

***CORPORATION
OF THE
TOWNSHIP OF McNAB/BRAESIDE
ZONING BY-LAW NO.
2010-49***

Prepared For:

The Corporation of the
Township of McNab/Braeside

Prepared By:

The County of Renfrew
Planning Department
9 International Drive
Pembroke, Ont.
K8A 6W5

TOWNSHIP OF McNAB/BRAESIDE

NOTICE OF PASSING OF A COMPREHENSIVE ZONING BY-LAW

TAKE NOTICE that the Council of the Corporation of the Township of McNab/Braeside passed By-law 2010-49 on the 2ND day of NOVEMBER, 2010 under Section 34 of the Planning Act.

AND TAKE NOTICE that any person or agency who meets the appeal requirements of the Planning Act may appeal to the Ontario Municipal Board in respect of the By-law by filing with the Clerk of the Corporation of the Township of McNab/Braeside not later than the 1ST day of DECEMBER, 2010 a notice of appeal setting out the objection to the By-law and the reasons in support of the objection. Only individuals, corporations and public bodies may appeal a zoning by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf. No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.

AND TAKE NOTICE that an appeal must set out the objection to the By-law, the reasons in support of the objection and be accompanied by the prescribed fee. The prescribed fee is \$125.00 and must be made payable to the Minister of Finance, by certified cheque or money order.

An explanation of the purpose and effect of the By-law, describing the lands to which the By-law applies is attached. The complete By-law is available for inspection in my office during regular office hours.

EXPLANATORY NOTE

This new zoning by-law repeals the zoning by-law of the former Township of McNab/Braeside, and it implements the new Official Plan of the Township of McNab/Braeside.

The Council of a municipality may, under Section 34 of the Planning Act, pass a Zoning By-law to govern the use of land. The effect of By-law Number 2010-49 is to regulate the use of all land, buildings and structures within the entire Township of McNab/Braeside. After the By-law is in force, no land shall be used and no building or structure shall be erected, altered or used in any manner except in conformity with the provisions of the By-law.

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

As the By-law affects all lands within the Township of McNab/Braeside, a Key Map has not been provided.

DATED at the Township of McNab/Braeside this 11TH day of NOVEMBER, 2010.

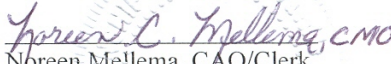

Noreen Mellema, CAO/Clerk
Township of McNab/Braeside
2508 Russett Drive
RR2
ARNPRIOR, ON K7S 3G8

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THE CORPORATION OF THE TOWNSHIP OF McNAB/BRAESIDE

BY-LAW NUMBER 2010-49

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

PREAMBLE

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

AND WHEREAS the Council of The Corporation of the Township of McNab/Braeside wishes to ensure proper and orderly development within the limits of the Township of McNab/Braeside;

AND WHEREAS this By-law encompasses all lands within the Township of McNab/Braeside;

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

NOW THEREFORE the Council of The Corporation of the Township of McNab/Braeside enacts as follows:

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

This By-law shall be known and may be cited as the "Zoning By-law" of the Corporation of the Township of McNab/Braeside.

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

The provisions of this By-law shall apply to all lands within the former Township of McNab and within the former Village of Braeside, now in the Township of McNab/Braeside.

1.2.2 Conformity with By-law

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

1.2.3 Changes Causing Contravention of By-law

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

1.2.4 Violations of Previous Zoning By-laws

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

1.2.5 Other Restrictions

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

1.2.6 Permits and Licences

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

1.3 ADMINISTRATION

1.3.1 Administrator

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

1.3.2 Inspection

The Zoning Administrator, Chief Building Official or any officer or employee of the Corporation assigned the responsibility for enforcing this By-law may at all reasonable times and upon producing proper identification, enter and inspect any property on or in respect of which he or she believes a contravention is occurring.

However, such officer shall not enter any room or place actually used as a dwelling without requesting and obtaining the consent of the occupier, except under the authority of a search warrant as set out in Section 49 of the Planning Act, 1990.

1.3.3 Violations and Penalties

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

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

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

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

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

1.3.4 Remedies

Where a building or structure is or is proposed to be erected, altered or enlarged, or a building, structure or lot is or is proposed to be used in contravention of any

provision of this By-law, such contravention may be restrained by action at the insistence of any ratepayer or of the Corporation.

1.3.5 Plans to Accompany Applications

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

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

1.4 **VALIDATION**

1.4.1 Effective Date

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

1.4.2 Repeal of Existing By-laws

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

1.4.3 Provisions Validity Separable

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

1.4.4 Schedules to By-law

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

1.5 **INTERPRETATION**

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

1.5.2 Boundaries of Zones

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

(a) Centreline Limits

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

(b) Lot Lines

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

(c) Closed Road, Right-of-Way

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

(d) Shoreline

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

(e) Other Boundaries

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

1.5.3 Measurements

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

SECTION 2.0 - DEFINITIONS

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

- 2.1 ABANDONED means the failure, in the opinion of the Zoning Administrator, to proceed expeditiously with construction work during any continuous 12 month period.
- 2.2 ABATTOIR means a building, structure or lot or part thereof used for the slaughter of livestock or other animals for the purpose of processing or rendering.
- 2.3 ABUTTING means to physically touch or border upon.
- 2.4 ACCESSORY when used to describe a use, building or structure, means a use, or a detached building or structure, that is naturally and normally incidental, subordinate and exclusively devoted to supporting the principle use, building or structure and located on the same lot therewith. This does not include an accessory residence unless otherwise specified.
- 2.5 AGGREGATE means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite and rock other than metallic ores.
- 2.6 AGRICULTURAL COMMERCIAL ESTABLISHMENT means the use of land, buildings or structures for the wholesale or retail sales of goods that are necessary to support agricultural uses and for the processing and sale of products derived from farm uses. Without limiting the generality of the foregoing, these include such goods as farm machinery and equipment, products used for the housing and husbandry of livestock, poultry and fur bearing animals, and materials and equipment for sub-surface drainage and such services as the selling, processing, storage and transportation of seed, feed, crops, milk and eggs and livestock, and the selling of fertilizer and chemical products.
- 2.7 AIRFIELD, PRIVATE means land used for the purpose of the landing, storing, taxiing or taking-off of private aircraft and uses, buildings and structures accessory thereto, but not an airport under the regulation of Transport Canada.
- 2.8 AIRPORT means the use of land licensed by Transport Canada for the landing and take-off of commercial and/or private aircraft and shall include any buildings or structures accessory thereto.
- 2.9 ALTER means any alteration in a bearing wall or partition or column, beam, girder or other supporting member of a building or structure or any increase in area or volume of a building or structure. When used in reference to a lot, the word alter means to decrease the width, depth or area of any required yard, setback, landscaped open space or parking area, or to change the location of any boundary of such lot with respect to a street or lane. The words "altered" and "alteration" shall have a corresponding meaning.

- 2.10 **AMUSEMENT ARCADE** means any premises or part thereof containing four or more electronic, mechanical pinball or amusement machines operated for gain and made available for the entertainment or amusement of the general public. This definition shall not include establishments which sell such devices, provided that such devices are not made available on the premises for use on a commercial basis by the public.
- 2.11 **ANIMAL HOSPITAL** means a building or structure where domestic animals, birds or other livestock are treated and where domestic animals or birds are kept for treatment only and shall include the clinic of a registered veterinarian.
- 2.12 **ASPHALT MANUFACTURING PLANT** means an industrial facility used for the production of asphalt for immediate use in the paving of roads and driveways and the damp-proofing of buildings or structures.
- 2.13 **ASSEMBLY HALL** means a building or part of a building in which facilities are provided for such purposes as meetings of civic, education, political, religious or social purposes, and shall include a banquet hall.
- 2.14 **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.
- For the purposes of a deck adjacent to a building, “attached” may also mean “abutting”.
- 2.15 **AUTOMOTIVE-BODY SHOP** means a building or structure used for the painting or repairing of vehicle bodies or fenders, but shall not include a salvage yard.
- 2.16 **AUTOMOTIVE-CAR WASH** shall mean a building or structure containing facilities for washing vehicles, either by production line methods and mechanical services or by a self-service operation.
- 2.17 **AUTOMOTIVE-COMMERCIAL GARAGE** means a building where all functions of an automotive service station may be carried out and where major repairs of vehicles may be performed, including body work and welding but shall not include dismantling of motor vehicles for scrap or the storage of motor vehicles awaiting scrapping.
- 2.18 **AUTOMOTIVE-GASOLINE BAR** means one or more pump islands, each consisting of one or more gasoline pumps, and shelter having a floor area of not more than 10 square metres, excluding washrooms, which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles and shall not be used for repairs, oil changes or greasing.

- 2.19 **AUTOMOTIVE-SERVICE STATION** means a building or place where gasoline, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries changed, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed.
- 2.20 **AUTOMOTIVE-STORE** means an establishment primarily engaged in the retail sale of vehicle parts, accessories and tools. Accessory uses may include service bays for performing maintenance repair operations on motor vehicles.
- 2.21 **AUTOMOTIVE-VEHICLE SALES OR RENTAL ESTABLISHMENT** means an establishment having as its main use the storage of vehicles for sale or the storage of vehicles for rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles.
- 2.22 **BASEMENT** means that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above adjacent finished grade as approved.
- 2.23 **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 for registered guest staying overnight at the Bed and Breakfast. The Bed and Breakfast use shall remain subordinate to the primary use of the building as a single-detached dwelling. This definition does not include any other establishment defined in this By-law.
- 2.24 **BERM** means a landscaped mound of earth.
- 2.25 **BOARDING HOUSE** means a dwelling in which the proprietor resides and supplies for gain, more than three bedrooms for boarders and may include the provision of meals. Rooming house shall have a corresponding meaning.
- 2.26 **BOAT DOCKING OR LAUNCHING FACILITY** means a structure for the mooring or launching of boats or watercraft, attached to or forming part of the mainland or used in conjunction with a use on the mainland.
- 2.27 **BOATHOUSE** means an accessory building or structure which is designed or used for the sheltering of a boat or other form of watercraft and equipment accessory to their use.
- 2.28 **BUFFER STRIP** means an area to be used only for the purpose of screening land, buildings or other structures by the planting and maintenance of trees or shrubs or the construction and maintenance of a berm.

- 2.29 **BUILDING** means any structure used or designed to be used for shelter, accommodation or enclosure of persons, animals or chattels.
- 2.30 **BUILDING ENVELOPE** means the buildable area on a lot, defined by the minimum front yard depth, rear yard depth and side yard width requirements and maximum height requirements, within which a building can be erected.
- 2.31 **BUILDING SUPPLY STORE** means an establishment engaged in the selling of building supplies including lumber, siding, roofing, electrical, heating and similar items.
- 2.32 **CABIN, SLEEPING** means a building containing not more than two sleeping rooms, which building shall not include cooking facilities or any plumbing facilities.
- 2.33 **CAMP, RECREATION** means a recreational establishment operated by a private or public organization where children and/or adults are temporarily accommodated in tents, cabins, cottages and/or lodge houses and shall include a church camp, a day camp or a scout camp but does not include any tourist establishment or mobile home park.
- 2.34 **CAMPING ESTABLISHMENT** means a tourist establishment consisting of at least five camping lots and comprising land used or maintained as grounds for the camping or parking of recreational vehicles and tents.
- 2.35 **CELLAR** means the portion of a building between two floor levels, which is partly underground and which has more than one-half of its height from finished floor to finished ceiling, below adjacent finished grade.
- 2.36 **CEMETERY** means a cemetery, columbarium or mausoleum within the meaning of the Cemetery Act of Ontario.
- 2.37 **CHURCH** means a building commonly used by any religious organization as defined in the Religious Organizations' Lands Act, R.S.O. 1990 as amended, for public worship, and may include a rectory or manse, church hall, auditorium, day nursery or religious school associated with or accessory thereto.
- 2.38 **CLINIC** means a building or part thereof, used exclusively by physicians, health practitioners, physiotherapists, registered massage therapists, 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.

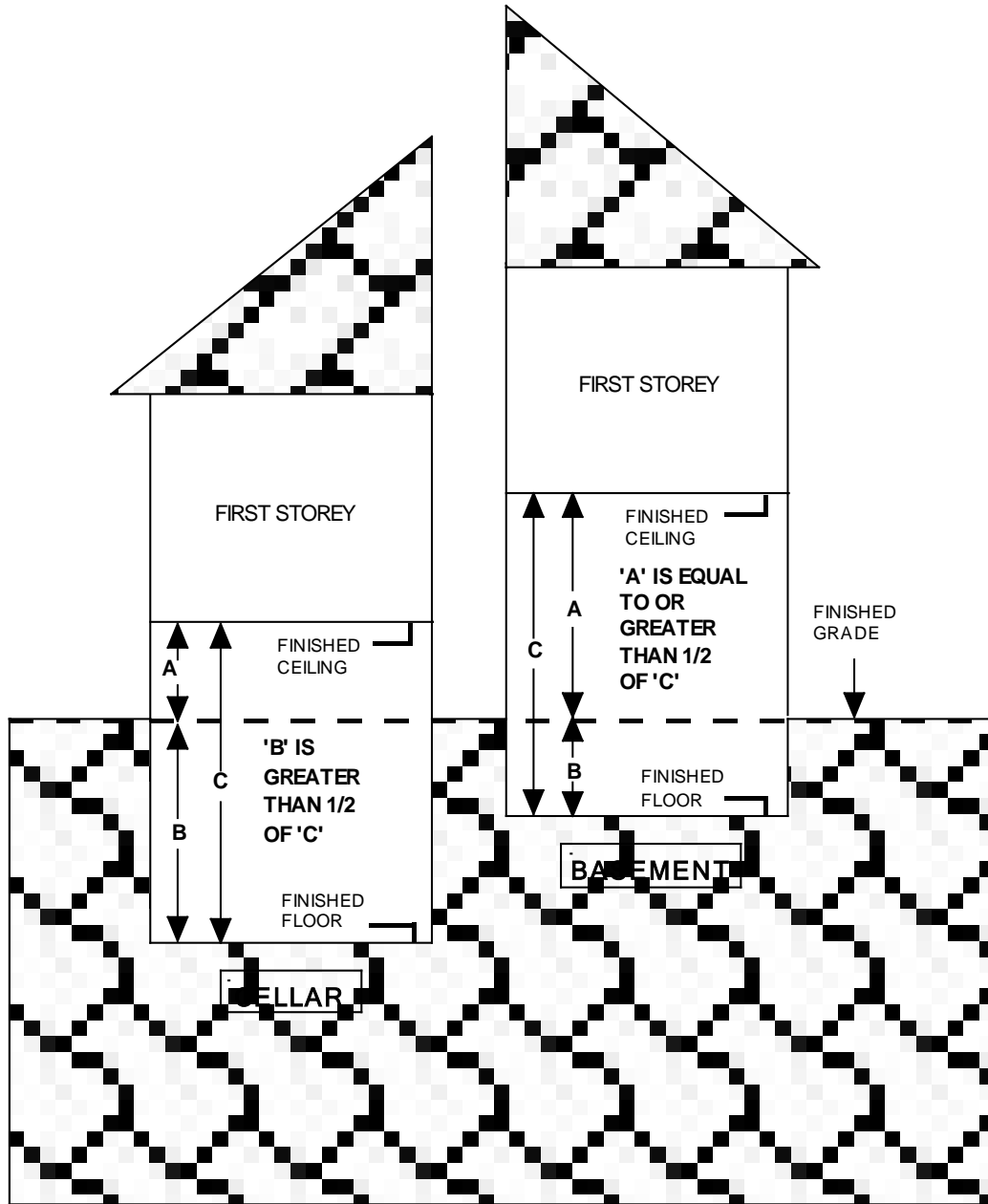


ILLUSTRATION OF CELLAR AND BASEMENT DEFINITIONS

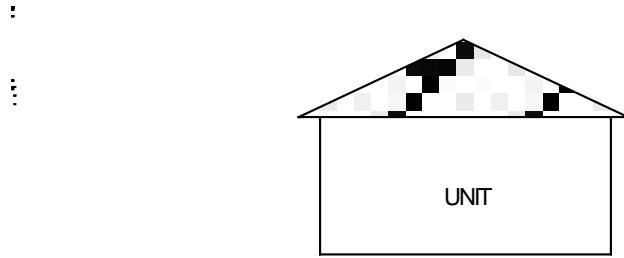
Note: the above illustration is for clarification purposes only.

- 2.39 **COMMUNITY CENTRE** means any tract of land or buildings or any part of any buildings used for community activities whether used for commercial purposes or not, and the control of which is vested in the municipality, a local board or agent thereof.
- 2.40 **CONCRETE MANUFACTURING PLANT** means an industrial facility used for the production of concrete for immediate use in the construction of buildings, structures, roads or driveways. This definition also means the manufacturing of finished concrete products and may include the retail sale of such products.
- 2.41 **CONTRACTOR'S YARD OR SHOP** means an area of land of a contractor of any building or construction trade where equipment and materials are stored, or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.
- 2.42 **CONVENIENCE STORE** means a retail commercial establishment supplying groceries, sundries and other daily household necessities to the immediate surrounding area.
- 2.43 **CORPORATION** means the corporation of the Township of McNab/Braeside.
- 2.44 **COTTAGE** means a building to accommodate one or more guests for temporary occupancy,
- (a) that contains at least two rooms;
 - (b) that is at least partially furnished; and
 - (c) in which the guest may be permitted to prepare and cook food.
- 2.45 **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.
- 2.46 **DAY NURSERY** means a building or part thereof duly licensed by the Province of Ontario for use as a facility for the daytime care of children.
- 2.47 **DRIVEWAY** means a vehicle access provided between a street or lane and a parking area or a loading space, or between two parking areas, but does not include a parking aisle.
- 2.48 **DWELLING** means a building or part of a building containing one or more dwelling units.
- 2.49 **DWELLING, SINGLE DETACHED** means a single dwelling unit which is freestanding, separate and detached from other main buildings or main structures and includes a prefabricated single dwelling unit but does not include a mobile home.

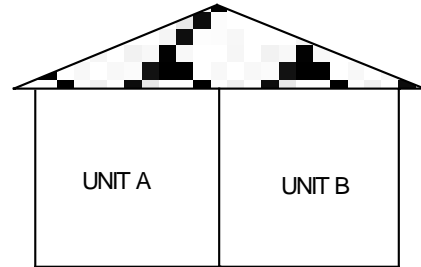
- 2.50 DWELLING, SEMI-DETACHED means a building that is divided vertically into two separate dwelling units each of which has an independent entrance either directly from the outside or from a common vestibule.
- 2.51 DWELLING, DUPLEX means a building that is divided horizontally into two separate dwelling units each of which has an independent entrance either directly from outside or through a common vestibule.
- 2.52 DWELLING, TRIPLEX means a building that is divided horizontally into three separate dwelling units each of which has an independent entrance either directly from outside or through a common vestibule.
- 2.53 DWELLING, ROW HOUSE means a building that is divided vertically into three or more dwelling units, each of which has a separate and independent entrance at finished grade and separated from the adjoining unit or units by a common unpierced wall with no interior access between each dwelling unit. Townhouse shall have a corresponding meaning.
- 2.54 DWELLING, MAISONETTE means a building that is divided vertically into five or more dwelling units, each of which has independent entrances, one to a common corridor and the other directly to an outside yard area adjacent to the said dwelling unit.
- 2.55 DWELLING, APARTMENT means the whole of a building not otherwise defined herein, which contains four or more dwelling units served by a common entrance or by an independent entrance directly from the outside in which the occupants have the right to use in common any corridors, stairs or elevators contained therein, and the yards appurtenant thereto.
- 2.56 DWELLING, LIMITED SERVICE means a single-detached dwelling that:
- (a) has no frontage on a municipally maintained street, and
 - (b) does not receive municipal street services, such as snow clearing and road maintenance, and
 - (c) has a means of access to the lot that is not part of the municipal street network.
- 2.57 DWELLING, LIMITED SERVICE SEASONAL means a single dwelling unit that is used occasionally for recreation, rest or relaxation but not occupied continuously nor used as a year round permanent dwelling.
- 2.58 DWELLING UNIT means a suite of habitable rooms which:
- (a) is located in a building;

ILLUSTRATIONS OF DWELLING TYPES

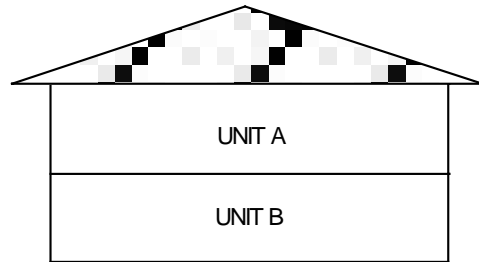
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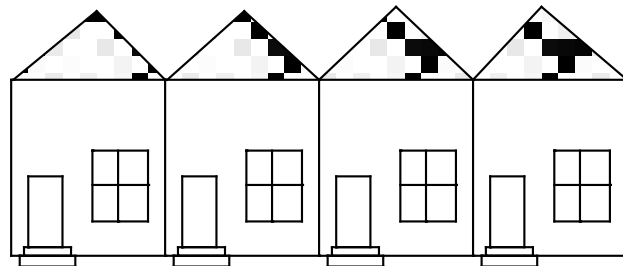
SEMI-DETACHED



DUPLEX



ROW



Note: The above illustrations are for clarification purposes only.

- (b) is used or intended to be used in common by one or more persons as a single, independent and separate housekeeping establishment;
 - (c) contains food preparation and sanitary facilities provided for the exclusive common use of the occupants thereof; and
 - (d) has a private entrance directly from outside the building or from a common hallway or stairway inside the building.
- 2.59 DWELLING UNIT, ACCESSORY means a dwelling unit accessory to a permitted non-residential use.
- 2.60 DWELLING UNIT AREA means the aggregate of the floor area of all habitable rooms, hallways and lobbies within a dwelling unit, excluding the thickness of any exterior walls.
- 2.61 EATING ESTABLISHMENT means a building or part of a building where food is offered for sale or sold to the public for immediate consumption therein and includes a restaurant, cafe, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar, refreshment room or stand or a mobile food vehicle, but does not include a boarding house.
- 2.62 EATING ESTABLISHMENT, DRIVE-IN means a premises consisting of a building or structure, together with a parking lot, from which food, refreshments, dairy products or beverages are offered for sale or sold to the public for consumption either in automobiles parked on the parking lot or for consumption elsewhere on the premises, but not necessarily within such building or structure, and does not include any other use defined in this By-law.
- 2.63 EATING ESTABLISHMENT, FULL SERVICE means a building or part thereof where food is prepared and offered for retail sale to the public for immediate consumption either on or off the premises.
- 2.64 EATING ESTABLISHMENT, TAKE-OUT means a building or structure used for the sale of food to the general public and from which food is made available to the customer from within the building. No provision is made for consumption of food on the site.
- 2.65 ERECT means build, construct, reconstruct, alter, enlarge or relocate and without limiting the generality of the foregoing, shall include any preliminary physical operations such as cutting, grading, excavating, berming, piling, cribbing, filling or drainage, or any altering of any existing building by an addition, deletion, enlargement, extension or other structural change.

- 2.66 **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.
- 2.67 **EXISTING** means existing as of the date of final passing of this By-law.
- 2.68 **EXTRACTIVE INDUSTRIAL FACILITY** means a building, structure or facility used for processing aggregate and includes the screening, sorting, washing, crushing, storing and other similar operations allied to an extractive industrial operation.
- 2.69 **FACTORY OUTLET** means a building accessory to a permitted industrial use where the products manufactured by that industry are kept and offered for wholesale or retail sale.
- 2.70 **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.
- 2.71 **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, barns, or accessory buildings and uses.
- 2.72 **FARM PRODUCE SALES OUTLET** means a stand or building set up as an accessory use on a farm, used for the sale or produce from that same agricultural use.
- 2.73 **FIXTURE UNIT** means a water fixture unit as defined by the Ontario Building Code.
- 2.74 **FLOOD** means a temporary rise in the water level resulting in the inundation of areas that are adjacent to a water course and not ordinarily covered by water.
- 2.75 **FLOOD FRINGE** means the outer portion of the flood plain between the floodway and the upper elevation of the flood plain limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway.
- 2.76 **FLOOD PLAIN** means the area of land within a watershed which is subject to inundation during a flooding event. This area shall be calculated as being the area that would be flooded with an expected average frequency of once in a hundred years. Lands subject to flooding shall have a corresponding meaning.
- 2.77 **FLOODPROOFED** means any combination of structural and non-structural additions, changes or adjustments to buildings and structures, which reduces or prevents

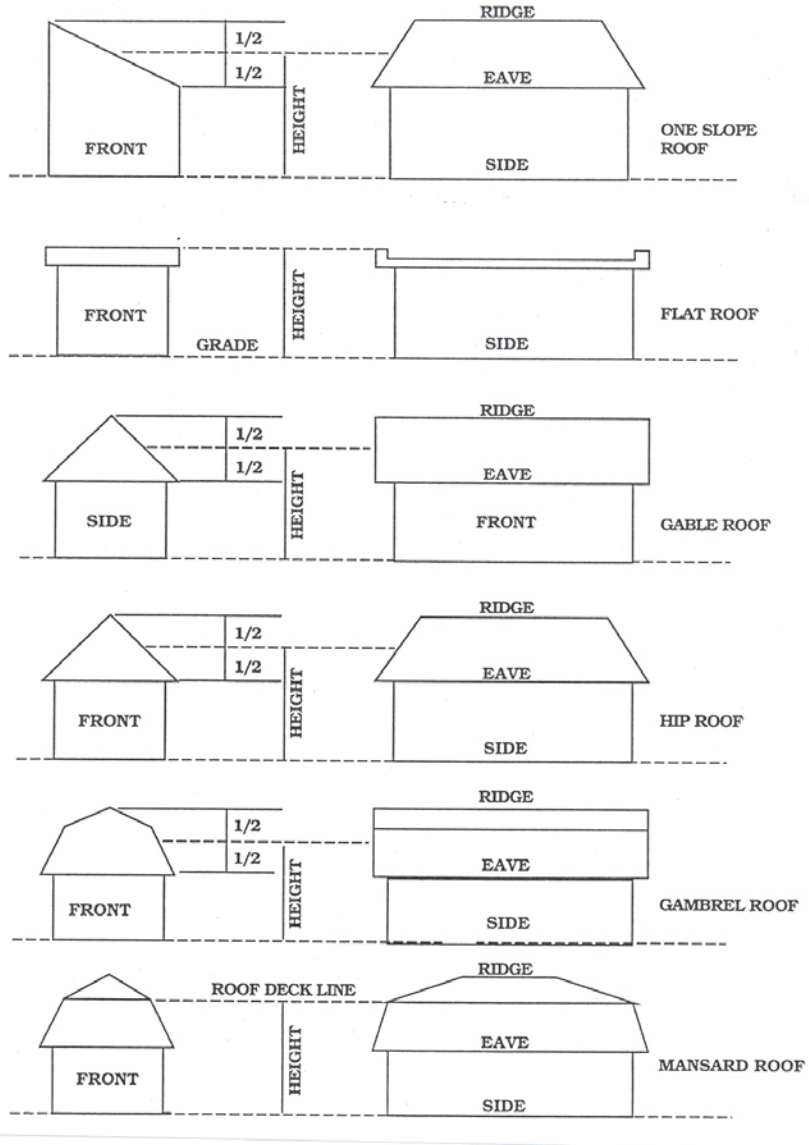
damage by floods of a specified magnitude, and may include earthworks, filling or dyking.

- 2.78 FLOODWAY means the channel of a watercourse and the inner portion of the flood plain adjacent to the watercourse where flood depths and velocities are more severe than in the flood fringe. These flood depths and velocities are considered to have the potential to threaten lives and/or damage property.
- 2.79 FLOOR AREA GROSS means, for a dwelling, the total area of the storeys exclusive of basements, cellars, attic, garages, sunrooms, unenclosed verandas or porches; and for a building other than a dwelling, the total area of all the floors contained within the outside walls of the building. Only that floor area having a clear height to the ceiling of at least 2.25 metres may be used to calculate floor area.
- 2.80 FLOOR AREA, GROSS LEASABLE means the total floor area of a building including basements, mezzanines and upper floors, minus common areas including public walkways, malls, public toilets, truck and service facilities, joint service facilities, elevator shafts and lobbies, boiler rooms, maintenance rooms, mechanical or electrical or utility rooms and any parking for autos within the building.
- 2.81 FLOOR AREA, NET means only the habitable or useable floor space in a building exclusive of any foyer, hallways, stairwell, closet, washroom or toilet room and shall be measured from the inside walls.
- 2.82 FRONTAGE see LOT FRONTAGE.
- 2.83 FORESTRY means the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection and production of water supplies, and preservation of the recreation resources.
- 2.84 FUEL STORAGE TANK means a tank for the bulk storage of petroleum gasoline, fuel oil, gas or inflammable liquid or fluid but does not include a container for inflammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.
- 2.85 FURNITURE OR WOOD PRODUCTS SHOP means an establishment where items are constructed primarily from wood, including such products as cabinets, furniture, caskets, trim, or sash and door works.
- 2.86 FUNERAL HOME means any premises where preparation of a human body for interment or cremation is undertaken.

- 2.87 GARAGE, PRIVATE means an enclosed or partially enclosed structure in which no business, occupation or service is conducted for profit, and which structure is used primarily for the storage of one or more vehicles and storage of household equipment incidental to the residential occupancy. Carport shall have a corresponding meaning.
- 2.88 GARAGE, PUBLIC means a municipal or provincial facility used for the storage and servicing of road construction and maintenance equipment and materials.
- 2.89 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.
- 2.90 GOLF COURSE means a public or private area operated for the purpose of playing golf and includes a par 3 golf course, an accessory club house and an accessory driving range.
- 2.91 GRAVEL PIT means any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral in order to supply material for construction, manufacturing or industrial purposes.
- 2.92 GROUP HOME means a single housekeeping unit in a residential dwelling in which up to ten unrelated residents, excluding staff or the receiving household, live as a household under responsible supervision consistent with the requirements of its residents and which is licensed or approved under Provincial statute.
- 2.93 HAULED SEWAGE means untreated sanitary waste from a septic tank, privy or holding tank.
- 2.94 HEIGHT means, when used with reference to a building, the vertical distance between the average elevation of the finished surface of the ground at the front of the building and,
- (a) in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greater;
 - (b) in the case of a mansard roof, the deck roof line;
 - (c) in the case of a gable, hip or gambrel roof, the mean height between the eaves and the ridge; and
 - (d) in the case of any other type of roof, the highest point of the roof surface.

- 2.95 **HIGH WATER MARK** means the mark made by the action of water under natural conditions on the shore or bank of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.
- 2.96 **HOME DISPLAY AND SALES OUTLET** means an establishment or premises where prefabricated dwellings including cottages and mobile homes are erected or located for display purposes only and from which orders can be placed for the purchase and delivery of such dwellings or parts and accessories associated therewith.
- 2.97 **HOME FOR THE AGED** means a "home for the aged" as defined under the Homes for the Aged and Rest Homes Act, as amended from time to time.
- 2.98 **HOME INDUSTRY** means a gainful occupation including a day nursery, carpentry, electrical shop, woodworking, window framing, welding, plumbing, machine shop, riding stables and a kennel, A service shop; blacksmithing; or a storage building for school buses, boats or snowmobiles and conducted in whole or in part in an accessory building to a single detached dwelling or to a permitted farm use. A home industry does not include an automotive-body shop, automotive-commercial garage, automotive-service station or automotive repair shop.
- 2.99 **HOME OCCUPATION** means an occupation that is carried on as an accessory use within a dwelling unit.
- Home occupation uses shall be limited to: a personal service shop; babysitting or day nursery; service or repair shop; production, repair and retail sale of antiques, art, craft or hobby items; teaching and a professional or business office. A home occupation does not include a clinic, a hospital, a nursing home, a tea room, an eating establishment, a taxi business or a small internal combustion engine repair shop.
- 2.100 **HOSPITAL** means a hospital as defined in the Private Hospitals Act, 1990, a sanitarium as defined by the Private Sanitarium Act, 1980 or a hospital as defined by the Public Hospital Act 1990.
- 2.101 **HOTEL** means a tourist establishment that consists of the following: 1) one or more than one building containing four or more accommodation units grouped under one roof and accessible from the interior or partially from the exterior, and 2) may or may not have facilities for serving meals.
- 2.102 **HUNTING & FISHING CAMP** means a building or structure intended to provide basic shelter and accommodation on an occasional basis for a person or group of persons engaged in hunting or fishing activities. Such structure may be described as being of light frame construction without any interior finish on its walls and ceiling with no plumbing fixtures or electricity hook-up.

ILLUSTRATION FOR HEIGHT DEFINITIONS



Note: The above illustrations are for clarification purposes only.

- 2.103 KENNEL means an establishment in which dogs or other domesticated animals are housed, groomed, boarded, bred or trained for gain or profit.
- 2.104 LANDSCAPED OPEN SPACE means open space comprised of lawn and/or ornamental shrubs, flowers and trees and may include space occupied by paths, walks, courts and patios, but shall not include parking areas, traffic aisles, driveways, ramps or storage of equipment, vehicles or other materials.
- 2.105 LANE means a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.
- 2.106 LAUNDROMAT means a building or structure where coin-operated laundry machines, using only water, detergents and additives are made available to the public for the purpose of laundry cleaning.
- 2.107 LIVESTOCK means chickens, turkeys, cattle, hogs, mink, rabbits, sheep, horses, goats or any domestic animal used or raised for consumption or for commercial purposes.
- 2.108 LIVESTOCK FACILITY means barns, buildings or structures where livestock are housed and shall also include beef feedlots and the associated manure storage facilities.
- 2.109 LODGE HOUSE means a building in which bedrooms, common areas, dining areas, games areas and meals are available for the guests of an establishment.
- 2.110 LOGGING HAULER means an area of land and/or building of a logging contractor where equipment and materials are stored and may include repairs to logging equipment belonging to the logging contractor.
- 2.111 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, 1990.
 - (d) for the purpose of this By-law, a mobile home site shall be considered a lot.

- 2.112 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 6 metres, or less, the lot area of such land shall be calculated as if the lot lines were produced to their point of intersection.
- 2.113 LOT, CORNER means a lot situated at the intersection of two or more streets, or upon two parts of the same street, the adjacent sides of which street or streets (or, in the case of a curved corner, the tangents at the street extremities of the side lot lines) contain an angle of not more than one hundred and thirty-five degrees. In the case of a curved corner, the corner of the lot shall be that point on the street line nearest to the point of intersection of the said tangents.
- 2.114 LOT COVERAGE means the percentage of the lot area covered by buildings, including accessory buildings.
- 2.115 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 7.5 metres back from and parallel to the street line.
- 2.116 LOT, INTERIOR means a lot situated between adjacent lots and having access to one street.
- 2.117 LOT LINE means any boundary of a lot or a vertical projection thereof.
- 2.118 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.

- 2.119 **LOT LINE, REAR** means, in the case of a lot having four or more lot lines, the lot line furthest from and opposite to the front lot line. In the case of a lot with less than four lot lines, there shall be deemed to be no rear lot lines.
- 2.120 **LOT LINE, SIDE** means a lot line other than a front or rear lot line.
- 2.121 **LOT, THROUGH** means a lot bounded on two opposite sides by a street. If any lot qualifies as being both a "Lot, Corner" and a "Lot, Through" as hereinbefore defined, such lot shall be deemed a "Lot, Corner" for the purpose of this By-law.
- 2.122 **MAIN BUILDING** means a building in which the principal use is conducted on the lot on which the building is located. In the residential zone the dwelling is the main building.
- 2.123 **MANUFACTURING PLANT** means a building or structure in which a product is fabricated or materials are processed or assembled and from which such product is shipped to a wholesale or retail outlet.
- 2.124 **MANUFACTURING PLANT, LIGHT** means a building or structure in which materials or component parts are manufactured, assembled or processed to produce finished products suitable for the retail trade but does not include any industry involving stamping presses, furnaces or other machinery that emits dirt, dust or noxious fumes into the air or that results in noise or vibration beyond the property in excess of Ministry of the Environment guidelines.
- 2.125 **MARINA** means a building, structure or place, containing docking facilities and located on a waterbody, where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided.
- 2.126 **MEAT PRODUCTS PLANT** means a canned meat factory, sausage factory, meat processing plant and any other factory where meat or poultry are cooked, cured, smoked or otherwise processed or packed but does not include a stock-yard, abattoir, tannery or hide processing plant, a poultry-killing establishment, an animal food factory or an animal by-products plant.
- 2.127 **MINE** means any opening or excavation in, or working of the ground for the purpose of opening up or proving any mineral or mineral-bearing substance, and any ore body, mineral deposit, stratum, rock, earth, clay, sand or gravel, or place where mining is or may be carried on, and all ways, works, machinery, plant, buildings and premises below or above ground belonging to or used in connection with the mine, and also any quarry, excavation or opening of the ground made for the purpose of searching

for or removal of mineral rock, stratum, earth, clay, sand or gravel and any roasting or smelting furnace, concentrator mill, work or place used for in connection with washing, crushing, sifting, reducing, leaching, roasting, smelting, refining, treatment or research on any of such substance.

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

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

- 2.146 **PARK** means a recreational area that consists largely of open space and which may include a picnic area, swimming pool or area, playground, play field or similar use, but shall not include a mobile home park or recreational vehicle park.
- 2.147 **PARK, PRIVATE** means a park other than a public park.
- 2.148 **PARK, PUBLIC** means a park owned or controlled by the Corporation or by any Ministry, Board, Commission or Authority established under any statute of Ontario or Canada.
- 2.149 **PARKING AREA** means an area provided for the parking of motor vehicles and encompassing at least the required number of parking spaces and all driveways, aisles, manoeuvring areas, entrances, exits and similar areas for access to parking spaces, but shall not include any part of a street or private road.
- 2.150 **PARKING SPACE** means an area of not less than 14.85 square metres measuring 2.7 metres by 5.5 metres, exclusive of driveways or aisles, for the temporary parking or storage of motor vehicles.
- 2.151 **PERMITTED** means permitted by this By-law.
- 2.152 **PERSON** means an individual, an association, a chartered organization, a firm, a partnership or a corporation.
- 2.153 **PLACE OF ENTERTAINMENT** means an athletic, recreational or social club operated for gain or profit as well as a motion picture or other theatre, auditorium, billiard or pool room, bowling alley, ice or roller skating rink, curling rink, or dance hall, but does not include any place of entertainment or recreation otherwise defined or classified in this By-law.
- 2.154 **PORTABLE ASPHALT PLANT** means a facility operated by, or on behalf of, a public road authority for a particular construction project, with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material and includes the stockpiling and storage of bulk materials used in the process. Such a facility is not of permanent construction, but is designed to be dismantled and moved to another location as required.
- 2.155 **PRIVATE ROAD** means a registered right-of-way not dedicated and accepted as, or otherwise deemed at law to be a public highway, that serves as a privately maintained motor vehicle access-route to one or more abutting, legally conveyable parcels of land.
- 2.156 **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.

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

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

laundry room, a pantry, a lobby, a stairway, a closet, a verandah, a recreation room, a porch, a balcony, a private garage, an unfinished attic, a cellar, a boiler room and any space used for the service and maintenance of such dwelling or for vertical travel between storeys.

- 2.176 **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.
- 2.177 **SAWMILL** means a building, structure or area where timber is cut or stored, either to finished lumber or as an intermediary step.
- 2.178 **SCHOOL** means a school under the jurisdiction of a Public, Separate or High School Board, a college or a university or any other school established and maintained either wholly or partially at public or private expense whether or not the same is also a boarding school, and includes any dormitory building accessory to a school.
- 2.179 **SEASONAL** means use during six months from April through to September, inclusive of the same calendar year and including weekends or on random occasions such as public holidays during the remaining six months from October of one year through March of the next calendar year.
- 2.180 **SENIOR CITIZEN'S HOME** means any home for senior citizens sponsored and administered by any public agency or any service club, church or other profit or non-profit organization, either of which obtains its financing from Federal, Provincial or Municipal Governments or agencies, or by public subscription donation or residents payments, or by any combination thereof, and such homes shall include auxiliary uses such as club, kitchen, dining and/or lounge facilities, usually associated with Senior Citizens development.
- 2.181 **SEPARATION DISTANCE** means the horizontal distance between buildings or structures or physical features measured from the closest point of the exterior wall of such building or structure, or from the closest point of such physical feature.
- 2.182 **SERVICE SHOP, GENERAL** means a building or part of a building used for the servicing or repairing of articles, goods or materials, and in which no product is manufactured and includes radio, television and appliance repair shops, a laundromat, but does not include any automotive uses as defined by this By-law.

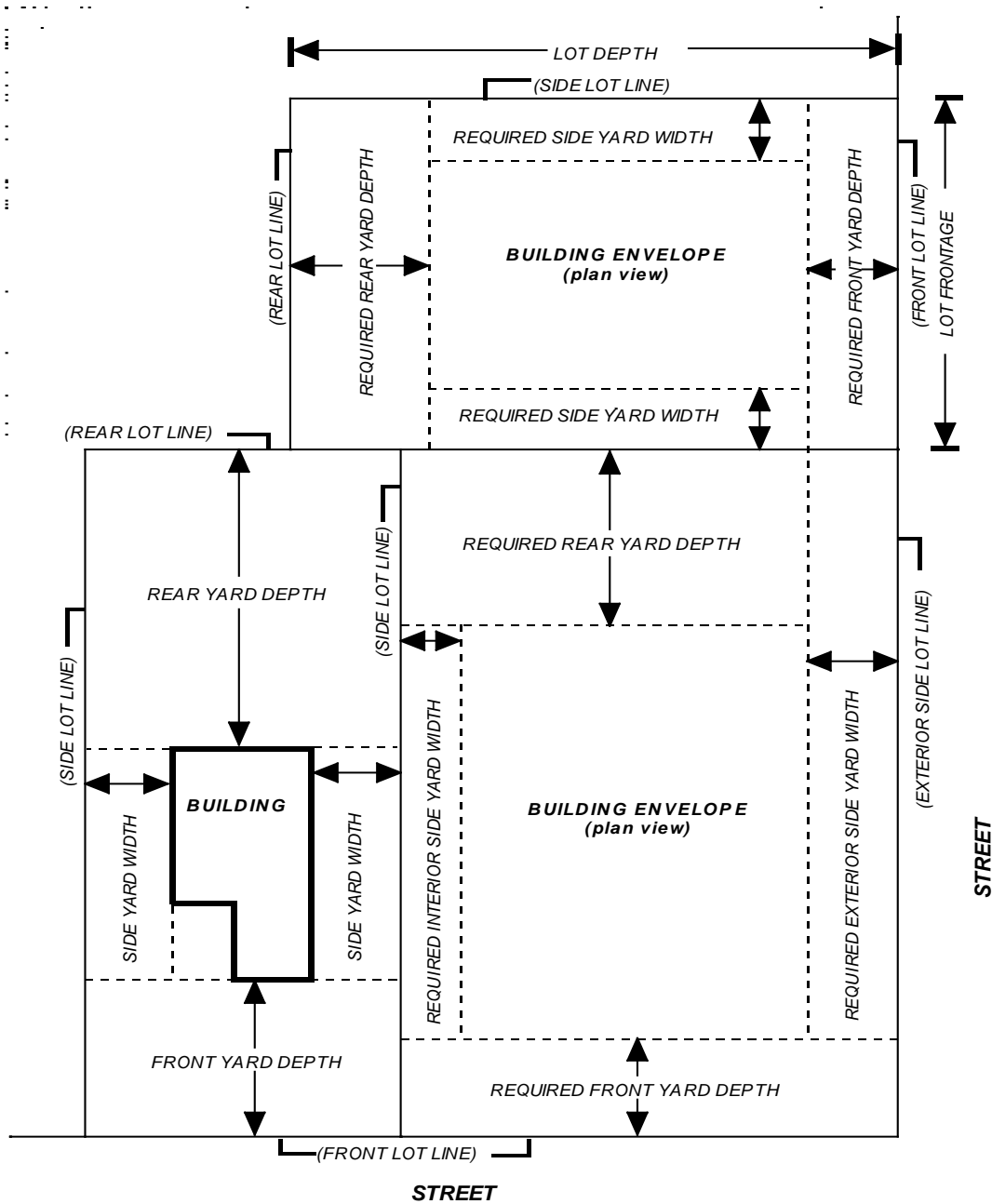
- 2.183 **SERVICE SHOP, PERSONAL** means a building or part thereof in which services are provided and administered to the individual and personal needs of persons, and without limiting the generality of the foregoing, includes barber shops, hairdressing establishments and workrooms for shoe repair and shoe shining shops, tailor shops, bakery shops and photographic studios.
- 2.184 **SETBACK** means with reference to a road, the distance between the centre line of the road and the nearest building or structure and with reference to a water body, the distance between the high water mark and the nearest building or structure.
- 2.185 **SEWAGE SLUDGE** means the aqueous suspension of residual solids generated from the treatment of municipal or industrial wastewater.
- 2.186 **SHOPPING CENTRE** means a group of commercial and service establishments related in size and type, primarily to the specific commodity needs of the community and designed, developed and managed as a unit whether by a single owner, a group of owners or tenants acting in collaboration and shall include as a primary establishment a department store. Generally, but not prerequisite, the public access to individual functions within a Shopping Centre will be from an enclosed common mall area.
- 2.187 **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.
- 2.188 **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 (S.O. 2001), as amended but does not include a lane, a driveway or a private road.
- 2.189 **STREET ALLOWANCE** means land held under public ownership for the purpose of providing a street.
- 2.190 **STREET, IMPROVED** means a public road which has been constructed in such a manner so as to permit its use by normal vehicular traffic on a year-round basis and is maintained, including snow ploughing, on a year-round basis.
- 2.191 **STREET LINE** means the limit of the road or street allowance and is the dividing line between a lot and a street.

- 2.192 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 3.23(d) Water Setback.
- 2.193 TAILINGS AND SLAG PILES means waste material or residue resulting from the reduction of metals from their ores.
- 2.194 TARPAULIN GARAGE means a supporting metal or wood framework with a fabric cover made of canvas, nylon, or similar material. Such structures must be ancillary to a main permitted use and can be dismantled and moved.
- 2.195 TAVERN OR PUBLIC HOUSE means a tavern or public house as defined in the Liquor Licence Act, but does not include a hotel or eating establishment.
- 2.196 TOURIST ESTABLISHMENT means a commercial building, structure or area of land designed for the accommodation of travelling or vacationing public.
- 2.197 TOWNSHIP means the Corporation of the Township of McNab/Braeside, or land included within the former Township of McNab or the former Village of Braeside as appropriate.
- 2.198 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.
- 2.199 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.
- 2.200 TRAILER, TENT OR TRAVEL means any trailer capable of being used for the temporary living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked up or that its running gear is removed. A tent or travel trailer is deemed to be a building or structure for the purposes of this By-law, as authorized by Section 34(4) of the Planning Act.
- 2.201 TRAILER PARK see RECREATIONAL VEHICLE CAMPGROUND.

- 2.202 **TRUCK TERMINAL** means a building, structure or place where trucks or transports are rented, leased, kept for hire, or stand or park for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers or where goods are stored temporarily for further shipment.
- 2.203 **VEHICLE** means a passenger automobile or other motor vehicle, a boat, a farm implement, a commercial motor vehicle, a recreational vehicle, a snowmobile, a trailer and any other device that is capable of being propelled or driven by any kind of power but not any other device powered solely by human effort except a boat.
- 2.204 **WAREHOUSE** means a building or part of a building used primarily for the operation of general merchandise warehousing, cold storage and other storage facilities and also includes a centre for the distribution of wholesale goods and commodities for resale to retailers; to industrial, commercial, institutional, or professional users; to wholesalers.
- 2.205 **WASTE DISPOSAL SITE** means any land approved by the Ministry of the Environment and Energy upon, into, or in which waste may be deposited or processed.
- 2.206 **WATER FRONTAGE** means the straight line horizontal distance between the two most widely separated points on any one shoreline of a waterfront lot.
- 2.207 **WATER SETBACK** means the straight line horizontal distance from the high water mark of a watercourse, bay or lake to the nearest part of any excavation, building, structure or open storage use on the lot.
- 2.208 **WATER SYSTEM, COMMUNAL** means a private water distribution supply system in which water is piped to more than one dwelling or business operation.
- 2.209 **WAYSIDE PIT, QUARRY** means a temporary gravel pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.
- 2.210 **WETLANDS** means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils (soils in which there is an abundance of moisture) and has favoured the dominance of either plants that commonly grow in water or in water logged soil, or water tolerant plants. The four major categories of wetland are swamps, marshes, bogs and fens.
- 2.211 **WELDING SHOP** means a building or structure or part thereof where metal products are joined, repaired or shaped by welding but no mass productions shall be involved.

- 2.212 YARD means an open space on the same lot with a building or structure or excavation, unoccupied and unobstructed except as for such accessory buildings, structures or uses specifically permitted in this By-law.
- 2.213 YARD, FRONT means a yard extending across the full width of a lot between the front lot line and the nearest part of any building, structure or excavation on the lot; FRONT YARD DEPTH means the shortest horizontal distance between the front lot line of the lot and the nearest part of any building, structure or excavation on the lot.
- 2.214 YARD, REAR means a yard extending across the full width of a lot between the rear lot line and the nearest part of any building, structure or excavation on the lot; REAR YARD DEPTH means the shortest horizontal distance between the rear lot line of the lot and the nearest part of any building, structure or excavation on the lot.
- 2.215 YARD, SIDE means a yard extending from the front yard to the rear yard of a lot and from the side lot line of such lot to the nearest part of any building, structure or excavation on the lot. SIDE YARD WIDTH means the shortest horizontal distance between a side lot line and the nearest part of any building, structure or excavation on the lot.
- 2.216 YARD, EXTERIOR SIDE means a yard adjacent to a street between the nearest part of any building, structure or excavation on the lot and a street, a 1-foot reserve or a road allowance, extending from the front yard to the rear lot line. EXTERIOR SIDE YARD WIDTH means the shortest horizontal distance between a side lot line on the exterior side yard side and the nearest part of any building structure or excavation on the lot.
- 2.217 YARD, INTERIOR SIDE means a side yard other than an exterior side yard.
- 2.218 YARD, REQUIRED means a yard with the minimum front yard depth, rear yard depth or side yard width required by the provisions of this By-law. A required side yard shall extend from the required front yard to the required rear yard.
- 2.219 ZONE means an area delineated on a Zoning Map Schedule and established by this By-law for a specific use or group of uses.
- 2.220 ZONING ADMINISTRATOR means the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.

ILLUSTRATION OF YARDS, REQUIRED YARDS AND RELATED TERMINOLOGY



Note: The above illustration is for clarification purposes only.

SECTION 3.0 - GENERAL PROVISIONS**3.1 APPLICATION**

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

3.2 ACCESS see Subsection 3.13 Lots to Front on a Street.**3.3 ACCESSORY USES, BUILDINGS AND STRUCTURES**

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

- 3.3.1 No accessory use, building or structure shall be built on a lot until the principal or main use, building or structure has been built on the lot.
- 3.3.2 No accessory building or structure shall contain a habitable room except where a dwelling is a permitted accessory use.
- 3.3.3 The accessory building or structure shall not be located within any minimum required front yard depth or within any minimum required exterior side yard except in accordance with specific exterior side yard requirements established by this By-law. This provision shall not apply to a 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 sq.m. gross floor area.
- 3.3.4 Where paragraph 3.3.3 preceding does not apply and unless indicated otherwise in this By-law, no accessory building or structure or use shall be located closer than 3.0 metres to any lot line except:
- (a) that common semi-detached garages may be centred on the mutual side lot line;
 - (b) that no setback shall apply to boat docking or boat launching facilities.
 - (c) that prescribed uses and structures may be permitted in accordance with the provisions of this By-law for Encroachments On Required Yards, and with the Parking Requirements of this By-law.
 - (d) Within the R1 and RR zones, accessory buildings located in the rear yard shall be built no closer than 1.2 metres to the interior side or rear yard lot line.
- 3.3.5 Accessory buildings and structures shall not exceed 5.0 metres in height in any Residential or Commercial Zone or 7.5 metres in any Industrial Zone.
- 3.3.6 Buildings and structures shall not be considered accessory if attached to the main building.

- 3.3.7 Accessory buildings and structures shall not be constructed on lands subject to slope failure or to flooding.
- 3.3.8 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.
- 3.3.9 No shipping/cargo container shall be used as an accessory structure.
- 3.3.10 Notwithstanding Section 3.3.1, an outhouse is a permitted accessory building.

3.4 **AUTOMOTIVE - SERVICE STATIONS, - GASOLINE BARS AND, - COMMERCIAL GARAGES**

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

- 3.4.1 No portion of any pump island shall be located closer than 6 metres from the street line of any street.
- 3.4.2 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).
- 3.4.3 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.
- 3.4.4 The minimum distance between ramps shall be not less than 9.0 metres.
- 3.4.5 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.
- 3.4.6 The minimum distance between any side lot line of the property at the street line and the nearest ramp shall be 3.0 metres.
- 3.4.7 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.

3.5 **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.

3.6 **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.

3.7 **DWELLINGS PER LOT**

No more than one building used as a dwelling or containing one or more dwelling units shall be erected on any lot, unless stated otherwise in this By-law. Where an accessory dwelling unit is a permitted use, no more than one accessory dwelling unit shall be permitted on any lot. For the purposes of this subsection, a Hunt/Fishing Camp and a Sleeping Cabin are considered Dwellings.

Refer to subsection 3.28 **TEMPORARY CONSTRUCTION USES PERMITTED.**

3.8 **ENCROACHMENTS ON REQUIRED YARDS**

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

<u>Structure</u>	<u>Yards in Which Encroachment is Permitted</u>	<u>Maximum Projection Permitted into Minimum Required Yard</u>
(a) Sills, belt courses, eaves, gutters, chimneys, bay windows, solar collectors, heat pumps, ventilators, shutters, cornices, parapets, pilasters or other ornamental structures.	All	0.6 metres
(b) Fire escapes exterior staircases	Side and Rear only	1.5 metres
(c) Balconies, steps, unenclosed 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 |
|---|-----|-----------|

3.9 **EXCEPTIONS TO HEIGHT LIMITATIONS**

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

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

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

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

3.11 **HOME INDUSTRY**

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

- 3.11.1 No more than two persons, other than a person(s) residing on the premises, shall be employed in the home industry.
- 3.11.2 Such home industry shall not be a hazardous or obnoxious trade, and shall not create or become a public nuisance.
- 3.11.3 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.
- 3.11.4 The parking requirements of this By-law shall apply to any home industry use.
- 3.11.5 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.

3.11.6 Not more than 10.0 percent of the gross floor area of the dwelling unit shall be dedicated to the home industry.

3.12 **HOME OCCUPATIONS**

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

3.12.1 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.

3.12.2 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.

3.12.3 Not more than 25% of the dwelling unit area shall be used for the purpose of home occupation uses.

3.12.4 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.

3.12.5 There shall be no storage of equipment, vehicles, or supplies associated with the home occupation outside the dwelling.

3.12.6 The use shall not require additional off-street parking spaces for clients or customers of the home occupation.

3.12.7 The use shall not generate additional pedestrian or vehicular traffic beyond that normal to the neighbourhood in which it is located.

3.12.8 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.

3.12.9 Where instruction is carried on, no more than six pupils are in attendance at any one time.

3.13 **LOTS TO FRONT ON STREETS**

3.13.1 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.

3.13.2 Exceptions

(a) The lot on which such building or structure is to be located was in existence as of May 13, 1980 and has a surveyed, registered right-of-way leading from a street to the existing lot.

(b) Hunting and Fishing Camp

A hunting and fishing camp shall not be required to meet the provisions of paragraph 3.13.1.

(c) Resource Land Uses

Notwithstanding the provisions of paragraph 3.13.1 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.

Subsections 3.13.1 and 3.13.2 shall not apply to a lot on a registered plan of subdivision where an agreement between the owner and the Corporation which includes provisions for the construction of the streets in the subdivision is registered in the Registry or Land Titles Office.

3.14 **MOBILE HOMES**

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.

3.15 **NON-CONFORMING USES**

3.15.1 Accessory Buildings

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

3.15.2 Continuation of Existing Uses

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

3.15.3 Repair of Existing Buildings

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

3.15.4 Enlargements to Existing Undersized Lots

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

- (a) where the development is on private services, the lot is of an adequate size for water supply and sewage disposal systems approved by the Ministry of the Environment and Energy and/or its agents; and
- (b) where the development is on private services, the enlargement, reconstruction, repair or renovation satisfies the requirements of the applicable approval authority for the subject private services;
- (c) an undersized lot is not reduced further in size or created as a result of the proposed development; and
- (d) all other applicable provisions of this By-law are complied with.

3.15.5 Existing Buildings with Inadequate Lot or Yard Size

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

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

- (c) all other applicable provisions of this By-law are complied with.

3.15.6 Less than Required Floor Area

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

3.15.7 Undersized Lots

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

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

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

3.15.8 Prior Building Permits

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

3.16 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.

3.17 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.

3.18 **OCCUPANCY OF VEHICLES**

No truck, bus, coach, vehicle, recreational vehicle or trailer shall be used as a primary residence for permanent human habitation within the Municipality whether or not the same is mounted on wheels.

3.19 **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:

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

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

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

3.19.4 A strip of landscaped open space with a minimum width of 3 metres shall be maintained around all open storage areas.

3.19.5 Any open storage area shall be maintained as landscaped open space, or surfaced and maintained with stable materials to prevent the raising of dust and particles, and shall be properly drained. However, this provision shall not apply where the main use is an agricultural use.

3.19.6 No parking spaces or loading spaces required by this By-law shall be used for open storage purposes.

3.20 **PARKING AND LOADING SPACE REQUIREMENTS**

3.20.1 **PARKING REQUIREMENTS**

(a) **Number of Spaces**

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

<u>Type of Use</u>	<u>Minimum Parking Required</u>
i) Dwelling, Single Detached, Semi Detached and Duplex:	2 parking spaces per dwelling unit
ii) Dwelling, Triplex, Rowhouse and Apartment:	1.5 parking spaces per dwelling unit
iii) Group Home	1 parking space per each 3 persons licensed or approved capacity
iv) Boarding House	1 parking space plus 1 parking space per every 3 beds
v) Bank or Trust Company	5.9 spaces per 100 square metres gross leasable area
vi) Bed and Breakfast	2 parking spaces per dwelling unit and 1 parking space for each room rented
vii) Tavern, Public House	1 parking space per 4 persons design capacity
viii) Church, Assembly Hall	The greater of 1 parking space per 10 square metres of gross floor area or per every four fixed seats or per every 2.5 metres of bench space
ix) Place of Entertainment/ recreation facility including arena, auditorium, recreation centre, theatre, tennis club, stadium, racquet club, cinema, fitness club, fairgrounds	1 parking space per 6 seat capacity
x) Hospital, Nursing Home Home for the Aged, Senior Citizens Home	1 parking space per each 2 beds
xi) Hotel, Motor Hotel	1 space per guest room plus 10 spaces per 100 square metres of public use area
xii) Industrial Establishment	1 parking space per each one 100 square metres of gross floor area

xiii)	Clinic	6 spaces per practitioner for the first 5 practitioners, 4 spaces per each practitioner after 5
xiv)	Motel	1 space per guest room
xv)	Office (Business/Professional)	3.5 spaces per 100 square metres of gross leasable area
xvi)	Eating Establishment, Drive-In/Fast Food	29 spaces per 100 square metres of gross leasable floor area
xvii)	Eating Establishment, Full Service	22 spaces per 100 square metres of gross leasable area
xviii)	Eating Establishment, Take Out	7 spaces per 100 square metres of gross leasable area
xix)	Retail, General including Convenience Store and Personal Service Shop	5.4 spaces per 100 sq. metres of gross leasable area
xx)	School	The greater of: 1.5 parking spaces per classroom, or 1 parking space per 3.0 square metres of floor area in the gymnasium, or 1 parking area per 3.0 square metres of floor area in the auditorium
xxi)	Shopping Centre	5.4 spaces per 100 sq. m of gross leasable area
xxii)	Shopping Plaza	4.9 spaces per 100 square metres of gross leasable area
xxiii)	Other Non-Residential Uses	1 parking space per 30 square metres of gross floor area

(b) Calculation of Spaces

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

(c) Location of Parking Areas

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

(d) Yard Where Permitted

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

<u>Zones</u>	<u>Required Yards in which Required Parking Area Permitted</u>
i) Residential Zones	All yards provided that no part of any parking area, other than a driveway, is located closer than 1.0 metre to any street line and provided further that a parking area for a Residential use containing three or more dwelling units is located in the rear yard only.
ii) General Industrial	Interior side and rear yards only except for visitor parking provided that no part of any parking area, other than a driveway, is located closer than 1.0 metre to any streetline and further provided that where the Industrial zone abuts a Residential Zone, the parking area shall be set back 3.0 metres from the lot line.
iii) Disposal Industrial, Extractive Industrial	No yards except for the driveway portion of a parking area
iv) Other Zones	All yards provided that no part of any parking area, other than a driveway, is located closer than 1.0 metre to any streetline. Where the subject zone abuts a Residential zone, the parking area shall be set back 3.0 metres from the lot line.

(e) Surface and Drainage

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

(f) Access to Parking Spaces and Parking Areas

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

(g) Dimensions of Parking Spaces

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

3.20.2 **LOADING REQUIREMENTS**

(a) Uses Where Applicable

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

(b) Dimensions of Loading Spaces

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

(c) Minimum Number of Loading Spaces

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

(d) Location

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

(e) Surfacing

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

3.21 **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), any telephone, gas, or telegraph 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.

3.22 **SEPARATION DISTANCES**

(a) Dwellings

- (i) No dwelling shall be erected within the minimum distance from a livestock facility required by the Minimum Distance Separation I (MDS I).
- (ii) No dwelling shall be erected within 60 metres of any Industrial Zone or Industrial-Holding Zone.
- (iii) No dwelling, senior citizens home, nursing home, school or hospital shall be erected within 150 metres of any Extractive Industrial or Extractive Industrial Reserve Zone.
- (iv) No dwelling, senior citizen home, nursing home, school or hospital shall be erected within 300 metres of a quarry.
- (v) No dwelling shall be erected within 200 metres of a hauled sewage disposal site, unless it is the owner's dwelling in which case the required separation distance shall be 60 metres.
- (vi) No dwelling shall be erected within 100 metres of any animal hospital or kennel.

(vii) No dwelling shall be erected within 500 metres of a waste disposal site.

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

i) No land identified as a buffer strip in a licence or permit under the Aggregate Resources Act shall be used for any other purpose.

ii) No concrete or asphalt manufacturing plant or extractive industrial facility shall be located within 50 metres of any high water mark.

iii) 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.

iv) No gravel pit shall be located within 150 metres of an existing dwelling.

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

(c) Farm Uses

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

(i) The minimum distance from residential uses required by the Minimum Distance Separation II (MDS II) formulae;

(ii) 30 metres from any lot line.

(d) Animal Hospital, Kennel

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

(e) Hauled Sewage Disposal Site

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

(i) 200 metres of any dwelling on another lot;

(ii) 750 metres of any subdivision or land zoned for residential development;

- (iii) 150 metres of any uncased well;
 - (iv) 75 metres of any well with a casing depth of 6.0 metres or less;
 - (v) 180 metres of any surface water;
 - (vi) 60 metres of the right-of-way of any road;
 - (vii) 60 metres of any land used for livestock pasturing;
- (f) Waste Disposal Site

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

3.23 **SETBACKS**

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

(a) Provincial Highway

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

(b) County Road

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

(c) 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.

(d) Water Setback

A minimum water setback of 30 metres from the high water mark shall be provided. Accessory boat docking or boat launching facilities shall not be required to meet the water setback.

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.

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, provided that it shall not be less than 15 metres from the high water mark.

(e) Provincially Significant Wetland

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

3.24 **STANDARDS - CUMULATIVE**

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

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

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

- (a) The storage facility shall be constructed of materials that are durable and stable and that do not afford passage of the contents;
- (b) The storage facility shall have,
- (i) walls that extend 2.0 metres or more above the surrounding grade level, or

- (ii) walls that extend 0.3 metres above the surrounding grade level and have a solid cover, or a minimum 0.7 metre extension of the walls, that completely seals the facility from human entry; or
 - (iii) be an inground facility that is situated below and totally enclosed by a livestock barn;
- (c) Notwithstanding item (b), preceding, a lagoon may be used for the storage of liquid manure, hauled sewage or sewage sludge provided that,
- (i) it is approved under all appropriate provincial legislation and regulations; and
 - (ii) it is designed, constructed and maintained in accordance with all governing By-laws of the Municipality.

3.26 **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.

3.27 **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:

- 1) 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
- 2) 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.

3.28 **TEMPORARY CONSTRUCTION USES PERMITTED**

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

Notwithstanding subsection 3.7 DWELLINGS PER LOT to the contrary, on a lot having a residential use, where new construction of a dwelling is proposed, and where a written agreement between the owner and the corporation for its removal is implemented, the existing dwelling may be used as temporary accommodation only for the time period when new construction is in progress. The existing dwelling, used as temporary accommodation, shall be removed from the lot within 30 days of occupancy of the replacement dwelling.

3.29 **THROUGH LOTS**

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

3.30 **VISIBILITY AT INTERSECTIONS**

- (a) At the intersection of any two streets, no building, or structure shall be erected, no landscaping materials shall be allowed to grow, no land shall be graded and no vehicle shall be parked above the height of 0.75 metres above the centreline grade of such streets, so as to materially impede the vision of the operator of a vehicle on the street, within the triangular area bounded by the lot lines to a distance of 6 metres from the points of intersection of the corner lot lines, or of the projection of the corner lot lines, or within such area required according to the standards of the Ministry of Transportation.
- (b) At the intersection of a street and a railway right-of-way, the vision of the operator of a motor vehicle shall be unimpeded, as described above, within the triangular area bounded by the lot lines to a distance of 23 metres from the points of intersection of the street lot line and the railway lot line.
- (c) At all intersections involving a Provincial highway, the requirements of the Ministry of Transportation regarding visibility triangles shall apply.

3.31 OUTDOOR FURNACES

- a) Outdoor furnaces are permitted in all Zones other than the Residential One (R1), Rural Residential (RR), Limited Service Residential (LSR) and Hamlet Commercial (HAC) Zones.
- b) 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.
- c) Notwithstanding Section 3.31(b), outdoor corn furnaces shall be located a minimum of 20 metres from a lot line.

3.32 TRANSCANADA PIPELINE

Notwithstanding any other provisions of this By-law to the contrary, no permanent building or structure shall be permitted within 7 metres of the pipeline right-of-way and no accessory structure shall be permitted within 3 metres of the pipeline right-of-way.

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

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

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

4.2 EXCEPTION ZONES

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

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

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

4.3 **HOLDING PROVISIONS**

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

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

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

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

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

(a) Residential Uses

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

5.2 ZONE PROVISIONS

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

(a) Lot Area (minimum):

- | | |
|--|-----------------|
| - single detached dwelling/group home | 2430 sq. metres |
| - duplex dwelling | 3065 sq. metres |
| - semi-detached dwelling | 3065 sq. metres |
| - semi-detached dwelling (each unit on a separate lot) | 1532 sq. metres |

(b) Lot Frontage (minimum)

- | | |
|---|-----------|
| - single detached dwelling/group home | 45 metres |
| - duplex dwelling | 45 metres |
| - semi-detached dwelling | 45 metres |
| - semi-detached dwelling
(each unit on a separate lot) | 22 metres |

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

- | | |
|---|---|
| - single detached dwelling/group home | 3 metres |
| - duplex dwelling | 3 metres |
| - semi-detached dwelling | 3 metres |
| - semi-detached dwelling
(each unit on a separate lot) | Requires Interior or Exterior
Side Yard on One Side Only |

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

5.3 EXCEPTION ZONES

(By-law 2003-37)

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

Notwithstanding Section 5.1(a) to the contrary, for those lands described as part of Lot 2, Plan 23 in Part of Lot 6, Concession 13(B), in the geographic Township of McNab and delineated as Residential One - Exception One (R1-E1) on Schedule "A" (Map 6) to this By-law, a maximum of three dwelling units shall be a permitted in the existing building.

(215 Division St)

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

Notwithstanding anything in 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 Residential One - Exception Two (R1-E2) on Schedule "A" (Map 6) to this By-law an automotive commercial garage shall be a permitted use in addition to the use normally permitted in the R1 zone.

A maximum of five vehicles shall be permitted on the site at any one time, all of which must display current licenses. No other open storage shall be permitted and no employees other than the owner shall be permitted.

(11 River Road)

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

Notwithstanding anything in 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 Residential One - Exception Three (R1-E3) on Schedule "A" (Map 6) to this By-law an apartment dwelling shall be a permitted use in addition to the normal uses of the R1 zone and the following provisions shall apply:

(i)	Lot Area (minimum)	3,600 sq. metres
(ii)	Lot Frontage (minimum)	65 metres
(iii)	Front Yard Depth (minimum)	1.9 metres
(iv)	Rear Yard Depth (minimum)	22 metres
(v)	Northwest Side Yard Width (minimum)	48 metres
(vi)	Southeast Side Yard Width (minimum)	4.4 metres
(vii)	Building Height (maximum)	11 metres
(viii)	Lot Coverage (maximum)	25 percent
(ix)	Dwelling Units Per Lot (maximum)	7

(Stacey Dr & Calabogie Rd)

(d) Residential One - Exception Four (R1-E4) Zone

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 Residential One - Exception Four (R1-E4) 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 3.23(d) Water Setback 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.

(1017 Point Rd)

(e) Residential One - Exception Five (R1-E5) Zone

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 Residential One - Exception Five (R1-E5) 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 R1 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 percent
(vii)	Dwelling Unit Area (minimum)	
	- 1 bedroom unit	50 sq. metres
	- 2 bedroom unit	60 sq. metres
(viii)	Dwelling Units Per Lot (maximum)	17

(43 Burnstown Rd)

(f) Residential One - Exception Six (R1-E6) Zone

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lot 9, Plan 5, in the geographic Township of McNab and delineated as Residential One - Exception Six (R1-E6) on Schedule "A" (Map 11) to this By-law a recreation vehicle sales and services establishment shall be a permitted use in addition to the normal R1 uses.

For the purposes of this subsection, recreational vehicle sales and service establishment shall mean an establishment having as its main use the storage of recreational vehicles for sale, rent or lease. Accessory uses may include servicing of such vehicles but shall not include painting, bodywork, welding, or dismantling of any recreational vehicles. No new buildings or structures shall be permitted to be erected on the lot, other than for residential purposes or uses accessory to a residential use.

(2009-05)**(g) Residential One - Exception Seven (R1-E7) Zone**

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 Residential One - Exception Seven (R1-E7) 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

(h) Residential One - Exception Eight (R1-E8) Zone

Notwithstanding section 5.1(a) of this By-law to the contrary, for those lands described as Lots 1 and 2, Block U, Registered Plan 44, in the geographic Village of Braeside and delineated as Residential One - Exception Eight (R1-E8) 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 Residential One (R1) Zone.

(2002-05)**(i) Residential One - Exception Nine (R1-E9) Zone**

Notwithstanding section 5.1(a) of this By-law to the contrary, for those lands described as part of Lot 12, Concession 13(B), in the geographic Village of Braeside and delineated as Residential One - Exception Nine (R1-E9) on Schedule "A" (Map 3) to this By-law, a contractor's yard or shop shall be permitted in addition to the uses normally permitted in the Residential One (R1) Zone.

(2008-07)**(j) Residential One – Exception Ten (R1-E10) Zone**

Notwithstanding the provisions of Section 3.19, 3.20, 5.1(a), 5.2(a), (b), (e), (h) 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 Residential One – Exception Ten (R1-E10) 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.

(2004-21)**(k)** Residential One – Exception Eleven (R1-E11) Zone

Notwithstanding Section 5.1(a) to the contrary, for those lands described as part of Lot 5, Concession 3, in the geographic Township of McNab and delineated as Residential One-Exception Eleven (R1-E11) on Schedule "A" (Map 11) to this By-law, an automotive commercial garage shall be an additional permitted use. The maximum number of parked vehicles related to the commercial use permitted on the property, shall be limited to 5 vehicles at any one time.

(2005-20)**(l)** Residential One-Exception Twelve (R1-E12) Zone

Notwithstanding Sections 5.1(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

Residential One-Exception Twelve (R1-E12) 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 R1 Zone shall apply.

(2006-04)

(m) Residential One-Exception Thirteen (R1-E13) Zone

Notwithstanding Section 5.1(a) to the contrary, for those lands described as Lots 17 and 18, Concession 1, in the geographic Township of McNab and delineated as Residential One-Exception Thirteen (R1-E13) on Schedule “A” (Map 4) to this By-law, the heritage log buildings existing at the time of passage of this by-law shall be considered a main permitted use. The subject lands are designated as a Site Plan Control area. All other provisions of the R1 Zone shall apply.

(2009-06)

(n) Residential One-Exception Fourteen (R1-E14) Zone

Notwithstanding Section 5.2(b) to the contrary, for those lands described as part of Lot 6, Concession 4, in the geographic Township of McNab and delineated as Residential One-Exception Fourteen (R1-E14) on Schedule “A” (Map 11) to this By-law, the minimum required lot frontage for a single detached dwelling shall be 21 metres. All other provisions of the R1 Zone shall apply.

(2002-05)

(2007-66)

(o) Residential One-Exception Fifteen (R1-E15) Zone

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 Residential One-Exception Fifteen (R1-E15) 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 (ie. post surgery, hospital stay, accident or illness) and is expected to fully recover.

(2008-49)**(p) Residential One-Exception Sixteen (R1-E16)**

Notwithstanding Section 3.23 (d) to the contrary, for those lands described as part of Lots 6 & 7, Concession 14(C), in the geographic Township of McNab and delineated as Residential One-Exception Sixteen (R1-E16) on Schedule “A” (Map 6) to this By-law, the minimum water setback for an existing lot of record which has less than sixty-four (64) metres of lot depth shall be 17 metres.

(q) Residential One-Exception Seventeen (R1-E17)

Notwithstanding Sections 5.2(a) and 5.2(b), for those lands described as part of Lot 5, Concession 11, in the geographic Township of McNab and delineated as Residential One-Exception Seventeen (R1-E17) on the Schedule “A” (Map 7) to this By-law the following provisions apply:

(i)	Lot Area (minimum)	2,025 sq. metres
(ii)	Lot Frontage (minimum)	30 metres

(2010-04)**(r) Residential One-Exception Eighteen (R1-E18)**

Notwithstanding Section 3.22(a)(iii) and 5.1(n) to the contrary, for those lands described as part of Lot 3, Concession 4, in the geographic Township of McNab and delineated as Residential One-Exception Eighteen (R1-E18) on Schedule “A” (Map 10) to this By-law, the existing accessory building shall be permitted prior to a main permitted use and the minimum separation distance for a residential dwelling from an Extractive Industrial (EM) or Extractive Industrial Reserve (EMR) Zone shall be 60 metres. All other provisions of the Zoning By-law shall apply.

(2010-43)**(s) Residential One-Exception Nineteen (R1-E19)**

Notwithstanding Section 5.1(a) to the contrary, for those lands described as part of Lot 9, Concession 3, in the geographic Township of McNab and delineated as Residential One-Exception Nineteen (R1-E19) 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.

(t) Residential One-Exception Twenty (R1-E20) (Application Refused)

(2011-17)(u) Residential One-Exception Twenty-One (R1-E21)

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 Residential One-Exception Twenty-One (R1-E21) on Schedule "A" (Map 8) to this By-law, the minimum water setback shall be 11 metres from the highwater mark.

(2011-23)(v) Residential One-Exception Twenty-Two (R1-E22)

Notwithstanding Section 3.7 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 Residential One-Exception Twenty-Two (R1-E22) on Schedule "A" (Map 3) to this By-law, a second dwelling unit shall be permitted within the existing detached dwelling.

(2011-21)(w) Residential One-Exception Twenty-Three (R1-E23)

Notwithstanding Section 5.1(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 Residential One-Exception Twenty-Three (R1-E23) 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 R1 Zone apply.

(x) Residential One-Exception Twenty-Four (R1-E24) (Under appeal to OMB)(y) Residential One-Exception Twenty-Five (R1-E25) (Under appeal to OMB)(z) Residential One-Exception Twenty-Six (R1-E26) (# available)***(OMB No. PL101428)***(aa) Residential One-Exception Twenty-Seven (R1-E27)

Notwithstanding Sections 5.2(a) and (b) of this By-law to the contrary, for those lands described as part of Lot 4, Concession 11, in the geographic Township of McNab and delineated as Residential One-Exception Twenty-Seven (R1-E27) on Schedule "A" (Map 2) to this By-law, the following provisions apply for a single detached lot:

Lot Area (minimum)	1390 square metres
Lot Frontage (minimum)	30 metres*

- (bb) Residential One-Exception Twenty-Eight (R1-E28) (Under appeal to OMB)
- (cc) Residential One-Exception Twenty-Nine (R1-E29) (Under appeal to OMB)

(MMAH Minutes of Settlement)

- (dd) Residential One-Exception Thirty (R1-E30)

Notwithstanding anything in this By-law to the contrary, for those lands delineated as Residential One – Exception Thirty (R1-E30) 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.

(By-law 2012-47)

- (ee) Residential One-Exception Thirty-One (R1-E31)

Notwithstanding Section 3.23(d) and 5.2(f), or any other provision of this By-law to the contrary, for those lands described as Lot 6, Concession 14 (C), in the geographic Township of McNab and delineated as Residential One-Exception Thirty-One (R1-E31) on Schedule A (Map 6) to this By-law, the minimum required water setback for an in-ground pool shall be 10.6 metres and the minimum required rear yard depth shall be 1.1 metres. All other provisions of the Zoning By-law shall apply.*

5.4 HOLDING ZONES

- (a) Residential One Holding (R1-h)

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 Residential One -holding (R1-h) 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.

(OMB No. PL101428)

***(b) Residential One-Exception Twenty-Seven-holding (R1-E27-h)**

Until such time as the holding symbol is removed from lands described as part of Lot 4, Concession 11, in the geographic Township of McNab and delineated as Residential One-Exception Twenty-Seven-holding (R1-E27-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 other than for the purpose of drainage:

Conditions for removal of Holding Symbol (h)

1. That the owner provide, to the satisfaction of the Township, a Hydrogeological Report prepared by a professional engineer, confirming that the proposed lot can support the required well and septic system.
2. That the owner provide, to the satisfaction of the Township, a Lot and Grading Plan.*

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

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

(a) Residential Uses

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

6.2 ZONE PROVISIONS

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

(a) Lot Area (minimum):

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

(b) Lot Frontage (minimum)

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

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

- single detached dwelling/group home 3 metres
- duplex dwelling 3 metres
- semi-detached dwelling 3 metres
- semi-detached dwelling (each unit on a separate lot) Requires Interior or Exterior Side Yard on One Side Only

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

6.3 **EXCEPTION ZONES**

(Mountainview Rd)

(a) **Rural Residential - Exception One (RR-E1) Zone**

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 One (RR-E1) 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 |

(b) Rural Residential – Exception Two (RR-E2) Zone

Notwithstanding Section 6.1 to the contrary, for those lands delineated as Rural Residential – Exception Two (RR-E2) 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).

(c) Rural Residential – Exception Three (RR-E3) Zone

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).

(MMAH Minutes of Settlement)

(d) Rural Residential – Exception Four (RR-E4) Zone

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.

**SECTION 7.0 - 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 on an existing lot of record

7.2 ZONE PROVISIONS

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

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

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

7.3 **EXCEPTION ZONES**

(MMAH Minutes of Settlement)

- (a) Limited Service Residential – Exception One (LSR-E1) Zone

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.

(MMAH Minutes of Settlement)

- (b) Limited Service Residential – Exception Two (LSR-E2) Zone

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.

(By-law 2012-53)

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

Notwithstanding Section 3.13 to the contrary, for those lands described as part of Lot 1, 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 severed lot of consent application B-1/12 shall be permitted to have private road frontage. All other provisions of the LSR Zone shall apply.*

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

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

(a) Residential Uses

- mobile homes
- accessory single detached dwelling

(b) Non-Residential Uses

- business office accessory to a mobile home park

8.2 ZONE PROVISIONS

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

(a) Mobile Homes on one communal service:

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

(b) Mobile Homes on two communal services:

- | | | |
|-------|---|----------------|
| (i) | Mobile Home Site Area (Minimum) | 600 sq. metres |
| (ii) | Mobile Home Site Frontage (Minimum) | 15 metres |
| (iii) | Mobile Home Site Front Yard Depth (Minimum) | 5 metres |
| (iv) | Mobile Home Site Side Yard Width (Minimum) | 2 metres |

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

(l) Setbacks in accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.

(m) Setback for Buildings and Structures:

No building or structure within an MHP Zone shall be located within 20 metres of the boundary of an MHP Zone.

(n) Accessory Uses, Buildings and Structures:

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

8.3 **EXCEPTION ZONES**

SECTION 9.0 - REQUIREMENTS FOR HAMLET COMMERCIAL (HAC) ZONE**9.1 PERMITTED USES**

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

(a) Residential Uses

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

(b) Non-Residential Uses

- automotive-car wash
- automotive-commercial garage
- automotive-gasoline bar
- automotive-service station
- automotive-store
- automotive-vehicle sales or rental establishment
- business office
- clinic
- convenience store
- day nursery
- eating establishment, drive-in
- eating establishment, full service
- eating establishment, take-outs
- furniture or wood products shop
- funeral home
- garden centre
- general service shop
- home display and sales outlet
- hotel
- motel
- motor hotel
- park
- personal service shop
- place of entertainment
- professional office
- bed and breakfast establishment
- laundromat
- retail store including one in which the products are manufactured on the premises, provided that the space devoted to such manufacturing is secondary to the retail use

9.2 **ZONE PROVISIONS**

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

- | | | |
|---------------------------------|---|--|
| (a) Lot Area (minimum): | | |
| i) | hotel, motel or motor hotel | 2750 square metres plus an additional 185 square metres for each guest room in excess of four guest rooms. |
| ii) | other uses | 2025 square metres |
| (b) Lot Frontage (minimum): | | |
| i) | automotive-gas bar,
automotive-service station,
automotive-commercial garage | |
| | - interior lot | 35 metres |
| | - corner lot | 40 metres |
| ii) | hotel, motel or motor hotel | 46 metres |
| iii) | other uses | 30 metres |
| (c) Lot Depth (minimum): | | |
| i) | automotive-gas bar,
automotive-service station,
automotive-commercial garage | 40 metres |
| (d) Front Yard Depth (minimum): | | |
| i) | hotel, motel, motor hotel
automotive-commercial garage,
automotive- vehicle sales or
rental establishment,
automotive-service station | 12 metres |
| ii) | all other permitted uses | 7.5 metres |

- | | | |
|-----|--|--|
| (e) | Side Yard Width (minimum) | 6 metres provided that where the side lot line abuts any Residential Zone, the minimum side yard width shall be 9 metres. |
| (f) | Exterior Side Yard Width (minimum) | |
| | i) hotel, motel, motor hotel, automotive-commercial garage, automotive-vehicle sales or rental establishment, automotive-service station | 12 metres |
| | ii) all other permitted uses | 7.5 metres |
| (g) | Rear Yard Depth (minimum) | 7.5 metres provided that where the rear lot line abuts any Residential Zone, the minimum rear yard depth shall be 10.5 metres. |
| (h) | Lot Coverage (maximum) | 33% |
| (i) | Building Height (maximum): | 10.5 metres |
| (j) | Dwelling Unit Area (minimum): | |
| | (i) accessory single detached dwelling | 75 m ² |
| | (ii) other accessory dwelling unit | 51 m ² |
| (k) | Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law. | |
| (l) | Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law. | |
| (m) | Separation Distance: In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law. | |
| (n) | Setbacks: In accordance with the provisions for Setbacks in Section 3 -General Provisions of this By-law. | |
| (o) | Additional Zone Provisions: In accordance with the provisions for Automotive Uses, Automotive-Commercial Garage, Gasoline Bar, Service Station in Section 3 - General Provisions of this By-law. | |

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

9.3 **EXCEPTION ZONES**

(2001-12)

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

Notwithstanding anything in 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 Hamlet Commercial - Exception One (HAC-E1) on Schedule “A” (Map 5) to this By-law the following uses shall be permitted in addition to the normal uses of the HAC Zone:

- agricultural commercial establishment
- automotive-vehicle sales or rental establishment
- flea market
- garden centre

For the purposes of this subsection, flea market shall mean a building or open area in which stalls or sales areas are set aside and rented or otherwise provided, and which are intended for use by various unrelated individuals to sell articles that are either homemade, homegrown, handcrafted, old, obsolete, or antique and may include the selling of goods at retail by businesses or individuals who are generally engaged in retail trade.

(2004-04)

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

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 Hamlet Commercial-Exception Two (HAC-E2) on Schedule “A” (Map 7) to this By-law, an automotive commercial garage (as defined by section 2.17 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.

(456 Campbell Dr.)**(c) Hamlet Commercial - Exception Three (HAC-E3) Zone**

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 Hamlet Commercial - Exception Three (HAC-E3) on Schedule "A" (Map 7) the permitted uses shall be limited to the following:

- accessory dwelling unit
- personal service shop
- furniture or wood products shop
- garden centre
- business office
- professional office
- automotive - vehicle sales or rental establishment
- electrician or plumber shop

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

(2002-05)**(d) Hamlet Commercial - Exception Four (HAC-E4) Zone**

Notwithstanding Section 9.1(a) and (b) to the contrary, for those lands described as Part of Lot 12, Concession 13(B) and comprising part of Block A, Registered Plan 24 (Part 1, 49R-12025), in the geographic Village of Braeside and delineated as Hamlet Commercial - Exception Four (HAC-E4) on Schedule "A" (Map 3) to this By-law, the minimum lot area shall be 1100 square metres and the only permitted use shall be a parking area.

(2007-62)**(e) Hamlet Commercial - Exception Five (HAC-E5) Zone**

Notwithstanding Sections 9.2(e), 3.20.1(a)(xix), 3.20.1(d)(iv) and 3.20.2(d) to the contrary, for those lands described as part of Lot 6, Concession 4, in the geographic Township of McNab and delineated as Hamlet Commercial-Exception Five (HAC-E5) 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

(198 Russett Dr & 2008-18)**(f) Hamlet Commercial - Exception Six (HAC-E6) Zone**

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 Hamlet Commercial - Exception Six (HAC-E6) 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 R1 uses.

(By-law 2011-29)* (OMB File No. PL110581)**(g) Hamlet Commercial - Exception Seven (HAC-E7) Zone**

Notwithstanding Sections 3.23(d) and 9.3(1) 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 Hamlet Commercial-Exception Seven (HAC-E7) 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.*

(By-law 2011-63)***(h) Hamlet Commercial - Exception Eight (HAC-E8) Zone**

Notwithstanding Section 9.2 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 Hamlet Commercial-Exception Eight (HAC-E8) on Schedule "A" (Map 6) to this By-law, the permitted uses shall be limited to the following:

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

All other provisions of the HAC Zone apply.*

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

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

(a) Residential Uses

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

(b) Non-Residential Uses

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

10.2 ZONE PROVISIONS

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

(a)	Lot Area (minimum)	4047 square metres
(b)	Lot Frontage (minimum)	30 metres
(c)	Front Yard Depth (minimum)	12 metres
(d)	Side Yard Width (minimum)	3 metres, provided that where the side lot line abuts lands zoned R1, RU or LSR, the minimum side yard width shall be 6 metres
(e)	Exterior Side Yard Width (minimum)	12 metres
(f)	Rear Yard Depth (minimum)	7.5 metres provided that where the rear line abuts lands Zoned R1, RU, or LSR, the minimum rear yard depth shall be 12 metres
(g)	Lot Coverage (maximum)	33%
(h)	Building Height (maximum)	10.5 metres
(i)	Dwelling Unit Area (minimum)	
	(i) accessory single-detached dwelling	75 square metres
	(ii) other accessory dwelling unit	51 square metres
(j)	Open Storage	in accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law
(k)	Parking and Loading	in accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law
(l)	Separation Distance	in accordance with the provisions for Separation Distances in Section 3 - General Provisions of this By-law
(m)	Setbacks	in accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law

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

10.3 **EXCEPTION ZONES**

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

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

(a) Residential Uses

- accessory single detached dwelling
- staff dormitory dwelling

(b) Non-Residential Uses

- resort
- retail store
- camping establishment
- recreational vehicle campground
- cottage establishment
- hotel
- motel
- passive recreational uses
- active recreational use
- private park
- public park
- marina
- automotive - gasoline bar
- eating establishment - drive in
- eating establishment - full service
- eating establishment - take out
- amusement rides and games
- place of entertainment
- riding stables
- eating establishment
- bed and breakfast establishment
- 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 hectares |
| (b) | Lot Frontage (minimum) | 120 metres |
| (c) | Front Yard Depth (minimum) | 10.5 metres |

- | | | |
|-----|--|---|
| (d) | Side Yard Width (minimum) | 10.5 metres |
| (e) | Rear Yard Depth (minimum) | 10.5 metres |
| (f) | Lot Coverage (maximum) | 40% |
| (g) | Building Height (maximum) | 12 metres |
| (h) | Recreational Vehicle Site Density | |
| | (i) connected to individual on site sewage disposal system (maximum) | 5 per hectare based on the area of the entire park, provided 2025 square metres are deducted from the total area, if an accessory dwelling unit is used or erected. |
| | (ii) connected to a communal sewage system or utilizing an internal holding tank/system and not connected to any sewage system (maximum) | 20 per hectare based on the area of the entire park. |
| (i) | Open Storage | in accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law |
| (j) | Parking and Loading | in accordance with the provisions for Parking and Loading Space Requirements in Section 3 - General Provisions of this By-law |
| (k) | Separation Distances | in accordance with the provisions for Separation Distances in Section 3 - General Provisions of this By-law |
| (l) | Setbacks | in accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law |
| (m) | Additional Zone Provisions for Automotive - Gasoline Bar | in accordance with the provisions for Automotive - Service Stations, - Commercial Garages, and - Gasoline Bars in Section 3 - General Provisions of this By-law. |

(n) Accessory Uses, Buildings and Structures:

Notwithstanding any Zone provision of this Zone to the contrary, uses, buildings and structures which are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

11.3 **EXCEPTION ZONES**

(By-law 2012-53)

***(a) Tourism Commercial – Exception One (TC-E1)**

Notwithstanding Section 3.13 to the contrary, for those lands described as part of Lot 1, Concession 2, in the geographic Township of McNab and delineated as Tourism Commercial-Exception One (TC-E1) on Schedule “A” (Map 1) to this By-law, the retained lot of consent application B-1/12 shall be permitted to have private road frontage. All other provisions of the TC Zone shall apply.*

SECTION 12.0 - 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

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

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):

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

(b) Buffer Strip

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

- i) 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) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this Zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this Zone shall be permitted in accordance with the requirements

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

12.3 **EXCEPTION ZONES**

SECTION 13.0 - REQUIREMENTS FOR EXTRACTIVE INDUSTRIAL (EM) ZONE**13.1 PERMITTED USES**

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

- (a) Residential Uses
 - prohibited
- (b) Non-Residential Uses
 - concrete manufacturing plant
 - extractive industrial facility
 - forestry
 - limited farm
 - gravel pit
 - quarry

13.2 ZONE PROVISIONS

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

- (a) Lot Frontage (minimum) 35 metres
- (b) Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.
- (c) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.
- (d) Separation Distance: In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
- (e) Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- (f) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this Zone to the contrary, uses, buildings and structure that are accessory to the permitted uses of this Zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

13.3 EXCEPTION ZONES

SECTION 14.0 - REQUIREMENTS FOR EXTRACTIVE INDUSTRIAL RESERVE

14.1 **PERMITTED USES**

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

(a) **Residential Uses**

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

(b) **Non-Residential Uses**

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

14.2 **ZONE PROVISIONS**

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

- (a) Front Yard Depth (minimum) 10.5 metres
- (b) Side Yard Width (minimum) 10.5 metres
- (c) Rear Yard Depth (minimum) 15 metres

14.3 **EXCEPTION ZONES**

SECTION 15.0 - REQUIREMENT FOR GENERAL INDUSTRIAL (GM) ZONE**15.1 PERMITTED USES**

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

(a) Residential Uses

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

(b) Non-Residential Uses

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

15.2 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) | 4000 square metres |
| (b) | Lot Frontage (minimum) | 35 metres |

(c) Yards (minimum):	Abutting an Industrial <u>Zone</u>	Abutting Other <u>Zone</u>
i) Front Yard Depth	15 metres	30 metres
ii) Side Yard Width	3 metres	30 metres
iii) Exterior Side Yard Width	15 metres	30 metres
iv) Rear Yard Depth	9 metres	30 metres

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

- (d) Lot Coverage (maximum) 50%
- (e) Building Height (maximum) 15 metres
- (f) Dwelling Unit Area (minimum) 65 m²
- (g) Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.
- (h) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.
- (i) Separation Distance: In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
- (j) Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- (k) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this Zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this Zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.
- (l) Additional Zone Provisions for Automotive Uses: In accordance with the provisions of for automotive uses: Automotive-Commercial Garage-Gasoline Bar, - Service Station in Section 3 - General Provisions of this By-law.

15.3 EXCEPTION ZONES

(2002-05)

- (a) 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.

15.4 INTERIM USES AND STANDARDS (HOLDING)

(2005-43)

(a) General Industrial – holding (GM-h)

Until such time as the holding symbol is removed from any of the lands zoned 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 16.0 - REQUIREMENTS FOR LIGHT INDUSTRIAL (LM) ZONE**16.1 PERMITTED USES**

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

(a) Residential Uses

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

(b) Non-Residential uses

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

16.2 ZONE PROVISIONS

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

16.3 EXCEPTION ZONES**(a) Light Industrial Exception-One (LM-E1)**

Notwithstanding Section 16.1(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

16.4 **HOLDING ZONES**

(a) 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

(By-law 2012-16)

(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.
- 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 17.0 - REQUIREMENTS FOR RURAL (RU) ZONE**17.1 PERMITTED USES**

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

(a) Residential Uses

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

(b) Non-Residential Uses

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

17.2 ZONE PROVISIONS

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

(a) Lot Area (minimum)

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

(ii)	semi-detached dwelling (each unit on a separate lot)	2024 square metres
(iii)	other permitted uses	2 hectares
(b)	Lot Frontage (minimum)	
(i)	single detached, semi-detached or duplex dwelling, or other uses	45 metres
(ii)	semi-detached dwelling (each unit on a separate lot)	23 metres
(c)	Front Yard Depth (minimum)	7.5 metres
(d)	Side Yard Width (minimum)	3 metres
(e)	Exterior Side Yard (minimum)	7.5 metres
(f)	Rear Yard Depth (minimum)	7.5 metres
(g)	Dwelling Unit Area (minimum)	65 square metres
(h)	Gross Floor Area (maximum) for Mineral Exploration	9.3 square metres
(i)	Lot Coverage (maximum)	33%
(j)	No land on the lot of a logging hauler use, a contractor's yard or shop, a forestry use, or a home industry shall be used for any other purpose than for a buffer strip within, - 15 metres of a lot in any Zone other than an Industrial Zone - 12 metres of any street line.	
(k)	Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.	
(l)	Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.	
(m)	Separation Distance: In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.	
(n)	Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.	

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

17.3 **EXCEPTION ZONES**

(400 Calabogie Rd)

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

In addition to those uses normally permitted in the Rural (RU) zone, for those lands described as part of Lot 19, Concession 6, in the geographic Township of McNab and zoned Rural - Exception One (RU-E1) on Schedule "A" (Map 1) to this By-law a flea market shall also be a permitted use.

For the purposes of this subsection, flea market shall mean a building or open area in which stalls or sales areas are set aside and rented or otherwise provided, and which are intended for use by various unrelated individuals to sell articles that are either homemade, homegrown, handcrafted, old, obsolete, or antique and may include the selling of goods at retail by businesses or individuals who are generally engaged in retail trade.

(22 McCallum Dr)

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

In addition to those uses normally permitted in the Rural (RU) zone, for those lands described as part of Lot 24, Concession 6, in the geographic Township of McNab and zoned Rural - Exception Two (RU-E2) on Schedule "A" (Map 1) to this By-law a flea market shall also be a permitted use.

For the purposes of this subsection, flea market shall mean a building or open area in which stalls or sales areas are set aside and rented or otherwise provided, and which are intended for use by various unrelated individuals to sell articles that are either homemade, homegrown, handcrafted, old, obsolete, or antique and may include the selling of goods at retail by businesses or individuals who are generally engaged in retail trade.

(1889 Miller Rd)

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

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 Three (RU-E3) 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

(1342 McLachlan Rd)**(d) Rural - Exception Four (RU-E4)**

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lot 14, Concession 4, in the geographic Township of McNab, and delineated as Rural-Exception Four (RU-E4) on Schedule “A” (Map 1) to this By-law, the following permitted uses shall apply:

- an accessory dwelling or an accessory dwelling unit
- an automotive - commercial garage.

(2719 Burnstown Rd)**(e) Rural – Exception Five (RU-E5) Zone**

Notwithstanding anything in this By-law to the contrary, in addition to those uses normally permitted in the RU Zone, for those lands described as part of Lot 26, Concession 1, in the geographic Township of McNab and delineated as Rural-Exception Five (RU-E5) on Schedule “A” (Map 1) to this By-law a small engine sales and service outlet shall also be a permitted use.

For the purposes of this subsection a small engine sales and service outlet shall mean a service outlet where small engines are repaired, serviced or offered for sale.

(784 Anderson Rd)**(f) Rural - Exception Six (RU-E6) Zone**

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 Six (RU-E6) on Schedule “A” (Map 1) to this By-law may be used for a home display and sales outlet.

(Lorlei Dr & Deerfield Dr)**(g) Rural - Exception Seven (RU-E7) Zone**

Notwithstanding Sections 17.1 (a) and (b) to the contrary, for those lands described as part of Lots 15 and 16, Concession 4, and part of Lots 14 and 15, Concession 5, in the geographic Township of McNab and delineated as Rural-Exception Seven (RU-E7) on Schedule “A” (Map 1) to this By-law, the only permitted use shall be single detached dwellings.

(2003-32)**(h) Rural - Exception Eight (RU-E8) Zone**

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lot 17, Concession 3, in the geographic Township of McNab and delineated as Rural-Exception Eight (RU-E8) on Schedule “A” (Map 1) to this By-law, a retail store, an eating establishment - full service, and an eating establishment - drive-in shall be permitted in addition to the normal uses of the RU zone.

(99-27)**(i) Rural - Exception Nine (RU-E9) Zone**

Notwithstanding anything in this By-law to the contrary, for those lands described as part of Lot 26, Concession 2 in the geographic Township of McNab (Part 1 on Reference Plan No. 49R-13883) and delineated as Rural - Exception Nine (RU-E9) on Schedule “A” (Map 1) to this By-law, a sawmill and wood products shop shall be permitted in addition to the normal uses of the RU zone. The provisions of Section 15.2 shall apply to a sawmill and/or a wood products shop. The provisions of the RU zone shall apply to any permitted use of the RU zone established on the lands.

(2000-19)**(j) Rural - Exception Ten (RU-E10) Zone**

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 Ten (RU-E10), 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 subsection and despite subsection 2.170 to the contrary, 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.

(2008-46)**(k) Rural - Exception Eleven (RU-E11)**

Notwithstanding Section 3.22(c)(ii) 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 Eleven (RU-E11) 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. New farm uses must maintain a minimum 30 metres setback to any lot line.

In addition to the permitted uses of the RU zone, an accessory building shall be permitted prior to the construction of a principle use.

(2001-13)**(l) Rural - Exception Twelve (RU-E12) Zone**

Notwithstanding sections 3.23(c), 3.23(d), sections 17.2(c) and 17.2(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 Twelve (RU-E12) 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 |

(2002-29)**(m) Rural - Exception Thirteen (RU-E13) Zone**

Notwithstanding Section 3.13 Lots to Front on Streets, to the contrary, for those lands described as part of Lot 16, Concession 4 in the geographic Township of McNab and delineated as Rural-Exception Thirteen (RU-E13) on Schedule “A” (Map 1) to this By-law, development shall be permitted on the existing lot, in accordance with the Rural-Exception Seven (RU-E7) zone provisions.

(2002-32)**(n) Rural - Exception Fourteen (RU-E14) Zone**

Notwithstanding Section 3.22(a)(iii), to the contrary, for those lands described as part of Lot 20, Concession 7, in the geographic Township of McNab and delineated as Rural-Exception Fourteen (RU-E14) on Schedule “A” (Map 1) to this By-law, the separation distance from any Extractive Industrial (EM) Zone or Extractive Industrial Reserve (EMR) Zone shall not apply to the subject lands. All other provisions of the RU Zone shall apply.

(2003-16)**(o) Rural - Exception Fifteen (RU-E15) Zone**

Notwithstanding Section 3.31 to the contrary, for those lands described as part of Lot 14, Concession 7, in the geographic Township of McNab and delineated as Rural-Exception Fifteen (RU-E15) on Schedule “A” (Map 1) to this By-law, the following provisions shall apply to an outdoor furnace:

- | | |
|---------------------------------------|------|
| Setback from Front Lot Line (minimum) | 39 m |
|---------------------------------------|------|

Setback from Southeast Side Lot Line (minimum)	30 m
Setback from Rear Lot Line (minimum)	24 m

Section 3.31 shall continue to apply to the northwest side yard and all other provisions of the RU Zone shall apply.

(2003-32)

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

Notwithstanding Section 3.31 to the contrary, for those lands described as part of Lot 4, Concession 4, in the geographic Township of McNab and delineated as Rural-Exception Sixteen (RU-E16) on Schedule “A” (Map 1) to this By-law, the subject lands shall be used in accordance with the provisions of the Rural (RU) Zone and the following provisions shall apply to an outdoor furnace:

Setback from Front Lot Line (minimum)	50 m
Setback from Southeast Side Lot Line (minimum)	7.6 m
Setback from Northwest Side Lot Line (minimum)	30 m
Setback from Rear Lot Line (minimum)	48 m

(2004-10)

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

Notwithstanding Section 17.1(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 Seventeen (RU-E17) 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.

(2005-14)

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

Notwithstanding Sections 17.1(b) to the contrary, for those lands described as part of Lot 14, Concession 6, in the geographic Township of McNab and delineated as Rural-Exception Eighteen (RU-E18) on Schedule “A” (Map 9) to this By-law, the following additional uses shall be permitted:

- landscaped open space
- garden centre
- retail store
- flea market
- eating establishment, full service

Notwithstanding Section 2.0 Definitions, the following definitions shall also apply to the RU-E18 Zone:

Flea Market means an building or open space in which stalls or sales areas are set aside and rented or otherwise provided, and which are intended for use by various unrelated individuals to sell articles that are either homemade, homegrown, handcrafted, old, obsolete or antique and may include the selling of goods at retail by businesses or individuals who are generally engaged in retail trade.

(2005-01)**(s) Rural - Exception Nineteen (RU-E19) Zone**

Notwithstanding Section 3.23(e) 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 Nineteen (RU-E19) on Schedule “A” (Map 1) to this By-law, the 120 metre setback from the adjacent Provincially Significant Wetland (PSW), shall not apply.

(2005-22)**(t) Rural - Exception Twenty (RU-E20) Zone**

Notwithstanding Sections 2.4, and 17.1 to the contrary, for those lands described as Lots 27 and 28, Plan 217, in part of Lot 21, Concession 13(B), in the geographic Township of McNab and delineated as Rural-Exception Twenty (RU-E20) on Schedule “A” (Map 2) to this By-law, a private garage as defined by Section 2.86 shall be the only permitted use; and no septic system shall be permitted on these lands. For the purposes of zoning, Lots 27 and 28, Plan 217 shall be considered a lot, and the following requirements shall apply:

Rear Yard Depth (minimum)	3.4 metres
South Side Yard Depth (minimum)	1.3 metres

All other provisions of the RU Zone shall apply.

(2007-42)**(u) Rural - Exception Twenty-One (RU-E21)**

Notwithstanding Section 3.31 to the contrary, for those lands described as part of Lot 6, Concession 5, in the geographic Township of McNab and delineated as Rural – Exception Twenty-One (RU-E21) on Schedule “A” (Map 1) to this By-law, the following setbacks shall apply for an outdoor furnace:

Front Yard Setback (minimum)	64 metres
Southwest Side Yard Setback (minimum)	37 metres
Rear Yard Setback (minimum)	50 metres

All other provisions of this By-law shall apply.

(2008-06)(v) Rural - Exception Twenty -Two (RU-E22)

Notwithstanding Section 3.31 to the contrary, for those lands described as part of Lot 7, Concession 10, in the geographic Township of McNab and delineated as Rural-Exception Twenty-Two (RU-E22) on Schedule "A" (Map 2) to this By-law, the following provisions shall apply to an outdoor furnace:

Front Yard Setback (minimum)	70 metres
Side Yard Setback (minimum)	30 metres
Rear Yard Setback (minimum)	35 metres

(2008-16)(w) Rural - Exception Twenty-Three (RU-E23)

Notwithstanding Sections 3.7 and 17.1(a) to the contrary, for those lands described as part of Lot 8, Concession 11, in the geographic Township of McNab and delineated as Rural-Exception Twenty-Three (RU-E23) on Schedule "A" (Map 2) to this By-law, a second permanent farm dwelling to accommodate farm help shall be permitted. Severance of either dwelling shall not be permitted.

(773 Goshen Rd)(x) Rural - Exception Twenty-Four (RU-E24)

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 Twenty-Four (RU-E24) 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 ha.
- (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.

(2010-32)(y) Rural - Exception Twenty-Five (RU-E25) Zone

Notwithstanding Section 17.2(a)(i) to the contrary, for those lands described as part of Lot 21, Concession 13(B), in the geographic Township of McNab and delineated as Rural-Exception Twenty-Five (RU-E25) on Schedule "A" (Map 2) to this By-law, the minimum required lot area shall be 1700 square metres. All other provisions of the RU Zone shall apply.

(2010-36)(z) Rural - Exception Twenty-Six (RU-E26) Zone

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 Twenty-Six (RU-E26) 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.

(By-law 2011-54)*(aa) Rural - Exception Twenty-Seven (RU-E27) Zone

Notwithstanding Section 17.2(b)(i) 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 Twenty-Seven (RU-E27) on Schedule "A" (Map 1) to this By-law, a minimum lot frontage of 24 metres shall be permitted.

In addition, 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.*

(bb) Rural - Exception Twenty-Eight (RU-E28) Zone (Application Refused)**(MMAH Minutes of Settlement)**(cc) Rural - Exception Twenty-Nine (RU-E29) Zone

Notwithstanding anything in this By-law to the contrary, for those lands delineated as Rural – Exception Twenty-Nine (RU-E29) 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.

SECTION 18.0 - REQUIREMENTS FOR AGRICULTURE (A) ZONE**18.1 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 accessory to a farm use
- single detached dwelling on an existing lot or a legally created lot.
- group home

(b) Non-Residential Uses

- cemetery
- private airfield
- farm
- farm limited
- farm produce sales outlet
- forestry
- home industry
- bed and breakfast establishment

18.2 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)	20 hectares
(b)	Lot Frontage (minimum)	45 metres
(c)	Front Yard Depth (minimum)	12 metres
(d)	Side Yard Width (minimum)	12 metres
(e)	Exterior Side Yard (minimum)	12 metres
(f)	Rear Yard Depth (minimum)	12 metres
(g)	Dwelling Unit Area (minimum)	65 square metres
(h)	Lot Coverage (maximum)	33%

- (i) Open Storage: In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.
- (j) Parking and Loading: In accordance with the provisions for Parking and Loading in Section 3 - General Provisions of this By-law.
- (k) Separation Distance: In accordance with the provisions for Separation Distance in Section 3 - General Provisions of this By-law.
- (l) Setbacks: In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.
- (m) Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this Zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this Zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.
- (n) An existing lot or a legally created lot may be used for a single detached dwelling (including a group home), a home industry and accessory structures, provided that any dwelling to be established complies with the separation distance from existing livestock facilities, as required by Minimum Distance Separation I (MDS I).

The applicable provisions of Section 17.2 (RU ZONE PROVISIONS) shall apply to a single detached dwelling and a home industry to be established on an existing lot and on a legally created lot.

18.3 EXCEPTION ZONES

(2001-23)

(a) Agriculture – Exception One (A-E1) Zone

Notwithstanding sections 18.1 (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 One (A-E1) on Schedule “A” (Map 2) to this By-law, a light manufacturing plant shall be permitted in addition to the uses normally permitted.

(2002-22)

(b) Agriculture – Exception Two (A-E2) Zone

Notwithstanding sections 18.1 (a) to the contrary, for those lands described as part of Lot 21, Concession 10, in the geographic Township of McNab and delineated as Agriculture-Exception Two (A-E2) on Schedule “A” (Map 2) to this By-law, a semi-detached dwelling shall be a permitted in addition to the uses normally permitted.

(2004-18)

(c) Agriculture – Exception Three (A-E3) Zone

Notwithstanding Sections 18.1(b) and 3.20.1xxiii) to the contrary, for those lands described as part of Lot 8, Concession 9, in the geographic Township of McNab and delineated as Agriculture-Exception Three (A-E3) on Schedule “A” (Map 2) to this By-law, an automotive vehicle sales or rental establishment and a contractor’s yard or shop shall be additional permitted uses for the subject lands and a maximum of 10 parked vehicles, relating to permitted commercial uses shall be permitted on the subject lands.

(2005-03)

(d) Agriculture – Exception Four (A-E4) Zone

Notwithstanding Section 18.1(a) to the contrary, for those lands described as part of Lot 21, Concession 11, in the geographic Township of McNab and delineated as Agriculture-Exception Four (A-E4) on Schedule “A” (Map 2) to this By-law, residential uses shall be prohibited.

(2008-08)

(e) Agriculture – Exception Five (A-E5) Zone

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 Five (A-E5) 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.

(843 Campbell Dr)

(f) Agriculture-Exception Six (A-E6) Zone

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 Six (A-E6) on Schedule “A” (Map 2) to this By-law, the only permitted use shall be a wood products shop.

(g) Agriculture - Exception Seven (A-E7) Zone

Notwithstanding Section 18.1(b) to the contrary, for those lands described as Part of Lot 5, Concession 11, geographic Township of McNab and delineated as Agriculture-Exception Seven (A-E7) on Schedule "A" to this By-law, an agricultural commercial establishment shall be an additional permitted use.

SECTION 19.0 - REQUIREMENTS FOR COMMUNITY FACILITY (CF) ZONE**19.1 PERMITTED USES**

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

(a) Residential Uses

- senior citizens home
- accessory single detached dwelling
- nursing home
- home for the aged

(b) Non-Residential Uses

- assembly hall
- community centre
- clinic
- hospital
- cemetery
- public garage
- public utility
- church
- schools
- recreation, active
- recreation, passive
- public park
- private park
- private club
- forestry
- public building

19.2 ZONE PROVISIONS

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

- | | | |
|-----|----------------------------|--|
| (a) | Lot Area (minimum) | 2025 square metres |
| (b) | Lot Frontage (minimum) | 30 metres |
| (c) | Front Yard Depth (minimum) | 10.5 metres |
| (d) | Side Yard Width (minimum) | 5 metres or 1/2 the height of the building
whichever is greater |

- | | | |
|-----|---|---|
| (e) | Exterior Side Yard | 10.5 metres |
| (f) | Rear Yard Depth (minimum) | 15 metres |
| (g) | Lot Coverage (maximum) | 40% |
| (h) | Building Height (maximum) | 10.5 metres |
| (i) | Open Storage | in accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law |
| (j) | Parking and Loading Space | in accordance with the provisions for Space Requirements Parking and Loading Space Requirements in Section 3 of this By-law |
| (k) | Separation Distances | in accordance with the provisions for Separation Distances in Section 3 of this By-law |
| (l) | Setbacks | in accordance with the provisions for Setbacks in Section 3 of this By-law |
| (m) | Accessory Uses, Buildings and Structures: | |

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

19.3 **EXCEPTION ZONES**

SECTION 20.0 - REQUIREMENTS FOR ENVIRONMENTAL PROTECTION (EP) ZONE**20.1 PERMITTED USES**

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

(a) Residential Uses

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

(b) Non-Residential Uses

- dam or other water control structure
- erosion control structure
- existing farm
- limited farm
- passive recreation
- no new buildings or structures other than for flood or erosion control

20.2 ZONE PROVISIONS

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

- | | | |
|-----|----------------------------|-------------|
| (a) | Front Yard Depth (minimum) | 10.5 metres |
| (b) | Side Yard Width (minimum) | 5 metres |
| (c) | Rear Yard Depth (minimum) | 15 metres |
| (d) | Lot Coverage (maximum) | 1% |
| (e) | Building Height (maximum) | 5 metres |

20.3 EXCEPTION ZONES

SECTION 21.0 - REQUIREMENTS FOR OPEN SPACE (OS) ZONE**21.1 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

21.2 ZONE PROVISIONS

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

- | | | |
|-----|---|----------|
| (a) | Lot Area (minimum) | NIL |
| (b) | Front Yard Depth (minimum) | NIL |
| (c) | Side Yard Width (minimum) | NIL |
| (d) | Rear Yard Depth (minimum) | NIL |
| (e) | Building Height (maximum) | 5 metres |
| (f) | Accessory Uses, Buildings and Structures: Notwithstanding any Zone Provision of this Zone to the contrary, uses, buildings and structures that are accessory to the permitted uses of this Zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law. | |

21.3 EXCEPTION ZONES**(Gillies Grove Rd)**

- (a) 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.

(2001-33)**(b) 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.

(2006-13)**(c) Open Space-Exception Three (OS-E3)**

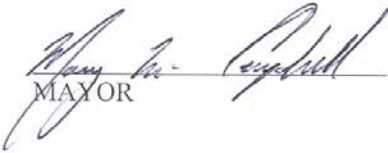
Notwithstanding Section 21.1(a) and (b) to the contrary, for those lands described as part of Lot 17, Concession 13 (B) (Lots 4 & 5, 49M-47), in the geographic Township of McNab and delineated as Open Space-Exception Three (OS-E3) on Schedule "A" (Map 8) to this By-law, the only permitted use shall be 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.

SECTION 22.0 - ENACTMENT

This By-law shall become effective on the date of passing by Council.

This By-law read a FIRST and SECOND time this 2ND day of NOVEMBER, 2010.

This By-law read a THIRD time and finally passed this 2ND day of NOVEMBER, 2010.


MAYOR




CLERK

NOTES ON METRIC MEASURES

SPECIFIC LINEAR CONVERSIONS

0.3 m	=	0.98 ft.	15.0 m	=	49.21 ft.
0.5 m	=	1.64 ft.	18.0 m	=	59.06 ft.
0.6 m	=	1.97 ft.	20.0 m	=	65.62 ft.
0.7 m	=	2.30 ft.	22.0 m	=	72.18 ft.
0.9 m	=	2.95 ft.	23.0 m	=	75.46 ft.
1.0 m	=	3.28 ft.	30.0 m	=	98.43 ft.
1.5 m	=	4.92 ft.	35.0 m	=	114.83 ft.
2.0 m	=	6.56 ft.	38.0 m	=	124.67 ft.
2.5 m	=	8.20 ft.	40.0 m	=	131.23 ft.
2.7 m	=	8.86 ft.	45.0 m	=	147.64 ft.
3.0 m	=	9.84 ft.	46.0 m	=	150.92 ft.
4.0 m	=	13.12 ft.	50.0 m	=	164.04 ft.
5.0 m	=	16.40 ft.	53.0 m	=	173.88 ft.
5.5 m	=	18.04 ft.	60.0 m	=	196.85 ft.
6.0 m	=	19.69 ft.	65.0 m	=	213.25 ft.
7.5 m	=	24.61 ft.	75.0 m	=	246.06 ft.
9.0 m	=	29.53 ft.	90.0 m	=	295.28 ft.
10.0 m	=	32.81 ft.	100.0 m	=	328.08 ft.
10.5 m	=	34.45 ft.	120.0 m	=	393.70 ft.
12.0 m	=	39.37 ft.	150.0 m	=	492.13 ft.
			180.0 m	=	590.55 ft.
			200.0 m	=	656.17 ft.
			750.0 m	=	2460.63 ft.

SPECIFIC AREA CONVERSIONS

1 m ²	=	10.76 sq. ft.
9 m ²	=	96.88 sq. ft.
51 m ²	=	548.98 sq. ft.
65 m ²	=	699.68 sq. ft.
75 m ²	=	807.32 sq. ft.
93 m ²	=	1001.08 sq. ft.
185 m ²	=	1991.39 sq. ft.
300 m ²	=	3229.28 sq. ft.
600 m ²	=	6458.56 sq. ft.
700 m ²	=	7534.98 sq. ft.
900 m ²	=	9687.84 sq. ft.
1400 m ²	=	15069.97 sq. ft.
1450 m ²	=	15608.18 sq. ft.
1500 m ²	=	16146.39 sq. ft.
1532 m ²	=	16490.85 sq. ft.
2000 m ²	=	21528.53 sq. ft.
2024 m ²	=	21786.87 sq. ft.

2025 m ²	=	21797.63 sq. ft.
2300 m ²	=	24757.80 sq. ft.
2750 m ²	=	29601.72 sq. ft.
2800 m ²	=	30139.94 sq. ft.
3035 m ²	=	32669.54 sq. ft.
3065 m ²	=	32992.47 sq. ft.
3250 m ²	=	34983.85 sq. ft.
4000 m ²	=	43057.05 sq. ft.
4047 m ²	=	43562.97 sq. ft.

1 ha	=	2.47 ac.
1.2 ha	=	2.97 ac.
1.5 ha	=	3.71 ac.
2.0 ha	=	4.94 ac.
10.0 ha	=	24.71 ac.
20.0 ha	=	49.42 ac.
24 ha	=	59.30 ac.
40 ha	=	98.84 ac.
80 ha	=	197.68 ac.