** means a building which is used for the storage of goods or equipment on a seasonal basis or a longer period of time and shall include items such as the storage of snowmobiles, vehicles, boats, trailers or other recreational vehicles or equipment.

6.3.24 Rural Residential–Exception Twenty-Four (RR-E24)

Notwithstanding Sections 6.1(a) to the contrary, for those lands described as part of Lot 11, Concession 13(B), described more particularly as part of Part 2 and Part 3 on Plan 49R-15334, in the geographic Township of McNab and delineated as Rural Residential–Exception Twenty-Four (RR-E24) on Schedule “A” (Map 3) to this By-law, a maximum of 5 row house dwelling units shall be an additional permitted use. All other provisions of the RR Zone shall apply.

6.3.25 Rural Residential–Exception Twenty-Five (RR-E25)

Notwithstanding any other provisions of this By-law to the contrary, for those lands described as part of Lot 11, Concession 13(B), in the geographic Village of Braeside and delineated as Rural Residential–Exception Twenty-Five (RR-E25) on Schedule “A” (Map 3) to this By-law, a maximum of 8100 square feet of the existing building may be utilized as a retirement home.

For the purposes of this subsection a retirement home shall mean a facility offering one or more of the following services:

- Retirement Living – Clients are offered living arrangements ranging from independent living to assisted living within facility.
- Day Care – Day care assistance is offered during a portion of the day to those clients requiring assistance while their regular caregiver is unavailable.

- Respite Care – Clients are admitted for a full 24 hour period(s) as relief (or respite) is required for the normal care giver.
- Convalescent Care – Convalescent care is provided when a client is unable to live independently following an unexpected event (i.e. post surgery, hospital stay, accident or illness) and is expected to fully recover.

6.3.26 Rural Residential-Exception Twenty-Six (RR-E26)

Notwithstanding Section 6.1(a) to the contrary, for those lands described as part of Lot 9, Concession 3, in the geographic Township of McNab and delineated as Rural Residential-Exception Twenty-Six (RR-E26) on Schedule "A" (Map 11) to this By-law, an automotive commercial garage shall be an additional permitted use. All other provisions of the Zoning By-law shall apply.

6.3.27 Rural Residential-Exception Twenty-Seven (RR-E27)

Notwithstanding any other provision of this By-law to the contrary, for those lands described as part of Lot 18, Concession 13(B), in the geographic Township of McNab and delineated as Rural Residential-Exception Twenty-Seven (RR-E27) on Schedule "A" (Map 8) to this By-law, the minimum water setback shall be 11 metres from the high water mark.

6.3.28 Rural Residential-Exception Twenty-Eight (RR-E28)

Notwithstanding Section 6.1(a) of this By-law to the contrary, for those lands described as part of Lot 11, Concession 13(B), in the geographic Village of Braeside and delineated as Rural Residential-Exception Twenty-Eight (RR-E28) on Schedule "A" (Map 3) to this By-law, a maximum of 5 row house dwelling units with a maximum of 1 bedroom shall be an additional permitted use. All other provisions of the RR Zone apply.

6.3.29 Rural Residential-Exception Twenty-Nine (RR-E29)

Notwithstanding Sections 6.2(a) and (b) of this By-law to the contrary, for those lands described as part of Lot 5, Concession 12(A), in the geographic Township of McNab and delineated as Rural Residential – Exception Twenty-Nine (RR-E29) on Schedule "A" (Map 7) to this By-law, the following provisions apply for a single detached lot:

Dwelling Unit Size (maximum)	242 square meters
Fixture Units per dwelling (maximum)	24

6.3.30 Rural Residential–Exception Thirty (RR-E30)

Notwithstanding Section 6.1 (a) of this By-law to the contrary, for those lands described as part of Lot 12, Concession B, being part of Block A, Registered Plan No. 24, described more specifically as Part 1, 49R-12025, in the geographic Village of Braeside, and delineated as Rural Residential–Exception Thirty (RR-E30) on Schedule “A” (Map 3) to this By-law, the only permitted use shall be parking area providing off-street parking for residential uses located on lands described as Part of Lot 12, Concession B, being part of Block Q, Registered Plan No. 28, described more specifically as Part 2, 49R-12025.

6.3.31 Rural Residential–Exception Thirty-One (RR-E31)

Notwithstanding Sections 6.2(a) and (b) of this By-law to the contrary, for those lands described as part of Lot 5, Concession 12(A), in the geographic Township of McNab and delineated as Rural Residential–Exception Thirty-One (RR-E31) on Schedule “A” (Map 7) to this By-law, the following provisions apply for a single detached lot:

Dwelling Unit Size (maximum)	204 square meters
------------------------------	-------------------

Fixture Units per dwelling (maximum)	24
--------------------------------------	----

6.3.32 Rural Residential–Exception Thirty-Two (RR-E32)

Notwithstanding Sections 6.2(a) and (b) of this By-law to the contrary, for those lands described as part of Lot 5, Concession 12(A), in the geographic Township of McNab and delineated as Rural Residential–Exception Thirty-Two (RR-E32) on Schedule “A” (Map 7) to this By-law, the following provisions apply for a single detached lot:

Dwelling Unit Size (maximum)	278 square meters
------------------------------	-------------------

Fixture Units per dwelling (maximum)	30
--------------------------------------	----

6.3.33 Rural Residential–Exception Thirty-Three (RR-E33)

Notwithstanding anything in this By-law to the contrary, for those lands delineated as Rural Residential–Exception Thirty-Three (RR-E33) on Schedule “A” (Map 6) to this By-law, a geotechnical and/or slope stability study and/or other study as determined by the Township, is required to be submitted with any application for a building permit for the purpose of a new structure, an enlargement to an existing structure or a pool. The required study or studies shall examine any potential hazard on the subject lands and outline any conditions or mitigation methods, if any, on which a structure can be constructed. The study shall be completed to the satisfaction of the Township prior to the issuance of any building permit.

6.3.34 Rural Residential-Exception Thirty-Four (RR-E34)

Notwithstanding Section 6.2(b), or any other provision of this By-law to the contrary, for those lands described as part of Lot 6 and part of Lot 7, Concession 13, in the geographic Township of McNab and delineated as Rural Residential-Exception Thirty-Four (RR-E34) on Schedule "A" (Map 6) to this By-law, the minimum lot frontage for a single detached dwelling shall be 35 metres. All other provisions of the Zoning By-law shall apply.

6.3.35 Rural Residential-Exception Thirty-Five (RR-E35)

Notwithstanding any provisions of this By-law to the contrary, for those lands described as part of Lots 6 and 7, Concession 4, in the geographic Township of McNab and delineated as Rural Residential – Exception Thirty-Five (RR-E35) on Schedule "A" (Map 11) to this By-law, the following provisions shall apply:

- |     |   |           |
|-----|---|-----------|
| i)  | Water Setback (minimum)   | 20 metres |
| ii) | Minimum setback for all buildings and structures, including private waste disposal systems, from the northeast side of a municipal drainage easement described as Part 2, on Plan 49R-15838 and Parts 1 and 2 on Plan 49R-16778 | 2 metres  |

6.3.36 Rural Residential-Exception Thirty-Six (RR-E36)

Notwithstanding Section 6.1 (a) or any other provision of this By-law to the contrary, for those lands described as the west part of Lot 3, Block B, Plan 39, in the geographic Township of McNab and delineated as Rural Residential-Exception Thirty-Six (RR-E36) on Schedule "A" ( Map 6) to this By-law, an automotive detailing and decal printing business, in the detached garage existing at the time of passing of this by-law, shall be an additional permitted use. This shall not include any other automotive use as defined in Section 2.0 of the By-law.

6.3.37 Rural Residential-Exception Thirty-Seven (RR-E37)

Notwithstanding Section 6.1 (a) or any other provision of this By-law to the contrary, for those lands described as Lot 33, Plan 614, in part of Lot 7, Concession B, in the geographic Township of McNab and delineated as Rural Residential-Exception Thirty-Seven (RR-E37) on Schedule "A" (Map 6) to this By-law, a second dwelling unit shall be an additional permitted use.

6.3.38 Rural Residential–Exception Thirty-Eight (RR-E38)

Notwithstanding Section 6.1 (a), or any other provision of this By-law to the contrary, for those lands described as part of Lot 18, Concession 8, in the Township of McNab and delineated as Rural Residential–Exception Thirty-Eight (RR-E38) on Schedule “A” (Map 5) to this By-law, a mobile food truck shall be an additional use.

For the purposes of this subsection, a mobile food truck shall mean a motorized, self-propelled vehicle (i.e. food truck) or a vehicle that is not self-propelled, but can be towed (i.e. food trailer) and is not permanently affixed to the ground that is equipped for the cartage, storage and preparation of food stuffs, beverages, confections and from which the aforesaid items are offered for sale directly to the public for consumption.

6.3.39 Rural Residential–Exception Thirty-Nine (RR-E39)

Notwithstanding Sections 6.2(a), (b), (c), (e), 3.2.3 or any other provision of this By-law to the contrary, for those lands described as Part of Lot 6, Concession 4, in the geographic Township of McNab and delineated as Rural Residential–Exception Thirty-Nine (RR-E39) on Schedule “A” (Map 1) to this By-law, the following provisions shall apply:

- i) Lot Area (minimum) 1490 square metres
- ii) Lot Frontage (minimum) 36.0 metres
- iii) All buildings and structures existing as of **August 17, 2021** shall be permitted in their existing locations.

6.3.40 Rural Residential–Exception Forty (RR-E40)

Notwithstanding Sections 3.26.1(g) and 6.2(a), or any other provision of this By-law to the contrary, for those lands described as Part of Lot 11, Concession 13(B), in the geographic Village of Braeside and delineated as Rural Residential–Exception Forty (RR-E40) on Schedule “A” (Maps 2 and 3) to this By-law, the following provisions shall apply:

- i) The minimum lot size shall be 1.0 hectare.
- ii) A dwelling shall be permitted within 500 metres of a waste disposal site.

6.3.41 Rural Residential–Exception Forty-One (RR-E41)

Notwithstanding Sections 3.26.1(g) and 6.2(a), or any other provision of this By-law to the contrary, for those lands described as Part of Lot 11, Concession 13(B), in the geographic Village of Braeside and delineated as Rural Residential–Exception Forty-One (RR-E41) on

Schedule “A” (Map 2) to this By-law, the following provisions shall apply:

- i) The minimum lot size shall be 7.0 hectare.
- ii) A dwelling shall be permitted within 500 metres of a waste disposal site.
- iii) A minimum 20 metre wide vegetated buffer is required along the south lot line abutting the road allowance between Lots 10 and 11, Concession B(13).

6.3.42 Rural Residential-Exception Forty-Two (RR-E42)

Notwithstanding Sections 2 and 6.2(b), or any other provisions of this By-law to the contrary, for those lands described as Part of Lot 6, Concession B (Lots 1 & 2, Reg. Plan 39), in the geographic Township of McNab and delineated as Rural Residential-Exception Forty-Two (RR-E42) on Schedule “A” (Map 6), the following shall apply:

- i) Lot frontage (minimum) 25 m
- ii) Lot Frontage shall be considered to be along Stadacona Street.

6.3.43 Rural Residential-Exception Forty-Three (RR-E43)

Notwithstanding Section 2 or any other provision of this By-law to the contrary, for those lands described as Part of Lot 6, Concession B (Lots 1 & 2, Reg. Plan 39), in the geographic Township of McNab and delineated as Rural Residential-Exception Forty-Three (RR-E43) on Schedule “A” (Map 6), the following shall apply:

- i) Lot Frontage shall be considered to be along Colin Street.

6.3.44 Rural Residential-Exception Forty-Four (RR-E44)

Notwithstanding 6.2(b), 6.2(d), and 3.26.1(c) and (g), or any other provisions of this By-law to the contrary, for those lands described as Part of Lot 9, Concession B, in the geographic Township of McNab and delineated as Rural Residential-Exception Forty-Four (RR-E44) on Schedule “A” (Map 3), the following shall apply:

- i) Lot Frontage (minimum) 20.9 metres
- ii) Exterior Side Yard Depth (minimum) 14 metres  
for lots directly abutting River Road
- iii) Minimum separation from an Extractive Industrial (EM) Zone 40 metres
- iv) A dwelling shall be permitted within 500 metres of a waste disposal site.

All other provisions of this By-law shall apply.

6.3.45 Rural Residential–Exception Forty-Five (RR-E45)

Notwithstanding Section 6.2(b), or any other provision of this By-law to the contrary, for those lands described as part of Lot 6 and part of Lot 7, Concession 13, in the geographic Township of McNab and delineated as Rural Residential–Exception Forty-Five (RR-E45) on Schedule “A” (Map 6) to this By-law, the minimum lot frontage for a single detached dwelling shall be 35 metres.

Septic systems are required to be tertiary systems under the Ontario Building Code – approved class 4 sewage system which incorporates nitrate-reduction technology (minimum 50% reduction) as per standards CAN/BNQ 3680-600 N-I or NSF/ANSI 245. Fencing is prohibited within easements for stormwater management purposes.

All other provisions of this Zoning By-law shall apply.

6.3.46 Rural Residential – Exception Forty-Six (RR-E46)

Notwithstanding Section 6.1 (a) of this By-law to the contrary, for those lands described as part of Lot 12, Concession B, being part of Block Q, Registered Plan No. 28, described more specifically as Part 2, 49R-12025, in the geographic Village of Braeside, and delineated as Rural Residential – Exception Forty-Six (RR-E46) on Schedule “A” (Map 3) to this By-law, an apartment dwelling with a maximum of eight (8) dwelling units shall be a permitted use in addition to the uses permitted in the Rural Residential (RR) Zone.

For the same lands, notwithstanding any part of this By-law to the contrary, off-street parking for a residential use may be located on a separate lot described legally as part of Lot 12, Concession B, being part of Block A, Registered Plan No. 24, described more specifically as Part 1, Plan 49R-12025.

## 6.4 Holding Zones

6.4.1 Rural Residential–Holding One (RR-h-1) (portions of Hidden River Estates Subdivision)

Notwithstanding Section 3.16, or any other provision of this by-law to the contrary, no person shall erect any building or structure on Lots 3, 5, 8 and 10 to 23 on Plan 512 until the holding symbol is removed. The holding symbol will only be removed when the subdivision agreement applicable to these lands has been amended to the satisfaction of the Township.

#### 6.4.2 Rural Residential–Holding Two (RR-h-2)

Until such time as the holding symbol is removed from lands described as part of Lots 6 and 7, Concession 14(C), in the geographic Township of McNab and delineated as Rural Residential–Holding Two (RR-h-2) on Schedule “A” (Map 6) 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, except in accordance with the following:

##### a) *Permitted Uses*

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

##### b) *Conditions for removal of Holding Symbol (h)*

- A plan of subdivision pursuant to Section 51 of the Planning Act is draft approved by the County of Renfrew.
- It is demonstrated that the site is suitable for the installation of private services.

#### 6.4.3 Rural Residential–Exception Eight–Holding (RR-E8-h)

Until such time as the holding symbol is removed from lands described as part of Lot 1, Concession 11, in the geographic Township of McNab and delineated as Rural Residential–Exception Eight–Holding (RR-E8-h) on Schedule “A” (Map 2) 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, except in accordance with the following:

##### i) *Permitted Uses*

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

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

- 1) Planning Justification Report that determines whether a plan of subdivision is considered “good planning” in accordance with the Provincial Policy Statement and the Township's Official Plan.
- 2) Site Servicing Options Report that recommends and justifies the type of servicing.
- 3) Hydrogeological Study with Nitrate Impact Assessment, subject to peer review in relation to Ministry of Environment Guidelines D-5-4 and D-5-5.

- 4) A Storm Water Management Report
- 5) Archaeological Assessment (land and water).
- 6) Geotechnical Study and Slope Stability Study that addresses potential karst topography and slip clays and identifies suitable building sites above the floodplain and how any water access for each of the proposed lots will be safely accommodated.
- 7) Environmental Impact Study to address potential impact of development on the natural environment, including habitat for threatened and endangered species and water quality of the river.
- 8) Favourable Minimum Distance Separation 1 (MDS1) calculations for a Type B Land Use.
- 9) Draft approval of a plan of subdivision.

#### 6.4.4 Rural Residential–Exception Forty-Two–Holding (RR-E42-h)

Until such time as the holding symbol is removed from any of the lands zoned Rural Residential–Exception Forty-Two–Holding (RR-E42-h), in part of Lot 6, Concession B (Lots 1 & 2, Reg. Plan 39), geographic Township of McNab, on Schedule “A” (Map 6) 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, except in accordance with the following:

##### a) *Permitted Uses*

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

##### b) *Conditions for removal of Holding Symbol (h)*

- The submission of a satisfactory lot grading and drainage plan satisfactory to the Township.

#### 6.4.5 Rural Residential–Exception Forty-Three–Holding (RR-E43-h)

Until such time as the holding symbol is removed from any of the lands zoned Rural Residential – Exception Forty-Three – Holding (RR-E43-h), in part of Lot 6, Concession B (Lots 1 & 2) Reg. Plan 39), geographic Township of McNab, on Schedule “A” (Map 6) 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, except in accordance with the following:

##### a) *Permitted Uses*

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

b) *Conditions for removal of Holding Symbol (h)*

- The submission of a satisfactory lot grading and drainage plan satisfactory to the Township.

## SECTION 7 – REQUIREMENTS FOR LIMITED SERVICE RESIDENTIAL (LSR) ZONE

### 7.1 Permitted Uses

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

- a) Residential Uses
  - A Limited Service Dwelling

### 7.2 Zone Provisions

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

- a) Lot Area (Minimum) 4047 m<sup>2</sup>
- b) Lot Frontage (Minimum) 45 m
- c) Front Yard Depth (Minimum) 6 m
- d) Side Yard Width (Minimum)
  - Interior 3 m
  - Exterior 6 m
- e) Rear Yard Depth (Minimum) 7.5 m
- f) Lot Coverage (Maximum) 25%
- g) Building Height (maximum) 10.5 m
- h) Dwellings per lot (maximum) – 1 \*See general provisions related to additional dwellings
- i) Open Storage – In accordance with the provisions for open storage in Section 3 of the General Provisions of this By-law.
- j) Parking and Loading – In accordance with the provisions for Parking and Loading in section 4 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 – General Provisions of this by-law.

## 7.3 Exception Zones

### 7.3.1 Limited Service Residential-Exception One (LSR-E1)

Notwithstanding anything in this By-law to the contrary, for those lands delineated as Limited Service Residential-Exception One (LSR-E1) on Schedule “A” (Map 6) to this By-law, a geotechnical and/or slope stability study and/or other related study as determined by the Township, is required to be submitted with any application for a building permit for the purpose of a new structure, an enlargement to an existing structure or a pool.

The required study or studies shall examine any potential hazard on the subject lands and outline any conditions or mitigation methods, if any, on which a structure can be constructed. The study shall be completed to the satisfaction of the Township prior to the issuance of any building permit. The LSR-E1 boundary is based on recommendations in a report prepared by Houle Chevrier Engineering Ltd., dated September 11, 2012.

### 7.3.2 Limited Service Residential-Exception Two (LSR-E2)

Notwithstanding anything in this By-law to the contrary, for those lands delineated as Limited Service Residential-Exception Two (LSR-E2) on Schedule “A” (Map 1) to this By-law, a geotechnical and/or slope stability study and/or other study as determined by the Township, is required to be submitted with any application for a building permit for the purpose of a new structure, an enlargement to an existing structure or a pool. The required study or studies shall examine any potential hazard on the subject lands and outline any conditions or mitigation methods, if any, on which a structure can be constructed. The study shall be completed to the satisfaction of the Township prior to the issuance of any building permit.

### 7.3.3 Limited Service Residential-Exception Three (LSR-E3)

Notwithstanding Section 3.27.5 and 3.27.6, or any other provision of this By-law to the contrary, for those lands described as part of Lot 5, Concession 2, in the geographic Township of McNab and delineated

as Limited Service Residential–Exception Three (LSR-E3) on Schedule "A" (Map 1) to this By-law, the following provisions shall apply:

i) *Setback from the high water mark*

Septic System	15 metres
Associated Mantle	5 metres

ii) *Separation from the boundary of a Provincially Significant Wetland*

Septic System	15 metres
Associated Mantle	5 metres

## SECTION 8 – REQUIREMENTS FOR MOBILE HOME PARK (MHP) ZONE

### 8.1 Permitted Uses

No person shall use land or erect or use a building or structure in an MHP zone except for:

- a) Residential Uses
  - Accessory single detached dwelling
  - Mobile Home
- 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:

		On full communal water and sewage services	On partial communal water and sewer services	On private water and sewer services
a)	Mobile Home Site Area (Minimum)	600 sq. m	1400 m <sup>2</sup>	2025 m <sup>2</sup>
b)	Mobile Home Site Frontage (Minimum)	15 m	30 m	30 m
c)	Mobile Home Front Yard Depth (Minimum)	5 m	6 m	7.5 m
d)	Mobile Home Side Yard Depth (Minimum)	2 m	3 m	5 m
e)	Mobile Home Rear Yard Depth (Minimum)	7.5 m	10.5 m	10.5 m

- f) Mobile Home Park Lot Area (minimum) 1.2 Ha
- g) Mobile Home Park Lot Frontage (minimum) 90 m
- h) Building Height (maximum) 10.5 m
- i) 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.
- j) 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.

- k) Open Storage – In accordance with the provisions for open storage in Section 3 of the General Provisions of this By-law.
- l) Parking and Loading – In accordance with the provisions for Parking and Loading in Section 4 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 – General Provisions of this by-law.

### **8.3 Exception Zones**

## SECTION 9 – REQUIREMENTS FOR GENERAL COMMERCIAL (GC) ZONE

### 9.1 Permitted Uses

No person shall use any land or erect or use any building or structure in any GC zone except for:

a) Residential Uses

- Apartment/accessory dwelling on the second floor of a permitted non-residential use

b) Non-Residential Uses

- Automotive – Car Wash
- Automotive – Commercial Garage
- Automotive – Gasoline Bar
- Automotive – Service Station
- Automotive – Store
- Automotive – Vehicle Sales and/or Rental Establishment
- Bakery
- Bank and Financial Institution
- Boat Sales, Snowmobile, Trailer and Cycle Sales and/or Rentals
- Building Supply Store
- Business and Professional Office
- Butcher Shop
- Clinic
- Cinema
- Convenience Store
- Day Nursery
- Eating Establishment – Drive In
- Eating Establishment – Full Service
- Eating Establishment – Take-Out
- Equipment Rental Establishment
- Funeral Home
- Furniture/Cabinet Showroom and Workshop
- Garden Centre
- Home Display and Sales Outlet
- Hotel
- Laundry and/or Dry Cleaning Establishment
- Motel
- Museum
- Pet Grooming Establishment
- Place of Entertainment
- Place of Worship
- Post Office
- Public Park and Private Park
- Retail Store
- Service Shop – General

- Service Shop – Personal
- Tavern
- Taxi Stand
- Theatre
- Tourist Information

## 9.2 Zone Provisions

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

a)	Lot Area (minimum)	4047 m <sup>2</sup>
b)	Lot Frontage (minimum)	30 m
c)	Front Yard Depth (minimum)	
	i. Motel, hotel, automobile service station, automobile commercial garage	10.5 m
	ii. All other permitted uses	7.5 m
d)	Rear Yard Depth (minimum)	6 m
	i. Where the yard abuts a lot line in a residential zone	10.5 m
e)	Side Yard Depth (minimum)	3 m
	i. Where the yard abuts a lot line in a residential zone	6 m
f)	Exterior Side Yard depth (minimum)	7.5 m
g)	Height (maximum)	14 m
h)	Landscaped Open Space (minimum)	30%
i)	Number of Dwelling Units (maximum)	1
j)	Open Storage – In accordance with the provisions for open storage in Section 3 of the General Provisions of this By-law.	
k)	Parking and Loading – In accordance with the provisions for Parking and Loading in Section 4 of this By-law.	
l)	Separation Distance – In accordance with the provisions for separation Distance in Section 3 – General Provisions of this By-law.	

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

### 9.3 Exception Zones

#### 9.3.1 General Commercial-Exception One (GC-E1)

Notwithstanding Section 9.1(b) to the contrary, for those lands described as part of Lot 7, Concession 12(A), in the geographic Township of McNab and delineated as General Commercial-Exception One (GC-E1) on Schedule "A" (Map 7) to this By-law, an automotive commercial garage (as defined by this by-law, with the exception that no body work shall be permitted on the premises) shall be an additional permitted use for the subject lands.

The automotive commercial garage shall be limited to the existing building and no more than five automobiles (either with or without current license plates) may be parked outside on the lot at any one time.

#### 9.3.2 General Commercial-Exception Two (GC-E2)

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lot 7, Concession 12(A), in the geographic Township of McNab and delineated as General Commercial-Exception Two (GC-E2) on Schedule "A" (Map 7), the permitted uses shall be limited to the following:

- Accessory dwelling unit
- Automotive - vehicle sales or rental establishment
- Business office
- Electrician or plumber shop
- Furniture or wood products shop
- Garden centre
- Personal service shop
- Professional office

The maximum number of vehicles permitted for sale, rent or service on the property at any one time shall be five (5) vehicles.

9.3.3 General Commercial–Exception Three (GC-E3)

Notwithstanding Sections 9.2(e), 4.2.1, 4.8.4(c) and 4.14.4 to the contrary, for those lands described as part of Lot 6, Concession 4, in the geographic Township of McNab and delineated as General Commercial–Exception Three (GC-E3) on Schedule “A” (Map 11) to this By-law, the following provisions shall apply:

Interior Side Yard Setback (minimum)	3.0 metres
Total Retail Parking Spaces Required	7 spaces
Parking Space Setback from Streetline	0 metres
Loading Space Setback from Streetline	0 metres
Loading Space	Permitted in the Front Yard

9.3.4 General Commercial–Exception Four (GC-E4)

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lot 5, Concession 12(A), in the geographic Township of McNab and delineated as General Commercial–Exception Four (GC-E4) on Schedule “A” (Map 7) to this By-law, a woodworking and furniture shop, an appliance retail and service shop, and an accessory dwelling unit shall be permitted in addition to the normal RR uses.

9.3.5 General Commercial–Exception Five (GC-E5)

Notwithstanding Sections 3.24, 3.27.5 and 9.1(b) of this By-law to the contrary, for those lands described as part of Lot 2, Concession 5, in the geographic Township of McNab and delineated as General Commercial–Exception Five (GC-E5) on Schedule “A” (Map 10) to this By-law, the following provisions shall apply:

- A mini storage establishment shall be the only permitted use.
- All buildings and structures shall be setback a minimum of 12 metres from the high water mark.
- Open storage is prohibited.
- The storage of goods which are explosive, highly flammable, or produce noxious odours are prohibited.

9.3.6 General Commercial–Exception Six (GC-E6)

Notwithstanding Section 9.1(b) of this By-law to the contrary, for those lands described as part of Lot 6, Concession 13(B), in the geographic Township of McNab and delineated as General Commercial–

Exception Six (GC-E6) on Schedule "A" (Map 6) to this By-law, the permitted uses shall be limited to the following:

- Business or Professional Office
- Contractor's yard or shop
- Retail Store
- Warehouse

All other provisions of the GC Zone apply.

## SECTION 10 – REQUIREMENTS FOR HIGHWAY COMMERCIAL (HC) ZONE

### 10.1 Permitted Uses

No person shall use any land or erect or use any building or structure in any HC zone except for:

a) Residential Uses

- An accessory apartment to a permitted non-residential use
- An accessory single detached dwelling to a permitted non-residential use
- Where the permitted use is an automotive service station or commercial garage, the accessory residential use shall be a single detached dwelling.

b) Non-Residential Uses

- Animal Hospital
- Automotive - Body Shop
- Automotive - Car Wash
- Automotive - Commercial Garage
- Automotive - Gasoline Bar
- Automotive - Service Station
- Automotive - Store
- Automotive - Vehicle Sales and/or Rental Establishment
- Boat Sales, Snowmobile, Trailer and Cycle Sales and Rentals
- Building Supply Store
- Business and Professional Offices
- Convenience Store
- Eating Establishment - Drive In
- Eating Establishment - Full Service
- Eating Establishment - Take-Out
- Equipment Rental Establishment
- Furniture Showroom and Workshop
- Garden Centre
- Home Display and Sales Outlet
- Hotel
- Kennel
- Laundromat
- Laundry and Dry Cleaning Establishment
- Mini Storage Establishment
- Motel
- Pet Grooming Establishment
- Place Of Entertainment
- Public Park, Private Park
- Retail Store

- Service Shop General
- Service Shop Personal
- Tavern
- Welding Shop

## 10.2 Zone Provisions

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

- |    |   |                     |
|----|---|---------------------|
| a) | Lot Area (minimum)  | 4047 m <sup>2</sup> |
| b) | Lot Frontage (minimum)  | 45 m                |
| c) | Front Yard Depth (minimum)  | 10.5 m              |
| d) | Side Yard Depth (minimum)   | 6 m                 |
|    | i. Where the side yard abuts a residential zone   | 10.5 m              |
| e) | Exterior Side Yard Depth (minimum)  | 7.5 m               |
| f) | Rear Yard Depth (minimum)   | 7.5 m               |
|    | i. Where the rear yard abuts a residential zone   | 10.5 m              |
| g) | Lot Coverage (maximum)  | 33%                 |
| h) | Building Height (maximum)   | 10.5 m              |
| i) | Landscape Open Space (minimum)  | 30%                 |
| j) | Open Storage – In accordance with the provisions for open storage in Section 3 of the General Provisions of this By-law.                    |                     |
| k) | Parking and Loading – In accordance with the provisions for Parking and Loading in Section 4 of this By-law.                                |                     |
| l) | Separation Distance – In accordance with the provisions for separation Distance in Section 3 – General Provisions of this By-law.           |                     |
| m) | Setbacks – In accordance with the provisions for setbacks in Section 3 – General Provisions of this By-law.                                 |                     |
| n) | Accessory Uses, Buildings, and Structures: Notwithstanding any Zone Provisions of this zone to the contrary, uses, buildings and structures |                     |

that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for accessory uses, buildings and structures in Section 3 – General Provisions of this by-law.

### 10.3 Exception Zones

#### 10.3.1 Highway Commercial-Exception One (HC-E1)

Notwithstanding Section 10.1(a) and (b) to the contrary, for those lands described as part of Lot 17, Concession 8, in the geographic Township of McNab and delineated as Highway Commercial-Exception One (HC-E1) on Schedule “A (Map 2) to this By-law, the following uses shall be permitted:

- Automotive – gasoline bar
- Building Supply Store
- Eating establishment – drive-in
- Eating establishment – full service
- Eating establishment – take out
- Garden centre
- Home sales and display outlet
- Retail Store

All other provisions of the HC Zone shall apply.

#### 10.3.2 Highway Commercial-Exception Two (HC-E2)

Notwithstanding Section 10.1(a), or any other provision of this By-law to the contrary, for those lands described as part of Lots 1 and 2, Concession 5, in the geographic Township of McNab and delineated as Highway Commercial-Exception Two (HC-E2) on Schedule “A” (Map 1) to this By-law, a detached dwelling shall be an additional permitted use.

#### 10.3.3 Highway Commercial-Exception Three (HC-E3)

Notwithstanding Sections 3.9.1, and 10.1(a) and (b), or any other provisions of this By-law to the contrary, for those lands described as part of Lot 18, Concession 7, in the geographic Township of McNab and delineated as Highway Commercial-Exception Three (HC-E3) on Schedule “A” (Map 5) to this By-law, the following provisions shall apply:

i) *Additional Permitted Uses*

- Apartment dwelling
- Duplex dwelling
- Maisonette dwelling
- Mini storage establishment
- Row house dwelling

- Semi detached dwelling
  - Single detached dwelling
  - Triplex dwelling
- ii) More than one building used as a dwelling or containing one or more dwelling units shall be permitted on a lot.

All other provisions of this By-law shall apply.

## 10.4 Holding Zones

### 10.4.1 Highway Commercial-Exception One-Holding (HC-E1-h)

Until such time as the holding symbol is removed from lands described as part of Lot 17, Concession 8, in the geographic Township of McNab and delineated as Highway Commercial-Exception One-Holding (HC-E1-h) on Schedule "A" (Map 2) 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, 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)*
1. Site Plan
  2. Lot Grading and Drainage Plan
  3. Traffic Study
  4. Environmental Impact Analysis
  5. Hydrogeological Study (with nitrate impact assessment)
  6. Geotechnical Study
  7. Site Servicing Options Report.

### 10.4.2 Highway Commercial-Exception Three-Holding (HC-E3-h)

Until such time as the holding symbol is removed from lands described as part of Lot 18, Concession 7, in the geographic Township of McNab and delineated as Highway Commercial-Exception Three-Holding (HC-E3-h) on the Schedule "A" (Map 5) 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, except in accordance with the following:

- a) *Permitted Uses*
- Existing uses in existing locations

- Open space
- Passive recreation that does not require a building

b) *Conditions for removal of a Holding Symbol (h)*

- Hydro-geological study, including nitrate impact assessment
- Noise study
- Traffic Impact study
- Stormwater management report
- Lot grading and drainage plans
- Environmental Impact Study (Including Species at risk)
- Land use compatibility assessment for noise/lights associated with commercial uses involving trucks
- Site plan approval
- Development agreement

All other provisions of this By-law shall apply.

## SECTION 11 – REQUIREMENTS FOR TOURIST COMMERCIAL (TC) ZONE

### 11.1 Permitted Uses

No person shall use any land or erect or use any building or structure in any TC zone except for:

- a) Residential Uses
  - Accessory Single Detached Dwelling
  - Staff Dormitory Dwelling
- b) Non-Residential Uses
  - Active Recreational Use
  - Automotive – Gasoline Bar
  - Camping Establishment
  - Eating Establishment – Drive In
  - Eating Establishment – Full Service
  - Eating Establishment – Take Out
  - Hotel
  - Marina
  - Motel
  - Passive Recreational Uses
  - Place of Entertainment
  - Private Park
  - Propane, Retail
  - Public Park
  - Recreational Vehicle Campground
  - Resort
  - Retail Store
  - Riding Stables
  - Tourist Establishment

### 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)	1.5 Ha
(b)	Lot Frontage (minimum)	120 m
(c)	Front Yard Depth (minimum)	10.5 m
(d)	Side Yard Width (minimum)	10.5 m
(e)	Rear Yard Depth (minimum)	10.5 m

- |     |   |      |
|-----|---|------|
| (f) | Lot Coverage (maximum)  | 20%  |
| (g) | Building Height (maximum)   | 12 m |
| (h) | Recreational Vehicle Site Density   |      |
|     | <ul style="list-style-type: none"> <li>i. Connected to individual on site sewage disposal system (maximum) - 5 per hectare based on the area of the entire park, provided 4047 square metres are deducted from the total area, if an accessory dwelling unit is used or erected.</li> <li>ii. Connected to a communal sewage system or utilizing an internal holding tank/system not connected to any sewage system (maximum) - 20 per hectare based on the area of the entire park.</li> </ul> |      |
| (i) | Open Storage – In accordance with the provisions for open storage in Section 3 of the General Provisions of this By-law.  |      |
| (j) | Parking and Loading – In accordance with the provisions for Parking and Loading in section 4 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 – General Provisions of this by-law.   |      |

### 11.3 Exception Zones

#### 11.3.1 Tourist Commercial-Exception One (TC-E1)

Notwithstanding Section 11.2(b), or any other provision of this By-law to the contrary, for those lands described as Part of Lots 6 and 7, Concession 8, in the geographic Township of McNab and delineated as Tourist Commercial-Exception One (TC-E1) on Schedule "A" (Map 2) to this By-law, the 120 metre minimum lot frontage shall not apply.

#### 11.3.2 Tourist Commercial-Exception Two (TC-E2)

Notwithstanding Sections 11.2(c), (d) and (e), 3.27.5(a) and 3.2.3, or any other provisions of this By-law to the contrary, for those lands described as part of Lot 6, Concession 3, in the geographic Township

of McNab and delineated as Tourist Commercial–Exception Two (TC-E2) and 11.3.3 Tourist Commercial – Exception Three (TC-E3) on Schedule “A” (Map 11) to this By-law, the following provisions shall apply:

- i) A cottage establishment consisting of 11 detached cottages shall be permitted.
- ii) All buildings and structures existing as of August 21, 2018 shall be permitted in their existing locations.
- iii) The site shall be considered a single lot for planning purposes and setbacks to the property line between 1106 Point Road and 1138C-1138F Point Road shall not apply.

#### 11.3.3 Tourist Commercial–Exception Three

Notwithstanding Sections 11.2(c), (d) and (e), 3.27.5(a) and 3.2.3, or any other provisions of this By-law to the contrary, for those lands described as part of Lot 6, Concession 3, in the geographic Township of McNab Schedule “A” (Map 11) and delineated as Tourist Commercial–Exception Three (TC-E3), the following provision shall apply:

- i) All buildings and structures existing as of August 21, 2018 shall be permitted in their existing locations.

## 11.4 Holding Zones

#### 11.4.1 Tourist Commercial–Exception One-Holding (TC-E1-h)

Until such time as the holding symbol is removed from any of the lands zoned Tourist Commercial–Exception One-holding (TC-E1-h), in Part of Lots 6 and 7, Concession 8, in the geographic Township of McNab on Schedule “A” (Map 2) 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, except in accordance with the following:

- a) *Permitted Uses*
  - Existing uses in existing locations
  - Open Space
  - Passive recreation that does not require a holding
- b) *Conditions for removal of Holding Symbol (h)*
  - 1) Detailed Site Plan
  - 2) Planning Justification Report
  - 3) Minimum Distance Separation One (Type B)
  - 4) Geotechnical Study

- 5) Scoped Hydrogeological Report with Nitrate Impact Assessment and Soils Analysis
- 6) Servicing Options Report
- 7) Archaeological Assessment
- 8) Lot Grading and Drainage Plan
- 9) Site Plan Control Agreement
- 10) Environmental Impact Study.

## SECTION 12 – REQUIREMENTS FOR DISPOSAL INDUSTRIAL (DM) ZONE

### 12.1 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
  - Salvage Yard
  - Snow Disposal Facility
  - Waste Disposal Site, including transfer stations and composting sites

### 12.2 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):

		<b>Abutting an Industrial Zone</b>	<b>Abutting any Other Zone</b>
i)	Front Yard Depth	22 m	30 m
ii)	Side Yard Width	15 m	30 m
iii)	Rear Yard Depth	15 m	30 m

- b) Buffer Strip

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

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

- c) Abandoned or Rehabilitated

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

- d) Open Storage – In accordance with the provisions for open storage in Section 3 of the General Provisions of this By-law.
- e) Parking and Loading – In accordance with the provisions for Parking and Loading in section 4 of this By-law.
- f) Separation Distance – In accordance with the provisions for separation Distance in Section 3 – General Provisions of this By-law.

- g) Setbacks – In accordance with the provisions for setbacks in Section 3 – General Provisions of this By-law.
- h) 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 – General Provisions of this by-law.

### **12.3 Exceptions Zones**

## SECTION 13 – REQUIREMENTS FOR MINERAL AGGREGATE PIT (MP) ZONE

### 13.1 Permitted Uses

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

- a) Residential Uses
  - Prohibited
- b) Non-Residential Uses
  - Extractive industrial facility (i.e. wash plant, crusher) – does not include a concrete or asphalt manufacturing plant
  - Forestry
  - Gravel Pit
  - Limited Farm
  - Processing of Aggregates (i.e. screening, sorting, washing, crushing, storing)

### 13.2 Zone Provisions

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

- a) Lot Area (minimum) 10 Ha
- b) Lot Frontage (minimum) 45 m
- c) Front Yard Depth (minimum) 30 m
- d) Side Yard Depth (minimum) 15 m
- e) Exterior Side Yard Depth (minimum) 30 m
- f) Rear Yard Depth (minimum) 15 m
- g) Landscaped buffer (all lot lines) 15 m
- h) Open Storage – In accordance with the provisions for open storage in Section 3 of the General Provisions of this By-law.
- i) Parking and Loading – In accordance with the provisions for Parking and Loading in section 4 of this By-law.
- j) Separation Distance – In accordance with the provisions for separation Distance in Section 3 – General Provisions of this By-law.

- k) Setbacks – In accordance with the provisions for setbacks in Section 3 – General Provisions of this By-law.
- l) Accessory Uses, Buildings, and Structures: Notwithstanding any Zone 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 – General Provisions of this by-law.

### **13.3 Exception Zones**

## SECTION 14 – REQUIREMENTS FOR MINERAL AGGREGATE PIT – RESERVE (MP-R) ZONE

### 14.1 Permitted Uses

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

- a) Residential Uses
  - Prohibited
- b) Non-Residential Uses
  - Forestry
  - Limited Farm

### 14.2 Zone Provisions

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

- a) Lot Area (minimum) 10 Ha
- b) Lot Frontage (minimum) 45 m
- c) Front Yard Depth (minimum) 30 m
- d) Side Yard Depth (minimum) 15 m
- e) Exterior Side Yard Depth (minimum) 30 m
- f) Rear Yard Depth (minimum) 15 m
- g) Landscaped buffer (all lot lines) 15 m
- h) Open Storage – In accordance with the provisions for open storage in Section 3 of the General Provisions of this By-law.
- i) Parking and Loading – In accordance with the provisions for Parking and Loading in Section 4 of this By-law.
- j) Separation Distance – In accordance with the provisions for separation Distance in Section 3 – General Provisions of this By-law.
- k) Setbacks – In accordance with the provisions for setbacks in Section 3 – General Provisions of this By-law.

- l) Accessory Uses, Buildings, and Structures: Notwithstanding any Zone 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 – General Provisions of this by-law.

### **14.3 Exception Zones**

## SECTION 15 – REQUIREMENTS FOR MINERAL AGGREGATE QUARRY (MQ) ZONE

### 15.1 Permitted Uses

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

- a) Residential Uses
  - Prohibited
- b) Non-Residential Uses
  - Extractive industrial facility (i.e. wash plant, crusher) – does not include a concrete or asphalt manufacturing plant
  - Forestry
  - Limited Farm
  - Gravel Pit
  - Processing of Aggregates (i.e. screening, sorting, washing, crushing, storing)
  - Quarry

### 15.2 Zone Provisions

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

- a) Lot Area (minimum) 10 Ha
- b) Lot Frontage (minimum) 45 m
- c) Front Yard Depth (minimum) 30 m
- d) Side Yard Depth (minimum) 15 m
- e) Exterior Side Yard Depth (minimum) 30 m
- f) Rear Yard Depth (minimum) 15 m
- g) Landscaped buffer (all lot lines) 15 m
- h) Open Storage – In accordance with the provisions for open storage in Section 3 of the General Provisions of this By-law.
- i) Parking and Loading – In accordance with the provisions for Parking and Loading in Section 4 of this By-law.

- j) Separation Distance – In accordance with the provisions for separation Distance in Section 3 – General Provisions of this By-law.
- k) Setbacks – In accordance with the provisions for setbacks in Section 3 – General Provisions of this By-law.
- l) Accessory Uses, Buildings, and Structures: Notwithstanding any Zone 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 – General Provisions of this by-law.

### **15.3 Exception Zones**

## SECTION 16 – REQUIREMENTS FOR MINERAL AGGREGATE QUARRY RESERVE (MQ-R) ZONE

### 16.1 Permitted Uses

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

- a) Residential Uses
  - Prohibited
- b) Non-Residential Uses
  - Forestry
  - Limited Farm

### 16.2 Zone Provisions

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

- a) Lot Area (minimum) 10 Ha
- b) Lot Frontage (minimum) 45 m
- c) Front Yard Depth (minimum) 30 m
- d) Side Yard Depth (minimum) 15 m
- e) Exterior Side Yard Depth (minimum) 30 m
- f) Rear Yard Depth (minimum) 15 m
- g) Landscaped buffer (all lot lines) 15 m
- h) Open Storage – In accordance with the provisions for open storage in Section 3 of the General Provisions of this By-law.
- i) Parking and Loading – In accordance with the provisions for Parking and Loading in Section 4 of this By-law.
- j) Separation Distance – In accordance with the provisions for separation Distance in Section 3 – General Provisions of this By-law.
- k) Setbacks – In accordance with the provisions for setbacks in Section 3 – General Provisions of this By-law.

- l) Accessory Uses, Buildings, and Structures: Notwithstanding any Zone 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 – General Provisions of this by-law.

## **16.3 Exception Zones**

### **16.3.1 Mineral Aggregate Quarry–Reserve–Exception One (MQ-R-E1)**

Notwithstanding Section 16.1 to the contrary, for those lands described as part of Lot 17, Concession A, in the geographic Township of McNab and delineated as Mineral Aggregate Quarry– Reserve–Exception One (MQ-R-E1) on Schedule “A” (Map 2) to this By-law, no person shall use the land except for a significant wildlife habitat protection area.

# SECTION 17 – REQUIREMENTS FOR GENERAL INDUSTRIAL (GM) ZONE

## 17.1 Permitted Uses

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

- a) Residential Uses
  - Prohibited
  
- b) Non-Residential Uses
  - Abattoir
  - Automotive-Body Shop
  - Automotive-Commercial Garage
  - Automotive-Vehicle Sales or Rental Establishment
  - Business Office accessory to a permitted use
  - Cannabis Production Facility
  - Concrete Manufacturing Plant
  - Contractor's Yard Or Shop
  - Factory Outlet
  - Fuel Storage Tank
  - Light Manufacturing Plant
  - Logging Hauler
  - Manufacturing Plant
  - Mini Storage Establishment
  - Propane/Natural Gas Transfer Facility
  - Public Garage
  - Retail Stores involving the sale and/or rental of heavy machinery, fuels, factory equipment, boats, recreational vehicles, motorcycles, snowmobiles
  - Retail Uses accessory to a permitted use
  - Sawmill
  - Service Shop, General
  - Truck Terminal
  - Warehouse
  - Welding/Metal Shop
  - Woodworking Shop

## 17.2 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:

- |    |                        |                     |
|----|------------------------|---------------------|
| a) | Lot Area (minimum)     | 4047 m <sup>2</sup> |
| b) | Lot Frontage (minimum) | 35 m                |

## c) Yards (minimum):

		<b>Abutting an Industrial Zone</b>	<b>Abutting Other Zone</b>
i)	Front Yard Depth	15 m	30 m
ii)	Side Yard Depth	3 m	30 m
iii)	Exterior Side Yard Depth	15 m	30 m
iv)	Rear Yard Depth	9 m	30 m

- d) Lot Coverage (maximum) 50%
- e) Building Height (maximum) 15 m
- f) Landscaped Open Space 30%
- g) Open Storage – In accordance with the provisions for open storage in Section 3 of the General Provisions of this By-law.
- h) Parking and Loading – In accordance with the provisions for Parking and Loading in section 4 of this By-law.
- i) Separation Distance – In accordance with the provisions for separation Distance in Section 3 – General Provisions of this By-law.
- j) Setbacks – In accordance with the provisions for setbacks in Section 3 – General Provisions of this By-law.
- k) Accessory Uses, Buildings, and Structures: Notwithstanding any Zone 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 – General Provisions of this by-law.

## 17.3 Exception Zones

### 17.3.1 General Industrial-Exception One (GM-E1)

Notwithstanding any other provisions of this By-law to the contrary, for those lands described as part of Lots 9, 10 and 11, Concession 13(B), in the geographic Village of Braeside and delineated as General Industrial-Exception One (GM-E1) on Schedule "A" (Map 2) to this By-law, all the uses of the General Industrial (GM) Zone shall be permitted however, the ground water shall not be utilized.

## 17.4 Holding Zones

### 17.4.1 General Industrial-Holding (GM-h)

Until such time as the holding symbol is removed from any of the lands zoned General Industrial-holding (GM-h) in part of Lot 8, Concession

13(B) and part of Lots 9, 10 and 11, Concession 14(C), geographic Village of Braeside on Schedule A (Map 2) 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, except in accordance with the following:

a) *Permitted Uses*

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

b) *Conditions for removal of Holding Symbol (h)*

These conditions will be addressed in the approximate order as stated and all conditions must be satisfied prior to the passing of a by-law to remove the holding symbol:

- a. A site plan pursuant to Section 41 of the Planning Act for the development permitted under the GM Zone is submitted to the municipality.
- b. The proponent demonstrates, to Council's satisfaction, that the servicing systems (sewage and water systems) shown on the site plan meeting the requirements of the approval authority.
- c. Access to the development, including entrance location and design, meets engineering requirements to Council's satisfaction.
- d. Council holds a public meeting to seek public input on the site plan.
- e. Council determines what changes, if any, it requires to the site plan and advises the proponent accordingly.
- f. Council gives final approval to the site plan whereupon a site plan agreement under Section 41 of the Planning Act is executed and registered on title.

## SECTION 18 – REQUIREMENTS FOR LIGHT INDUSTRIAL (LM) ZONE

### 18.1 Permitted Uses

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

- a) Residential Uses
  - Prohibited
- b) Non-Residential Uses
  - Agriculture Commercial Establishment
  - Business Office accessory to a permitted use
  - Cannabis Production Facility
  - Factory Outlet
  - Light Manufacturing Plant
  - Propane/Natural Gas Transfer Facility
  - Public Garage
  - Retail Uses accessory to a permitted use
  - Truck Terminal
  - Warehouse
  - Those non-residential uses of the Highway Commercial (HC) zone listed in Section 13.1(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 following provisions:

- |    |  |                     |
|----|--|---------------------|
| a) | Lot Area (minimum)                           | 4047 m <sup>2</sup> |
| b) | Lot Frontage (minimum)                       | 45 m                |
| c) | Front Yard Depth (minimum)                   | 10.5 m              |
| d) | Side Yard Depth (minimum)                    | 6 m                 |
|    | Where the side yard abuts a residential zone | 10.5 m              |
| e) | Exterior Side Yard Depth (minimum)           | 7.5 m               |
| f) | Rear Yard Depth (minimum)                    | 7.5 m               |
|    | Where the rear yard abuts a residential zone | 10.5 m              |
| g) | Lot Coverage (maximum)                       | 33%                 |

- |    |   |        |
|----|---|--------|
| h) | Building Height (maximum)   | 10.5 m |
| i) | Landscape Open Space (minimum)  | 30%    |
| j) | Open Storage – In accordance with the provisions for open storage in Section 3 of the General Provisions of this By-law.  |        |
| k) | Parking and Loading – In accordance with the provisions for Parking and Loading in Section 4 of this By-law.  |        |
| l) | Separation Distance – In accordance with the provisions for separation Distance in Section 3 – General Provisions of this By-law.   |        |
| m) | Setbacks – In accordance with the provisions for setbacks in Section 3 – General Provisions of this By-law.   |        |
| n) | Accessory Uses, Buildings, and Structures: Notwithstanding any Zone Provisions of this zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for accessory uses, buildings and structures in Section 3 – General Provisions of this by-law. |        |

### 18.3 Exception Zones

#### 18.3.1 Light Industrial–Exception One (LM-E1)

Notwithstanding Section 18.1(a) and (b) to the contrary, for those lands described as part of Lots 5, 6 and 7 Concession 12(A), in the geographic Township of McNab and delineated as Light Industrial–Exception One (LM-E1) on Schedule A (Map 7) to this By-law, the only permitted uses shall include:

- Automotive Store
- Automotive Vehicle Sales or Rental Establishment
- Automotive Service Station
- Bank / Financial Institution
- Building Supply Store
- Business Office
- Clinic
- Conference Centre
- Eating Establishment
- Hotel
- Light Manufacturing Plant
- Personal Service Shop
- Retail Store

18.3.2 Light Industrial-Exception Two-Temporary (LM-E2-Temporary)

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lot 6, Concession 11, in the geographic Township of McNab and delineated as Light Industrial-Exception Two-Temporary (LM-E2-Temporary) on Schedule A (Map 2) to this By-law, a temporary building to be used as a business office shall be a permitted use until **\*May 20, 2026.\*** All other provisions of the Zoning By-law shall apply.

## 18.4 Holding Zones

18.4.1 Light Industrial-Exception One Holding (LM-E1-h)

Until such time as the holding symbol is removed from lands described as part of Lots 5, 6 and 7 Concession 12(A), in the geographic Township of McNab and delineated as Light Industrial-Exception One Holding (LM-E1-h) on Schedule A (Map 7) 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, except in accordance with the following:

a) *Permitted Uses:*

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

b) *Conditions for removal of Holding Symbol (h):*

- Submission of a Site Servicing Options Report to the satisfaction of the municipality;
- A site plan approved by the Township of McNab/Braeside;
- That the Township of McNab/Braeside is satisfied with a long term storm water management solution for the residential and future commercial development in one common storm water facility located within the commercial lands located in Lot 5, Concession 12(A) in the geographic Township of McNab; and
- That the County of Renfrew is satisfied with a long term storm water management solution for the residential and future commercial development in one common storm water facility located within the commercial lands located in Lot 5, Concession 12(A) in the geographic Township of McNab.

## SECTION 19 – REQUIREMENTS FOR RURAL (RU) ZONE

### 19.1 Permitted Uses

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

- a) Residential Uses
  - Group Home
  - Single Detached Dwelling
- b) Non-Residential Uses
  - Bed and Breakfast
  - Cannabis Production Facility
  - Cemetery
  - Farm
  - Farm – Agriculture related use
  - Farm – On farm diversified use
  - Forestry
  - Home industry
  - Hunt or fish camp
  - Private Airfield
  - Recreation, passive
  - Special Event \*with an approved special event permit from Township\*

### 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 dwelling, home industry, bed and breakfast, hunt or fishing camp 4047 m<sup>2</sup>
  - ii) All other permitted uses 2 Ha
- b) Lot Frontage (minimum) 45 m
- c) Front yard Depth (minimum) 7.5 m
- d) Side Yard Width (minimum) 3 m
- e) Exterior Side Yard Width (minimum) 7.5 m
- f) Rear Yard Depth (minimum) 7.5 m

- g) Lot Coverage 20 %
- h) Dwellings per lot (maximum) - 1 \*See general provisions related to additional dwellings
- i) Open Storage – In accordance with the provisions for open storage in Section 3 of the General Provisions of this By-law.
- j) Parking and Loading – In accordance with the provisions for Parking and Loading in Section 4 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 – General Provisions of this by-law.

### 19.3 Exception Zones

#### 19.3.1 Rural-Exception One (RU-E1)

Notwithstanding any provisions of this By-law to the contrary, for those lands described as part of Lot 21, Concession 6, in the geographic Township of McNab and delineated as Rural-Exception One (RU-E1) on Schedule “A” (Map 1) to this By-law, the permitted uses shall be limited to the following:

- A Garden Centre
- An Agricultural Commercial Establishment
- Accessory Buildings and Structures

#### 19.3.2 Rural-Exception Two (RU-E2)

Notwithstanding anything in this By-law to the contrary, in addition to the normal uses of the Rural (RU) zone, those lands described as part of Lot 21, Concession 7, in the geographic Township of McNab and delineated as Rural-Exception Two (RU-E2) on Schedule “A” (Map 1) to this By-law may be used for a home display and sales outlet.

19.3.3 Rural-Exception Three (RU-E3)

Notwithstanding anything in this By law to the contrary, for those lands described as part of Lot 6, Concession 3 in the geographic Township of McNab and delineated as Rural-Exception Three (RU-E3), on Schedule "A" (Map 11) to this By law, a lumber retail yard shall be permitted in addition to the normal uses of the RU zone.

For the purposes of this, a lumber retail yard shall mean an open area of land where pre-cut lumber is stored for retail sale and shall not include a sawmill.

19.3.4 Rural-Exception Four (RU-E4)

Notwithstanding Section 3.26.3 c) to the contrary, for those lands described as part of Lot 20, Concession 2, in the geographic Township of McNab and delineated as Rural-Exception Four (RU-E4) on Schedule "A" (Map 1) to this By-law, the minimum setback for existing farm buildings to any lot line shall be 13 metres. The keeping of livestock within a farm building that is closer than 30 metres to any lot line shall be prohibited.

19.3.5 Rural-Exception Five (RU-E5)

Notwithstanding Sections 3.27.3, 3.27.5 a), 19.2(c) and 19.2(d) to the contrary, for those lands described as part of Lot 21, Concession 13(B) (Lots 17, 18 and 19, Plan 217) in the geographic Township of McNab and delineated as Rural-Exception Five (RU-E5) on Schedule "A" (Map 2) to this By-law, the following provisions shall apply:

- |  |                                  |
|--|----------------------------------|
| i) Road Setback (minimum)              | 1.5 metres (from front lot line) |
| ii) Water Setback (minimum)            | 12 metres                        |
| iii) Front Yard Depth (minimum)        | 1.5 metres                       |
| iv) Southern Side Yard Width (minimum) | 1.8 metres                       |

19.3.6 Rural-Exception Six (RU-E6)

Notwithstanding Section 19.1(b) to the contrary, for those lands described as part of Lot 13, Concession 6, in the geographic Township of McNab and delineated as Rural-Exception Six (RU-E6) on Schedule "A" (Map 9) to this By-law, a retail store involving the sale and service of recreational vehicles, all-terrain vehicles (ATVs), snowmobiles, boats and marine products, and lawn and garden equipment shall be an additional permitted use for the subject lands and the maximum height for an accessory building shall be 8 metres.

19.3.7 Rural-Exception Seven (RU-E7)

Notwithstanding Section 3.27.6 to the contrary, for those lands described as part of Lot 11, Concession 2, in the geographic Township of McNab and delineated as Rural-Exception Seven (RU-E7) on Schedule "A" (Map 1) to this By-law, the 120 metre setback from the adjacent Provincially Significant Wetland (PSW), shall not apply.

19.3.8 Rural-Exception Eight (RU-E8)

Notwithstanding Sections 3.2.1, or any other provision of this By-law to the contrary, for those lands described as Part of Lot 20, Concession 2 West, in the geographic Township of McNab and delineated as Rural-Exception Eight (RU-E8) on Schedule "A" (Map 1), the existing accessory shed and geo-dome shall be permitted prior to a main permitted use.

19.3.9 Rural-Exception Nine (RU-E9)

Notwithstanding any other provision of this By-law to the contrary, for those lands described as part of Lot 9, Concession 7, in the geographic Township of McNab and delineated as Rural-Exception Nine (RU-E9) on Schedule "A" (Map 1) to this By-law, the existing accessory building shall be permitted prior to the main permitted use. All other provisions of the RU Zone shall apply.

19.3.10 Rural-Exception Ten (RU-E10)

Notwithstanding Section 19.2(b)) of this By-law to the contrary, for those lands described as part of Lot 7, Concession 7, in the geographic Township of McNab and delineated as Rural-Exception Ten (RU-E10) on Schedule "A" (Map 1) to this By-law, no buildings or structures shall be permitted within 20 metres from the crest of the northern slope. No buildings or structures shall be permitted within 5 metres from the crest of the eastern slope.

19.3.11 Rural-Exception Eleven (RU-E11)

Notwithstanding Section 3.27.6 and 19.2(f), or any other provision of this By-law to the contrary, for those lands described as part of Lot 12, Concession 2, in the geographic Township of McNab and delineated as Rural-Exception Eleven (RU-E11) on Schedule "A" (Map 1) to this By-law, the following provisions shall apply:

- i) Setback from a Provincially Significant Wetland (minimum) 35 metres
- ii) Rear Yard Depth (minimum) 20 metres

Within the minimum required rear yard, no buildings or structures are permitted. The area is to remain in natural vegetation and be used

only for open space and passive recreation. All other provisions of the Zoning By-law shall apply.

19.3.12 Rural-Exception Twelve (RU-E12)

Notwithstanding anything in this By-law to the contrary, for those lands delineated as Rural-Exception Twelve (RU-E12) on Schedule “A” (Map 2) to this By-law, a geotechnical and/or slope stability study and/or other study as determined by the Township, is required to be submitted with any application for a building permit for the purpose of a new structure, an enlargement to an existing structure or a pool. The required study or studies shall examine any potential hazard on the subject lands and outline any conditions or mitigation methods, if any, on which a structure can be constructed. The study shall be completed to the satisfaction of the Township prior to the issuance of any building permit.

19.3.13 Rural-Exception Thirteen (RU-E13)

Notwithstanding Section 3.26.1(b) to the contrary, for those lands described as part of Lot 6, Concession 11, in the geographic Township of McNab, and delineated Rural-Exception Thirteen (RU-E13) on Schedule A (Map 2) to this By-law, the separation distance between an industrial zone or industrial-holding zone and a dwelling shall not apply. All other provisions of the by-law shall apply.

19.3.14 Rural- Exception Fourteen (RU-E14)

Notwithstanding any provisions of this By-law to the contrary, for those lands described as part of Lot 21, Concession 12(A), including Lot 34, Plan 211, in the geographic Township of McNab and delineated as Rural-Exception Fourteen (RU-E14) on Schedule “A” (Map 2 - Rhoddy's Bay Inset) to this By-law, the subject lands shall be considered as a single lot. No new development shall be permitted on that portion described as Lot 34, Plan 211 and no buildings or structures shall be use for any other purpose than storage.

19.3.15 Rural-Exception Fifteen (RU-E15)

Notwithstanding Section 19.1(b), or any other provision of this By-law to the contrary, for those lands described as Lot 1, Plan 619 in part of Lot 16, Concession 3, in the geographic Township McNab and delineated as Rural-Exception Fifteen (RU-E15) on Schedule “A” (Map 1) to this By-law, a wellness group home shall be an additional permitted use.

For the purposes of this subsection a wellness group home shall be defined as:

A single residence in which up to 9 persons over the age of 18 (excluding staff), temporarily or permanently reside under responsible supervision where indoor and outdoor programs and activities are offered that promote mental, emotional, and physical healing for healthy living.

19.3.16 Rural-Exception Sixteen (RU-E16)

Notwithstanding Section 19.1 (b), or any other provision of this By-law to the contrary, for those lands described as part of Lot 6, Concession 3, in the geographic Township of McNab and delineated as Rural-Exception Sixteen (RU-E16) on Schedule "A" (Map 1) to this By-law, an assembly hall shall be an additional permitted use.

19.3.17 Rural-Exception Seventeen (RU-E17)

Notwithstanding Sections 19.2(c) and (f) or any other provision of this By-law to the contrary, for those lands described as part of Lot 15, Concession 2, in the geographic Township of McNab and delineated as Rural-Exception Seventeen (RU-E17) on Schedule "A" (Map 1) to this By-law, the following provisions shall apply:

- i) Front Yard Depth (minimum) 94.7 metres
- ii) Rear Yard Depth (minimum) 84.3 metres

19.3.18 Rural-Exception Eighteen (RU-E18)

Notwithstanding Sections 3.26.1 (d) or any other provision of this By-law to the contrary, for those lands described as part of Lot 1, Concession 7, in the geographic Township of McNab and delineated as Rural-Exception Eighteen (RU-E18) on Schedule "A" (Map 1) to this By-law, the following provisions shall apply:

- i) Separation of a residential lot from a Mineral Quarry Reserve (MQ-R) Zone (minimum) 106 metres

19.3.19 Rural – Exception Nineteen (RU-E19)

Notwithstanding anything in this By-law to the contrary, in addition to those uses normally permitted in the Rural (RU) Zone, those lands described as part of Lot 25, Concession 4, in the geographic Township of McNab and zoned Rural – Exception Nineteen (RU-E19) on Schedule "A" (Map 1) to this By-law may be used for the purposes of a body shop, automotive commercial garage, and wrecking yard in compliance with the provisions of the Rural (RU) Zone, excepting, however, that:

- i) Lot Area (minimum) 18 hectares

- ii) For the purposes of this subsection, auto wrecking yard shall mean a lot or premises for the storage or handling of derelict vehicles, including ancillary automotive sales and automotive parts sales.

#### 19.3.20 Rural-Exception Twenty (RU-E20)

Notwithstanding Section 3.26.1(c) or any other provision of this By-law to the contrary, for those lands described as Part of Lots 17 and 18, Concession 2, in the geographic Township of McNab and delineated as Rural-Exception Twenty (RU-E20) on Schedule "A" (Map 1) to this By-law, the following provisions shall apply:

- i) Separation from Mineral Aggregate Pit Reserve (MP-R) Zone (minimum) 60 metres

#### 19.3.21 Rural-Exception Twenty-One (RU-E21)

Notwithstanding Section 3.26.1(b) and (c), 19.2(f) or any other provision of this By-law to the contrary, for those lands described as Part of Lot 9, Concession B(13), in the geographic Village of Braeside and delineated as Rural-Exception Twenty-One (RU-E21) on Schedule "A" (Map 2) to this By-law, the following shall apply:

- i) Minimum separation for a dwelling from a General Industrial (GM) or General Industrial-holding (GM-h) Zone shall be 0 metres.
- ii) Minimum separation for a dwelling from the Mineral Aggregate Pit – Reserve (MP-R) Zone, Mineral Aggregate Pit (MP) Zone or gravel pit shall be 86 metres (includes the 60 metre rear yard setback and the 26 metre wide Algonquin Trail).
- iii) Minimum rear yard setback for a dwelling from the rear lot line shall be 60 metres.

All other provisions of the Zoning By-law will apply.

## 19.4 Holding Zones

#### 19.4.1 Rural-Exception Sixteen-Holding (RU-E16-h)

Until such time as the holding symbol is removed from any of the lands zoned Rural-Exception Sixteen-holding (RU-E16-h), in part of Lot 6, Concession 3, geographic Township of McNab, on Schedule A (Map 1) 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, except in accordance with the following:

- a) *Permitted Uses*
  - Existing uses in existing locations

- Open space
  - Passive recreation that does not require a holding
- b) *Conditions for removal of Holding Symbol (h)*
- 1) Planning justification report
  - 2) Servicing options report
  - 3) Hydrogeological report with nitrate impact assessment and soils analysis
  - 4) Environmental impact study
  - 5) Stormwater management plan
  - 6) Detailed site plan
  - 7) Site plan agreement

## SECTION 20 – REQUIREMENTS FOR AGRICULTURE (A) ZONE

### 20.1 Permitted Uses

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

- a) Residential Uses
  - Single Detached Dwelling
- b) Non-Residential Uses
  - Bed and Breakfast
  - Cannabis Production Facility
  - Farm
  - Farm – Agriculture Related Use
  - Farm - Limited
  - Farm – On-farm Diversified Use
  - Forestry
  - Home Industry
  - Recreation – Passive
  - Special Event \*with an approved special event permit from Township\*

### 20.2 Zone Provisions

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

- a) Lot Area (minimum) 40 Ha
- b) Lot Frontage (minimum) 45 m
- c) Yards (minimum)

		Single Detached Dwelling	All Other Uses
i)	Front Yard Depth	7.5 m	30 m
ii)	Side Yard Depth	3 m	30 m
iii)	Exterior Side Yard Depth	7.5 m	30 m
iv)	Rear Yard Depth	7.5 m	30 m

- d) Lot Coverage (maximum)
  - i) Single detached dwelling 25%

- e) On-farm diversified uses and cannabis production facilities including all associated services (i.e. buildings, accessory buildings, well, septic, parking area, etc.) shall not occupy an area greater than 1 hectare.
- f) Open Storage – In accordance with the provisions for open storage in Section 3 of the General Provisions of this By-law.
- g) Parking and Loading – In accordance with the provisions for Parking and Loading in section 4 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 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 – General Provisions of this by-law.

## 20.3 Exception Zones

### 20.3.1 Agriculture–Exception One (A-E1)

Notwithstanding anything else in this by-law to the contrary, for those lands zoned Agriculture-Exception One (A-E1), all residential uses shall be prohibited.

### 20.3.2 Agriculture–Exception Two (A-E2)

Notwithstanding Section 20.1(b) to the contrary, for those lands described as part of Lot 12, Concession 9, in the geographic Township of McNab and delineated as Agriculture–Exception Two (A-E2) on Schedule “A” (Map 2) to this By-law, a light manufacturing plant shall be permitted in addition to the uses normally permitted.

### 20.3.3 Agriculture–Exception Three (A-E3)

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lot 13, Concession 11, in the geographic Township of McNab, and delineated as Agriculture–Exception Three (A-E3) on Schedule “A” (Map 2) to this By-law, the following shall apply in order to maintain the slope stability of Dochart's Creek:

- i) The proposed buildings (dwelling, garage and out buildings) outlined in Schedule “B” to By-law No. 2008-08 shall maintain a minimum 7 metre setback from the crest of the slope of Dochart Creek, as per the recommendation of the Slope Stability

Assessment completed by Houle Chevrier Engineering (dated July 24, 2007; Our Ref: 07-287). The vegetation and trees along the slope shall be maintained. No buildings may be constructed other than as indicated on Schedule "B" to By-law 2008-08, without a further amendment to the zoning by-law.

20.3.4 Agriculture–Exception Four (A-E4)

Notwithstanding any provisions of this By-law to the contrary, for those lands located in Lot 10, Concession 11, in the geographic Township of McNab and zoned Agriculture-Exception Four (A-E4) on Schedule "A" (Map 2) to this By-law, the only permitted uses shall be:

- Animal Hospital
- Automotive – Body Shop
- Automotive – Car Wash
- Automotive – Commercial Garage
- Automotive – Store
- Automotive – Vehicle Sales or Rental Establishment
- Building Supply Store
- Contractor's Yard or Shop
- Eating Establishment – Drive-In
- Eating Establishment – Full Service
- Eating Establishment – Take Out
- Furniture or Wood Products Shop
- Garden Centre
- Kennel
- Meat Products Plant
- Mini Storage Establishment
- Retail stores involving the sale and/or rental of heavy machinery, fuels, factory equipment, boats, recreational vehicles, motorcycles, snowmobiles
- Welding Shop

All other provisions of this By-law shall apply.

20.3.5 Agriculture–Exception Five (A-E5)

Notwithstanding Section 20.1(b) to the contrary, for those lands described as Part of Lot 5, Concession 11, geographic Township of McNab and delineated as Agriculture-Exception Five (A-E5) on Schedule "A" (Map 2) to this By-law, the following additional uses shall be permitted:

- Accessory single detached dwelling
- Agriculture Commercial Establishment
- Automotive Commercial Garage
- Automotive Vehicle Sales or Rental Establishment
- Drive-In Eating Establishment

- Retail stores involving the sale and/or rental of factory equipment and boats, recreational vehicles, motorcycles, snowmobiles

20.3.6 Agriculture – Exception Six (A-E6)

In accordance with Section 20.2(b), or any other provision of this By-law to the contrary, for those lands described as Part of Lot 5, Concession 8, in the geographic Township of McNab and delineated as Agriculture-Exception Six (A-E6) on Schedule 'A' (Map 2) to this By-law, a minimum lot frontage of 20 metres shall be permitted.

All other zoning provisions of this Zoning By-law shall apply.

20.3.7 Agriculture – Exception Seven (A-E7)

Notwithstanding Sections 20.1(a) and 3.26.3(b), or any other provision of this By-law to the contrary, for those lands described as Part of Lot 5, Concession 8, in the geographic Township of McNab and delineated as Agriculture-Exception Nineteen (A-E19) on Schedule 'A' (Map 2) to this By-law, the following shall apply:

- i) No residential uses shall be permitted;
- ii) A 20 metre setback shall be permitted for the existing farm building located southeast of the lot zoned as Agriculture-Exception Exception Eighteen (A-E18).

All other zoning provisions of this Zoning By-law shall apply.

## SECTION 21 – REQUIREMENTS FOR COMMUNITY FACILITY (CF) ZONE

### 21.1 Permitted Uses

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

- a) Residential Uses
  - Accessory Single Detached Dwelling
  - Home for the Aged
  - Nursing Home
  - Senior Citizens Home
  
- b) Non- Residential Uses
  - Assembly Hall
  - Cemetery
  - Church
  - Clinic
  - Community Centre
  - Forestry
  - Hospital
  - Place of Worship
  - Private Club
  - Private Park
  - Public Building
  - Public Garage
  - Public Park
  - Public Utility
  - Recreation, Active
  - Recreation, Passive
  - Schools

### 21.2 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)         | 4047 m <sup>2</sup>   |
| b) | Lot Frontage (minimum)     | 45 m  |
| c) | Front Yard Depth (minimum) | 10.5 m  |
| d) | Side Yard Width (minimum)  | 5 m or 1/2 the height of the building, whichever is greater |

- |    |   |        |
|----|---|--------|
| e) | Exterior Side Yard  | 10.5 m |
| f) | Rear Yard Depth (minimum)   | 15 m   |
| g) | Lot Coverage (maximum)  | 25%    |
| h) | Building Height (maximum)   | 10.5 m |
| i) | Open Storage – In accordance with the provisions for open storage in Section 3 of the General Provisions of this By-law.  |        |
| j) | Parking and Loading – In accordance with the provisions for Parking and Loading in Section 4 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 – General Provisions of this by-law. |        |

### 21.3 Exception Zones

## SECTION 22 – REQUIREMENTS FOR ENVIRONMENTAL PROTECTION (EP) ZONE

### 22.1 Permitted Uses

No person shall use land or erect or use a building or structure in any EP zone except for:

- a) Residential Uses
  - Prohibited
- b) Non- Residential Uses
  - Dam or Other Water Control Structure
  - Erosion Control Structure
  - Existing Farm
  - Limited Farm
  - Passive Recreation
  - No new buildings or structures other than for flood or erosion control

### 22.2 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 m
- b) Side Yard Width (minimum) 5 m
- c) Rear Yard Depth (minimum) 15 m
- d) Lot Coverage (maximum) 1%
- e) Building Height (maximum) 5 m
- f) Open Storage – In accordance with the provisions for open storage in Section 3 of the General Provisions of this By-law.
- g) Parking and Loading – In accordance with the provisions for Parking and Loading in section 4 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 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 – General Provisions of this by-law.

## 22.3 Exception Zones

### 22.3.1 Environmental Protection–Exception One (EP-E1)

Lands zoned Environmental Protection-Exception One (EP-E1), on Schedule “A” to this By-law, are Provincially Significant Wetlands (PSWs) and permitted uses identified in Section 22.1 of this By-law. See Section 3.27.6 for the required setback to the Environmental Protection-Exception One (EP-E1) Zone boundary.

### 22.3.2 Environmental Protection–Exception Two (EP-E2)

Lands zoned Environmental Protection-Exception Two (EP-E2), on Schedule “A” to this By-law are Life Science-Area of Natural and Scientific Interest (ANSI) and permitted uses are identified in Section 22.1 of this By-law. See Section 3.27.7 i) for the required setback to the Environmental Protection-Exception Two (EP-E2) Zone boundary.

### 22.3.3 Environmental Protection–Exception Three (EP-E3)

Lands zoned Environmental Protection-Exception Two (EP-E3), on Schedule “A” to this By-law are Earth Science-Area of Natural and Scientific Interest (ANSI) and permitted uses are identified in Section 22.1 of this By-law. See Section 3.27.7 ii) for the required setback to the Environmental Protection-Exception Three (EP-E3) Zone boundary.

### 22.3.4 Environmental Protection–Exception Four (EP-E4)

Notwithstanding Section 22.1 (b), 22.2, or any other provision of this By-law to the contrary, for those lands described as part of Lots 1 and 2, Concession 5, in the geographic Township of McNab and delineated as Environmental Protection-Exception Four (EP-E4) on Schedule “A” (Map 1) to this By-law, the existing power generation plant shall be permitted as an additional permitted use, in its existing location, as of January 1, 2024.

## SECTION 23 – REQUIREMENTS FOR OPEN SPACE (OS) ZONE

### 23.1 Permitted Uses

No person shall use land or erect or use a building or structure in any OS zone except for:

- a) Residential Uses
  - Prohibited
- b) Non-Residential Uses
  - Buffer Strip
  - Golf Course
  - Landscaped Open Space
  - Natural Area
  - Passive Recreation
  - Private Park
  - Public Park

### 23.2 Zone Provisions

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

- a) Lot Area (minimum) NIL
- b) Front Yard Depth (minimum) NIL
- c) Side Yard Width (minimum) NIL
- d) Rear Yard Depth (minimum) NIL
- e) Building Height (maximum) 10.5 m
- f) Open Storage – In accordance with the provisions for open storage in Section 3 of the General Provisions of this By-law.
- g) Parking and Loading – In accordance with the provisions for Parking and Loading in section 4 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 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 – General Provisions of this by-law.

### **23.3 Exception Zones**

#### **23.3.1 Open Space–Exception One (OS-E1)**

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lot 6, Concession 14 (C), in the geographic Township of McNab and delineated as Open Space - Exception One (OS-E1) on Schedule "A" (Map 6) to this By-law, the permitted uses shall be limited to passive recreation and natural area.

#### **23.3.2 Open Space–Exception Two (OS-E2)**

Notwithstanding any other provision of this By-law to the contrary, for the lands located within part of Lot 8, Concession 14 (C), in the geographic Township of McNab and delineated as Open Space-Exception Two (OS-E2) on Schedule "A" (Map 6) to this By-law, permitted uses shall be limited to a natural area, subject to the following additional limitations. No subsurface soil disturbance such as building foundations, landscaping soil stripping, nor the installation of utilities shall be permitted on lands zoned OS-E2, with the exception of mitigative excavations approved by the Heritage Operations Unit of the Ontario Ministry of Culture, and carried out by a qualified archaeologist, which shall be permitted. Notwithstanding, the existing foundation depression may be filled with clean fill and topsoil to prevent it from slumping and for the purpose of seeding and/or planting ground cover.

#### **23.3.3 Open Space–Exception Three (OS-E3)**

Notwithstanding Section 23.1(a) and (b) to the contrary, for those lands described as part of Lot 17, Concession 13 (B) (Lots 4 & 5, 49M-47), in the geographic Township of McNab and delineated as Open Space-Exception Three (OS-E3) on Schedule "A" (Map 8) to this By-law, the only permitted use shall be natural area. No buildings or structures shall be permitted, as these lots are to provide a view of the Ottawa River for residential lots located to the south and west.

#### **23.3.4 Open Space–Exception Four (OS-E4)**

Notwithstanding any other provisions of this By-law to the contrary, for those lands described as part of Lot 17, Concession 2, in the geographic Township of McNab and delineated as Open Space-Exception Four (OS-E4) on Schedule "A" (Map 1) to this By-law, a single detached dwelling shall be permitted in accordance with:

- i) A site specific geotechnical study approved by the municipality
- ii) A site specific site plan approved by the municipality

23.3.5 Open Space–Exception Five (OS-E5)

Notwithstanding Section 23.1 (b) or any other provision of this By-law to the contrary, for those lands described as part of Lot 17, Concession 2, in the geographic Township of McNab and delineated as Open Space-Exception Five (OS-E5) on Schedule “A” (Map 1) to this By-law, the following applies:

All development is prohibited with the exception of a path for water access that is constructed in accordance with an approved geotechnical study.

23.3.6 Open Space–Exception Six (OS-E6)

Notwithstanding any other provisions of this By-law to the contrary, for those lands described as part of Lot 17, Concession 2, in the geographic Township of McNab and delineated as Open Space-Exception Six (OS-E6) on Schedule “A” (Map 1) to this By-law, the only permitted use is a private park with associated structures (including facilities such as washrooms, cooking facilities, water/boat access) in accordance with a site specific site plan approved by the municipality.