

TOWNSHIP OF EDWARDSBURGH CARDINAL
ZONING BY-LAW NO. 20XX-XX

FINAL DRAFT 2 – ~~FEBRUARY~~ JUNE 2022

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**THE CORPORATION OF
TOWNSHIP OF EDWARDSBURGH CARDINAL
BY-LAW NO. 20XX-XX**

**A by-law to regulate the use of lands and the character,
location and the use of buildings and structures in Township of Edwardsburgh Cardinal**

WHEREAS the *Planning Act, R.S.O., 1990, Chapter P.13*, as amended, provides that the council of a municipal corporation may pass by-laws to regulate the use of land and the character, location, density, size and use of buildings and structures;

NOW THEREFORE, the Council of the Corporation of Township of Edwardsburgh Cardinal enacts as follows:

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**THE CORPORATION OF
TOWNSHIP OF EDWARDSBURGH CARDINAL**

BY-LAW NO. 20XX-XX

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SECTION 1 – APPLICATION AND INTERPRETATION**1.1 Title of By-law**

This By-law may be cited as the “Zoning By-law” of the Township of Edwardsburgh Cardinal.

1.2 Scope of By-law

1. The provisions of this By-law shall apply to all lands within the geographic limits of the Corporation of Township of Edwardsburgh Cardinal, as shown on Schedule A, B, C & D attached hereto. This By-law shall also apply to any lands not shown on the Schedule created through the filling of water bodies, alteration of shorelines or other means, as well as to any portion of the bed of any water body where a license of occupation or lease has been issued by a relevant approval authority. Such areas shall not be used for any purpose other than a conservation use unless the Corporation has zoned such areas through an amendment to this By-law, regardless of whether or not required approvals from the relevant approval authorities have been obtained.
2. No building or structure shall hereafter be erected, altered or enlarged, nor shall the use of any building, structure or lot hereafter be changed, in whole or in part, except in conformity with the provisions of this By-law.
3. Nothing in this By-law shall prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this By-law, provided that it continues to be used for such purpose.
4. Nothing in this By-law shall prevent the erection of any building or structure for a purpose prohibited by this By-law if the building permit for such building or structure was issued by the Chief Building Official prior to the date of passing of this By-law, provided that:
 - When the building or structure is erected, it continues to be used for the purpose for which the building permit was issued; and
 - Provided that the building permit has not been revoked.
5. This By-law shall not be effective to reduce or mitigate any restrictions imposed by a governmental authority having jurisdiction to make such restrictions and, without limiting the generality of the foregoing, shall include conservation authorities.
6. All references to Provincial Acts or Regulations shall refer to the current Act or Regulation. All references to the *Planning Act* shall refer to the *Planning Act, R.S.O., 1990, Chapter P.13*, as amended.

1.3 Interpretation of By-law

1. In this By-law, unless the context requires otherwise, words used in the singular shall include the plural and words used in the plural shall include the singular.
2. In this By-law, the word “shall” is mandatory and “may” is permissive.

3. In this By-law, unless the context requires otherwise, the word “used” shall include “designed to be used” and “arranged to be used”, and the word “occupied” shall include “designed to be occupied” and “arranged to be occupied”.

1.4 Schedules to By-law

The following schedules which are attached hereto are hereby incorporated into and are declared to form part of this By-law to the same extent as if fully described herein:

- Schedule A
- Schedule B
- Schedule C
- Schedule D

1.5 Zoning Administrator

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

1.6 Issuance of Building Permits, Certificates and Licenses

1. Notwithstanding any provisions of the Building By-law or any other by-law of the Corporation to the contrary, no building permit, certificate or license shall be issued where the proposed building, structure or use would be in violation of any of the provisions of this By-law.
2. Notwithstanding the generality of (1) above, where the approval of another agency or authority is required, this shall mean that the approval of such shall be obtained by the applicant and submitted to the Zoning Administrator at such time as an application is made for a building permit.

1.7 Certificate of Occupancy

No change shall be made in the type of use of land, buildings or structures within any zone without first obtaining a Certificate of Occupancy from the Corporation, pursuant to any Township Occupancy Permit By-law that may be enacted.

1.8 Request for Amendment to Zoning By-law

Every request for an amendment to this Zoning By-law shall be accompanied by the Corporation's application form, which shall be completed in full and accompanied by the required application fee, as well as such supporting materials as may be determined through consultation with the Corporation.

1.9 Inspection

The Zoning Administrator, the Chief Building Official or any other officer or employee of the Corporation acting under the direction of Council is hereby authorized to enter at all reasonable hours upon any property or premises for the purpose of carrying out his duties under this By-law. Notwithstanding the foregoing, a dwelling unit shall not be entered without the consent of the occupant except under the authority of a search warrant.

1.10 Violations and Penalties

Any person convicted of a breach of any of the provisions of this By-law shall be liable to a fine in accordance with the provisions of the *Planning Act* and every penalty shall be recoverable under the *Provincial Offences Act*.

1.11 Remedies

Where any building or structure is to be erected or altered, or any part thereof is to be used, or any lot is to be used, in contravention of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation pursuant to the provisions of the *Planning Act* or the *Municipal Act*.

1.12 Validity

If any section, clause or provision of this By-law, including anything contained in Schedule A, B, C and D attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, this shall not affect the validity of the By-law as a whole or any part thereof, other than the section, clause or provision(s) declared to be invalid. It is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

1.13 Typographical and Formatting Modifications

No amendment to this By-law shall be required in order for the Corporation to make:

- Typographical or formatting modifications such as spelling, grammar, punctuation and section numbering changes where, in the opinion of the Corporation, such modifications do not affect the intent of the By-law;
- Deletions, additions or revisions to technical information on Schedule A, B, C and D that do not affect the intent with respect to the zoning of lands.

1.14 Existing By-laws

All other by-laws of the Corporation enacted pursuant to Section 34 or predecessors thereof of the *Planning Act* are hereby repealed and, without limiting the generality of the foregoing, existing by-laws that are repealed include:

- Township of Edwardsburgh Cardinal Comprehensive Zoning By-law No. 2012-35;
- All by-laws which amend the foregoing by-law.

SECTION 2 - DEFINITIONS

For the purpose of this by-law, the definitions and interpretations in this section shall govern.

ABATTOIR shall mean a slaughter house designed for the purpose of killing animals, skinning, dressing and cutting up of carcass, wrapping for sale for human consumption with cooler and freezer storage and includes indoor confinement of animals while awaiting slaughter but shall not include any cooking or process related to processing plants such as smoking, curing or the manufacturing of meat by-products or any process related to rendering plants such as the manufacture of tallow, grease, glue, fertilizer or any other inedible product.

ACCESSORY shall mean a use, building or structure which is incidental, subordinate and exclusively devoted to a main use and located on the same lot therewith.

ADULT ENTERTAINMENT PARLOUR shall mean any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, live entertainment or services appealing or designed to appeal to erotic or sexual appetites or inclinations, and includes a body rub parlour.

AGGREGATE PROCESSING OPERATION shall mean a facility that processes material derived from a pit or quarry and shall include activities such as screening, washing, crushing and associated storage of raw or processed material, as well as the recycling of construction products such as asphalt and concrete that are manufactured using aggregates.

AGRICULTURAL PRODUCTS PROCESSING FACILITY shall mean an establishment engaged in the storage, grading, processing and wholesale distribution of agricultural products such as meat, fish, poultry, eggs and dairy, vegetable, fruit, honey, wool, fur, lumber or wood products. This definition shall not include a cannabis production or processing facility, as herein defined.

AGRICULTURAL USE shall mean the use of land, buildings or structures for:

- Growing crops, including all related activities such as fertilizing, planting, spraying, irrigating, harvesting and the storage and sale of crops produced;
- Raising, breeding, boarding, training, keeping and/or sale of livestock, including the raising and sale of fish;
- Collection, production, storage and sale of animal products such as milk, eggs, wool, fur or honey;
- Greenhouse or nursery garden, including storage and sale of products produced;
- Planting, harvesting and sale of forest products, including maple syrup;
- Use and storage of all equipment related to the foregoing activities, including the occasional use of a portable sawmill; and
- Farm-gate sales of any of the above products, provided they are produced on the farm.

Agricultural use shall not include commercial or industrial activities such as abattoirs, tanneries, kennels or manufacturing activities involving crops, animal products, lumber or wood products. An agricultural use shall include cannabis production licensed by a Federal Agency for both cultivation outdoors and indoors within a greenhouse or a similar growing environment but shall not include a cannabis production and processing facility, as defined herein.

ALTER when used in reference to a building or part thereof, shall mean 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” shall mean the change to the width, depth or area thereof or to change the width, depth or area of any required yard, open space or parking area or to change the location of any boundary of such lot with respect to a public highway or laneway, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise. The words “altered” and “alteration” shall have a corresponding meaning.

AMENITY AREA shall mean an area on a lot provided for the purpose of personal or shared recreation space designed for the use of residents of a residential building. An amenity area may include both passive and active recreation means such as walkways, open spaces, patios, balconies and play structures.

ANIMAL HOSPITAL – see **Veterinary Clinic**

ANTIQUE SHOP shall mean a retail store offering antiques, second hand goods and used collectable items.

ASPHALT PLANT shall mean a facility 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.

- **PORTABLE ASPHALT PLANT** shall mean an asphalt plant which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

ATTACHED, when used in reference to the relationship of a deck, porch or stairs to a main building or structure shall include any deck, porch, or stairs that is unattached but is situated within 1 m of the main building or structure.

AUTOMOBILE BODY SHOP shall mean a building or part of a building used for the painting or repairing of vehicle bodies and chassis, provided that all activities shall be undertaken within an enclosed building, and provided further that it shall not include a salvage yard as defined herein.

AUTOMOBILE SERVICE STATION shall mean a building or place where automotive fuels, lubricants or parts are kept for sale and/or where mechanical repairs to vehicles are performed and/or where vehicles are washed or cleaned, but it shall not include a salvage yard or automobile body shop as defined herein.

BANK shall mean an establishment where money is deposited, kept, lent or exchanged or where other retail financial services are provided and includes a chartered bank, trust company or similar financial institution.

BASEMENT shall mean that portion of the building between two floor levels which is partly underground but, which has at least one-half (1/2) of its height from finished floor to finished ceiling above adjacent finished grade.

BED AND BREAKFAST shall mean a business conducted in a single dwelling in which the owner resides in the dwelling and supplies for financial gain a maximum of four (4) guest bedrooms with or without meals for the purpose of providing temporary lodging on a daily basis to the travelling public and shall not include a lodging establishment as herein defined.

BOARDING HOUSE shall mean a single dwelling in which the proprietor supplies for financial gain, lodging with or without meals to a maximum of three (3) boarders, but it does not include a bed and breakfast, hotel, hospital, foster home, home for the aged or other establishment

otherwise classified or defined in this By-law. A boarding house may only be permitted through an amendment to this by-law.

BOATHOUSE shall mean an accessory building or structure that is intended to shelter, house or protect a boat or other watercraft and which is located such that more than 50% of the building or structure is beyond the high water mark over the bed of the water body, and shall not contain a dwelling unit or any facilities for human habitation.

BUILDING shall mean any structure consisting of walls or columns and a roof which is used for the shelter, accommodation or enclosure of persons, animals, goods or chattels.

- **ACCESSORY BUILDING** shall mean a building customarily incidental and subordinate to the main building and located on the same lot with such main building and not used for human habitation.
- **MAIN BUILDING** shall mean a building serving the principal or primary uses for which the lot was purchased, leased or rented.
- **TEMPORARY BUILDING** shall mean a building or structure intended for removal or demolition within a prescribed time as set out in a building permit.

BUILDING LINE shall mean a line within a lot drawn parallel to a lot line and establishing the minimum distance between that lot line and any building or structure which may be erected.

BUILDING SUPPLY CENTRE shall mean an establishment engaged in the selling or installing of building supplies including lumber, millwork, siding, roofing, flooring, windows, doors, plumbing, electrical, heating, air conditioning and similar items.

CABIN – See **Lodging Establishment**

CAMPGROUND shall mean any parcel of land which is used to provide temporary accommodation for the public or members of an organization in tents, trailers, tourist trailers or recreational vehicles.

CANNABIS PRODUCTION AND PROCESSING FACILITY shall mean a building or structure licensed by a Federal Agency which is authorized to cultivate, process, test, destroy, package, store and ship cannabis and cannabis related products. This definition shall not include an agricultural products processing facility, as defined herein.

CARPORT shall mean an attached or detached structure which is accessory to a dwelling and which is covered but open on at least two sides and used for the sheltering of permitted vehicles and storage of household equipment incidental to the residential occupancy.

CATERING ESTABLISHMENT shall mean a place where food is prepared in large quantities and is then delivered and consumed elsewhere.

CELLAR shall mean that portion of a building between two floor levels, which is partly underground and which has more than one-half (1/2) of its height from finished floor to finished ceiling below finished grade.

CEMETERY shall mean land used as a place of interment for human remains within the meaning of the *Funeral, Burial and Cremation Services Act*.

CHIEF BUILDING OFFICIAL shall mean the officer or employee of the Corporation charged with the duty of enforcing the provisions of the Building by-law of the Corporation.

CHIP WAGON – see **Refreshment Vehicle**

CLINIC shall mean a building or part thereof where health services are provided to the public in the form of medical, paramedical, dental, surgical, physiotherapeutic or other human health services including associated technician and laboratory facilities, and may also include an incidental pharmaceutical outlet for the sale of prescription and therapeutic drugs and medication and other drug store products, and optical equipment.

COMMERCIAL PARKING LOT shall mean the use of a vacant lot for parking as the principal or main use.

COMMERCIAL STORAGE shall mean lands rented and used on a temporary basis for the open storage of household items, vehicles, equipment and/or commercial goods or materials but does not include any business operation or use associated with the storage. This definition shall not include a self-storage facility as herein defined.

COMMUNICATIONS TOWER shall mean a guyed or self-supporting structure the main purpose of which is to accommodate antennas and/or other equipment used to transmit, receive, and/or relay wireless video, voice and/or data communications for commercial purposes.

COMMUNITY SERVICE shall mean the use of land, buildings or structures by a not-for-profit, non-commercial body or society such as a service club or charitable organization for promoting athletic, cultural, educational, environmental, health, recreational, social, philanthropic or other similar objectives.

CONCRETE PLANT shall mean a facility designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process.

- **PORTABLE CONCRETE PLANT** shall mean a concrete plant which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

CONSERVATION USE shall mean research, observation, education, preservation, improvement and enhancement with respect to natural resources or the natural environment, as well as passive outdoor recreation activities such as hiking that do not involve alteration to the landform that have a negative impact on the natural vegetative and/or aquatic characteristics of the land and/or a watercourse.

CONTRACTOR'S YARD shall mean a yard, including any accessory buildings or structures, where materials, equipment and vehicles are stored in association with any building trade or contractor such as excavators, road builders, roofers, landscapers, snow removal and similar contractors, but shall not include a salvage yard.

CORPORATION shall mean the Corporation of the Township of Edwardsburgh Cardinal.

CORRECTIONAL FACILITY shall mean a place of secure detention or secure custody and includes a secure custody group home.

COUNCIL shall mean the Council of the Corporation of Township of Edwardsburgh Cardinal.

COUNTY shall mean the United Counties of Leeds and Grenville.

CUSTOM WORKSHOP shall mean a business in which an artist or craftsperson produces, repairs and sells goods such as jewellery, leatherwork, artistic wood, metal and glass crafts or pottery, or fine art such as paintings, photographs and sculptures, in small quantity or on a custom order basis. A custom workshop does not include any establishment where mass production of goods is carried on nor any shop or factory otherwise defined in this by-law.

DAY CARE OR DAY NURSERY shall mean a day care facility licensed under the *Child Care and Early Years Act* and which provides care for six (6) or more children.

DOMESTIC FOWL COOP shall mean an accessory residential structure consisting of a coop and run and intended to securely house a maximum of five (5) female egg laying chickens or five (5) female ducks.

DWELLING shall mean a building occupied or capable of being occupied as the home or the residence of one or more persons. This definition shall not include any vehicle defined herein.

- **ACCESSORY DWELLING** shall mean a single dwelling which is accessory to a permitted non-residential building which is located on the same lot therewith and is occupied either by the family of the owner or by the family of a person employed on the lot where such dwelling is located.
- **APARTMENT DWELLING** shall mean a dwelling, other than a townhouse dwelling, containing three or more dwelling units. Dwelling units may be divided horizontally and/or vertically.
- **CONVERTED DWELLING** shall mean a dwelling originally constructed as a single dwelling that has been altered or converted into not more than four dwelling units.
- **DUPLEX DWELLING** shall mean a dwelling which is divided horizontally into two dwelling units.
- **SECOND DWELLING** shall mean an accessory building which contains one or more habitable rooms designed and occupied as an independent dwelling in which living, kitchen and bathroom facilities are provided and which is located on the same lot as a single dwelling, semi-detached dwelling or townhouse dwelling, as defined herein.
- **SEMI-DETACHED DWELLING** shall mean a dwelling which is divided vertically into two dwelling units.
- **SINGLE DWELLING** shall mean a dwelling which contains only one dwelling unit and may include a Tiny House.
- **TOWNHOUSE DWELLING** shall mean a dwelling which is divided vertically into three or more dwelling units, each of which has a separate entrance and fully independent front and rear yards.

DWELLING UNIT shall mean one or more habitable rooms designed for use and occupied by persons in which separate kitchen and sanitary facilities are provided for the exclusive use of such

persons with an independent entrance from outside the building or from a common hallway or stairway inside the building.

- **ACCESSORY DWELLING UNIT** shall mean a dwelling unit which is part of, and accessory to, a permitted non-residential building and which is occupied by the family of the owner of such non-residential building or by the family of a person employed on the lot where such dwelling unit is located.
- **SECOND DWELLING UNIT** shall mean one or more habitable rooms designed and occupied as an independent dwelling in which living, kitchen, and bathroom facilities are provided and which is located entirely within a single dwelling, semi-detached dwelling or townhouse dwelling, as defined herein.

ENVIRONMENTAL IMPACT STUDY shall mean an environmental impact assessment completed in accordance with the provisions of the Official Plan.

EQUIPMENT RENTAL OUTLET shall mean the use of land and buildings for the rental of equipment, machinery, furniture and fixtures which are primarily of a size and type which would be used for home improvement or household purposes and which would generally be transportable by the general public.

ERECT shall mean build, construct, reconstruct or relocate and shall include any preliminary physical operations such as cutting, grading, excavating, filling, or draining or any altering of an existing building by an addition, extension or other structural change or the doing of any work for which a building permit is required under the building by-laws of the Corporation. The words “erected” and “erection” shall have a corresponding meaning.

EXISTING shall mean existing as of the date of passing of this By-law.

FARM SUPPLY SALES shall mean the sale of farm supplies which may include feed, seed, agricultural chemicals, hardware, farm working apparel and similar items associated with farming operations.

FLEA MARKET – See **Open Market**

FLOOD CONTROL STRUCTURE shall mean a structure, improvements and/or a combination thereof that are generally designed to provide defense against floods, storm surges, and other hazardous events by altering or controlling the flow and/or volume of water. Without limiting the generality of the foregoing, these may include dikes, spurs, levees, seawalls, weirs, flow splitters, and/or dams.

FLOOD LINE shall mean the line showing the limit of the flood plain.

FLOOD PLAIN shall mean the area adjoining a water body or watercourse that has been or may be subject to flooding hazards, such hazards having been determined on the basis of the 1:100 year flood level, plus an allowance for wave uprush and other water-related hazards, as applicable.

FLOOR AREA shall mean:

- For a dwelling or dwelling unit, the total area of the storeys contained within the exterior walls of the dwelling or dwelling unit, exclusive of any garage, carport, unenclosed porch or deck, unfinished attic, unfinished basement or unfinished cellar where such basement

or cellar has a height of less than 2.1 metres measures between its floor surface and the underside of the joists of the storey above it;

- For a building other than a dwelling or dwelling unit, the total area of all floors contained within the exterior walls of the building.

FORESTRY USE – See **Agricultural Use**

FUEL STORAGE FACILITY shall mean an establishment primarily engaged in the bulk storage and distribution of petroleum, gasoline, fuel oil, gas or other similar products in fuel storage tanks.

FUNERAL HOME shall mean an establishment with facilities for the preparation of the dead for burial or cremation, for the viewing of the body, and for holding funeral services.

GARDEN CENTRE shall mean an establishment primarily used for the retail sale of gardening equipment, products and planting materials, including greenhouses for the cultivation of such materials.

GARDEN SUITE shall mean a portable detached dwelling that is located on the same lot as the principal dwelling which provides housing needs of the family residing in the principal dwelling and for which a temporary use by-law has been adopted, pursuant to the provisions of the *Planning Act*, but does not include a mobile home, travel trailer or any other type of recreational vehicle.

GOLF COURSE shall mean a public or private area operated for the purpose of playing golf and includes a driving range, a mini putt and accessory uses such as a club house, a restaurant, an indoor driving range, a putting green and similar uses.

GRADE shall mean the median elevation between the highest and lowest points of the finished surface of the ground (measured at the base of the building or structure), but exclusive of any embankment in lieu of steps.

GROUP HOME shall mean a single, semi-detached or duplex dwelling which is occupied by three (3) to ten (10) unrelated residents who, by reason of their emotional, mental, social or physical condition or legal status, require a supervised family living arrangement for their well-being. A group home may be occupied as the residence by the staff or receiving family. A group home does not include foster homes, boarding houses, a secure custody group home, or other uses defined herein.

HEAVY EQUIPMENT SALES OR RENTAL ESTABLISHMENT shall mean an establishment having as its main use the sale, rental, leasing, servicing, and accessory storage of heavy vehicles, farm equipment and/or excavation or construction equipment.

HEIGHT, when used with reference to a building, shall mean the vertical distance between grade and:

- The highest point of the roof surface on a flat roof;
- The deck line on a mansard roof;
- The mean level between the eaves and ridge of a gable, hip or gambrel roof.

HIGH WATER MARK shall mean the mark made on the shore or bank of a water body through the action of water, which action has continued over such a long period of time that it has created a difference between the character of the vegetation or soil below the mark and that above the

mark, except in the case of the St. Lawrence River, the high water mark shall be the upper controlled water elevation.

HOBBY FARM shall mean a lot used primarily for residential purposes where accessory uses may include small market gardening and/or the keeping of farm animals for the personal use of the residents thereon. A hobby farm may include limited farm-gate sales of agricultural products, provided that they are produced on the hobby farm.

HOME-BASED BUSINESS shall mean an occupation, trade, business, profession or craft conducted as an accessory use to the use of a dwelling by the dwelling occupant(s) and includes the following:

- Instruction of students;
- Respite care or day care, provided that no residential accommodation is provided;
- Occupations in the areas of a personal service, a service outlet or a tradesperson's establishment, all as defined in this By-law;
- Food catering business;
- Pet grooming;
- Office for conducting a business or profession;
- Studio of an artist, artisan or craftsman.

HOTEL – See **Lodging Establishment**

HUNTING OR FISHING CAMP shall mean a building or structure, but shall not include a recreational vehicle or trailer, that includes an approved sewage disposal system and that is used on an occasional basis as a base for hunting, fishing, or similar outdoor activities, and which may provide sleeping accommodations, but shall not include a dwelling or a dwelling unit as defined in this By-law.

INDUSTRIAL FACILITY shall mean an establishment not otherwise defined in this By-law that is primarily engaged in the assembly, fabrication, manufacturing, processing, treatment, recycling or packaging of articles, components, materials or products. This definition shall not include a cannabis production and processing facility, as defined herein.

INSTRUCTIONAL FACILITY shall mean a business that provides instruction or training in an art, hobby, skill, or trade and includes programs in exercise, dance, music, arts and crafts, computer operation, driving, and other similar activities.

INTAKE PROTECTION ZONE (IPZ) shall mean areas of land and water near and upstream of a municipal drinking water intake where human activities may need to be regulated to protect the quality and quantity of surface water that supplies the intake.

KENNEL shall mean a building or structure where animals other than livestock, such as dogs or cats, are bred, boarded or trained for financial compensation. Grooming may be conducted as an accessory use. This definition shall include a Humane Society Shelter.

LANE shall mean a driveway providing access from within a property to a public street.

LAUNDROMAT OR DRY CLEANERS shall mean a building or part of a building in which the business of washing, and/or dry cleaning of clothes and other fabrics is carried on and includes both self-service and full-service facilities.

LIVESTOCK FACILITIES shall mean livestock and/or poultry barns, buildings or structures where

agricultural animals are housed and shall include feed lots and associated manure storage.

LIVESTOCK SALES OUTLET shall mean a building or structure where livestock such as cattle, goats, sheep, horses or the young thereof are bought and sold.

LIVESTOCK UNIT

- **LARGE LIVESTOCK UNIT**, for the purpose of this By-law, shall mean one of the following: cattle, horses, donkeys, alpacas, llamas, or similar.
- **MEDIUM LIVESTOCK UNIT**, for the purpose of this By-law, shall mean one of the following: sheep, goats, pigs, or similar.
- **SMALL LIVESTOCK UNIT**, for the purposes of this By-law, shall mean one of the following: chickens, ducks, turkeys, geese, rabbits, or similar.

LOADING SPACE shall mean a space or bay located on a lot which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise or materials used in connection with the use of the lot or any building thereon.

LODGING ESTABLISHMENT shall mean an establishment which provides temporary accommodation in one or more buildings for members of the public or organizations who are vacationing or travelling and shall include a seasonal camp, a cabin, a hotel, a lodge and a motel.

- **SEASONAL CAMP** shall mean an establishment which provides meals, sleeping accommodation and recreational opportunities to individuals and groups who are under the supervision of camp staff and shall include children's camps, church camps, scouting movement camps, YM/YWCA camps and other similar uses.
- **CABIN** shall mean an establishment designed to accommodate one or more persons in a detached or semi-detached building
- **HOTEL** shall mean an establishment containing four or more guest rooms served by a common entrance. Accessory uses may include accommodation for staff, dining rooms, meeting rooms, recreational amenities and similar uses.
- **MOTEL** shall mean an establishment containing four or more guest rooms each of which has a separate entrance directly from outside the building. Accessory uses may include dining rooms, meeting rooms, recreational amenities and similar uses.

LONG TERM CARE HOME – See Public Use

LOT shall mean a parcel or tract of land which is capable of being legally conveyed in accordance with the provisions of the *Planning Act*.

- **CORNER LOT** shall mean a lot situated at the intersection of two streets of which two adjacent sides that abut the intersecting streets contain an angle of not more than 135 degrees.
- **INTERIOR LOT** shall mean a lot situated between adjacent lots and which has frontage on one street.

- **ISLAND LOT** shall mean a waterfront lot that consists of an island or part of an island.
- **THROUGH LOT** shall mean a lot, other than a corner lot as defined herein, with frontage on more than one street.
- **WATERFRONT LOT** shall mean a lot which abuts a shoreline but which does not abut an improved street or a street which will become an improved street pursuant to provisions in, and financial security associated with, a subdivision agreement registered on the title to the lot.

LOT AREA shall mean the total horizontal area within the lot lines of a lot, excluding any lands below the high water mark on a waterfront lot.

LOT COVERAGE shall mean that portion of the area of a lot covered by all main and accessory buildings, porches, decks and similar features, but excluding automobile service station pump island canopies, entrance canopies for non-residential buildings, and balconies and overhanging eaves which are more than 2.5 m above finished grade.

LOT FRONTAGE shall mean the width of a lot measured between the intersections of the side lot lines with a line that is continuously 6 m back from and parallel to the front lot line.

LOT LINE shall mean any boundary of a lot or the vertical projection thereof.

- **FRONT LOT LINE** shall mean the following:
 - In the case of an interior lot, the line dividing the lot from the street;
 - In the case of a corner lot or through lot, the shorter lot line abutting a street, or where access is gained to the lot regardless of the length of the line.
 - In the case of a waterfront lot, the high water mark shall be deemed to be the front lot line.
- **REAR LOT LINE** shall mean in the case of a lot having four or more lot lines, the lot line farthest from and opposite to the front lot line. If a lot has less than four lot lines, there shall be no rear lot line.
- **SIDE LOT LINE** shall mean a lot line other than a front or rear lot line.

MARINA shall mean an establishment or premises located on a water body and containing facilities where boats and boat accessories are berthed, stored, serviced, repaired, maintained or kept for sale or rent and where facilities for the sale of marine fuels and lubricants, as well as the parking of customers' vehicles, may be provided. The incidental sale of convenience food and personal items, camping and outdoor recreation accessories and fishing gear is included as an accessory use.

MARINE FACILITY shall mean an accessory building or structure which is used to place a boat into or out of a water body, or used to moor, berth or store a boat. This definition shall include a boat launching ramp or equivalent, boat lift, dock, boathouse, boatport or slip, but shall not include any building used for human habitation nor any marina or boat service, repair or sales facility.

MICROBREWERY shall mean a building used for making beer, cider or spirits on a small scale and may include tasting and dining facilities and the retail sale of related items.

MOBILE HOME shall mean a prefabricated building which bears a CSA Z240 approval and which is designed to be towed on its own chassis (notwithstanding that its running gear is or may be removed), designed and equipped for year round occupancy and containing therein facilities for cooking or for the installation of cooking equipment, as well as sanitary facilities including a flush toilet and shower or bathtub. This definition shall not include a travel trailer or tent trailer or trailer otherwise defined in this By-law.

MOTEL – See **Lodging Establishment**

NON-COMPLYING when applied to a use, building or structure shall mean a use, building or structure which is listed as a permitted use in the zone in which it is located but which contravenes one or more of the provisions of this By-law for the zone in which it is located, as of the date of the passing of this By-law.

NON-CONFORMING shall mean a use, building or structure which, on the date of the passing of this By-law, is not within the list of permitted uses for the zone in which it is located.

OFFICIAL PLAN shall mean the *Official Plan of the Township of Edwardsburgh Cardinal*, as amended.

ON-FARM DIVERSIFIED USE shall mean uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and use that produce value-added agricultural products, but shall not include a cannabis production and processing facility, as defined herein.

OPEN MARKET shall mean a building or open air facility where individual vendors operating from stalls, booths or other defined areas offer the following for sale: Fresh fruit, vegetables and herbs, poultry, fish, meat, eggs, cheese, honey, cider, maple products, cut flowers, bedding plants, shrubs and trees, baked foodstuffs, second hand furniture and other items, handicrafts and other hand-made products.

OPEN SPACE shall mean unoccupied space open to the sky on the same lot with the building.

OPEN STORAGE shall mean the storage of goods, merchandise or equipment outside a building or structure on a lot or portion thereof, but does not include the outdoor display of a limited number of samples of the goods, merchandise or equipment for the purposes of sales and advertisement, nor does it include the open storage of a limited quantity of operative or licensed vehicles and equipment that are normally associated with residential occupancy.

PARK shall mean an area consisting largely of open space, which may include a recreational area, playground, playing field, tennis courts, lawn bowling greens, skating rinks, athletic field, picnic areas, swimming pools, day camps, community centres or other similar use, but it shall not include a mobile home park or campground.

- **PUBLIC PARK** shall mean a park owned or controlled by the Corporation or by any ministry, board, commission or authority established under any statute of Ontario or Canada.
- **PRIVATE PARK** shall mean a park other than a public park.

PARKING AREA shall mean a lot or lots or portions thereof required in accordance with the provisions of this by-law for the temporary parking of motor vehicles and includes any related aisles, parking spaces, entrance and exit lanes, but, it shall not include any part of a public street.

PARKING SPACE shall mean an area for the temporary parking or storage of motor vehicles.

PERSON shall mean an individual, an association, a chartered organization, a firm, a partnership or a corporation.

PERSONAL SERVICE shall mean an establishment where a personal service related to the grooming or health of persons is provided, or where the maintenance or repair of personal wardrobe articles is performed. A personal service may include a hair stylist, an aesthetician, a tailor, a shoe repair shop or similar use.

PET CEMETERY shall mean land used as a place of interment for the dead remains of domestic pets.

PIT shall mean any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral in order to supply material for construction, manufacturing or industrial purposes but, it shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation, or an excavation incidental to the construction of any public works.

- **CLASS B PIT** shall mean a pit with a licence pursuant to the *Aggregate Resources Act, R.S.O., 1990, as amended*, to remove 20,000 tonnes or less annually.
- **WAYSIDE PIT** shall mean a temporary pit opened and used by or for a public road authority solely for the purpose of a particular project or contract of road construction.

PLACE OF ASSEMBLY shall mean a building or structure used for the operation of arts and craft shows, trade fairs, fashion shows, public meetings, banquets, community activities or events, conferences, auctions and similar activities.

PLACE OF WORSHIP shall mean a building dedicated to religious worship.

PRESCRIBED INSTRUMENT shall mean an instrument defined in Ontario Regulation 287/07 for which a decision to issue, create or amend must confirm with significant threat policies set out in the Source Protection Plan.

PRIVATE GARAGE shall mean an attached or detached building which is accessory to a dwelling and which is fully enclosed and designed or used for the sheltering of permitted vehicles and storage of household equipment incidental to the residential occupancy.

PRIVATE RIGHT-OF-WAY (PRIVATE STREET or PRIVATE ROAD) shall mean a legal right of passage over a lot for the purpose of providing vehicular access for two or more other lots.

PRINTING ESTABLISHMENT shall mean a business primarily engaged in the reproduction or duplication of printed materials and/or the production of books, newspapers and similar publications.

PROFESSIONAL OR BUSINESS OFFICE shall mean a building or part of a building in which any business is conducted or profession is practiced, but which does not include any establishment otherwise defined herein.

PUBLIC USE shall mean the use of land, buildings or structures for the supply of public services by the Corporation, the United Counties of Leeds and Grenville, the Governments of Ontario or Canada, any agencies, boards commissions or authorities thereof, and any company providing electricity, natural gas, wired or wireless communications or rail transportation. Without limiting the generality of the foregoing, among other uses, this shall include correctional institutions, hospitals, and long term care homes.

QUARRY shall mean any open excavation made for the removal of consolidated rock or mineral including limestone, sandstone or shale in order to supply material for construction, industrial or manufacturing purposes.

- **WAYSIDE QUARRY** shall mean a temporary quarry opened and used by or for a public road authority solely for the purpose of a particular project or contract of road construction.

RECREATIONAL ESTABLISHMENT shall mean any building or part of a building used for the purposes of a bowling alley, curling rink, skating rink, billiard parlour, health or athletic club, swimming pool, theatre or other similar use.

RECREATIONAL VEHICLE shall mean a vehicle or trailer that is designed to be towed or propelled by a mobile vehicle or self-propelled which is capable of being used on a short-term basis for living, sleeping or eating accommodations. A recreational vehicle may include motor homes, tent trailers, travel trailers or similar.

REFRESHMENT VEHICLE shall mean a trailer or vehicle, licensed by the Corporation that is designed to be made mobile from which food is prepared and offered for sale to the public for immediate consumption on site or off the premises. Where stated as a permitted use, a refreshment vehicle shall only be permitted as an accessory use to the principal use.

RESEARCH AND DEVELOPMENT FACILITY shall mean a building or part thereof used for systematic research, data collection and manipulation, or technical or scientific development of information or new products, and may include a research laboratory.

RESIDENTIAL CARE HOME shall mean a residence for the elderly which provides ancillary health and social services to the residents of the home and has communal dining and recreational facilities.

RESTAURANT shall mean a building or part of a building where food and beverages are sold to the public for immediate consumption on or off the premises, but shall not include a refreshment vehicle, as herein defined.

RETAIL STORE shall mean a building or part of a building where goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail and includes rental of consumer goods and storage of limited inventory on or about the store premises.

RISK MANAGEMENT OFFICIAL shall mean a person appointed by the Corporation that is responsible for the enforcement of Part IV of the *Clean Water Act*, and who has the qualifications prescribed in Ontario Regulation 287/07, as may be amended.

SALVAGE YARD shall mean a junk yard, an automobile wrecking yard or premises and premises where goods, wares, merchandise or articles are processed for further use or for the sale, storage, keeping or abandonment of junk including scrap metals or other scrap material from the

dismantling, demolition or abandonment of vehicles or machinery parts.

SAWMILL shall mean lands, buildings or structures where timber is cut or sawed on a permanent basis, either to finished lumber products or as an intermediary step.

SCHOOL shall mean an educational establishment as defined in the *Education Act*, and includes any other facility which has a body of students and teachers and which provides primary, elementary, and secondary or adult education courses of study authorized or approved by the Minister of Education for the Province of Ontario. This definition includes schools under the jurisdiction of a Board of Education, as well as other private schools that provide such course of study, which may also provide other specialized training or instruction, whether such private schools are operated for profit or not-for-profit.

SELF-STORAGE FACILITY shall mean a building which is divided into spaces which may be rented for the purpose of storing goods, wares, merchandise, equipment or materials, but shall not include the storage of hazardous materials such as paint or other flammable, corrosive or explosive substances. A self-storage facility may include accessory outdoor storage of a limited quantity of operable vehicles as herein defined.

SERVICE OUTLET shall mean an establishment where articles, goods or materials, excluding vehicles, may be repaired or serviced.

SEWAGE DISPOSAL SYSTEM shall mean a privy, a greywater system, a cesspool, a leaching bed system, a holding tank or any other privately-owned individual or communal system for the on-site holding and/or treatment of sanitary sewage.

SEWAGE AND WATER SYSTEMS

- **FULL SERVICE** shall mean piped sewage and water services that are connected to a centralized water and wastewater treatment facility that is operated by a public authority.
- **PARTIAL SERVICE** shall mean connection to either piped public water or sewage and the other connection to a private service.
- **PRIVATE SERVICE** shall mean individual autonomous water supply and sewage disposal systems, that are privately owned, managed and operated by the owner of the property upon which the system is located on and which does not service more than five residential dwelling units.

SHIPPING CONTAINER shall mean an article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use and is designed to facilitate the transportation of goods by one or more means of transportation and includes, but is not limited to, intermodal shipping containers, body of transport trailer or straight truck box, with or without wheels, but does not include a motor vehicle.

SHORELINE shall mean any lot line or portion thereof which is the shore of a water body.

SIGHT TRIANGLE shall mean the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 9 m from the point of intersection of the street lines, measured along the street lines. Where two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

SITE ALTERATION shall mean site grading, excavation and the placement of fill.

SIGN shall mean a name, identification, description, device, display or illustration which is affixed to a building, structure or lot which directs attention to an object, product, place, activity, person, institute, organization or business and which does not contravene any by-law or regulation of the Corporation, the County, the Province of Ontario or Government of Canada.

SOURCE PROTECTION PLAN shall mean the Raisin-South Nation Source Protection Plan prepared pursuant to the *Clean Water Act, 2006*.

SPECIALTY FOOD STORE shall mean a retail store specializing in a specific type of food and may include a bakery, butcher, delicatessen or other similar use.

STOREY shall mean that portion of a building other than a cellar, basement or attic included between the surface of any floor level and the surface of the floor, ceiling or roof above it.

STREET shall mean a public thoroughfare under the jurisdiction of the Corporation, the County or the Province of Ontario. This definition does not include a lane, a private road or private right-of-way.

- **IMPROVED STREET** shall mean a street which has been assumed by the Corporation, the County or the Province and is maintained on a regular, year-round basis.

STREET ACCESS shall mean, when referring to a lot that such lot has a lot line or portion thereof which is also a street line.

STREET LINE shall mean the limit of the road or street allowance and is the dividing line between a lot and a street.

STREET SETBACK shall mean with reference to a street, the distance between the centreline of a street allowance and the nearest building line.

STRUCTURE shall mean anything constructed or erected, the use of which requires location on the ground or attached to something having its location on the ground and, without limiting the foregoing, includes a trailer or a mobile home.

TRADESPERSON'S ESTABLISHMENT shall mean a building or part of a building which, in addition to or as well as serving as an office, serves as a storage facility for the materials and equipment of, and/or a workshop for the undertaking of repairs, the preparation of materials, or the production of items on a custom order basis by, one of the following tradespersons: Heating and cooling systems specialist, cabinet maker, carpenter, chimney sweep, drywaller or plasterer, electrician, exterminator, fence installer, furniture refinisher, general building contractor, glass installer, grounds maintenance person and landscaper, handyman, janitor, mason, painter, plumber, printer, snow plough operator, upholsterer, welder, window cleaner and similar tradespersons whose activities are not otherwise defined in this By-law.

TRANSPORTATION DEPOT shall mean an establishment where more than two commercial vehicles are kept for hire, stored or parked and/or dispatched and may include accessory loading and warehouse uses and truck or bus fuelling and repair facilities.

UNENCLOSED, when used in relation to an attached or detached porch, deck or other structure,

shall mean open except for a roof, supporting columns, safety railings, screens, curtains or shades. The word unenclosed shall exclude partial or full solid walls or other solid materials such as glass and synthetic glass substitutes normally intended to provide protection from the elements.

USE, when used as a noun, means the purpose for which a parcel of land, lot, building or structure or any combination thereof is designed, arranged, occupied or maintained and “uses” shall have a corresponding meaning. “Use” when used as a verb, or “to use” shall also have a corresponding meaning.

VEHICLE shall mean an all-terrain vehicle, an automobile, a boat, a commercial motor vehicle, a mobile home, a motorcycle, a snowmobile, a recreational vehicle or a trailer. This definition shall also include any agricultural implements driven or towed.

VEHICLE SALES OR RENTAL ESTABLISHMENT shall mean an establishment having as its main use the sale, rent, or leasing of vehicles. Accessory uses may include the repair and maintenance of such vehicles.

VETERINARY CLINIC shall mean a building where one or more licensed veterinarians and any associated staff provide medical, surgical, grooming or similar services to animals, but does not include boarding services except those essential to recovery from medical treatment.

WAREHOUSE shall mean a building used for the bulk storage of commodities, goods, materials, merchandise or wares.

WASTE DISPOSAL SITE shall mean a place where garbage, refuse, domestic or industrial waste is disposed of or dumped and shall include a sewage treatment plant, lagoon or sludge disposal area.

WASTE RECYCLING FACILITY shall mean an operation engaged in the processing and recycling of non-hazardous solid wastes including but not limited to wood, drywall, cardboard, metal and other construction wastes. Radioactive, pathological and/or asbestos-contaminated materials or any other hazardous materials are not permitted to be processed.

WASTE TRANSFER FACILITY shall mean an operation wherein waste materials collected from surrounding areas are stored on a temporary basis entirely within a building and then shipped to the appropriate disposal site.

WATER BODY shall mean any bay, lake, river, watercourse, canal or municipal drain pursuant to the *Drainage Act*, but excluding a drainage or irrigation channel.

WATER FRONTAGE shall mean, in the case of a lot which abuts a water body, the width of such lot measured between the intersections of the side lot lines with a line that is continuously 6 m back from and parallel to the high water mark.

WATER SETBACK shall mean, in reference to a water body, the horizontal distance between the high water mark and the nearest building line.

WATERCOURSE shall mean a natural drainage channel that contains water either permanently or intermittently, including creeks and streams.

WELLHEAD PROTECTION AREA ZONE (WHPA) shall mean the area of land surrounding a municipal well, where human activities may need to be regulated to protect the quality and quantity

of ground water that supplies the well.

WHOLESALE ESTABLISHMENT shall mean a business engaged in the bulk storage and sale of commodities, goods, materials, merchandise or wares for resale or business use.

YARD shall mean an open, uncovered space appurtenant to a building or structure.

- **FRONT YARD** shall mean a yard extending across the full width of the lot between the front lot line and the nearest part of any main building or structure on the lot.
- **REAR YARD** shall mean a yard extending across the full width of the lot between the rear lot line and the nearest part of any main building or structure on the lot.
- **SIDE YARD** shall mean a yard extending from the front yard to the rear yard between the side lot line and nearest part of any main building or structure on the lot.
- **EXTERIOR SIDE YARD** shall mean a side yard abutting a street.
- **INTERIOR SIDE YARD** shall mean a side yard other than an exterior side yard.

ZONE shall mean:

- A land use category as defined and regulated in this By-law; or
- A designated area of land shown on the zoning schedules to this By-law.

ZONING shall mean the demarcation of an area into zones and the establishment of regulations to govern the use of the land within these zones and the location, bulk, height, shape, use and coverage of structures within each zone. The terms “zone provisions” and “zone requirements” shall have a corresponding meaning.

ZONING ADMINISTRATOR shall mean the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.

SECTION 3 - GENERAL PROVISIONS**3.1 Accessory Uses**

Except as otherwise set out in this section, accessory uses, buildings or structures shall be permitted in any zone, provided that:

1. Accessory buildings or structures shall not be used for human habitation, except as specifically permitted elsewhere in this By-law.
2. Accessory buildings shall be included for the purposes of compliance with maximum lot coverage provisions.
3. There shall be no minimum yard or water setback provisions applicable to a marine facility, except that the minimum side yard shall be 4.5 m.
4. The minimum separation distance between a detached accessory building and any other building shall be 2 m.
5. Any building or structure that is attached to the main building shall not be considered as accessory.
6. Buildings or structures accessory to a residential use shall be subject to the following provisions:

1. In a Residential zone:

- The lot coverage of all accessory buildings or structures shall not exceed 10%.
- The maximum height of an accessory building or structure shall be 5.5 m and shall not contain more than 1 storey.

2. In a Residential, Rural, or Agriculture zone:

Notwithstanding the yard provisions of this By-law to the contrary, an accessory building or structure may be located in a required interior side or rear yard, provided that the minimum yard shall be:

- | | | |
|---|---|-----|
| • | Lots in Settlement Policy Area in Official Plan | 1 m |
| • | All other lots | 3 m |

7. Except as otherwise provided in this section, accessory buildings and structures shall conform to the zone provisions applicable to main buildings.

3.2 Existing Undersized Non-Complying Lots

1. Where, on the date of passing of this By-law, an existing lot has less than the minimum lot frontage, water frontage and/or lot area required by this By-law, or is increased in lot frontage, water frontage and/or lot area but is still undersized, such non-complying lot may be used and a building or structure may be erected, altered or used for a purpose permitted in the zone in which it is located on the date of the passing of this By-law without the requirement to obtain relief from the applicable lot frontage, water frontage and/or lot area provisions of this By-law. This provision shall not be construed

as granting relief from any other provisions of this By-law.

2. Notwithstanding Subsection 3.2.1 above, an agricultural use that includes the keeping of livestock shall not be permitted on a lot of less than 5 ha in lot area, except in the case of hobby farms and the keeping of domestic fowl, as permitted in Section 4.54 of this By-law.

3.3 Front Yard Reduction Within a Settlement Policy Area

Notwithstanding any minimum front yard requirement of this By-law to the contrary, on a lot within the **Settlement Policy Area** designation of the Official Plan, the front yard may be reduced to the average of the front yards of existing main buildings located on the two immediately adjacent lots.

3.4 Frontage on an Improved Street

No lot shall be used and no building or structure shall be erected on a lot in any zone unless such lot has sufficient frontage on an improved street to provide driveway access directly onto the street. Notwithstanding the foregoing, this provision shall not apply to:

- A non-residential building or structure accessory to an agricultural, mineral aggregate or conservation use;
- A lot on a registered plan of subdivision and with frontage on a street which will become an improved street pursuant to provisions in, and financial security associated with, a subdivision agreement that is registered on the title to the lot;
- A lot used for a hunting or fishing camp;
- A lot located in a Limited Services Residential (RLS) zone;
- A lot located on an island.

3.5 Height Exceptions

The maximum height restrictions of this By-law shall not apply to the following:

- Air conditioning, heating or similar mechanical equipment
- Antenna
- Barn
- Belfry, spire or dome associated with a place of worship
- Chimney
- Clock tower
- Communications Tower
- Electrical supply structure
- Elevator or mechanical penthouse
- Farm implement storage building
- Flag pole
- Grain elevator
- Lightning rod
- Silo
- Solar collector
- Water tower
- Wind turbine

3.6 Loading Space Requirements

1. Number of Loading Spaces Required

Any commercial, institutional or industrial use which involves the transfer of goods, wares, merchandise or raw materials to and from the site shall provide and maintain loading facilities on the lot in accordance with the following regulations:

<u>Floor Area of Building</u>	<u>Number of Loading Spaces</u>
less than 200 m ²	0
200 m ² - 1,000 m ²	1
over 1,000 m ²	2 plus 1 additional loading space per each 1,000 m ² of floor area or part thereof

2. Loading Space Size

A required loading space shall be a minimum of 9 m long, 3.5 m wide, have vertical clearance of at least 4.5 m and driveway access that is a minimum of 3.5 m in width.

3. Loading Area Surface

A loading area shall be maintained with a stable surface such as concrete, asphalt, gravel or crushed stone.

4. Cumulative Loading Requirements

Where a lot, building or structure accommodates more than one use, the loading space requirement shall be calculated on the basis of the total floor area of all commercial and industrial uses.

5. Exception for MC/MCR Zones

Permitted uses of the Main Street Commercial (MC) and Main Street Commercial/Residential (MCR) zones shall not be required to provide loading spaces in accordance with the provisions of Section 3.6.1.

3.7 Lots Containing More Than One Use

Where a lot accommodates more than one use and the provisions of this By-law for the uses are different, the more restrictive provisions shall apply.

3.8 Lots Divided For Freehold Unit Ownership

Notwithstanding the division of a lot or block for the purpose of freehold ownership of an existing dwelling unit and its associated parcel of land, zoning provisions shall continue to apply on the basis of the entire lot or block.

3.9 Lots Divided Into More Than One Zone

Where a lot is divided into more than one zone such that it has split zoning, each portion

of the lot shall be used in accordance with the provisions of this By-law for the zone where such portion of the lot is located. In no case shall split zoning be interpreted to allow more dwellings or dwelling units on the lot than would otherwise be permitted by the least restrictive of the applicable zones.

3.10 Moving of Buildings

No building or structure shall be moved into the Township or onto any lot unless its use and location comply with this By-law, and then only after a permit has been obtained from the Chief Building Official.

3.11 Non-Conforming Uses and Non-Complying Uses, Buildings and Structures

1. Buildings Accessory to Non-Conforming Uses

An accessory building may be erected for an existing legal non-conforming use, provided it complies with the provisions of this By-law relating to accessory uses, buildings and structures.

2. Change of Non-Conforming Use

A non-conforming use shall not be changed to another use unless it is to a permitted use in the zone in which it is located. Pursuant to the provisions of the *Planning Act* and the Official Plan, a non-conforming use shall only be changed to another non-conforming use with the permission of the Committee of Adjustment.

3. Repair, Restoration and Reconstruction of Non-Conforming Uses or Non-Complying Uses, Buildings or Structures

A legal non-conforming or non-complying use, building or structure shall only be repaired, restored or reconstructed in accordance with the rights conveyed to legal non-conforming uses pursuant to the applicable provisions of the *Planning Act*, provided that the height, size and volume of the building or structure shall not be increased except in accordance with Sections 3.11.5 and 3.11.6 below, as applicable.

4. Replacement of Non-Complying Sewage Disposal Systems

Notwithstanding any provision of this By-law to the contrary, a sewage disposal system which was legally constructed under the regulations governing sewage disposal systems that were in force and effect at the time of such construction but that is non-complying with respect to the water setback provisions, shall be replaced such that the minimum water setback is the setback of the existing sewage disposal system or as set out in the *Ontario Building Code*, whichever is greater.

5. Enlargements of Non-Conforming Uses

A non-conforming use shall not be enlarged or extended, except with the permission of the Committee of Adjustment for the Township, pursuant to the provisions of the *Planning Act* and the Official Plan.

6. Enlargements of Non-Complying Uses, Buildings or Structures

A non-complying use, building or structure shall not be enlarged, except in compliance with all applicable provisions of this By-law.

3.12 Occupancy Restrictions

None of the following shall be used as a dwelling or for the purposes of human habitation:

1. Any truck, bus, coach, railway or streetcar body or shipping container;
2. Any marine facility or building or structure accessory to a residential use;
3. Any recreational vehicle, except in a tourist campground or as a temporary use in accordance with Section 3.22 of this By-law.
4. Any dwelling unit the entirety of which is located in a cellar.

3.13 Open Storage

Open storage shall be permitted as an accessory use to a permitted use within any zone other than a Residential, Institutional, Open Space, General Commercial, Main Street Commercial / Residential or Main Street Commercial zones, provided that:

1. No part of an open storage area shall be located within a front yard or any minimum required side or rear yard or water setback required by this By-law;
2. Open storage shall not occupy any driveway or parking or loading area required by this By-law;
3. Where open storage that is not accessory to an agricultural use is situated less than 30 m from a Residential zone, a street or a dwelling on another lot, a continuous buffer strip consisting of a berm, fence or landscaping having a minimum combined height of 1.5 m shall be provided so as to screen the open storage area from the street or dwelling. Such buffer strip shall be broken only by a driveway or walkway from the street.

3.14 Parking Requirements

1. Number of Parking Spaces Required

In any zone, the owner or occupant of any lot or building or structure erected, enlarged or changed in use after the passing of this By-law, shall provide off-street parking in accordance with the following:

<u>Type of Use</u>	<u>Number of Parking Spaces Required</u>
Apartment Dwelling	1.25 parking spaces per dwelling unit
All other Dwellings	1 parking space per dwelling unit
Campground	1 parking space per site
Group home	1 parking space in addition to the applicable

	dwelling requirement
Boarding house, Residential care home	1 parking space, plus 1 parking space per 3 rooming units
Home-based business	1 parking space in addition to the applicable dwelling requirement
Bed and breakfast	1 parking space per guest room in addition to the applicable dwelling requirement
Lodging Establishment	1 parking space per guest room or cabin plus 1 parking space per 20 m ² of floor area devoted to dining or meeting uses
Long-term care home	1 parking space per 0.25 beds
Restaurant, specialty food store, banquet hall	1 parking space per 12 m ² of floor area
Place of worship or assembly	1 parking space per 12 m ² of floor area devoted to public assembly
Recreational use, Instructional Facility	1 parking space per 4 persons design capacity or 1 parking space per 20 m ² of floor area, whichever is greater
Retail store, personal service, merchandise service outlet	1 parking space per 20 m ² of floor area
Clinic	1 parking space per 20 m ² of floor area
Marina	1 parking space for each boat docking space, plus 1 parking space for every 25 m ² of marina floor area. Where individual boat docking spaces are not clearly identifiable, the length of a space shall be deemed to be 8 m.
Automobile service station or Automobile body shop	2 parking spaces per service bay; minimum of 3 spaces
Commercial use not defined	1 parking space per 20 m ² of floor area
Professional or business office	1 parking space per 25 m ² of floor area
School - elementary	1.5 parking spaces per classroom
School - secondary	4 parking spaces per classroom
Institutional or public use	1 parking space per 40 m ² of floor area

Industrial, warehouse or
storage use

1 parking space per 70 m² of floor area

2. More than One Use on a Lot

Where a building or lot accommodates more than one use, the number of parking spaces required shall be the sum of the requirements for each of the uses.

3. Parking Space Size and Access

1. Each parking space shall have minimum dimensions of 2.75 m by 6 m. A parking space shall have unobstructed access, except where tandem parking is specifically permitted by this By-law.
2. Where a barrier free parking space is required by Section 3.14.4, the following barrier free parking space types and provisions shall be provided:
 1. Type A barrier free parking space shall have a minimum width of 3.4 m and a minimum length of 6 m.
 2. Type B barrier free parking space shall have a minimum width of 2.4 m and a minimum length of 6 m.
 3. Where an even number of barrier free parking spaces is required, an equal number of Type A and Type B barrier free parking spaces shall be provided.
 4. Where an odd number of barrier free parking spaces is required, an equal number of Type A and Type B barrier free parking spaces shall be provided, where the additional barrier free parking space may be a Type B barrier free parking space. A minimum of one Type A barrier free parking space shall be provided.
 5. Barrier free parking spaces shall be provided with hard surface materials such as concrete or asphalt and shall be located as close as possible to an accessible building entrance.
 6. Where a barrier free parking space is provided an access aisle of 1.5 m by 6 m is required and where two barrier free parking spaces are adjacent to each other the required access aisle may be shared. The required access aisle shall be hard surfaced with concrete or asphalt and marked with high tonal contrast diagonal lines.
 7. Barrier free parking spaces shall provide designated signage and where a Type A barrier free parking space is provided, 'van accessible' signage must be provided a minimum of 1.5 m above grade.

4. Barrier Free Parking Space Requirements

Included in the number of parking spaces by Section 3.14.1, except for parking required for a single dwelling, semi-detached dwelling, duplex dwelling, freehold townhouse dwelling, second dwelling, second dwelling unit and accessory dwelling unit, barrier free parking spaces shall be provided in accordance with the following provisions, rounded up to the nearest whole number:

<u>Total Number of Parking Spaces Provided</u>	<u>Minimum Number of Barrier Free Spaces</u>
1 - 12	1
13 - 100	4% of total parking provided
101 – 200	1 + 3% of total parking provided
201 – 1,000	2 + 2% of total parking provided
1,001+	11 + 1% of total parking provided

5. Driveway Access to Parking Areas

The maximum width of any driveway shall be 9 m, measured at the street line.

Driveways designated for two-way traffic shall have a minimum width of 6 m. One-way driveways and driveways serving only one dwelling unit shall have a minimum width of 3 m. For portions of a driveway that directly abut a parking space, the minimum driveway width shall be as follows:

<u>Angle of Parking Space to Driveway</u>	<u>Minimum Driveway Width</u>
0 degrees	3 m
30 degrees	3.4 m
45 degrees	3.7 m
60 degrees	5.4 m
90 degrees	6 m

6. Driveway Provisions for a Residential Use

1. For lots used exclusively for a residential use, with the exception of single dwellings and apartment buildings, a maximum of one driveway per dwelling unit having a private entrance at grade shall be provided.
2. The maximum number of driveways per lot used for a single dwelling shall be one (1) for every 30 m of frontage.
3. The maximum number of driveways per lot used for an apartment building shall be two (2).
4. The minimum distance between a driveway and intersection street lines, measured along the street line intersected by such driveway, shall be 8 m.

7. Parking Area Surface

A parking area shall be maintained with a stable surface such as concrete, asphalt, gravel or crushed stone.

8. Parking Area Location

1. All required parking shall be provided on the same lot as the use.

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2. Uncovered parking areas are permitted in any yard in accordance with the following provisions:
 1. Where located in the front or exterior yard, parking areas shall be no closer than 1.5 m to any street line, with the exception of parking provided in a driveway to a residential use.
 2. Where located in a side or rear yard, parking areas shall be no closer than 3 m to any property line that abuts a residential zone.
 3. Notwithstanding the provisions above, in the case of an apartment dwelling or any use of the MC/MCR zones, the required parking area shall not be located in the front yard.

9. Parking Requirements for Additions to Existing Buildings

1. Where an existing building or structure has insufficient parking spaces to comply with the provisions of this By-law, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition, provided that no addition may be built and no change of use may occur within the existing building or structure, the effect of which would be to increase the extent of such deficiency.
2. Notwithstanding any provision of this By-law to the contrary, within any lands designated Settlement Policy Area in the Official Plan, an existing building the use of which is being changed to a new use with a greater parking space requirement than the previous use shall not be required to provide any additional parking, provided that any parking deficiency shall not be increased by more than 10 parking spaces.

10. Parking Exceptions for Main Street Commercial (MC) and Main Street Commercial/Residential (MCR) Zones

1. Notwithstanding the parking requirements of subsection 3.14.1, a minimum of one parking space shall be provided per dwelling unit and the minimum number of parking spaces required for a non-residential use shall be reduced by 50%, provided a minimum of one parking space is provided for the non-residential use.
2. Notwithstanding uses located within the MC and MCR zones, parking spaces may be provided on another lot, provided the lot is within 100 m of the use and the dedicated parking spaces are under an agreement in favor of the property requiring the parking spaces.

11. Parking and Storage of Recreational Vehicles

1. Any recreational vehicle shall be permitted to be stored as an accessory use to a permitted residential use provided it is parked in a permitted parking space or is located in an internal side yard or rear yard in accordance with the accessory use yard requirement provisions of this By-law.

3.15 Residential Separation Distances from Other Land Uses

Notwithstanding any other provisions of this By-law, any new dwelling or second dwelling

permitted by Section 4.18 shall be located minimum distances from certain zones or land uses on other lots as follows:

- From a Class B pit with no excavation below the water table 150 m
- From any other pit or concrete plant 300 m
- From a quarry or asphalt plant 500 m
- From land zoned Mineral Aggregate Reserve (EXR) 300 m
- From land zoned Salvage Yard Industrial (MS) 300 m
- From land zoned Disposal Industrial (MD) 500 m
- From livestock facilities
 - As per the Minimum Distance Separation I (MDS I) formula, as issued by the Ontario Ministry of Agriculture, Food and Rural Affairs, except that MDS 1 shall not apply to new non-agricultural uses to be located on an existing lot of less than 1 ha in lot area.
- From a rail line right-of-way 30 m

3.16 Setbacks from Environmental Protection (EP-PSW and EP-ANSI) Zones and Natural Heritage Resource Policy Area Designations in the Official Plan

Notwithstanding any other provisions of this By-law, the minimum setback of any building or structure from lands zoned Environmental Protection in this By-law or designated Natural Heritage in the Official Plan shall be as follows:

- From the Environmental Protection - PSW (EP-PSW) zone or Natural Heritage Resource Policy Area designation in the Official Plan
 - 120 m, or such lesser setback as recommended in an Environmental Impact Study undertaken to the satisfaction of the Township that demonstrates no negative impacts on natural features or ecological functions, provided that such lesser setback shall not be less than 30 m.
- From the Environmental Protection - ANSI (EP-ANSI) zone
 - 120 m, or such lesser setback as recommended in an Environmental Impact Study undertaken to the satisfaction of the Township that demonstrates no negative impacts on natural features or ecological functions.

3.17 Setbacks from Natural Gas or Liquid Pipelines

Notwithstanding any other provisions of this By-law, buildings or structures shall not be permitted within a natural gas or liquid pipeline right-of-way and the minimum setback of any building or structure ~~from the natural gas pipeline right-of-way~~ shall be as follows:

- From a natural gas pipeline right-of-way:
 - Main building or structure 7 m
 - Accessory or temporary building or structure 3 m
- From the centre of a liquid gas pipeline:
 - All buildings or structures 30 m

3.18 Sewage Disposal Systems and the Applicability of this By-law

Except in relation to water setbacks of Section 3.25 and setbacks from Environmental Protection (EP) zones, sewage disposal systems shall not be subject to the provisions of this By-law.

3.19 Sight Triangles

Notwithstanding any provisions of this By-law to the contrary, within any area defined as a sight triangle, the following uses shall be prohibited:

- A building, structure or use which would obstruct the visions of motorists;
- A fence or any vegetation of a height which is more than 1 m above the elevation of the centrelines of abutting streets;
- A parking or loading area.

3.20 Shoreline Area Occupancy

Notwithstanding any provisions of this By-law to the contrary, on any lot abutting a water body and used for purposes other than a marina, a maximum of 20% or 15 m of the shoreline area, whichever is lesser, shall be occupied by marine facilities, pump houses, stairs, decks, patios, and gazebos. For the purposes of this section, the shoreline area shall include that portion of the lot lying within 3 m of the high water mark.

3.21 Street Setbacks

The following setbacks shall be required:

- | | |
|--|--|
| <ul style="list-style-type: none"> • Provincial Highway | in accordance with the requirements of the Ministry of Transportation |
| <ul style="list-style-type: none"> • County Street | 13.1 m from the centre line of the street plus the minimum required yard for the appropriate zone, except in the case of County Road No. 2, in which case the setback shall be 15.25 m from the centreline of the street plus the minimum required front yard for the appropriate zone |
| <ul style="list-style-type: none"> • Township Street | 10 m from the centre line of the street plus the minimum required yard for the appropriate zone |
| <ul style="list-style-type: none"> • Private right-of-way | 6 m from the limit of the right-of-way |

3.22 Temporary Uses

The following shall be permitted in any zone, except Environmental Protection (EP) zones:

- Construction facilities such as sheds, scaffolds and other structures incidental to the construction on the premises for so long as the work is in progress;
- A temporary real estate sales and/rental office;
- A recreational vehicle occupied on a temporary basis during the course of construction of a new dwelling or during the major renovation of an existing

dwelling on the same lot, provided that:

- Temporary connection to an approved on-site sewage disposal system is provided;
- A building permit for a dwelling has been issued and remains in force;
- The recreational vehicle is located in accordance with the required yards and water setbacks applicable to a dwelling;
- In no event shall the recreational vehicle be located on the lot for a period exceeding two years from the date of issuance of the building permit.

3.23 Through Lots

On a through lot, the minimum front yard requirement shall apply to each yard abutting a street.

3.24 Water and Sewage Disposal Services

1. No building permit shall be issued for any building or structure unless appropriate sewage and water systems are provided, in accordance with the following:
 1. On lands shown on Schedule B, development shall be serviced by full service sewage and water systems.
 2. On lands shown on Schedule C as being north of the South Nation River, development shall be serviced by partial service sewage and water systems (i.e. private water and municipal sewage), except where municipal sewage services are not available, development shall be serviced by private service sewage and water systems.
 3. On lands shown on Schedule C as being south of the South Nation River, development shall be serviced by private service sewage and water systems.
2. Notwithstanding the foregoing, this provision shall not apply to lands on Schedule B or C where water and sewage services are not required by the Building Code.

3.25 Water Frontage and Water Setbacks

1. Except as otherwise provided by Section 3.2, the minimum water frontage for any lot abutting a water body shall be 60 m, except for lands located on Schedule B.
2. Except as otherwise permitted by Sections 3.1, 3.11, 3.20 and 3.27 of this By-law, the minimum water setback shall be 30 m for all buildings and structures, including sewage disposal systems but excluding the following:
 - Decks, hot tubs and gazebos which are unattached to a main building;
 - Marinas, pump houses, stairs, marine facilities and roof decks situated on marine facilities.

3.26 Wayside Pits, Wayside Quarries, Portable Asphalt Plants and Portable Concrete Plants

Any lands may be used for the purposes of wayside pits, wayside quarries, portable

concrete plants and portable asphalt plants, except the following:

- Lands zoned as EP-PSW, EP-ANSI, Open Space (OS) and any Residential zone;
- Lands designated as Settlement Policy Area in the Official Plan;
- Lands situated within 150 m of an existing dwelling.

3.27 Yard and Water Setback Encroachments

Notwithstanding the yard and setback provisions of this By-law, the following encroachments are permitted:

- Sills, belt courses, chimneys, cornices, eaves, gutters, parapets, bay windows and other ornamental features may project into any required yard or water setback by not more than 0.6 m, provided that they shall not be located closer than 0.4 m to any lot line;
- Attached unenclosed porches, open patios, decks, balconies, exterior stairs and landings may project from the main building into any minimum required yard or water setback by not more than 3 m, except that where an existing main building is non-complying in relation to the required water setback, an open and unroofed porch, deck, exterior stairs or landing may project into the existing water setback by a maximum of 1.5 m;
- Open at-grade patios, awnings, clothes poles, flag poles, garden trellises, fences, plant materials, accessible ramps and similar accessory structures shall be permitted in any required yard or water setback;
- Swimming pools, including all related equipment, shall be permitted in any required yard, except for a required front or exterior side yard, and shall not be located closer than 1.5 m to any lot line or encroach into the required 30 m water setback.

SECTION 4 – SPECIFIC USE PROVISIONS

4.1 Additional Residential Units

Notwithstanding any provision of this By-law to the contrary, where a single dwelling, a semi-detached dwelling or a townhouse dwelling is permitted as a principal use in a zone, a second dwelling unit and/or second dwelling, as defined herein, are permitted on the same lot in accordance with the following provisions.

1. General

1. The second dwelling unit and/or second dwelling shall be located on a lot where driveway access is provided from an improved street.
2. The second dwelling unit and/or second dwelling shall comply with the provisions of the *Building Code Act*.
3. The second dwelling unit and/or second dwelling shall be connected to the same water supply and sewage disposal systems as the principal dwelling.
4. Prior to obtaining a building permit for a second dwelling unit and/or a second dwelling on a lot with a private sewage disposal system, the applicant shall obtain a septic system approval.
5. The maximum floor area of the second dwelling unit and/or second dwelling shall not exceed 50% of the floor area of the principal dwelling, to a maximum of 80 m² in the Residential Zone and 95 m² in the Rural and Agriculture Zones.
6. The second dwelling unit and/or second dwelling shall share the driveway entrance to the lot with the principal dwelling.
7. A minimum of one parking space shall be provided for the second dwelling unit and/or second dwelling, in addition to the minimum parking requirements for the principal dwelling. Tandem parking shall be permitted to accommodate minimum parking requirements.
8. The second dwelling unit and/or second dwelling shall be included in the calculation of lot coverage.

2. Additional Provisions for Second Dwelling Unit

1. The second dwelling unit shall share two of the following with the principal dwelling:
 - building entrance
 - parking area
 - outdoor amenity space
2. No enlargement or extension to the principal dwelling shall be permitted unless the enlargement or extension conforms to all other applicable provisions of this By-law.

3. Additional Provisions for Second Dwelling

1. An existing accessory building may be partially or fully converted to a second dwelling, except that no habitable room window shall face an interior side lot line or a rear lot line unless the existing accessory building conforms to the minimum side lot line setback and rear lot line setback as is required for the principal dwelling, as the case may be.
2. A new accessory building may be constructed as a second dwelling provided that it conforms to all applicable provisions for the principal dwelling.
3. The maximum permitted height of a new second dwelling shall be 6 m.
4. A new accessory building which is constructed as a second dwelling shall be separated by less than 6 m from the principal dwelling on a lot zoned RU or A.

4.24 Bed and Breakfast Establishments

A bed and breakfast, as herein defined, shall be a permitted use within a single dwelling that is permitted as a principal use in the zone in which it is located, except in the Limited Services Residential (RLS) Zone.

4.32 Cannabis Production and Processing Facilities

Notwithstanding any other provision of this By-law to the contrary, where a cannabis production and processing facility, as defined herein, is listed as a permitted use, such use shall be subject to the following provisions:

1. The following setbacks shall be required:
 - 300m from a residential use on another lot, a vacant lot in a residential zone, any Open Space zone, Institutional zone, or any lands designated Settlement Policy Area in the Official Plan.
2. A building or structure used for security purposes may be located in the required front yard.

4.43 Group Homes

Group homes, as defined herein, shall be permitted in any zone where a single detached, semi-detached or duplex dwelling is permitted as a principal use in the zone in which it is located. Group homes within a semi-detached or duplex dwellings shall only be permitted where both units are occupied by one group home operation.

4.54 Hobby Farms and Keeping of Domestic Fowl

1. Notwithstanding the provisions of this By-law to the contrary, a hobby farm, as defined herein, shall be permitted on a lot in any Rural (RU) or Agriculture (A) zone, provided that such livestock are housed in a building or structure specifically designed for such purpose, and subject to the following provisions:
 1. On a lot having an area of 1.6 ha up to 3.2 ha, a maximum of eight (8) small livestock units or their equivalent in any combination shall be permitted.

2. On a lot having an area greater than 3.2 ha up to 5.0 ha, a maximum of twelve (12) small livestock units or their equivalent in any combination shall be permitted.
 3. On a lot having an area greater than 5.0 ha, a maximum of five (5) nutrient units, as defined by the Minimum Distance Separation Formulae, shall be permitted. For six (6) or more nutrient units, a hobby farm shall be subject to the setbacks determined by the Minimum Distance Separation Formulae developed by the Ontario Ministry of Agriculture, Food and Rural Affairs.
 4. For this purpose of calculating livestock units, the following shall apply:
 - 2 small livestock units equals 1 medium livestock unit
 - 4 small livestock units equals 1 large livestock unit
 - 2 medium livestock units equals 1 large livestock unit
2. Notwithstanding the provisions of Section 3.1, a domestic fowl coop, as defined herein, shall be permitted accessory to a permitted residential dwelling in the Hamlet Residential (HR), Limited Services Residential (RLS), Agriculture (A), and Rural (RU) zone, subject to the following provisions:
1. The minimum lot area shall be 0.4 ha.
 2. Domestic fowl coops and runs shall be a minimum of 3 m from rear and interior lot lines.
 3. Domestic fowl coops and runs shall be a minimum of 10 m from any window or door opening of a dwelling on an adjacent lot.
 4. Domestic fowl coops and runs shall be a minimum of 15 m from any well.
 5. Domestic fowl coops and runs shall not be located in any front or exterior side yard.
 6. Runs shall be constructed to provide a minimum of 0.9 m² and a maximum of 2.3 m² of floor space per hen.

4.65 Home-Based Businesses

A home-based business, as defined herein, shall be permitted as an accessory use to a permitted residential use in accordance with the following provisions:

1. No more than 30% or 50 m² of the floor area of the dwelling unit, whichever is lesser, shall be used for the home-based business.
2. There shall be no visible indication from the exterior of the building of the presence of the home-based business other than one non-illuminated sign not larger than 1 m².
3. There shall be no open storage of inoperative or unlicensed motor vehicles or other materials, or outdoor animal enclosures.
4. There shall be no storage of hazardous materials such as paint or other flammable, corrosive or explosive substances.

5. There shall be no direct retail sale of goods other than those produced on the premises or those which are clearly incidental to a personal service or service outlet home-based business.
6. Where instruction, respite care or day care is provided, there will be no more than six persons, other than the instructor or caregiver, in attendance at any one time. In the case of all other home-based businesses, not more than one individual client or customer shall be served at any one time.
7. A maximum of two persons in addition to the dwelling occupant(s) may be employed in the home-based business, provided that the maximum number of persons employed in the home-based business shall not exceed three. For the purposes of this subsection, the number of persons shall be calculated on the basis of full-time equivalence.
8. Except in the case of lots not designated Settlement Policy Area in the Official Plan, up to 50 m² of floor area within an accessory building may be used for the home-based business, provided that:
 1. The accessory building shall be located a minimum of 15 m from the closest dwelling on another lot.
 2. The combined total floor area used for the home-based business within the accessory building and dwelling unit shall not exceed 60 m².
9. Not more than one commercial vehicle related to the home-based business shall be kept on the premises, with the exception of lots not designated as Settlement Policy Area in the Official Plan in which case the maximum number of commercial vehicles shall be two.
10. The home-based business shall not, in the opinion of the Township, change the predominantly residential character of the property or create or become a public nuisance with regard to noise, odours, vibration, heat, traffic, lighting or other annoyance.

4.76 Mobile Homes

Mobile homes, as defined herein, shall be prohibited in all zones, except:

- In the Agriculture zone, in accordance with the corresponding provisions; and,
- Where specifically permitted on a site-specific basis by way of an exception zone.

4.87 Public Uses

1. Except in the case of lands zoned EP-PSW and EP-ANSI, any land may be used and any building or structure erected or used for the purpose of a public use, provided that lot coverage, setback and yard requirements of the zone in which such land, building or structure is located shall be complied with, except in the case of towers, poles, lines and transmission facilities for natural gas, electricity, cable, water, storm and sanitary sewage and wired and wireless communications.

2. Where a public use is to be located in the Flood Plain Overlay Zone, Section 5.7.1 shall apply and, further, no public use that includes institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances shall be permitted.

~~4.8 Additional Residential Units~~

~~Notwithstanding any provision of this By-law to the contrary, where a single dwelling, a semi-detached dwelling or a townhouse dwelling is permitted as a principal use in a zone, a second dwelling unit and/or second dwelling, as defined herein, are permitted on the same lot in accordance with the following provisions.~~

~~1. General~~

- ~~1. The second dwelling unit and/or second dwelling shall be located on a lot where driveway access is provided by an improved street.~~
- ~~2. The second dwelling unit and/or second dwelling shall comply with the provisions of the *Building Code Act*.~~
- ~~3. The second dwelling unit and/or second dwelling shall be connected to the same water supply and sewage disposal systems as the principal dwelling.~~
- ~~4. Prior to obtaining a building permit for a second dwelling unit and/or a second dwelling on a lot with a private sewage disposal system, the applicant shall obtain a septic system approval.~~
- ~~5. The maximum floor area of the second dwelling unit and/or second dwelling shall not exceed 50% of the floor area of the principal dwelling, to a maximum of 80 m² in the Residential Zone and 95 m² in the Rural and Agriculture Zones.~~
- ~~6. The second dwelling unit and/or second dwelling shall share the driveway entrance to the lot with the principal dwelling.~~
- ~~7. A minimum of one parking space shall be provided for the second dwelling unit and/or second dwelling, in addition to the minimum parking requirements for the principal dwelling. Tandem parking shall be permitted to accommodate minimum parking requirements.~~
- ~~8. The second dwelling unit and/or second dwelling shall be included in the calculation of lot coverage.~~

~~2. Additional Provisions for Second Dwelling Unit~~

- ~~1. The second dwelling unit shall share two of the following with the principal dwelling:~~
 - ~~• building entrance~~
 - ~~• parking area~~
 - ~~• outdoor amenity space~~
- ~~2. No enlargement or extension to the principal dwelling shall be permitted unless~~

~~the enlargement or extension conforms to all other applicable provisions of this By-law.~~

~~3. Additional Provisions for Second Dwelling~~

- ~~1. An existing accessory building may be partially or fully converted to a second dwelling, except that no habitable room window shall face an interior side lot line or a rear lot line unless the existing accessory building conforms to the minimum side lot line setback and rear lot line setback as is required for the principal dwelling, as the case may be.~~
- ~~2. A new accessory building may be constructed as a second dwelling provided that it conforms to all applicable provisions for the principal dwelling.~~
- ~~3. The maximum permitted height of a new second dwelling shall be 5 m.~~
- ~~4. A new accessory building which is constructed as a second dwelling shall be separated by less than 6 m from the principal dwelling on a lot zoned RU or A.~~

4.9 Refreshment Vehicles

A refreshment vehicle, as herein defined, may be permitted in accordance with the provisions set out in the Township's Refreshment Vehicle By-law. A refreshment vehicle shall only be permitted as an accessory use to the principal use. In the case of a property that is developed with non-residential buildings or structures not currently occupied, a refreshment vehicle shall be a permitted use.

4.10 Shipping Containers as Storage Containers

Notwithstanding any provision of this By-law to the contrary, a shipping container, as herein defined, shall be permitted as an accessory structure to a permitted use subject to the following provisions:

1. In a Rural (RU) or Agriculture (A) zone:
 1. A maximum of four (4) shipping containers shall be permitted;
 2. The shipping container shall not be located in the front yard;
 3. Where a shipping container abuts a Residential zone, the minimum required yard shall be 10 m, and in the case of any other zones, the requirements for accessory buildings shall apply;
 4. Where a shipping container is situated on a lot abutting a residential use, a continuous buffer strip consisting of a berm, fence or landscaping having a minimum combined height of 1.5 m shall be provided so as to screen the shipping container from the street or dwelling.
2. A shipping container shall not be permitted on any lot zoned RLS, or on any lands identified on Schedule B, Schedule C, or Schedule D, except in the case of a CH and CT zone, in which case a maximum of one (1) shipping container shall be permitted and the provisions of Section 4.10.1.2-4 shall apply;

3. In an CH, CT, MG, MBP, MR, or EX zone, the requirements for accessory buildings shall apply.

4.11 Tiny Houses

A tiny house is permitted as a single dwelling in all zones where a residential use is a permitted principal use, provided that the applicant shall obtain a sewage system approval and that the tiny house meets all of the zone standards of the applicable zone and all of the provisions of the Ontario Building Code.

SECTION 5 - ZONES

5.1 General

For the purposes of this By-law, the land area of the Township is divided into various generalized and specific zones to which the provisions and regulations herein shall apply.

5.2 Zones and Zone Symbols

<u>Zone Name</u>	<u>Symbol</u>
Residential Zones	
• Residential First Density	R1
• Residential Second Density	R2
• Residential Third Density	R3
• Hamlet Residential	RH
• Limited Services Residential	RLS
Village Core Zones	
• Main Street Commercial	MC
• Main Street Commercial / Residential	MCR
Commercial Zones	
• General Commercial	CG
• Highway Commercial	CH
• Tourist Commercial	CT
Industrial Zones	
• General Industrial	MG
• Business Park Industrial	MBP
• Rural Industrial	MR
• Salvage Yard Industrial	MS
• Disposal Industrial	MD
Institutional Zones	
• Institutional	I
Open Space Zones	
• Open Space	OS
Rural Zones	
• Rural	RU
Agriculture Zones	
• Agriculture	A
Mineral Resource Zones	
• Mineral Aggregate Extraction	EX
• Mineral Aggregate Reserve	EXR
Environmental Protection Zones	

- | | |
|-----------------------------------|---------|
| • Environmental Protection - PSW | EP-PSW |
| • Environmental Protection - ANSI | EP-ANSI |

5.3 Boundaries of Zones

The location and boundaries of the zones established by this By-law and certain requirements applicable to such zones are shown on the maps hereto attached as Schedule A, B, C & D. Where any uncertainty as to the boundary of any zone as shown on the zoning schedule, 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, other right-of-way or watercourse, the boundary shall be the centre of such street, lane, railway right-of-way, right-of-way or watercourse.
2. Where a zone boundary is indicated as approximately following lot lines on a registered plan of subdivision, deposited reference plan or original Township survey, the boundary shall follow such lot lines. No amendment to the By-law shall be required for minor adjustments to zone boundaries shown on Schedule A, B, C & D where, in the opinion of the Township, such adjustments are merely for the purpose of more accurately reflecting surveyed information.
3. Where a zone boundary is indicated as following a shoreline of a watercourse, the boundary shall follow such shoreline and in the event that the shoreline changes, the boundary shall be taken as having moved with the shoreline.
4. Where any uncertainty exists as to the Flood Plain Overlay boundary, the boundary shall be the 1:100 year flood line as identified on the relevant maps of the Conservation Authority.
5. Where any uncertainty exists as to the Environmental Protection – PSW (EP-PSW) and Environmental Protection – ANSI (EP-ANSI) zone boundaries, the boundaries shall be as identified on the relevant maps of the Ontario Ministry of Natural Resources and Forestry.
6. Where any street, lane, right-of-way, railway right-of-way or watercourse as shown on the Schedules is closed or diverted, the object of such closure or diversion shall be included within the zone of the abutting property on either side thereof.
7. Where any zone boundary is left uncertain after the application of clauses (1) through (5) above, the boundary shall be determined by scale from the original full-size zoning Schedule.
8. Wherever it occurs, the municipal boundary is the limit of the zone adjacent to it.

5.4 Holding Zones

Where a zone symbol is followed by a hyphen and the letter “h”, this denotes a holding zone. Within such zones, only existing uses shall be permitted unless specifically stated otherwise in the By-law, until the “h” has been removed. The removal of the holding provision shall require an amendment to the By-law. Such amendment shall only be passed by Council when any applicable servicing, phasing or financial conditions or agreements for the lands have been satisfied in accordance with the requirements of the

Official Plan.

Holding zones in force and effect are as follows:

1. **MBP-h** (Johnstown Industrial Park Future Expansion Area)

On the lands zoned MBP-h, the 'holding' provision denotes a future expansion of the Johnstown Industrial Park and shall only be removed upon approval of an Official Plan amendment to designate the lands Industrial Park Policy Area. Only existing uses shall be permitted until such time that the holding provision has been removed.

2. **R2-h** (Cardinal)

On the lands zoned R2-h, only existing uses shall be permitted until such time that the Municipality deems that there is sufficient capacity to provide municipal services to the site.

5.5 Special Zones

Where a zone symbol is followed by a hyphen and a letter or a number other than "-h", (for example, "-x" or "-1"), the lands so zoned shall be subject to all the provisions of the zone represented by such symbol except as otherwise provided by the special provisions of that zone.

5.6 Temporary Zones

Where a temporary zone is established for the purpose of accommodating a temporary use pursuant to the provisions of the *Planning Act*, the lands so zoned shall be subject to all the provisions of the zone, except that a temporary use shall be permitted for a certain limited period of time. The zone symbol shall be followed by a hyphen, the letter "T" and a letter or a number other than "-h", (for example, "-Tx" or "-T1").

Temporary zones in force and effect are as follows:

a) **A-T1** (1302 Brouseville Road, Concession 3, Part of lot 13, Part 3 on Reference Plan No. 15R9136, Township of Edwardsburgh/Cardinal)

Notwithstanding the provisions of Section 13.1.1 to the contrary, a second dwelling shall be an additional permitted use from March 25, 2013 until March 24, 2023, as provided by the provisions of Section 39.1 of the *Planning Act*, R.S.O., 1990. Upon expiry of said period, this subsection and the associated A-T1 zoning on Schedule 'A' are repealed.

5.7 Overlay Zones

Where an overlay zone applies to lands within the Township, additional provisions shall take precedence over the underlying zones. Within the Township, the following overlay zones apply:

1. **Flood Plain Overlay Zone**

The Flood Plain Overlay Zone denotes lands located within the 1:100 year flood plain, and are subject to natural hazard risks. Such lands shall be subject to all of the

provisions of the underlying zone in which the lands are located, except as may be otherwise provided below:

1. Permitted uses shall be limited to the following:
 - legally existing use as of the date of passing this By-law
 - legally existing agricultural use, excluding buildings
 - conservation use, excluding buildings
 - marine facility
 - flood control structures
2. No development or site alteration shall be permitted without the written approval of the relevant Conservation Authority.
3. No building or structure shall be erected, altered or used except with the written approval of the relevant Conservation Authority.

2. Source Water Protection Overlay Zone

The Intake Protection Zones, IPZ-1 and Well Head Protection Zones, WHPA-A, WHPA-B and WHPA-C, are overlay zones as defined by the Source Protection Plan. These overlay zones are designated for the purposes of Sections 57, 58 and 59 of the *Clean Water Act* to restrict land uses within vulnerable areas. Notwithstanding any provisions of the underlying zones to the contrary, the following provisions shall take precedence:

1. All development applications and building permit applications for land uses within the IPZ-1, WHPA-A, WHPA-B and WHPA-C overlay zones, shall apply for notice under Section 59 of the *Clean Water Act* from the Risk Management Official and may require a risk management plan prepared to the satisfaction of the Risk Management Official. If an applicant can demonstrate to the satisfaction of the Township that a significant water threat activity will not occur, notice under Section 59 of the *Clean Water Act* is not required.
2. In the IPZ-1 overlay zone, the following land uses and activities may be regulated (subject to a risk management plan or prescribed instrument) where they would be a significant drinking water threat:
 - Agricultural use which includes pasturing and grazing
 - Application and storage of agricultural source material and non-agricultural source material

In the IPZ-1 overlay zone, the following land uses and activities may be prohibited where they would be a significant drinking water threat:

- De-icing of aircraft
 - Application of septage
 - Sewage treatment bypass, sewage treatment effluent, industrial effluent discharges, combined sewer discharge, stormwater management facility
3. In the WHPA-A overlay zone, the following land uses and activities may be

regulated (subject to a risk management plan or a prescribed instrument) where they would be a significant drinking water threat:

- Agricultural uses including pasturing and grazing
- Application and storage of agricultural source material, non-agricultural source material, and storage of commercial fertilizer
- Sanitary sewer or related pipes
- On-site sewage systems and holding tanks
- Application of pesticides

In the WHPA-A overlay zone, the following land uses and activities may be prohibited where they would be a significant drinking water threat:

- Waste disposal site, as defined herein, including hazardous, municipal, and solid non-hazardous industrial or commercial waste disposal, land-farming petroleum waste, storage, treatment, and discharge of mine tailings, liquid industrial waste injection into a well, PCB waste storage, application of hauled sewage to land and other waste
- Sewage treatment effluent, stormwater management facility and storage of sewage
- De-icing of aircraft
- Storage of pesticides
- Storage of road salt and storage of snow
- Handling and storage of dense nonaqueous phase liquids (DNAPLs) and organic solvents
- Storage and handling of fuel

4. In the WHPA-B overlay zone, the following land uses and activities may be regulated (subject to a risk management plan or a prescribed instrument) where they would be a significant drinking water threat:

- Agricultural use which includes pasturing and grazing
- Application and storage of agricultural source material, non-agricultural source material, and storage of commercial fertilizer
- Onsite sewage systems and holding tanks
- Sanitary sewer or related pipes
- Application of pesticides

In the WHPA-B overlay zone, the following land uses and activities may be prohibited where they would be a significant drinking water threat:

- Waste disposal site, as defined herein, including hazardous, municipal, and solid non-hazardous industrial or commercial waste disposal, storage, treatment and discharge of mine tailings, land-farming petroleum waste, liquid industrial waste injection into a well, PCB waste storage and application of hauled sewage of land and other waste
- Sewage treatment effluent, stormwater management facility, and storage of sewage
- De-icing of aircraft
- Storage of pesticides
- Storage of road salt and storage of snow
- Storage and handling of dense nonaqueous phase liquids (DNAPLs) and

- organic solvents
 - Storage and handling of fuel
5. In the WHPA-C overlay zone, the following land uses and activities may be prohibited where they would be a significant drinking water threat:
- Waste disposal site, as defined herein, including hazardous, municipal, and solid non-hazardous industrial or commercial waste disposal, and liquid industrial waste injection into a well
 - Handling and storage of dense nonaqueous phase liquids (DNAPLs)
 - Storage of sewage

SECTION 6 - RESIDENTIAL ZONES

6.1 Residential First Density (R1)

1. Permitted Uses

single dwelling

2. Zone Provisions

- Lot Area (minimum)
 - Full Service 465 m²
 - Partial Service(a) ~~700 m²~~ 0.4 ha
- Private Services 0.4 ha
- Lot Frontage (minimum)
 - Full Service 15 m
 - Partial Service 18 m
 - Private Service 30 m
- Yards (minimum)
 - Front
 - Full or Partial Services 6 m
 - Private Service 7.5 m
 - Exterior Side
 - Full or Partial Services 6 m
 - Private Service 7.5 m
 - Interior Side
 - Full or Partial Services (b) 2 m or 3 m
 - Private Service 3 m
 - Rear 7.5 m
- Building Height (maximum) 10 m
- Lot Coverage (maximum) 30%
- Dwellings per Lot (maximum) 1

Footnote(s)

- (a) The minimum lot area may be reduced provided a Servicing Report, inclusive of a hydrogeological assessment and/or terrain analysis, prepared by a qualified licensed professional engineer/geoscientist, is approved to the satisfaction of the Township addressing private sewage disposal and/or private water supply requirements for the proposed reduced lot area but the minimum lot area shall be no less than 0.2 ha. shall be 700 m², except where partial services require the connection to a privately owned sewage disposal system in which case the minimum lot area shall be 0.4 ha.

- (b) The minimum interior side yard shall be 3 m on one side and 2 m on the other side, except where a garage or carport is attached to the main dwelling or the lot is a corner lot in which case the minimum interior side yard shall be 2 m.

3. Additional Provisions

1. General Provisions

In accordance with Section 3 & 4 hereof.

4. Special Exception Zones

1. **R1-1** (Part of Lots 414 and 415, Plan 25, Village of Cardinal)

Notwithstanding the provisions of Section 6.1.**21** to the contrary, on lands zoned R1-1, two existing single dwellings shall be permitted.

2. **R1-2** (Lot 5, Concession 1, Village of Cardinal)

Notwithstanding the provisions of Section 3.15 to the contrary, on lands zoned R1-2, no new dwelling shall be permitted within 15 m of the right-of-way of a rail line.

6.2 Residential Second Density (R2)

1. Permitted Uses

converted dwelling, in accordance with the provisions of the R1 zone
 duplex dwelling, in accordance with the provisions of the R1 zone
 semi-detached dwelling
 single dwelling, in accordance with the provisions of the R1 zone

2. Zone Provisions

- Semi-detached Dwelling
 - Lot Area per dwelling unit (minimum)
 - Full Service 230 m²
 - Partial or Private Service (a) 0.4 ha ~~350 m²~~
 - ~~or~~ 0.2 ha
 - ~~Private Service~~ 0.2 ha
 - Lot Frontage per dwelling unit (minimum)
 - Full 9 m
 - Partial or Private Service 15 m
 - Yards (minimum)
 - Front
 - Full or Partial Services 6 m
 - Private Service 7.5 m
 - Exterior Side
 - Full or Partial Services 6 m
 - Private Service 7.5 m
 - Interior Side (b)(c)
 - Full or Partial Service 1.5 m or 3 m
 - Private Service 3 m
 - Rear 7.5 m
 - Building Height (maximum) 10 m
 - Lot Coverage (maximum) 30%
 - Dwellings per Lot (maximum) 1

Footnote(s)

- (a) The minimum lot area per dwelling unit may be reduced provided a Servicing Report, inclusive of a hydrogeological assessment and/or terrain analysis, prepared by a qualified licensed professional engineer/geoscientist, is approved to the satisfaction of the Township addressing private sewage disposal and/or private water supply requirements for the proposed reduced lot area but the minimum lot area per dwelling unit shall be no less than 0.2 ha. The minimum lot area shall be 350 m², except where partial services require the connection to a privately owned sewage disposal system in which case the minimum lot area shall be 0.2 ha.
- (b) The minimum interior side yard shall be 3 m on one side and 1.5 m on the other side, except where a garage or carport is attached to the main dwelling or the lot is a corner lot in which case the minimum interior side yard shall be 1.5 m
- (c) The minimum side yard between semi-detached dwelling units shall be 0 m.

3. Additional Provisions

1. General Provisions

In accordance with Section 3 & 4 hereof.

4. Special Exception Zones

1. R2-1 (Lot 5, Concession 1, Village of Cardinal)

Notwithstanding the provisions of Section 3.15 to the contrary, on lands zoned R2-1, no new dwelling shall be permitted within 15 m of the right-of-way of a rail line.

6.3 Residential Third Density (R3)

1. Permitted Uses

apartment dwelling
 converted dwelling, in accordance with the provisions of the R1 zone
 duplex dwelling, in accordance with the provisions of the R1 zone
 semi-detached dwelling, in accordance with the provisions of the R2 zone
 single dwelling, in accordance with the provisions of the R1 zone
 townhouse dwelling

2. Zone Provisions

- Townhouse dwelling
 - Lot Area per dwelling unit (minimum)
 - Full Service 230 m²
 - ~~Partial Service (a)(b)~~ ~~350 m² or 0.2 ha~~
 - Partial or Private Service (a)(b) 0.42 ha
 - Lot Frontage per dwelling unit (minimum)
 - Full 6 m
 - Partial or Private Service 15 m
 - Yards (minimum)
 - Front
 - Full or Partial Services 6 m
 - Private Service 7.5 m
 - Exterior Side
 - Full or Partial Services 6 m
 - Private Service 7.5 m
 - Interior Side (c)
 - Full or Partial Service 1.5 m
 - Private Service 3 m
 - Rear 7.5 m
- Apartment Dwelling
 - Lot Area (minimum)
 - Full ~~or Partial~~ Service ~~(a)(d)(e)~~ 700 m²
 - Partial or Private Service (a)(e) 0.4 ha
 - Lot Frontage
 - Full or Partial Service 30 m
 - Private Service 45 m
 - Yards (minimum)
 - Front 6 m
 - Exterior Side 6 m
 - Interior Side 3 m
 - Rear 7.5 m
 - Building Height (maximum) 14 m
 - Lot Coverage (maximum) 40%
 - Dwellings per Lot (maximum) 1

Footnote(s)

- (a) The maximum number of dwelling units in an apartment dwelling or townhouse dwelling serviced by partial or private services shall be 5.
- (b) ~~The minimum lot area per dwelling unit may be reduced provided a Servicing Report, inclusive of a hydrogeological assessment and/or terrain analysis, prepared by a qualified licensed professional engineer/geoscientist, is approved to the satisfaction of the Township addressing private sewage disposal and/or private water supply requirements for the proposed reduced lot area but the minimum lot area per dwelling unit shall be no less than 0.2 ha. The minimum lot area shall be 350 m², except where partial services require the connection to a privately owned sewage disposal system in which case the minimum lot area shall be 0.2 ha.~~
- (c) The minimum side yard between townhouse dwelling units shall be 0 m.
- ~~(d) The minimum lot area shall be 700 m² for the first three dwelling units, plus an additional 230 m² for each additional dwelling unit.~~
- ~~(e)~~(d) The maximum density shall be one dwelling unit per 230 m² of lot area.

3. Additional Provisions

1. General Provisions

In accordance with Section 3 & 4 hereof.

2. Amenity Area Requirements for Apartment Dwellings

- 1. Amenity Area shall be provided for an apartment dwelling at a rate of 10 m² per dwelling unit.
- 2. Amenity Area must be provided on the same lot as the use for which it is provided.
- 3. Amenity Area shall not be located in the required front or exterior side yard.

4. Special Exception Zones

1. R3-1 (45 William Street, Lot 266, Plan 25, Village of Cardinal)

Notwithstanding the provisions of Section 6.3.1 to the contrary, on lands zoned R3-1, permitted uses shall be limited to a single dwelling, duplex dwelling, converted dwelling and triplex dwelling.

2. R3-2 (211 Shanly Road, Village of Cardinal)

Notwithstanding the provisions of Section 6.3.1 to the contrary, on lands zoned R3-2, an apartment dwelling, limited to 4 units, shall be a permitted use.

In addition, screened amenity area consisting of 16 m² shall be provided.

3. R3-3 (2039 Dundas Street South, Lot 281, Plan 25, Village of Cardinal)

Notwithstanding the provisions of Section 6.3.1 to the contrary, on lands zoned R3-3, an apartment dwelling, limited to 4 units, shall be a permitted use.

4. **R3-4** (3000 Walker Street, Village of Cardinal)

Notwithstanding the provisions of Section 6.3.2 to the contrary, on the lands zoned R3-4 the following provisions shall apply:

a) Townhouse Dwelling

• Lot Area (per dwelling unit) (minimum)	250 m ²
• Rear Yard (minimum)	6 m
• Interior Yard (minimum)	3 m

b) Apartment Dwelling

• Lot Area (minimum)	1,000 m ² for the 1 st four units and 50 m ² for each additional unit
• Lot Frontage (minimum)	20 m
• Rear Yard (minimum)	6 m

Notwithstanding the provisions of Section 3.1.6.1 and Section 3.1.6.2 the following provisions shall apply to accessory buildings or structures:

• Front Yard (minimum)	6 m
• Rear Yard (minimum)	6 m
• Interior Yard (minimum)	3 m
• Exterior Yard (minimum)	6 m

~~Despite the provisions to the contrary, on lands zoned R3-4, the following provisions shall apply:~~

~~Permitted Uses:~~

~~Dwelling Townhouse~~

~~Dwelling Apartment~~

~~Zone Requirements:~~

~~[a] Townhouse Minimum~~

Lot Area	250 m² /unit
Minimum Lot Frontage	6 metres
Minimum Yard Requirements	
Front Yard	6 metres
Rear Yard	6 metres
Interior Side Yard	3 metres
Exterior Side Yard	6 metres

~~[b] Apartment Dwelling~~

Minimum Lot Area	1,000 m² for 1st four units and 50 m² for additional unit
Minimum Lot Frontage	20 metres
Minimum Yard Requirements	
Front Yard	6 metres

Rear Yard	6 metres
Interior Side Yard	3 metres
Exterior Side Yard	6 metres

~~[c] Accessory Building~~

~~Minimum Yard Requirements~~

Front Yard	6 metres
Rear Yard	6 metres
Interior Side Yard	3 metres
Exterior Side Yard	6 metres

5. **R3-5 (3000 Walker Street, Cardinal, ~~Township of Edwardsburgh/Cardinal, Part Lot 6, Concession 1, 15R10508~~)**

Notwithstanding the provisions of Section 6.3.2 to the contrary, on the lands zoned R3-5 the following provisions shall apply to a townhouse dwelling:

• Lot Area (per dwelling unit) (minimum)	250 m ²
• Rear Yard (minimum)	6 m
• Interior Yard (minimum)	3 m

Notwithstanding the provisions of Section 3.1.6.1 and Section 3.1.6.2 the following provisions shall apply to accessory buildings or structures:

• Front Yard (minimum)	6 m
• Rear Yard (minimum)	6 m
• Interior Yard (minimum)	3 m
• Exterior Yard (minimum)	6 m

For the purposes of this By-law, the lot line abutting Walker Street shall be considered the front lot line and the lot lines abutting the private right-of-way and a County Road shall be considered an exterior lot line.

~~Despite the provisions to the contrary, on lands zoned R3-5, the following provisions shall apply:~~

~~(1) Permitted Uses: Dwelling, Townhouse~~

~~(2) The front lot line is considered the lot line abutting Walker Street.~~

~~(3) The lot line abutting the private right-of-way is considered an exterior lot line.~~

~~(4) The lot line abutting County Road is considered an exterior lot line.~~

~~(5) Zone Requirements:~~

~~[a] Townhouse Minimum~~

Lot Area	250 m ² /unit (2,690 ft ² /unit)
----------	--

Minimum Lot Frontage	6 metres (19.6 ft)
----------------------	--------------------

~~Minimum Yard Requirements~~

Front Yard	6 metres (19.6 ft)
------------	--------------------

Rear Yard	6 metres (19.6 ft)
-----------	--------------------

Interior Side Yard	3 metres (9.28 ft)
--------------------	--------------------

Exterior Side Yard	6 metres (19.6 ft)
--------------------	--------------------

~~[c] Accessory Building~~

~~Minimum Yard Requirements~~

Front Yard	6 metres (19.6 ft)
Rear Yard	4 metres (13.1 ft)
Interior Side Yard	3 metres (9.28 ft)
Exterior Side Yard	6 metres (19.6 ft)

~~(6) A site plan control agreement with the Township is required.~~

6. **R3-6** (32 David Street, Village of Spencerville)

Notwithstanding the provisions of Section 6.3.1 and Section 6.3.2 to the contrary, on lands zoned R3-6, permitted uses shall be limited to a townhouse dwelling and the following provisions shall apply:

- ~~Minimum~~ Lot Area (per dwelling unit) (minimum) 219 m²
- ~~Minimum~~ Lot Frontage (per dwelling unit) (minimum) 6 m
- ~~Minimum~~ Front Yard (minimum) 5.9 m
- ~~Minimum~~ Rear Yard (minimum) 5.2 m
- ~~Minimum~~ Interior Side Yard (minimum) (a) 1.7 m ~~(a)~~

(a) The minimum side yard between townhouse dwelling units shall be 0 m.

Notwithstanding the provisions of Section 6.3.2, maximum lot coverage shall not apply.

6.4 Hamlet Residential (RH)

1. Permitted Uses

converted dwelling
duplex dwelling
existing cemetery
existing commercial use
existing place of worship
semi-detached dwelling
single dwelling

2. Zone Provisions

- Converted dwelling, Duplex dwelling, Single dwelling
 - Lot Area (minimum) 0.4 ha
 - Lot Frontage (minimum) 30 m
- Semi-detached dwelling
 - Lot Area per dwelling unit (minimum) 0.24 ha
 - Lot Frontage per dwelling unit (minimum) 15-30 m
- Yards (minimum)
 - Front 6 m
 - Exterior Side 6 m
 - Interior Side (a) 3 m
 - Rear 7.5 m
- Building Height (maximum) 10 m
- Lot Coverage (maximum) 30%
- Dwellings per Lot (maximum) 1

Footnote(s)

(a) The minimum side yard between semi-detached dwelling units shall be 0 m.

3. Additional Provisions

1. General Provisions

In accordance with Section 3 & 4 hereof.

4. Special Exception Zones

1. RH-1 (Lot 6, Concession 5, Pittston)

Notwithstanding the provisions of Section 6.4.1 and 3.24-25 to the contrary, on lands zoned RH-1, a self-storage facility shall be an additional permitted use, in accordance with the following:

- Setback from tributary of South Branch River 15 m

2. **RH-2** (New Wexford)

Notwithstanding the provisions of Section 6.4.2 to the contrary, on lands zoned RH-2, the provisions of Section 6.2 shall apply.

6.5 Limited Services Residential (RLS)

In the Limited Services Residential (RLS) zone, there is no intent by Council of the Township of Edwardsburgh Cardinal to maintain private right-of-ways or private roads. Township services or other public services may not be available or may be restricted, and there is no intent by Council to upgrade such levels of services.

1. Permitted Uses

single dwelling

2. Zone Provisions

- | | |
|-------------------------------|--------|
| • Lot Area (minimum) | 1.0 ha |
| • Lot Frontage (minimum) | 45 m |
| • Yards (minimum) | |
| • Front | 7.5 m |
| • Exterior Side | 7.5 m |
| • Interior Side | 3 m |
| • Rear | 7.5 m |
| • Building Height (maximum) | 10 m |
| • Lot Coverage (maximum) | 10% |
| • Dwellings per Lot (maximum) | 1 |

3. Additional Provisions

1. General Provisions

In accordance with Section 3 & 4 hereof.

2. Additional Residential Units

Second Dwellings or Second Dwelling Units shall not be permitted.

4. Special Exception Zones

(reserved)

SECTION 7 – VILLAGE CORE ZONES

7.1 Main Street Commercial (MC) Zone

1. Permitted Uses

apartment dwelling unit(s) in upper storey of a non-residential building
 antique shop
 bank
 catering establishment
 clinic
 commercial parking lot
 community service
 custom workshop
 day nursery
 existing automobile service station
 funeral home
 hotel
 instructional facility
 laundromat or dry cleaners
 microbrewery
 motel
 open market
 personal service
 place of assembly
 place of worship
 professional or business office
 recreational establishment
 retail store
 restaurant
 service outlet
 specialty food store
 veterinary clinic

2. Zone Provisions

- | | |
|-----------------------------|--|
| • Lot Area (minimum) | |
| • Full Service | 465 m ² |
| • Partial Service (a)(b) | 700 m² <u>0.4 ha</u> |
| • Lot Frontage (minimum) | |
| • Full Service | 15 m |
| • Partial Service | 18 m |
| • Yards (minimum) | |
| • Front | 1 m |
| • Exterior Side | 1 m |
| • Interior Side | 0 m |
| • Rear | 6 m |
| • Yards (maximum) | |
| • Front | 6 m |
| • Exterior Side | 3 m |
| • Interior Side | 3 m |
| • Building Height (maximum) | 15 m |

- Lot Coverage (maximum)

No Maximum

Footnote(s)

a) The maximum number of dwelling units in the upper storeys of a non-residential building serviced by partial services shall be 5.

b) The minimum lot area per dwelling unit may be reduced provided a Servicing Report, inclusive of a hydrogeological assessment and/or terrain analysis, prepared by a qualified licensed professional engineer/geoscientist, is approved to the satisfaction of the Township addressing private sewage disposal and/or private water supply requirements for the proposed reduced lot area but the minimum lot area per dwelling unit shall be no less than 0.2 ha.

~~a)–~~

3. Additional Provisions

1. General Provisions

In accordance with Section 3 & 4 hereof.

4. Special Exception Zones

1. MC-1 (205 Bridge Street East, Lot 316, Plan 25, Village of Cardinal)

Notwithstanding the provisions of Section 7.1.1 and 7.1.2 to the contrary, on lands zoned MC-1, a vehicle sales or rental establishment, limited to not more than 10 vehicles, is a permitted use subject to the following provision:

- Rear Yard (minimum)

9 m

7.2 Main Street Commercial / Residential (MCR) Zone**1. Permitted Uses**

all permitted uses in the MC zone

all permitted uses in the I zone

all permitted uses in the R3 zone, in accordance with all provisions of Section 6.3

2. Zone Provisions

- Lot Area (minimum)
 - Full Service 465 m²
 - Partial or Private Service (a)(b) 700 m² 0.4 ha
 - ~~Private Service (a)~~ 0.4 ha
- Lot Frontage (minimum)
 - Full Service 15 m
 - Partial Service 18 m
 - Private Service 30 m
- Yards (minimum)
 - Front 1 m
 - Exterior Side 1 m
 - Interior Side 0 m
 - Rear 6 m
- Yards (maximum)
 - Front 6 m
 - Exterior Side 3 m
 - Interior Side 3 m
- Building Height (maximum) 15 m
- Lot Coverage (maximum) 45%

Footnote(s)

(a) The maximum number of dwelling units in the upper storeys of a non-residential building serviced by private or partial services shall be 5.

(b) The minimum lot area may be reduced provided a Servicing Report, inclusive of a hydrogeological assessment and/or terrain analysis, prepared by a qualified licensed professional engineer/geoscientist, is approved to the satisfaction of the Township addressing private sewage disposal and/or private water supply requirements for the proposed reduced lot area but the minimum lot area shall be no less than 0.2 ha.

~~(a)~~

3. Additional Provisions**1. General Provisions**

In accordance with Section 3 & 4 hereof.

2. Amenity Area Requirements for Apartment Dwellings

1. Amenity Area shall be provided for an apartment dwelling at a rate of 10 m² per dwelling unit.

2. Amenity Area must be provided on the same lot as the use for which it is provided.
3. Amenity Area shall not be located in the required front or exterior side yard.

4. **Special Exception Zones**

1. **MCR-1** (323 Walter Street East, Lot 337, Plan 25 Village of Cardinal)

Notwithstanding the provisions of Section 7.2.1 to the contrary, on lands zoned MCR-1, the following provisions shall apply:

Permitted uses shall include the commercial uses permitted in the MC Zone, three residential dwelling units above the commercial use and two residential dwelling units on the ground level. Parking may be accommodated off-site with a long-term lease agreement for as long as the building is used for residential purposes.

2. **MCR-2** (51 Centre Street, Part Lot 27, Concession 6, Spencerville)

Notwithstanding the provisions of Section 7.2.1 to the contrary, on lands zoned MCR-2, permitted uses shall be limited to the existing welding shop and open storage of materials accessory to a welding shop.

SECTION 8 - COMMERCIAL ZONES

8.1 General Commercial (CG) Zone

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 antique shop
 automobile service station
 bank
 building supply centre
 catering establishment
 clinic
 commercial parking lot
 community service
 custom workshop
 day nursery
 equipment rental outlet
 funeral home
 garden centre
 hotel
 instructional facility
 laundromat or dry cleaners
 microbrewery
 motel
 open market
 personal service
 place of assembly
 printing establishment
 professional or business office
 recreational establishment
 restaurant
 residential care home
 retail store
 service outlet
 specialty food store
 tradesperson's establishment
 vehicle sales or rental establishment
 veterinary clinic

2. Zone Provisions

- Lot Area (minimum)
 - Full Service 465 m²
 - Partial ~~or Private~~ Service (a) ~~0.4 ha~~ ~~0.2 ha~~
 - ~~or~~
 - ~~• Private Service 0.4 ha~~
- Lot Frontage (minimum)
 - Full or Partial 20 m
 - Private Service 40 m

• Yards (minimum)	
• Front	7.5 m
• Exterior Side	7.5 m
• Interior Side	3 m
• Rear	10 m
• Building Height (maximum)	11 m
• Lot Coverage (maximum)	30%
• Accessory Dwellings or Dwelling Units per Lot (maximum)	1

Footnote(s)

(a) The minimum lot area may be reduced provided a Servicing Report, inclusive of a hydrogeological assessment and/or terrain analysis, prepared by a qualified licensed professional engineer/geoscientist, is approved to the satisfaction of the Township addressing private sewage disposal and/or private water supply requirements for the proposed reduced lot area but the minimum lot area shall be no less than 0.2 ha.

~~The minimum lot area shall be 0.2 ha, except where partial services require the connection to a privately owned sewage disposal system in which case the minimum lot area shall be 0.4 ha.~~

3. Additional Provisions

1. General Provisions

In accordance with Section 3 & 4 hereof.

2. Automobile Service Station Pump Islands and Canopies

Notwithstanding any other provisions of this By-law to the contrary, the minimum front or exterior side yard for an automobile service station pump island or canopy shall be 4.5 m.

4. Special Exception Zones

1. CG-1 (173 Shanly Road, Lots 394-395, Plan 25 Village of Cardinal)

Notwithstanding the provisions of Section 8.1.1 to the contrary, on lands zoned CG-1, permitted uses shall be limited to the following:

- Day Nursery
- Laundromat
- Restaurant
- Retail store
- Service Outlet

2. CG-2 (6 Beverly Street, Part of Lot 29, Concession 6)

Notwithstanding the provisions of Section 8.1.1 to the contrary, on lands zoned CG-2, the sales and service of heating and air conditioning equipment and hot

water heaters shall be an additional permitted use.

3. **CG-3** (2140 Dundas Street)

Notwithstanding the provisions of Section 8.1.1 to the contrary, on lands zoned CG-3, permitted uses shall be limited to the following:

- Accessory Dwelling Unit
- Farmers' Market
- Office
- Place of Assembly
- Specialty Food Establishment

For the purposes of this By-law, a Specialty Food Establishment shall be defined as a business engaged in the processing, packaging, warehousing and sale of honey and honey-related products, and may include an office, retail outlet and warehouse space.

For the purposes of this By-law, a Farmers' Market shall be defined as an establishment or premises where local agricultural products, artisan, and similar homemade and/or hand-crafted goods are offered for retail sale in an open area or enclosed building.

In addition, permitted uses shall be limited to the existing building as existed on December 14, 2020, with the exception of temporary structures in relation to an outdoor Farmers' Market and Place of Assembly.

8.2 Highway Commercial (CH) Zone

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 antique shop
 automobile service station
 bank
 building supply centre
 catering establishment
 clinic
 commercial parking lot
 community service
 contractor's yard
 custom workshop
 day nursery
 equipment rental outlet
 fuel storage facility
 funeral home
 hotel
 garden centre
 instructional facility
 laundromat or dry cleaners
 microbrewery
 motel
 open market
 personal service
 place of assembly
 printing establishment
 professional or business office
 recreational establishment
 retail store
 restaurant
 self-storage facility
 service outlet
 specialty food store
 transportation depot
 vehicle sales or rental establishment
 veterinary clinic
 warehouse
 wholesale establishment

2. Zone Provisions

- Lot Area (minimum)
 - Full Service 465 m²
 - ~~Partial Service (a)~~ 0.4 ha
 - ~~Partial Service(a)~~ 0.4 ha 0.2 ha
 - ~~or 0.4 ha~~
 - Private Service 1 ha
- Lot Frontage (minimum)

• Full or Partial Service	20 m
• Private Service	60 m
• Yards (minimum)	
• Front	7.5 m
• Exterior Side	7.5 m
• Interior Side	6 m
• Rear	10 m
• Building Height (maximum)	11 m
• Lot Coverage (maximum)	35%
• Accessory Dwellings or Dwelling Units per Lot (maximum)	1

Footnote(s)

(a) The minimum lot area may be reduced provided a Servicing Report, inclusive of a hydrogeological assessment and/or terrain analysis, prepared by a qualified licensed professional engineer/geoscientist, is approved to the satisfaction of the Township addressing private sewage disposal and/or private water supply requirements for the proposed reduced lot area but the minimum lot area shall be no less than 0.2 ha.
~~The minimum lot area shall be 0.2 ha, except where partial services require the connection to a privately owned sewage disposal system in which case the minimum lot area shall be 0.4 ha.~~

3. Additional Provisions

1. General Provisions

In accordance with Section 3 & 4 hereof.

2. Automobile Service Station Pump Islands and Canopies

Notwithstanding any other provisions of this By-law to the contrary, the minimum front or exterior side yard for an automobile service station pump island or canopy shall be 4.5 m.

4. Special Exception Zones

1. CH-1 (2025 County Road 21)

Notwithstanding the provisions of Section 8.2.1 to the contrary, on lands zoned CH-1, permitted uses shall be limited to the following:

- Accessory Dwelling
- Custom Workshop
- Tradesperson's Establishment

2. CH-2 (Part of Lots 11 and 12, Plan 6, Edwardsburgh)

Notwithstanding the provisions of ~~Section 8.2.1 and~~ 8.2.2 to the contrary, on lands zoned CH-2, the following provisions shall apply to a permitted uses shall be limited to a self-storage facility in accordance with the following:

- All yards (minimum) 13 m

In addition, the storage of petroleum products (oils and fuels), petroleum solvents, pesticides, herbicides, fungicides, chemicals or hazardous substances is prohibited.

3. **CH-3** (632 Pittston Road)

Notwithstanding the provisions of Section 8.2.1 to the contrary, on lands zoned CH-3, a vehicle sales or rental establishment shall be permitted in accordance with the following:

- Office Floor Area (maximum) 11.15 m²

Notwithstanding the provisions of this By-law, no more than 5 vehicles may be stored or parked on this property with the intent to sell at any time.

4. **CH-4**

Notwithstanding the provisions of Section 8.2.1 to the contrary, on lands zoned CH-4, an accessory dwelling or an accessory dwelling unit shall be prohibited.

5. **CH-5** (921 County Road 2)

Notwithstanding the provisions of Section 8.2.1 to the contrary, on lands zoned CH-5, permitted uses shall be limited to a vehicle sales or rental establishment, and automobile service station, limited to repairs only.

In addition, the display of vehicles for sale shall be permitted in the front and side yards, provided that a 3 m strip of landscape open space shall be provided along the interior lot lines.

6. **CH-6** (3005 County Road 21)

Notwithstanding the provisions of Section 8.2.1 to the contrary, on lands zoned CH-6, permitted uses shall be limited to the following:

- Automobile Service Station
- Bakery
- Bank
- Contractor's Yard
- Clinic
- Laundromat or dry cleaners
- Funeral Home
- Community Service
- Personal Service
- Printing Establishment
- Restaurant
- Retail Store
- Wholesale Establishment

- Vehicle sales or rental establishment

Notwithstanding the provisions of Section 8.2.1 to the contrary, on lands zoned CH-6, no residential uses are permitted.

7. **CH-7** (Part of Lot 19, Concession 6)

Notwithstanding the provisions of Section 8.2.1 to the contrary, on lands zoned CH-7, permitted uses shall be limited to agricultural machinery sales and service.

8. **CH-8** (3018 County Road 21)

Notwithstanding the provisions of Section 8.2.1 to the contrary, on lands zoned CH-8, the following additional uses shall be permitted:

- Apartment Dwelling Unit(s) in upper storey of a non-residential building (maximum 5 dwelling units)
- Farm Supply Sales

8.3 Tourist Commercial (CT) Zone

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 antique shop
 campground
 community service
 custom workshop
 golf course
 lodging establishment
 marina
 marine facility
 open market
 park
 restaurant

2. Zone Provisions

- Lot Area (minimum)
 - Tourist Campground 2 ha
 - Other uses 1 ha
- Lot Frontage (minimum) 60 m
- Yards (minimum)
 - Front 7.5 m
 - Exterior Side 7.5 m
 - Interior Side 6 m
 - Rear 10 m
- Building Height (maximum) 10 m
- Tourist Campground Site (minimum) 230 m²
- Lot Coverage (maximum) 20%
- Accessory Dwellings or Dwelling Units per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 & 4 hereof.

4. Special Exception Zones

1. CT-1 (Lot 23, Concession 1)

Notwithstanding the provisions of Section 8.3.1 to the contrary, on lands zoned CT-1, permitted uses shall be limited to the following:

- Campground
- Lodging establishment
- Marine facility, excluding the winter storage of boats

- Recreational establishment, including miniature golf
- Restaurant

Permitted uses south of County Road 2 within Grenville Park which provide for accommodation, shall only be used on a seasonal basis and no over-wintering or storage of recreational vehicles shall be permitted (i.e., October 30 to April 1). This shall not prevent the occasional use (seven days or less) of a permitted use during the fall-winter season.

Permitted uses north of County Road 2 within Grenville Park which provide for accommodation, may be used during any season provided that between October 30 and April 1, occupancy of any permitted use providing accommodation shall be occasional only (i.e., limited to seven days or less).

SECTION 9 - INDUSTRIAL ZONES

9.1 General Industrial (MG) Zone

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 agricultural products processing facility
 automobile body shop
 automobile service station
 building supply centre
 commercial parking lot
 commercial storage
 community service
 contractor's yard
 custom workshop
 equipment rental outlet
 farm supply outlet
 fuel storage facility
 garden centre
 heavy equipment sales or rental establishment
 industrial facility
 microbrewery
 professional or business office
 printing establishment
 recreational establishment
 retail store accessory to a permitted MG use, other than a warehouse or self-storage facility
 service outlet
 tradesperson's establishment
 transportation depot
 vehicle sales or rental establishment
 veterinary clinic
 warehouse
 wholesale establishment

2. Zone Provisions

- Lot Area (minimum)
 - Full Service 465 m²
 - ~~Partial Service (a)~~ 0.4 ha ~~0.2 ha~~
 - ~~or 0.4 ha~~
 - Private Service 0.41 ha
- Lot Frontage (minimum)
 - Full or Partial Service 20 m
 - Private Service 30 m
- Yards (minimum)
 - Front 7.5 m
 - Exterior Side 7.5 m
 - Interior Side 10 m

• Rear	15 m
• Building Height (maximum)	15 m
• Lot Coverage (maximum)	35%
• Accessory Dwellings or Dwelling Units per Lot (maximum)	1

Footnote(s)

(a) The minimum lot area may be reduced provided a Servicing Report, inclusive of a hydrogeological assessment and/or terrain analysis, prepared by a qualified licensed professional engineer/geoscientist, is approved to the satisfaction of the Township addressing private sewage disposal and/or private water supply requirements for the proposed reduced lot area but the minimum lot area shall be no less than 0.2 ha.
~~The minimum lot area shall be 0.2 ha, except where partial services require the connection to a privately owned sewage disposal system in which case the minimum lot area shall be 0.4 ha.~~

3. Additional Provisions**1. General Provisions**

In accordance with Section 3 & 4 hereof.

2. Automobile Service Station Pump Islands and Canopies

Notwithstanding any other provisions of this By-law to the contrary, the minimum front or exterior side yard for an automobile service station pump island or canopy shall be 4.5 m.

3. Increased Yard Requirements

Where an MG zone abuts a lot in a Residential zone, the interior side yard or rear yard, as applicable, shall be increased by 7.5 m.

4. Special Exception Zones**1. MG-1 (Ingredion, Village of Cardinal)**

Notwithstanding the provisions of Section 9.1.1 to the contrary, on lands zoned MG-1, permitted uses shall be limited to parking of passenger vehicles, accessory to an industrial use on abutting lands.

In addition, a planting strip consisting of a hedge of coniferous trees shall be provided around the perimeter of the site and along the abutting residential use.

9.2 Business Park Industrial (MBP) Zone

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 agricultural products processing facility
 automobile body shop
 automobile service station
 building supply centre
 catering establishment
 commercial parking lot
 commercial storage
 community service
 contractor's yard
 custom workshop
 equipment rental outlet
 farm supply outlet
 fuel storage facility
 garden centre
 heavy equipment sales or rental establishment
 industrial facility
 instructional facility
 light industrial use
 laundromat or dry cleaners
 microbrewery
 place of assembly
 printing establishment
 recreational establishment
 retail store accessory to a permitted MBP use, other than a warehouse or self-storage facility
 research and development facility
 restaurant
 sawmill
 self-storage facility
 service outlet
 tradesperson's establishment
 transportation depot
 vehicle sales or rental establishment
 veterinary clinic
 warehouse
 waste recycling facility
 wholesale establishment

2. Zone Provisions

- Lot Area (minimum) 1 ha
- Lot Frontage (minimum) 45 m
- Yards (minimum)
 - Front 7.5 m
 - Exterior Side 7.5 m
 - Interior Side 10 m

• Rear	15 m
• Building Height (maximum)	15 m
• Lot Coverage (maximum)	35%
• Accessory Dwellings or Dwelling Units per Lot (maximum)	1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 & 4 hereof.

2. Automobile Service Station Pump Islands and Canopies

Notwithstanding any other provisions of this By-law to the contrary, the minimum front or exterior side yard for an automobile service station pump island or canopy shall be 4.5 m.

3. Increased Yard Requirements

Where an MBP zone abuts a lot in a Residential zone, the interior side yard or rear yard, as applicable, shall be increased by 7.5 m.

2. Municipal Services

All uses in the MBP zone shall only be permitted if the appropriate arrangements are made for servicing with full sewage and water systems.

3. Existing Residential Land Uses on Leased Land along the St. Lawrence River

Notwithstanding the permitted uses listed in Section 9.2, approval from Council is required prior to any expansion, extension, addition or renovation of buildings or structures used for residential purposes existing on the day of passing of this By-law.

4. Special Exception Zones

1. MBP-1 (Industrial Park)

Notwithstanding the provisions of Section 9.2.1 and 9.2.2 to the contrary, on the lands zoned MBP-1, the following additional uses shall be permitted in accordance with the following provisions:

- ethanol facility, including but not limited to a grain receiving and storage (stockpiling) area, a processing plant for the fermentation of corn to produce ethanol, a product storage and out-loading area, including a tank farm, a distiller grain dryer and thermal oxidizer/heat recovery steam generator area
- carbon dioxide plant
- administration and maintenance facilities
- utilities and services such as storage tanks, cooling towers,

- emergency fire suppression equipment, a rail spur line, loading facilities, employee parking, stacking lanes, a storm water retention pond, a purge water retention pond
- accessory uses, buildings and structures to the foregoing permitted uses

Zone Requirements:

- Lot Frontage (minimum) 30 m
- Building Height (maximum) 68.5 m

In addition, the following provisions shall prevail:

- Number of Loading Spaces (minimum) 5
- Number of Parking Spaces (minimum) 30
- Separation distance from the nearest property line of any sensitive use to the nearest incompatible industrial component 300 m

2. **MBP-2** (Port of Johnstown)

Notwithstanding the provisions of Section 9.2.1 to the contrary, on lands zoned MBP-2, the following additional uses shall be permitted:

- All of the uses in the CH zone
- Grain Elevator
- Shipping Terminal
- Storage of Goods

3. **MBP-3** (Part 3 on 15R-11762, County Road 2, Johnstown)

Notwithstanding the provisions of Section 9.2.1 and 9.2.2 to the contrary, on the lands zoned MBP-3, a Cannabis Production and Processing Facility shall be an additional permitted use and the following additional provisions shall apply:

- Lot Area (minimum) 0.6 ha
- Lot Frontage (minimum) 60 m
- Yard Requirements:
 - All Yards 10m
- The front lot line shall be considered the lot line abutting Newport Drive.
- Open storage shall not be permitted within any required front yard or exterior side yard, within 10 m of any rear lot line or within 5m of any side lot line.
- The provisions of Section 4.32 shall not apply for a permitted Cannabis Production and Processing Facility.

9.3 Rural Industrial (MR) Zone

1. Permitted Uses

abattoir
 accessory dwelling
 accessory dwelling unit
 agricultural products processing facility
 automobile body shop
 automobile service station
 building supply centre
 contractor's yard
 custom workshop
 equipment rental outlet
 farm supply outlet
 fuel storage facility
 heavy equipment sales or rental establishment
 livestock sales outlet
 printing establishment
 sawmill
 self-storage facility
 service outlet
 tradesperson's establishment
 transportation depot
 veterinary clinic
 warehouse

2. Zone Provisions

• Lot Area (minimum)	1 ha
• Lot Frontage (minimum)	60 m
• Yards (minimum)	
• Front	10 m
• Exterior Side	10 m
• Interior Side	10 m
• Rear	10 m
• Building Height (maximum)	15 m
• Lot Coverage (maximum)	35%
• Accessory Dwellings or Dwelling Units per Lot (maximum)	1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Automobile Service Station Pump Islands and Canopies

Notwithstanding any other provisions of this By-law to the contrary, the minimum front or exterior side yard for an automobile service station pump island or canopy shall be 4.5 m.

3. Increased Yard Requirements

Where an MR zone abuts a lot in a Residential zone, the interior side yard or rear yard, as applicable, shall be increased by 7.5 m.

4. Special Exception Zones

1. **MR-1** (3307 Hands Road)

Notwithstanding the provisions of Section 9.3.1 to the contrary, on lands zoned MR-1, a business engaged in the manufacture of pyrotechnic products and the on-site testing of these products shall be additional permitted uses.

All materials stored on the subject lands shall be approved and stored in accordance with the requirements of the appropriate public body having jurisdiction. All buildings and structures located on the subject lands shall be located in accordance with the Revised British Quantity-Distance Tables or other such tables of separation distances as may from time to time be approved by the appropriate public body having jurisdiction.

2. **MR-2** (1026 County Road 26)

Notwithstanding the provisions of Section 3.13, a buffer strip consisting of a berm, fence or landscaping having a minimum combined height of 3 m shall be provided to screen outdoor open storage areas from public streets.

9.4 Salvage Yard Industrial (MS) Zone

1. Permitted Uses

accessory dwelling
accessory dwelling unit
salvage yard

2. Zone Provisions

• Lot Area (minimum)	2 ha
• Lot Frontage (minimum)	60 m
• Yards (minimum)	
• Front	15 m
• Exterior Side	15 m
• Interior Side	15 m
• Rear	15 m
• Building Height (maximum)	12 m
• Lot Coverage (maximum)	20%
• Accessory Dwellings or Dwelling Units per Lot (maximum)	1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 & 4 hereof.

2. Minimum Separation Distance for a Salvage Yard

• From a residential use on another lot or a Residential zone	300 m
• From a non-residential use on another lot	100 m
• From a watercourse or water body	300 m

4. Special Exception Zones

(reserved)

9.5 Disposal Industrial (MD) Zone

1. Permitted Uses

portable asphalt plant
waste disposal site
waste recycling facility
waste transfer facility

2. Zone Provisions

- Lot Area (minimum) 2 ha
- Lot Frontage (minimum) 60 m
- Yards (minimum)
 - Front 30 m
 - Exterior Side 30 m
 - Interior Side 30 m
 - Rear 30 m
- Building Height (maximum) 12 m
- Lot Coverage (maximum) 20%

3. Additional Provisions

1. General Provisions

In accordance with Section 3 & 4 hereof.

2. Minimum Separation Distance for a Waste Disposal Site

- From a residential use on another lot or a Residential zone 500 m
- From a non-residential use on another lot 200 m
- From a watercourse or water body 500 m

4. Special Exception Zones

(reserved)

SECTION 10 – INSTITUTIONAL ZONES

10.1 Institutional (I) Zone

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 cemetery
 community service
 day nursery
 instructional facility
 library
 long term care home
 park
 place of assembly
 place of worship
 public use
 school
 residential care home

2. Zone Provisions

- | | |
|--|--|
| • Lot Area (minimum) | |
| • Full Service | 500 m ² |
| • Partial Service(a) | 700 m² or 0.4 ha |
| • Private Service | 1 ha |
| • Lot Frontage (minimum) | |
| • Lots designated Settlement Policy Area in Official Plan | 20 m |
| • All other lots | 45 m |
| • Yards (minimum) | |
| • Front | 7.5 m |
| • Exterior Side | 7.5 m |
| • Interior Side | 6 m |
| • Rear | 10 m |
| • Building Height (maximum) | 12 m |
| • Lot Coverage (maximum) | 30% |
| • Accessory Dwellings or Dwelling Units per Lot (maximum) | 1 |

Footnote(s)

(a) The minimum lot area may be reduced provided a Servicing Report, inclusive of a hydrogeological assessment and/or terrain analysis, prepared by a qualified licensed professional engineer/geoscientist, is approved to the satisfaction of the Township addressing private sewage disposal and/or private water supply requirements for the proposed reduced lot area but the minimum lot area shall be no less than 0.2 ha.
~~The minimum lot area shall be 700 m², except where partial services require the connection to a privately owned sewage disposal system in which case the minimum lot area shall be 0.4 ha.~~

3. Additional Provisions

1. General Provisions

In accordance with Section 3 & 4 hereof.

4. Special Exception Zones

(reserved)

SECTION 11 - OPEN SPACE ZONES**11.1 Open Space (OS) Zone****1. Permitted Uses**

accessory dwelling
accessory dwelling unit
conservation use
golf course
marine facility
park

2. Zone Provisions

• Lot Area (minimum)	None
• Yards (minimum)	15 m
• Building Height (maximum)	12 m
• Lot Coverage (maximum)	20%
• Accessory Dwellings or Dwelling Units per Lot (maximum)	1

3. Additional Provisions**1. General Provisions**

In accordance with Section 3 & 4 hereof.

4. Special Exception Zones

(reserved)

SECTION 12 - RURAL ZONES

12.1 Rural (RU) Zone

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 agricultural use
 conservation use
 existing cemetery
 hunting or fishing camp
 kennel
 on-farm diversified use
 existing place of worship
 single dwelling

2. Zone Provisions

- Lot Area (minimum)
 - Agricultural use that includes the keeping of livestock 1.6 ha
 - Other permitted uses 1 ha
- Lot Frontage (minimum) 70 m
- Yards (minimum)
 - Front 7.5 m
 - Exterior Side 7.5 m
 - Interior Side 6 m
 - Rear 7.5 m
- Dwelling Height (maximum) 10 m
- Lot Coverage (maximum) 20%
- Dwellings or Accessory Dwellings or Dwelling Units per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 & 4 hereof.

2. Minimum Separation Distance for a New or Expanding Livestock Facility from a Dwelling

Notwithstanding any other provisions of this By-law, new or expanding livestock facilities shall comply with the Minimum Distance Separation II (MDS II), as issued by the Ministry of Agriculture, Food and Rural Affairs.

3. Minimum Separation Distance for a Kennel

- From a residential use on another lot, a vacant lot in a Residential zone or any lands designated Settlement Policy Area in the Official Plan 300 m

4. Hunting or Fishing Camp Provisions

Notwithstanding any provisions of Section 12.1.2 to the contrary, the following provisions shall apply to a hunting or fishing camp:

- The maximum floor area of a hunting or fishing camp shall be 60 m²;
- All yards shall be a minimum of 100 m.

4. Special Exception Zones

1. **RU-1** (3518 County Road 2)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on lands zoned RU-1, a marina shall be an additional permitted use.

2. **RU-2** (Pt Lot 35 and Lot 36, Concession 5)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on lands zoned RU-2, residential land uses shall be prohibited.

3. **RU-3** (2039 County Road 44, Part of Lot 27, Concession 2)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on lands zoned RU-3, the existing building containing 7 dwelling units shall be a permitted use.

4. **RU-4** (2010 Totem Ranch Road)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on lands zoned RU-4, permitted uses shall be limited to the following:

- Accessory Dwelling
- Custom Workshop
- Tradesperson's Establishment

5. **RU-5** (2913 County Road 21)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on lands zoned RU-5, an auction hall shall be an additional permitted use.

SECTION 13 – AGRICULTURE ZONES

13.1 Agriculture (A) Zone

1. Permitted Uses

accessory dwelling
accessory dwelling unit
agricultural use
conservation use
existing cemetery
existing place of worship
hunting or fishing camp
on-farm diversified use
single dwelling

2. Zone Provisions

• Lot Area (minimum)	40 ha
• Lot Frontage (minimum)	70 m
• Yards (minimum)	
• Front	7.5 m
• Exterior Side	7.5 m
• Interior Side	6 m
• Rear	7.5 m
• Dwelling Height (maximum)	10 m
• Lot Coverage (maximum)	20%
• Dwellings per Lot (maximum)	1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 & 4 hereof.

2. Requirements for Residential Lots Created by Consent

Notwithstanding the zone provisions of Section 13.1.2 to the contrary, where an existing dwelling is deemed surplus to an agricultural use and is severed for residential purposes, such severed lot may be used for a single dwelling in accordance with the zone provisions of Section 6.1.2 and, further, the retained lot shall not require relief from the minimum lot area provision of Section 13.1.2 in the event that the effect of the severance has been to render it non-complying.

3. Hunting or Fishing Camp Provisions

Notwithstanding any provisions of Section 13.1.2 to the contrary, the following provisions shall apply to a hunting or fishing camp:

- The maximum floor area of a hunting or fishing camp shall be 60 m²;

- All yards shall be a minimum of 100 m.

4. **Minimum Separation Distance for a New or Expanding Livestock Facility from a Dwelling**

Notwithstanding any other provisions of the By-law, new or expanding livestock facilities shall comply with the Minimum Distance Separation II (MDS II), as issued by the Ministry of Agriculture, Food and Rural Affairs.

5. **Mobile Home Alternative to a Dwelling**

Notwithstanding any provisions of this By-law to the contrary, a maximum of one mobile home shall be permitted as an alternative to a dwelling, provided it is located on an operating farm which has a minimum lot area of 40 ha.

4. **Special Exception Zones**

1. **A-1 (624 Chambers Road)**

Notwithstanding the provisions of Section 13.1.1 to the contrary, on lands zoned A-1, a transportation depot shall be an additional permitted use.

2. **A-2 (3707 County Road 21, Part of Lots 36 and 37, Concession 6)**

Notwithstanding the provisions of Section 13.1.1 to the contrary, on lands zoned A-2, a petting zoo shall be an additional permitted use.

For the purpose of this By-law a petting zoo shall mean lands, buildings or structures for the purposes of public exhibition and interaction with live domesticated farm animals.

3. **A-3 (903 County Road 21, Part of Lot 8, Concession 6)**

Notwithstanding the provisions of Section 13.1.1 to the contrary, on lands zoned A-3, the existing apartment building shall be an additional permitted use.

4. **A-4 (917 Crowder Road)**

Notwithstanding the provisions of Section 13.1.1 to the contrary, on lands zoned A-4, residential land uses shall be prohibited.

5. **A-5 (Part of Lots 3 and 4, Concession 4)**

Notwithstanding the provisions of Section 13.1.1 to the contrary, on lands zoned A-5, residential land uses shall be prohibited.

6. **A-6 (East Half of Lot 2, Concession 8)**

Notwithstanding the provisions of Section 13.1.1 to the contrary, on lands zoned A-6, residential land uses shall be prohibited.

7. **A-7 (Part of Lot 14 & 13, Concession 8, Ventnor Road)**

Notwithstanding the provisions of Section 13.1.1 to the contrary, on lands zoned A-7, residential land uses shall be prohibited.

8. **A-8** (Part of Lot 13, Concession 8, Ventnor Road)

Notwithstanding the provisions of Section 13.1.2, and 13.1.3.4 to the contrary, on lands zoned A-8, the following provisions shall prevail:

- Interior Side Yard (min) for Buildings or Structures related to an Egg Conveyor System 0 m
- Interior Side Yard (min) for a Livestock Facility Related to Egg Production 10 m

9. **A-9** (Part of Lot 13, Concession 8, Ventnor Road)

Notwithstanding the provisions of Section 13.1.1, 13.1.2 and 13.1.3.4 to the contrary, on lands zoned A-9, residential uses shall be prohibited. In addition, the following provisions shall prevail:

- Interior Side Yard (min) for Buildings or Structures related to an Egg Conveyor System 0 m

10. **A-10** (Part of Lot 13, Concession 8, Ventnor Road)

Notwithstanding the provisions of Section 13.1.2 and 13.1.3.4 to the contrary, on lands zoned A-10, the following provisions shall prevail:

- Interior Side Yard (min) for Buildings or Structures related to an Egg Conveyor System 0 m

11. **A-11** (Part Lot 9, East Half of Lot 10, Concession 6)

Notwithstanding the provisions of Section 13.1.1 to the contrary, on lands zoned A-11, residential land uses shall be prohibited.

12. **A-12** (Part Lot 6 & 7, Concession 7, Dobbie Road)

Notwithstanding the provisions of Section 13.1.1 to the contrary, on lands zoned A-12, residential land uses shall be prohibited.

13. A-13 (Part Lot 1, Concession 8, Dobbie Road)

Notwithstanding the provisions of Section 13.1.1 to the contrary, on lands zoned A-13, residential land uses shall be prohibited.

SECTION 14 – MINERAL RESOURCE ZONES

14.1 Mineral Aggregate Extraction (EX) Zone

1. Permitted Uses

aggregate processing operation
 agricultural use, excluding buildings
 asphalt plant
 concrete plant
 conservation use, excluding buildings
 pit
 quarry

2. Zone Provisions

- Yards (minimum)
 - Front 30 m
 - Exterior Side 15 m
 - Interior Side 15 m
 - Rear 15 m

3. Additional Provisions

1. General Provisions

In accordance with Section 3 & 4 hereof.

2. Minimum Separation Distance From a Dwelling on Another Lot

- Class B pit, with no excavation below the water table 150 m
- Any other pit or a concrete plant 300 m
- Quarry or asphalt plant 500 m

4. Special Exception Zones

1. EX-1 (2408 Buckwheat Road)

Notwithstanding the provisions of Section 14.1.1 to the contrary, on the lands zoned EX-1, an asphalt plant and concrete plant shall not be permitted.

14.2 Mineral Aggregate Reserve (EXR) Zone

1. Permitted Uses

agricultural use, excluding buildings
conservation use, excluding buildings
existing uses which were established prior to the passing of this By-law

2. Zone Provisions

- Yards (minimum)
 - Front 30 m
 - Exterior Side 15 m
 - Interior Side 15 m
 - Rear 15 m

3. Additional Provisions

1. General Provisions

In accordance with Section 3 & 4 hereof.

4. Special Exception Zones

(reserved)

SECTION 15 – ENVIRONMENTAL PROTECTION ZONES

15.1 Environmental Protection - PSW (EP-PSW) Zone

1. Permitted Uses

existing agricultural use
conservation use, excluding buildings

2. Zone Provisions

All Yards (minimum) 15 m

3. Additional Provisions

1. General Provisions

In accordance with Section 3 & 4 hereof.

2. Special Provisions

No site alteration shall occur and no building or structure shall be erected, altered or used.

4. Special Exception Zones

(reserved)

15.2 Environmental Protection – ANSI (EP-ANSI) Zone

1. Permitted Uses

existing use
conservation use, excluding buildings

2. Zone Provisions

All Yards (minimum) 15 m

3. Additional Provisions

1. General Provisions

In accordance with Section 3 & 4 hereof.

2. Special Provisions

No building or structure shall be erected, altered or used except in accordance with the recommendations of an Environmental Impact Study undertaken to the satisfaction of the Township that demonstrates no negative impacts on natural features or ecological functions, and a permit from the relevant Conservation Authority, where required.

4. Special Exception Zones

(reserved)

SECTION 16 - APPROVAL

This By-law shall become effective on the date of approval hereof.

This By-law given its first reading on DATE, 20XX.

This By-law given its second reading on DATE, 20XX.

This By-law given its third and final reading and passed under the Corporate Seal on DATE, 20XX.

CORPORATE SEAL OF TOWNSHIP

Patrick Sayeau
Mayor

Rebecca Williams
Clerk

Metric Conversion Chart

Imperial Units	Multiplied By	Equals Metric Units	Metric Units	Multiplied By	Equals Imperial Units
L E N G T H					
Inches	2.54	Centimetres	Centimetres	0.3937	Inches
Feet	0.3048	Metres	Metres	3.2808	Feet
A R E A					
Square feet	0.0929	Square metres	Square metres	10.764	Square feet
Acres	0.4047	Hectares	Hectares	2.471	Acres

Sample Conversions

AREA

Metric	Imperial
10 m ²	107.6 sq ft
12 m ²	129.2 sq ft
14 m ²	150.6 sq ft
20 m ²	215.3 sq ft
25 m ²	269.1 sq ft
40 m ²	430.6 sq ft
70 m ²	753.5 sq ft
75 m ²	807.3 sq ft
200 m ²	2,152.8 sq ft
230 m ²	2,475.7 sq ft
700 m ²	7,534.7 sq ft
4050 m ²	43,593.8 sq ft
1 ha	2.47 acres
2 ha	4.94 acres
40 ha	98.84 acres

LENGTH

Metric	Imperial
1 m	3.28 ft
2.75 m	9.02 ft.
3 m	9.84 ft
4.5 m	14.76 ft
6 m	19.69 ft
7.5 m	24.61 ft
9 m	29.53 ft
10 m	32.81 ft
15 m	49.21 ft
20 m	65.62 ft
30 m	98.43 ft
45 m	147.64 ft
60 m	196.85 ft
120 m	393.7 ft
150 m	492.1 ft
300 m	984.3 ft
500 m	1,640.4 ft

The foregoing metric conversion chart and sample conversions provide approximate conversions for the convenience of the reader and do not form part of the Zoning By-law.