

**The Corporation Of The
Municipality Of Arran–Elderslie
By–Law Number 36–09**

A by–law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to restrict certain uses of land and the erection and use of certain buildings and structures in the Municipality of Arran–Elderslie.

Passed by Municipal Council June 29, 2009
Ontario Municipal Board Decision July 5, 2010
The Corporation of the Municipality of Arran–Elderslie
P. O. Box 70, 1925 Bruce Road 10
Chesley ON N0G 1L0
Tel: 519–363–3039

Housekeeping

1. By–law 59–10, December 24, 2010
2. By–laws 38–11, 39–11, October 11, 2011
3. By–law 23–2013, April 22, 2013

Office Consolidations

August 11, 2010	Jan 26, 2012	April 2014
November 29, 2010	Oct 31, 2012	January 2015
March 2, 2011	Jan 23, 2013	July 2015
March 30, 2011	May 23, 2013	January 2016
July 15, 2011	July 15, 2013	December 2016
July 26, 2011	December 2013	January 2018
		January 2019

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**The Corporation Of The
Municipality Of Arran–Elderslie
By–Law 36–09**

A by-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to restrict certain uses of land and the erection and use of certain buildings and structures in the Municipality of Arran–Elderslie.

WHEREAS the Council of the Corporation of the Municipality of Arran–Elderslie considers it advisable to restrict the use of land and the erection of buildings and structures on land situated within the Municipality of Arran–Elderslie.

AND WHEREAS The Council of the Corporation of the Municipality of Arran–Elderslie further considers it advisable to restrict and regulate the use of land situated within the defined areas, as hereinafter designated, for the purpose of regulating and prohibiting development of particular lands that would create an adverse effect on the Corporation, or would jeopardize future orderly development and expansion, to produce areas of compatible characteristics, and to provide protection for the residents against undesirable uses.

AND WHEREAS authority is granted under Section 34 of The Planning Act, 1990, to the Council of the Municipality of Arran–Elderslie to exercise such powers.

NOW THEREFORE the Council of the Corporation of the Municipality of Arran–Elderslie enacts as follows:

Section 1 – Administration

1.1 TITLE

This By-law may be cited as the Comprehensive Zoning By-law of the Municipality of Arran–Elderslie.

1.2 ADMINISTRATION OF BY-LAW

This By-law shall be administered by the ‘Zoning Administrator’.

1.3 AREA TO WHICH BY-LAW APPLIES

The provisions of this By-law shall apply throughout the Municipality of Arran–Elderslie to the extent of all lands contained within the limits of the zone boundaries as shown on the Zoning Maps forming Schedule ‘A’ to this By-law.

1.4 APPLICATION OF BY-LAW

No building or structure shall hereafter be erected or altered, and the use of any building, structure or lot shall hereafter not be changed in whole or in part except in conformity with the provisions of this By-law.

1.5 INTERPRETATION (TEXT)

- .1 The particular shall control the general;
- .2 The word 'shall' is mandatory and not discretionary; and the word 'may' is permissive;
- .3 Words used in the present tense shall include the future; and words used in the singular number shall include the plural and the plural shall include the singular, unless the context clearly indicates the contrary;
- .4 A 'Building' or 'Structure' includes any part thereof.

1.6 PERMITS REQUIRED

This By-law does not relieve any person or corporation from the necessity of obtaining any permits that may be required under other legislation or regulation from the Municipality, the County of Bruce, the Province of Ontario or the Government of Canada.

1.7 ENTRY AND INSPECTION

Upon reasonable grounds, an officer duly appointed by the Corporation may enter and inspect any property on, or in respect of which, he or she believes a contravention of this By-law is occurring subject to the requirements and prescriptions of Section 49 and 49.1 of the Planning Act, R.S.O. 1990 chapter P.13, as amended.

1.8 VIOLATIONS AND PENALTIES

Every person who contravenes or who causes or permits any contravention of any of the provisions of this By-law is guilty of an offence and on conviction is liable to the penalties prescribed by Section 67 of the Planning Act, R.S.O. 1990 chapter P.13, as amended.

Explanatory Note:

The following is an excerpt from Section 67 of *The Planning Act, R.S.O. 1990*:

67. (1) Penalty – Every person who contravenes Section 41, Section 46, subsection 49 (4) or Section 52 or who contravenes a By-law passed under Section 34 or 38 or an order made under section 47 and, if the person is a corporation, every director or

officer of the corporation who knowingly concurs in the contravention, is guilty of an offence and on conviction is liable,

a) on a first conviction to a fine of not more than \$25,000; and

b) on a subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted. 1994, c. 2, s. 48.

(2) Corporation– Where a corporation is convicted under subsection (1), the maximum penalty that may be imposed is,

a) on a first conviction a fine of not more than \$50,000; and

b) on a subsequent conviction a fine of not more than \$25,000 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted, and not as provided in subsection (1).

(3) Order of prohibition – Where a conviction is entered under subsection (1), in addition to any other remedy or any penalty provided by law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted. R.S.O. 1990, c. P.13, s. 67 (2, 3).

1.9 VALIDITY/SEVERABILITY PROVISION

Should any section, subsection, sentence, clause, phrase or provision of this By-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the By-law shall not be affected.

1.10 LICENSES, PERMITS AND OTHER BY-LAWS

Nothing in this By-law shall exempt any person from complying with the requirements of the Building By-law and the Ontario Building Code or any other By-law, Regulation, or Act in force with the Corporation, County, Provincial or Federal government or from obtaining any licence, permission, permit, authority or approval required by this or any other By-law of the Corporation, County, Provincial or Federal government unless hereinafter specifically stated.

1.11 GREATER RESTRICTIONS OF OTHERS TO GOVERN

Nothing in this By-law shall reduce the severity of restrictions lawfully imposed by a government authority having jurisdiction to make such restrictions.

1.12 PLAN OF SUBDIVISION

Notwithstanding any of the provisions of this By-law, no building permits are to be issued for any lands for which a plan of subdivision has been submitted to the County of Bruce, pursuant to Section 51 of the Planning Act, 1990, R.S.O. Chapter P.13 until such time as the plan of subdivision has been registered.

1.13 EXAMPLES, ILLUSTRATIONS AND EXPLANATORY NOTES

Examples, Illustrations, Notes, Scoping Notes and Explanatory Notes are for the purpose of clarification and convenience and do not form part of this By-law.

1.14 METRIC AND IMPERIAL MEASUREMENT

All measurement figures used in the By-law shall be metric measurement. The approximate imperial equivalents to the metric measurements used in this By-law are shown in brackets following each such metric measurement and are provided as an 'Explanatory Note'.

Section 2 – Definitions

Definitions

‘ABATTOIR’ means a building, structure or place specifically designed or intended to accommodate the temporary penning/or slaughtering of live animals and the preliminary processing of animal carcasses and may include the packing, treating, storing and sale of the product on the premises.

‘ACCESSORY’ means a use, building or structure subordinate, incidental and exclusively devoted to the principal use, building or structure located on the same lot therewith and not designed or intended for human habitation unless specifically permitted elsewhere in this By-law.

‘ADVENTURE GAME’ means lands, buildings or structures used for sport or recreation whereby the participants engage in mock battles to capture a flag, paintball games or similar activities.

‘AGRICULTURAL PRODUCE WAREHOUSE’ means a building or part of a building used for the storage of agricultural produce and may include facilities for wholesale distribution or an accessory retail commercial outlet for the sale of such agricultural produce to the general public.

‘AGRICULTURALLY RELATED COMMERCIAL/INDUSTRIAL USE’ for the purposes of Minimum Distance Separation guideline calculations means a use directly related to agriculture and necessarily in close proximity to farm operations such as animal husbandry services, produce or grain storage facilities or farm machinery sales and service outlets.

‘AGRICULTURAL GENERAL’ means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures.

‘AGRITAINMENT’ means the use of land, buildings or structures for the purpose of a ‘u-pick’ fruit and/or vegetable operation, food preparation and service that is associated with the primary agricultural use on the land only, livestock shows/demonstrations, plowing matches, maze(s), sleigh/wagon rides, and other entertainment all of a temporary or seasonal nature, but shall not include any other use herein defined.

‘ALTER’ when used in reference to a building or part thereof, means to change any one or more of the internal or external dimensions of such building or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word ‘alter’ means to change the width, depth, or area of any required yards setback, landscaped open space or parking area, to change the location of any boundary of such lot with respect to a street, private

street, lane, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise. The word 'altered' and 'alteration' shall have a corresponding meaning.

'APARTMENT BUILDING' means a dwelling that contains five or more residential dwelling units that have a common entrance from street level and are served by a common corridor or hallway from inside.

'ARTISAN STUDIO' means a building, structure or place used as the workplace of a photographer, craftsman or artist and may include the display and sale of their products along with accessory items.

'ASSEMBLY HALL' means a building, structure or place in which facilities are provided for such purposes as meetings for civic, educational, political or social purposes and may include functions involving the consumption of food and drink.

'ATTACHED' when used in reference to a building, means a building otherwise complete in itself that depends for structural support or complete enclosure upon a division wall or division walls shared in common with adjacent building or buildings.

'AUTOMOBILE CAR WASH' means a lot, building or structure used solely for the washing and cleaning of motor vehicles and shall not include any other automobile use defined in this By-law.

'AUTOMOBILE GAS BAR' means a lot containing facilities for the storage and sale of fuel, and may include a structure of not greater than 18.5 square metres used for the sale of fuel but shall not include any other automobile use defined in this By-law.

'AUTOMOBILE REPAIR ESTABLISHMENT' means a lot, building or structure used for the servicing, repair, cleaning, polishing, oiling and greasing of 'motor vehicles' and may include motor vehicle body repair, painting, the sale of automotive accessories and related products and the leasing or renting of 'motor vehicles', but shall not include any other automobile use defined in this By-law.

'AUTOMOBILE SALES ESTABLISHMENT' means a lot, building or structure used for the display and sale of new or used 'motor vehicles' and may include the servicing, repair, cleaning, polishing, oiling and greasing of motor vehicles, and may include motor vehicle body repair, painting, the sale of automotive accessories and related products and the leasing or renting of 'motor vehicles', but shall not include any other automobile use defined in this By-law.

'AUTOMOBILE SERVICE STATION' means a lot, building or structure used for the servicing, repair, cleaning, polishing, oiling and greasing of 'motor vehicles' and may include motor vehicle body repair, painting, the sale of automotive accessories and related products and the

leasing or renting of 'motor vehicles', and a 'Automobile Gas Bar' but shall not include any other automobile use defined in this By-law.

'AUTOMOBILE WRECKING YARD' means a lot, building or structure used for the wrecking or dismantling of 'motor vehicles' and 'commercial motor vehicles' and for the storage and sale of scrap material, salvage and parts obtained therefrom but does not include any other automobile use defined in this By-law or a 'Salvage Yard'.

'BASEMENT' means that portion of a building or structure partially below ground level and having at least 50% of its height above average finished grade.

'BED & BREAKFAST ESTABLISHMENT' means a Home Occupation operated as per [Section 3.10](#).

'BOAT HOUSE' means a building or structure or part thereof used for the storage of private boats and equipment accessory to their use, as an accessory use to a residential use, no part of which shall be used as a dwelling or commercial purposes.

'BOAT LAUNCHING & DOCKING' means a structure that is used to take a boat into or out of a navigable waterway, or to moor a boat. The definition includes a launching ramp, boat lift, or dock but does not include any building or fuel pumps or any boat servicing, repair or sales facility.

'BUILDING' means any structure other than a fence being a permanent edifice fixed to, or supported by the soil, and used or intended to be used for the shelter, accommodation or enclosure of persons, animals or chattels.

'BUILDING BY-LAW' means any 'Building By-law' within the meaning of the Ontario Planning Act and the Ontario Building Code Act.

'BUILDING SETBACK' means the minimum horizontal distance between a lot line and the nearest part of any building or structure on the lot.

'BULK FUEL DEPOT' means a lot, building or structure for the storage and distribution of fuels, gases, oils, and wood and may include as an accessory use a commercial card/key lock facility but shall not include any other use defined in this By-law.

'BULK SALES ESTABLISHMENT – AGRICULTURAL' means a lot, building or structures used for the purposes of buying, selling, storing, grading and handling of seed, feed, fertilizer and other agricultural products in bulk quantities and may include a cleaning and drying facility, scales, and an administration building.

'BUS DEPOT' means a lot, building or structure where commercial motor vehicles pick up and discharge fare paying passengers, and may include as an accessory use a ticket office, a restaurant, luggage checking and/or parcel shipping facilities, and offices accessory to the

main use, but does not include the display or sale of any automobile or commercial motor vehicle.

'BUSINESS OR PROFESSIONAL OFFICE' means a lot, building or structure in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, or labour organization and includes a bank or trust company, post office, and a government office but shall not include a 'Retail Store' or any other use herein defined.

'CAMPGROUND, FOUR SEASON' means a lot used year-round for the parking and use of recreational travel trailers, park model trailers or other similar transportable accommodations, but not including a mobile home. All sites will be used for seasonal or intermittent accommodations and will not be used as a principal residence or permanent place of residence. A Four Season Campground may include a swimming pool, convenience store, laundromat, miniature golf course, playground, athletic play fields, tennis or badminton courts, and an administrative building for the campground. Off-season storage of travel trailers, tent trailers, or similar transportable accommodation shall be permitted.

'CAMPSITE' means a parcel of land within a campground intended for occupancy by motor homes, travel trailers, tents or similar transportable accommodation together with all yards and open space defined in this By-law, but shall not include a mobile home or park model trailer.

'CARPORT' means a covered structure attached to the wall of the principal building and used for the storage of 'motor vehicles'.

'CATASTROPHE' for the purposes of Minimum Distance Separation guideline calculations means an unanticipated, disastrous loss of part, or all, of a *livestock facility* due to fire, collapse, flood, wind, or other such event.

'CELLAR' means the portion of a building or structure partially below ground level and having 51% or more of its height below average grade level.

'CEMETERY' means a cemetery, crematorium or columbarium within the meaning of The Cemetery Act of Ontario.

'CENTRE LINE' means the centre line of any 'street', railway, roadway, 'lane', railway right-of-way or 'private street'.

'CHIEF BUILDING OFFICIAL' means the officer or employee appointed by By-law of the Corporation of the Municipality of Arran-Elderslie charged with the duty of enforcing the provisions of the Building By-law of the Corporation, Building Code Act and its applicable regulations.

'CHILD CARE' means the temporary care for or supervision of a child including providing for a child's safety, well-being or development, in the absence of the child's parent and for a continuous period that does not exceed 24 hours, in accordance with the Child Care and Early Years Act, 2014 including any amendments, or its successor, and provided at one of the following:

- i. "CHILD CARE CENTRE" means a premises operated by a person who is licensed by the province to operate a child care centre at the premises.
- ii. "HOME CHILD CARE" means a premises operated at a dwelling by one or more child care provider(s) that are regulated by a home child care agency.
- iii. "UNLICENSED CHILD CARE" means child care provided at a premises that is not a "child care centre", or "home child care", or a private school within the meaning of the Education Act. (By-law 32-2016 Day Care Act update, Z-19-16.39)

'CLINIC' means a lot, building, or structure that is used by physicians, dentists or physical or mental health practitioners and their staff for the purpose of consultation, diagnosis and treatment of out-patients and may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies, and dispensaries directly associated with the facility.

'COMMERCIAL MOTOR VEHICLE' means a vehicle having a gross weight or registered gross weight of more than 4500 kilograms, or a bus capable of carrying more than 10 passengers but shall not include an ambulance, a fire truck/apparatus, a hearse, a motor home, travel trailers or a vehicle commonly known as a tow truck.

'COMMERCIAL MOTOR VEHICLE REPAIR ESTABLISHMENT' means a lot, building or structure used for the servicing, repair, cleaning, washing, polishing and greasing of 'commercial motor vehicles' and 'truck-trailers' and may include body repair, welding and painting but shall not include any other automobile use defined in this By-law.

'COMMERCIAL MOTOR VEHICLE SALES ESTABLISHMENT' means a lot, building or structure used for the display and sale of new or used 'commercial motor vehicles' and 'truck-trailers' and may include the servicing, repair, cleaning, washing, polishing and greasing of commercial motor vehicles and truck-trailers, the sale of commercial motor vehicle and truck-trailer accessories and related products and the leasing of commercial motor vehicles and truck-trailers, but shall not include any other automobile use defined in this By-law.

'COMMERCIAL USE' means the use of land, building or structure for the purpose of buying and/or selling commodities and supplying services, such as automotive service stations, car washes, convenience retail shops, Hotel/Motel, shopping centers and supermarkets.

'COMMERCIAL COLLEGE' means a lot, building or structure used for a private career college

operating under the Private Career Colleges Act S.O. 2005.

'COMPOSTING FACILITY' means an industrial use whose primary purpose is the composting of food, and/or organic materials, and/or sewage sludge but shall not include the composting of animal or livestock remains.

'CONSERVATION AREA' means an area of land owned by a public authority and managed for the purposes of preserving and improving the natural features of the environment and without limiting the foregoing may include such uses as a picnic area, historic site, athletic fields, camping, interpretive centre, maintenance buildings and other such similar uses.

'CONTRACTOR'S YARD' means a lot, building or structure used by a construction company or contractor as a depot for the storage and maintenance of equipment used by the company or contractor but does not include the wholesale or retail sale of construction materials or supplies, home improvement supplies or a 'Trades Person's Shop'.

'CONSTRUCTION TRAILER' means a building or structure that is designed to be made mobile and drawn by a separate vehicle, and is used for the purpose of storage or administration on a site while building construction is taking place.

'CONVENIENCE STORE' means a building or structure not exceeding 140 square metres (1500 sq. ft.) of gross floor area in which articles for sale are restricted to a limited range of primarily food items such as milk, bread, soft drinks, ice cream, canned and bottled goods, snacks and candy, frozen meat and to complement such items may include the sale of magazines, toiletries, tobacco products. A convenience store may also include a catalogue outlet, pharmacy, post office outlet or similar ancillary uses.

'CORPORATION' means The Corporation of the Municipality of Arran-Elderslie.

'CO-SUBSTRATE INPUT TANK (CSIT)' for the purposes of Minimum Distance Separation guideline calculations means a storage for containing permitted non-agricultural wastes that will be blended with manure in an on-farm *anaerobic digester* in order to increase biogas production.

'COUNCIL' means the Municipal Council of the Corporation.

'COUNTY' means the Corporation of the County of Bruce.

'CROSS COUNTRY SKI FACILITY' means the use of land, buildings or structures for the purpose of providing facilities for the sport of cross country skiing and which may include a 'restaurant', maintenance buildings, and administration building(s) if located on the same property and are considered accessory uses.

'DAY NURSERY' see "CHILD CARE" (removed By-law 32-2016 Day Care Act update, Z-19-16.39)

'DIGESTATE' for the purposes of Minimum Distance Separation guideline calculations means the end product from the anaerobic digestion of manure (and permitted *co-substrate input tank* materials) that has a significant reduction in pathogens and odour.

'DRIVEWAY' means a vehicular passageway having at least one end thereof connected to a Class 1 or Class 2 Street and providing ingress to and/or egress from a lot.

'DWELLING' means one or more rooms used or intended for the domestic use of one or more individuals living as a single housekeeping unit that is provided with cooking, living, sleeping and sanitary facilities. A dwelling shall not include any mobile home, park model trailer, construction trailer, travel trailer, hotels/motels, or hospital.

- (a) 'DWELLING, ACCESSORY APARTMENT' means a dwelling subordinate and incidental to the principal building or structure located on the same lot therewith, and which is constructed as part of the permitted Non-Residential Use principal building or structure.
- (b) 'DWELLING, ACCESSORY DETACHED' means a dwelling detached from and subordinate and incidental to the principal use, building or structure located on the same lot therewith.
- (c) 'DWELLING, ACCESSORY DETACHED AGRICULTURE' means a 'Dwelling Single Detached, or 'Dwelling, Duplex', or 'Dwelling, Semi-Detached' subordinate to and incidental to the principal agricultural use on the same lot therewith.
- (d) 'DWELLING, COTTAGE' means a residential dwelling not located on a Class 1 Street notwithstanding that it may be designed and/or constructed for year round or permanent human habitation.
- (e) 'DWELLING, DUPLEX' means a residential dwelling on a lot that is divided into two separate dwellings each of which has an independent entrance either directly from the outside or through a common vestibule.
- (f) 'DWELLING, MULTIPLE' means a residential dwelling that is divided into three but not more than five dwelling units wherein each unit is accessed by way of a common entrance and an internal staircase or hallway from inside.
- (g) 'DWELLING, NON-FARM' means a residential dwelling not located on the same lot as an agricultural use.
- (h) 'DWELLING, SEMI-DETACHED' means two attached residential dwellings divided vertically by a common wall, each of which has an independent entrance directly from the outside, and where each dwelling is located on a separate lot.

- (i) 'DWELLING, SINGLE DETACHED' means a residential dwelling constructed and used as a principle residence of the owner or occupant thereof and is intended for permanent occupancy and is designed and/or constructed for year round or permanent human habitation.
- (j) 'DWELLING, TOWNHOUSE' means a residential dwelling divided vertically into three or more residential dwelling units, each dwelling unit having an independent front and rear entrance immediately abutting the front and rear walls of each dwelling unit:
 - (1) 'DWELLING, TOWNHOUSE STREET' means a Townhouse Dwelling where each dwelling unit has frontage onto a Class 1 or Class 2 roadway.
 - (2) 'DWELLING, TOWNHOUSE CLUSTER' means a Townhouse Dwelling where each dwelling unit does not have frontage onto a Class 1 or Class 2 roadway.

'EDUCATIONAL FACILITY' means a school operating under the Education Act RSO 1990.

'EMPTY LIVESTOCK FACILITY' for the purposes of Minimum Distance Separation guideline calculations means a *livestock facility* that does not currently contain any manure, house any *livestock*, or contain organic material used for *anaerobic digesters*.

'ERECT' when used in this By-law includes building, construction, reconstruction and relocation and, without limiting the generality of the word, also includes:

- (a) any preliminary physical operation, such as excavating, filling or draining;
- (b) altering any existing building or structure by an addition, enlargement, extension or other structural change; or
- (c) any work for the doing of which a building permit is required under The Ontario Building Code.

'ERECTED' AND 'ERECTION' shall have a corresponding meaning.

'EXISTING' unless otherwise indicated, means legally existing on the date of passing of this By-law.

'EXISTING LIVESTOCK FACILITY' for the purposes of Minimum Distance Separation guideline calculations means a *livestock facility*, or a portion of a *livestock facility*, intended for keeping or housing of *livestock* and containing one or more barns or structures and includes *manure or material storage*, whether associated with a *livestock facility* or not, and *anaerobic digesters*, which have already been constructed.

'EXPANDED LIVESTOCK FACILITY' for the purposes of Minimum Distance Separation guideline calculations means any building activity to construct or expand a *livestock facility* that requires

a building permit and results in an increase, or decrease, in *Nutrient Unit* capacity on a *lot*, where there already was some existing *Nutrient Unit* capacity.

'EXISTING, LOT' unless otherwise indicated, means existing on the date of passing of this By-law.

'FACTORY SALES OUTLET' means an accessory use to an 'Industrial Use' in which the goods, wares, or merchandise manufactured on the premises are offered for sale.

'FARM IMPLEMENT ESTABLISHMENT' means the use of land buildings or structures for the sale of, storage or repair of new or used agricultural equipment and machinery directly associated with the operation of a farm and may include as an accessory use the display, sale, storage, servicing, and repair of snowmobiles, ATV's, small engines, and lawn care equipment and related products but does not include any other use(s) defined herein.

'FARM IMPLEMENT REPAIR' means the use of land, buildings or structures for the sale of, storage or repair of new or used agricultural equipment and machinery directly associated with the operation of a farm but does not include any other use(s) defined herein.

'FARMERS MARKET' means a lot, building or structure where food and farm related products are sold at retail from either open air areas designated for individual retailers or within designated buildings or structures and may include the sale of arts and crafts as an ancillary use.

'FIRST LIVESTOCK FACILITY' for the purposes of Minimum Distance Separation guideline calculations means any building activity to construct a *livestock facility* that requires a building permit and results in an increase in *Nutrient Unit* capacity on a *lot*, where there was no existing *Nutrient Unit* capacity.

'FITNESS CENTRE' means a building in which facilities are provided for recreational athletic activities including but not limited to body-building and exercise classes, and may include associated facilities such as a sauna swimming pool and solarium.

'FOOD PROCESSING, PRIMARY' means the use of lands, buildings or structures for a 'Industrial Use, Dry' where orchard, berry, row or field crops are washed, cleaned, screened, sifted graded, waxed, or crushed but excludes any further processing.

'FOOD PROCESSING, SECONDARY' means the use of lands, buildings or structures for a 'Industrial Use, Dry' where agricultural produce including orchard, berry, row, field crops, meat and poultry products, are washed, cleaned, dusted, waxed, cooked, steamed, fermented or otherwise prepared and packaged and may include the storage and sale of the finished product on the premises but shall not include an abattoir or any other use defined herein.

'FORESTRY/SILVICULTURE' means the management and care of trees and the harvesting of them or parts thereof for commercial purposes, and without limiting the generality of the foregoing includes the use of a saw mill provided the timber being milled originates on the same parcel of land the saw mill is operating.

'FUNERAL HOME' means a commercial use for the purpose of furnishing funeral supplies and services to the public and includes facilities for the preparation of dead human bodies for interment or cremation.

'GARDEN CENTRE' means the use of land, buildings or structures where trees, shrubs, plants are grown or stored for the purpose of transplanting or for the purpose of retail sale or wholesale, and may include the sale of soil, planting materials, fertilizers or similar materials, lawn and garden equipment or lawn furnishings.

'GARDEN SUITE' means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable. No more than one garden suite shall be permitted on any lot. (By-law 23-2013, AE HSKP 3, Z-3-2013.49 22 April 2013)

'GOLF COURSE' means a public or private area operated for the purpose of playing golf and may include a 'Miniature Golf Course', 'Restaurant', 'Golf Driving Range', maintenance buildings and administration buildings.

'GOLF COURSE, MINIATURE' or 'MINIATURE GOLF COURSE' means an area of land or a building, structure or premises or part thereof operated for profit or gain as a commercial place of amusement in which facilities are provided to simulate the game of golf or any aspect of the game on a small scale, but does not include a golf driving range or golf course.

'GOLF DRIVING RANGE' means an open air facility where the sport of golf is practised from individual tees and which may include accessory structures to house the tees, a kiosk for golf balls and golf club rentals and a structure from which the golfers tee-off.

'GRADE'

- (a) When used with reference to a building or structure, means the average finished ground elevation immediately adjoining the wall or walls in question or the base of the structure exclusive of any artificial embankment.
- (b) When used with reference to a 'street', means the finished elevation of such 'street', road or highway as established by the Corporation or other authority having jurisdiction.

'GROSS FLOOR AREA' means in the case of a dwelling, the aggregate of all habitable rooms measured from the inside face of the exterior walls, but excluding areas such as a parking garage/structure, carport, porch and/or verandah, breezeway, unenclosed sun room, attic or cellar. In the case of a building other than a dwelling shall mean the aggregate of the area of all

floors measured from the inside face of the exterior walls but shall not include mezzanine areas, mechanical rooms, common walls, stair wells, garbage and electrical rooms, parking structures and similar uses ancillary to the main use.

'GROUND FLOOR AREA' means the area of a building measured from the inside face of the exterior walls at grade excluding in the case of a dwelling, areas such as a parking garage/structure, carport, porch and/or verandah, sun room (unless such sun room is habitable at all seasons of the year), and any other non-habitable areas.

'GROUP HOME – TYPE ONE' means a building or structure in which not more than five (5) residents with special care needs such as: seniors, individuals who are developmentally and/or physically challenged or mentally ill, individuals requiring respite or convalescent care; live under responsible supervision consistent with the requirements of its residents. Residents do not include supervisory staff or a receiving family.

'GROUP HOME – TYPE TWO' means a building or structure in which not more than five (5) residents who have been placed on probation under the statutes of Ontario or Canada, who have been released on parole under the statutes of Ontario or Canada, individuals recovering from substance abuse, or who are admitted to the Group Home for correctional purposes reside. Residents do not include supervisory staff. A Group Home – Type Two is licensed and/or funded under Federal or Provincial Statute and in compliance with applicable Municipal By-laws.

'HEIGHT' when used with reference to a building or structure means the vertical distance between the average grade at the front of such building or structure to the highest point therein exclusive of any ornamental dome, chimney, tower, cupola, steeple, Place of Worship spire, water storage tank, electrical apparatus, television or radio antenna, or structure for the mechanical equipment required for the operation of such building or structure. Without limiting the generality of the foregoing, the highest point shall be taken as:

- (a) In the case of a flat roof, the highest point of the roof surface or 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.
- (d) Where the height is designated in terms of storeys, it means the designated number of storeys above and including the first storey.

"HIGH WATER MARK" means the mark made by the action of water under natural conditions on the shore or bank of a body 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.¹

'HOME INDUSTRY' means an occupation or business conducted for gain or profit as a secondary use to the main permitted use within a dwelling and/or accessory building and operated as per [Section 3.11](#).

'HOME OCCUPATION' means an occupation or business conducted for gain or profit as a secondary use to the main permitted use within a dwelling and operated as per [Section\(s\) 3.9](#) or [3.10](#).

'HOTEL/MOTEL' means a building or structure used primarily for the purposes of catering to the needs of the traveling public by furnishing temporary or transient sleeping accommodation and having 6 or more guest rooms. A Hotel/Motel may include permanent staff quarters, meeting rooms, recreational facilities, 'Restaurant', and housekeeping units, but does not include any other establishments otherwise defined or classified in this By-law.

'INDUSTRY, LIGHT' means the use of land, buildings or structures for the purpose of an 'Industrial Use' which is wholly enclosed within a building or structure, except for parking and loading facilities and outside storage accessory to the permitted uses, and which in its operation does not result in emission from the building of odours, smoke, dust, gas, fumes, noise, cinder, vibrations, heat, glare or electrical interference.

'INDUSTRIAL MALL' means a building or structure held in single ownership, or by participants in a condominium Corporation or cooperative, and divided into units for separate occupancy by different permitted industrial uses for which common loading, parking and waste collection facilities and other common services may be provided and where no individual occupant is identifiable as a dominant occupant of the building. (By-law 67-2017, Source Water Update Z-65-17.49)

'INDUSTRIAL USE' means the use of any land, building or structure for the purpose of manufacturing, producing, grading, cleaning, washing, compounding, processing, packaging, crating, bottling, packing, making, preparing, inspecting, ornamenting, finishing, treating, altering, or assembling of raw or semi-processed or fully processed goods or materials as distinguished from the buying and selling of commodities and the supplying of personal services or any other use herein defined.

'INDUSTRIAL USE, DRY' or 'DRY INDUSTRIAL USE' means an 'Industrial Use' which does not utilize process waters and which does not produce waste waters from the industrial process or utilizes a closed loop/recycled water system which does not produce waste waters from the industrial process and includes such uses as welding shops, blacksmith shops, wood fabricating, warehousing or similar uses.

'INSTITUTIONAL USE' means the use of land, buildings, structures or portions thereof, for public

or social purposes and, without limiting the generality of the foregoing, may include governmental, religious, educational, charitable, philanthropic, hospitals, nursing homes, public or private schools and child care, or other similar uses.

'KENNEL' means a place where dogs are bred and raised and are sold or kept for sale or boarded.

'LANDSCAPED OPEN SPACE' means the area of a lot which is at grade and used for the growth and maintenance of grass, flowers, trees, shrubbery, natural vegetation and indigenous species and other landscaping but does not include any surfaced walk, surface patio or similar area, driveway, curb, or parking area.

'LANE' means a 'street' or 'private street' that affords only a secondary means of access to the lots abutting thereon.

'LIVESTOCK' means dairy, beef, swine, poultry, horses, goats, sheep, ratites, fur-bearing animals, deer & elk, game animals, birds, and other animals identified in Table 1 of the Minimum Distance Separation formulae.

'LIVESTOCK ASSEMBLY YARD' means a lot, building, structure or confined land area for temporarily holding livestock for shipping.

'LIVESTOCK AUCTION BARN' means a lot, building, structure or confined land area used as a livestock auction facility and may include the auction of agriculturally related chattels on an incidental or accessory basis only.

'LIVESTOCK FACILITY' means one or more barns or permanent structures with *livestock-occupied portions*, intended for keeping or housing of *livestock*. A *Livestock Facility* also includes all *manure or material storage* and *anaerobic digesters*.

'LIVESTOCK HOUSING CAPACITY' means the maximum *Livestock* capacity for all facilities on a *lot* at any time, even if currently empty but able to house *Livestock*.

'LIVESTOCK OCCUPIED PORTION' for the purposes of Minimum Distance Separation guideline calculations means those parts of *Livestock Facilities* where *Livestock* spend the majority of their time, allowing substantial amounts of manure to accumulate, but does not include feed preparation rooms, milking centres, offices, washrooms, riding arenas, *Livestock* loading chutes, or *Livestock assembly areas*.

'LOADING SPACE' means an off-street space on the same lot as the building, or contiguous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials.

'LOT' means a parcel of land that can be conveyed without further approval.

'LOT AREA' means the total horizontal area within the lot lines of a lot, excluding the horizontal area of such lot permanently covered by water. In the case of corner lots having a 'street' line rounding of a radius 6.0 metres (20 ft.) or less, the lot area of such lot shall be calculated as if the lot lines were produced to their point of intersection.

'LOT, CORNER' or 'CORNER LOT' means a Lot situated at the intersection of and abutting two or more streets, or parts of the same street, including any reserve area where the inside angle of intersection or projected angle at intersection of the tangents of the street lines is less than 135 degrees except for a Lot located at the commencement of a cul-de-sac where the angle exceeds 135 degrees.

'LOT COVERAGE' means that percentage of the lot area covered by buildings or structures, including accessory buildings or structures above finished grade level and permanent above or below ground swimming pools but shall not include sewage disposal systems.

'LOT FRONTAGE' means the horizontal distance between the side lot lines, measured along the front lot line, but where the front lot line is not a straight line or where the side lot lines are not parallel, the lot frontage is to be measured by a line set at the 'front yard setback' requirement of the applicable zone back from and parallel to the chord of the lot frontage and for the purpose of this definition the chord of the lot frontage is a straight line joining the two point where the side lot lines intersect the front lot line.

'LOT, INTERIOR' or 'INTERIOR LOT' means a lot other than a corner lot and having frontage on one 'street' only.

'LOT LINE' means any boundary of a lot.

'LOT LINE, EXTERIOR' or 'EXTERIOR LOT LINE' means any lot line other than a front lot line or rear lot line abutting a 'street', or 'lane'.

'LOT LINE, FRONT' or 'FRONT LOT LINE' in the case of an interior lot, means the line dividing the lot from a 'street', or 'lane'. In the case of a corner lot, the shorter lot line abutting a 'street' shall be deemed the front lot line and the longer lot line abutting a 'street' shall be deemed an exterior lot line. In the case of a 'through lot', each lot line dividing the lot from a 'street', 'private street', or 'lane' shall be deemed to be a 'front lot line'.

'LOT LINE, REAR' or 'REAR LOT LINE' means the lot line farthest from and opposite to the front lot line or where the lot is triangular, the point of intersection of the side lot lines.

'LOT LINE, SIDE' or 'SIDE LOT LINE' means any lot line other than a front lot line or rear lot line.

'LOT, THROUGH' or 'THROUGH LOT' means a lot bounded on opposite sides by a 'street', 'private street', or 'lane' but does not include a corner lot.

'MAIN BUILDING' means the building designed or used for the principal use on the lot.

'MARINE, RECREATION AND SMALL ENGINE ESTABLISHMENTS' means a building, structure and/or lot used for the display, sale, storage, servicing, repair, cleaning, polishing and lubricating of boats, motorcycles, snowmobiles, ATV's, lawn care equipment, marine engines and related products, or the leasing or renting of any of the above.

'MANURE OR MATERIAL STORAGE' means a permanent storage(s), which may or may not be associated with a *livestock facility* containing liquid manure (<18% dry matter), solid manure (\geq 18% dry matter), or *digestate*. Permanent storages may come in a variety of:

- locations (under, within, nearby, or remote from barn);
- materials (concrete, earthen, steel, wood);
- coverings (open top, roof, tarp₁ or other materials);
- configurations and shapes; and
- elevations (above, below or partially above grade).

'METEOROLOGICAL TOWER' means a free standing tower, pole, mast or removable mast, that supports instruments for measuring meteorological properties such as wind velocity, wind direction, vertical wind speed, solar radiation, temperature, etc.

"MINERAL AGGREGATE OPERATION" means lands under license or permit, other than for wayside pits and quarries, issued in accordance with the Aggregate Resources Act, or successors thereto.

'MINIMUM DISTANCE SEPARATION FORMULA' means a formula developed by the Province of Ontario to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

'MOBILE HOME' means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer or trailer otherwise designed. A mobile home shall be distinguished from other forms of prefabricated transportable housing by reason of a design which is in accordance with Regulation Z-240.2.1-1979 of the Canadian Standards Association, as amended from time to time. (By-law 23-2013, AE HSKP 3, Z-3-2013.49 22 April 2013)

'MOBILE HOME SITE' means land within a mobile home park intended for occupancy by one mobile home together with all yards and open space required by this By-law.

'MOBILE HOME PARK' means land containing two or more mobile home sites and which is under single management and ownership and which is designed and intended for residential or seasonal use where such residential occupancy is in mobile homes exclusively. A mobile home park may include an administrative and sales office for the mobile home park and a recreation

building for the exclusive use of residents of the mobile home park.

‘MOBILE HOME PARK OPEN SPACE’ means a space within a mobile home park designed and intended as a place of recreation for the common use by the residents of such mobile home park, and which may or may not be open to the general public on an equal basis.

‘MOBILE HOME PARK ROAD’ means a space within a mobile home park designed and intended as a means of vehicular access to abutting mobile home site(s); such mobile home park road may or may not be open to the general public on an equal basis.

‘MOTOR HOME’ means a self-propelled motor vehicle used exclusively for travel, recreation and vacation and which is capable of being used for the temporary sleeping, eating and accommodation of persons.

‘MOTOR VEHICLE’ means a vehicle for which a permit has been issued under vehicle permit legislation that is: an automobile, a motor home, a motorcycle, a bus or truck having a gross weight or registered gross weight of less than 4500 kilograms, a bus capable of carrying less than 10 passengers, or a trailer other than a ‘truck-trailer’.

‘MULTIPLE RESIDENTIAL’ for the purposes of Minimum Distance Separation guideline calculations means three or more *residential* units in the same structure.

‘MUNICIPAL DRAIN’ means a drainage work as defined by The Drainage Act, R.S.O 1990, as amended from time to time.

‘MUNICIPAL DRAIN, OPEN’ means a ‘municipal drain’ that is not enclosed in a pipe, culvert or similar means of conveyance but shall not include a covered drainage work.

‘NON-CONFORMING’ means a building or structure, which is used for purposes not permitted by this By-law.

‘NON-COMPLYING’ means a permitted use, building or structure, which does not comply with a provision or provisions of this By-law.

‘NON-FARM LOT’ means a lot that is less than 4.0 hectares (9.9 ac.) in size.

‘NON-RESIDENTIAL’ means designed, intended or used for a purpose other than a dwelling or a mobile home.

‘NUISANCE’ means any condition existing that is or may become injurious or dangerous to health or that prevents or hinders or may prevent or hinder in any manner the suppression of disease.

‘NUTRIENT UNIT (NU)’ means an amount of nutrients that give a fertilizer replacement value of the lower of 43 kilograms of nitrogen, or 55 kilograms of phosphate as nutrient (as defined in

Ontario Regulation 267/03 made under the *Nutrient Management Act*, 2002).

'OPEN STORAGE' means the keeping or storage of goods, merchandise or equipment, in the open air and in unenclosed portions of buildings, which are open to the air on the sides. Open Storage does not include motor vehicles, commercial motor vehicles, travel trailers, boats, recreational vehicles, tractors and other similar on or off road vehicles provided all are in working order and are displayed for retail/wholesale purposes.

'OUTDOOR DISPLAY' means a portion of a lot used for the display or exhibition in an orderly manner, completely assembled or finished products sold by the principle use located on the same lot.

'PARK MODEL TRAILER' means a recreational unit, constructed to a seasonal occupancy standard.

'PARKING AREA' means that part of a lot required to satisfy the Off Street Parking Regulations of this By-law but shall not include any other parking use defined herein.

'PARKING LOT' means an area provided for the parking of motor vehicles and/or commercial motor vehicles and includes aisles, parking spaces and related ingress and egress lanes but shall not include any part of a 'street' 'private street', or 'lane'.

'PARKING SPACE' means a space enclosed in a principal or accessory building or unenclosed, that is available for the parking of a 'motor vehicle' and which is accessible from a 'street' 'private street', or 'lane'.

'PARKING SPACE, ANGLE' means a parking space which is accessed from an aisle or driveway and which permits the entry or exit from said parking space without the need to travel over any other parking space.

'PARKING SPACE, PARALLEL' means a parking space that is accessed from an aisle, street or driveway that is beside and runs the same direction as the aisle, street or driveway.

'PERSON' means any human being, association, firm or partnership, incorporated company, corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

'PERSONAL SERVICE SHOP' means a business that is associated with the grooming or health or persons or the maintenance or repair of personal wardrobe articles and accessories and may include a barber shop, beauty parlour, aestheticians, shoe repair, self service laundry, depots for collecting dry cleaning and laundry and similar uses and where the retail sale of goods, wares, merchandise or articles is only accessory to the provisions of such services.

'PLACE OF ENTERTAINMENT' means a lot, building or structure, or part thereof, where facilities are provided for entertainment or cultural activities and may include an auditorium, a motion picture or other theatre, billiard or pool room, bingo hall, bowling alley, amusement arcade, music hall or dance hall but shall not include an adult entertainment establishment or a body rub establishment or massage parlour.

'PLACE OF WORSHIP' means any building dedicated to religious worship and may include as an accessory use a hall, auditorium, Sunday school, convent, monastery, manse, or child care.

'PLANTING AREA' means the space on a lot upon which shrubs, trees, flowers, or grass are grown in accordance with the provisions of this By-law.

'PORTABLE ASPHALT PLANT' means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material and includes stockpiling and storage of bulk materials used in the process, and which is not of permanent construction but which is to be dismantled at the completion of the construction project.

'PORTABLE CONCRETE PLANT' means a building or structure with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

'PRINCIPAL' when used to describe a use, building or structure, means a use, building or structure to which any other is subordinate and constitutes the main use of a lot therewith.

'PRINCIPAL BUILDING or STRUCTURE' means the building or structure in which is conducted the principal use of the lot on which it is situated.

'PRIVATE GARAGE' means a detached accessory building or portion of a dwelling designed and used for the sheltering of private motor vehicles, travel trailers, boats, and the storage of household equipment incidental to the residential occupancy and in which no business, occupation or service is conducted.

'PRIVATE STREET' means a right-of-way over private property that affords access to abutting lots that is not under the jurisdiction of the Corporation, County or Province.

'PUBLIC BUILDING' means any building or structure owned or leased by the Corporation, County, any local board or commission of either the Corporation or the County, any Conservation Authority, any Ministry or Commission of the Province of Ontario or the Government of Canada, and in which office or general administration activities are conducted

and may include a public library.

'PUBLIC GARAGE' means a lot, building or structure used by a county, municipal, provincial government or 'public utility' for the storage and servicing of 'public utility' equipment; vehicles; road construction and maintenance equipment; outdoor storage of utility poles, wire, road construction materials and other assorted materials and may include an administration office and fuel pumps.

'PUBLIC UTILITY' means any water works, sewerage works, gas works, electric heat, light or power works, telegraph and telephone lines, cable television lines, and works for the transmission of gas, oil, water or electrical power or energy, or any similar works supplying the general public with necessary services or conveniences.

'PUBLIC UTILITY BUILDING' means a lot, building or structure used in conjunction with the supply of a 'public utility' including a municipal water supply well, a water or sewage pumping station, a water treatment facility, a water storage reservoir, a gas regulator building, a hydro substation, a telephone building for exchange, long distance or repeater uses.

'RECREATIONAL USE - HIGH INTENSITY' for the purposes of Minimum Distance Separation guideline calculations means a recreational use that usually includes buildings and/or a higher density or concentration of human activity such as golf courses, sports fields, trailer parks, campgrounds and conservation areas with facilities.

'RECREATIONAL USE - LOW INTENSITY' for the purposes of Minimum Distance Separation guideline calculations means a recreational use that usually does not require buildings, does not alter the soil or topography, and/or has a lower density or concentration of human activity such as open space and environmental areas.

'RECREATIONAL FACILITY' means a lot, building or structure or part thereof used for participatory athletic, recreational, physical fitness, leisure or social activity and includes one or more of the following: arena, curling rink, community centre, bowling greens, 'Fitness Centre', gymnasium, swimming pool, wading pool, interpretive centre, maintenance buildings in support of the use or other such similar uses.

'PUBLIC PARK' means a lot, building or structure or part thereof or an area of land which is operated by or for a public agency, and which may include therein one or more playground or play fields, athletic fields, field houses, bleachers, wading pools, bandstands, outdoor ice skating rinks, tennis or badminton courts, bowling greens, fairgrounds, picnic area, historic site, maintenance buildings in support of the use or other such similar uses.

'RECYCLING CENTRE' means a facility that is not a 'salvage yard' and in which recoverable resources such as electronics, newspapers, glassware, plastics, metal cans etc., are collected,

stored, flattened, crushed or bundled to be taken to another site for further processing.

'RECYCLING DEPOT' means a building, structure or lot used for the temporary collection of recyclable materials prior to transshipment but does not include a 'recycling centre'.

'RESEARCH AND DEVELOPMENT CENTRE' means a building or structure used for systematic research, data collection and manipulation, or technical or scientific development of information or new products, and may include a research laboratory; but excludes industrial and manufacturing operations other than those required as part of the research.

'RESIDENCE SURPLUS TO A FARMING OPERATION' means an existing farm residence that is rendered surplus as a result of farm consolidation such as the acquisition of additional farm parcels to be operated as one farm operation.

'RESIDENTIAL CARE FACILITY' means a building or structure wherein lodging, meals, personal care, nursing services, and medical care and treatment may be provided for gain or profit or as a charitable public service and includes a rest home or a convalescent home, but does not include a hotel, motel or hospital as defined herein.

'RESIDENTIAL USE' means the use or intended use of land, buildings or structures for human habitation.

'RESTAURANT' means a building or structure or part thereof used to prepare food and offer for sale for immediate consumption within the building or structure, or adjacent patio and may include a 'Restaurant, Take-Out' and a 'Tavern'.

'RETAIL FLOOR AREA' means the aggregate of the areas of all rooms where goods and services are made available for sale but shall not include storage areas or other commercial uses.

'RETAIL, LARGE FORMAT' means a structure, building or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail provided the building or structure in which the use is contained exceeds a gross floor area of 278.7 square metres (3,000 sq. ft) and does not include any establishment otherwise defined or classified in this By-law.

'RETAIL STORE' means a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail but does not include any establishment otherwise defined or classified in this By-law.

'RIDING STABLE/EQUESTRIAN CENTRE' means the use of buildings or structures for the boarding of horses, exercising of horses, the training of horses and riders, a tack shop, and the staging of equestrian events, but shall not include the racing of horses.

'RURAL RESIDENTIAL CLUSTER': means four (4) or more, adjacent rural lots, one hectare or less in total lot area, sharing a common contiguous boundary. Lots located directly across a road from one another shall be considered as having a common boundary. *Rural* residential clusters are not considered Settlement Areas, unless designated as such in a municipal official plan.

'SALVAGE YARD' means an establishment where goods, wares, merchandise, articles or things are processed for further use, and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open and includes an 'Automobile Wrecking Yard'.

'SAW OR PLANING MILL' means a building, structure or area where timber is cut, sawed or milled, either to finished lumber or as an intermediary step and may include facilities for the kiln drying of lumber, an administrative office and the temporary storage of timber and the finished product.

'SCHOOL BUS' means a vehicle for transporting persons to or from school as defined in the Highway Traffic Act, R.S.O., Chapter 202, as amended.

'SCHOOL BUS STORAGE' includes a lot and/or premises for the storage of school buses.

'SETBACK' means the shortest horizontal distance from a specified line to the nearest part of any building or structure on a lot.

'SETTLEMENT AREAS' for the purposes of Minimum Distance Separation guideline calculations means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a) built up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the long term planning horizon provided for in policy 1.1.2 of the Provincial Policy Statement. In cases where land in designated *growth* areas is not available, the settlement *area* may be no larger than the area where development is concentrated.

'SEPTIC TANK SERVICE' means a lot, building or structure used for the temporary storage of septage, the storage/rental of portable toilets/privy's and the sale of holding tanks and related materials, the parking/servicing of sewage collection vehicles and an administration office. The term septage includes septic tank solids, holding tank and portable toilet wastes from Residential, Commercial, Institutional and Industrial Uses.

SEWAGE means:

- a) "Communal Sewage Disposal System" means a system of underground conduits operated privately which takes sewage to a place of treatment which meets with the approval of the appropriate Approval Authority.
- b) "Privy" means a Class I System as defined by regulations made under the Environmental Protection Act.
- c) "Sanitary Sewer" or "Municipal Sewer" means a system of underground conduits, operated by a municipal corporation or by other approved agency which carries sewage to a place of treatment which meets with the approval of the Ministry of the Environment.
- d) "Sewage Disposal System" means a Class 4 or Class 6 system or any other system deemed acceptable as defined by regulations under the Building Code Act and/or the appropriate Approval Authority.
- e) "Sewage Treatment Works" means a facility that meets the approval of the appropriate Approval Authority used for treatment of domestic, commercial and/or industrial sewage."

'SIGHT VISIBILITY TRIANGLE' means an area free of motor vehicles, commercial motor vehicles, buildings, planting areas or structures and which does not contain a fence, hedge or trees over 0.5 metres (20 inches) in height and which area is to be determined by measuring from the point of intersection of property lines on a corner lot, the distance required by this By-law along such 'street' line and joining such points with a straight line and the triangular-shaped land between the intersecting 'street' lines and the straight line joining the points the required distance along the 'street' lines.

'SITE PLAN' means a scale drawing prepared to illustrate the relation between the lot lines and the uses, buildings or structures existing or proposed on a lot, including but not limited to such details as parking areas, walkways, landscaped areas, lighting, building areas, minimum yards, floor areas, easements, drainage contours, and areas for special uses.

'SNOWMOBILE CLUB' means lands, buildings or structures used exclusively by the members and guests of a club for recreational activities. A snowmobile club is intended for recreational purposes on a seasonal basis and shall not include provisions for overnight accommodations or for the preparation and serving of full course meals.

'SOLID WASTE DISPOSAL SITE' means any land for which a valid 'Certificate of Approval' has been issued, upon, into or through which solid waste is deposited or processed and any machinery or equipment or operation for the treatment or disposal of waste, but does not include the treatment or disposal of liquid commercial/industrial waste or hazardous waste.

'STORAGE CAPACITY' for the purposes of Minimum Distance Separation guideline calculations means the maximum storage volume (measured as cubic feet or cubic metres) of all storages for manure, or digestate treated through an anaerobic digester, on a lot at any time, even if currently empty but able to store these materials.

'STOREY' means that portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it that portion between the top of such floor and the ceiling above it.

'STREET' means a roadway or highway that is under the jurisdiction of the Corporation, County or Province, which is constructed and maintained so as to allow normal vehicular access to adjacent properties.

'STRUCTURE' means anything constructed either permanent or temporary, the use of which requires location on or an attachment to something having location on the ground. Manure storage/handling facilities and associated pits and lagoons are structures for the purposes of this By-law. Retaining walls having a height greater than 1 metre are structures for the purposes of this by-law. Fences, pavement, curbs, walkways or signs are not considered structures for the purposes of this By-law. (By-law 23-2013, AE HSKP 3, Z-3-2013.49 22 April 2013)

'SWIMMING POOL' means a constructed reservoir of water having a depth of greater than 0.76 metres (2.5 ft.) at any point, and used and maintained for the purpose of swimming, wading, diving or bathing.

'TAVERN' means an establishment operating under the Liquor License Act R.S.O. 1990, c. L.19, where alcoholic beverages are sold to be consumed on the premises.

'TEMPORARY FARM ACCOMMODATION' means a separate building or Park Model trailer used for the seasonal accommodation of workers in which lodging with or without meals is supplied to such employees. (By-law 23-2013, AE HSKP 3, Z-3-2013.49 22 April 2013)

'TENT' means a temporary structure used for temporary human shelter that is not permanently fixed to the ground and is capable of being moved.

'TILLABLE HECTARES' for the purposes of Minimum Distance Separation guideline calculations means land, including pasture that can be worked or cultivated to grow crops.

'TRADES PERSON' means an individual employed in the building trades/construction industry and includes but is not limited to bricklayers, stonemasons, carpenters, electricians, lathers, painters, decorators and paper-hangers, plasterers, sheet metal workers, heating, plumbing, air-conditioning, general contractor's, flooring, home decorator, or other similar trade, the like

which provides an installation service.

'TRADES PERSON'S SHOP' means a lot, building, structure or place where a 'Trades Person' conducts business and may include office space and the outdoor storage of heavy equipment and building materials and the retail sale of supplies used in their trade but does not include a 'Contractors Yard', 'Personal Service Shop' or 'Retail Store'.

'TRANSPORT DEPOT' means a lot, building, structure or place where trucks or tractor trailers are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers and may include as an accessory use a commercial card/key lock facility.

'TRAVEL TRAILER' means a structure designed, intended and used exclusively for seasonal travel, recreation and vacation and which is capable of being drawn by a motor vehicle and includes tent trailers or similar transportable accommodation excepting a 'mobile home'.

'TRAVEL TRAILER SALES ESTABLISHMENT' means a lot, building, structure or place used for the display and sale of 'mobile homes', 'park model trailers', 'motor homes', and 'travel trailers' and includes the sale of accessory items and the servicing or repair of units.

'TRUCK-TRAILER' means any type of trailer vehicle that is hauled by a commercial motor vehicle and is used primarily for the transportation of equipment and goods and for which a permit has been issued under vehicle permit legislation including, a single or multi-axle semi-trailer where part of the load is carried on the heavy truck by means of the upper and lower coupler assembly and a full load bearing trailer

'URBAN EXPANSION' for the purposes of Minimum Distance Separation guideline calculations means the outward expansion of cities, towns, villages and hamlets for such uses as residential, commercial, recreational, institutional and industrial.

'USE' as a verb, means anything permitted by the owner or occupant of any land, building or structure, directly or indirectly, or by or through any trustee, tenant, servant or agent acting for or with the knowledge and assent of such owner or occupant, for the purpose of making use of the said land, building or structure. The phrase 'used for' includes 'arranged for', 'designed for' 'maintained for' or 'occupied for`.

'USE' as a noun, means any of the following depending on the context:

- (a) any purpose for which land, buildings or other structures may be arranged, designated, designed, intended, maintained, or occupied, or
- (b) any occupation, business, activity, or operation carried on, or intended to be carried on, in a building or other structure or on land, or

- (c) the name of a tract of land or a building or other structure, which indicates the purpose for which it is arranged, designated, intended, maintained or occupied.

'VETERINARY CLINIC' means a lot, building, structure or place used by a veterinary surgeon for the treatment of diseases and injuries of domestic and other animals. Without limiting the generality of the foregoing, a veterinary clinic may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies, and dispensaries directly associated with the clinic.

'VETERINARY CLINIC - SMALL ANIMAL' means a building, structure or place used by a veterinary surgeon for the treatment of diseases and injuries of domestic pets only. Without limiting the generality of the foregoing, a veterinary clinic may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies, and dispensaries directly associated with the clinic.

'WAREHOUSE' means a building, structure or place used for the storage and distribution of goods, wares, merchandise, substances or articles and may include a transport depot.

'WAREHOUSE, MINI-STORAGE' means a building, structure or place designed for the rental of separate storage areas usually with individualized external access for storage of personal property. Outdoor storage shall be permitted in accordance with the provisions of the applicable zone.

'WASTE DISPOSAL SITE' means land disposal of one or more of the following:

- a) municipal waste, hazardous waste, liquid industrial waste, or processed liquid industrial waste, within the meaning of clauses (a) and (b) of the definition of "land disposal" in section 1 of Regulation 347, R.R.O. 1990 (General - Waste Management) made under the Environmental Protection Act;
- b) liquid industrial waste, industrial waste, or commercial waste within the meaning of clause (c) of the definition of "land disposal" in section 1 of Regulation 347 (General - Waste Management) made under the Environmental Protection Act;
- c) petroleum refining waste within the meaning of clause (d) of the definition of "land disposal" in section 1 of Regulation 347 (General - Waste Management) R.R.O. 1990 made under the Environmental Protection Act; (By-law 67-2017 Source Protection Update/Z-65-17.49

'WATERCOURSE' means a natural or man-made channel that carries water and includes streams, rivers and lakes and for the purpose of this By-law, includes a channel with intermittent flow.

'WATER LOT' means a lot that abuts the shore of Arran Lake, or that lies partially within Arran Lake.

'WATER SYSTEM, MUNICIPAL' means a water treatment and distribution system of underground piping and related storage, including pumping and purification appurtenances operated by a municipal corporation and/or any public utilities commission for public use and which has been approved by the Ministry of the Environment.

'WATER SYSTEM, COMMUNAL' means a private water treatment and distribution system in which water is piped to more than one dwelling, business operation or lot.

'WAYSIDE PIT OR WAYSIDE QUARRY' means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of street/road construction and not located on the street/road right-of-way.

'WELL, WATER' means an underground source of water which has been rendered accessible by the drilling or digging of a hole from ground level to the water table and includes a drilled well, dug well or bored well or variations thereof.

'YARD' means a space appurtenant to a building or structure located on the same lot therewith and which space is open, uncovered and unoccupied from the ground upward except for such accessory buildings, structures, or uses as are specifically permitted elsewhere in this By-law.

'YARD, EXTERIOR SIDE' or 'EXTERIOR SIDE YARD' means a side yard immediately adjoining a 'street'.

'YARD, FRONT' or 'FRONT YARD' means a yard extending across the full width of a lot, measured perpendicularly from the front lot line to the closest wall of any 'Main Buildings' or structures on the said lot. Where a lot does not have a 'front lot line', the front yard shall be measured from edge of the 'street' from which principle access to the lot is gained.

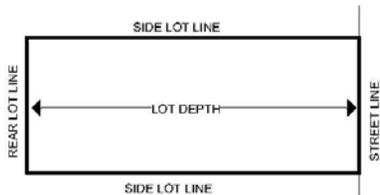
'YARD, REAR' or 'REAR YARD' means a yard extending across the full width of a lot, measured perpendicularly from the rear lot line to the closest wall of any 'Main Buildings' or structure on the said lot.

'YARD, SIDE' or 'SIDE YARD' means the minimum required setback from an area extending from the front yard, or front lot line where no front yard is provided, to the rear yard, or rear lot line where no rear yard is provided, measured perpendicularly from the side lot line to the closest wall of any permitted building or structure on the said lot.

'ZONE' means an area delineated on a Zoning Map Schedule and established and designated by this By-law for a specific use.

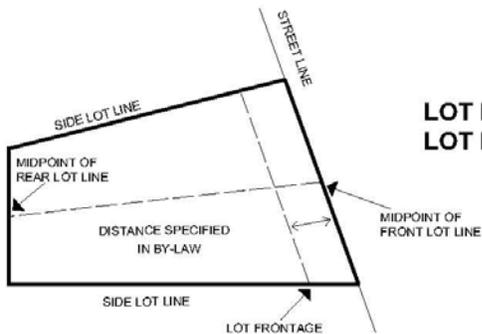
'ZONING ADMINISTRATOR' means the officer or employee of the Corporation for the time being charged with the duty of administering and enforcing the provisions of the Zoning By-law of the Corporation.

ILLUSTRATIONS OF LOT DEFINITIONS

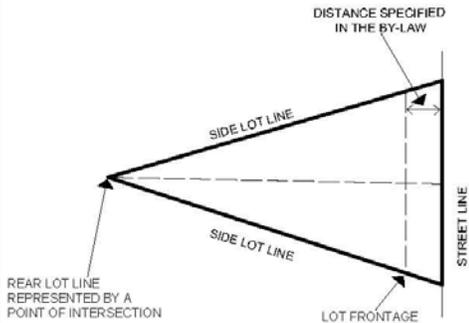


LOT FRONTAGE AND LOT DEPTH PARALLEL FRONT AND REAR LOT LINES

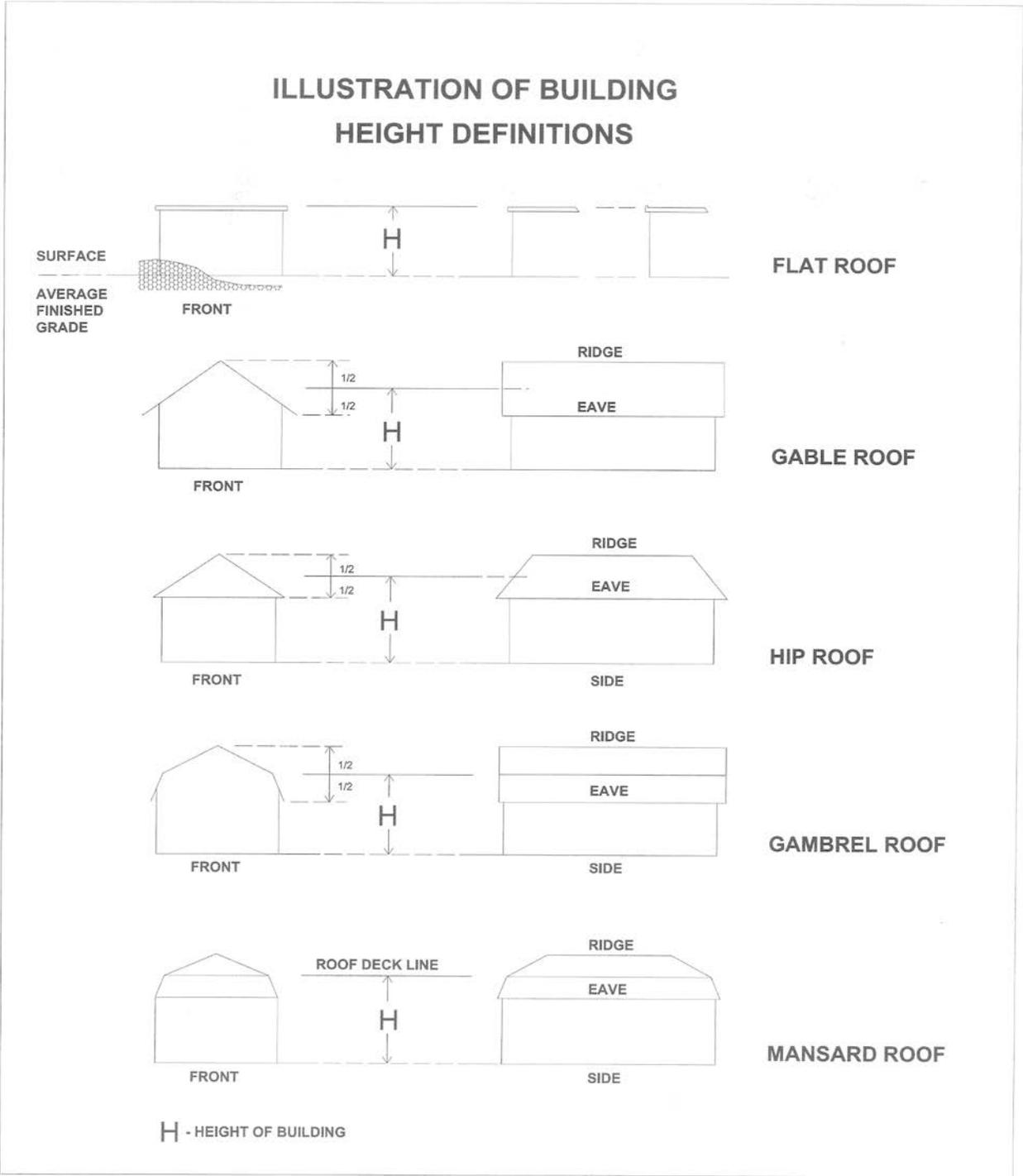
- LOT FRONTAGE IS MEASURED ALONG THE STREET
LINE BETWEEN THE SIDE LOT LINES



LOT FRONTAGE AND LOT DEPTH LOT LINES NOT PARALLEL



REAR LOT LINE SIDE LOT LINES INTERSECT



Section 3 – General Provisions For All Zones

3.1 Permitted Uses

3.1.1 Services and Utilities

- .1 Nothing contained in this By-law shall prevent the Corporation; any agency or department of the Federal, Provincial or County Government; any utility company; any railway company or any local or County Board or Commission from:
 - a) Installing a watermain, sanitary sewer main, sewage or water pumping station, storm sewer main, gas main, electric power transformer/distribution station, transmission tower, communications tower, pipeline, overhead or underground electric line, cable service, or telephone line, road or street subject to there being no outdoor storage of goods, materials or equipment in any yard.
 - b) Erecting any required accessory service buildings for the purpose of supplying a public service subject to compliance with the provisions prescribed for the Zone in which it is to be located and subject to there being no outdoor storage of goods, materials or equipment in any yard.
- .2 A sewage and/or water pumping station or ‘water well’ owned and operated by, or for, the Corporation, may be erected no closer than 3 metres (9.8 ft.) to the lot lines and shall be exempt from all other zone provisions of the zone in which it is located.
- .3 Any electric power facilities and any receiving or transmitting tower and facilities of any radio or television station existing on the date of passing of this By-law are permitted.

Explanatory Note:

Public Utilities and similar uses are subject to the Environmental Assessment Act, and also may be subject to other legislation.

3.1.2 Temporary Buildings & Construction Facilities

- .1 Nothing contained in this By-law shall prevent the erection or location of any sheds, scaffolds, construction trailers or other structures incidental to building construction on a lot for so long as the same is necessary for work in progress which has neither been finished, nor abandoned provided any necessary permits are obtained. All temporary buildings and/or construction facilities shall be noted on the Building Permit at time of issuance.

- .2 In any Zone, such temporary buildings and construction facilities shall be permitted until the 'Main Building' or structure or use is complete or the temporary building and construction facility is abandoned.
- .3 For the purpose of Section 3.1.2 only, an existing dwelling, mobile home, park model trailer, travel trailer or similar transportable accommodation, shall be considered to be a temporary building or construction facility when approved by the Chief Building Official.
 - i. In no instance shall an existing dwelling, mobile home, park model trailer, travel trailer or similar transportable accommodation, be used for a temporary building or construction facility for a period lasting longer than twelve (12) months commencing on the date in which the Building Permit is issued.
 - ii. An existing dwelling, mobile home, park model trailer, travel trailer or similar transportable accommodation, may only be used for a temporary building or construction facility during the construction of the principal or main use on a property.
 - iii. A Building Permit issued for such construction shall note the requirement to remove and/or demolish such temporary buildings, mobile home, park model trailer, travel trailer or similar transportable accommodation as required.

3.1.3 Ornamental Structures

- .1 A statue, monument, fountain, cenotaph or other such memorial or ornamental structure shall be permitted in any zone.
- .2 Statues, monuments, cenotaphs or other such memorial or ornamental structures, greater than 1.0 metre (3.3 feet) in height, shall not be permitted in the front yard setback of a Residential zone.

3.1.4 Services

- .1 A 'Sewage Disposal System' shall be permitted in all zones except in the 'Environmental Protection (EP)' and 'Environmental Protection 1 (EP-1)' zones.
- .2 A 'Sewage Disposal System – Tertiary Sewage Treatment Unit' shall be permitted in all zones.
- .3 A 'Communal Sewage Disposal System' or a 'Sewage Treatment Plant' must be zoned accordingly.
- .4 Where municipal piped water or sanitary sewer systems are available to a lot, development on the lot shall be serviced by such systems in accordance with applicable Municipal requirements.

Explanatory Note: Permits are required for all private or individual sewage disposal systems such as septic systems from the Grey–Bruce Heath Unit.

3.1.5 Multi-purpose Recreational Trails

- .1 Multi-purpose recreational trails (paths) are routes owned, constructed or under reserve to the Corporation, County or other public body, and may be open to the public.
- .2 Multi-purpose recreational trails shall be permitted in all zones. Permitted uses may include hiking, horseback riding, bicycling, cross country skiing, snowmobiling, all terrain vehicles (ATVs) in accordance with all applicable By-laws and Regulations of the Corporation, County or other public body.
- .3 Motorized vehicles, except snowmobiles, shall be prohibited from Provincially Significant Wetlands (EP-1 zone), Areas of Natural and Scientific Interest (ANSI), and other environmentally sensitive lands as determined by a public body on multi-purpose recreational trails (paths) routes owned, constructed or under reserve to the Corporation, County or other public body.

3.2 Uses Permitted In All Zones

Despite any other provisions of this By-law, the use of any land, building or structure in the Municipality by the Municipality, the County, any agency or department of the Federal, Provincial; any utility company; any railway company or any local or County Board or Commission for any purpose other than offices, a public garage, open storage, or similar uses is permitted in any zone.

- i. Public parks are permitted in any zone.
- ii. Places of worship are permitted in any residential, commercial, or mixed use.
- iii. Offices, public garages, open storage or similar uses by the the Municipality, the County, any agency or department of the Federal, Provincial; any utility company; any railway company or any local or County Board or Commission are permitted in any Commercial, Ior Industrial zone, and must conform to the provisions of this By-law.

3.3 Buffer On Lands Adjoining Industrial Or Residential Uses/Zones

Where a Industrial Zone abuts a Residential, Institutional Zone, residential use or institutional use the following regulations shall apply:

- i. No part of any Industrial principle use building shall be located closer than 20 metres (65.6 feet) to a Residential Zone, Institutional Zone, residential use or institutional use; and
- ii. (ii) No part of any residential use or institutional use shall be located closer than 20 metres (65.6 feet) to a Industrial Zone.

3.4 Non-Conforming Uses

.1 Nothing in this By-law shall:

- i. apply to prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building or structure was lawfully established and used for such purpose on the day of the passing of this By-law, so long as it continues to be used for that purpose.
- ii. prevent the erection or use for a purpose prohibited by this By-law of any building or structure for which a permit has been issued under The Building Code Act, prior to the day of the passing of this By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided that the permit has not been revoked under The Building Code Act.
- iii. prevent the strengthening to a safe condition, or the restoration of any non-conforming building or structure or part of any such building or structure which does not conform with the provisions of this By-law, or which has been damaged by causes beyond the control of the owner, provided such alteration, repair or restoration does not increase the height, size or volume or change the use of such building or structure and provided such building or structure was lawfully established.

.2 The use of a lot, building or structure which is not permitted within the zone in which it is located shall not be changed except to a use which is permitted within such Zone, or such other similar uses as may be approved under Section 45 of The Planning Act.

.3 Where a use, building, or structure which was lawfully established prior to the day of the passing of this By-law has been used for a purpose not permitted in the zone in which it is situated, and the said use, building or structure has been abandoned for a period of twelve months (12) months or longer, the said building or structure may only be used again for a use that conforms to this By-law. A non-conforming use shall be considered abandoned:

- i. When the intention of the owner to discontinue the use is apparent; or

- ii. When the characteristic equipment and furnishings of the non-conforming use have been removed from the premises and have not been replaced by similar equipment within one year; or
- iii. When no active effort has been made to market, sell or lease said use, building, or structure.

3.5 Non-Complying Uses

3.5.1 Enlargements, Repairs and Renovations

A non-complying building or structure may be enlarged, repaired or renovated provided that the enlargement, repair or renovation complies with all applicable provisions of this By-law, and provided that the By-law is not further contravened.

3.5.2 Existing Lots

Where an existing lot has a lesser area and/or frontage than required in the applicable zone, such lot may be used and buildings may be erected, enlarged, repaired or renovated on the lot provided that the use, and the buildings and structures, comply with all of the other provisions of the applicable zone and all other requirements of this By-law.

- 3.5.3** Notwithstanding any other regulations of this By-law, where a use, building or structure was legally established on a lot, and such lot was subsequently altered as a result of a project of a public authority (such as a road construction project) or by expropriation of municipal, provincial or federal acquisition thereby causing the use, building or structure to contravene any regulations of the By-law, the said use, building or structure shall be deemed to comply with the By-law and may be enlarged, extended, reconstructed, repaired or renovated provided that any regulations which are currently not met, are not further contravened and that all regulations which are complied with, are not contravened by any works undertaken.

3.6 Accessory Buildings And Structures

Section 3.6 shall apply to all Zones with the exception of the 'A1 - General Agriculture' and 'A2 - Restricted Agriculture' Zones.

3.6.1 Prohibited Structures

For the purposes of Section 3.6 only, mobile homes, travel trailers, construction trailers, transport trailers, railway cars and buses, all of the proceeding with or without wheels or a similar undercarriage, shall not be used as accessory buildings or structures except in

the Extractive Industrial (M2) or Waste Disposal (WD) zones.

3.6.2 Use of Accessory Buildings and Structures

Where this By-law provides that a lot may be used or a building or structure may be erected, altered or used for a permitted use that permitted use shall include an accessory building or structure. Uses accessory to a residential use shall not be used for a commercial or industrial use, or for human habitation unless specifically permitted by the provisions of the zone in which the use is situated.

3.6.3 Location

Unless otherwise provided in this By-law, the yard requirements herein shall apply to both main and accessory buildings. Attached buildings accessory to dwellings shall be considered as part of the 'Main Building' and all yards shall be provided in accordance with the relevant yard regulations.

3.6.3.1 Location – Residential Zones

Despite any other provisions of this By-law, any accessory building or structure, in any Residential Zone, may be erected subject to the following restrictions:

- .1 When located in a rear yard or an interior side yard, such accessory building or structure shall be located no closer than 1 metre (3.3 feet) to the rear lot line and/or side lot line. Further, an accessory building or structure shall be setback 3 metres (9.8 feet) from any part of a dwelling on an adjoining lot. Where a mutual private garage is erected on the lot line between two lots, no interior side yard setback is required.
- 2 When located in an exterior side yard no accessory building or structure shall be located closer than 6 metres (19.7 ft.) to any street line.
- .3 Detached garages or any part thereof, may be located in front of the dwelling provided it complies with the minimum front yard setback requirements and minimum side yard requirements.

3.6.4 Height

The maximum height for all accessory buildings and structures shall be as follows:

- .1 In all Commercial, Industrial, 'OS – Open Space', and 'WD – Waste Disposal' Zones, no greater than 8 metres (26 ft.);
- .2 In all Residential, Institutional, 'EP – Environmental Protection', and 'FD – Future Development' Zones, no greater than 5 metres (16 ft.).

3.6.5 Number & Lot Coverage of Accessory Buildings & Structures

- .1 In no case shall the number of accessory buildings or structures exceed three (3).
- .2 The total lot coverage of all accessory buildings or structures on a lot shall not exceed 10% of the lot.

3.6.6 Establishment of an Accessory Building/Structure or Use

No accessory building, structure or use shall be erected, or used until the principal building, structure or use is erected in compliance with the provisions of this By-law. No accessory building, structure or use is permitted prior to the establishment of the principal use. This shall not apply to those uses covered under [Section 3.1.2](#) 'Temporary Buildings and Construction Facilities'.

3.7 Number Of Main Buildings Per Lot

No person shall erect more than 1 'Main Building' on a lot except: those lots in an Agriculture Zone that are 4.0 hectares (9.9 ac) in size or larger, or in an Industrial Zone, or as otherwise permitted by this By-law.

3.8 Accessory Dwellings

3.8.1 Dwelling, Accessory Apartment

Where permitted by this By-law, no person shall use any part of a building or structure as a 'Dwelling, Accessory Apartment' except in accordance with the following provisions:

- .1 Minimum setbacks and yards shall be provided in accordance with the minimum setback and yard provisions for the building or structure in which the 'Dwelling, Accessory Apartment' is to be located.
- .2 The 'Dwelling, Accessory Apartment' shall have a separate access/entrance distinct from the principal use.
- .3 One parking space per 'Dwelling, Accessory Apartment' shall be provided, reserved and maintained for exclusive use by the 'Dwelling, Accessory Apartment'.
- .4 The 'Dwelling, Accessory Apartment' shall be located above or behind the principle use.
- .5 Accessory residential dwelling units shall not occupy more than fifty percent (50%) of the ground floor area of a building within a commercial zone.

- .6 Each 'Dwelling, Accessory Apartment' shall have a minimum floor area of 50m² (538ft²). (By-law 59-10, HSKP 2, Z-53-2010.38, 8 November, 2010)

3.8.2 Dwelling, Accessory Detached

Where permitted by this By-law, no person shall use, erect, construct or use any part of a building as a 'Dwelling, Accessory Detached' except in accordance with the following provisions:

- .1 Minimum setbacks and yards shall be provided in accordance with the minimum setback and yard provisions for the zone in which the detached dwelling is located.
- .2 Where an accessory detached dwelling unit is permitted in an agricultural zone, the total number of dwelling units on a property shall not exceed two (2). (By-law 23-2013, AE HSKP 3, Z-3-2013.49 22 April 2013)

3.9 Home Occupation – Domestic & Professional Uses

Where listed as a permitted use (refer to the "Uses Permitted" sections of this By-law), Home Occupation – Domestic and Professional Uses may be conducted within a dwelling by accountants; architects; auditors; dentists; optometrists; engineers; insurance agents; land surveyors; lawyers; medical practitioners; chiropractors; notaries; planners; realtors; editors; photographers; computer consultants; hair dressers; dressmaking; instruction in music, dancing, arts and crafts to not more than six pupils or students at any one lesson; tailoring; weaving; painting; sculpting; moulding; or otherwise making or repairing of garden or household ornaments, articles of clothing, and personal effects or toys, and other such similar uses provided that:

- (i) The Home Occupation – Domestic & Professional Uses shall be clearly secondary to the dwelling, or part thereof, and shall not change the residential character of the lot and/or dwelling or part thereof;
- (ii) The said dwelling is occupied as a place of residence by the individual operating the Home Occupation – Domestic & Professional Uses;
- (iii) Home Occupation – Domestic & Professional Uses shall be conducted only by those residing in the dwelling except for the employment of one assistant;
- (iv) All articles sold shall be produced by the individual operating the Home Occupation – Domestic & Professional Uses or their assistant;
- (v) Total gross floor area utilized shall not exceed 30% of the dwelling or a maximum of 28 sq. metres (301 sq. ft.), whichever is lesser;

- (vi) One sign is permitted affixed to and parallel to the main wall of the building, be non-illuminated, and have a maximum area of 0.6 square metres;
- (vii) There is no external storage of goods or materials;
- (viii) One off-street parking space is provided for every Home Occupation – Domestic and Professional Uses;
- (ix) No mechanical equipment is used except that reasonably consistent with the use of a dwelling;
- (x) No noise, vibration, fumes, odour, dust or glare shall be emitted to the environment outside of the building beyond that which is normally associated with a dwelling;
- (xi) Home Occupation – Domestic and Professional Uses shall not include the retail sales of building or construction supplies nor any ‘Automobile’, ‘Motor Vehicle’ or ‘Commercial Motor Vehicle’ related use as defined in this By-law;

3.10 Home Occupation – Bed & Breakfast Establishment

Where listed as a permitted use (refer to the “Uses Permitted” sections of this By-law), a Home Occupation – Bed & Breakfast Establishment may carry out business subject to the following provisions:

- .1 The Home Occupation – Bed & Breakfast shall be clearly secondary to the main use of the lot and/or building, or part thereof, and shall not change the character of the lot and/or building or part thereof;
- .2 The said building, or part thereof shall be occupied as a place of residence by the individual operating the Home Occupation;
- .3 The Home Occupation – Bed & Breakfast shall be conducted only by those residing on the lot except for the employment of one (1) assistant;
- .4 A Home Occupation – Bed & Breakfast shall provide no more than six (6) guest rooms for overnight accommodation;
- .5 No food or drink shall be offered or kept for sale for persons who are not guests of the establishment. A Home Occupation – Bed & Breakfast shall not include a ‘restaurant’;
- .6 A Home Occupation – Bed & Breakfast shall provide one (1) parking space for each guest room.

3.11 Home Industry

A home industry is a limited-scale activity undertaken for financial gain, which occurs in a dwelling or an accessory building and is subordinate to the primary use of the property as a residence or farm. The activity is limited in scale. It is a sideline, and the use is secondary to the primary use of the property (e.g., an agricultural use). This means that the use is not the primary or original use for which the property was intended and by which it is zoned.

Where listed as a permitted use a Home Industry (refer to the “Use Permitted” sections of this By-law) may be conducted within a main building or dwelling, or an accessory building and shall be limited to the sale of farm products produced/grown or raised on the property; ‘Garden Centre’; ‘Food Processing, Primary’; ‘Food Processing, Secondary’; ‘Dry Industrial Use’; ‘Bulk Sales Establishment – Agricultural’; ‘Farm Implement Repair’; the sale and service of equestrian equipment; and a ‘Trades Person’s Shop’ provided that:

- (i) The Home Industry shall be clearly secondary to the main use of the lot and/or building, or part thereof and shall not change the character of the lot and/or building or part thereof;
- (ii) The lot and/or dwelling is the primary place of residence by the individual operating the Home Industry;
- (iii) The Home Industry shall be conducted only by those residing on the lot except for the employment of one assistant;
- (iv) Total gross floor area utilized shall not exceed 30% of the dwelling or a maximum of 28 sq. metres (301 sq. ft.), whichever is the lesser. Where the Home Industry is located within a main building, not more than 100 sq. metres (1076.4 sq. ft.) shall be devoted to such use.
- (v) There shall be no external storage of equipment, vehicles, waste materials, raw materials, finished products/goods, or supplies unless fully enclosed by a ‘Planting Area/Visual Screening’ as per [Section 3.13](#);
- (vi) One off-street parking space shall be provided for every 19 sq.metres (205 sq. ft.) of floor space occupied by the Home Industry in a dwelling or accessory building;
- (vii) Home Industry shall not include the retail sales of building or construction supplies nor any ‘Motor Vehicle’ or ‘Commercial Motor Vehicle’ related use as

defined in this By-law;

3.12 Established Building Line

- .1 Notwithstanding any other section of this By-law to the contrary, in any Residential Zone between two existing Dwellings within 50 meters (164 feet) of each other on the same block, a new Dwelling may be built within a setback equal to the average setback of the adjacent dwellings only on an existing lot of record, but in no circumstance shall the setback be less than 4.5 meters (15 feet) from the front lot line.
- .2 Notwithstanding any other section of this By-law to the contrary, where an existing 'Main Building' or structure encroaches into the required front yard or exterior yard setback as established in this By-law, additions to the existing 'Main Building' or structure may be permitted provided this By-law is not further contravened

3.13 Exceptions To Maximum Height Regulations

The regulations prescribing the maximum height of any building or structure in any zone do not apply to: radio or television receiving or transmitting equipment, telecommunications towers, grain elevators, farm silos, farm barns, Place of Worship spires, belfries, cupolas, chimneys, ventilators, skylights, water tanks, scenery lofts, bulk heads, firewalls, and similar features and necessary mechanical appurtenances accessory to the building on which they are erected provided however, that such features are erected only to such heights as is necessary to accomplish their purposes.

3.14 Permitted Yard Encroachments

Except as otherwise provided, no obstruction or occupation of the space in any yard required by this By-law shall be permitted except the following:

- (i) A fireplace and chimney, sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters, bay windows and other ornamental architectural features may be permitted in the required setback or yard area provided such feature does not project more than 60 centimetres (2 ft.) into the setback or yard area and in no event shall such feature be closer than 1 metre (3 ft.) to any property line.
- (ii) Unenclosed porches, covered or uncovered steps, open steel fire escapes, sundecks, patios and awnings, or balconies are permitted to encroach into a required yard, but not more than 1.5 metres (5 ft.), provided that:
 - a. they are located no closer than 3 metres (9.8 ft.) from a front lot line and/or exterior side lot line; and

- b. they are located no closer than 1 metre (3 ft.) from an interior side lot line or rear lot line.
- (iii) Flag poles, garden trellises, fences, and retaining walls, shall be permitted in a required yard.
- (iv) Clothes line poles shall only be permitted in an interior side or rear yard.

3.15 Planting Area/Visual Screening

- .1 A required Planting Area/Visual Screening shall consist of a dense screen of shrubs and/or evergreen trees, planted or designed in such a manner as to provide a year round visual barrier.
- .2 A Planting Area/Visual Screening shall be in addition to any other requirements.

3.15.1 Required Locations

Except as otherwise provided, a Planting Area/Visual Screening shall be provided as per Section 3.15.2, where required by this By-law, and where the interior side lot line or rear lot line of the lot abuts any lot zoned Residential, Open Space, or Institutional.

3.15.2 Height & Width of Planting Area/Visual Screening

- .1 Except as otherwise provided, a Planting Area/Visual Screening shall have a minimum width of 1.5 metres (5 ft).
- .2 The required Planting Area/Visual Screening shall be a minimum height of 1 metre (3 ft.) when planted and of a type that will attain a minimum height of 2 metres (6.6 ft.) at maturity to the lot line and the remainder of the ground surface shall be planted with any combination of shrubs, flower beds or grass.
- .3 Notwithstanding the above and subject to Site Plan Approval if required, a solid opaque fence, wall or other landscaping feature of equivalent height and density may be considered in place of a Planting Area. When considering such an alternative, regard shall be given to the location, height, materials, finishing and porosity of the wall or fence.
- .4 The Planting Area/Visual Screening shall be located along the boundary of the lot.

3.15.3 Interruption for Driveway or Walkway

Where interrupted by walkways or driveways, a Planting Area/Visual Screening shall not be provided closer than 1.5 metres (5 ft) to a walkway or 3 metres (10 ft.) to a driveway.

3.15.4 Maintaining Sight Visibility Triangle

Where required on a street corner of a corner lot, a Planting Area/Visual Screening shall be located in such a way as not to form an obstruction to traffic and as required by the sight visibility triangles required by this By-law.

3.16 Landscaped Open Space

- .1 Except as otherwise provided, 'Landscaped Open Space' shall be provided as per Section 3.16, where required by this By-law as follows:
 - (i) a minimum of 3 metres (9.8 ft) in width along all Front and Exterior yards; and
 - (ii) a minimum of 2 metres (6.6 ft) in width along all Interior and Rear yards.
- .2 No parking shall be permitted within the 'Landscaped Open Space'.
- .3 Landscaped Open Space shall be in addition to the requirements of [Section 3.15](#) Planting Area/Visual Screening.
- .4 The Landscaped Open Space shall be located along the boundary of the lot.

3.17 Open Storage & Outdoor Display – Industrial/Commercial Zones

3.17.1 Open Storage

- .1 'Open Storage' shall be permitted provided that:
 - (i) the 'Open Storage' is accessory to the principle use on the lot;
 - (ii) no 'Open Storage' shall be permitted in a front yard or exterior side yard;
 - (ii) the 'Open Storage' complies with the minimum yard requirements of the Zone;
 - (iii) the 'Open Storage' is visually screened from the street by a 'Planting Area/Visual Screening' as per [Section 3.15](#).
- .2 In the Industrial or Commercial Zones, where any side or rear lot line abuts a lot also zoned Industrial or Commercial, the minimum setback of any 'Open Storage' may be reduced to no less than 3 metres (10 ft.) from the said side or rear lot line.

3.17.2 Outdoor Display

'Outdoor Display' shall be allowed in the Front Yard and/or Exterior Side Yard provided that:

- (i) the items displayed in the 'Outdoor Display' are accessory to the principle use of the lot; and
- (ii) the 'Outdoor Display' shall not inhibit sight triangles nor occupy space required for a 'Planting Area/Visual Screening' as required by [Section 3.15](#) and/or 'Landscaped Open Space' as required by [Section 3.16](#).

3.17.3 Lot Coverage

'Open Storage' and 'Outdoor Display' shall not cover more than 50% of the lot area.

3.17.4 Surface Treatment

Any permitted 'Open Storage' shall be constructed and maintained with a stable surface of concrete, asphalt, gravel or other hard surface adequately treated to prevent the raising of dust or loose particles and shall include provisions for adequate drainage facilities.

3.17.5 Parking and Loading Spaces to be Preserved

Any areas used for permitted 'Open Storage' or 'Outdoor Display' shall be in addition to and separate from such areas as may be required by this By-law for the provision of off-street parking or loading spaces.

3.17.6 Lighting

Where lighting facilities are provided in conjunction with any permitted 'Open Storage' or 'Outdoor Display', such lighting shall be so arranged as to deflect light onto the open storage area and away from any adjoining properties.

3.18 Reduction Of Requirements

.1 No person shall:

- (i) change the purpose for which any lot, building or structure is used, or
- (ii) erect any new building or structure, or
- (iii) add to or take away from any existing building or structure, or
- (iv) reduce any lot in area by conveyance or alienation of any portion thereof or otherwise,

if the effect of such action is to cause the original, adjoining, remaining or new building, structure or lot to be in contravention of this By-law.

.2 In the event that a contravention of this By-law occurs as a result of any action described in Section 3.18.1, no building or structure in contravention as set out in Section 3.18.1 shall thereafter be used until the requirements of this By-law applicable thereto are complied with.

.3 The provision of Section 3.18.1 and 3.18.2 shall not apply to lands severed pursuant to the provisions of the Expropriations Act or to a street widening acquired by a governmental authority.

3.19 Minimum Distance Separation Guidelines (MDS)

- .1 The location of uses in the vicinity of livestock operations is governed by the MDS formulas developed by the Ministry of Agriculture, Food and Rural Affairs. An explanatory note about the MDS is found in Appendix “A” to this By-law”
- .2 Notwithstanding any other provisions of this By-law to the contrary, where a dwelling is destroyed in whole, or in part, by a catastrophe, MDS I will not be applied when the dwelling is rebuilt, provided it is built no closer to livestock facilities than before the catastrophe.
- .3 Notwithstanding any other provisions of this By-law to the contrary, a first or expanding livestock facility permitted in any Agricultural Zone, will not contravene the MDS II formula developed by the Ontario Ministry of Agriculture, Food and Rural Affairs as calculated using Appendix ‘A’ to this By-law.
- .4 Notwithstanding any other provisions of this By-law to the contrary, where a livestock facility is destroyed in whole, or in part, by a catastrophe, MDS II will not be applied when the livestock facility is rebuilt, provided it is built no closer to surrounding land uses and lot lines than before the catastrophe, and the values of Factor A, B and/or D have not been increased for the livestock facility.
- .5 Notwithstanding any other provision of this By-law to the contrary, for the purposes of calculating MDS II for a first or expanding livestock facility permitted in any Agricultural Zone, those lands zoned ‘INR-1’ shall be treated as a Type A land use.

Explanatory Note: Livestock Facilities & Manure Or Material Storage

All ‘Livestock Facilities’ and ‘Manure or Material Storage’ shall be constructed, altered and enlarged in compliance with all applicable provincial legislation, regulations and municipal By-laws, as amended from time to time. Applicants should note that some provincial legislation, such as the Nutrient Management Act, might supersede municipal By-laws, where they deal with the same subject matter.

3.20 Not Used

3.21 Watercourse Setbacks

Notwithstanding any yard provisions of this By-law, no person shall hereafter erect any building or structure in any zone which is closer than 15 metres (50 ft.) from the top of the bank of an open ‘municipal drain’; **or** closer than 30 metres (98 ft.) to the top of bank of any ‘watercourse’; **or** closer than 30 metres (98 ft.) to the ‘high water mark’ of any inland lake; **or** within an ‘EP – Environmental Protection’ zone boundary, whichever setback is greater.

3.22 Setbacks From Disposal Areas – Waste & Sewage

- .1 No building or structure erected and used for human habitation shall be located closer than: (i) 150 metres (492 ft.) from any area zoned for and containing a ‘sewage treatment plant’ or (ii) 50 metres (164 ft.) from any area zoned for and containing a ‘communal sewage disposal system’; either within or outside of the limits of the Corporation.
- .2 No building or structure erected and used for human habitation shall be located closer than 500 metres (1640 ft.) from the fill area as defined in a ‘Certificate of Approval’ for an open municipal or private ‘solid waste disposal site’ or a ‘composting facility’, either within or outside of the limits of the Corporation.
- .3 Notwithstanding Sections 3.22.1, and 3.22.2, additions, enlargements and alterations to existing buildings and structures within the required setback shall be permitted in accordance with the applicable zoning designation.

3.23 Provincial Or County Street Right-Of-Way Setbacks

- .1 Buildings or structures erected adjacent to a Provincial Highway shall be required to comply with the setback requirements of the Province.

Explanatory Note:

Any development located adjacent to a Provincial Highway will be subject to the setback and frontage requirements, along with the access and building permit controls, of the Ministry of Transportation. Any proposed access to a Provincial Highway will be subject to the prior approval of the Ministry of Transportation. Permits from the Ministry must be obtained prior to any construction and/or grading being undertaken on the site.

- .2 No building or structure shall be erected within a distance of 22.9 metres (75 ft.) from the edge of the right-of-way of any County Road outside of the ‘Hamlet’ boundaries, or outside of the communities of Tara/Invermay, Chesley, or Paisley as shown on Schedule A to this By-law.
- .3 Notwithstanding the provisions of Section 3.23.2, between two permanent dwellings on the same side of the street, separated by not more than 100 metres (328 ft.), the minimum setback shall be the average of the setbacks of the two adjacent buildings plus 2 metres, or 33 metres from the centre line of any County Road, whichever is the lesser.
- .4 Notwithstanding the provisions of Section 3.23.3, within 30 metres of an existing permanent dwelling where Section 3.23.3 would not apply, the minimum setback shall

be: the setback of the existing dwelling or 33 metres $((x \text{ metres} + 33)/2)$, from the centre line of any County Road, whichever is the greater.

3.24 Streets

3.24.1 Streets – Class 1

- .1 Class 1 Streets are shown on Schedule 'A' and are constructed and maintained so as to permit year round access to adjacent properties. For the purpose of this By-law, Municipal, County and Provincial roads are considered to be Class 1 Streets.
- .2 For the purposes of this By-law, a 'lane' or 'private street' shall not be considered to be a Class 1 Street regardless of the level of construction or maintenance.

3.24.2 Streets – Class 2

- .1 Class 2 Streets under the jurisdiction of the Corporation are shown on Schedule 'A' and regardless of the level of construction or maintenance shall for the purposes of this By-law mean that the Corporation is not obligated to provide municipal services such as snow plowing, provision of garbage/recycling collection, or fire protection on a year round basis.
- .2 For the purposes of this By-law, a 'lane' or 'private street' shall be considered to be a Class 2 Street.

3.24.3 Streets – Class 3 and Class 4

- .1 Class 3 Streets under the jurisdiction of the Corporation are shown on Schedule 'A' and are opened but unmaintained.
- .2 Class 4 Streets under the jurisdiction of the Corporation are shown on Schedule 'A' and are unopened and unmaintained.

3.25 Frontage On A Street

- .1 No person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected:
 - (i) fronts, and has ingress and egress upon a Class 1 Street; or
 - (ii) is a lot on a Registered Plan of Subdivision and a "Subdivision Agreement" is in effect with the "Subdivision Agreement" providing for the assumption of the street as a Class 1 Street upon completion of the subdivision; or
 - (iii) is within a registered Plan of Condominium.

- .2 No person shall erect any building or structure, or increase the height, size or volume of existing structures, in any zone fronted by a Class 2 Street.
- .3 On Class 3 and/or Class 4 Streets, no building permits may be issued for any building or structure.

3.26 Sight Triangles

In all zones, on a corner lot, no buildings, structures or Planting Area/Visual Screening shall be erected in such a manner as to materially impede vision of the intersection above a height of 0.5 metres (20 inches) and below a height of 4 metres (13 ft) above the centre line grade of the intersecting street in the triangular area bounded by the street lines of the corner lot and a line from the points along said street lines distant 10 metres (33 ft) from the point of intersection of said street lines.

3.27 Off-Street Parking Regulations

Unless otherwise provided for in this By-law, angle or parallel parking spaces shall be provided and maintained in accordance with the following regulations:

3.27.1 Required Number of Spaces [Minimum]

Permitted Use	Minimum Number of Parking Spaces
i. Dwelling, Non-Farm; Dwelling, Accessory Detached; Dwelling, Single Detached; Dwelling, Duplex; Dwelling, Semi-Detached; Dwelling, Cottage; Dwelling, Townhouse Street; or other Dwelling not otherwise specified herein	2 per Dwelling Unit
ii. Apartment Building; Dwelling, Townhouse, Cluster	1 per dwelling unit plus 0.25 parking spaces per dwelling unit intended and clearly identified for visitor parking.
iii. Group Home Type 1 and 2	2 plus 0.25 spaces per bedroom
iv. Livestock Auction Barn (Housekeeping Z-53-10 By-law 59-10, 8 November 2010	1 for each 5 fixed seats or fraction thereof, or 1 space for each 10 m ² (108 ft. ²) of gross floor area, whichever is greater

Permitted Use	Minimum Number of Parking Spaces
<p>v. Commercial College; Day School; Educational Facility; Child Care Centre, Home Child Care, Unlicensed Child Care (By-law 32-2016, Day Care Act update Z-19-16.39)</p>	<p>Commercial College: 1 per 20 m² (215 ft²) gross floor area</p> <p>Day School: 3 per classroom assembly.</p> <p>Educational Facility – Elementary: the greater of either 1.5 per classroom or 1 per 3 m² of any auditorium any gymnasium floor area</p> <p>Educational Facility – Secondary: the greater of either 3 per classroom or 1 per 3 m² of any auditorium any gymnasium floor area.</p> <p>Child Care Centre: 1 space plus one space per 100m² (1 per 1076 sq.ft.) gross floor area</p> <p>Home Child Care: 1 space per 6 children or less plus requirements for applicable residential dwelling</p>
<p>vi. Public Park</p>	<p>2 per 0.4 hectares (1 ac)</p>
<p>vii. Travel Trailer Sales Establishment; Farm Implement Establishment; Marine, Recreation and Small Engine Establishments; School Bus Storage</p>	<p>4 per 0.4 hectares (1.0 ac) plus 1 per service bay</p>
<p>viii. Agricultural Produce Warehouse; Bulk Fuel Depot; Communal Waste Disposal System; Composting Facility; Livestock Assembly Yard; Pit; Portable Asphalt Plant or Concrete Plant; Mineral Aggregate Operation ; Recycling Centre; Recycling Depot; Riding Stable/Equestrian Centre; Salvage Yard; Septic Tank Service; Sewage Treatment Plant; Solid Waste Disposal Site; Trades Person’s Shop; Transport Depot; Wayside Pit/Quarry</p>	<p>4 per Use</p>
<p>ix. Conservation Area</p>	<p>1 per 1.0 hectares (2.5 ac)</p>

Permitted Use	Minimum Number of Parking Spaces
x. Abattoir; Dry Industrial Use; Industry, Light; Industrial Use; Food Processing Primary; Food Processing, Secondary; Research & Development Centre; Saw or Planing Mill; Technology Industry	1 per each 100 m ² (1,076 ft ²) of gross floor area plus 1 space for each 20 m ² (215 ft ²) or fraction thereof, devoted to office use.
xi. Campground	1 per each campground site plus 1 for every 4 campground sites, or fraction thereof, to be set aside for and visually identified as 'Visitor's Parking'
xii. Bulk Sales Establishment – Agriculture; Feed Mill & Elevator	1 per 20 m ² (215 ft ²) gross floor area for interior space plus 1 per 50 m ² (538 ft ²) gross floor area for outdoor sales, display or warehouse area
xiii. Trades Person's Shop; Contractors Yard	1 per 50 m ² (538 ft ²) of gross floor area plus 1 space for each 20 m ² (215 ft ²) or fraction thereof, devoted to office use.
xiv. Greenhouse, Commercial; Rental Establishments	1 per 20 m ² (215 ft ²) of gross floor area for retail or administration and 1 per 50 m ² (538 ft ²) of gross floor area for outdoor storage, sales and display or greenhouse.
xv. Public Garage	2 per service bay
xvi. Public Utility Building	1 per building or structure
xvii. Golf Course; Miniature Golf Course; Golf Driving Range	2 per hole golf and miniature golf; 1 per tee plus 1 per 10 m ² (108 ft ²) of building gross floor area or fraction thereof
xviii. Hospital; Residential Care Facility	1 per patient room or resident room
xix. Funeral home	1 parking space per 18 m ² of gross floor area with a minimum of 10 spaces

Permitted Use	Minimum Number of Parking Spaces
xx. Business or Professional Office; Clinic; Fitness Centre; Public Building; Veterinary Clinic; Veterinary Clinic – Small Animal	1 per 20 m ² of gross floor area
xxi. Recreational Facility	the greater of 1 per 10 fixed seats or 1 per 10 m ² of gross floor area and 2 per 0.4 hectares (1 ac.) of lot area
xxii. All Automobile Uses; All Commercial Motor Vehicles Uses	1 per 20 m ² of gross floor area plus 1 per service bay, wash bay and/or fuel pump
xxiii. Assembly Hall; Place of Worship; Place of Entertainment	the greater of 1 per 10 fixed seats or 1 per 10m ² of gross floor area
xxiv. Hotel/Motel	1 per guest room plus the greater of either 1 per 4 seats or 1 per 10 m ² of gross floor area per ‘Tavern’ and/or ‘Restaurant’
xxv. Warehouse; Warehouse Mini-Storage	1 per 200 m ² (2153 ft ²) of gross floor area plus 1 space for each 20 m ² (215 ft ²) or fraction thereof, devoted to office use plus 1 per 500 m ² of total lot area used for open storage
xxvi. Artisan Studio; Convenience Store; Factory Outlet; Laundromat; Large Format Retail; Liquor Store/Beer; Personal Service Shop; Retail Store	1 plus 1 additional parking space per 20 m ² of gross floor area
xxvii. Restaurant; Restaurant Take-Out; Tavern	the greater of either 1 per 4 seats or 1 per 10m ² of gross floor area
xxviii. Any ‘Commercial Use’ or ‘Other Use’ not otherwise specified herein	1 per each 30 m ² (323 ft ²) of gross floor area or fraction thereof
xxix. Any ‘Industrial Use’ not otherwise specified herein	1 per each 90 m ² (969 ft. ²) of gross floor area or fraction thereof with a minimum of 5 spaces.

3.27.2 Barrier Free Parking Spaces

Included in the number of parking spaces required in Section 3.27.1 for all uses, save and except for Residential uses, shall be Barrier Free parking spaces in accordance with the following:

<u>Total Parking Spaces Required</u>	<u>No. of Barrier Free Spaces Required</u>
1-25	1
26-50	2
51-75	3
76-100	4
101 +	4 plus 2% of # over 100 spaces

Note: Parking for the use of persons with disabilities shall be provided in accordance with the Accessibility for Ontarians with Disabilities Act, 2005, and associated regulations. Where these differ from the Municipal by-law, the provisions that provide a higher standard of access shall apply. The currently applicable Regulation is Ontario Regulation 191/11 'Integrated Accessibility Standards': <https://www.ontario.ca/laws/regulation/110191#BK137> (January 2019 consolidation)

3.27.3 Calculation of Spaces

- .1 When a building or lot accommodates more than one use or purpose the required parking spaces shall be the sum total of the required parking spaces for the separate uses or purposes. Parking facilities for one use shall not be considered as providing required parking for any other uses.
- .2 If calculation of the required parking spaces results in a fraction, the required parking spaces shall be the next higher whole number.

3.27.4 Size and Accessibility of Parking Spaces

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

- .1 Angle Parking

Angle in Degrees	Parking Space in Length	Manoeuvring Aisle Width	Parking Space in Width
30	4.6 m (15 ft)	3.7 m (12.1 ft)	2.75 m (9.1 ft)

Angle in Degrees	Parking Space in Length	Manoeuvring Aisle Width	Parking Space in Width
45	5.5 (18 ft)	4.0 m (13.1 ft)	2.75 m (9.1 ft)
60	5.8 (19 ft)	5.5 m (18 ft)	2.75 m (9.1 ft)
90	5.5 m (18 ft)	7.3 m (24 ft)	2.75 m (9.1 ft)

.2 Parallel Parking

Parking Space Length	Parking Space Width	Manoeuvring Aisle Width
6.7 m (22 ft)	3 m (9.9 ft)	3 m (9.9 ft)

3.27.5 Barrier Free Parking

Notwithstanding the parking space size requirements listed in Sections 3.27.4(1) and 3.26.4(2), the minimum parking space width for Barrier Free Parking shall be 4 metres (13 ft). Where two or more angled Barrier Free Parking spaces are located together, the minimum parking space width shall be 3.2 metres (10.5 ft). See also

3.27.6 Provisions and Location of Spaces

- .1 Parking spaces shall be provided at the time of erection of any building or structure, or at the time any building or structure is enlarged.
- .2 Parking spaces shall be located on the same lot or within the same building as the use for which said parking is required.
- .3 Despite contrary provisions of Section 3.27 of this By-law, there is no required parking for lands within a C1 zone used for a permitted use.

3.27.7 Application of Parking Requirements

Where a building or structure exists as of the date of passing of this By-law, and has less than the number of parking spaces required by this By-law, no additional parking spaces are required provided that the use that existed on the said date of passing continues. If the use is changed to another permitted use, or if the floor area of the building is increased, the parking standards in this By-law shall apply to any additional floor space only.

3.27.8 Seating Accommodation by Benches or Outdoors

For the purposes of [Section 3.24.1](#), where seating accommodation is provided by benches, 0.5 metres (20 inches) of bench space shall be considered as equivalent to one (1) seat. Where outdoor seating is provided in conjunction with a permitted use, parking spaces shall be provided as per Section 3.24.1. For the purposes of Section 3.24.1, an outdoor seating area shall be considered as part of the 'gross floor area' as the case may be, for the purposes of calculating required spaces.

3.27.9 Entrance [Driveways]

- .1 An entrance serving a non-residential use shall not be located closer than 3 metres (10 ft) to a lot containing a dwelling as a principal use.
- .2 An entrance serving a residential use shall not be located closer than 1 metre (3 ft) to the side property line, save and except for a joint driveway servicing two lots in which case the entrance shall not require any setback.

Explanatory Note:

Entrances and/or Entrance Permits may also be regulated by the Province of Ontario, County of Bruce or the Municipality of Arran-Elderslie for their respective road systems.

3.27.9 Surfacing and Drainage of Parking Areas and Entrances

All entrance and parking areas, except agricultural, shall be constructed of either asphalt, concrete, gravel or other hard surfaces and shall be maintained or treated so as to prevent the raising of dust or loose particles. Drainage shall be provided so as to prevent the flow of surface water on to adjoining lots.

3.27.10 Illumination of Parking Areas or Entrances

When parking areas and/or entrances are illuminated, lighting fixtures shall be so arranged that no part of any fixture shall be more than 9 metres (30 ft.) above the adjoining finished grade and light shall be directed downward and away from adjoining lots.

3.28 Loading Regulations

The owner or occupant of any building or structure located in the Zones identified in Table 1 below, shall provide and maintain at the premises, on the lot occupied by the building or structure and not forming part of a street or lane, within the zone in which such use is located, loading and unloading spaces in accordance with the following regulations:

Table 1 – Loading Space Regulation

Industrial Zones	Minimum Spaces Required
0 to 464.5 m ² (5,000 ft ²)	0 spaces
464.6 m ² to 2,322.5 m ² (5,001 ft ² to 25,000 ft ²)	one (1) space
greater than >2,322.5 (25,000 ft ²)	two (2) spaces
Commercial Zones	Minimum Spaces Required
0 to 185.8 m ² (2,000 ft ²)	0 spaces
185.9 m ² to 929.0 m ² (2,001 ft ² to 10,000 ft ²)	one (1) space
greater than >929.0 (10,000 ft ²)	two (2) spaces

Note: All of the above are in reference to ‘Gross Floor Area’ of the main use.

3.28.1 Access

Access to loading spaces shall be by means of a driveway at least 6 metres (20 ft.) wide contained within the lot on which the spaces are located and leading to a street or lane located within or adjoining the zone in which the use is located. Parking spaces shall not form part of such an access.

3.28.2 Loading Space Dimensions

Each loading space shall be at least 15 metres (49.2 ft) long, at least 3.5 metres (11.5 ft.) wide and shall have a vertical clearance of at least 4.5 metres (14.8 ft).

3.28.3 Location of Loading Space

No loading space shall be located in the required front yard nor shall any required off-street parking space be considered in calculating the required number of off-street loading spaces. On a corner lot loading spaces may be located between the ‘Main Building’ and the flanking street but not within the required exterior side yard.

3.28.4 Surface and Drainage of Spaces and Driveways

Loading spaces and driveways thereto shall be constructed of asphalt, concrete or a stable surface of crushed stone or gravel and shall be maintained or treated so as to prevent the raising of dust or loose particles. Drainage shall be provided so as to prevent the flow of surface water on to adjoining lots.

3.28.5 Application of Loading Space Requirements

When a building or structure has insufficient loading spaces on the date of passing of this By-law to conform to the provisions herein, this By-law shall not apply to require that the deficiency be made up prior to the construction of any addition. In the case of an expansion or enlargement of an existing building or structure, the requirement for the provision of additional loading spaces shall be based on said expansion or enlargement.

3.28.6 Landscaping

Where a loading area/space abuts any street or residential use or zone, then a Planting Area/Visual Screen as per [Section 3.14](#) shall be provided within the lot requiring such loading area and along the lot line adjoining such street, use or zone.

3.29 Provisions For An Existing Mobile Home Not In A Mobile Home Park

Existing mobile homes located on an existing lot of record shall conform to the residential provisions of the zone in which it is located. If no residential provisions exist for the zone in which it is located, the mobile home shall be subject to the 'Non-Farm Lot provisions of [Section 6.3](#).

3.30 Conflicting Regulations Or Provisions

Where there are conflicting provisions in this By-law, the most restrictive shall apply.

3.31 Lighting

Lighting fixtures designed to provide exterior illumination on any lot shall be installed with the light directed or deflected down and away from adjacent lots and streets.

3.32 Drainage Of Lots

In all zones, other than an Agricultural zone, all lands, buildings and structures shall provide adequate drainage so as to prevent the undue flow of surface water onto adjoining lots.

3.33 Setbacks From Private Street

A 'private street' shall be considered to be a 'street' for the purposes of determining setbacks for this By-law.

3.34 Meteorological Towers

A Meteorological Tower is permitted in any Agricultural or Industrial zone. A 'Meteorological Tower' shall be erected on a lot at a distance of at least 1.5 times the height of the tower from electrical installations, streets, roads, buildings, parks or any other structure or residential, institutional or recreational use.

3.35 Wellhead Protection Area (WHPA) Overlay Zone

(By-law 67-2017 Source Water Update / Z-67-17.49)

This section applies to lands within the Wellhead Protection Area Overlay Zone.

Policies of the Source Protection Plan for the Saugeen, Grey Sauble, and Northern Bruce Peninsula Source Protection Region may apply to land uses within the Wellhead Protection Area Overlay Zone which involve any of the following:

- Establishment, operation, or maintenance of a waste disposal site;
- sewage collection, storage, transmission, treatment, or disposal;
- livestock grazing or pasturing, outdoor confinement, or farmyards;
- management, storage, or application of agricultural source material to land;
- handling and/or storage, and application of non-agricultural source material to land;
- handling, storage, and application of pesticides and/or commercial fertilizer to land;
- handling, storage, and application of road salt;
- snow storage;
- handling and storage of fuel;
- handling and/or storage of Dense Non-Aqueous Phase Liquids (DNAPL) and/or Organic Solvents;
- management of runoff that contains chemicals used in the de-icing of aircraft
- water taking that does not return water to the same aquifer or surface water body or reduces the recharge of an aquifer.

Section 4 – Establishment Of Zones

4.1 General

For the purposes of this By-law, the land area of the Corporation is hereby divided into various generalized and specific 'Zones' to which the provisions and regulations herein shall respectively apply.

4.2 Zone Symbols

- .1 The following Zones are hereby established and are designated on Schedule 'A' by symbols consisting of letters and numbers, or letters only, as the case may be:

<u>Section</u>	<u>Zone</u>	<u>Symbol</u>
	Agriculture Zones	
6	General Agriculture	A1
7	Restricted Agriculture	A2
	Residential Zones	
8	Hamlet Residential	HR
9	Cottage Residential	R4
10	Residential: Low Density Single	R1
10	Residential: Low Density Multiple	R2
10	Residential: Medium Density	R3
11	Travel Trailer Park and Campground	TTP
	Commercial Zones	
12	Central Business District Commercial	C1
12	Transition Commercial	C2
12	Highway Commercial	C3
12	Large Format Commercial	C4
13	Hamlet Commercial	HC
12A	Mixed Use Zones	MU
	Industrial Zones	
15	Business Park 1	BP1
15	Business Park 2	BP2
16	Hamlet Industrial	HI
17	Extractive Industrial	M2
18	Agriculture Commercial Industrial	M1
19	Rural Commercial Industrial	M3

	Institutional Zones	
20	Institutional Rural Zone	INR
20	Institutional Zone	IN
	Other Zones	
21	Parks and Recreation and Open Space	OS
22	Waste Disposal	WD
23	Environmental Protection	EP
24	Future Development	PD

- .2 Whenever in this By-law the term 'Zone' is used, preceded or followed by any symbol, as the case requires, such combination shall refer to any area delineated on Schedule 'A' and designated therein by said symbol.

4.3 Exceptions

Where any of the Zone symbols described in Section 4.2.1 are shown on the zoning schedules to this By-law followed by a dash and a number (e.g. A1-1) then special provisions and/or uses to the normal zone provisions apply to such lands. Such special provisions will be found by reference to that section of the By-law that deals with that particular zone. Lands designated in this manner shall be subject to all the restrictions of the zone, except as otherwise provided by the special provisions. Normally, an Exception zone applies to a single lot or defined area.

4.4 Special Holding Provisions

- .1 The symbol 'h' when used in conjunction with a zone designation (e.g. 'M1-h) denotes a holding zone. Such a zone will indicate which uses are permitted, and which uses are permitted only when the "h" symbol has been removed by amendment to the By-law. Such a zone may also list uses permitted prior to the removal of the "h".
- .2 The provisions of any holding (h) zone will also list the conditions that must be met before Council may remove the "h" on one or more of the uses that are subject to the holding condition.
- .3 In all holding (h) zones, unless specifically stated to the contrary in the zone provisions, alterations, additions or enlargements to existing residential building or structures and accessory structures will be permitted provided such buildings and structures were lawfully used for residential purposes on the date of the passing of this By-law and provided such alterations, additions or enlargements conform to the relevant sections of this By-law.

- .4 Notwithstanding their underlying zoning designation, on those lands identified as being subject to the "H1" holding zone provision, lot grading; excavation; and/or construction shall not be permitted unless the Holding (H1) zone provision is removed. The area of the H1 zone that may be lifted shall be limited to the area included in the assessment and may only be removed by Council upon:
- 1) Approval by the Zoning Administrator of an Archaeological Assessment which has been:
 - a) conducted by an archaeologist licensed in the province of Ontario; and
 - b) confirmed by the appropriate Ministry to have been accepted into the Ontario Public Register of Archaeological Reports;
 - 2) Confirmation to the satisfaction of the Zoning Administrator that the recommendations of the archaeological report (if any) have been implemented (By-law 28-2013, Mannerow Z-13-13.38, 27May13).

4.5 Temporary Use By-Law

- .1 The symbol 'T' when used in conjunction with a zone designation (e.g. 'M1-105-T') on Schedule A, indicates that a Temporary Use By-law has been passed in accordance with the Planning Act R.S.O. 1990 Section 39, to permit the use of lands, buildings or structures in accordance with the zone represented by that zone symbol within the area indicated, with the term of the said temporary use set out specifically in the Temporary Use By-law; and upon expiry of such term, the underlying zone indicated on Schedule A shall apply. (By-law 23-2013, AE HSKP 3, Z-3-2013.49 22 April 2013)
- .2 The specific temporary use provisions are denoted by the number immediately preceding the symbol "t/T" (i.e. 'A1-105-T') as shown on Schedule 'A'.

4.6 Incorporation Of Zoning Map

The locations and boundaries of the zones established by this By-law are shown on the maps appended hereto and which is referred to as Schedule 'A' and comprises the sectional parts of the zoning map and such maps together with everything shown therein and all succeeding amendments thereto are hereby incorporated into and are declared to form part of this By-law.

4.7 Zoning Maps

4.7.1 Boundaries of Zones

Where any uncertainty exists as to the boundary of any zone as shown on Schedule 'A', the following provisions shall apply:

- .1 Where a zone boundary is indicated as following and is within the boundary of a street, lane, railway right-of-way or watercourse, the boundary shall be deemed to be the centre line of such street, lane, railway right-of-way or watercourse.
- .2 Where a zone boundary is indicated as approximately following lot lines shown on a registered plan of subdivision or lot lines of the original Crown survey fabric, the boundary shall be deemed to follow such lot lines.
- .3 Where a zone boundary is indicated as approximately parallel to any street line and the distance from the street line is not indicated, such boundary shall be deemed to be parallel to such street line, and the distance there from shall be according to the scale shown on Schedule 'A'.
- .4 Where a zone boundary is indicated as generally following a shoreline, the boundary shall be deemed to follow such shoreline.
- .5 Where any zone boundary is left uncertain after application of the provisions of clauses (1), (2), (3) and (4) above, then the boundary shall be determined by the scale shown on the Zoning Map Schedule measured from the centre of the zone line.
- .6 Wherever it occurs, the municipal limit is the boundary of the zone adjacent to it.
- .7 In any zone, where the zone boundary requires a more precise definition than that permitted by the scale or detail of the zoning map, the Zoning Administrator shall determine the precise location of the zone boundary and, where appropriate, may consult with other agencies or individuals as may be relevant.
- .8 Notwithstanding the provisions of Section 4.7.1.7, the zone boundaries of the 'EP-1' Zone shall not be altered except by a By-law passed under Section 34 of the Planning Act, R.S.O 1990 as amended.

4.7.2 Other Boundary Features – Streets, Watercourses etc.

A street, lane, electrical transmission right-of-way, or watercourses shown on Schedule 'A', unless otherwise indicated, shall be included within the zone of adjoining property on either side thereof and where such street, lane, right-of-way or watercourse serves as a boundary between two or more different zones, the centre line of such street, lane, right-of-way, or watercourse, and extending in the general direction of the long dimension thereof, shall be considered the boundary between zones unless otherwise indicated.

Explanatory Note:

Additional 'Notes' have been included in Schedule 'A' for reference and convenience purposes only. This information is subject to change without an amendment to this By-

law and is limited to the following:

- (i) Municipal Road Classifications;
- (ii) Delineation of Saugeen Valley Conservation Authority Regulated Area (Ontario Regulation 169/06).

Please consult with the Municipality for information regarding Municipal Road Classifications and with Saugeen Valley Conservation Authority or Grey Sauble Conservation Authority for information regarding the Regulated Area.

4.7.3 More Than One Zone on a Lot

.1 Where a lot has two or more of its parts classified in different zones, then the provisions for each zone shall apply to each part as if said part was a separate lot excepting the following:

- (i) Where a portion of a lot is zoned 'EP' such portion may be used to satisfy the side yard, rear yard or front yard setback requirements of the principle portion.
- (ii) Where a portion of a lot is partially within the 'EP' zone, that portion of the lot within the 'EP' zone may be used if required in calculating the Minimum Lot Area provided that the 'EP' lands comprise no more than 90% of the required Minimum Lot Area.

Explanatory Note:

If a lot is within two zones, the boundary between the two zones should not be considered to be a lot line for setback purposes.

4.7.4 Zoning Maps – Wellhead Protection Area (WHPA) Overlay Zone)

Where a lot is located within a zone and is also located within the WHPA Overlay Zone, the uses permitted on that lot shall be the uses permitted in the underlying zone subject to the requirements of [Section 3.35](#)–Wellhead Protection Area Overlay Zone and the Source Protection Plan for the Saugeen, Grey Sauble, and Northern Bruce Peninsula Source Protection to which it refers. (By-law 67-2017 Source Water Update / Z-67-17.49)

Section 5 – General Provisions For All Agricultural Zones – A

5.1 No Dwelling Permitted – Severed Agricultural Parcels

Where a non-farm residential lot has been severed from a farm parcel as a surplus dwelling, no residential dwelling is permitted on the said farm parcel.

5.2 Not Used

5.3 Not Used

5.4 Requirements For Kennels

- .1 New kennel buildings and structures and/or additions to existing kennel buildings and/or structures must be located at a distance of not less than 100 metres (328 ft.) from an existing residential, institutional or recreational use situated on adjacent lots.
- .2 New kennel buildings and structures and/or additions to existing kennel buildings and/or structures shall be considered an accessory use or building.

5.5 Accessory Buildings And Structures – Non-Farm Lot

Section 5.5 shall apply only to an accessory building or structure to be located on a 'Non-Farm Lot' as herein defined.

5.5.1 Prohibited Structures

For the purposes of Section 5.5 only, mobile homes, travel trailers, construction trailers, transport trailers, railway cars and buses, all of the proceeding with or without wheels or a similar undercarriage shall not be used as accessory buildings or structures on a 'Non-Farm Lot'.

5.5.2 Use of Accessory Buildings and Structures

No accessory building or structure, shall: (1) be used for any occupation for gain or profit except as may be permitted in this By-law; or (2) be used for human habitation.

5.5.3 Location

Despite any other provisions of this By-law, any accessory building or structure, in any 'Non-Farm Lot' in an Agricultural Zone, may be erected in any yard subject to the following restrictions:

- (i) When located in a rear yard, such accessory building or structure shall be located no closer than 1 metre (3.3 feet) to the rear lot line. Further, any part of such

accessory building or structure shall be setback 3 metres (9.8 feet) from any part of a dwelling on an adjoining lot.

- (ii) When located in an interior side yard, an accessory building or structure may be positioned no closer than 1 metre (3.3 ft) to an interior side lot line. Where a mutual private garage is erected on the lot line between two lots, no interior side yard setback is required.
- (iii) Where erected in an exterior side yard no accessory building or structure shall be located closer than 6 metres (19.7 ft) to any street line.
- (iv) Detached garages or any part thereof, may be located in front of the principle structure provided it complies with the minimum front yard setback requirements and minimum side yard requirements.
- (v) Detached accessory buildings, designed and used only for the storage of boats and boating accessories, and located on lots, which adjoin a body of water, shall not require a rear yard setback but shall comply with all other provisions of the By-law.

5.5.4 Height

The maximum height for all accessory buildings and structures shall be 5 metres (16ft).

5.5.5 Number & Lot Coverage of Accessory Buildings & Structures

- .1 In no case shall the number of accessory buildings or structures exceed three (3).
- .2 The total lot coverage of all accessory buildings or structures on a lot shall not exceed 5% of the lot.
- .3 Accessory buildings or structures under 1.5 square metres (16 ft²) shall not be considered to be an accessory building or structure.

5.5.6 Establishment of an Accessory Building/Structure or Use

Notwithstanding any of the provisions of this By-law, no accessory building, structure or use shall be erected, or used until the principal building, structure or use is erected to in accordance with the Building Code and in compliance with the provisions of this By-law. This shall not apply to those uses covered under [Section 3.1.2](#) 'Temporary Buildings and Construction Facilities'.

Section 6 – General Agriculture (A1)

6.1 Scoping Note

The provisions of the Agricultural (A1) Zone shall generally apply to lands designated 'Agriculture' or 'Rural' on Schedule 'A' Land Use in the County of Bruce Official Plan.

6.2 Uses Permitted

No person shall within a 'General Agriculture (A1)' zone use any lot or erect, alter or use any building or structure for any purpose except the following:

- (i) Non-Farm Lot
- Agriculture, General
 - Dwelling, Single detached
 - Group Home – Type One
 - Home Child Care (By-law 32-2016, Day Care Act update, Z-19-16.39)
 - Unlicensed Child Care in a permitted dwelling unit (By-law 32-2016, Day Care Act update, Z-19-16.39)
 - Home Occupation – Domestic and Professional Uses as per [Section 3.9](#)
 - Home Occupation – Bed & Breakfast Establishment as per [Section 3.10](#)
 - Home Industry as per [Section 3.11](#)
 - Kennel as per [Section 5.4](#)
 - Accessory Buildings & Structures as per [Section 5.5](#)
- (ii) Agriculture Lot (By-law 23-2013, AE HSKP 3, Z-3-2013.49 22 April 2013)
- Agritainment
 - A Dwelling, Accessory Detached Agriculture as per [Section 3.8.2](#)
 - A Dwelling, Single Detached
 - Agriculture, General
 - Group Home – Type One
 - Home Child Care (By-law 32-2016, Day Care Act update, Z-19-16.39)
 - Unlicensed Child Care in a permitted dwelling unit (By-law 32-2016, Day Care Act update, Z-19-16.39)
 - Home Occupation – Domestic and Professional Use as per [Section 3.9](#)
 - Home Occupation – Bed & Breakfast Establishment as per [Section 3.10](#)
 - Home Industry as per [Section 3.11](#)
 - Kennel as per [Section 5.4](#)
 - Livestock Facility
 - Manure or Material Storage
 - Meteorological Tower as per [Section 3.34](#)
 - Portable Asphalt Plant or Portable Concrete Plant
 - Wayside Pit
 - Wayside Quarry

6.3 Zone Provisions

(revisions as per By-law 23-2013, AE HSKP 3, Z-3-2013.49 22 April 2013)

No person shall within the 'General Agriculture (A1)' zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

	Provisions	Agriculture Lot	'Non-Farm Lot'
.1	Minimum Lot Area	39 hectares (96 ac)	0.5 ha (1.24 ac)
.2	Minimum Lot Frontage	100 metres (328 ft)	40 metres (131 ft)
.3	Minimum Front or Exterior Yard	20 metres (66 ft)	10 metres (33 ft)
.4	Minimum Rear Yard	20 metres (66 ft)	10 metres (33 ft)
.5	Minimum Side Yard	20 metres (66 ft)	10 metres (33 ft)
.6	Minimum Ground Floor Area Detached Dwelling	70m ² (753ft ²) [greater than 1 storey] 90 m ² (969 ft ²) [1 storey]	70 m ² (753 ft ²) [greater than 1 storey] 90 m ² (969 ft ²) [1 storey]
.7	Maximum Height	Not applicable	10 metres (33 ft)
.8	Maximum Lot Coverage	15%	15%

6.3.2 Existing 'Non-Farm Lot' with a 'Lot Area' of less than 0.5 hectare (1.24 acre)

	Provisions	
.1	Minimum Lot Area	Existing
.2	Minimum Lot Frontage	Existing
.3	Minimum Front or Exterior Yard	7.5 metres (25 ft)
.4	Minimum Rear Yard	10 metres (33 ft)
.5	Minimum Side Yard	3 metres (10 ft) on one side and 1.5 metres (5 ft) on the other side
.6	Minimum Ground Floor Area Detached Dwelling	70 m ² (753 ft ²) [greater than 1 storey] 90 m ² (969 ft ²) [1 storey only]
.7	Maximum Height	10 metres (33 ft)
.8	Maximum Lot Coverage	15%

6.4 Special Provisions

Explanatory Note:

The Special Provisions section contains provisions that apply only to specific lands, and that represent a site specific change from stated zone provisions. HSKP 2, Z-47-11.39) BL 38-11

By-law No: 14-02, West Part Lot 3, Concession 1 (Arran)

By-law No: 3-90, Part of Lot 28 & 29, Concession 6 (Elderslie)

By-law No: 28-90, Part Lot 11, Concession 11(Elderslie)

By-law No: 14-96, Part Lot 21, Concession 4(Elderslie)

By-law No: 18-97, Part of Lot 11, Concession 9 (Elderslie)

By-law No: 25-01, Part Lot 27,Concession 5 (Elderslie)

By-law No: 26-04, Part Lot 31, Concession 'A' (Elderslie)

By-law No: 6-05, Part Lot 7, Concession 3 (Elderslie)

By-law No. 06-11, Part Lot 13 Concession 8 (Arran) Z-60-10.49 Ryan

By-law No: 38-11, Part Lot 29 Concession 'A' (Elderslie) (HSKP 2, Z-47-11.39) BL 38-11

.1 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-1**' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' zone provisions contained in this By-law excepting however that:

i. An 'Accessory Dwelling Unit - Detached' shall be prohibited.

By-law No: 9-79, Part of Lot 2, Concession B (Arran),

By-law No: 82-27, West Half Lot 9, Concession 7 (Arran),

By-law No: 41-99, Part Lot 11 Concession 9 (Arran)

By-law No: 94-06, Lot 23, Concession 12 (Arran)

By-law No: 24-90, Part Lot 24, Concession 3 (Elderslie)

.2 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-2**' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' zone provisions contained in this By-law excepting however that:

i. In addition to the residential uses permitted, a mobile home for the purpose of accommodating farm help may be permitted.

By-law No: 89-19, Lot 7, Concession 7 (Arran)

.3 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-3**' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' zone provisions contained in this By-law excepting however that:

i. Those structures existing as of August 14th, 1989 shall not be used for the housing of livestock between the dates of May 1st and November 1st of any given year.

By-law No: 94-06, Lot 5, Concession 13 (Arran)

- .4 Notwithstanding their 'A1' zoning designation, those lands delineated as 'A1-4' on Schedule 'A' to this By-law, shall be used in accordance with the 'A1' zone provisions contained in this By-law, excepting however that:
- i. The lands shall be exempt from [Subsection 6.20](#) 'Frontage on a Street' provisions of this By-law.

By-law No: 95-10, Part of Lot 13, Concession 10 (Arran)

- .5 Notwithstanding their 'A1' zoning designation, those lands delineated as 'A1-5' on Schedule 'A' to this By-law, shall be used in accordance with 'A1' zone provisions contained in this By-law, excepting however that:
- i. The housing of livestock within the subject barn' shall be prohibited.

By-law No: 97-13, Part of Lot 31, Concession 11 (Arran)

- .6 Notwithstanding their 'A1' zoning designation, those land delineated as 'A1-6' on Schedule 'A' to this By-law, shall be used in accordance with 'A1' zone provisions contained in this By-law excepting however that:
- i. A non-farm residential use shall be permitted;
 - ii. The minimum lot area shall be 1.05 hectares (2.6 acres).
 - iii. All residential buildings and structures and/or accessory uses shall be set back a minimum of 113 meters (372 feet) from any building used for the housing of livestock on abutting lands.

By-law No: 97-13, Part of Lot 31, Concession 11 (Arran)

- .7 Notwithstanding their 'A1' zoning designation, those land delineated as 'A1-7' on Schedule 'A' to this By-law, shall be used in accordance with 'A1' zone provisions contained in this By-law excepting however that:
- i. The land may be used for agricultural purposes;
 - ii. The maximum number of nutrient units housed on the subject lands shall be 75.
 - iii. Only buildings or structures used to house livestock on the date of passage of this By-law may be used for the housing of livestock. Any additions, alterations or reuses of existing buildings must be in compliance with the agricultural code of practice.

- .8 **Not Used**

By-law 32-02, Part Lot 21, Concession B (Arran)

By-law 23-05, Part Lot 25, Concession 10 (Arran)

By-law 54-10, Part Lot 6 Concession 3 (Elderslie) (Z-47-2010.38 Ziegler co Maxwell 27Sep10)

By-law 49-2012, 1403 Concession 2; Con 2 Lot 2 Arran (Z-40-12.49 Snobelen) 12Nov12

.9 Notwithstanding their 'A1' zoning designation, those land delineated as 'A1-9' on Schedule 'A' to this By-law, shall be used in accordance with 'A1' zone provisions contained in this By-law excepting however that;

- i. Non-farm residential purposes shall be permitted;
- ii. Livestock and/or poultry shall be limited to 1.24 nutrient units per hectare (0.5 nutrient units per acre).

By-law No: 5-95, former road allowance between Lots 20 and 21, Concession 7 (Elderslie)

.10 Notwithstanding their 'A1' zoning designation, those land delineated as 'A1-10' on Schedule 'A' to this By-law, shall be used in accordance with 'A1' zone provisions contained in this By-law excepting however that:

- i. Non-farm residential uses shall be permitted;
- ii. The 'minimum lot area' shall be 2 hectares (4.9 acres).
- iii. The 'minimum lot frontage' shall be 20.1 meters (66 feet).
- iv. The 'minimum side yard' requirement shall be 3 meters (10 feet).

By-law No: 13-99, OMB Decision/Order No: 0379, Part of Lot 1, Concession 8 (Elderslie)

.11 Notwithstanding their 'A1' zoning designation, those lands delineated as 'A1-11' on Schedule 'A' to this By-law, shall be used in accordance with 'A1' zone provisions contained in this By-law excepting however that:

- i. Non-farm residential purposes shall be permitted;
- ii. Motorcycle motocross races occurring on a maximum of three days per year shall be permitted;
- iii. The hours of operation of races shall be restricted to between 9am and 6pm;
- iv. Early notice of the three scheduled days shall be given to all owners of surrounding land;
- v. The operation of races shall be governed by the Official Event Guide of the Canadian Motosport Racing Club as amended from time to time, a copy of which shall be filed with the Corporation and forms a part of this By-law with respect to high attendance of spectators and associated facilities on site, including emergency services such as ambulance and first aid.

By-law No: 19-96, Part of Lots 28 and 29, Concession 6 (Elderslie)

- .12 Notwithstanding their 'A1' zoning designation, those lands delineated as 'A1-12' on Schedule 'A' to this By-law, shall be used in accordance with 'A1' zone provisions contained in this By-law excepting however that:
- i. Non-farm residential uses shall be permitted;
 - ii. A 'Home Occupation Agricultural Business' shall be permitted within an accessory building may be devoted to such use;
 - iii. The maximum floor area of the accessory building shall be no more than 139.35 square meters (1,500 square feet).

By-law No: 16-04, Part Lot 3, Concession 12 (Arran)

- .13 Notwithstanding their 'A1' zoning designation, those lands delineated as 'A1-13' on Schedule 'A' to this By-law, shall be used in accordance with 'A1' zone provisions contained in this By-law excepting however that:
- i. A 'Non-Agricultural Detached Dwelling' may be erected in accordance with the 'A1' zone provisions for a Non-Farm Residential Use;
 - ii. The minimum lot area for the Non-Residential Use shall be 8000m²;
 - iii. A mobile home shall not be permitted;
 - iv. No more than 3.7 nutrient units per hectare (1.5 nutrient units per acre) shall be permitted;
 - v. A building permit may be issued on condition that the existing barn shall be removed within 60 days of the completion or occupancy of the 'Non-Agricultural Detached Dwelling' as permitted in clause (i) above.

By-law No: 25-01, Part Lot 27, Concession 5 (Elderslie)

- .14 Notwithstanding their 'A1' zoning designation, those land delineated as 'A1-14' on Schedule 'A' to this By-law, shall be used in accordance with 'A1' zone provisions contained in this By-law excepting however that:
- i. Non-farm residential uses shall be permitted;
 - ii. No more than 3.7 nutrient units per hectare (1.5 nutrient units per acre) shall be permitted.

By-law No: 16-98, Part of Lot 32, Concession 3 (Elderslie) (Housekeeping By-law 59-10)

- .15 Notwithstanding their 'A1' zoning designation, those lands delineated as 'A1-15' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' zone provisions contained in this By-law excepting however that:
- i. An 'Accessory Dwelling Unit - Detached' shall be prohibited.

By-law No: 24-00, Part Lot 32 and 33, Concession 6 (Arran)

- .16 Notwithstanding their 'A1' zoning designation, those land delineated as 'A1-16' on Schedule 'A' to this By-law, shall be used in accordance with 'A1' zone provisions contained in this By-law excepting however that:
- i. Non-farm residential uses shall be permitted;
 - ii. Agricultural uses, specialized agricultural uses, sod farms and liquid manure storage facilities shall not be permitted uses;
 - iii. Notwithstanding the setback requirements of [Section 621\(b\)](#) Watercourse Setbacks, no permanent building or structure shall be erected closer than 6.1 meters (20 feet) to the top of bank of any watercourse;
 - iv. A Home Occupation—Agricultural Business shall be prohibited in all accessory buildings.

By-law No: 89-20, Lot 21, Half-Mile Strip (Arran)

By-law No: 17-87, Part Lot 1, Concession 6 (Elderslie) (Housekeeping By-law 59-10)

- .17 Notwithstanding their 'A1' zoning designation, those lands delineated as 'A1-17' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' zone provisions contained in this By-law excepting however that:
- i. In addition to the residential uses permitted, a mobile home for the purpose of accommodating farm help may be permitted.

**By-law No: 35-00, Part Lot 4 and 5, Concession 'B', and Part of Lot 1, Concession 2 (Elderslie)
(Housekeeping By-law 59-10)**

- .18. Notwithstanding their 'A1' zoning designation, those lands designated as 'A1-18' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' zone provisions contained in this By-law excepting however that:
- (i) 'Agricultural Heritage – Special Occasion Events' and 'Agricultural Heritage – Daily Operations' shall be permitted uses;
 - (ii) 'Agricultural Heritage – Special Occasion Events' means an event held no more than two (2) times per calendar year for no more than four (4) consecutive days per event and featuring active and stationary displays/exhibits of heritage agricultural implements, heritage tractors & threshing machines, heritage forestry practices and equipment, heritage farm life displays and heritage crop planting. Heritage tractor pulls, limited to tractors 40 years of age and older, shall also be permitted.
 - (iii) 'Agricultural Heritage – Special Occasion Events' shall not include heritage period re-enactments, fairs, carnivals, demolition derby, music festivals, concerts, talent contests, jam sessions or their like, hall receptions/rentals, automotive and recreation vehicle racing/mud bogging or other such similar uses.
 - (iii) Other secondary uses permitted only during an 'Agricultural Heritage – Special Occasion Events' shall include:
 - (1) On-site retail and/or commercial sales shall be restricted to the sale of 'agricultural heritage/agricultural history' related items (e.g. model tractors/implements, antique equipment, antiques or period furniture) and food items that may either be consumed on site or removed for later consumption. The sale of alcoholic beverages shall be prohibited;
 - (2) Displays, competitions, exhibits or other similar events featuring antique cars or trucks;
 - (3) On-site camping for travel trailers, tent-trailers, tents or similar transportable accommodation belonging to Heritage Club members only. Campers will be required to observe 'Quiet Hours' from 2300 hours to 0700 hours. No storage of travel trailers, tent-trailers or similar transportable accommodation shall be permitted at any time;
 - (4) Contemporary agriculture demonstrations, exhibits, crop trials, tillage trials including Plowman's Association events, Soil and Crop Improvement Association demonstrations, and farm equipment demonstrations;
 - (5) Tours for school, church, and other similar groups and interested parties.

- (iv) ‘Agricultural Heritage – Daily Operations’ means the day to day operations other than during ‘Agricultural Heritage –Special Occasion Events’ but shall not include non-agricultural displays, heritage period re-enactments, fairs, carnivals, demolition derby, music festivals, concerts, talent contests, jam sessions or their like, hall receptions/rentals, automotive and recreational vehicle racing/mud bogging or other such similar uses.
- (v) Other secondary uses permitted during ‘Agricultural Heritage – Daily Operations’ shall include:
 - (1) On-site food and beverage sales limited to hot and cold non-alcoholic beverages and packaged snack foods;
 - (2) Retail and commercial sales limited to items related to ‘agricultural heritage/agricultural history’;
 - (3) Contemporary agriculture demonstrations, exhibits, crop trials, tillage trials including Plowman’s Association events, Soil and Crop Improvement Association demonstrations, and farm equipment demonstrations;
 - (4) Tours for school, church, and other similar groups and interested parties.
- (vi) Notwithstanding the above, the following schedule for ‘Agricultural Heritage – Special Occasion Events’ and ‘Agricultural Heritage – Daily Operations’ shall be adhered to for the stated periods:

<u>Year</u>	<u>Number of ‘events’</u>	<u>Type of ‘event’</u>
2000	1	‘Agricultural Heritage – Special Occasion Events’
2000	2	‘Agricultural Heritage – Daily Operations’
2001	As per Section 10.3.4(ii)	‘Agricultural Heritage – Special Occasion Events’
2001	2	‘Agricultural Heritage – Daily Operations’
2002 +	As per Section 10.3.4(ii)	‘Agricultural Heritage – Special Occasion Events’
2002 +	Unlimited	‘Agricultural Heritage – Daily Operations’

- (vii) the minimum lot area shall be 12.1 hectares (30 ac.); and
- (viii) the minimum lot frontage shall be 537 metres (1762 feet).

By-law No: 35-00, Part Lot 4 and 5, Concession 'B', and Part of Lot 1, Concession 2 (Elderslie)

- .19 Notwithstanding their 'A1' zoning designation, those lands delineated as 'A1-19' on Schedule 'A' to this By-law, shall be used in accordance with the 'A1' zone provisions contained in this By-law excepting however that:
- i. The minimum lot area shall be 33.2 hectares (82 acres);
 - ii. The minimum lot frontage shall be 447 metres (1467 feet); and,
 - iii. Residential structures shall be prohibited.

By-law No: 9-91, Part Lot 33, Concession 1 (Elderslie) (Thomson)

.20 Notwithstanding their 'A1' zoning designation, those lands delineated as 'A1-20' on Schedule 'A' to this By-law shall be used in accordance with all of the requirements of contained in this By-law excepting however that:

- i. Permitted Uses: The Permitted Uses shall be limited to the following:
 - Dwelling, Non-Farm
 - Kennel as per [Section 8.4](#)
 - Home Occupation – Domestic and Professional Uses as per [Section 6.9](#)
 - Home Occupation – Bed & Breakfast Establishment as per [Section 6.10](#)
 - Home Industry as per [Section 6.11](#)
 - Group Home Type 1
 - Accessory Buildings & Structures as per [Section 6.6](#)
- ii. Zone Provisions: No person shall within the A1-20 zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

PROVISIONS	
Minimum Lot Area	0.5 hectares (1.25 ac)
Minimum Lot Frontage	50.59 metres (166 ft)
Minimum Front Yard	7.5 metres (25 ft)
Minimum Side Yard	7.5 metres (25 ft)
Minimum Rear Yard	15 metres (50 ft)
Maximum Height	10 metres (33 ft)
Minimum Ground Floor Area Detached Dwelling	70 m ² (753 ft ²) [greater than 1 storey] 100 m ² (1080 ft ² .) [1 storey]
Maximum Lot Coverage	5%

A1-21-10 225 Sideroad 5; Pt Lot 5 Con 5 Elderslie (Z-14-2010.38 Kotzeff) 14Jun10

.21 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-21-10' may be used in compliance with the 'A1' zone provisions contained in this By-law, excepting however, that:

- i. The minimum lot area shall be 36.8ha (91 ac).

A1-23-10 554 Concession 8 East Arran; Pt Lot 15 Con 9 (Arran) (Z-15-2010.49 E. Horner)

.22 14Jun10

Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-23-10' may be used in compliance with the 'A1' zone provisions contained in this By-law, excepting however, that:

- i. The number of livestock units is limited to 0.5 livestock units per acre (1.24 livestock units per hectare).

A1-25-10 554 Concession 8 East Arran; Pt Lot 15 Con 9 (Arran) (Z-15-2010.49 E Horner)

.23 14Jun10

Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-25-10' may be used in compliance with the 'A1' zone provisions contained in this By-law, excepting however, that:

- i. Residential uses shall be prohibited.
- ii. The minimum lot area shall be 36 hectares (88ac).

A1-28-2010 878 Sideroad 20 Arran; Con 9 Pt Lot 21 (Arran) (Z-16-2010.49 S Horner)

.24 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-28-10' may be used in compliance with the 'A1' zone provisions contained in this By-law, excepting however, that:

- i. The number of livestock units is limited to 0.5 livestock units per acre (1.24 livestock units per hectare)
- ii. The minimum lot frontage shall be 16.6 m (54 ft).

A1-29-10 Con 9 Pt Lot 21 (Arran) (Z-16-2010.49 S Horner) 14Jun10

.25 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-29-10' may be used in compliance with the 'A1' zone provisions contained in this By-law, excepting however, that:

- i. Residential uses shall be prohibited
- ii. The minimum lot area shall be 37.6 ha (93 ac).

A1-55-10 Con 3 Pt Lot 6 (Elderslie) (Z-47-2010 Ziegler co Maxwell) 27Sep10

.26 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-55-10' may be used in compliance with the 'A1' zone provisions contained in this By-law, excepting however, that:

- i. Residential uses shall be prohibited
- ii. The minimum lot area shall be 38.75ha (95.75ac).

A1-06-11 645 Con 8 East Arran; Con 8 Lot 13 (Z-60-2010.49 Ryan c/o McLean) 14Feb11

.27 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-06-11' on Schedule 'A' to this By-law may be used in compliance with the 'A1' zone provisions contained in this By-law, excepting however, that:

- i. The number of livestock units is limited to 0.5 livestock units per acre (1.24 livestock units per hectare).

A1-57-10 4029 Bruce Rd 10; Pt Lt 30, Con 10 Arran (Z-45-2010.49 McDonald) 11May11

.28 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-57-10' on Schedule 'A' to this By-law may be used in compliance with the 'A1' zone provisions contained in this By-law, excepting however, that:

- i. The number of livestock units is limited to 0.5 livestock units per acre (1.24 livestock units per hectare).

A1-58-10 4029 BRUCE RD 10; Pt Lt 30, Con 10 Arran (Z-45-2010.49 McDonald) 11MAY11

.29 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-58-10' on Schedule 'A' to this By-law may be used in compliance with the 'A1' zone provisions contained in this By-law, excepting however, that:

- i. The minimum lot area shall be 35.2 ha (87 acres).
- ii. Driveway Access to this parcel from Bruce Road 10 shall be prohibited.

**A1-09-10 238 Concession 8 Elderslie; Con 9 Lot 30 (Elderslie)
(Z-47-11.39 HSKP 2 - Legge)**

.30 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-01-09' on Schedule 'A' to this By-law may be used for Residential purposes in compliance with the 'A1' zone provisions contained in this By-law, excepting however that:

- i. The number of permitted livestock units is limited to 0.5 units per acre (1.24 livestock units per hectare).
- ii. The minimum side yard setback shall be reduced from 10m (33ft) to 4.6m (15ft).
- iii. The minimum separation distance (MDS I) from the barn located at 2407 Bruce Road 10, Con 8 Pt Lot 30 (Elderslie), shall be reduced from 276m (907ft) to 253m (830ft).

A1-28-08 Sideroad #5S, Lot 6 Con 1 Arran (Z-47-11.39 HSKP 2- Trelford) 11OCT11

.31 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as "A1-28-08" on Schedule 'A' to this By-law may be used for Residential purposes in compliance with the 'A1' zone provisions contained in this By-law, excepting however that:

- i. The number of permitted livestock units is limited to 0.5 units per acre (1.24 livestock units per hectare).
- ii. The minimum rear yard setback shall be reduced from 10m (33ft) to 3m (10ft).

A1-31-06 Pt Lot 6 Con 8 (Z-47-11.39 HSKP 2 - Horst Men Sch) BL 38-11, 11Oct11

.32 Notwithstanding their 'A1 General Agriculture zoning designation, those lands delineated as 'A1-31-06' on Schedule 'A' to Arran-Elderslie Comprehensive Zoning By-law 36-09 may be used for 'private school' purposes in compliance with the 'I' Institutional zone provisions contained in this By-law, excepting however that:

- i. The required Minimum Distance Separation (MDS 1) for a livestock housing facility and manure storage shall be reduced to 250 metres.

A1-28-06 370 Bruce Rd 40; Pt L 27 Con 13 Elderslie (Z-47-11.39 HSKP 2 - Alpaugh) 11OCT11

.33 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-28-06' on Schedule 'A' to Municipality of Arran Elderslie Comprehensive Zoning By-Law 36-09 may be used in compliance with the 'A1' zone provisions contained in this By-law, excepting however, that:

- i. intensive agricultural uses and liquid manure storage facilities shall be prohibited;
- ii. the existing barn shall be a permitted use provided that;
 - a. any expansion of the existing barn is prohibited;
 - b. the livestock housing capacity shall be limited to a maximum of 25 animals;
 - c. only a dry manure system shall be used.
- iii. all new livestock facilities on the property are subject to the Minimum Distance Separation formulae; and
- iv. the minimum lot frontage is reduced to 42 ft.

A1-30-2012 162 Con 4; W Pt Lot 33 Con 5 Arran (Z-34-12.49 Merriam) 13Aug12

.34 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-30-2012' may be developed subject to the following provisions:

- i. The lands to which this temporary use bylaw applies may be used for a garden suite on a temporary basis in addition to the existing permanent residence.

- ii. Pursuant to Section 39.1 (3) the temporary use authorized by this bylaw shall be in effect for a period of time of ten (10) years from the date of passing of this bylaw.
- iii. A reduced MDS setback from 273 m (895 ft) to 216 m (709 ft) with regard to the barn on the south side of Concession 4 is permitted.
- iv. The development shall be subject to site plan control.

A1-35-2012 2051 Bruce Road 19, Part Lot 28 Con 1 Elderslie (Z-30-12.38 Kuepfer) 13Aug12

.35 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-35-2012' may be developed subject to the following provisions:

- i. The maximum building footprint area for home industry uses shall be 25,000 ft² in the southeast corner of the property.

A1-47-2012 1319 Concession 2; Con 2 Lot 4 Arran (Z-40-12.49 Snobelen) 12Nov12

.36 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-47-2012' may be developed subject to the following provisions:

- i. The minimum lot frontage shall be 35m (115ft).
- ii. The number of livestock units and/or poultry shall be limited to 1.24 nutrient units per ha (0.5/ac).

A1-48-2012 1369 Concession 2; Con 2 Lot 3 Arran (Z-40-12.49 Snobelen) 12Nov12

.37 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-48-2012' may be developed subject to the following provisions:

- i. The minimum lot frontage shall be 10m (33ft).
- ii. The number of livestock units and/or poultry shall be limited to 1.24 nutrient units per ha (0.5/ac).

A1-49-2012 1403 Concession 2; Con 2 Lot 2 Arran (Z-40-12.49 Snobelen) 12Nov12

See A1-9 Section .9

A1-50-2012 1444 Concession 2; Con 3 Lots 1& 2 Arran (Z-40-12.49 Snobelen) 12Nov12

.38 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-50-2012' may be developed subject to the following provisions:

- i. The minimum lot frontage shall be 25m (82ft).
- ii. The number of livestock units and/or poultry shall be limited to 1.24 nutrient units per ha (0.5/ac).

A1-18-2013 1095 Concession 10; Con 10 Lot 9 Elderslie (Z-12-2013.38 Biermans) 08Apr13

- .39 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-18-2013' on Schedule 'A' to this By-law may be used in compliance with the 'A1' zone provisions contained in this By-law, excepting however, that:
- i. The number of livestock units is limited to 0.5 livestock units per acre (1.24 livestock units per hectare);
 - ii. The minimum separation distance from the barn located at 1100 Concession 10, Lots 8 and 9 Concession 11 (Elderslie) to the lot line shall be reduced from 286m (938 feet) to 153m (502 feet);
 - iii. The minimum separation distance from the barn located at 1078 Concession 10 Elderslie (Concession 11 Pt Lot 10) to the lot line shall be reduced from 236 metres (775 feet) to 195 metres (640 feet);
 - iv. The minimum side yard setback for the shed existing on January 1, 2013 shall be 8 metres (26.2 feet).

A1-19-2013 1095 Concession 10; Con 10 Lot 9 Elderslie (Z-12-2013.38 Biermans) 08Apr13

- .40 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-19-2013' on Schedule 'A' to this By-law may be used in compliance with the 'A1' zone provisions contained in this By-law, excepting however, that:
- i. Residential uses shall be prohibited.

A1-20-2013 3469 Bruce Rd 10; Plan 15 Lots 111-127 & Lots 128-142 Less RP 3R121 Part 4 (Ackroyd Z-14-2013.49) 08Apr13

- .41 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-20-13' on Schedule 'A' to this By-law may be used in compliance with the 'A1' zone provisions contained in this By-law, excepting however, that:
- i. A mobile home for the purpose of accommodating farm help may be permitted.
 - ii. Reduced minimum setbacks for development existing as of January 1, 2013 shall be permitted as follows:
 - a. Dwelling: 9.75 metres from Bruce Road 10 and 1 metre from Conc 6 Arran
 - b. Barn: 3 metres from Bruce Road 10
 - c. Honey Processing Facility: 18.28 metres from Concession 6 Arran.
 - iii. All future development, expansion or alteration shall comply with the provisions of the A1 zone.

A1-28-2013 287 Concession 8; Lot 29 Con 8 (Elderslie) (Mannerow Z13-2013.38) 27May13

.42 Notwithstanding their 'A1 General Agriculture' zoning designation, those lands delineated as 'A1-28-13' on Schedule 'A; to this By-law may be used in compliance with the 'A1' zone provisions contained in this By-law, excepting however, that:

- i. Residential uses shall be prohibited.

A1-29-2013 287 Concession 8; Lot 29 Con 8 Elderslie (Mannerow Z13-2013.38) 27May13

.43 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-29-13' on Schedule 'A' to this By-law may be used in compliance with the 'A1' zone provisions contained in this By-law, excepting however, that:

- i. The number of livestock units is limited to 0.5 livestock units per acre (1.24 livestock units per hectare)
- ii. The minimum separation distance from the confinement barn located at 278 Concession 8 Elderslie, Lot 29 Concession 9 (Elderslie) to the lot line shall be reduced from 286m (938 feet) to 116m (380 feet).
- iii. The minimum separation distance from the bank barn located at 278 Concession 8 Elderslie (Lot 29 Concession 9) to the lot line shall be reduced from 275 metres (902 feet) to 90 metres (295 feet).

A1-08-14 494 Sideroad 5 South; Part Lots 6 & 7 Concession 5 Arran (Galbraith Z-63-13.49) 21Feb14

.44 Notwithstanding their 'A1 General Agriculture' zoning designation, those lands delineated as 'A1-08-14' on Schedule 'A; to this By-law may be used in compliance with the 'A1' zone provisions contained in this By-law, excepting however, that:

- i. The number of livestock units is limited to 0.5 livestock units per acre (1.24 livestock units per hectare)
- ii. The minimum front yard setback for the shed existing on February 10, 2014 is 8.2metres.

A1-09-14 494 Sideroad 5 South; Part Lots 6 & 7 Concession 5 Arran (Galbraith Z-63-13.49) 21Feb14

.45 Notwithstanding their 'A1 General Agriculture' zoning designation, those lands delineated as 'A1-09-14' on Schedule 'A; to this By-law may be used in compliance with the 'A1' zone provisions contained in this By-law, excepting however, that:

- i. Residential uses shall be prohibited
- ii. Minimum lot area shall be 19.7 ha

**A1-44-2014 23 Sideroad 15 North; Part Lots 15 & 16 Concession 11 Elderslie
(Brubacher Z-30-14.38) 08Sep14**

- .46 Notwithstanding Sections 3.11 and 6, those lands delineated as 'A1-44-2014' on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. A Home Industry with a maximum size of 223m² (2400ft²) is permitted.
 - ii. The Home Industry is a Farm Equipment Repair and Equipment Rentals business only.
 - iii. All other provisions of Section 3.11 apply

**A1-60-2014 Bruce Road 3; Lot 20 Concession A Arran
(Sluys c/o Davidson Z-60-14.49) 24Nov14**

- .47 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-60-14' on Schedule 'A' to this By-law may be used in compliance with the 'A1' zone provisions contained in this By-law, excepting however, that:
- i. The number of livestock units is limited to 0.5 livestock units per acre (1.24 livestock units per hectare)
 - ii. The minimum south side yard setback for the shed that existed at the date of the passage of this by-law is 3m.

**A1-61-2014 Bruce Road 3; Lot 20 Concession A Arran
(Sluys c/o Davidson Z-60-14.49) 24Nov14**

- .48 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'A1-61-14' on Schedule 'A' to this By-law may be used in compliance with the 'A1' zone provisions contained in this By-law, excepting however, that:
- i. Residential uses shall be prohibited.

A1-16-2015 Concession A Part Lot 5, Concession 6 Part Lot 5 West of Road, and Concession A Part Lot 4 Elderslie (Fleming c/o Castle Z-3-15.38)

- .49 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as A1-16-2015 on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. Minimum Lot area is 38ha.

A1-29-2015a Concession 6 East, Part of Lot 20; (Arran), (Christie Z-13-15.49)

- .50 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as A1-29-2015a on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. The number of livestock units is limited to 0.5 livestock units per hectare (1.24 livestock units per acre)

A1-29-2015b Concession 6 East, Part of Lot 20; (Arran), (Christie Z-13-15.49)

- .51 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-29-2015b** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. Residential uses shall be prohibited.

A1-30-2015a Concession 9, Lot 23 (Arran), (De Boer Z-14-15.49)

- .52 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-30-2015a** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. The number of livestock units is limited to 0.5 livestock units per hectare (1.24 livestock units per acre)
 - ii. The minimum distance separation from the non-farm lot to the livestock facility located at Concession 8 Lot 23 (Arran) shall be 183 metres.

A1-30-2015 Concession 9, Lot 23 (Arran), (De Boer Z-14-15.49)

- .53 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-30-2015b** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. Residential uses shall be prohibited.

A1-38-2015a Concession 10 Lot 3 (Arran) (Sluys c/o Davidson Z-26-15.49)

- .54 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-38-2015a** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. The number of livestock units is limited to 0.5 livestock units per hectare (1.24 units per acre)
 - ii. The minimum distance separation from the non-farm lot to the livestock facility located at Concession 10 Part Lot 4 (Arran) shall be 141 metres.
 - iii. The minimum distance separation from the non-farm lot to the livestock facility located at Concession 11 Lot 3 (Arran) shall be 177 metres

A1-38-2015a Concession 10 Lot 3 (Arran) (Sluys c/o Davidson Z-26-15.49)

- .55 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-38-2015b** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. Residential uses shall be prohibited.

**A1-44-2015a Concession 7 N Pt Lot 5 and Lot 6, and Concession 8 Lot 6 (Arran)
(Westenberg c/o Escarpment Biosphere Conservancy Z-35-15.49)**

- .56 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-44-2015a** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. Minimum lot frontage shall be 10m (32.8 ft)

A1-44-2015b Concession 7 Lot 6 (Arran) (Westenberg c/o Escarpment Biosphere Conservancy Z-35-15.49)

- .57 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-44-2015b** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. Minimum lot area shall be 13.1 ha (32.4 ac)
 - ii. H1 Holding provision requiring an archeological study should any development proceed in the future.

A1-11-2016a Concession 7 Part Lot 2 (Arran) (Underwood c/o Kruse Z-51-15.49)

- .58 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-11-2016a** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. The number of livestock units is limited to 0.5 livestock units per hectare (1.24 livestock units per acre)
 - ii. The minimum distance separation from the non-farm lot to the livestock facility located at Concession 6, Lot 2 (Arran) shall be 90 m.

A1-11-2016b Concession 7 South Part Lots 1-2 (Arran) (Underwood c/o Kruse Z-51-15.49)

- .59 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-11-2016b** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. Residential uses shall be prohibited.
 - ii. Recognise a minimum lot area on the retained parcel of 38.8 ha (95.15 ac)

A1-19-2016a Concession 13, Part Lot 36; (Elderslie) (Dudgeon /Z-4-16.38)

- .60 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-19-2016a** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. The number of livestock units is limited to 0.5 livestock units per hectare (1.24 livestock units per acre).

A1-19-2016b Concession 13, Part Lot 36; (Elderslie) (Dudgeon /Z-4-16.38)

- .61 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-19-2016b** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. Residential uses shall be prohibited.
 - ii. Minimum lot size shall be 31 ha (76.6 ac).

A1-20-2016a Concession 13, Part Lot 27; (Elderslie), (H. Biermans / Z-7-16.38)

- .62 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-20-2016a** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. The number of livestock units is limited to 0.5 livestock units per hectare (1.24 livestock units per acre)
 - ii. Minimum lot frontage shall be 10 m (32.8 ft)
 - iii. Recognise a minimum distance separation of 260 m (853 ft) from livestock facility at Concession 13, Lot 28

A1-20-2016b Concession 13, Part Lot 27; (Elderslie), (H. Biermans / Z-7-16.38)

- .63 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-20-2016b** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. Residential uses shall be prohibited.
 - ii. Minimum lot frontage shall be 10 m (32.8 ft)
 - iii. Minimum lot area shall be 35.9 ha (88.8 ac)

A1-35-2016 Concession 1 E Part Lot 22, and Concession 1 W Part Lot 22; (Elderslie), (Schriek c/o Molnar) / Z-15-16.38)

- .64 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-35-2016** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. "Residential uses shall be prohibited".

A1-50-2016a Concession 9 Lot 31 (Arran), (Herron / Z-48-16.49)

- .65 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-50-2016a** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. The number of livestock units shall be limited to 0.5 livestock units per hectare (1.24 livestock units per acre)"

A1-50-2016b Concession 9 Lot 31, (Arran), (Herron / Z-48-16.49).

- .66 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-50-2016b** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. Residential uses shall be prohibited.
 - ii. Minimum lot size of shall be 11.6 ha (28.7 ac)."

A1-57-2016a Concession B, Lot 30; (Arran), (Bacskai / Z-67-16.49)

- .66 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-57-2016a-H** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. minimum lot size of 6.63 ha (16.4 ac)
 - ii. front yard setback of 9.3 m (30.5 ft)
 - iii. The Holding symbol may be removed under the following conditions:
 - a. Completion of an Archaeological Assessment by an archaeologist licensed in the province of Ontario and confirmed by the appropriate Ministry to have been accepted into the Ontario Public Register of Archaeological Reports; and
 - b. Confirmation to the satisfaction of the Zoning Administrator that the recommendations of the archaeological assessment (if any) have been completed.

A1-57-2016a Concession B, Lot 30; (Arran), (Bacskai / Z-67-16.49)

- .67 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-57-2016b-H** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. minimum lot frontage of 80m (262.5ft)
 - ii. residential uses prohibited
 - iii. The Holding symbol may be removed under the following conditions:
 - a. Completion of an Archaeological Assessment by an archaeologist licensed in the province of Ontario and confirmed by the appropriate Ministry to have been accepted into the Ontario Public Register of Archaeological Reports; and
 - b. Confirmation to the satisfaction of the Zoning Administrator that the recommendations of the archaeological assessment (if any) have been completed.

A1-63-2016 Concession B Pt Lot 5, Concession 2 Pt Lot 1 as in R330917, RP 3R6759, Parts 1, 2, 3 (Elderslie) (Bruce County Heritage Assoc (BCHA). / Z-2-15.38)

.68 Notwithstanding their 'A1' zoning designation, those lands designated as 'A1 63-2016 on Schedule 'A' to this By-law shall be used in accordance with the 'A1' zone provisions contained in this By-law excepting however that:

- (i) Permitted uses, buildings, and structures are limited to:
 - 'Agricultural Heritage - Daily Operations';
 - 'Agricultural Heritage - Special Occasion Events,'
 - Accessory buildings and structures
 - Historic buildings and structures

- (ii) 'Agricultural Heritage - Daily Operations' means day to day operations of the facility and includes:
 - (1) On-site retail and/or commercial sales of 'agricultural heritage/agricultural history' related items (e.g. model tractors/implements, antique equipment, antiques or period furniture) as well as food and hot or cold beverage items that may either be consumed on site or removed for later consumption. The sale of alcoholic beverages shall be prohibited.
 - (2) Heritage Displays/exhibits and artifact storage, including agricultural implements, heritage tractors & threshing machines, heritage forestry practices and equipment, heritage farm life displays and heritage crop planting.
 - (3) Contemporary agriculture demonstrations, exhibits, crop trials, tillage trials including Plowman's Association events, Soil and Crop Improvement Association demonstrations, and farm equipment demonstrations;
 - (4) Tours for groups and interested parties.
 - (5) Seasonal Indoor storage of travel trailers, tent trailers and similar transportable accommodation belonging to members as an accessory use.
 - (6) Heritage Club Meetings
 - (7) Wedding Ceremonies and similar gatherings, however no more than two receptions with or without dinners and dances, with or without alcoholic beverages, shall occur in any calendar year.

- (iii) 'Agricultural Heritage - Special Occasion Events' means an event held no more than two (2) times per calendar year for no more than four (4) consecutive days per event and permitting, in addition to the uses described above:
 - (1) Active heritage displays
 - (2) Displays, competitions, exhibits or other similar events featuring antique cars or trucks, Heritage tractor pulls and sanctioned, modified tractor and truck pulls but not including demolition derby, automotive and recreation vehicle racing/mud bogging or other such similar uses
 - (3) Receptions, Dinners and dances accessory to the uses listed in (iii)(1) and (iii)(2) above, including the sale of alcoholic beverages.

- (4) Accessory On-site camping for travel trailers, tent-trailers, tents or similar transportable accommodation belonging to Heritage Club members only, including 2 days before or after the event, and subject to the following:
 - i. A maximum of 200 campsites may be permitted on the property with access from Sideroad 2A.
 - ii. A maximum of 400 campsites may be permitted on the property with access from County Road 3.
 - iii. The total number of campsites on the property shall not exceed 400.
 - iv. No camping shall be permitted within or east of the unopened road allowance between Concession 'B' and Concession 2
 - v. No camping shall be permitted within 260 metres of the livestock facility located on Concession 2 Part Lots 1,2, and 3.
 - vi. Each campsite shall have a minimum dimension of 7.5 metres width x 15 metres depth. Access to sites shall be provided by a drive aisle with a minimum width of 6 metres and intersecting drive aisles shall be located no more than 180 metres apart. All drive aisles shall be kept clear of parked vehicles and other obstructions.

- (iv) A tree planting area shall be established on the subject lands adjacent to Sideroad 2A for a distance of 120 metres east from the boundary of the rail trail corridor, in accordance with the provisions of [Section 3.15](#), excepting however that the planting area shall be 7.5 metres wide.

- (v) The property is subject to Site Plan Control under Section 41 of the Planning Act, R.S.O. 1990.

- (vi) THAT, Notwithstanding Sections 6.4.x (iii) (4) i; ii, and vi of this by-law, a maximum of 400 accessory onsite campsites with minimum dimensions of 7.5 metres width by 10 metres depth shall be permitted for events held in accordance with Section 6.4.x (iii) Agricultural Heritage - Special Occasion Events' of this by-law before before December 31, 2018. All other provisions of this by-law shall apply.

A1-07-2017 Concession 5 Part lot 29 (Elderslie) (Saunders c/o Legge / Z-89-16.38)

- .69 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-07-2017a-H**- General Agriculture Special Holding on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
 - i. Residential uses shall be prohibited.
 - ii. HI Holding provision per Section 4.4.4 applies

- .70 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-07-2017b** - General Agriculture Special on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
 - i. Livestock is limited to 1.25 nutrient units per hectare (0.5 NU per ac). MDS guidelines shall apply.
 - ii. Minimum rear yard shall be 3m (9.8 ft).

AI-08-2017 - General Agriculture Special, Concession B Lot 12 to 13 (Arran) (Baer c/o Snobelen / Z-92-16.49)

.80 Notwithstanding the General Agriculture (A1) Zone those lands delineated as **AI-08-2017a** - General Agriculture Special on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:

i. Residential uses shall be prohibited.

.81 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **AI-08-2017b** - General Agriculture Special on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:

i. Livestock on the severed parcel shall be limited to no more than 1.25 nutrient units per hectare (0.5 NU per ac). MDS guidelines shall apply.

AI-09-2017 - General Agriculture Special, Concession HMS Part Lot 40 as in R346757, Pt 1 3R1771 (Arran) (Nelson c/o Kelly / Z-93-16.49)

.82 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as AI-09-2017 - General Agriculture Special on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:

i. Minimum lot area of 21.9 ha (54 ac)

AI-32-2017 - General Agriculture Special, Concession 7 Lot 32 (Arran), (Grasslands c/o Rier, Z-24-17.49)

.83 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-32-2017a** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:

i. The number of livestock units is limited to no more than 1.24 nutrient units per hectare (0.5 NU per ac)

.84 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-32-2017b** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:

i. Residential uses shall be prohibited.
ii. The minimum lot area shall be 37.7 ha

A1-45-2017, Part of Lot 11 and Lot 12 Concession 6 (Arran), (Morris c/o Cuesta, Z-45-17.49)

- .85 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-45-2017a** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. Livestock units shall be limited to no more than 1.25 nutrient units per hectare (0.5 NU per ac).
 - ii. Minimum side yards for buildings existing at the date of passage of this by-law shall be permitted as follows:
 - a. Accessory structure to east lot line: 3.3 metres
 - b. Dwelling to front lot line: 9 metres
- .86 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-45-2017b** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. Residential uses shall be prohibited.

A1-13-2018a Lot 33, Concession 3 (Elderslie), (Z-81-17.38 / P.K.W. Farms Ltd c/o Rier)

- .87 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-13-2018a** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. Livestock is limited to no more than 1.24 nutrient units per hectare (0.5 NU per ac)

A1-13-2018b Lot 33, Concession 3 (Elderslie), (Z-81-17.38 / P.K.W. Farms Ltd c/o Rier)

- .88 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-13-2018b** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. Residential uses shall be prohibited.

A1-33-2018a, Lot 19 Concession 2 (Arran), (Z-7-18.49 / Monkman c/o Davidson)

- .89 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as **A1-33-2018a** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. Livestock is limited to 1.25 nutrient units per hectare (0.5 NU per ac). MDS guidelines shall apply.
 - ii. Minimum lot frontage shall be 12.2 m
 - iii. Minimum rear yard shall be 3.1 m for the existing shed

- iv. Minimum side yard shall be 4.7 m for the existing residential dwelling and 4 m for the existing barn.

AI-33-2018b, Lot 19 Concession 2 (Arran), (Monkman c/o Davidson / Z-7-18.49)

- .90 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as AI-33-2018b on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. Residential uses shall be prohibited.

AI-55-2018a, Concession 10 Lot 5 (Arran), (Trelford c/o Davidson / Z-38-18.49)

- .91 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as AI-55-2018a on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. The minimum lot frontage shall be 13.7 m
 - ii. For the dwelling, the setback to the north lot line shall be 9.2 m and the setback to the east lot line shall be 7.6 m
 - iii. The number of livestock units is limited to no more than 1.24 nutrient units per hectare (0.5 NU per ac)

AI-55-2018b, Concession 10 Lot 5 (Arran), (Trelford c/o Davidson / Z-38-18.49)

- .92 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as AI-55-2018b on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. Residential uses shall be prohibited.

AI-56-2018a, West Part Lot 12, North Part Lot 11, Concession 3 (Arran), (Mason c/o Misch / Z-43-18.49)

- .93 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as AI-56-2018a on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- ii. The minimum lot frontage shall be 11 m.
 - iii. The Minimum Distance Separation (MDS) I setback for the lot shall be 300 m from the manure storage and livestock facilities located at CON 2 LOT 11 (Arran).
 - iv. The number of livestock units is limited to no more than 1.24 nutrient units per hectare (0.5 NU per ac)

AI-56-2018b, West Part Lot 12, North Part Lot 11, Concession 3 (Arran), (Mason c/o Misch / Z-43-18.49)

- .94 Notwithstanding the General Agriculture (AI) Zone, those lands delineated as AI-56-2018b on Schedule 'A' to this By-law shall be used in compliance with the 'AI' zone provisions contained in this by-law, excepting however:
- i. Residential uses shall be prohibited.
 - ii. The minimum lot area shall be 23 ha (57.7 ac).

AI-74-2018a, Lot 4 Concession 12 (Elderslie), (Trelford / Z-39-18.38)

- .95 Notwithstanding the General Agriculture (AI) Zone, those lands delineated as AI-74-2018a on Schedule 'A' to this By-law shall be used in compliance with the 'AI' zone provisions contained in this by-law, excepting however:
- i. Livestock is limited to 1.25 nutrient units per hectare (0.5 NU per ac). MDS guidelines shall apply.
 - ii. Minimum lot frontage shall be 10 m.

AI-74-2018b, Lot 4 Concession 12 (Elderslie), (Trelford / Z-39-18.38)

- .96 Notwithstanding the General Agriculture (AI) Zone, those lands delineated as AI-74-2018b on Schedule 'A' to this By-law shall be used in compliance with the 'AI' zone provisions contained in this by-law, excepting however:
- i. Residential uses shall be prohibited.

AI-75-2018a, Concession 6 Lot 7 (Arran), (Morris c/o Cuesta / Z- 55-18.49)

- .97 Notwithstanding the General Agriculture (AI) Zone, those lands delineated as AI-75-2018a on Schedule 'A' to this By-law shall be used in compliance with the 'AI' zone provisions contained in this by-law, excepting however:
- i. Livestock is limited to 1.25 nutrient units per hectare (0.5 NU per ac). MDS guidelines shall apply.
 - ii. The setback to the north side lot line shall be 5.2 m

AI-75-2018b, Concession 6 Lot 7 (Arran), (Morris c/o Cuesta / Z- 55-18.49)

- .98 Notwithstanding the General Agriculture (AI) Zone, those lands delineated as AI-75-2018b on Schedule 'A' to this By-law shall be used in compliance with the 'AI' zone provisions contained in this by-law, excepting however:
- i. Residential uses shall be prohibited.

AI-76-2018a, Concession 12 Part Lot 27, RP 3R7200 Part PARTS 1 and 2 (Elderslie), (Anderson c/o McLean / Z-56-18.38)

- .99 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as AI-76-2018a on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. The setback for a single detached residential dwelling to the east lot line shall be 6.7 m.
 - ii. The minimum lot size shall be 3247 m² .

AI-76-2018b, Concession 12 Part Lot 27, RP 3R7200 Part PARTS 1 and 2 (Elderslie), (Anderson c/o McLean / Z-56-18.38)

- .100 Notwithstanding the General Agriculture (A1) Zone, those lands delineated as AI-76-2018b on Schedule 'A' to this By-law shall be used in compliance with the 'A1' zone provisions contained in this by-law, excepting however:
- i. The setback for the existing accessory building to the west lot line shall be 1.8 m.

Section 7 – Not Used

Section 8 – Hamlet Residential (HR)

8.1 Scoping Note

The provisions of the Hamlet Residential (HR) zone shall generally apply to lands designated ‘Hamlet’ on Schedule ‘A’ Land Use in the County of Bruce Official Plan.

8.2 Uses Permitted

No person shall within a ‘Hamlet Residential (HR)’ zone use any lot or erect, alter or use any building or structure for any purpose except the following:

- ‘Dwelling, Duplex’
- ‘Dwelling, Semi-Detached’
- ‘Dwelling, Single Detached’
- ‘Group Home – Type One’ [in a Dwelling, Single Detached only]
- ‘Home Child Care’ (By-law 32-2016, Day Care Act update, Z-19-16.39)
- ‘Unlicensed Child Care in a permitted dwelling unit’ (By-law 32-2016, Day Care Act update, Z-19-16.39)
- ‘Home Occupation – Domestic and Professional Uses’ as per [Section 3.9](#) [in a Dwelling, Single Detached only]
- ‘Home Occupation – Bed & Breakfast Establishment’ as per [Section 3.10](#) [in a Dwelling, Single Detached only]
- ‘Public park’

8.3 Zone Provisions

No person shall within any ‘Hamlet Residential (HR)’ zone use any lot or erect or use any building or structure except in accordance with the following provisions:

Provisions: NEW LOT OF RECORD – No Municipal Water Service Connected			
		Semi-Detached & Duplex	Single Detached Dwelling
.1	Minimum Lot Area	0.625ha (1.55ac) or 0.313ha (0.77ac) for each Semi-Detached Dwelling Unit to be erected on a separate lot of record	0.5 hectares (1.24ac)
.2	Minimum Lot Frontage	50 m (164 ft) or 25 m (82 ft) for each Semi-Detached Dwelling Unit to be erected on a separate lot of record	50 metres (164 ft)
.3	Minimum Front Yard and Exterior Side Yard	16 metres (52.5 ft)	

.4	Minimum Rear Yard	50 metres (164 ft)	
.5	Minimum Side Yard	11.5 metres (38 ft) (see Footnote (a))	
.6	Minimum Gross Floor Area	90 m ² (969 ft ²) per Semi-Detached Unit or Duplex Dwelling Unit	Not applicable
.7	Minimum Ground Floor Area	Not applicable	70 m ² (753 ft ²) [greater than 1 storey]; 90 m ² (969 ft ²) [1 storey only]
.8	Maximum Building Height 'Main Building'	10 metres (33 ft)	
.9	Maximum Lot Coverage	15%	

Provisions: New Lot Of Record – Connected to Municipal Water Service

		Semi-Detached & Duplex	Single Detached Dwelling
.1	Minimum Lot Area	0.41 ha (1.01 ac) or 0.205 ha (0.51 ac) for each Semi-Detached Unit to be erected on a separate lot of record	0.325 hectares (0.81 ac)
.2	Minimum Lot Frontage	40 metres (131ft) or 20 metres (66ft) for each Semi-Detached Unit to be erected on a separate lot of record	40 metres (131 ft)
.3	Minimum Front Yard and Exterior Side Yard	16 metres (52.5 ft)	
.4	Minimum Rear Yard	30 metres (98 ft)	
.5	Minimum Side Yard	10 metres (33 ft) (see Footnote (a))	
.6	Minimum Gross Floor Area	90 m ² (969 ft ²) per Semi-Detached Unit or Duplex Dwelling Unit	Not applicable
.7	Minimum Ground Floor Area	Not applicable	70 m ² (753 ft ²) [greater than 1 storey] 90 m ² (969 ft ²) [1 storey only]
.8	Maximum Building Height 'Main Building'	10 metres (33 ft)	
.9	Maximum Lot Coverage	20%	

Provisions: Existing Lot Of Record			
		Semi-Detached & Duplex	Single Detached Dwelling
.1	Minimum Lot Area	Existing	
.2	Minimum Lot Frontage	Existing	
.3	Minimum Front Yard and Exterior Side Yard	7.5 metres (25 ft)	
.4	Minimum Rear Yard	10 metres (33 ft)	
.5	Minimum Side Yard	3 metres (10 ft) on one side & 1.5 metres (5 ft) on the other side (see Footnote (a))	
.6	Minimum Gross Floor Area	90 m ² (969 ft ²) per Semi-Detached Unit or Duplex Dwelling Unit	Not applicable
.7	Minimum Ground Floor Area	Not applicable	70 m ² (753 ft ²) [greater than 1 storey]; 90 m ² (969 ft ²) [1 storey only]
.8	Maximum Building Height 'Main Building'	10 metres (33 ft)	
.9	Maximum Lot Coverage	15%	

Footnotes

- (a) The abutting side yard requirement for one unit of a Semi-Detached Dwelling on a separately titled lot shall be zero metres (0 ft).

8.4 Special Provisions

- .1 On lands zoned HR-1, the existing Multiple Dwelling is a permitted use.
.2 On lands zoned HR-2, the minimum flood proofing elevation is 219.0m GSC

HR-09-2017 Pt Park Lot 1, PL 200 and Pt Lot 40 Indian Strip as in R346757, Pt 1 3RI 771 (Arran)

- .3 Notwithstanding the Hamlet Residential (HR) Zone, those lands delineated as HR-09-2017 – Hamlet Residential Special on Schedule 'A' to this By-law shall be used in

compliance with the 'HR' zone provisions contained in this by-law, excepting however:

- i. Minimum lot area shall be 0.2 ha (0.5 ac)
- ii. Minimum rear yard setback shall be 6.7 m (22 ft)
- iii. Residential uses shall be serviced by individual onsite tertiary sewage disposal system

Section 9 – Cottage Residential (R4)

9.1 Scoping Note

The provisions of the Cottage Residential (R4) zone shall generally apply to lands designated ‘Inland Land Development Area’ on Schedule ‘A’ Land Use in the County of Bruce Official Plan

9.2 Uses Permitted

No person shall within a ‘Cottage Residential (R4)’ zone use any lot or erect, alter or use any building or structure for any purpose except the following:

- Dwelling, Cottage
- Home Occupation – Domestic & Professional Uses as per [Section 6.9](#)
- Home Occupation – Bed and Breakfast Establishment as per [Section 6.10](#)
- Public Park

9.3 Zone Provisions

No person shall within any R4 – Cottage Residential Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions		No Municipal Services
.1	Minimum Lot Area	10,000 square metres (107,643 ft ²) 4000 square metres (43,057 ft ²)(a)
.2	Minimum Lot Frontage	35 metres (115 ft)
.3	Minimum Lot Frontage – Corner Lot	37 metres (141 ft)
.4	Minimum Front Yard or Exterior Side Yard	7.5 metres (25 ft)
.5	Minimum Rear Yard	8 metres (26 ft)
.6	Minimum Side Yard	1.5 metres (5 ft)(b)
.7	Minimum Ground Floor Area	70 square metres (753 ft ²) [greater than 1 storey] 90 square metres (969 ft ²) [1 storey]
.8	Maximum Building Height – ‘Main Building’	10 metres (33 ft)
.9	Maximum Lot Coverage	15%
.10	Setback from High Water Mark	30 metres (a)

Footnotes

- (a) Water lot.
- (b) Provided the sewage disposal system is located in the front yard and a garage, carport or similar parking structure is provided. Where the sewage disposal system is located in the rear yard and/or no garage, carport or similar parking structure is provided, one side yard of a least 3 metres (10 ft) shall be provided.

9.4 Special Provisions

By-law No: 25-04, Part Lot 10, Concession 11 (Arran)

- .1 Those lands delineated as 'R4-1' on Schedule 'A' to this By-law, shall be used in accordance with the 'CR' zone provisions contained in this By-law excepting however that:
- i. The minimum lot size, including lands zoned 'EP', shall be no less than 3.6 hectares (8.9 acres); and
 - ii. All buildings and structures, with the exception of a 'non-habitable boat house', shall be setback 30 metres from the 'EP' zone. Natural vegetation between the lake and all buildings and structures shall be preserved.

By-law No: 25-04, Part Lot 10, Concession 11 (Arran)

- .2 Notwithstanding their 'CR' zoning designation, those lands delineated as 'R4-2' on Schedule 'A' to this By-law, shall be used in accordance with 'R4' zone provisions contained in this By-law excepting however that:
- i. The minimum lot size, including lands zoned 'EP', shall be no less than 1.49 hectares (3.7 acres); and
 - ii. All buildings and structures, with the exception of a 'non-habitable boat house', shall be setback 30 metres from the 'Hazard Land Area' designation. Natural vegetation between the lake and all buildings and structures shall be preserved.

By-law No: 25-04, Part Lot 10, Concession 11 (Arran)

- .3 Notwithstanding their 'CR' zoning designation, those lands delineated as 'R4-3' on Schedule 'A' to this By-law, shall be used in accordance with 'R4' zone provisions contained in this By-law excepting however that:
- i. The minimum lot size, including lands zoned 'EP', shall be no less than 1.54 hectares (3.8 acres); and
 - ii. All buildings and structures, with the exception of a 'non-habitable boat house', shall be setback 10 metres from the high water mark of Arran Lake. Natural vegetation between the lake and all buildings and structures shall be preserved.

By-law No: 25-04, Part Lot 10, Concession 11 (Arran)

- .4 Notwithstanding their 'CR' zoning designation, those lands delineated as 'R4-4' on Schedule 'A' to this By-law, shall be used in accordance with 'R4' zone provisions contained in this By-law excepting however that:
- i. The minimum lot size, including lands zoned 'EP', shall be no less than 0.57 hectares (1.4 acres).
 - ii. All buildings and structures, with the exception of a 'non-habitable boat house',

shall be setback 10 metres from the high water mark of Arran Lake. Natural vegetation between the lake and all buildings and structures shall be preserved.

By-law No: 94-06, Part of Lots 10 and 11, Concession 11 and 12 (Arran)

- .5 Notwithstanding their 'CR' zoning designation, those lands delineated as 'R4-5' on Schedule 'A' to this By-law, shall be used in accordance with 'CR' zone provisions contained in this By-law excepting however that:
- i. Exception from requirement for [Section 6.13](#) 'Frontage on a Public Road', those lands.

Section 10 – Urban Residential Zones (R1, R2, R3)

10.1 Scoping Note

The provisions of the ‘Residential – Low Density Single (R1)’ zone or ‘Residential – Low Density Multiple (R2) zone or ‘Residential – Medium Density (R3) zone shall generally apply to lands designated ‘Residential’ on Schedule ‘A’, ‘B’ or ‘C’: Land Use Plan of the Official Plan for the Urban Areas of Chesley, Paisley, Tara/Invermay

10.2 Uses Permitted

(revisions as per By-law 23-2013, AE HSKP 3, Z-3-2013.49 22 April 2013)

No person shall within a ‘Residential – Low Density Single (R1)’ zone or ‘Residential – Low Density Multiple (R2) zone or ‘Residential – Medium Density (R3) zone use any lot or erect, alter or use any building or structure for any purpose except the following:

Permitted Uses	Residential: Low Density Single (R1)	Residential: Low Density Multiple (R2)	Residential: Medium Density (R3)
‘Dwelling, Single Detached’	√	√	Not Permitted
‘Dwelling, Semi Detached’	√	√	Not Permitted
‘Dwelling, Duplex’	√	√	Not Permitted
‘Dwelling, Multiple’	Not Permitted	Not Permitted	√
‘Townhouse, Cluster’ Or ‘Townhouse Street’	Not Permitted	√	√
‘Apartment Building’	Not Permitted	Not Permitted	√
‘Child Care’	√	√	Not Permitted
‘Home Child Care’	√	√	√
‘Unlicensed Child Care	√	√	√
‘Day School’	√	√	Not Permitted
‘Home Occupation- Domestic And Professional’ As Per Section 3.9 (A)	√	√	Not Permitted
‘Home Occupation – Bed & Breakfast Establishment’ As Per Section 3.10 (A)	√	√	Not Permitted
‘Public Park’	√	√	√
‘Group Home – Type 1’ (A)	√	√	√
‘Residential Care Facility’ As Per Section 20.3	√	√	√
Accessory Buildings & Structures As Per Section 3.6	√	√	√

Footnotes

Residential – Low Density & Medium Density (R1, R2 & R3)

- (a) A ‘Home Occupation – Domestic and Professional’, ‘Home Occupation – Bed & Breakfast Establishment’, and ‘Group Home – Type 1’ shall be permitted in a Dwelling, Single Detached only.

10.3 Zone Provisions – ‘R1’ And ‘R2’

(revisions as per By-law 23-2013, AE HSKP 3, Z-3-2013.49 22 April 2013)

No person shall within the ‘R1’, or ‘R2’ zones use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Zone Provisions – For Lots Served By Municipal Water And Sewer					
		‘Dwelling, Single Detached’	‘Dwelling, Duplex’ & ‘Semi Detached’	‘Dwelling, Townhouse’ (R2 Zone)	
				Cluster (A)	Street
.1	Minimum Lot Area	465 M ² Or 1,500 M ² (C) 5,000 M ² (D)	465 M ² 1,500 M ² (C) 5,000 M ² (D)	155 M ² (1668 Ft ²) Per Dwelling Unit	155 M ² (1668 Ft ²) Per Dwelling Unit
.2	Minimum Lot Frontage	15 Metres (50 Ft)	15 Metres (50 Ft)	15 Metres (50 Ft)	15 Metres (50 Ft)
.3	Minimum Front Yard And Exterior Side Yard	6.0 Metres (20 Ft)	6.0 Metres (20 Ft)	(E)	6.0 Metres (20 Ft)
.4	Minimum Interior Side Yard	1.2 Metres (4 Ft)(A)	1.2 Metres (4 Ft)(B)	(E)	3.0 Metres (10 Ft)(B)
.5	Minimum Rear Yard	7.5 Metres (25ft)	7.5 Metres (25ft)	(E)	7.5 Metres (25ft)
.6	Maximum Lot Coverage	35% Including Accessory Buildings Or Structures	35%	40%	40%
.7	Minimum Landscaped Area/Open Space	Not Applicable	Not Applicable	30%	30%
.8	Maximum Height ‘Main Building’	10 M (33 Ft)	10 M (33 Ft)	10 M (33ft)	10 M (33 Ft)
.9	Minimum Ground Floor Area	70 M ² (753 Ft ²) [Greater Than 1 Storey] 90 M ² (969 Ft ²) [1 Storey]	Not Applicable	Not Applicable	Not Applicable
.10	Minimum Gross Floor Area	Not Applicable	90 M ² (969 Ft ²) Per Unit	90 M ² (969 Ft ²) Per Unit	90 M ² (969 Ft ²) Per Unit

Footnotes (revisions as per By-law 23-2013, AE HSKP 3, Z-3-2013.49 22 April 2013):

- (a) With attached garage or carport. Without an attached garage or carport, the interior side

Residential – Low Density & Medium Density (R1, R2 & R3)

yard shall be a minimum of 2.5 metres (8 ft.) on one side and 1.2 metres (4 ft.) on the other side.

- (b) Where a 'Dwelling, Semi Detached' or '*Townhouse, Street*' has been equally divided to provide individual ownership to each dwelling unit, the common side yard may be reduced to zero (0) metres.
- (c) Development on municipal piped water service only.
- (d) Development on individual sewage treatment and water services only.
- (e) A 'Dwelling, Townhouse, Cluster' shall be subject to the following Yard provisions:
 - i. The setback between the front wall of a 'Townhouse Cluster' and an interior roadway or parking area shall be no less than 4 m (13 ft);
 - ii. The setback between the end side walls of each 'Townhouse Cluster' (building ends) shall be no less than 3 m (10 ft);
 - iii. The setback between the rear walls of a 'Townhouse Cluster' shall be no less than 3 m (10 ft);
 - iv. The setback between the end side walls and/or rear walls of a 'Townhouse Cluster' and an abutting lot and/or exterior roadway shall be no less than 7.5 m (25 ft).

10.4 Zone Provisions – ‘R3’

No person shall within the ‘R3’ zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Zone Provisions – For Lots Serviced By Municipal Water And Sewer					
	Zone Provision	‘Dwelling, Townhouse’		‘Dwelling, Multiple’	‘Apartment Building’
		Cluster (A)	Street		
.1	Minimum Lot Area	155 m ² (1668 ft ²) Per Dwelling Unit	155 m ² (1668 ft ²) Per Dwelling Unit	155 m ² (1668 ft ²) Per Dwelling Unit	650 m ² (6997 ft ²) Per Building
.2	Minimum Lot Frontage	15.0 metres (50 ft)	15.0 metres (50 ft)	7.5 metres (25 Ft) Per Dwelling Unit	15.0 metres (50 ft)
.3	Minimum Front Yard	(a)	6.0 metres (20 ft)	6.0 metres (20 ft)	8.0 metres (26 ft)
.4	Minimum Exterior Side Yard		6.0 metres (20 ft)	6.0 metres (20 ft) [End Unit]	8.0 metres (26 ft)
.4	Minimum Interior Side Yard	(a)	3.0 metres (10 ft)	3.0 metres (10 ft) [end unit](b)	5.0 metres (16 ft)
.5	Minimum Rear Yard	(a)	7.5 metres (25 ft)	7.5 metres (25 ft)	10.0 metres (33 ft)
.6	Maximum Lot Coverage	40%	40%	40%	45%
.7	Minimum Landscaped Area/Open Space	30%	30%	30%	30%
.8	Maximum Height ‘Main Building’	10.0 metres (33ft)	10.0 metres (33 ft)	10.0 metres (33 ft)	20.0 metres (66 ft)
.9	Minimum Gross Floor Area	90 m ² (969 ft ²)		Single Room Unit: 40 m ² (430.5 ft ²) One Bedroom Unit: 60 m ² (646 ft ²) Two Bedroom Unit: 70 m ² (753 ft ²) Three Bedroom Unit: 90 m ² (969 ft ²) More than three bedrooms: 90 m ² (969 ft ²) Plus 10 m ² (107.6 ft ²) for each bedroom in excess of three.	

Explanatory Note:

All uses in the R3 zone are subject to site plan control. You will be required to receive site plan approval prior to the issuance of a building permit. You are advised to check with the Municipality.

Footnotes

(a) A ‘Dwelling, Townhouse, Cluster’ shall be subject to the following Yard provisions:

Residential – Low Density & Medium Density (R1, R2 & R3)

- i. The setback between the front wall of a ‘Townhouse Cluster’ and an interior roadway or parking area shall be no less than 4 metres (13 ft);
 - ii. The setback between the end side walls of each ‘Townhouse Cluster’ (building ends) shall be no less than 3 metres (10 ft);
 - iii. The setback between the rear walls of a ‘Townhouse Cluster’ shall be no less than 3 metres (10 ft);
 - iv. The setback between the end side walls and/or rear walls of a ‘Townhouse Cluster’ and an abutting lot and/or exterior roadway shall be no less than 7.5 metres (25 ft).
- (b) Where a ‘Townhouse, Street’ has been divided to provide individual ownership to each dwelling unit, the common side yard may be reduced to zero (0) metres.

10.5 Special Provisions R1

R1-56-2014 Concession 8 Part Lot 29 Arran/Tara (Healy Z-45-14.51) 10Nov14

.01 Notwithstanding their R1 Residential zoning the lands zoned R1-56-2014 may be developed subject to the following provisions:

Permitted uses (Municipal water service only) shall be limited to:

- Single detached dwelling
- Accessory uses, buildings, and structures
- Public Park

Permitted uses (Municipal water and sewer): as per [Section 10.2](#)

Minimum setbacks (Municipal Water service only):

- Minimum Lot Area: 6.35 ha
- Minimum Lot Frontage: 139 metres
- Minimum Front Yard Setback: 6.0 metres
- Minimum East Yard Setback: 83.6 metres
- Minimum West Yard Setback: 17.7 metres
- Minimum Rear Yard Setback: 323.9 metres

Minimum setbacks (Municipal Water service only): as per [Section 10.3](#)

R1-56-2014-H Concession 8 Part Lot 29 Arran/Tara (Healy Z-45-14.51) 10Nov14

.02 Requirement to lift the H-Holding Zone Provision:

- Final Approval and Registration of a Plan of Subdivision or Phase of a Plan of Subdivision for the area to be lifted.

R1-48-2016a-H Half Mile Strip Part Lot 30, 3R-5807 Part 2 (Arran) (Nickason / Z-32-16.49)

- .03 Notwithstanding the Low Density Residential (R1) Zone, those lands delineated as **R1-48-2016a-H** on Schedule A to this By-law shall be used in compliance with the 'R1' zone provisions contained in this by-law, excepting however:
- i. All buildings and structures shall occur within 45 m of the east lot line, and buildings and structures shall be located at a minimum elevation of 219.3 metres measured from the geodetic survey of Canada.
 - ii. Requirement to Remove the Holding Provision: Completion of a Road Constructed from Sideroad 25 to Nickason Drive to the satisfaction of the Municipality of Arran Elderslie in accordance with an agreement to be established with the Municipality of Arran Elderslie.

RI-34-2018, Plan 168 Park Pt Lot 2 to Pt Lot 1 (Chesley), (Peto c/o Davidson / Z-8-18.39)

- .04 Notwithstanding the Residential: Low Density Single (RI) Zone, those lands delineated as RI-34-2018 on Schedule 'A' to this By-law shall be used in compliance with the 'RI' zone provisions contained in this by-law, excepting however:
- i. A residential care facility is a permitted use
 - ii. The minimum lot area shall be 2152 m²
 - iii. The minimum lot frontage shall be 26.5 m
 - iv. The minimum side yard for the existing building shall be 1.9 m for the south side yard and 3.7 m for the north side yard
 - v. The maximum lot coverage shall be 15.3%
 - vi. The setback for the existing driveway to the north lot line shall be 0m
 - vii. The setback for the parking lot to the side lot line that runs parallel to the front and rear lot lines shall be 1.5 m
 - viii. Parking spaces associated with the residential care facility use shall be calculated at a rate of 0.68 parking spaces per patient or resident room

10.6 Special Provisions – R2

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10.7 Special Provisions – R3

R3-56-2015 Plan 255 Lts 3 & 4 E/S REGENT Paisley (Panagiotakopoulos Z-41-15.41) 14Dec15

.01 Notwithstanding the Medium Density Residential (R3) Zone, those lands delineated as R3-56-2015 on Schedule 'A' to this By-law shall be used in compliance with the 'R3' zone provisions contained in this by-law, excepting however:

- i. Interior side yard setback of 4.7 m (15.4 ft) on the building existing on the date of passage of this by-law.
- ii. Lands are designated as a site plan control area under Section 41 of the *Planning Act*, R.S.O. 1990.

R3-29-2017, Plan M-89, Part Lots 22 to 26 (Tara), (Clancy c/o Davidson / Z-21-17.51)

.02 Notwithstanding the Residential – Medium Density (R3) Zone, those lands delineated as R3-29-2017 on Schedule 'A' to this By-law shall be used in compliance with the 'R3' zone provisions contained in this by-law, excepting however:

- i. Southerly lot line setbacks shall be 5.1 m for unenclosed, covered decks
- ii. Northerly lot line setbacks shall be 4.8 m for townhouses, and 2.4 m for the unenclosed, covered decks
- iii. Westerly lot line setback shall be 6.6m for the western most townhouse

Section 11 – Travel Trailer Park And Campground (TTP)

11.1 Scoping Note

The provisions of the Travel Trailer Park and Campground (TTP) Zone shall generally apply to lands designated as ‘Recreation & Open Space’ on Schedule ‘A’, ‘B’ or ‘C’: Land Use Plan of the Official Plan for the Urban Areas of Chesley, Paisley, Tara/Invermay or designated ‘Travel Trailer Park & Commercial Campground’ on Schedule ‘A’: Land Use of the County of Bruce Official Plan.

11.2 Uses Permitted

No person shall within a ‘Travel Trailer Park and Campground (TTP)’ zone use any lot or erect, alter or use any building or structure for any purpose except the following:

- (i) Residential Uses
 - ‘Dwelling, Accessory Detached’ as per [Section 3.8.2](#) exclusively for the use of the owner or a caretaker.
- (ii) Non-Residential Uses
 - Campground

11.3 Zone Provisions

No person shall within any ‘Travel Trailer Park and Campground (TTP)’ zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

	Provisions	Non-Residential Uses
.1	Minimum Lot Area Campground	2 hectares (5 ac)
.2	Maximum Lot Area Campground	12 hectares (30 ac)
.3	Minimum Lot Frontage Campground	60 metres (197 ft)
.4	Minimum Set Back All Uses – All Lot Lines	7.5 metres (25 ft)
.5	Minimum Area of Campsite	235 m ² (2530 ft ²)
.6	Minimum Width of Campsite	15 metres (49 ft)
.7	Maximum Density of Campsites per Campground	30 campsites per hectare (12 campsites per acre)
.8	Maximum Number of Campsites per Campground	300
.9	Minimum Open Space per Campground	17%

11.4 Additional Provisions – Travel Trailer Park And Campground

.1 Access & Roads

Each campsite within a Travel Trailer Park and Campground shall be located on an internal access road which shall have a dust free surface and shall be a minimum travelled width of 4 metres (13 ft) for one-way traffic and 6 metres (20 ft) for two-way traffic flow.

.2 Services

The Travel Trailer Park and Campground shall provide a communal or municipal water system, appropriate sewage collection facilities, solid waste disposal, storm drainage, telephone and road maintenance. (By-law 65-2017 Source Water Update / Z-65-17.49

.3 Parking

Each campsite shall be provided with one car parking space and visitor parking shall be provided on the basis of one space for every three (3) campsites.

.4 Campsite Planting Area

A planting area having a minimum width of 1 metre (3 ft.) and consisting of a dense screen of shrubs and evergreen trees, minimum 1 metre (3 ft.) high when planted shall be planted and maintained along the side and rear of all campsites.

.5 Travel Trailer Park and Campground Planting Area/Visual Screening

A Planting Area/Visual Screening shall be provided around a mobile home park as per [Section 3.13](#).

.6 Site Plan Control

A Travel Trailer Park and Campground may be subject to Site Plan Control as per the Planning Act RSO 1990.

11.5 Special Provisions

By-law No: 96-16, Part of Lots 45, 46 and 47, Half-Mile Strip (Arran)

- .1 Notwithstanding their 'TTP' zoning designation, those land delineated as 'TTP-1' on Schedule 'A' to this By-law, shall be used in accordance with 'TTP' zone provisions contained in this By-law excepting however that:
 - i. The maximum number of trailer and/or camping sites shall be 28.

11.5 Special Provisions (cont'd)

By-law No: 96-16, Part of Lots 45, 46 and 47, Half-Mile Strip (Arran)

.2 Notwithstanding their 'TTP' zoning designation, those land delineated as 'TTP-2' on Schedule 'A' to this By-law, shall be used in accordance with 'TTP' zone provisions contained in this By-law excepting however that:

- i. The maximum number of trailer and/or camping sites shall be 90.

Section 12 –Commercial Zones (C1, C2, C3, C4)

12.1 Scoping Note

The provisions of the ‘Central Business District (C1)’ zone or ‘Transition Commercial (C2)’ zone or ‘Highway Commercial (C3) zone or ‘Large Format Commercial (C4)’ zone shall generally apply to lands designated ‘Commercial’ on Schedule ‘A’, ‘B’ or ‘C’: Land Use Plan of the Official Plan for the Urban Areas of Chesley, Paisley, Tara/Invermay

Explanatory Note: All uses in the C1, C2, C3 and C4 may be subject to site plan control. You should contact the Municipality for site plan requirements prior to requesting a building permit.

12.2 Uses Permitted

No person shall within a ‘Central Business District (C1)’ zone or ‘Transition Commercial (C2)’ zone or ‘Highway Commercial (C3)’ zone or ‘Large Format Commercial (C4)’ zone use any lot or erect, alter or use any building or structure for any purpose except the following:

Residential Permitted Uses				
	Central Business District (C1)	Transition Commercial (C2)	Highway Commercial (C3)	Large Format Commercial (C4)
‘Dwelling, Single Detached’ existing at the date of passing of this By-law as per Section 10.3 Provisions of the ‘R1’ Zone	√	√	√	Not Permitted
‘Home Occupation– Domestic and Professional Use’ in a Dwelling, Single Detached existing at the date of passing of this By-law and as per Section 3.9	√	√	√	Not Permitted
‘Home Occupation – Bed & Breakfast Establishment’ in a ‘Dwelling, Single Detached’ existing at the date of passing of this By-law and as per Section 3.10	√	√	√	Not Permitted
Accessory Buildings & Structures as per Section 3.6	√	√	√	Not Permitted

Commercial – Central District, Transition, Highway & Large Format (C1, C2, C3 & C4)

Non-Residential Permitted Uses				
	Central Business District (C1)	Transition Commercial (C2)	Highway Commercial (C3)	Large Format Commercial (C4)
'Dwelling, Accessory Apartment' as per Section 3.8.1	✓	✓	✓	Not Permitted
Accessory Buildings & Structures as per Section 3.6	✓	✓	✓	Not Permitted
Artisan Studio	✓	✓	Not Permitted	Not Permitted
Assembly Hall	✓	Not Permitted	Not Permitted	Not Permitted
Automobile Car Wash	Not Permitted	Not Permitted	✓	Not Permitted
Automobile Gas Bar	Not Permitted	Not Permitted	✓	Not Permitted
Automobile Repair Establishment	Not Permitted	Not Permitted	✓	Not Permitted
Automobile Sales Establishment	Not Permitted	Not Permitted	✓	Not Permitted
Automobile Service Station	Not Permitted	Not Permitted	✓	Not Permitted
Bus Depot	✓	Not Permitted	✓	Not Permitted
Business or Professional Office	✓	✓	Not Permitted	Not Permitted
Clinic	✓	✓	✓	Not Permitted
Convenience Store	✓	Not Permitted	✓	Not Permitted
Child Care (By-law 32-216 Day Care Act update Z-19-16.39)	✓	✓	Not Permitted	Not Permitted
Farmer's Market	✓	Not Permitted	✓	✓
Fitness Centre	✓	✓	Not Permitted	Not Permitted
Funeral Home	✓	✓	Not Permitted	Not Permitted
Greenhouse, Commercial	✓	Not Permitted	Not Permitted	Not Permitted
Hotel/Motel	✓	Not Permitted	✓	Not Permitted
Liquor/Beer Store	✓	Not Permitted	✓	Not Permitted
Parking Lot	✓	Not Permitted	Not Permitted	Not Permitted
Personal Service Shop	✓	✓	Not Permitted	Not Permitted
Place of Entertainment	✓	Not Permitted	✓	✓
Public Building	✓	✓	Not Permitted	Not Permitted
Public Park	✓	✓	✓	Not Permitted
Recreation Facilities	✓	Not Permitted	Not Permitted	Not Permitted
Recycling Depot	✓	Not Permitted	✓	Not Permitted
Restaurant	✓	✓	✓	Not Permitted
Restaurant, Take-Out	✓	Not Permitted	✓	Not Permitted
Retail Store	✓	Not Permitted	Not Permitted	Not Permitted
Retail, Large Format	✓	Not Permitted	Not Permitted	✓
Tavern	✓	Not Permitted	Not Permitted	Not Permitted
Veterinary Clinic – Small Animal	✓	Not Permitted	Not Permitted	Not Permitted

12.3 Zone Provisions

No person shall within the ‘C1’, ‘C2’, ‘C3’, or ‘C4’ zones use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Zone Provisions – Non-Residential (Municipal Water & Sewer)					
		Central Business District (C1)	Transition Commercial (C2)	Highway Commercial (C3)	Large Format Commercial (C4)
.1	Minimum Lot Area	465 m ² (5,005 ft ²)	465 m ² (5,005 ft ²)	2000 m ² (21,529 ft ²)	3000 m ² (32,2912 ft ²)
.2	Minimum Lot Frontage	15 metres (50 ft)	15 metres (50ft)	30 metres (98 ft)	15 metres (50 ft)
.3	Minimum Front Yard	0 metres (0 ft)	6.0 metres (20 ft)	7.5 metres (25 ft)	6.0 metres (20 ft)
.4	Minimum Interior Side Yard	0 metres (0 ft) (b)	1.2 metres (4 ft)	3.0 metres (10 ft.) (c)	3.0 metres (10 ft)
.5	Minimum Rear Yard	6 metres (20 ft) (a)	7.5 metres (25 ft)	7.5 metres (25 ft)	7.5 metres (25 ft)
.6	Minimum Exterior Side Yard	0 metres (0 ft)	6.0 metres (20 ft)	7.5 metres (25 ft)	6.0 metres (20 ft)
.7	Maximum Lot Coverage	Not applicable	35%	50%	60%
.8	Landscaped Open Space	Not applicable	As per Section 3.16 Landscaped Open Space		
.9	Maximum Building Height – ‘Main Building’	10 metres (33 ft)	10 metres (33 ft)	10 metres (33 ft)	10 metres (33 ft)
.10	Minimum Ground Floor Area	Not applicable	70 m ² (753 ft ²)	Not applicable	See Footnote (d)
.11	Open Storage & Outdoor Display	As per Section 3.17 Open Storage & Outdoor Display			
.12	Planting Area/Visual Screening	Not applicable	As per Section 3.15 Planting Area/Visual Screening		

Footnotes

- (a) Where the Rear Yard of a ‘C1’ zone abuts a lane or parking lot, the minimum rear yard may be reduced to 1.5 metres (5 ft).
- (b) Where the Interior Side Yard of a ‘C1’ zone abuts a Residential, Open Space or Institutional zone, the following restrictions shall apply:
- (i) the minimum side yard requirement for the abutting side yard within the Commercial Zone shall be 3 metres (10 ft);
 - (ii) no open storage or outdoor display shall be permitted in the abutting side yard within the Commercial zone.

- (c) Where the Interior Side Yard of a 'C3' zone abuts a residential use or Zone the minimum Interior Side Yard requirement shall be 7.5 metres (25 ft.).
- (d) The 'Minimum Gross Floor Area' for 'Retail, Large Format', and 'Place of Entertainment' buildings or structures shall be no less than 278.7 sq. metres (3,000 sq. ft.).

12.4 Additional Provisions – Automobile Gas Bars & Automobile Repair Establishments

.1 Minimum setbacks for gasoline pumps, natural gas and/ or propane facilities

All gasoline pumps, natural gas and/ or propane facilities shall be setback a minimum of 7.5 metres (25 ft) from the curbing of the pump island to the street line.

.2 Entry Ramps

Notwithstanding the provisions of [Section 3.27](#), there shall be no more than one entry ramp for each 15 metres (50 ft) of street frontage and the width of any entry ramp shall not exceed 9 metres (30 ft) at the street line.

.3 Minimum Front or Exterior Side Yard

Notwithstanding the provisions of [Section 12.3](#), the minimum front or exterior side yard shall be 15 metres (50 ft).

.4 Surfacing

Notwithstanding the provisions of [Section 3.27](#) the surfaces of all ramps, driveways, service areas and off-street loading areas shall be surfaced with a capped, hard top substance such as asphalt, or other stable surface treated to prevent the raising of dust and/or loose particles.

12.5 Special Provisions

- .1 On lands zoned **C3-1**, a veterinary clinic is permitted in addition to the uses permitted in the C3 zone.
- .2 **C1-59-2014, Plan 73 Part Lot 28 and Part Lot 35 (Chesley), (Geertsma Z-56-14.39)**
Notwithstanding their Central Business District 'C1' zoning designation, those lands delineated as **C1-59-14** on Schedule A to this By-law shall be used in compliance with the 'C1' zone provisions excepting however:
 - i. A "dwelling, multiple" is an additional permitted use
 - ii. Each dwelling shall be provided one (1) parking space

**.3 C2-15-2015, Plan 217 PARK Lot Y, R295973 except Part 3R6306 Chesley
(Stade Z-1-15.39)**

Notwithstanding their Transition Commercial (C2) zoning designation, those lands delineated as C2-15-15 on Schedule 'A' to this By-law shall be used in compliance with the 'C2' zone provisions contained in this by-law, excepting however:

- i. Additional Permitted uses: Automobile Car Wash, Automobile Repair, Automobile Sales, Convenience Store, Restaurant – Take Out, Repair Shop, Tavern
- ii. Repair Shop, for the purposes of this by-law, shall be defined as:

Repair Shop

Means premises used for the servicing or repairing of articles, goods or materials, and may include an outlet for service and repair done off the premises and minor retail sales of related goods, but does not include any use involving the sale, rental or servicing of motor vehicles.

The Holding Provision may be removed upon confirmation that suitable entrances have been installed to the satisfaction of Bruce County Highways department.”

**.4 C4-40-2016 Part Lot 10 E VICTORIA S Part Lots 1-10 W QUEEN S Part Arnaud (Paisley)
(Allen’s Building Supplies Inc. / Z-8-16.41)**

- i. All C4 provisions apply as per Section 12

Section 12A – Mixed Use (MU)

12A.1 Scoping Note

The provisions of the Mixed Use (MU) shall generally apply to lands designated Mixed Use in the communities of Paisley.

12A.2 Holding Zone (h)

(Housekeeping By-law 59-10, 08Nov10)

When the MU zone is shown on a Schedule to this By-law with the symbol “h” appended to the zone symbol (ie. MU-h), under Section 36 of the Planning Act, the uses to which the ‘h’ applies shall not commence until the “h” is removed by amendment to this By-law.

12A.3 Uses Permitted

1. Uses Permitted when the ‘h’ symbol is present:
 - a. A medical centre
 - b. Existing uses
 - c. A retail store with a minimum floor area of 250 square metres, provided that the required parking shall not be located in the front yard..
 - d. An office provided that the required parking is not located in the front yard.
2. Uses Permitted when the “h” symbol is removed:
 - a. Uses permitted in subsection 1. of this section, subject to the standards that apply to the C2 zone
 - b. Uses permitted in the R3 zone, subject to the standards that apply to the R3C3 zone.

12A.4 Requirements To Remove The Holding “h” Symbol

Explanatory Note:

A Holding (h) zone specifies conditions which must be met in order to remove the “h” or holding status. These changes are specified in the zoning By-law. An amendment to remove holding status has different appeal requirements than a typical zoning By-law amendment.

Developments in the MU zone are subject to site plan control. Site plan approval is required prior to the issuance of a building permit. You should check with the Municipality prior to making an application.

1. A Record of Site Condition has been filed with the Ministry of the Environment as required by the Ontario Building Code
2. A report that demonstrates compliance with the Ontario Ministry of the Environment’s Guideline for the Use of Contaminated Sites in Ontario

3. A stormwater drainage plan

Section 13 – Hamlet Commercial (HC)

13.1 Scoping Note

The provisions of the Hamlet Commercial (HC) Zone shall generally apply to commercial development located in the Municipality's hamlets as identified on Schedule 'A': Land Use of the County of Bruce Official Plan.

13.2 Uses Permitted

No person shall within a 'Hamlet Commercial (HC)' zone use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Residential Uses

- Dwelling, Accessory Apartment as per [Section 3.8.1](#)
- Dwelling, Single Detached existing at the date of passage of this By-law as per Section 8.3 Hamlet Residential (HR) Zone provisions
- Home Occupation – Domestic and Professional Uses as per [Section 3.9](#) [in a Dwelling, Single Detached only]
- Home Occupation – Bed & Breakfast Establishment as per [Section 3.10](#) [in a Dwelling, single detached only]

ii. Non-Residential Uses

- | | |
|--|--|
| • Assembly Hall | • Personal Service Shop |
| • Automobile Gas Bar | • Public Park |
| • Automobile Repair Establishment | • Parking Lot |
| • Automobile Sales Establishment | • Public Park |
| • Automobile Service Station | • Restaurant |
| • Business or Professional Office | • Restaurant, Take-Out |
| • Child Care (By-law 32-2016 Day Care Act update Z-19-16.39) | • Retail Store under 139 sq. m (1500 sq ft) in 'Gross Floor Area' |
| • Clinic | • Travel Trailer Sales Establishment |
| • Fitness Centre | • Veterinary Clinic – Small Animal |
| • Hotel/Motel | • Buildings, structures and uses accessory to a permitted use as per Section 3.6 |
| • Laundromat | |
| • Marine, Recreation and Small Engine Establishments | |

13.3 Zone Provisions

No person shall within any 'Hamlet Commercial (HC)' zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

	Provisions	Lots with Municipal Water	Lots with No Municipal Water
.1	Minimum Lot Area	0.328 hectares (0.81 ac)	0.5 hectares (1.24 ac)
.2	Minimum Lot Frontage	30 metres (100 ft)	
.3	Minimum Front Yard or Exterior Side Yard	7.5 metres (25 ft)	
.4	Minimum Side Yard	5 metres (16.5 ft)	
.5	Minimum Rear Yard	10 metres (33 ft)	
.6	Maximum Building Height 'Main Building'	10 metres (33 ft)	
.7	Maximum Lot Coverage	25%	15%

13.4 Additional Provisions –Gasoline Pumps, Natural Gas and Propane Facilities

.1 Minimum setbacks for gasoline pumps, natural gas and/ or propane facilities

All gasoline pumps, natural gas and/ or propane facilities shall be setback a minimum of 7.5 metres (25 ft) from the curbing of the pump island to the street line.

.2 Entry Ramps

Notwithstanding the provisions of [Section 3.27](#), there shall be no more than one entry ramp for each 15 metres (50 ft) of street frontage and the width of any entry ramp shall not exceed 9 metres (30 ft) at the street line.

.3 Minimum Front or Exterior Side Yard

Notwithstanding the provisions of Section 12.3, the minimum front or exterior side yard shall be 15 metres (50 ft).

.4 Surfacing

Notwithstanding the provisions of [Section 3.27](#) the surfaces of all ramps, driveways, service areas and off-street loading areas shall be surfaced with a capped, hard top substance such as asphalt, or other stable surface treated to prevent the raising of dust and/or loose particles.

13.5 Off-Street Parking Regulations

Notwithstanding the minimum number of off-street parking spaces required by [Section 3.27](#), where a 'Dwelling' is located in a non-residential building, a minimum of one parking space shall be provided for each 'Dwelling' contained therein on site.

13.6 Special Provisions

Section 14 – General Provisions For Industrial Zones (BP1, BP2, HI, M2, M1, M3)

Explanatory Note:

Developments in an Industrial zone may be subject to site plan control, which requires that you submit and receive approval of a site plan prior to issuance of a building permit. You should check with the Municipality prior to making an application.

14.1 Accessory Buildings & Structures

Accessory Buildings & Structures shall be located as per [Section 3.6](#).

14.2 Parking Requirements

Parking requirements shall be determined as per '[Section 3.27](#), Off-Street Parking Regulations'.

14.3 Loading Requirements

Loading requirements shall be determined as per '[Section 3.28](#), Loading Regulations'.

14.4 Water and Sewer Services

All Business Park 1 (BP1) and Business Park 2 (BP2) uses shall be connected to a municipal water and municipal sewer system.

14.5 Planting Area/Visual Screening

Planting Area/Visual Screening shall be provided as per the requirements of '[Section 3.15](#), Planting Area/Visual Screening'.

14.6 Landscaped Open Space

Landscaped Open Space shall be provided as per the requirements of '[Section 3.16](#), Landscaped Open Space'.

14.7 Open Storage & Outdoor Display

Open Storage & Outdoor Display shall be provided as per the requirements of '[Section 3.17](#), Open Storage & Outdoor Display'.

14.8 Provincial or County Street Right-of-Way Setbacks

Provincial or County Street Right-of-Way Setbacks shall be provided as per the requirements of '[Section 3.23](#) Provincial or County Street Right-of-Way Setbacks'.

14.9 Multiple Buildings on One Lot

In an Industrial Zone more than one 'Main Building' or structure shall be permitted on a lot provided that all other provisions of this By-law are adhered to.

14.10 Offices Accessory to a Permitted Use

A business office(s) serving the principle use(s) on a lot shall be permitted.

14.11 Buffer on Lands Adjoining Industrial or Residential Uses/ Zones

Buffers shall be provided as per the requirements of '[Section 3.3](#), Buffer on Lands Adjoining Industrial or Residential Uses/Zones'.

14.12 All Outside Fuel Storage & Re-fuelling

The surfaces of all ramps, service areas, off-street loading areas used for fuel storage and/or re-fuelling shall be surfaced with a capped, hard top substance such as asphalt, or other stable surface treated to prevent the seepage of any spilled fuel and/or other potential hazardous materials.

14.13 Minimum setbacks for gasoline pumps, natural gas and/ or propane facilities

All gasoline pumps, natural gas and/ or propane facilities shall be setback a minimum of 7.5 metres (25 ft) from the curbing of the pump island to the street line.

Section 15 – Business Park Zone (BP1 & BP2)

15.1 Scoping Note

The provisions of the ‘Business Park 1 (BP1)’ and ‘Business Park 2 (BP2)’ Zones shall generally apply to lands designated ‘Industrial’ on Schedule ‘A’, ‘B’ or ‘C’: Land Use Plan of the Official Plan for the Urban Areas of Chesley, Paisley, Tara/Invermay.

15.2 Uses Permitted

No person shall within a ‘Business Park 1 (BP1)’ zone or ‘Business Park 2 (BP2)’ zone use any lot or erect, alter or use any building or structure for any purpose except the following:

	Business Park 1 (BP1)	Business Park 2 (BP2)
Residential Uses	Not Permitted	Not Permitted
Non-Residential Uses		
Assembly Hall	✓	Not Permitted
Bulk Fuel Depot	Not Permitted	✓
Bulk Sales Establishment – Agriculture	Not Permitted	✓
Commercial Motor Vehicle Repair Establishment	✓	✓
Commercial Motor Vehicle Sales Establishment	✓	✓
Commercial College	✓	Not Permitted
Contractors Yard	✓	✓
Residential Use Existing on the day of passing of this By-law	✓	✓
Factory Sales Outlet	✓	✓
Farm Implement Establishment	✓	✓
Industrial Use	Not Permitted	✓
Industry, Light	✓	✓
Marine, Recreation and Small Engine Establishment	✓	✓
Public Building	✓	Not Permitted
Public Garage	✓	✓
Public Park	✓	Not Permitted
Public Utility Building	✓	✓
Recycling Centre	✓	✓
Recycling Depot	✓	✓
Rental Establishment	✓	✓
Research and Development Centre	✓	Not Permitted
Technology Industry	✓	Not Permitted
Trades Persons’ Shop	✓	✓
Transport Depot	✓	✓
Travel Trailer Sales Establishment	✓	Not Permitted
Warehouse	✓	✓
Warehouse, Mini Storage	✓	✓
Veterinary Clinic	✓	✓

Veterinary Clinic – Small Animal	✓	Not Permitted
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15.3 Zone Provisions

No person shall within any ‘Business Park 1 (BP1)’ Zone or ‘Business Park 2 (BP2)’ Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

	Provisions	Business Park 1	Business Park 2
.1	Minimum Lot Area	750 m ² (8073 ft ²)	1100 m ² (11841 ft ²)
.2	Minimum Lot Frontage	30 metres (100 ft)	30 metres (100 ft)
.3	Minimum Front Yard and Exterior Side Yard	(i) abutting a Future Development, Residential or Institutional zone or a residential or institutional use	18 metres (59 ft)
		(ii) all other cases	9 metres (29.5 ft)
.4	Minimum Interior Side Yard (see Footnote (a))	(i) abutting a Future Development, Residential or Institutional zone or a residential or institutional use	10 metres (33 ft)
		(ii) all other cases	3 metres (9.8 ft)
.5	Minimum Rear Yard	(i) abutting a Future Development, Residential or Institutional zone or a residential or institutional use	15 metres (49 ft)
		(ii) all other cases	7.5 metres (25ft)
.6	Maximum Lot Coverage	75%	65%
.7	Minimum Gross Floor Area	See Footnote (b)	See Footnote (b)
.7	Maximum Building Height	(i) within 20 metres of a Residential or Institutional zone or use	11 metres
		(ii) in all other cases	22 metres

Footnotes:

- (a) For a ‘Bulk Fuel Depot’ the Minimum Interior Side Yard for all fuel storage areas and/or pumps shall be no less than 7.5 metres (25 ft).
- (b) When located in a ‘Single Use, Self-Contained’ building/structure, the ‘minimum gross floor area’ shall be no less than 278.7 m² (3,000 ft²). If located in a ‘Industrial Mall’ the minimum gross floor area of the building or structure shall be no less than 371.6 m² (4,000 ft²) with no single unit smaller than 92.9 m²

(1,000 ft²) in gross floor area.

15.4 Special Provisions

- .1 On lands zoned BP1-1 a convenience store is permitted in addition to the uses permitted in the BP-1 zone.
- .2 On lands zoned BP1-2 a restaurant is permitted in addition to the uses permitted in the BP-1 zone.

BP1-56-10 1963 Bruce Rd 10; Pt Lot 30 Concession 4 Elderslie

(Spencer c/o Albright Z-51-2010.39, 08 November 2010)

- .3 Notwithstanding their 'BP1' Business Park 1 zoning designation, those lands delineated as 'BP1-56-10' may be developed on private water and septic system services, subject to the following provisions:
 - i. The minimum lot area under private services shall be 5000 m² (1.24 acres).
 - ii. Development shall be subject to site plan control.

BP1-18-11 229 4th St SW Chesley; Plan 213 Pt Lots 201 & 202, Plan 236 Pt Lot 6 RP 3R5579

PARTS 1 to 6 (Schopf, Albright, et al Z-20-2011.39, 13 June 2011)

- .4 Notwithstanding their 'BP1' Business Park 1 zoning designation, those lands delineated as 'BP1-18-11' may be developed subject to the following provisions:
 - i. Permitted uses shall be limited to a contractor's yard with screened outdoor storage.
 - ii. An accessory detached dwelling occupied by the owner/operator of the yard shall be a permitted use.
 - iii. Development shall be subject to site plan control.

BP1-1-3 1929 Bruce Rd 10; CON 4 PT LT 30; RP 3R4680 PART 1

(OMB Appeal PL090706, 07Dec11, Jackson/Padfield Z-31-2009.49)

- .5 On lands zoned as BP1-1-3, in addition to the uses permitted by [Section 15.2](#), a Convenience Store, and accessory dwelling for the owner or operator, and automobile gas bar, and a restaurant are permitted uses, and are subject to the provisions of [Section 15.3](#)

Section 16 – Hamlet Industrial (HI)

16.1 Scoping Note

The provisions of the Hamlet Industrial (HI) Zone shall apply to industrial development located in the Municipality's hamlets as identified on Schedule 'A': Land Use of the County of Bruce Official Plan.

16.2 Uses Permitted

No person shall within a 'Hamlet Industrial (HI)' zone use any lot or erect, alter or use any building or structure for any purpose except the following:

(i) Residential Uses

- 'Dwelling, Accessory Apartment' as per [Section 3.8.1](#), exclusively for the use of the owner or a caretaker. A 'Dwelling, Accessory Apartment' shall not be permitted in association with a 'Bulk Fuel Depot', or 'Public Garage'.

(ii) Non-Residential Uses

- Agricultural Produce Warehouse
- Bulk Fuel Depot
- Bulk Sales Establishment – Agricultural
- Commercial Motor Vehicle Repair Establishment
- Contractors Yard
- Dry Industrial Uses
- Farm Implement Establishment
- Food Processing, Primary and Secondary
- Garden Centre
- Greenhouse, Commercial
- Public Garage
- School Bus Storage
- Trades Person's Shop
- Veterinary Clinic

16.3 Zone Provisions

No person shall within any 'Hamlet Industrial (HI)' zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

	Provisions	Non-Residential Uses
.1	Minimum Lot Area	0.8 hectares (2.0 ac)
.2	Minimum Lot Frontage	30 metres (98 ft.)
.3	Minimum Front Yard or Exterior Side Yard	15 metres (49.2 ft)
.4	Minimum Side & Rear Yard	10 metres (33 ft)
.5	Maximum Height – 'Main Building'	10 metres (33 ft)
.6	Maximum Lot Coverage	15%
.7	Minimum Separation Distance from Accessory Detached Dwelling	30 metres (98 ft)

16.4 Special Provisions

HI-48-2016-H Half Mile Strip Part Lot 30, 3R-5807 Part 2 (HMS) (Arran),
(Nickason / Z-32-16.49)

- .1 Notwithstanding the Hamlet Industrial (HI) Zone, those lands delineated as HI-48-2016-H on Schedule 'A' to this By-law shall be used in compliance with the 'HI' zone provisions contained in this by-law, excepting however:
- i. HI Hamlet Industrial (HI-H) uses shall be limited to a contractor's yard, including buildings, structures, outdoor storage area, and parking.
 - ii. Buildings and outdoor storage shall occur with a minimum setback of 40 m from a residential zone.
 - iii. Developed areas of the site shall be graded to a minimum elevation of 219.3 metres measured from the geodetic survey of Canada.
 - iv. Requirement to Remove the Holding Provision: Completion of a Road constructed from Sideroad 25 to Nickason Drive to the satisfaction of the Municipality of Arran Elderslie in accordance with an agreement to be established with the Municipality of Arran Elderslie.

Section 17 – Extractive Industrial (M2)

17.1 Scoping Note

The provisions of the Extractive Industrial (M2) Zone shall apply to pits and quarries as identified on Schedule ‘A’: Land Use of the County of Bruce Official Plan.

Explanatory Note:

Extractive uses are also subject to the Aggregate Resources Act, which requires a license to be issued for any such use. The Aggregate Resources Act is administered by the Ministry of Natural Resources.

17.2 Permitted Uses

No person shall within a ‘Extractive Industrial (M2I)’ zone use any lot or erect, alter or use any building or structure for any purpose except the following:

(i) Residential Uses

- Prohibited

(ii) Non-Residential Uses

- Agriculture, General
- Pit
- Portable Asphalt Plant
- Portable Concrete Plant
- Mineral Aggregate Operation
- Buildings, structures and uses accessory to a permitted use [i.e., open storage, scales, pump buildings, administration, equipment storage, and fuel pumps]
- Processing of natural materials extracted from the site including screening, sorting, washing, crushing, storing, and other similar operations allied to a Mineral Aggregate Operation.

17.3 Zone Provisions

No person shall within any ‘Extractive Industrial (‘M2’) Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

	Provisions	Non-Residential Uses
.1	Minimum Lot Area	1 hectare (2.5 ac)
.2	Minimum Lot Frontage	30 metres (98 ft)

17.4 Additional Provisions – Extractive Industrial

- .1 No mineral aggregate resource, aggregate pile, topsoil pile, overburden pile, or any building or structure shall be located closer than:
- i. 30 metres (98 ft) of the boundary of the licensed area; and
 - ii. 90 metres (295 ft) of the boundary of the licensed area abutting a Class 1 or 2 Street; or a ‘Dwelling’ existing at the time an aggregate license is issued, or land zoned Residential or Institutional when an aggregate license is issued

Where an interior lot line in a ‘M2’ zone abuts land held in separate ownership but is also zoned ‘M2’, no setback may be required.

- .2 All machinery employed in the processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete or the production of secondary related products shall be located no closer than:
- i. 30 metres (98 ft) of the boundary of the licensed area; and
 - ii. 90 metres (295 ft) of the boundary of the licensed area abutting a Class 1 or 2 Street; or a residential dwelling existing at the time an aggregate license is issued, or land zoned Residential or Institutional when an aggregate license is issued
- .3 Berms that are intended to screen the adjoining lands from the operation on the site are exempt from Section 17.4.3.
- .4 Visual Buffering shall be provided in accordance with the following requirements:
- (i) Visual Buffering shall be planted and maintained along the boundary of the licensed area that abuts a street/road and along any boundary line within 60 metres (197 f) of a ‘Institutional Use’ or a dwelling or Residential zone, except for entrances and exits; and
 - (ii) Visual Buffering shall provide a year round visual barrier and shall be a minimum of 15 metres (50 ft) in width and consist of a dense screen of shrubs and/or evergreen trees, a minimum of one metre (3 ft) in height when planted and of a type that will attain a minimum height of 6 metres (20 ft) at maturity; and
 - (iii) Where required on a street corner of a corner lot, Visual Buffering shall be located in such a way as not to form an obstruction to traffic and as required by the sight visibility triangles required by this By-law.

17.5 Special Provisions

By-law No: 16-00, Part of Lot 17, Concession 2 (Elderslie)

- .1 Notwithstanding their ‘M2’ zoning designation, those lands designated as ‘M2-1’ on Schedule ‘A’ to this By-law, shall be used in accordance with the ‘M2’ zone provisions contained in this By-law excepting however:
- i. Residential uses restricted solely for the use of the owners of the subject lands shall be permitted;
 - ii. A planting area as per Section 24.6 shall not be required; and,
 - iii. Existing agricultural uses shall be permitted.

By-law No: 6-95, Part of Lots 31 and 32, Concession 14 (Elderslie)

- .2 Notwithstanding their ‘M2’ zoning designation, those lands delineated as ‘M2-2’ on Schedule ‘A’ to this By-law shall be used in accordance with the ‘M2’ zone provisions contained in this By-law excepting however:
- i. The area to be extracted shall not exceed 24 hectares (59.3 acres); and,
 - ii. Extraction shall not occur below the 248 metre elevation or the water table, whichever is higher;
 - iii. Agriculture General, excluding a Dwelling, Accessory Detached, shall be permitted.

M2-20-11, 157 Elderslie Arran Line; Pt Lots 32 & 33 Concession 14 (Elderslie)
Gingerich Z-14-2011.49, By-law 20-11, 27Jun2011

- .3 Notwithstanding their ‘M2’ Extractive Industrial zoning designation, those lands delineated as ‘M2-20-11’ on Schedule ‘A’ to this By-law shall be used in compliance with the ‘A1’ zone provisions contained in this By-law, excepting however:
- i. The total area to be extracted shall not exceed a 13.4 hectares, 3.1 hectares in area ‘a’ and 10.3 hectares in Area ‘b’.
 - ii. No extraction shall occur within 75 metres of the existing dwelling located on Lot 33 Concession 14.

Section 18– Agriculture Commercial Industrial (M1)

18.1 Scoping Note

The provisions of the Agriculture Commercial Industrial (M1) Z one shall generally only apply to lands designated ‘Agriculture’ or ‘Rural’ on Schedule ‘A’: Land Use in the County of Bruce Official Plan.

18.2 Uses Permitted

No person shall within an ‘Agriculture Commercial Industrial (M1)’ zone use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Residential Uses

- ‘Dwelling, Accessory Apartment’ as per [Section 3.8.1](#) or a ‘Dwelling, Accessory Detached’ as per [Section 3.8.2](#), exclusively for the use of the owner or a caretaker. A ‘Dwelling, Accessory Apartment’ or a ‘Dwelling, Accessory Detached’ shall not be permitted in association with an ‘Abattoir’ or ‘Livestock Assembly Yard’.

ii. Non-Residential Uses

- Abattoir
- Bulk Sales Establishment – Agricultural
- Farm Implement Establishment
- Feed Mill & Elevator
- Food Processing, Primary
- Garden Centre
- Livestock Assembly Yard
- Livestock Auction Barn
- Portable Asphalt Plant
- Portable Concrete Plant
- Veterinary Clinic
- Wayside Pit or Wayside Quarry

18.3 Zone Provisions

No person shall within any 'Agriculture Commercial Industrial (M1)' zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

	Provisions	Non-Residential Uses
.1	Minimum Lot Area	0.8 hectares (2.0 ac)
.2	Minimum Lot Frontage	30 metres (100 ft)
.3	Minimum Front Yard	15 metres (49.2 ft)
.4	Minimum Side Yard	10 metres (33 ft)
.5	Minimum Rear Yard	10 metres (33 ft)
.6	Maximum Height – 'Main Building'	10 metres (33 ft)
.7	Maximum Lot Coverage	15%
.8	Minimum Separation Distance From Accessory Detached Dwelling	30 metres (100 ft)

18.4 Special Provisions

By-law No: 94-06, Lot 22, Concession B (Arran)

- .1 Notwithstanding their 'M1' zoning designation, those lands delineated as 'M1-1' on Schedule 'A' to this By-law, shall be used in accordance with the 'M1' zone provisions contained in this By-law excepting however:
- i. The permitted uses shall be limited to an AUTOMOTIVE WRECKING establishment;
 - ii. An AUTOMOTIVE WRECKING establishment shall permit the wrecking or dismantling of motor vehicles, and for the storage and sale of scrap material, salvage and parts obtained there from, but does not include any other automotive use as defined in this By-law.

By-law No: 94-06, Part Lot 24, Concession 7 (Arran)

- .2 Notwithstanding their 'M1' zoning designation, those lands delineated as 'M1-2' on Schedule 'A' to this By-law, shall be used in accordance with the 'M1' zone provisions contained in this By-law, excepting however:
- i. The land may be used for an automobile sales establishment.

18.4 Special Provisions (cont'd)

By-law No: 5-86, Part of Lot 18, Concession 13 (Elderslie)

- .3 Notwithstanding their 'M1' zoning designation, those lands delineated as 'M1-3' on Schedule 'A' to this By-law, shall be used in accordance with the 'M1' zone provisions contained in this By-law, excepting however that:
- i. The dismantling, repair, storage of motor vehicles and motor vehicle parts shall be permitted;
 - ii. A maximum of six (6) motor vehicles for sale at any one time shall be permitted, but shall not include any partially dismantled motor vehicles or automotive parts.

By-law No: 9-04, Part of Lot 30, Concession 1 (Elderslie)

- .4 Notwithstanding their 'M1' zoning designation, those lands delineated as 'M1-4-H' on Schedule 'A' to this By-law, shall be used in accordance with the 'M1' zone provisions contained in this By-law, excepting however that:
- i. An automotive repair establishment shall be a Permitted Use;
 - ii. The 'H - Holding' provision may be removed once the following conditions have been met:
 - a. A statement from the Chief Building Official or a qualified individual that all floor drains which may become contaminated with materials from the repair/servicing shop have been directed to a 'waste oil separator' or similar engineered system; and
 - b. A statement from the owner/operator that a certified individual/company has been retained to dispose of all contaminated materials.

By-law 41-00, Part of Lot 8, Concession 'A' (Elderslie)

(revised by Penta Spreaders c/o Allen Z-55-17.38, By-law 53-2017)

- .5 Notwithstanding their 'M1' zoning designation, those lands delineated as 'M1-5' on Schedule 'A' to this By-law, shall be used in accordance with the 'M1' zone provisions contained in this By-law, excepting however:
- i. A 'non-effluent producing industrial use' shall be permitted;
 - ii. A 'retail, large format commercial use' shall be permitted;
 - iii. The 'maximum lot coverage' may be increased to 12.9%; and
 - iv. The setback as per Section 3.23.1 'County or Provincial Road Right-of-Way Setbacks' for the industrial building as it exists on the date of the passage of this By-law shall be no less than 35 metres.
 - v. MDS I setbacks are: By-law No: 31-01, Part of Lot 26, Concession 3 (Elderslie)
 - a. 253 m from livestock and manure storage facilities on 3067 Bruce Road 3;
 - b. 234 m from livestock and manure storage facilities on 3064 Bruce Road 3;
 - vi. The lands shall be subject to site plan control under Section 41 of the Planning Act, R.S.O. 1990.

18.4 Special Provisions (cont'd)

By-law 31-01, Part of Lot 26, Concession 3 (Elderslie)

- .6 Notwithstanding their 'M1' zoning designation, those lands delineated as '**M1-6**' on Schedule 'A' to this By-law shall be used in accordance with the 'M1' zone provisions contained in this By-law excepting however that:
- i. A 'Farm Implement and Equipment Establishment' shall be permitted;
 - ii. There shall be no outside storage of goods, materials or equipment unless fully enclosed by a fence or other enclosure which provides visual screening;
 - iii. The 'minimum side yard' shall be no less than 10 metres (33 feet);
 - iv. The 'minimum front yard' shall be no less than 9 metres (30 feet);
 - v. The 'minimum lot frontage' shall be no less than 10 metres (33 feet);
 - vi. The 'minimum rear yard' shall be no less than 10 metres (33 feet);
 - vii. The 'maximum retail floor area' shall not exceed 278.7 square metres (3,000 ft²);
and
 - viii. 'FARM IMPLEMENT & EQUIPMENT ESTABLISHMENT' means the use of land, buildings or structures for the repair and servicing of agricultural equipment and machinery, and the repair and servicing of farm plated vehicle and trailers used in direct association by an agricultural operation, but shall not include any other automobile or commercial motor vehicle use defined in this By-law.

By-law No: 5-92, Part Lot 22 & 23, Concession 3 (Elderslie)

- .7 Notwithstanding their 'M1' zoning designation, those lands delineated as '**M1-7**' on Schedule 'A' to this By-law, shall be used in accordance with the 'M1' zone provisions contained in this By-law excepting however that:
- i. An 'automobile sales establishment' shall be a Permitted Use.

By-law No: 12-88/10-89, Part of Lot 30, Concession I (Elderslie)

- .8 Notwithstanding their 'M1' zoning designation, those lands delineated as '**M1-8**' on Schedule 'A' to this By-law, shall be used in accordance with the 'M1' zone provisions contained in this By-law, excepting however:
- i. An accessory residential use, detached from a principle non-residential use may be permitted;
 - ii. Automobile sales and service establishment and a small engine repair establishment;
 - iii. The maximum number of cars for sale and display on the subject property at anyone time shall be 15;
 - iv. A minimum of 3 parking spaces shall be provided for customer parking.

18.4 Special Provisions (cont'd)

By-law No: 18-88, Part of Lot 6, Concession 5 (Elderslie)

- .9 Notwithstanding their 'M1' zoning designation, those lands delineated as 'M1-9' on Schedule 'A' to this By-law, shall be used in accordance with the 'M1' zone provisions contained in this By-law excepting however:
- i. 'Dwelling Unit - Accessory Detached' shall be permitted and may take the form of a mobile home; and
 - ii. An 'Abattoir' shall not be a 'Permitted Use'.

M1-03-2011 Pt Lot 16 Concession 10, RP 3R3372 PART 1 Elderslie (Cumming Z-62-2010.38)

- .10 Notwithstanding their 'M1' Agriculture Commercial Industrial zoning designation, permitted non-residential uses on those lands delineated as 'M1-03-11' on Schedule 'A' to this By-law are restricted to:
- i. Warehousing and office uses associated with a wholesale operation, which shall be located within buildings existing on the property at the date of passing of this By-Law.

M1-59-2013, Lot 19 Concession 13 (Elderslie), (Bauman Z-32-2013.38)

- .11 Notwithstanding their 'A1' General Agriculture zoning designation, those lands delineated as 'M1-59-2013' on Schedule 'A' to this By-law may be used in compliance with the 'M1' zone provisions contained in this By-law, excepting however, that:
- i. Permitted non-residential uses shall be limited to:
 - Manufacturing Concrete tile and agriculture related concrete products
 - Uses permitted in the A1 General Agriculture zone
 - ii. The lands zoned M1-59-2013 shall be subject to site plan control under Section 41 of the Planning Act, R.S.O. 1990

M1-28-2017, Concession 4 E PT LOT 28 RP 3R6986 PART 2 (Elderslie), (Gingrich/ Z-20-17.38)

- .12 Notwithstanding the Agriculture Commercial Industrial (MI) Zone, those lands delineated as M1-28-2017 - Agriculture Commercial Industrial Special on Schedule 'A' to this By-law shall be used in compliance with the 'MI' zone provisions contained in this by-law, excepting however:
- i. Permitted uses include a farm implement repair, machine shop, welding shop to a maximum building size of 650 square metres.
 - ii. Outside storage of goods, materials or equipment shall be accompanied by a Planting Area as outlined in Section 3.15
 - iii. Minimum separation distance from accessory detached dwelling is 25 m

**MI-71-2018 Agriculture Commercial Industrial Special, Lot 21 Concession 6 (Elderslie),
(Shantz/ Z-36-18.38)**

- .13 Notwithstanding the MI Agriculture Commercial Industrial Zone, those lands delineated as MI-71-2018 Agriculture Commercial Industrial Special on Schedule 'A' to this By-law shall be used in compliance with the 'MI' zone provisions contained in this by-law, excepting however:
- i. The zone area shall be 5852 m² (1.45 ac)
 - ii. Permitted uses shall be limited to:
 - a. All uses permitted for an Agricultural Lot in the AI General Agriculture zone
 - b. A "farm implement establishment" to a maximum building size of 464 m² (4992 ft²)

Explanatory Note: 'Farm Implement Establishment' means the use of land buildings or structures for the sale of, storage or repair of new or used agricultural equipment and machinery directly associated with the operation of a farm and may include as an accessory use the display, sale, storage, servicing, and repair of snowmobiles, ATV's, small engines, and lawn care equipment and related products but does not include any other use(s) defined herein.

- iii. The zone shall be exempt from the setback provisions of Section 4 7.3 (more than 1 zone on a lot)
- iv. Except for a designated display area for a maximum of two pieces of equipment at the end of the driveway, placed no closer than 5 m to the front lot line, outside storage of goods, materials or equipment shall be accompanied by a Planting Area as per Section 3.15

AI-71-2018, Lot 21 Concession 6 (Elderslie), (Shantz/ Z-36-18.38)

- .14 Notwithstanding the General Agriculture (AI) Zone, those lands delineated as AI-71-2018 General Agriculture Special on Schedule 'A' to this By-law shall be used in compliance with the 'AI' zone provisions contained in this by-law, excepting however:
- i. Section 4.7.3 (more than 1 zone on a lot) shall not apply for setbacks to the MI-71-2018 zone.

Section 19 – Rural Commercial Industrial (M3)

19.1 Scoping Note

The provisions of the Rural Commercial Industrial (M1) Zone shall generally only apply to lands designated ‘Rural’ on Schedule ‘A’: Land Use in the County of Bruce Official Plan.

19.2 Uses Permitted

No person shall within a ‘Rural Commercial Industrial (M1)’ zone use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Residential Uses

- ‘Dwelling, Accessory Apartment’ as per [Section 3.8.1](#) or a ‘Dwelling, Accessory Detached’ as per [Section 3.8.2](#), exclusively for the use of the owner or a caretaker. A ‘Dwelling, Accessory Apartment’ or a ‘Dwelling, Accessory Detached’ shall not be permitted in association with an ‘Abattoir’, ‘Livestock Assembly Yard’, or ‘Public Garage’.

ii. Non-Residential Uses

In addition to all Non-Residential Uses permitted in the ‘M1’ zone the following shall also be permitted:

- Agricultural Produce Warehouse
- Greenhouse, Commercial
- Industrial, Dry limited to welding shops, blacksmith shops, and wood fabricating
- Public Garage
- Riding Stable/Equestrian Centre
- Salvage Yard
- Saw or Planing Mill
- Septic Tank Service

19.3 Zone Provisions

No person shall within any ‘Rural Commercial Industrial (M1)’ zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

	Provisions	Non-Residential Uses
.1	Minimum Lot Area	0.8 hectares (2.0 ac)
.2	Minimum Lot Frontage	30 metres (98 ft)
.3	Minimum Front or Exterior Yard	15 metres (49.2 ft)
.4	Minimum Side & Rear Yard	10 metres (33 ft)
.5	Maximum Height – ‘Main Building’	10 metres (33 ft)
.6	Maximum Lot Coverage	15%

.7	Minimum Separation Distance from Accessory Detached Dwelling	30 metres (98 ft)
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19.4 Special Provisions

By-law No: 94-06, Part of Lot 29, Concession 6/Part Lot 224, Plan 205 (Arran)

- .1 Notwithstanding their 'M1' zoning designation, those lands delineated as '**M3-1**' on Schedule 'A' to this By-law, shall be used in accordance with the 'M3' zone provisions contained in this By-law, excepting however:
- i. A Public Building and Public Garage shall be permitted;
 - ii. No building openings shall be permitted below an elevation of 231.0 metres G.S.C.

By-law No: 94-06, Part of Lot 29, Con. 6/ Part Lot 224, Plan 205; Part 1 on RP 3R-1248 (Arran)

- .2 Notwithstanding their 'M1' zoning designation, those lands delineated as '**M3-2**' on Schedule 'A' to this By-law, shall be used in accordance with the 'M3' zone provisions contained in this By-law, excepting however:
- i. Storage of sand, salt and other materials or equipment for a Public Use shall be permitted;
 - ii. No building openings shall be permitted below an elevation of 231.0 metres G.S.C.

By-law No: 94-06, Part of Lot 30, Concession 10 (Arran)

- .3 Notwithstanding their 'M1' zoning designation, those lands delineated as '**M3-3**' on Schedule 'A' to this By-law, shall be used in accordance with the 'M3' zone provisions contained in this By-law, excepting however:
- i. A welding shop shall be permitted.

Section 20 – Urban & Rural Institutional Zones (INR, IN)

20.1 Scoping Note

The provisions of the Institutional Rural (INR) and Institutional Zones shall generally apply to institutional development generally located in the urban and rural areas of the Municipality.

20.2 Uses Permitted

No person shall within a 'Urban Institutional (IN)' zone or 'Rural Institutional (INR)' zone use any lot or erect, alter or use any building or structure for any purpose except the following:

Permitted Uses	Institutional– Rural (INR)	Instiutional – Urban (IN)
'Dwelling, Accessory Apartment' as per Section 3.8.1 or a 'Dwelling, Accessory Detached' as per Section 3.8.2 , used only in association with 'Place of Worship'	√	√
Assembly Hall	√	√
Cemetery	√	√
Clinic	Not Permitted	√
Child Care (By-law 32-2016, Day Care Act update Z-19-16.39)	Not Permitted	√
Day School	Not permitted	√
Educational Facility	Not permitted	√
Group Home – Type One	Not permitted	√
Hospital	Not permitted	√
Place of Worship	√	√
Public Building	Not permitted	
Public Park	√	√
Residential Care Facility	Not Permitted	√
Accessory Buildings & Structures as per Sect 3.6	√	√

20.3 Zone Provisions

No person shall within any 'Institutional – Urban (IN)' or 'Institutional – Rural (INR)' zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

	Provisions	Lots with Municipal Water	Lots with No Municipal Water
.1	Minimum Lot Area	0.5 hectares (1.24 ac)	0.8 hectares (2.0 ac)
.2	Minimum Lot Frontage	40 metres (131 ft)	
.3	Minimum Front Yard	7.5 metres (25 ft)	
.4	Minimum Side Yard	5 metres (16.4 ft)	10 metres (33 ft)
.5	Minimum Rear Yard	10 metres (33 ft)	
.6	Maximum Building Height 'Main Building'	10 metres (33 ft)	
.7	Maximum Lot Coverage	15%	10%

20.4 Special Provisions

By-law No: 94-06, Part Lot 30, Concession 10 (Arran)

By-law No: 94-06, Part Lot 14, Concession 13 (Arran)

By-law No: 7-84, Part Lot 1, Concession 14 (Elderslie)

By-law No: 7-84, Part of Lot 6, Concession 10 (Elderslie)

By-law No: 7-84, Part Lot 14, Part Lot 15, Concession 10 (Elderslie)

By-law No: 7-84, East Part Lot 15, Concession 1 (Elderslie)

By-law No: 7-84, Part of Lot 23, Concession 4 (Elderslie)

.1 Notwithstanding their 'INR' zoning designation, those lands delineated as '**INR-1**' on Schedule 'A' to this By-law shall be used in accordance with the 'INR' zone provisions contained in this By-law excepting however that:

i. The permitted uses shall be limited to a 'Cemetery'.

By-law No. 20-04, Part Lot 23, Concession 4 (Elderslie)

.2 Notwithstanding their 'INR' zoning designation, those lands delineated as '**INR-2**' on Schedule 'A' to this By-law shall be used in accordance with the 'INR' zone provisions contained in this By-law excepting however that:

i. The permitted uses shall be limited to a Mennonite parochial school.

20.4 Special Provisions (cont'd)

By-law No: 94-06, Part of Lot 10, Concession 2 (Arran)

By-law No. 7-97, Part Lot 16, Concession 12 (Elderslie)

By-law No. 21-04, Part Lot 17, Concession 5 (Elderslie)

.3 Notwithstanding their 'INR' zoning designation, those lands delineated as 'INR-3' on Schedule 'A' to this By-law shall be used in accordance with the 'INR' zone provisions contained in this By-law excepting however that:

- i. The permitted uses shall be limited to a 'Church' and/or a 'Cemetery'.

By-law No: 7-84, Part of Lot 15, Concession 6 (Elderslie)

.4 Notwithstanding their 'INR' zoning designation, those lands delineated as 'INR-4' on Schedule 'A' to this By-law shall be used in accordance with the 'INR' zone provisions contained in this By-law excepting however that:

- i. The Permitted Uses shall be limited to a 'Public Park'.

By-law No: 94-06, Part of Lot 2, Concession 11 (Arran)

.5 Notwithstanding their 'INR' zoning designation, those lands delineated as 'INR-5' on Schedule 'A' to this By-law shall be used in accordance with the 'INR' zone provisions contained in this By-law excepting however that:

- i. The Permitted Uses shall be limited to an 'Assembly Hall'.

By-law No: 11-95 Lot 18, Concession 11 (Elderslie)

.6 Notwithstanding their 'INR' zoning designation, those lands delineated as 'INR-6' on Schedule 'A' to this By-law shall be used in accordance with the 'INR' zone provisions contained in this By-law excepting however that:

- i. A Mennonite parochial school shall be permitted in accordance with the 'INR' Zone provisions; and
- ii. Until such time as the school is available for occupation or until May 15, 1998, whichever comes first, the existing detached dwelling accessory to the farming operation on the subject lands may be used for the purposes of a Mennonite parochial school.

INR-46-2017 Concession 1 Part Lot 9 (Arran) (Martin c/o Rudy / Z-46-17.49)

.7 Notwithstanding the Rural Institutional (INR) Zone, those lands delineated as INR-46-2017 on Schedule 'A' to this By-law shall be used in compliance with the 'INR' zone

provisions contained in this by-law, excepting however:

- i. A parochial school use is permitted
- ii. MDS I setbacks are:
 - a. 280 m from livestock and manure storage facilities on 1157 Elderslie-Arran
 - b. 145 m from livestock and manure storage facilities on 1107 Elderslie-Arran
 - c. 195 m from livestock and manure storage facilities on 1152 Elderslie-Arran
 - d. 195 m from livestock and manure storage facilities on 1100 Elderslie-Arran

INR-3-2018a and INR-3-2018b Parts Lot 15 Concession 6 Elderslie (Gillie's Hill / Z-70-17.38)

- .8
 - a. Site alteration and development are prohibited under Section 48(3) of the Ontario Heritage Act
 - b. For further clarity, the following activities will not be considered alterations under Section 48:
 - i. Continuing normal agricultural activity as has been previously practiced within the protected area
 - ii. Establishment of grass or lawn through seeding or placement of sod on the existing soil surface
 - iii. Perimeter fencing along the lot line
 - iv. Planting trees along the lot line
 - v. Use of the area for the school play yard for students (normal play – running, jumping)
 - vi. Use of the area (playground) for outfield of a ball diamond in summer, a skating rink in winter, and other running games;
 - vii. Parking of overflow vehicles (buggies, wagons, and horses) along fence line.

Section 21 – Parks & Recreation And Open Space (OS)

21.1 Scoping Note

The provisions of the Parks and Recreation (OS) Zone shall generally apply to a variety of urban land designations including ‘Residential’, and ‘Recreation and Open Space’ on Schedule ‘A’, ‘B’ or ‘C’: Land Use Plan of the Official Plan for the Urban Areas of Chesley, Paisley, Tara/Invermay.

21.2 Uses Permitted

No person shall within a ‘Parks & Recreation (OS)’ zone use any lot or erect, alter or use any building or structure, for any purpose except the following:

- i. Residential Uses
 - Prohibited
- ii. Non-Residential Uses
 - Boat Launching and Docking
 - Conservation Area
 - Farmers Market
 - Golf Course
 - Public Park

21.3 Zone Provisions

No person shall within any ‘Parks & Recreation (OS)’ zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

	Provisions	Non-Residential Uses
.1	Minimum Lot Area	0.5 hectares (1.24 ac.)
.2	Minimum Front or Exterior Yard	15 metres (49.2 ft.)
.3	Minimum Side/Rear Yard	10 metres (33 ft.)
.4	Maximum Height – ‘Main Building’	10 metres (33 ft.)
.5	Maximum Lot Coverage	5%

21.4 Special Provisions

Section 22– Waste Disposal (WD)

22.1 Scoping Note

The provisions of the Waste Disposal (WD) Zone shall generally apply only to lands designated for such uses on Schedule ‘A’, ‘B’ or ‘C’: Land Use Plan of the Official Plan for the Urban Areas of Chesley, Paisley, Tara/Invermay or on Schedule ‘A’: Land Use Plan of the County of Bruce Official Plan.

22.2 Uses Permitted

No person shall within a ‘Waste Disposal (WD)’ zone use any lot or erect, alter or use any building or structure, for any purpose except the following:

i. Residential Uses

- Prohibited

ii. Non-Residential Uses

- Communal Sewage Disposal System
- Composting Facility
- Portable Asphalt Plant
- Portable Concrete Plant
- Recycling Centre
- Recycling Depot
- Sewage Treatment Plant
- Solid Waste Disposal Site
- Uses accessory to a Non-Residential Permitted Use i.e., open storage, scales, pump buildings, administration office, equipment storage, maintenance building, fuel pumps and similar uses
- Wayside Pit
- Wayside Quarry

22.3 Zone Provisions

No person shall within any ‘Waste Disposal (WD)’ zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

	Provisions	Non-Residential Uses
.1	Minimum Lot Area	2 hectares (5 ac)
.2	Minimum Lot Frontage	20 metres (66 ft)
.3	Minimum Setback from all Lot Lines (Buildings/Structures)	15 metres (50 ft)
.4	Minimum Setback from Lot Line (All other activities)	30 metres (100 ft)
.5	Maximum Building Height	10 metres (33 ft)
.6	Maximum Lot Coverage (Buildings/Structures)	1%

22.4 Planting Areas

Except for entrances and exits, planting areas having a minimum width of 15 metres (49.2 ft) and consisting of a dense screen of shrubs and evergreen trees, minimum 1 metre (3 ft) high when planted and of a type that will attain a minimum height of 6 metres (20 ft) at maturity and as well provide a year round visual barrier, shall be planted and maintained along any street lot line and along any lot line abutting any Residential or Institutional Zone.

22.5 Special Provisions

Part of Lot 2, Concession 12 (Arran)

Part of Lot 1, Concession 6 (Elderslie)

- .1 Notwithstanding their 'WD' zoning designation, those lands delineated as 'WD-1' on Schedule 'A' to this By-law shall be used in accordance with the 'WD' zone provisions contained in this By-law excepting however that:
 - i. The permitted Uses shall be limited to a closed 'Solid Waste Disposal Site'.

Section 23 – Environmental Protection (EP)

23.1 Scoping Note

The provisions of the Environmental Protection (EP) Zone shall generally apply only to lands designated ‘Natural Environment & Hazard’ on Schedule ‘A’, ‘B’ or ‘C’: Land Use Plan of the Official Plan for the Urban Areas of Chesley, Paisley, Tara/Invermay or designated ‘Hazard’ on Schedule ‘A’: Land Use Plan of the County of Bruce Official Plan.

23.2 Uses Permitted

No person shall within a ‘Environmental Protection (EP)’ zone use any lot or erect, alter or use any building or structure, for any purpose except the following:

- Agriculture, General
- Conservation Area
- Public Park
- Boat Launching and Docking

23.3 Structures Prohibited

(revised as per By-law 23-2013, AE HSKP 3, Z-3-2013.49 22 April 2013)

All buildings and structures shall be prohibited in an ‘Environmental Protection (EP)’ zone except for the following:

- i. Those necessary for flood and/or *erosion purposes* as per Section 24.3;
- ii. Unenclosed picnic shelters;
- iii. Washroom facilities associated with a Public Park or Conservation Area;
- iv. Buildings for essential public services;
- v. Boat Launching and Docking
- vi. Buildings, structures or appurtenances that are essential for the provision of public services and that cannot be feasibly located in another zone, and which have received approval from any appropriate approval authority (**OMB July 5, 2010**)

23.4 Zone Provisions

No person shall within any ‘Environmental Protection (EP)’ zone use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

	Provisions	Flood Control Buildings
.1	Minimum Building Setback from Any Lot Line	10 metres (33 ft)
.2	Maximum Building Size	20 m ² (215 ft ²)
.3	Maximum Building Height	3 metres (10 ft)

Explanatory Note: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. Where development or site works are proposed within a Regulated Area,

as identified by Ontario Regulation 151/06 or Ontario Regulation 169/06, and shown on schedules filed with the Conservation Authority where such mapping exists, a permit from the applicable Conservation Authority having jurisdiction may be required. The applicable Authority should be contacted to determine the extent of the Regulated Area. The applicable Authority should be consulted prior to the commencement of development and/or site alterations, including construction, re-construction, conversions, grading, filling or excavating to determine whether the applicable Authority's regulations apply.

Section 24 – Future Development (PD)

24.1 Scoping Note

The provisions of the Future Development (PD) Zone shall generally apply only to lands designated ‘Future Development’ on Schedule ‘A’, ‘B’ or ‘C’: Land Use Plan of the Official Plan for the Urban Areas of Chesley, Paisley, Tara/Invermay.

24.2 Uses Permitted

No person shall within a ‘Future Development (PD)’ zone use any lot or erect, alter or use any building or structure, for any purpose except the following:

- ‘Dwelling’ existing at the date of passing of this By-law
- ‘Restricted Agriculture’ except that no new buildings, structures or expansions to existing uses, buildings and structures
- Legal uses, buildings and structures existing at the date of passing of this By-law
- ‘Conservation Area’
- ‘Home Occupation– Domestic and Professional’ as per [Section 3.9](#) [in a Dwelling, Single Detached only]
- ‘Home Occupation – Bed & Breakfast Establishment’ as per [Section 3.10](#) [in a Dwelling, Single Detached only]
- ‘Group Home – Type 1’ [in a Dwelling, Single Detached only]
- ‘Public Park’
- Accessory Buildings & Structures as per [Section 3.6](#)

24.3 Regulations For Existing ‘Dwelling’ Zoned Future Development ’

Alteration and/or enlargement of an existing ‘Dwelling’ and/or an accessory structure associated with a ‘Dwelling’ shall be as follows:

- a) On lands in Burgoyne, Allenford, Dobbinton Scone, Elsinore, Alvanley or Arkwright in accordance with the provisions of the ‘HR’ zone.
- b) On lands in Chesley, Paisley or Tara/Invermay in accordance with the provisions of the ‘R1’ zone.
- c) For all other lands, in accordance with the provisions of the ‘A1’ zone.

24.4 Special Provisions

PD-1 1364 Bruce Rd 11; Lots 7,8,9 & 10 Eastside; Cardigan LTS 9,10,11,12 & 13;W/S Nolan
OMB Decision July 5, 2010

On lands zoned as PE-1, in addition to the uses permitted by [Section 24.2](#), a single detached dwelling is a permitted use, and is subject to the provisions of Section 24.3b)

Section 25 – Enactment

25.1 Conflict With Other By-Laws

In the event of any conflict or inconsistency between this By-law and any other general or special By-law of the Corporation, the provisions of this By-law shall prevail.

25.2 Repeal Of Existing By-Laws

From the coming into force of this By-law, all previous By-laws passed under Section 34 of the Planning Act or a predecessor thereof, pertaining only to the lands identified on Schedule 'A' to this By-law, shall be deemed to have been repealed except to the extent that any of the said By-laws prohibits the use of any land, building or structure for a purpose that is also prohibited by this By-law

25.3 Effective Date

This By-law shall come into effect on the date it is passed by Council subject to compliance with the provisions of *The Planning Act, R.S.O. 1990* as amended.

Read a first & second time this 29th day of June, 2009.

Read a third time & finally passed this 29th day of June, 2009.

Ron Oswald

Ron Oswald, Mayor

A.P. Crawford

A. P. Crawford, Clerk

Appendix A – MDS Guidelines and Formulae

Please follow the weblink below to OMAFRA Publication 707

MDS Implementation Guidelines

http://www.omafra.gov.on.ca/english/landuse/guide_toc.htm

Explanatory Note: This schedule is a guide to interpretation of the Minimum Distance Separation formula. It does not form a formal part of the zoning By-law, but is included to provide information only. For further information, see the Ontario Ministry of Agriculture and Rural Affairs website, or contact the Chief Building Official or the County of Bruce Planning and Economic Development Department. This appendix is subject to updates as they are provided by the Province.