

TOWNSHIP OF NORTH DUMFRIES ZONING BY-LAW 689-83

BY-LAW 689-83 APPROVED BY THE ONTARIO MUNICIPAL
BOARD APRIL 4, 1985

CONSOLIDATION DATE: NOVEMBER 2018

**THE CORPORATION OF THE
TOWNSHIP OF NORTH DUMFRIES**

BY-LAW NUMBER 689-83 AS AMENDED

CONSOLIDATED NOVEMBER 2018

A By-law for prohibiting the use of land, for or except for such purposes as may be set out in the By-law within defined portions of the Township of North Dumfries and for prohibiting the erection of buildings or structures for or except for such purposes as may be set out in the By-law within defined portions of the Township of North Dumfries, and for regulating of the type of construction and the height, bulk, location, size, floor area, spacing, external design, character and use of buildings or structures to be erected within defined portions of the township of North Dumfries, and the minimum frontage and depth of any parcel of land and the proportion of the area that any building or structure may occupy and for requiring the owners or occupants of buildings or structures to be erected for the purposes named in this By-law to provide and maintain off-street loading and off-street parking facilities on land which is not part of a highway or public street.

The Council of the Corporation of the Township of North Dumfries ENACTS AS FOLLOWS:

SECTION 1: SHORT TITLE

This By-law may be cited as the Zoning By-law

TABLE OF CONTENTS

SECTION	TITLE	PAGE
1	SHORT TITLE	
2	DEFINTIONS	2-1
3	INTERPRETATION	3-1
4	APPLICATION OF BY-LAW	4-1
	4.1 Lots Under Size	4-1
	4.2 Non-Conforming Uses	4-1
	4.3 Discontinued Non-Conforming uses	4-2
5	ZONES	5-1
	5.1 Classification of Zones	5-1
	5.1.1 Use of Symbol (f)	5-1
	5.2 Zoning Maps	5-2
	5.3 Closed Streets	5-2
6	GENERAL REGULATIONS	6-1
	6.3 Reduction of Minimum Lot Areas Prohibited	6-1
	6.3A Building Height	6-1
	6.4 Accessory Buildings or Structures	6-1
	6.5 Prohibited Obstructions	6-2
	6.6 Corner Lots	6-2
	6.7 One Residential Building	6-2
	6.8 Frontage on Public Street	6-2
	6.9 Public Services and Utilities	6-3
	6.10 Building Line or Setback Requirement	6-3
	6.11 Off-Street Parking and Off-Street Loading	6-4
	6.12 Off-Street Loading Requirements	6-4
	6.13 Off-Street Parking Requirements	6-4
	6.14 Outdoor Storage and Display	6-8
	6.15 Buffer Strips	6-8
	6.16 Lights and Signs	6-9
	6.17 Publicly Owned Parks, Recreation, Conservation Areas	6-9

SECTION	TITLE	PAGE
6.18	Regulations for a Home Occupation or Office	6-9
6.19	Regulations for Hotel or Motel	6-10
6.20	Title Separation of Attached Dwellings	6-10
6.21	The Condominium Act R.S.O. 1990, as Amended	6-11
6.22	Pits and Quarries	6-11
6.23	Regulations for Farm-Related Occupations	6-11
6.24	Regulations for Mobile Home as Second Dwelling Unit on Farm	6-11
6.25	Regulations for Garden Suites	6-12
6.26	Extension of Non-Complying Buildings or Structures	6-13
6.27	Regulations for a Hairdresser or Barber	6-13
6.28	Buildings Used for Livestock or Manure Storage	6-13
6.29	Minimum Distance Separation (MDS I and MDS II)	6-14
6.30	Distance Separation – Group Home	6-14
6.31	Inoperative Motor Vehicles	6-14
6.32	Lots With More Than One Use or Zone	6-14
6.33	Derelict Vehicles	6-15
6.34	Portable Buildings	6-15
6.35	Bed and Breakfast Establishment	6-15
6.36	Land Use Compatibility and Sensitive Land Uses	6-16
6.37	Reduction in Regulations Resulting from Street Widening	6-16
6.38	Quonset Hut	6-16
6.39	Regulations for Secondary Dwelling Units	6-16
6.40	Regulations for Coach Houses	6-18
7	ZONE 1 - Z.1	7-1
8	ZONE 2 – Z.2 & ZONE 2A – Z.2A	8-1
8.3	SETBACK REGULATIONS FOR RESIDENTIAL BUILDINGS	8-2
9	ZONE 3 – Z.3	9-1
10	ZONE 4 – Z.4, ZONE 4A – Z.4A, ZONE 4B – Z.4B, ZONE 4C – Z.4C, & ZONE 4D – Z.4D	10-1
11	ZONE 5 – Z.5 & ZONE 5A – Z.5A (URBAN RESIDENTIAL)	11-1

SECTION	TITLE	PAGE
12	ZONE 6 – Z.6	12-1
13	ZONE 7 – Z.7	13-1
14	ZONE 8 – Z.8	14-1
15	ZONE 9 – Z.9	15-1
16	ZONE 10 – Z.10	16-1
17	ZONE 11 – Z.11	17-1
18	ZONE 12 – Z.12	18-1
18A	ZONE 12A – Z.12A	18A-1
18B	ZONE 12B – Z.12B	18B-1
18C	ZONE 12C – Z.12C	18C-1
19	ZONE 13 – Z.13	19-1
19A	ZONE 14 – Z.14	19A-1
19B	ZONE 15 – Z.15	19B-1
19C	ZONE 16 – Z.16	19C-1
20	EXEMPTIONS	20-1
21	ADMINISTRATION, ENFORCEMENT AND PENALTIES	21-1
SCHEDULES		
A	SCHEDULE A – MAPPING OF EXEMPTIONS	
B	SCHEDULE B – TOWNSHIP WIDE ZONING MAPS	

SECTION 2 : DEFINITIONS

In this By-law unless the context otherwise requires:

- 2.1 **ABATTOIR** – means a building or structure, designed and used, or part thereof for the commercial slaughtering of animals.
- 2.2 **ACCESSORY** when used to describe a use, building or structure means a use, building or structure which is clearly secondary and devoted to the permitted use, building or structure located on the lot.
 - 2.2.1 **“ACCESSORY BUILDING OR STRUCTURE”** - means a building or structure which is incidental, subordinate and exclusively devoted to the principal use of the land, building or structure, is located on the same lot as such principal use, building or structure and is not attached to such principal structure in any way.
 - 2.2.2 **“ACCESSORY USE”** - means a use which is incidental, subordinate and exclusively devoted the principal uses of the land upon which, or of the building or structure within which the ACCESSORY use is located but does not include an amenity area.
 - 2.2.3 **“ATTACHED STRUCTURES”** – means attached accessory structures in all zones shall include structures that are rigidly joined by structural components comprising of above ground walls and a roof.
- 2.3 **AGRICULTURE** - see “Farming - Production of Food”.
 - 2.3.2 **“AGRI-TOURISM ACTIVITIES”** – means the act of visiting a working farm or any agricultural, horticultural or agri-business operation for the purpose of enjoyment, education or active involvement in the activities of the farm where the principal activity on the property remains as farming and where products used in the activity are produced on the farm or related to farming.
- 2.4 **AGRICULTURE EQUIPMENT** – means equipment used for the sole purpose of farming.
- 2.5 **AIRPORT** - means an airport as defined in The Air Regulations Canada and any airport required by the Crown for military purposes.
- 2.6 **ALTER** - means any alteration in a bearing wall or partition, column, beam, girder or other supporting member of a building or structure or any increase in the area or cubic content of a building or structure (see “Construct”).
- 2.7 **AMENITY AREA** - means that area of the lot not occupied by buildings, parking and driveway areas and may include patios and landscaped areas on the site, swimming pools and other areas which can be used for recreational purposes.
- 2.8 **ANIMAL HOSPITAL** - see “Veterinary Clinic or Office”.
- 2.9 **APARTMENT BUILDING** - see “Residential Building -Apartment”.
- 2.10 **ATTIC** - means the space between the roof and the ceiling of the top storey, or between a dwarf wall and a sloping roof. Any floor area with a clearance of 1.8 metres (6 feet) or less between the floor and ceiling shall be considered as attic space.

- 2.11 **AUTOMOBILE SERVICE STATION** - means a building or place where automotive fuel is kept for sale and where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed and where minor parts or products required for such repairs may be stored or kept for sale. This definition shall not be deemed to include a public garage, body shop or wrecking establishment. The washing of vehicles may be conducted within a service station building as a use accessory to the main use.
- 2.12 **BACHELOR UNIT** - see “Dwelling - Bachelor Unit”.
- 2.13 **BASEMENT** - means that portion of a building partially below ground level and which has more than one-half (1/2) of the area of the exterior wall between finished grade and first floor level exposed. No part of the basement floor area shall be used in calculating any minimum floor area as required in this By-law, except as specifically permitted under the definition of “Floor Area”.
- 2.14 **BATCHING PLANT, TEMPORARY ASPHALT, PORTABLE** - means an industrial facility used for the production of asphalt products, or asphalt and concrete products, used in building or construction, which is not of permanent construction but is designed to be dismantled and moved to another location as required; and is associated with a specific contract for work undertaken by or on behalf of a public road authority.
- 2.15 **BED AND BREAKFAST ESTABLISHMENT (B&B)** – shall mean a single detached dwelling in which the proprietor resides and supplies up to four furnished rooms to overnight guests on a temporary basis for monetary gain. It does not include a restaurant, hotel, motel, lodging, rooming or boarding establishment or any other form of dwelling as defined by this By-law.
- 2.16 **BOARDING HOUSE** - see “Lodging, Rooming or Boarding House or Tourist Home”.
- 2.17 **BUILDING** - means any structure occupying an area greater than 9.3 square metres consisting of a wall, roof and floor or any one or more of them, of a structural system serving the function thereof, including all the works, fixtures and service systems appurtenant thereto.
- 2.17.1 **BUILDING - ONE STOREY** means a building which has nothing more than attic and roof area above the first storey.
- 2.17.2 **BUILDING - TWO STOREY** means a building which has a second storey above all or part of the first storey.
- 2.17.3 **BUILDING - THREE STOREY** means a building which has a second and third storey above all or part of the first storey.
- 2.17.4 **BUILDING - FOUR STOREY** means a building which has a second, third and fourth storey above all or part of the first storey.
- 2.17.5 **BUILDING – PORTABLE** – means any building or structure that is not permanently affixed to a foundation and which is designed to be moved from location to location.
- 2.18 **BUILDING BY-LAW** - means the Building By-law of the municipality as amended from time to time.
- 2.19 **BUILDING FLOOR AREA** - see “Floor Area”.
- 2.20 **BUILDING CODE** - means regulations made under the Building Code Act as they may from

time to time be amended or replaced.

2.21 **BUILDING CODE ACT** - means the Building Code Act, S.O. 1992, c.23, as amended.

2.22 **BUILDING HEIGHT** – means in the case of the principal building or structure, or accessory building or structure, on a lot,

a) the vertical the vertical distance between the average finished grade

and the higher point of:

i) the roof surface of a flat roof; or

ii) the deckline of a mansard roof; or

iii) the mean level between the eaves and the ridge of a gable, hip, gambrel or cottage roof.

b) 60% of the vertical distance between the average finished grade and the highest point of a building or structure where the transition between wall and roof is undefined, such as in a quonset hut or inflatable structure;

Chimneys, towers, spires, cupolas, grain elevators or other similar structures shall be disregarded in calculating the height of the building.

2.23 **BUILDING SUPPLIES DEALER** - means such merchandise as wall panelling, wood products, sheet glass products, windows and mirrors, floor, wall and ceiling tiles, paint and wallpaper, bathroom and kitchen cupboards and fixtures, landscaping materials and similar goods when offered for sale in a retail commercial establishment.

2.24 **BUILDING LINE OR SETBACK REQUIREMENT** - means a line, the location of which is established in sub-section 6.10 of this By-law and the purpose of which is to establish the closest points to a road or street at which a building or structure, other than a legal fence or wall, may be located.
Amended by By-law 763-84

2.25 **BUILDING - NON-RESIDENTIAL** - shall mean a building designed, intended or used for purposes other than that of a dwelling unit.

2.26 **CARPORT** - see “Garage - Private”.

2.27 **CAR WASH** - means a service commercial establishment for washing, cleaning and polishing motor vehicles and included a coin-operated self-service car wash, but does not include an automobile service station or gas bar, a public garage or a motor vehicle dealership where car washing operations are incidental to the principal activity of the business.

2.28 **CATERING SERVICE** - means an establishment in which food and beverages are prepared for consumption off the premises and are not served to customers on the premises or to take out, but does not include a restaurant.

2.29 **CELLAR** - means any enclosed portion of a building wholly or partially below grade level and which has less than one-half (1/2) of the area of the area of the exterior wall between finished grade and first floor level exposed. No dwelling unit shall be located in a cellar and no part of a cellar floor area shall be used in calculating any minimum floor area as required in the By-law.

- 2.30 **CEMETERY** - means a cemetery or columbarium within the meaning of chapter C.3/C.4 (revised) of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.31 **CHIEF BUILDING OFFICIAL** – means any person or persons appointed by the Council of the Township, who is charged with the duty of enforcing the provisions of the Building By-law.
- 2.32 **CHILDREN’S MENTAL HEALTH SERVICES ACT** - means chapter 69 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.33 **CHILDREN’S RESIDENTIAL SERVICES ACT** - means chapter 71 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.34 **CHURCH** - means a building designed for and within which a religious ceremony is conducted for a congregation on a regular basis.
- 2.35 **CLINIC** - means an establishment within which a medical or medically related practice is carried on for the treatment of humans by one or more practitioners but shall not include a veterinary clinic.
- 2.36 **CLUB - COMMERCIAL** - means any club other than a “Club - Private”.
- 2.37 **CLUB - PRIVATE** - means an association of persons, whether incorporated or not, united by some common interest, meeting periodically for co-operation and conviviality but not for business or profit. Club shall also mean, where the context requires, a premises owned or occupied by the members of such association within which the activities of the club are conducted.
- 2.38 **COMMERCIAL** – means the use of land, building or structure for the purposes of buying and selling commodities, and supplying of services as distinguished from industrial uses defined herein.
- 2.39 **COMMERCIAL MOTOR VEHICLE** – means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses and tractors used for hauling purposes on the highways.
- 2.40 **COMMERCIAL OR TRADE SCHOOL** - means a service commercial establishment which provides instruction in any subject for profit or gain; and without limiting generality of the foregoing, includes a secretarial college or school, a dance school or studio, a school of music, a modelling school, a charm school, a ceramics school or studio, etc., but does not include a public school, separate school or private school as defined in the Education Act.
- 2.41 **COMMITTEE OF ADJUSTMENT** - means the Committee of Adjustment for the Township of North Dumfries as constituted by By-law of the Council pursuant to provisions of chapter P.13 of the Planning Act, R.S.O. 1990 as it may from time to time be amended or replaced.
- 2.42 **COMMUNAL WATER** - see “Water Supply”.
- 2.43 **COMMUNITY CENTRE** - means a building or structure owned and operated by the municipality which provides social, recreational and other facilities for the general public.
- 2.44 **CONDOMINIUM** - means of building in which each individual unit is held in separate private ownership and all floor space, facilities and outdoor areas used in common by all tenants are

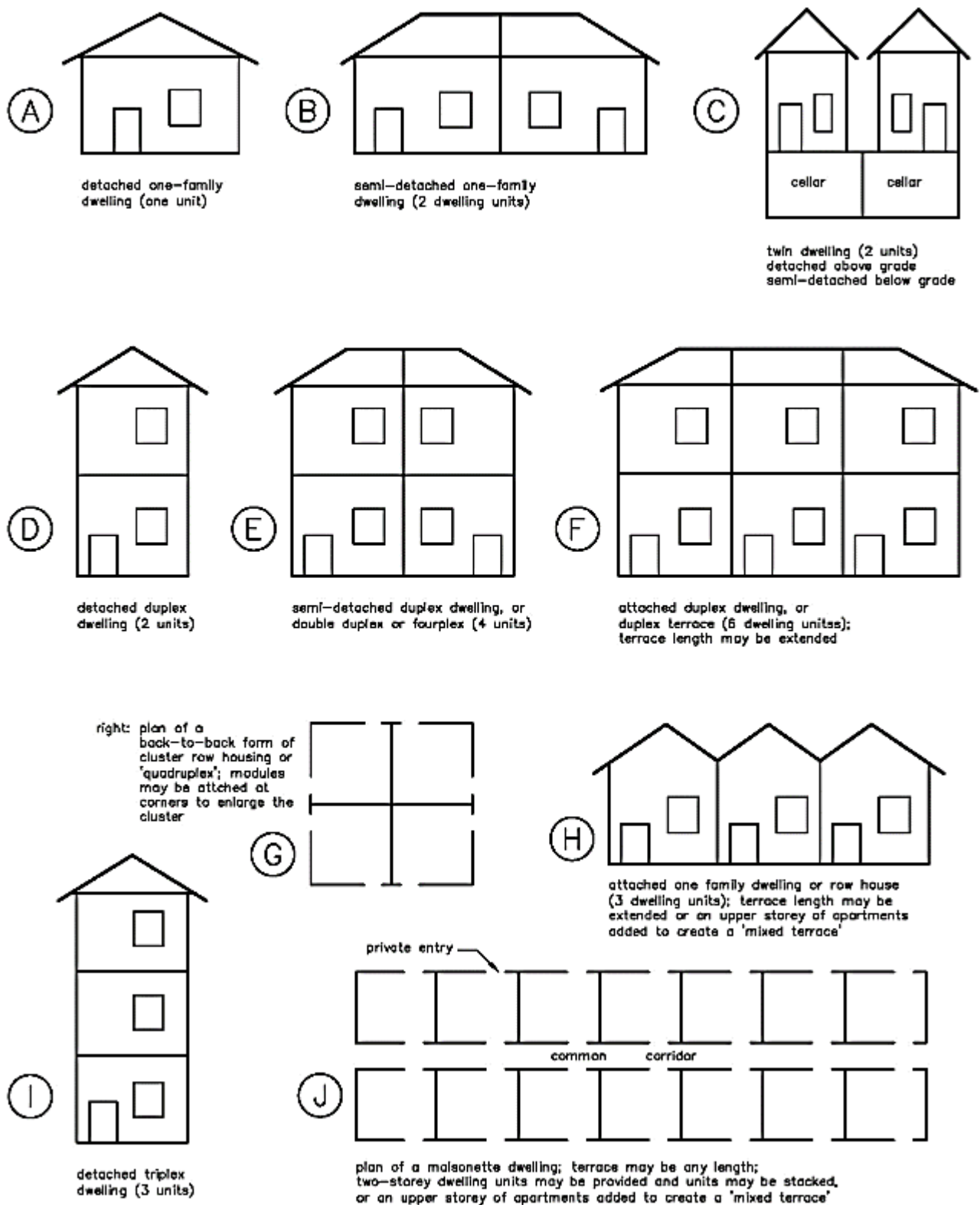
owned, administered and maintained by a corporation created pursuant to the provisions of the Condominium Act.

- 2.45 **CONDOMINIUM ACT** - means chapter C.26 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.46 **CONFORMING** - when used to describe a use, building or structure, means a use, building or structure which falls within the uses permitted in this By-law for the zone in which such use, building or structure is located.
- 2.47 **CONSERVATION AREA** - means an area of land owned by Grand River Conservation Authority and any other environmentally significant area designated by this by-law as an OS zone.
- 2.48 **CONSERVATION AUTHORITY ACT** - means chapter C.27 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.49 **CONSTRUCT** - means to do anything in the erection, installation or extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere, and 'construction' has a corresponding meaning.
- 2.50 **CONTRACTOR'S YARD** - means the yard of a construction company or contractor used as depot for the storage and maintenance of equipment used by the contractor or company, and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used by the business, but does not include the wholesale or retail sale of construction materials or supplies or building supplies dealer.
- 2.51 **CONVALESCENT HOME** - see "Nursing or Convalescent Home".
- 2.52 **COUNCIL** - means the Council of The Corporation of the Township of North Dumfries.
- 2.53 **CUSTOM WORKSHOP** - means a building or part of a building used by a trade, craft or guild for the manufacture in small quantities of made-to-measure clothes or articles and shall include upholstering but shall not include metal spinning, woodworking or furniture manufacture.
- 2.54 **DAYLIGHT TRIANGLE** - means an area free of buildings or structures and shall be determined by measuring from the point of intersection of street lines (lot lines) on a corner lot, the distance required by this By-law along each street line and joining such points with a straight line. The triangular-shaped land between the intersection of two street lines (in the case of a radius from the projected intersection of the two street lines) and the straight line joining the points the required distance along the street lines shall be known as the "Daylighting Triangle".
- 2.55 **DAY NURSERY** - means a premises that receives more than five (5) children who are not of common parentage primarily for the purpose of providing temporary care or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four (24) hours, where the children are:
- 2.54.1 under eighteen (18) years of age in the case of a day nursery for children with a developmental handicap;
- 2.54.2 under ten (10) years of age in all other cases;

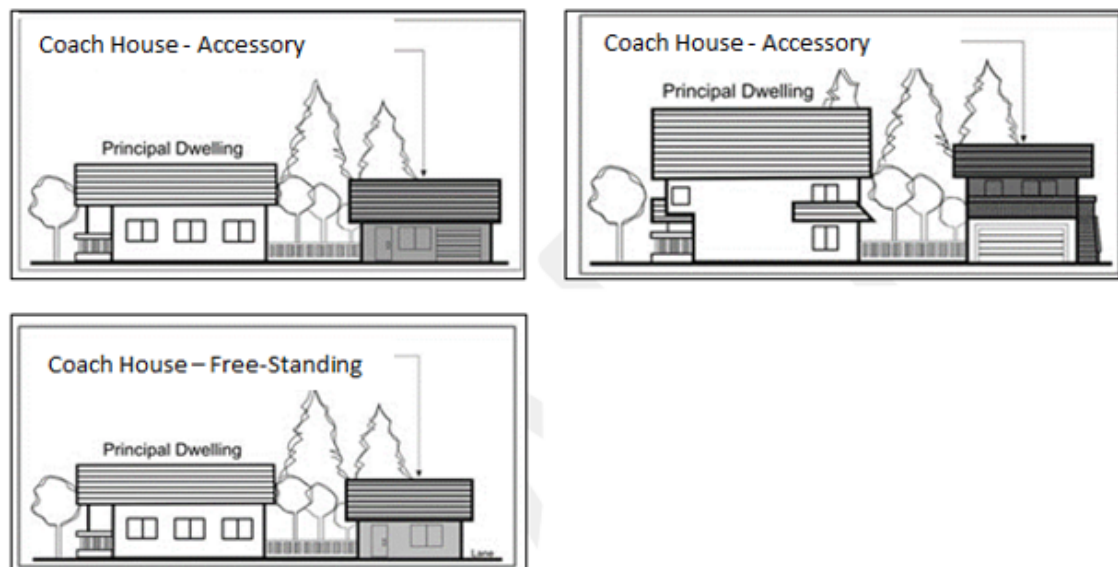
but does not include:

- 2.54.3 part of a public school, separate school, private school or school or mentally disabled children under The Education Act, chapter E.2 R.S.O. 1990 as amended;
- 2.54.4 a place that is used for recreation and that is supervised by a municipal recreation director who holds a certificate issued pursuant to section 10 of the Ministry of Culture and Recreation Act, or
- 2.54.5 children's mental health centre under the Children's Mental Health Services Act.
- 2.55 **DAY NURSERIES ACT** - means chapter D.2 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.55A **DECK** – means an unenclosed structure, which for the purposes of this definition means no walls and/or roof, that is 0.6 metres or greater in height above the average grade of the area where the structure is to be located. A Deck may be attached to a building or structure, or, be in the form of a detached structure.
- 2.56 **DERELICT MOTOR VEHICLE** - means any vehicle that is incapable of operating under its own motor power, is unlicensed and/or is in a state of disrepair making its normal use impossible.
- 2.57 **DEVICE POWERING AN ELECTRICAL GENERATOR** – means a machine that converts energy stored in a Non-renewable Source of Energy into mechanical energy for use by an Electrical Generator.
- 2.58 **DOG KENNEL** - means a building or buildings and/or area of land which is provided for the purpose of breeding, raising, keeping or boarding of dogs which is licensed by the municipality.
- 2.59 **DRIVE-IN RESTAURANT** - see “Restaurant - Drive-In or Take-Out”.
- 2.60 **DRIVEWAY** – means a defined area providing access for motor vehicles from a public or private street or lane to a parking area, parking garage, parking lot, loading space, private garage or carport.
- 2.61 **DRY INDUSTRY** - means use permitted within any zone which permits industrial uses, provided that the applicant for a building permit and/or occupancy permit can provide the municipality with written confirmation from the Waterloo Regional Health Unit indicating that the site and on-site sewage treatment facility proposed can adequately and satisfactorily accommodate the effluent which the proposed use will generate in a manner satisfactory to the Health Unit. In any case where a water supply system and/or a sewage treatment facility is provided by the Regional Municipality of Waterloo, written confirmation shall be provided by the Regional Municipality of Waterloo that the water supply system operated by the Region can adequately provide the required water supply and that the sewage treatment facility operated by the Region can accommodate the effluent which the proposed use will generate.
- 2.62 **DUPLEX** - see “Residential Building - Duplex”.
- 2.63 **DWELLING** - see “Residential Building”.

Figure 1 Typical Dwelling Types

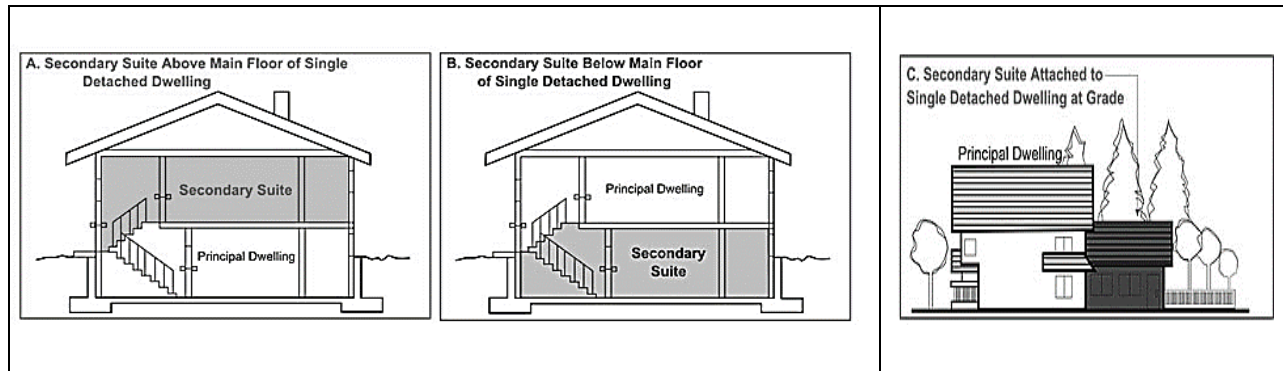


- 2.64 **DWELLING - BACHELOR UNIT** - means a dwelling unit in which only one (1) room or part thereof contains sleeping accommodation and which room is used as a living or a dining room, or as both, as well as for sleeping purposes, but does not include a dwelling unit containing one or more rooms designed exclusively for sleeping accommodation.
- 2.65 **DWELLING - CONVERTED FARM-RELATED** - means a Residential building containing one (1) only farm-related dwelling unit existing on the day of the passing of this By-law which may be converted to dwelling units in accordance with the provisions of this By-law.
- 2.66 **DWELLING - FARM-RELATED** - means a residential building containing one (1) only dwelling unit as the primary residence for an active and operating farmer or a dwelling unit for a full-time farm employee of an active farm on which the dwelling unit is located;
- 2.67 **DWELLING - SEMI-DETACHED** - see “Residential Building - Semi-Detached”.
- 2.68 **DWELLING - SPLIT LEVEL** - means a dwelling containing three (3) or more sections at different levels with the difference in elevation shall not be less than 0.3 metres (1 foot) nor more than 1.8 metres (6 feet) between any such section and the next horizontal adjoining section and two or more of such sections shall contain one or more habitable rooms.
- 2.69 **DWELLING UNIT** - means a room or group of rooms occupied or designed to be occupied for human habitation, which provides cooking, sleeping and sanitation facilities for one or more persons living as an independent and separate housekeeping establishment and which may include those accessory uses specifically permitted in this By-law.
- 2.70 **DWELLING UNIT – COACH HOUSE** – means a separate permanent self-contained second dwelling unit that is separate, subordinate in size and accessory to the principal dwelling unit. The unit may be a free-standing structure attached to or above a detached garage or other accessory structure.



- 2.71 **DWELLING UNIT - PRIVATE** - means a dwelling unit within which no service, accommodation or care is provided for a monetary consideration to more than two (2) persons.

- 2.72 **DWELLING UNIT – SECONDARY** means a separate permanent self-contained second unit which is subordinate in size and located in the same building as the principal dwelling unit of a single detached, link-detached, semi-detached, or townhouse dwelling. Its creation does not result in the creation of a semi-detached dwelling or duplex dwelling.



- 2.73 **ELECTRICAL GENERATOR** – means a machine that converts mechanical energy into electrical energy.
- 2.74 **EMERGENCY CARE FACILITY** - means any type of group living facility other than a group home as defined by this By-law.
- 2.75 **ERECT** - see “Construct”.
- 2.76 **EXISTING** - means existing legally on the day of the passing of this By-law.
- 2.77 **FARM** - means an a parcel of land on which the predominant activity is farming.
- 2.78 **FARM BUILDING** – means a building or part thereof which does not contain residential occupancy, which is classed as low human occupancy, and which is associated with the practice of farming and used essentially for the housing of equipment or livestock, or the production, storage, or processing of agriculture and horticulture produce or feeds.
- 2.79 **FARMER** - means an individual, family, association or corporation engaged in farming.
- 2.80 **FARMING - PRODUCTION OF FEED** - means the production of plants and animals useful to man including the breeding, raising or maintaining of livestock, fur farming, fruit growing, the keeping of bees, fish farming, greenhouse farming, vegetable growing, Christmas tree growing and sod farming.
- 2.81 **FARM EQUIPMENT SALES AND SERVICE** – means the use of land, buildings, or structures, or portions thereof, where farm machinery, farm vehicles and related equipment are stored for the purposes of sale, lease, or hire and where such machinery, vehicles and equipment are repaired or serviced for purposes of being maintained in an operable condition.
- 2.82 **FARM - RELATED OCCUPATION** - means a trade, occupation or service which is oriented primarily toward the needs of the agricultural community and which is located on a lot having an area not less than 4.0 hectares (10 acres) as a use clearly accessory use to the main use of farming.
- 2.83 **FIRE CODE** - means regulations made under the Fire Marshalls Act as they may from time to time be amended.

- 2.84 **FIRE MARSHALLS ACT** - means chapter F.17 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.85 **FLANKAGE** - see “Yard Flankage”.
- 2.86 **FLOOD CONTROL** – means land use practices or structures deemed necessary by the Conservation Authority for the reduction or prevention of flooding.
- 2.87 **FLOOR AREA** - means the space on any storey of a building between exterior walls and required firewalls, including the space occupied by interior walls and partitions but not including exits and vertical service spaces that pierce the storey. No private garage, breezeway, porch, veranda or sunroom, balcony, space requirements for heating and laundry facilities, mechanical equipment, cellar, attic or basement area may be used to calculate minimum floor areas as required by this By-law.
- 2.88 **FLOOR AREA - GROUND** - means that area of a lot covered or intended to be covered by the floor area of a building as defined above.
- 2.89 **FRONTAGE** - see “Lot Frontage”.
- 2.90 **GARAGE - PRIVATE** - means an accessory building or that part of a main building used for the storage of a motor vehicle or vehicles of the owner, tenant or tenants, occupant or occupants of the lot upon which such garage is located and wherein neither servicing nor repairing is carried on for a monetary consideration.
- 2.91 **GARAGE - PUBLIC** - means a building or place where motor vehicles are kept for hire, stored for remuneration or repaired. This definition shall not include an automobile service station, a car washing establishment, a car sales lot, a body shop or a wrecking yard.
- 2.92 **GARDEN SUITE** - means a detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable
- 2.93 **GAS BAR** - means a building or place where automotive fuel and lubricants are kept for sale but where no other service of an automobile service station or public garage is provided.
- 2.94 **GOLF COURSE** - means a parcel of land used for the playing of the game of golf but shall not include miniature golf courses or golf driving ranges. Golf courses may include such accessory uses as a clubhouse and associated recreation and accessory uses.
- 2.95 **GRADE** - means
1. when used with reference to a building or structure, the average elevation of the finished surface of ground where it meets the exterior face of such building or structure, exclusive of any artificial embankment;
 2. when used with reference to a street, highway or roadway, the elevation of the street, highway or roadway established by the Township of North Dumfries or other designated authority.
- 2.96 **GRAVEL PIT** - see “Pit”.

- 2.97 **GROCERY STORE** - means a retail food store and, without limiting the generality of the foregoing, includes a baker's shop, fruit and vegetable store and delicatessen.
- 2.98 **GROUND FLOOR AREA** - see "Floor Area - Ground".
- 2.99 **GROUP HOME TYPE 'A'** - means a Residential Building - One Unit in which three (3) to six (6) residents (excluding staff or the receiving family) live as a single housekeeping unit under responsibility supervision consistent with the requirements of its residents. The home is licensed or approved by Provincial authority and is in compliance with municipal by-law. The following specific types of facilities are defined by this By-law to be group homes:
- 2.98.1 Satellite Residence for Seniors established under The Homes for Aged and Rest Homes Act, as amended;
- 2.98.2 Accommodation Services for Developmentally Disabled established under The Homes for Retarded Persons Act, as amended;
- 2.98.3 Children's Residence established under The Children's Residential Services Act, as amended;
- 2.98.4 Homes for Special Care established under The Homes for Special Care Act, as amended.
- 2.99 **GROUP HOME TYPE 'B'** - means the same as Group Home Type 'A' except that it may contain up to ten (10) residents (excluding staff or the receiving family). Any form of group housing facility other than those specifically provided for in the foregoing paragraphs is defined by this By-law as an "Emergency Care Facility".
- 2.100 **GROUP MULTIPLE HOUSING DEVELOPMENT** - means a development containing two (2) or more Residential Buildings - Row or Apartment on the same lot.
- 2.101 **HABITABLE ROOM** - means any room used or intended for human habitation, except a bathroom, hallway, stairwell, laundry or storage room.
- 2.102 **HAIRDRESSER AND/OR BARBER** - means a service commercial establishment providing a personal service to men, women or children by shampooing, cutting, styling, tinting or treatment of hair, by giving manicures, pedicures or facial treatment or by the use of cosmetic products, and, without limiting the generality of the foregoing, includes a barber shop and beauty salon.
- 2.103 **HEIGHT** - see "Building Height".
- 2.104 **HOME OCCUPATION** - means an occupation for gain or support conducted entirely within a dwelling unit as a secondary use.
- 2.105 **HOMES FOR RETARDED PERSONS ACT** - means chapter H.11 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.106 **HOMES FOR SPECIAL CARE ACT** - means chapter H.12 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.107 **HOMES FOR THE AGED AND REST HOMES ACT** - means chapter H.13 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.

- 2.108 **HOSPITAL - PRIVATE** - means a hospital as defined by The Private Hospital Act, chapter P.24 R.S.O. 1990, as it may from time to time be amended or replaced.
- 2.109 **HOSPITAL - PUBLIC** - means a hospital as defined by The Private Hospitals Act, chapter P.40 R.S.O. 1990, as amended.
- 2.110 **HOTEL OR MOTEL** - means a building or group of buildings used for the purpose of catering to needs of the public by providing accommodation for transient lodgers, with or without meals, but shall not include a Lodging, Rooming or Boarding House or Tourist Home.
- 2.111 **HOUSEHOLD PET** - means any form of livestock which could normally be purchased in a pet store, which would normally spend all or part of its life within a dwelling unit, which is owned by a resident of the dwelling unit and which is not kept for profit or gain.
- 2.112 **INSTITUTION** - means any group, organization or society organized for the promotion of a public project or a scientific, educational, literary or similar objective. Institution shall also mean, where the context requires, premises owned or occupied by the members of such association within which the activities of the institution are conducted.
- 2.113 **INVERTER** – means an electrical device that converts direct current electricity to alternating current electricity where such device is a part of a Renewable Electricity Generation Unit.
- 2.114 **LANDSCAPING AREA** - means an area that shall not be built upon and shall not be used for any purpose other than as a landscaped area which may include grass, shrubs, trees, flowers and similar types of vegetation and paths, walks, patios, fences and similar appurtenances, but shall exclude parking areas, parking lots, automobile driveways and ramps.
- 2.115 **LANE** - means a public thoroughfare which affords a secondary means of access to the abutting lots.
- 2.116 **LIVESTOCK** - means any living organism that obtains sustenance by means of a mouth, other than human beings.
- 2.117 **LIVESTOCK FACILITIES** – means barns, buildings or structures where animals are housed and shall also include beef feedlots and the associated manure storage facilities.
- 2.118 **LOADING SPACE** - see “Off-Street Loading Space.”
- 2.119 **LODGING, ROOMING OR BOARDING OR TOURIST HOME** - means a Residential Building within which sleeping quarters are regularly let or meals are regularly served for a consideration to three (3) or more persons other than the owner, lessee or tenant of the dwelling unit.
- 2.120 **LOT** - means a parcel or tract of land which may be legally conveyed by way of deed, transfer, mortgage, charge or agreement of sale and purchase without consent under the provisions of The Planning Act, R.S.O. 1990, as amended (see Recognized Lot).
- 2.121 **LOT AREA** - means the total horizontal area of a lot contained within the boundaries of the lot.
- 2.122 **LOT - CORNER** - means a lot situated at the intersection of and abutting upon two streets, or upon two parts of the same street, the adjacent sides of which street or streets (or, in the case of a curved corner, the tangents at the street extremities of the side lot lines) contain an angle of not

more than one hundred and thirty-five (135) degrees. In the case of a curved corner, the corner of the building lot shall be deemed to be the point of the street line nearest to the point of intersection of the said tangents.

- 2.123 **LOT DEPTH** - means the distance measured from the midpoint of the front lot line to the midpoint of the rear lot line or, in the case of a triangular lot, between the midpoint of the front lot line to the apex of the triangle formed by the intersection of the side lot liens, as illustrated in Figure 3.
- 2.124 **LOT FRONTAGE** - means
1. in the case of a lot abutting a straight street line, the distance between the side lot lines measured along a line drawn parallel to the street line at the distance specified in this by-law for the minimum front yard, as illustrated in Figures 4A, 4B and 4C.
 2. in the case of a corner or interior lot abutting a curved street line other than a corner eyebrow or cul-de-sac, the distance between the side lot line measured along a line drawn parallel to the tangent of the front lot line at the distance specified in this by-law for the minimum front yard, as illustrated in Figure 4D.
 3. in the case of a lot abutting a corner eyebrow or cul-de-sac, the distance between the side lot lines measured along a line drawn perpendicular to the mean bearing of the side lot lines the radial distance of which line, at its closest point to the street line, if not less than the distance specified in this by-law for the minimum front yard, as illustrated in Figure 4E.
- 2.125 **LOT-INTERIOR** - means a lot other than a corner lot.
- 2.126 **LOT LINE, FRONT** - means the lot line that divides the lot from the street, provided that in the case of a corner lot, the shorter lot line that abuts a street shall be deemed to be the front lot line and longer lot line that abuts a street shall be deemed to be an exterior side lot line, as illustrated in Figure 5.

Figure 2 - Corner Lot; Figure 3 - Lot Depth

FIGURE 2 - CORNER LOT

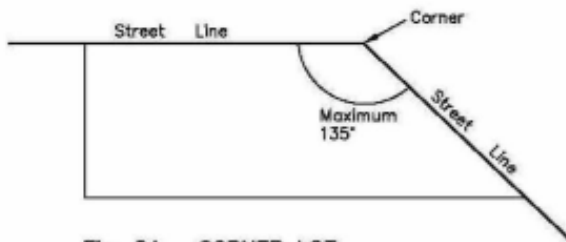


Fig. 2A CORNER LOT
(straight sides)



Fig. 2B LOT DEPTH
(curved side)

FIGURE 3 - LOT DEPTH

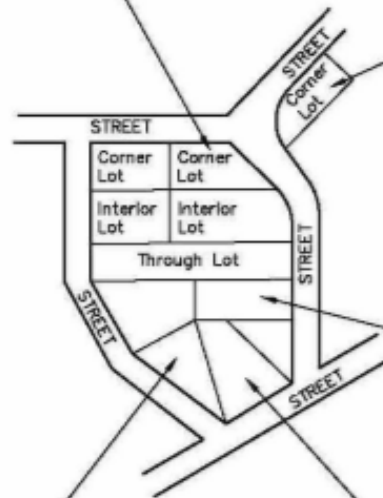


Fig. 3A LOT DEPTH
(front and rear lines
are parrallel)

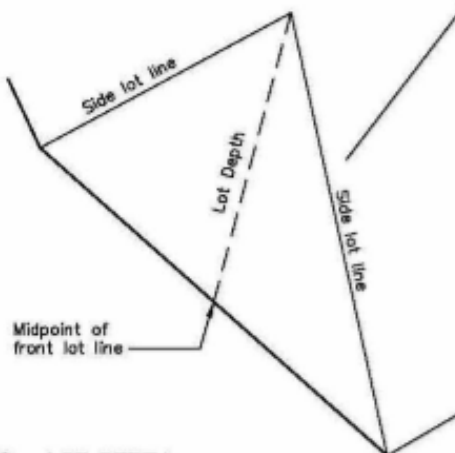
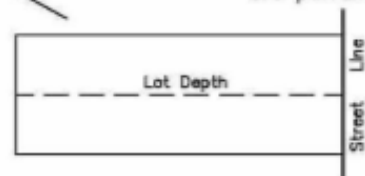


Fig. 3C LOT DEPTH
(no rear lot line)

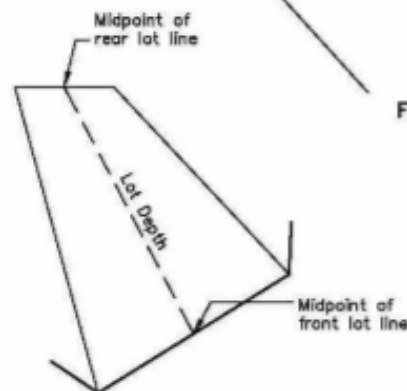
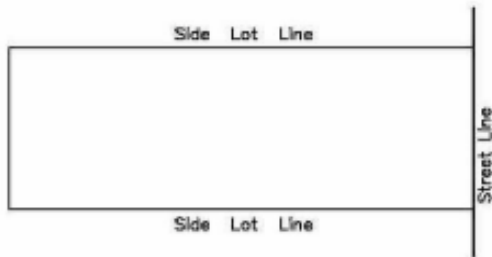


Fig. 3B LOT DEPTH
(front and rear lines
are not parrallel)

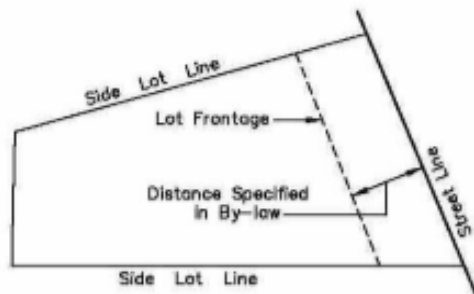
FIGURE 4 – LOT FRONTAGE

(NOT TO BE CONFUSED WITH REGULATORY BUILDING LINE)



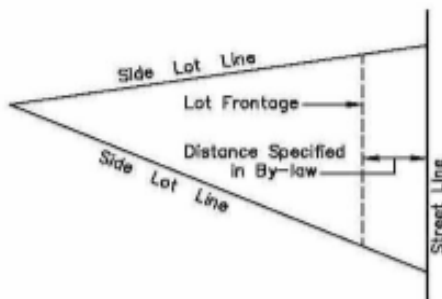
Ⓐ SIDE LOT LINES ARE PARRALELL; STREET IS STRAIGHT

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



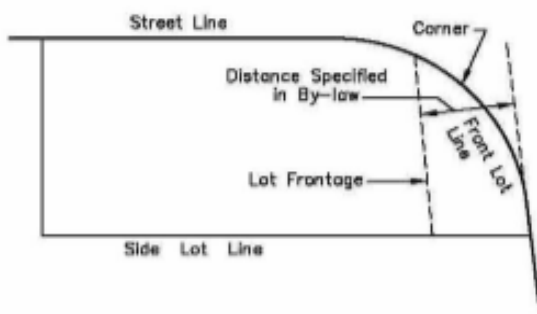
Ⓑ FRONT AND REAR LOT LINES ARE NOT PARRALLEL

THE LOT FRONTAGE IS MEASURED ALONG A LINE DRAWN BETWEEN THE SIDE LOT LINES PARRALLEL TO THE FRONT LOT LINE AT THE DISTANCE SPECIFIED IN THE BY-LAW FOR THE MINIMUM FRONT YARD



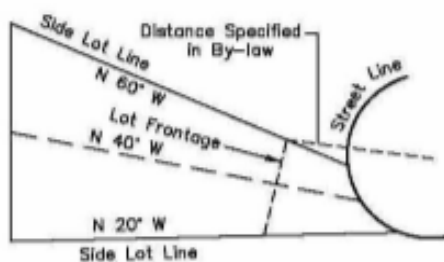
Ⓒ NO REAR LOT LINE

THE LOT FRONTAGE IS MEASURED ALONG A LINE DRAWN BETWEEN THE SIDE LOT LINES PARRALLEL TO THE FRONT LOT LINE AT THE DISTANCE SPECIFIED IN THE BY-LAW FOR THE MINIMUM FRONT YARD



Ⓓ CORNER OR INTERIOR LOT ON A CURVE

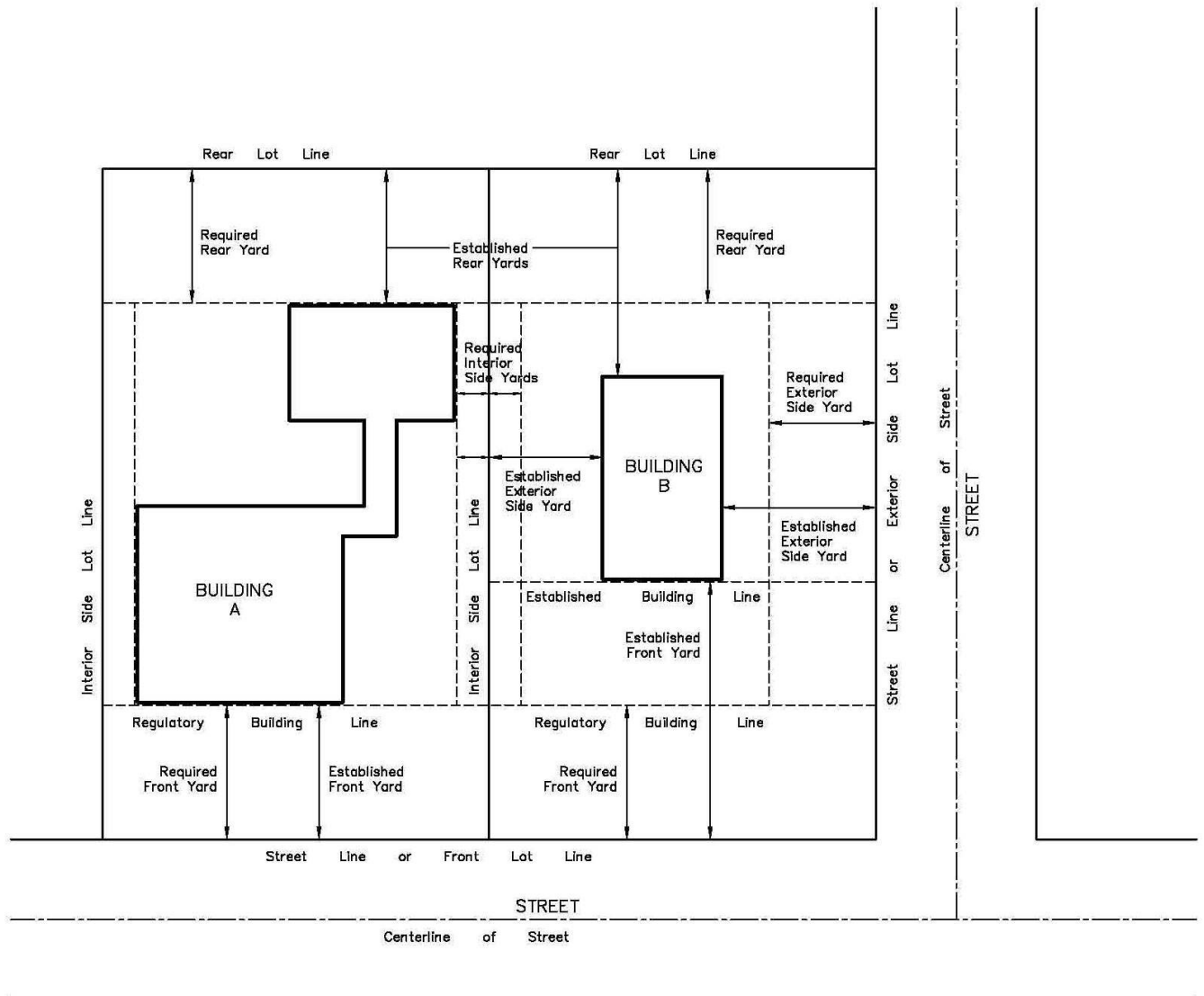
THE LOT FRONTAGE IS MEASURED ALONG A LINE DRAWN PARRALLEL TO THE TANGENT OF THE FRONT LOT LINE AT THE DISTANCE SPECIFIED IN THE BY-LAW FOR THE MINIMUM FRONT YARD



Ⓔ SIDE LOT LINES ARE PARRALELL; STREET IS STRAIGHT

THE LOT FRONTAGE IS MEASURED ALONG A LINE DRAWN PERPENDICULAR TO THE MEAN BEARING OF THE SIDE LOT LINE THE RADIAL DISTANCE OF WHICH LINE, AT ITS CLOSEST POINT THE THE STREET LINE, IS NOT LESS THAN THE DISTANCE SPECIFIED IN THE BY-LAW FOR THE MINIMUM FRONT YARD

Figure 5 – Yards and Setbacks



Building A meets the minimum requirements for front yards, side yards, rear yards and setback

Building B has voluntary increased all yards and setbacks beyond the required minimum

- 2.127 **LOT LINE, REAR** - means the lot line opposite the front lot line, as illustrated in Figure 5.
- 2.128 **LOT LINE, SIDE** - means a lot line other than a front or rear lot line.
- 2.129 **LOT LINE, SIDE, EXTERIOR** - means a side lot line that abuts a public street, as illustrated in Figure 5.
- 2.130 **LOT LINE, SIDE, INTERIOR** - means a lot line, other than a rear lot line, that does not abut a public street.
- 2.131 **LOT – THROUGH** - means a lot bounded on two opposite sides by streets, provided however, that if any lot qualifies as being both a “lot-corner” and a “lot-through” as herein before defined, such lot shall be deemed a “lot-corner” for the purpose of this by-law.
- 2.132 **LOT WIDTH** - means the horizontal distance between the side lot lines measured along the front lot line.
- 2.133 **MAIN BUILDING** - means the building containing the principle use of which in its existing location is permitted by this By-law. Except as provided elsewhere in this By-law, all other buildings on the same lot shall be accessory buildings.
- 2.134 **MINISTRY OF CULTURE AND RECREATION ACT** - means chapter 276 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.135 **MOBILE HOME** - means a Residential Building that is designed to be made mobile and constructed or manufactured to provide a permanent residence for one or more persons, but does not include travel trailer or tent trailer or trailer otherwise designed or recreational vehicle.
- 2.136 **MOBILE HOME - DOUBLE WIDE** - means a mobile home, consisting of two sections, separately towable but designed to be joined together into one integral unit.
- 2.137 **MOBILE HOME SITE** - means a parcel of land within a Mobile Home Subdivision having an area of not less than 370 square metres (4000 square feet) and having a width of not less than 12 metres (40 feet) at the point where the closest part of the mobile home is situated in respect to the public street or highway or approved private road which gives access to the mobile home and to which approved water supply and approved sewage disposal systems available and is intended for the location of one (1) mobile, modular or manufactured home for the exclusive use of the occupant.
- 2.138 **MOBILE HOME SUBDIVISION** - means a development zoned, designed and intended to accommodate mobile, modular or manufactured homes and may include uses accessory thereto including commercial, social and recreational facilities and such buildings, structures and facilities required to provide an approved water supply and approved sewage disposal system all designed and intended for the exclusive use of the residents of the Mobile Home Subdivision.
- 2.139 **MOTEL** - see “Motor Hotel” or “Hotel or Motel”.
- 2.140 **MOTOR HOME** - means any motor vehicle so constructed as to be a self-contained, self-propelled unit, capable of being utilized for the living, sleeping or eating accommodation of persons.

- 2.141 **MOTOR VEHICLE OR VEHICLE**- means a “motor vehicle” and “vehicle” as defined in the *Highway Traffic Act*.
- 2.142 **MUNICIPAL ACT** - means chapter M.45 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.143 **MUNICIPAL FRANCHISES ACT** - means Chapter M.55 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.144 **MUNICIPAL SERVICE** - means a sewage collection and treatment facility operated by or for the municipality or a water supply and distribution system operated by or for the municipality.
- 2.145 **MUNICIPAL SERVICES** - means both a sewage collection and treatment facility operated by or for the municipality and a water supply and distribution system operated by or for the municipality.
- 2.146 **MUNICIPAL SEWAGE** - see “Sewage Collection and Treatment”.
- 2.147 **MUNICIPAL WATER** - See “Water Supply”.
- 2.148 **NON-COMPLYING** - means a use, building or structure which does not conform, comply or agree with the regulations for the zone within which such use, building or structure is located, but does conform, comply and agree with the permitted uses for the zone within which it is located.
- 2.149 **NON-CONFORMING** - means a use, building or structure which does not conform, comply or agree with the permitted uses for the zone within which such use, building or structure is located.
- 2.150 **NON-RENEWABLE ELECTRICITY GENERATION (PEAKING POWER) STATION** – means a building, structure or enclosed area wherein electrical power is produced by Non-Renewable Electricity Generation Unit(s) when dispatched by the Independent Electric System Operator, or successor organization (per Subsection 2(7) of the *Electricity Act*, 1998, S.O. 1998, c. 15 Sched. A or its successor legislation), so as to promote a more reliable and consistent electrical supply in the local electrical power grid (i.e., only a so called “peaking power” supply) where such electricity is offered for sale and distribution via Ontario’s Independent Electricity System Operator and the applicable electrical utility company, and does not operate regularly on a continuous basis. In this definition, the phrase ‘does not operate regularly on a continuous basis’ shall mean ‘does not operate without cessation, and shall only operate in accordance with the requirements of the Independent Electric System Operator.
- 2.151 **NON-RENEWABLE ELECTRICITY GENERATION UNIT** – means a series of devices and equipment that together produces and transmits electricity whereby the series typically includes:
- a) combustion of a Non-renewable Source of Energy by a Device Powering an Electrical Generator;
 - b) an Electrical Generator; and
 - c) a Step-up Transformer
- 2.152 **NON-RENEWABLE ELECTRICITY GENERATION UNIT HEIGHT** – means the vertical distance between the mean average finished grade and the highest point of any device, equipment, exhaust or emissions stack or vent, machine, building or structure being a part of a Non-Renewable Electricity Generation Unit.
- 2.153 **NON-RENEWABLE SOURCE OF ENERGY** – means an energy source that is not renewed by

natural processes and is instead a result of human intervention through extraction, processing, refining, and / or shipment such as coal, oil, and natural gas

- 2.154 **NON-RESIDENTIAL** - see “Building - Non-Residential”.
- 2.155 **NURSERY SCHOOL** - see “Day Nursery”.
- 2.156 **NURSING HOME ACT** - means chapter N.7 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.157 **NURSING OR CONVALESCENT HOME** - means any building or portion of a building other than a private or a public hospital where persons are housed or lodged and furnished with meals and nursing care.
- 2.158 **OBNOXIOUS USE** - means an offensive trade within the meaning of the Public Health Act or any use which is offensive or dangerous by reason of the emission of odour, smoke, dust, noise, gas, fumes, liquid, vibration or refuse matter.
- 2.159 **OFF-STREET LOADING SPACE** - means a space on a lot on which a truck may be parked for standing, loading or unloading services, having minimum dimensions of not less than 3.5 metres (11.5 feet) by 10.5 metres (15 feet). Such space shall have adequate means of ingress and egress to and from a public street or lane, shall be located to the rear of the building line as established by this By-law and shall be so arranged so as to avoid undue interference with public use of streets or lanes.
- 2.160 **OFF-STREET PARKING SPACE** - means a space to the rear of the building line or lines on which a motor vehicle may be parked and having dimensions of not less than 3 metres (10 feet) by 6 metres (20 feet). Each off-street parking space shall have an adequate means of ingress and egress to and from a public street or lane.
- 2.161 **ONTARIO HERITAGE ACT** - means chapter O.18 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.162 **PARKING AREA** - means an open are of land not located within a public street, private street or lane which is used for the parking of motor vehicles, but shall not include any area where motor vehicles for sale, rent or repair are kept or stored within a commercial or industrial zone classification.
- 2.163 **PARKING LOT - COMMERCIAL** - means a lot, building or structure on or in which licensed motor vehicles are parked for compensation and which is not ancillary to another use or other uses on the same lot.
- 2.164 **PARKING SPACE** - see “Off-Street Parking Space”.
- 2.165 **PLANNING ACT, 1990** - means chapter P.13 the Revised Statutes of Ontario, 1990, as it may from time to time be amended or replaced.
- 2.166 **PERSON** - means an individual or any association, partnership, corporation, municipal corporation, agent or trustee and the heirs, executors or other legal representatives of a person to whom the context may apply according to law.
- 2.167 **PIT** - means a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other

material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside pit.

- 2.168 **PLACE FOR DISPENSING REFRESHMENT TO THE PUBLIC** - see “Restaurant”.
- 2.169 **PRIVATE HOME DAY CARE** - means the temporary care for reward or compensation of five (5) children or less who are under ten (10) years of age where such care is provided in a private residence, other than the home of a parent or guardian of any such child, for a continuous period not exceeding twenty-four (24) hours.
- 2.170 **PRIVATE SEWAGE TREATMENT** - see “Sewage Collection and Treatment”.
- 2.171 **PRIVATE WATER SUPPLY** - see “Water Supply”.
- 2.172 **PUBLIC HEALTH ACT** - means chapter 409 of the Revised Statutes of Ontario, 1990 as it may time to time be amended or replaced.
- 2.173 **PUBLIC LANDS ACT** - means chapter P.43 of the Revised Statutes of Ontario, 1990 as it may from time to time be amended or replaced.
- 2.174 **PUBLIC STREET OR PUBLIC ROAD** - see “Street or Road”.
- 2.175 **QUARRY** - means a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit metal mine.
- 2.176 **QUONSET HUT** - means a prefabricated shelter of bolted steel trusses, set on a foundation, and built of a semi-circular arching roof of corrugated metal.
- 2.177 **RECOGNIZED LOT** - means a parcel or tract of land:
- 2.175.1 which is the whole of a lot on a plan of subdivision which has been registered pursuant to the provisions of The Planning Act, R.S.O. 1990, as amended, and which has not been deemed not to be a registered plan of subdivision under the provisions of The Planning Act, R.S.O. 1990, as amended; or,
 - 2.175.2 which comprises all the land described in a conveyance by way of a deed, transfer, mortgage, charge or agreement of sale and purchase to which consent has been given under the provisions of The Planning Act, R.S.O. 1990, as amended; or,
 - 2.175.3 which might be legally conveyed by way of deed, transfer, mortgage, charge or agreement of sale and purchase without consent under the provisions of The Planning Act, R.S.O. 1990, as amended, and which conforms to the minimum lot area and width for the zone within which the lot is located in accordance with the requirements of this By-law, provided however that no parcel or tract of land ceases to be a Recognized Lot by reason only of the fact that part or parts of it have been conveyed or acquired by the Township, the Regional Municipality of Waterloo, Her Majesty in Right of Ontario or Her Majesty in Right of Canada.
- 2.178 **RECREATIONAL VEHICLE** – shall mean:
- a) a vehicle or trailer that may provide short term occupancy that is intended and used exclusively for travel, recreation, vacationing and / or leisure, designed to be towed or

- propelled by a motor vehicle or self-propelled, and includes such vehicles commonly known as travel trailers, camp trailers, truck campers, motor homes or other similar travel vehicles but does not include a mobile home; and/or
- b) Boats, personal watercraft, snowmobiles, all terrain vehicles and other similar vehicles used for recreation and leisure pursuits.
- 2.179 **REGIONAL ROAD** - means a public highway under the jurisdiction of the Regional Municipality of Waterloo.
- 2.180 **RENEWABLE ELECTRICITY GENERATION UNIT** – means a series of devices and equipment that together produces and transmits electricity whereby the series may include:
- ‘Type 1’ Solar Panel Array(s);
 - ‘Type 2’ Solar Panel Array(s);
 - an Inverter; and / or
 - a Step-up Transformer
- 2.181 **RENEWABLE ELECTRICITY GENERATION UNIT HEIGHT** – means the vertical distance between the Grade of the land and the highest point of any device, equipment, exhaust or emissions stack or vent, machine, building or structure being a part of a Renewable Electricity Generation Unit.
- 2.182 **RENEWABLE SOURCE OF ENERGY** – means an energy source that is renewed by natural processes captured and converted by human intervention including radiant energy such as that obtained by sunlight
- 2.183 **REPAIR, SHOP, AUTO BODY** - means a general industrial establishment for the repair of damage to a motor vehicle caused by collision, accident, corrosion or age, and, without limiting the generality of the foregoing, includes the reconstruction of motor vehicles, the painting or repainting of motor vehicles and the rebuilding or conversion of automotive engines or engine parts, but does not include a motor vehicle repair shop, an impounding yard, an automobile service station or gas bar.
- 2.184 **REPAIR SHOP, MOTOR VEHICLE** - means a service commercial or general industrial establishment for the repair or replacement of parts in a motor vehicle and, without limiting the generality of the foregoing, includes the repair or replacement of mufflers, exhaust systems, shock absorbers, transmission, gears, brakes, clutch assemblies, steering assemblies, radiators, heating or cooling systems, ignition systems, electrical systems, tires, wheels, windshields, windows and other mechanical or electrical parts or systems, the installation of undercoating, engine tuning, lubrication and engine conversion or replacement, but does not include an auto body repair shop, an impounding yard, an automobile service station or a gas bar.
- 2.185 **RESIDENTIAL BUILDING** - means a separate building designed, intended or used to contain a dwelling unit or units. (See Figure I)
- 2.183.1 **RESIDENTIAL BUILDING – APARTMENT** means a Residential Building containing three (3) or more dwelling units which share common hall or halls and common entry at grade.
- 2.183.2 **RESIDENTIAL BUILDING - DUPLEX** means a Residential Building divided horizontally to contain two (2) dwelling units.
- 2.183.3 **RESIDENTIAL BUILDING MULTIPLE** see “Residential Building - Apartment”.

- 2.183.4 **RESIDENTIAL BUILDING - ONE UNIT** means a Residential Building containing one (1) only dwelling unit.
- 2.183.5 **RESIDENTIAL BUILDING – ROW** means a Residential building containing three
(3) or more dwelling units, each of which faces onto a public street and each of which has a separate entrance at grade level and is separated from its neighbour by a continuous vertical party wall without opening and extending from the base of the foundation to the roof.
- 2.183.6 **RESIDENTIAL BUILDING - SEMI-DETACHED** means a Residential Building divided vertically into two (2) dwelling units by a solid common wall extending from the base of the foundation to the roof line and said common wall shall have a horizontal distance of not less than fifty percent (50%) of the horizontal depth of the building.
- 2.183.7 **RESIDENTIAL BUILDING - TRIPLEX** means a Residential Building divided horizontally to contain three (3) dwelling units.
- 2.183.8 **RESIDENTIAL BUILDING - TWIN DWELLING (LINK)** - means two dwelling
units each completely separate from the other above grade but connected below grade by a common wall or common footings.
- 2.186 **RESTAURANT OR PLACE FOR DISPENSING REFRESHMENT** - means a service commercial establishment in which food and/or beverages are served to the public and, without limiting the generality of the foregoing, includes such establishments the principle business of which is the operation of a restaurant, dining room, cafe, cafeteria, lunch counter, snack bar, dining lounge, cocktail lounge, tavern, beverage room, public house, doughnut shop or ice cream parlour, but does not include a grocery store, variety store or catering service.
- 2.187 **RESTAURANT - DRIVE-IN OR TAKE-OUT** - means a restaurant where food and/or drink is served for consumption in a vehicle or on the site.
- 2.188 **RETAIL** - means the selling of articles to the general public for its use.
- 2.189 **RETAIL COMMERCIAL ESTABLISHMENTS** - means include any establishment or premises in which goods, produce or merchandise are held and offered for sale directly to the consumer or user at retail as the principle activity of the establishment.
- 2.190 **RIDING ACADEMY OR STABLE** - means a stable for the housing of horses for hire or boarding or for a private riding club which may include a building where equestrian skills are practised.
- 2.191 **ROAD** - see “Street or Road”.
- 2.191A **ROOF** – means the upper covering of a building or structure, including all materials and construction necessary to support the upper covering on the walls or uprights of the buildings or structure, which provides protection against rain, snow, sunlight and wind. For the purposes of clarity, a pergola or similar feature shall not be defined as a roof.

- 2.192 **ROOMING HOUSE** - see “Lodging, Rooming or Boarding House or Tourist Home”.
- 2.193 **ROW** - see “Residential Building - Row”.
- 2.194 **SALVAGE YARD** - means the storage yard of a dealer in salvaged materials and may include facilities for the administration and management of the business and for the storage and maintenance of equipment used in the business.
- 2.195 **SAND AND GRAVEL PIT** - see “Pit”.
- 2.196 **SCHOOL** - means an elementary or secondary school under the jurisdiction of a County Board of Education or School Board or a private school under Provincial charter.
- 2.197 **SCHOOL - NURSERY** - see “Day Nursery”.
- 2.198 **SEMI-DETACHED** - see “Residential Building - Semi-Detached”.
- 2.199 **SENSITIVE LAND USE**—means a use associated with residences, schools, hospitals, and senior citizen homes or other land uses such as outdoor recreational activities, where humans or the natural environment may be adversely affected by off-site impacts from nearby industrial uses.
- 2.200 **SERVICE STATION** - see “Automobile Service Station”.
- 2.201 **SETBACK LINE** - See “Building Line”.
- 2.202 **SEWAGE COLLECTION AND TREATMENT:**
- 2.200.1 **MUNICIPAL SEWAGE COLLECTION AND TREATMENT** means a sewage collection and treatment system owned and operated by a municipal authority (or authorities) which is capable of providing a sewage collection system and sewage treatment facilities to a Settlement or a portion thereof.
- 2.200.2 **PRIVATE SEWAGE TREATMENT** means a sewage treatment facility provided by means of individual septic tank installations on each lot. Approval for each such septic tank installation shall be obtained from the Waterloo Regional Health Unit. Private Sewage Treatment also means other means of collection and treatment facilities, acceptable and approved by all Provincial authorities having jurisdiction, including the Township, or by a combination of the above.
- 2.203 **SEWER** - means a part of a sewage disposal system owned and operated by a municipality.
- 2.204 **SIGN** - means any letters, words or figures used or intended to advertise, identify, announce or to draw attention to anything or to give directions.
- 2.202.1 **SIGNS, ACCESSORY** means a sign identifying, advertising or directing attention to a business, profession, commodity, service or entertainment which is conducted, sold or offered on the lot upon which such sign is located.
- 2.202.2 **SIGN, NON-ACCESSORY** means a sign identifying, advertising or direction

attention to a business, profession, commodity, service or entertainment which is not conducted, sold or offered on the lot upon which the sign is located and shall include a billboard or poster panel.

- 2.205 **SOFT LANDSCAPING** - means trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, screening or other architectural elements, including walkways that provide access onto the lot from the street, all of which are designed to enhance the visual amenity of a property, but shall not include parking areas, driveways or ramps and shall not be used for the parking of motor vehicles.
- 2.206 **STEP-UP TRANSFORMER** – means a machine that alters the electricity created by an Electrical Generator so that its frequency remains the same while its voltage and current may change and thereby regulates any differences between the electricity in a Non-Renewable Electricity Generation Unit or a Renewable Electricity Generation Unit and the electrical grid under the authority of Ontario’s Independent Electricity System Operator (per Subsection 2(7) of the *Electricity Act*, 1998, S.O. 1998, c. 15 Sched. A or its successor legislation) and the applicable electrical utility company.”
- 2.207 **SOLAR PANEL** – means a sealed device in which a photovoltaic reaction occurs when exposed to radiant energy such as sunlight through at least one side of such device.
- 2.208 **SOLAR PANEL ARRAY(S), ‘TYPE 1’** – means a series of Solar Panels contained together in a structure or structures that:
- a) tracks the sun’s movement each day by mechanical means moving the reactive surface of each Solar Panel contained in the series by one-hundred and eighty degrees (180⁰) from facing east in the morning to facing west in the evening, and then automatically returns it back that same 180⁰ in the opposite direction;
 - b) orients the reactive surface of the Solar Panels towards the sky and on a southward angle of twenty-three degrees (23⁰) to forty-five degrees (45⁰) from Grade; and
 - c) includes a maximum of 2,400 Solar Panels per array mounted in a Structure comprised of metal racks and poles set in concrete footings.
- 2.209 **SOLAR PANEL ARRAY(S), ‘TYPE 2’** – means a series of Solar Panels contained together in a structure or structures that:
- a) does not track the sun’s movement each day;
 - b) orients the reactive surface of the Solar Panels towards the sky and on a southward angle of twenty-three degrees (23⁰) to forty-five degrees (45⁰) from Grade; and
 - c) includes a maximum of 2,400 Solar Panels per array mounted in a Structure comprised of metal racks and poles set in concrete footings.
- 2.210 **STOREY** - means a portion of a building which is situated between the top of any floor and the top of the floor next above it, or if there is no floor above it that portion between the top of such floor and the ceiling above it.
- 2.211 **STOREY - FIRST** - means the storey with its floor closest to grade and having its ceiling more than 1.8 metres (6 feet) above grade.
- 2.212 **STREET OR ROAD** - means a public thoroughfare other than a lane which is maintained by

- a public road authority and which is open and passable during all seasons of the year.
- 2.213 **STRUCTURE** - means anything constructed or erected, the use of which requires location on or in the ground, or an attachment to something having location on the ground. It does not include a fence, pavement, curbs, walks, retaining walls under 0.91 metres in height, or signs.
- 2.214 **TOURIST HOME** - see “Lodging, Rooming or Boarding House or Tourist Home”.
- 2.215 **TOWNSHIP** – means the Corporation of the Township of North Dumfries.
- 2.216 **TRAILER** - means a vehicle that is at any time drawn upon a highway by a motor vehicle except an implement of husbandry, a mobile home, another motor vehicle or any device or apparatus not designed to transport persons or property, temporary drawn, propelled or moved upon such highway, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn.
- 2.217 **TRANSPORTATION OPERATION AND/OR DISTRIBUTING** - means a terminal, warehouse or other facility which is used primarily by a company chiefly engaged in the business of transporting goods for such purposes as the transshipment of goods between intercity and local delivery vehicles or the storage or maintenance of a vehicle fleet and in which storage space is not usually leased to others for a specified period of time.
- 2.218 **TRIPLEX** - see “Residential Building - Triplex”.
- 2.219 **TWINDWELLING (LINK)**- means two dwelling units each completely separate from the other above grade but connected below grade by a common wall or common footings (see Figure 1C).
- 2.220 **USE** - means the purpose for which a lot, building or structure or any combination thereof is designed, arranged, intended, occupied or maintained and “Used” shall have a corresponding meaning.
- 2.221 **VARIETY STORE** - means a retail commercial establishment in which goods or materials such as tobacco products and smokers’ supplies, confections, soft drinks, stationery supplies, reading materials, patent medicines and first aid supplies, houseware and notions, souvenirs and similar goods are offered for sale to the general public, and may include groceries and dairy products as a secondary line.
- 2.222 **VEHICLE** - means a motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include the cars of electric, steam or diesel railways running upon rails (see also Motor Vehicle).
- 2.223 **VETERINARY CLINIC OR OFFICE** - means a facility where animal care or treatment is provided by one or more veterinarians and may include the temporary housing of animals so cared for or treated.
- 2.224 **WATER SUPPLY**

- 2.221.1 **COMMUNAL WATER SUPPLY** means a water supply and distribution system built and operated in accordance with the statutory provisions of chapter 0.40 of The Ontario Water Resources Act, R.S.O. 1990, as amended and in accordance with the standards for such systems adopted by the Regional Municipality of Waterloo.
- 2.221.2 **MUNICIPAL WATER SUPPLY** means a water supply and distribution system owned and operated by a municipal authority (or authorities) which is capable of providing water supply to a Settlement or to a proposed development within a Settlement;
- 2.221.2 **PRIVATE WATER SUPPLY** means a water supply provided by means of privately-owned wells. Approval for each such well shall be obtained from the Waterloo Regional Health Unit or the Ministry of the Environment where required.
- 2.225 **WAYSIDE PIT OR WAYSIDE QUARRY** - means a temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.
- 2.226 **WHOLESALE** - means the selling of articles to persons in the trade.
- 2.227 **WHOLESALE COMMERCIAL ESTABLISHMENTS** - includes any establishment which provides a service or goods to business or industry.
- 2.228 **WRECKER'S YARD** - means the storage yard of a dealer in derelict motor vehicles and salvaged motor vehicles parts and includes facilities for the administration or management of the business and for the storage and maintenance of equipment used in the business.
- 2.229 **YARD** - means a space open from the ground to the sky on the same lot with a building, unoccupied except for such accessory buildings as are specifically permitted in this By-law.
- 2.226.1 **YARD, FRONT** - means a yard extending from side lot line to side lot line and from and parallel to the street line, to the nearest part of the main building or structure on the lot, disregarding open terraces or steps.
- 2.226.2 **YARD, REAR** - means a yard extending across the full width of the lot from side lot line to side lot line and extending from the rear lot line (or, in the case of a triangular lot, between the apex of the triangle formed by the intersection of the side lot lines) to the rear wall of the main building located on the lot. The depth of the rear yard, measured horizontally from the rear lot line (or, in the case of a triangular lot, from the apex of the triangle formed by the intersection of the side lot lines) to the closest point at which a main building may be located is defined in the zoning category under the hearing "Minimum Rear Yard".
- 2.226.3 **YARD, SIDE** - means a yard advance to the side lot line and extending from the building line to the rear yard. The width of the side yard (from the side lot line to the closest point at which a building may be located) is defined in each zoning category under the heading "Minimum Side Yard".
- 2.230 **YARD FLANKAGE** - means a yard on a corner lot lying adjacent to that street line which

by definition is a side lot line and which extends from the said street line to the building line.

- 2.231 **YARD - REQUIRED** - means that portion of a yard abutting the lot line or lines required to fulfil the minimum yard regulations as established by this By-law for the specific zone.

SECTION 3: INTERPRETATION

- 3.1 In this By-law, unless the context otherwise requires, the expression "use" or "used" shall include anything done or permitted by the owner or occupant of any land, building or structure, directly or indirectly, or by or through any trustee, tenant, servant or agent acting for or with the knowledge and consent of such owner or occupant for the purpose of making use of the said land, building or structure.
- 3.2 In this By-law, unless the contrary intention appears, words importing the singular number or the masculine gender only shall include more persons, parties or things of the same kind than one and females as well as males and the converse.
- 3.3 In this By-law, the word "shall" shall be construed as always mandatory.
- 3.4 Where in Section 3 the act of defining imposes restrictions, regulations or controls, such restrictions, regulations and controls are adopted as restriction, regulations and controls imposed by this By-law.
- 3.5 When determining the minimum side yard requirements for a Residential Building, these requirements shall be determined by the number of storeys in the building adjacent to the yard.

SECTION 4: APPLICATION OF BY-LAW

All of the provisions of this By-law shall apply throughout all of the areas of the Township.

From and after the effective date of this By-law, no land shall be used and no building or structure shall be erected, altered or used and no change of occupancy of any building, structure, land or premises shall be made in whole or in part except in conformity with the provisions of this By-law.

4.1 LOTS UNDER SIZE

Where in any zone on the day of the passing of this By-law:

4.1.1 The total area or width of any vacant lot including abutting vacant lots registered in the name of one person is insufficient to meet the requirements of this By-law or where any lot as indicated on a draft plan of proposed subdivision which has been approved pursuant to the provisions of The Planning Act, R.S.O. 1990, as amended prior to the day of the passing of this By-law has been subsequently registered in conformity with such approved draft plan, such vacant lot may, notwithstanding the requirements of this By-law, have erected upon it a permitted building or structure provided that:

- a) The required side yards are not reduced by more than enough to permit a building, the front horizontal dimension of which is not greater than eighty percent (80%) of the lot width, but in no case shall the side yard be reduced to less than 1 metre (3 feet) on either side nor need it be increased beyond the side yard requirement for a lot which is not undersize. If a garage or carport is not attached to nor forms part of the main building, one side yard shall be not less than 3 metres (10 feet).
- b) Where private water supply and/or private sewage treatment facilities are to be used, that installation of these facilities has been approved by the Waterloo Regional Health Unit.
- c) All other requirements for such zone are observed.

4.1.2 Notwithstanding the foregoing, in any zone where a Residential Building - One Unit is a permitted use, a lot undersize shall be used for the erection of a Residential Building - One Unit only.

4.2 NON-CONFORMING USES

4.2.1 Nothing in this By-law shall apply to prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building or structure was lawfully used for such purpose on the day of the passing of this By-law so long as it continues to be used for that purpose or to prevent the erection of any building or structure, the plans for which have prior to the day of the passing of this By-law been approved by the Chief Building Official, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the erection of such buildings or structure is commenced within two (2) years after the day of the passing of this By-law and such building or structure is completed within reasonable time after the erection thereof is commenced.

4.2.2 Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any building or structure or part of any building or structure provided the strengthening or restoration will not change the use of the building or structure.

- 4.2.3 A building destroyed by fire, flood or any act of God may be restored and reconstructed on the same lot provide the yard depths existing at the time prior to the destruction are maintained or are not reduced to a depth less than required by this By-law, provided that a building permit for such restoration or reconstruction is issued within one year of the date of destruction.
- 4.2.4 Notwithstanding anything contained in this sub-section, where on the day of the passing of this By-law a building exists which was designed for and is used as a Residential Building - One Unit, nothing in this By-law, regardless of the zone in which the building is located, shall prevent:
- a) The construction of a building or structure for a use accessory to a Residential building in accordance with the regulations for accessory buildings in the zone within which such Residential Building is located.
 - b) The enlarging or extension of the existing Residential Building by not more than twenty-five percent (25%) of the total floor area of the building on the day of the passing of this By-law so long as such Residential Building when enlarged or extended will conform with the General Regulations contained in Section 6 of this By-law and the specific regulations covering side yards contained in Section 8.3.3.
- 4.2.5 A livestock building or manure storage structure which does not meet the Minimum Distance Separation (MDS II) requirements of this By-law and which is fully or partially destroyed by fire, flood, or any act of God may be restored and reconstructed on the same lot provided that the MDS compliance is not further reduced from that existing at the time of this By-law's passing.

4.3 DISCONTINUED NON-CONFORMING USES

Where for any reason the use of any land, building or structure for a use not permitted by this By-law but which was in existence on the day of the passing of this By-law has ceased and is not resumed within a six (6) month period of the date of ceasing, such non-conforming use shall not be resumed and any future use of the land, building or structure shall be in conformity with the regulations covering the zone in which the land, building or structure is located.

SECTION 5: ZONES

5.1 CLASSIFICATION OF ZONES

For the purpose of this By-law, the following zones are established and the lands included in each zone are shown on the Zoning Maps forming Schedule 'A' and Schedule 'B' to this By-law.

Zone	Map Symbol
Zone 1	Z.1
Zone 2	Z.2
Zone 2a	Z.2a
Zone 3	Z.3
Zone 4	Z.4
Zone 4a	Z.4a
Zone 4b	Z.4b
Zone 4c	Z.4c
Zone 5	Z.5
Zone 5a	Z.5a
Zone 6	Z.6
Zone 7	Z.7
Zone 8	Z.8
Zone 9	Z.9
Zone 10	Z.10
Zone 11	Z.11
Zone 12	Z.12
Zone 13	Z.13
Zone 14	Z.14
Zone 15	Z.15
Zone 16	Z.16

5.1.1 Use of Symbol (f) Following Zone or Zone Symbol

Where on the Zoning Maps the Map Symbol as established above is followed by the letter "f" in brackets, it is to indicate areas which have been identified in co-operation with the Grand River Conservation Authority as containing areas subject to flood or unstable soil conditions.

In any case where the Map Symbol is followed by the letter "f" in brackets, the lands so designated shall be subject to the following regulations in addition to the regulations for the zone:

- i) Any use permitted in the zone shall be permitted within existing buildings, save and except that no new residences or additional residential units shall be established on or below first floor level;
- ii) No new building or structure and no accessory buildings or structures in excess of 55 square metres shall be established without an amendment to the Zoning By-law;
- iii) Notwithstanding the minimum floor area and maximum lot coverage regulations of the zone, the permitted minimum floor area and maximum lot coverage of main buildings or structures shall be the floor area and lot coverage existing on the date of the passing of this By-law;
- iv) Notwithstanding 5.5.1 (iii) above, in cases where a lot is divided into two zones and one of these zones contains the (f) symbol, expansions or additions to existing buildings or structures shall be

permitted without amendment, exemption or variance to the Zoning By-law or the approval of the Grand River Conservation Authority if the proposed addition or expansion is to be located on that part of the lot which does not contain the (f) symbol. In cases where the proposed addition or expansion to the existing building or structure is to be located in an area containing the (f) symbol, a variance to the By-law through the Committee of Adjustment is required prior to the granting of a building permit;

- v) Accessory buildings or structures having an area of less than 55 square metres and in- ground or above-ground swimming pools are permitted in areas designated with an (f) symbol;
- vi) Notwithstanding the above, lands that contain the (f) symbol and which have received previous site plan approval from the Grand River Conservation Authority prior to the passage of this By-law, may be issued a building permit based on the approved site plan.

5.2 ZONING MAPS

The extent and boundaries of all the said zones are shown on the Zoning Maps forming Schedule 'B' to this By-law, which Zoning Maps, together with all notation, references and other information shown thereon, and including the Key are hereby incorporated in and declared to form part of this By-law to the same extent as if fully described herein.

Zone 1 (Z.1)

Any lands not indicated on the Zoning Maps as being within another zoning category are hereby included in Zone 1 - Z.1.

Boundaries of Zones

Where any uncertainty exists as to the location of the boundary of any of the said zones as shown on the Zoning Maps, the following rules shall apply:

- 5.2.1 Where the boundaries are indicated as following approximately the centre lines of streets or lanes or their productions, such centre lines shall be deemed to be the said boundary.
- 5.2.2 Where the zone boundaries are indicated as approximately following a lot line or property line, such lot line or property boundary shall be deemed to be the said boundary.
- 5.2.3 Where the boundaries follow railway lines, such boundaries shall be deemed to be located at the boundaries of the railway right-of-way.
- 5.2.4 The location of any zone limit not determined by one of the above shall be determined by the map scale.

5.3 CLOSED STREETS

Where any street or lane or portion thereof as shown on the Zoning Maps is hereafter closed or diverted or where any land included in any railway right-of-way shall hereafter cease to be used for railway purposes, the lands formerly included in such street, lane or railway right-of-way shall be included within the abutting zone or zones as shown on the Zoning Maps.

SECTION 6: GENERAL REGULATIONS

6.1 Within the Corporate limits of the Municipality, no person or persons shall use any land or erect or use any building or structure for any purpose other than one or more of the uses listed under the heading "Permitted Uses" for the zoning category in which such land, building or structure is located.

6.2 Within the Corporate limits of the Municipality, no person or persons shall use any land or erect or use any building or structure which does not conform to the provisions set out in this Section and to the regulations set out under the heading "Regulations" for the zoning category in which such land, building or structure is located.

6.3 REDUCTION OF MINIMUM LOT AREAS PROHIBITED

No lot area shall be so reduced that the yards or other open spaces shall be smaller than those prescribed in this By-law.

When any part of a lot is required by this By-law to be reserved as a yard or other open space, it shall continue to be so used regardless of changes in the ownership of such lands or part thereof and shall not be deemed to form a part of an adjacent lot for the purpose of computing the area thereof available for building purposes.

6.3A BUILDING HEIGHT

No person shall erect or cause to be erected any building which is greater than three (3) stories in height.

6.4 ACCESSORY BUILDINGS OR STRUCTURES

6.4.1 No person shall erect or cause to be erected an accessory building within a required side yard or between any building lines established by this By-law.

6.4.2 No person shall erect any accessory building or structure any part of which is within 3 metres (10 feet) of any main building on an adjoining lot and in no case shall any accessory building or structure be located closer than 1 metre (3 feet) from any interior or rear lot line. In all zones with the exemption of Z1 (See Section 7.2.3(b)).

6.4.3 Notwithstanding the above, two adjoining property owners may erect private garages within a rear yard which has a common wall located on the lot line and extending from ground to roof throughout the entire length of the structure.

6.4.4 No dwelling unit or habitable room may be established within, on, above or attached to an accessory building.

6.4.5 No accessory building shall be used in any zone for the housing, breeding or raising of livestock of any kind with the exception of Zone 1 (Rural/Agricultural) - Z1.

6.4.6 In any Zone 1, 6, 7, 8, 9, 10, 11 and 13, the total coverage of all accessory buildings shall not exceed ten percent (10%) of the lot area. In all other zones, the total floor coverage of all accessory buildings shall not exceed the maximum floor area as provided in sub-section 8.3.

6.4.7 Except in Zone 1, 9, 10 and 11, no accessory building shall exceed 5.2 metres (17 feet) in building

height.

- 6.4.8 Notwithstanding any other provision of this By-law, in Zone 2, Zone 3, Zone 4 or Zone 5, no accessory building shall be located so that any part or parts of said accessory building is closer to the street line than the front wall of the principal or main building located on the same lot.

6.5 PROHIBITED OBSTRUCTIONS

- 6.5.1 Except as specifically permitted elsewhere in this By-law, no person shall construct or locate any building or structure between the street line or lines and any building line established by this By-law, but this provision shall not apply to the construction or location of uncovered landings, terraces or steps provided that such landings, terraces or steps are not more than 1.2 metres (4 feet) above the finished ground level.
- 6.5.2 No person in any zone shall construct or locate any building or structure in any side yard required to be provided under this By-law, but this provision shall not apply to the construction or location of uncovered landings, terraces or steps provided that such lands, terraces or steps are not more than 1.2 metres (4 feet) above the finished ground level.
- 6.5.3 Notwithstanding the above, in any yard there may be erected or maintained the usual projections of windowsills, chimney breasts, belt course, cornices, eaves and other architectural features, provided however that no such feature shall project more than 0.3 metres (1 foot) into any required side yard nor more than 0.6 metres (2 feet) into any other required yard except for open iron or steel fire escapes, one or more of which may be erected or maintained.

6.6 CORNER LOTS

- 6.6.1 No Obstruction on Corners

At the intersection of two streets and within the triangular space formed by joining the point of each street line distant 15 metres (50 feet) from the point of intersection of the said street line, no shrub, foliage or structure other than a permitted building shall be maintained in such a location or manner so as to obstruct the view of the driver of a vehicle approaching the intersection and in no case shall such shrub, foliage or structure be maintained to a height or more than 0.75 metres (2.5 feet) above the finished grade of either abutting street.

- 6.6.2 Special Yard Provisions

In any zone where a Residential Building - One Unit or a Residential Building - Duplex or a Residential Building - Semi-Detached is permitted, a side yard requirement may be substituted for a rear yard requirement when such Residential Building is located on a corner lot.

6.7 ONE RESIDENTIAL BUILDING

No person shall erect, locate or use more than one (1) Residential Building on any one lot except where specifically permitted by this By-law.

6.8 FRONTAGE ON PUBLIC STREET

No lot shall be used nor shall any building or structure be erected thereon or used for any purpose in any zone unless the front line of such lot abuts a public street as defined by this By-law.

6.9 PUBLIC SERVICES AND UTILITIES

Notwithstanding anything contained in this By-law, the Township or any local board or commission thereof, the Regional Municipality of Waterloo, any telephone or telegraph company, a transportation system owned or operated by or for the Township or the Regional Municipality of Waterloo, a gas company holding a franchise under the provisions of the Municipal Franchise Act, as amended, and any department of the Federal or Provincial Governments including Ontario Hydro or the Hydro-Electric Power Commission of Cambridge and North Dumfries may, for the purpose of the public service, use any land or erect or use any building or structure in any zone, notwithstanding that such building or structure or proposed use does not conform to the provisions of this By-law for such zone. There shall be no exterior storage in yards of goods, materials or equipment in any Zone 2, 2a, 3, 4, 4a or 5. Outdoor storage in any other zone shall conform to the regulations of the zone relative to outdoor storage in the zone. Any buildings erected or used under the provisions of this sub-section within any Zone 2, 2a, 3, 4, 4a or 5 shall be designed and maintained in general harmony with the Residential Buildings of the type permitted in the said zone.

6.10 BUILDING LINE OR SETBACK REQUIREMENT

Except as specifically provided elsewhere in this By-law, on all streets and roads within the municipality, building lines or setback requirements are hereby established as follows:

6.10.1 For buildings existing on the day of the passing of this By-law, the building setback shall be a distance equal to the distance between the street line and the closest point of the existing building or as set out in paragraph 6.10.2 below, whichever is the lesser.

6.10.2 In Zone 1, the building line shall be 16 metres from any street line for:

- a) Residential Building - One Unit
- b) Group Home Type 'A'
- c) Veterinary Clinic or Office
- d) Buildings or structures accessory to the foregoing use

In Zone 1, the building line shall be 30 metres from any street line for:

- i) Farming
- ii) Buildings or structures used in the raising, training or boarding of horses including Riding Stable or Riding Academy
- iii) Buildings or structures accessory to the foregoing uses

6.10.3 In Zone 6, the building line shall be the front lot line.

- 6.10.4
- a) In any zone other than Zone 1 or Zone 6, the building line shall be 7.5 metres from the lot line.
 - b) In any zone, other than Zone 1 and Zone 6, the minimum required flankage yard shall be 6.0 metres.

Notwithstanding the foregoing:

6.10.5 On any lot between two existing buildings which are not more than 60 metres apart and both of which are between the street line and the building line established by this sub-

section, a building may be erected the front wall of which is in line with the front wall of the existing building closer to the required building line.

- 6.10.6 On any lot between two existing buildings which are not more than 60 metres apart and both of which are farther from the street line than the building line established by this subsection, the line of the front wall of the building closer to the street line shall be deemed to be the building line.

6.11 OFF-STREET PARKING AND OFF-STREET LOADING

The entrances, driveways, service areas, off-street parking and off-street loading areas, if not paved, shall be properly levelled, drained and treated to prevent the escape of dust.

6.12 OFF-STREET LOADING REQUIREMENTS

In any zone where off-street loading spaces are required, no commercial, industrial or institutional building to which or from which regular deliveries are made by truck shall be used or erected unless there is provided space off a street or lane for the standing, loading or unloading of trucks in conformity with the following regulations:

- 6.12.1 Shall be located to the rear of the building line or lines;
- 6.12.2 Shall be so arranged to avoid interference with the movement of traffic on public streets or lanes;
- 6.12.3 Each off-street loading space shall have a minimum dimension of 3.5 metres (12 feet) by 10.5 metres (35 feet) and a minimum overhead clearance of 4.5 metres (15 feet);
- 6.12.4 One off-street loading space shall be provided for each 2,300 square metres (25,000 square feet) or part thereof of building floor area.

6.13 OFF-STREET PARKING REQUIREMENTS

- 6.13.1 Unless specifically permitted elsewhere in this By-law:
 - a) all off-street parking areas required by this By-law shall be provided and maintained on the same lot and in the same zone as the one requiring such area;
 - b) all off-street parking areas shall be situated to the rear of the building line or lines.
- 6.13.2 Where, in accordance with the requirements of this By-law, any part of a lot is required to be reserved for off-street parking, such space shall continue to be so reserved.
- 6.13.3 No off-street parking area designed to contain more than four (4) off-street parking spaces shall be located within 1.5 metres (5 feet) of any lot line.
- 6.13.4 When calculating the number of parking spaces required in accordance with the regulations of this By-law, any fraction or part of a parking space so calculated shall be considered to be a requirement for one additional parking space.

- 6.13.5 In any zone where off-street parking is required, such off-street parking spaces shall be provided and maintained on the same lot in conformity with the following:

<u>Permitted Use</u>	<u>Required Off-Street Parking Space</u>
Residential Building	
Single Detached	2 spaces per dwelling unit
Semi-Detached	
Duplex	
Townhouse or Stacked Townhouse	2 spaces per dwelling unit
Single Detached, Semi-Detached, Duplex, Stacked Townhouse or Townhouse Dwelling on a private (condominium) road	2 spaces per dwelling unit, and, 1 common (shared) parking stall for every 3 dwelling units
Secondary Dwelling Unit, Coach House or Garden Suite	1 space for the additional dwelling unit
Bed and Breakfast Establishment	1 space per bedroom available
Apartment Row	1½ spaces per dwelling unit
Golf Course	
18 hole	125 spaces
9 hole	75 spaces
Golf Driving Range/ Miniature Golf Course	3 spaces for each 2 tees or holes
Doctor's Office in Private Residence	3 spaces plus 1 space for the Residential Unit
Medical Clinic	6 spaces for each physician or practitioner
Day Nursery	5 spaces
Funeral Home	20 spaces
Church, Auditorium, Community Stadium or any use involving assembly of persons	1 space for every 7 seats or 8 Centre, spaces for each 100 square metres (1075 square feet) of floor area available to the public, whichever is greater
Commercial Floor Area devoted to retail sales or merchandising	1 space for each 18.5 square metres (200 square feet) of such floor area
Commercial Floor Area not devoted to retail sales or	1 space for each 30 square metres (325 square feet) of

merchandising	such floor area
Schools Elementary	1 space for each classroom plus the additional requirement for an auditorium
Secondary and Other	3 spaces for each classroom plus the additional requirement for an auditorium
Hospital, Rest Home, Nursing Home or Convalescent Home	1 space for every 4 beds plus 1 space for every 4 employees
Hotel, Motel, Motor Hotel, Home, Cabins and similar uses providing sleeping accommodation for hire	1 space per rentable bedroom unit Tourist additional requirements for restaurant or place for dispensing refreshment to the public
Restaurant or Place for Dispensing Refreshment to the Public	1 space for each 4.5 square metres (50 square feet) of floor area devoted to public use
Industry	1 parking space for each 2 employees
Warehousing	1 parking space for each 1,500 square metres of the gross floor area
Service Station or Repair Garage	4 spaces for each service bay
Fraternal Organization, Club or similar use	1 space for each 18.5 square metres (200 square feet) of building floor area
Car Washing Establishment	5 spaces per bay but a minimum of 15 spaces per car washing establishment
Drive-In Restaurant	15 spaces per 100 square metres (1075 square feet) of building floor area
Lodging, Rooming or Boarding House	1 space for each dwelling unit plus 1 additional space for each 2 guest
Other Permitted Uses	1 space for each 45 square metres (485 square feet) of floor area

- 6.13.6 In any Residential Zone where off-street parking is required for a Single Detached, Semi-Detached, Townhouse, Stacked Townhouse, and/or Duplex Dwellings, the following provisions shall apply related to the requirements of a driveway.

The maximum driveway width for all residential uses identified in the preceding paragraph is equal to the greater of:

- i) The garage door width plus 2.0 metres provided that:
 - a) in the case of a lot width less than 10.1 metres, a minimum 25% soft landscaping is provided in the front or exterior yard in which the driveway is located;
 - b) in the case of a lot with a lot width of 10.1 metres or greater, a minimum of 40% of soft landscaping is provided in the front or exterior side yard in which the driveway is located;

OR

- ii) Up to 6.1 metres provided a minimum of 40% soft landscaping is provided in the front or exterior side yard in which the driveway is located.

6.13.7 In any Residential Zone where off-street parking is required for a Single Detached, Semi-Detached, Townhouse, Stacked Townhouse, and/or Duplex Dwellings, the following provisions shall apply related to the requirements of the interior unobstructed space, free of encumbrances and can function as a parking space within a garage:

- a) Parking is permitted within a garage having a minimum unobstructed dimension of 2.75 metres in width a 6 metres in length.
- b) Parking is permitted within a garage having a minimum dimension of 2.75 metres in width and 6 metres in length with up to a maximum of 0.6 metres encroachment by stairs located within 1 metre from the end of the parking space.
- c) Parking is permitted within a garage having a dimension of 3.25 metres in width and 6 metres in length if the stairs intrude into the garage beyond 0.6 metres, or are located more than 1 metre away from the end of the parking space.

6.13.8 OFF-STREET PARKING REQUIREMENTS FOR COMMERCIAL MOTOR VEHICLES

Within all Residential Zone Classifications, the parking of Commercial Motor Vehicles shall be in conformity with the following regulations:

- c) A commercial motor vehicle shall only be parked on a driveway, or, in a garage or accessory building.
- d) Only one commercial motor vehicle may be parked in the open on a driveway in the front yard or exterior side yard.
- e) The commercial motor vehicle shall not exceed a length of 6 metres and 2.6 m in height. For the purposes of clarity, height in this provision shall be measured from the ground to the highest point of the body of the vehicle.
- f) A commercial motor vehicle that is actively engaged in a delivery and/or service is deemed not be in a contravention of this By-law.
- g) The commercial motor vehicle must be located entirely on private property and not extend or encroach onto adjacent lands.

6.13.9 OFF-STREET PARKING REQUIREMENTS-RECREATIONAL VEHICLES AND TRAILERS

Within all Residential Zone Classifications, the parking of Recreational Vehicles and Trailers shall be in conformity with the following regulations:

- a) There shall be no restriction on the number of recreational vehicles and trailers that can be parked or stored in a garage or accessory structure.
- b) The parking space used on the driveway for the recreational vehicle or trailer shall be in addition to the required number of parking spaces for the applicable residential zone or residential land use activity.
- c) A maximum of one recreational vehicle or trailer may be parked in the open. In the example of a snowmobile, all terrain vehicle or personal watercraft, the maximum allowance is two.
- d) For a recreational vehicle and/or trailer parked on a driveway, the maximum combined length of the trailer and recreational vehicle is 5 metres, exclusive of tongue or hitch, with a maximum height of 3.5 metres. Where the driveway is 8 metres or longer, the maximum combined length of the recreational vehicle and/or trailer, exclusive of tongue or hitch, shall be 9.2 metres with a maximum height of 3.5 metres. For the purposes of clarity, height in this provision shall be measured from the ground to the highest point of the body of the vehicle.
- e) For a recreational vehicle and/or trailer not parked on the driveway, the maximum combined length of the recreational vehicle and/or trailer shall not exceed 8.5 metres, exclusive of the tongue or hitch, with a maximum height of 3.5 metres. The recreational vehicle or trailer shall also be set back a minimum of 1.2 metres from any interior side or rear lot line, and, shall be parked behind the front wall of the dwelling or in the rear yard. For the purposes of clarity, height in this provision shall be measured from the ground to the highest point of the body of the vehicle.
- f) If any recreational vehicle or trailer exceeds the maximum limits as set out in Items d. and/or e. stated above, the recreational vehicle or trailer may be permitted to park on a driveway from May 1st to October 31st, and only for a period of up to 7 days per month.
- g) Any recreational vehicle and/or trailer parked must be located entirely on private property and not extend or encroach onto adjacent lands, which includes the road allowance.

6.14 OUTDOOR STORAGE AND DISPLAY

Except as specifically provided elsewhere in this By-law, the outdoor storage or display of goods, materials, parts, machinery or finished products is prohibited.

6.15 BUFFER STRIPS

In any zone where a buffer strip is required, such buffer strip shall:

- 6.15.1 have a minimum width throughout of not less than 1.5 metres (5 feet);
- 6.15.2 be located abutting the zone or lot limit save and except that no buffer strip shall be located between the street line and any building line established by this By-law;

- 6.15.3 be in addition to all other yards required in the said zone;
- 6.15.4 be kept free of all parking, building or structures except for a legal boundary fence or wall;
- 6.15.5 be used only for the planting of grass, flowers, shrubs or trees.

6.16 LIGHTS AND SIGNS

No person shall erect a sign or outside lighting except in conformity with the Sign By-law Number 925-86, as amended.

6.17 PUBLICLY OWNED PARKS, PUBLICLY OWNED RECREATION AREAS AND PUBLICLY OWNED CONSERVATION AREAS

Notwithstanding anything contained in this By-law, publicly owned parks, publicly owned recreation areas and publicly owned conservation areas shall be permitted uses in any zone as defined in this By-law.

6.18 REGULATIONS FOR A HOME OCCUPATION OR OFFICE, BASE OR HEADQUARTERS FOR THE OCCUPANT OF A PERMITTED DWELLING UNIT

No person or persons shall use any part of a dwelling unit for a home occupation or an office, base or headquarters for the occupant of a permitted dwelling unit except in conformity with the following regulations:

- 6.18.1 That such home occupation or office, base or headquarters for the occupant of a permitted dwelling unit shall be located within a private dwelling unit and be for the exclusive use of the occupants of the private dwelling, but may also employ not more than one (1) person who does not reside in the dwelling in which the home occupation or office, base or headquarters is permitted.
- 6.18.2 That an area equal to not more than twenty-five percent (25%) of the ground floor area of a private dwelling unit shall be used for such use.
- 6.18.3 That there shall be no outdoor storage of goods or materials.
- 6.18.4 That the use of the premises in connection with such home occupation or office, base or headquarters shall in no way be offensive, obnoxious or dangerous to the neighbours or the area by reason of the emission of light, heat, fumes, noise, vibration, gas, dust, smoke, fire, odour, air or water borne waste or pollution, interference with radio or television, or through frequency of deliveries by commercial carriers.
- 6.18.5 That no retail sales or wholesale merchandising or repair service shall be operated on the premises.
- 6.18.6 That no machinery or mechanical equipment of any kind other than normal household, hobby or office equipment shall be used on the premises in connection with such home occupation.
- 6.18.7 That the home occupation or office, base or headquarters shall be clearly incidental and secondary to the main residential use to which it is secondary.

- 6.18.8 That no exterior alterations shall be made to the building or premises in connection with such home occupation or office, base or headquarters for the occupant of a permitted dwelling unit.
- 6.18.9 That off-street parking shall be provided at a minimum rate of one space for each unit, one space for the non-resident employee, and one space for each home occupation or office, base or headquarters.

6.19 REGULATIONS FOR HOTEL OR MOTEL

No hotel or motel shall be erected or used except in conformity with the following regulations:

- | | | |
|--------|--|---|
| 6.19.1 | Minimum Lot Area | 2000 square metres (21,528 square feet)
or the area of a Recognized Lot |
| 6.19.2 | Minimum Lot Width | 30 metres (100 feet) |
| 6.19.3 | Minimum Side Yard
(Each side) | 6 metres (20 feet) |
| 6.19.4 | Minimum Rear Yard | 7.5 metres (25 feet) |
| 6.19.5 | Notwithstanding the foregoing, where rentable rooms have direct access to a side or rear yard, the minimum width of such yard shall not be less than 9 metres (30 feet). | |
| 6.19.6 | Off-Street Parking and
Off-Street Loading | In conformity with the provisions
of sub-sections 6.11, 6.12 and 6.13 |
| 6.19.7 | Lights and Signs | In conformity with the provisions
of sub-section 6.16 |
| 6.19.8 | Buffer Strips | In conformity with the provisions of sub-
section 6.15 along all zone limits where
such Hotel or Motel abuts a zone which
permits a Residential Building |
| 6.19.9 | Accessory Uses | Accessory uses to a Hotel or Motel shall
not be interpreted to include an
automobile service station, a repair
garage, a gasoline pump or a retail store |

6.20 TITLE SEPARATION OF ATTACHED DWELLINGS

Nothing in this By-law shall be deemed to prevent separate and distinct ownership of the individual dwelling units in Residential Buildings - Semi-Detached so long as the total aggregate requirements set forth in this By-law for each such building lot are maintained and so long as the following regulations are adhered to:

- 6.20.1 Each separated parcel shall:
- a) have frontage on a public street; have a lot area of not less than 275 square metres (2960 square feet);
 - b) provide off-street parking space in conformity with the provisions of sub-sections 6.11 and 6.13 of this By-law.

6.21 THE CONDOMINIUM ACT, R.S.O. 1990, AS AMENDED

Nothing in this By-law shall be deemed to forbid or restrict the registration of a declaration and description made pursuant to the provisions of The Condominium Act, R.S.O. 1990, as amended.

6.22 PITS AND QUARRIES

Except by amendment to this By-law, the making or establishment of pits and quarries within the Township is hereby prohibited save and except for those areas located in Zone 14 (Z.14) as shown on the maps forming Schedule 'B' to this By-law and except for those areas shown on the maps forming sections 2.1.111, 20.1.112 and 20.1.113 of Schedule 'A' to this By-law subject to the provisions of sub-section 19A.2 of the said Zone 14.

Nothing in this By-law shall prevent the making or establishment of a wayside pit or wayside quarry as defined in this By-law.

6.23 REGULATIONS FOR FARM-RELATED OCCUPATIONS

Where a farm-related occupation is a permitted use, such occupation shall be established only in conformity with the following:

- 6.23.1 All buildings, structures, storage, parking and loading areas used in connection with a farm-related occupation shall not occupy an area exceeding 0.4 hectares in area.

Not more than two (2) employees who are not permanent residents on the property shall be engaged in the farm-related occupation.

No farm-related occupation shall be permitted until a Certificate of Occupancy has been issued by the Township. No change in use shall be made without the issuance of a new Certificate of Occupancy.

Any building or structure erected or used in connection with a farm-related occupation shall be located to the rear of the building line or lines established by this By-law and in no case closer to a road than the wall of the existing building closest to the road.

6.24 REGULATIONS FOR MOBILE HOME AS SECOND DWELLING UNIT ON A FARM

In a Zyl (Rural/Agricultural) a mobile home as a second dwelling unit on a farm shall only be permitted by Council permission via a development agreement and the submission of approved site plans and Regional Health Unit clearance. This agreement to be reviewed on an annual basis and further extensions will be evaluated on the demonstration of need.

6.25 REGULATIONS FOR GARDEN SUITES

No Garden Suite shall be erected or used except in conformity with the following regulations:

- 6.25.1 A garden suite is only permitted where a site-specific, temporary zoning by-law allows one.
- 6.25.2 The Township may require the owner of the Garden Suite or any other persons to enter into an agreement with the Township dealing with matters related to the temporary use of the Garden Suite as the Township considers necessary including:
 - i. The installation, maintenance and removal of the Garden Suite;
 - ii. The period of occupancy of the Garden Suite by any of the persons named in the agreement; and
 - iii. The monetary or other form of security that the Township may require for actual or potential costs to the Township related to the Garden Suite.
- 6.25.3 A maximum of one (1) Garden Suite may be permitted per lot.
- 6.25.4 A Garden Suite shall only be permitted within a zone in association with a single-detached dwelling.
- 6.25.5 A Garden Suite cannot be severed from the lot containing the principal dwelling.
- 6.25.6 A Garden Suite must be connected to municipal services where such services are available. However, where municipal services are not available, a Garden Suite may be connected to private services subject to approval.
- 6.25.7 The size of the Garden Suite must:
 - i. not be greater in size than 40% of the footprint of the principal dwelling unit or 110 m² (1,184 ft²), whichever is lesser;
 - ii. not exceed a lot coverage of 40% of the rear yard; and
 - iii. not exceed the height of the principal dwelling, and in no case shall be more than 3.6 m (11.8 ft) in height except for a coach house with a flat roof, which has a maximum building height of 3.2 m (10.5 ft).
- 6.25.8 A basement is not permitted.
- 6.25.9 A Garden Suite is only permitted in the rear yard.
- 6.25.10 A Garden Suite cannot be within 4 m (13 ft) of any building on an adjoining lot and cannot be within 1.5 m (4.9 feet) from any interior or rear lot line. A Garden Suite may not be permitted within any building lines established by this By-law.
- 6.25.11 A Garden Suite shall not be permitted in an area regulated by the Grand River Conservation Authority unless a permit is obtained. A Garden Suite shall not be permitted within a Core Environmental Feature as identified in the Township of North Dumfries Official Plan.

- 6.25.12 Where a Garden Suite is located on a lot, neither a Secondary Dwelling Unit, Coach House, nor any rooming units such as a bed and breakfast or group home are permitted on that lot.

6.26 EXTENSION OF NON-COMPLYING BUILDINGS OR STRUCTURES

In any zone where, on the day of the passing of this By-law, a building or structure exists legally, the use of which conforms and complies with the uses permitted in the zone within which such building or structure is located, but which building or structure does not comply with the regulations for such zone, extension or addition to such building or structure may be permitted subject to the following:

- 6.26.1 That the lot or parcel on which the non-complying building or structure exists conforms to the minimum lot area, width and frontage requirements for the zone within which such lot is located.
- 6.26.2 That the extension or addition will conform to all of the requirements and regulations for the said zone including all off-street parking and off-street loading requirements, except that the extension or addition may take place within a required yard or setback so long as it does not further encroach upon such required yard or setback than does the non-complying building or structure or extend beyond the boundaries of the lot.
- 6.26.3 That the combined existing building plus the extension or addition will not exceed the maximum lot coverage or the maximum building height established for the zone.

6.27 REGULATIONS FOR A HAIRDRESSER OR BARBER FOR THE OCCUPANT OF A RESIDENTIAL BUILDING - ONE UNIT

- 6.27.1 That such hairdressing or barbering facility be located within a Residential Building - One Unit and be operated by the occupant of the private dwelling unit and employ not more than one (1) person who does not reside in the dwelling in which such hairdresser or barber is permitted;
- 6.27.2 That an area not exceeding twenty-five percent (25%) of the ground floor area of the Residential Building - One Unit shall be used for the hairdressing or barbering facility.
- 6.27.3 That there shall be no external evidence of the hairdressing or barbering facility except for an identification sign which is not to exceed 0.2 square metres (2 square feet) in area.
- 6.27.4 That off-street parking shall be provided at a minimum rate of one space for the Residential Building - One Unit, one space for the non-resident employee, and two spaces for the hairdressing or barbering facility.

6.28 BUILDINGS USED FOR LIVESTOCK OR MANURE STORAGE

No building used for the housing, breeding or raising of livestock for commercial purposes nor any building or structure or lagoon intended for the keeping or storage of manure shall be located within 300 metres of any zone limit established by this By-law nor within 300 metres of any

non-farm Residential Building unless the applicant can provide a letter issued by the Ministry of Agriculture and Food which indicates that the proposed building, structure or lagoon will comply with the Minimum Distance Separation Formula devised by that Ministry when the areas zoned other than Zone 1 are fully developed.

6.29 MINIMUM DISTANCE SEPARATION – MDS I and MDS II

6.29.1 MDS I - New Non-Farm Uses

Notwithstanding any other yard or setback provisions of this By-law to the contrary, no residential, mobile home development, institutional, commercial, industrial, or recreational use, located on a separate lot and permitted within a zone, shall be erected or altered unless it complies with the Minimum Distance Separation (MDS I), as may be amended, calculated using the formulas provided by the Ontario Ministry of Agriculture, Food and Rural Affairs.

6.29.2 MDS II - New or Expanding Livestock Facilities

Notwithstanding any other yard or setback provisions of this By-law to the contrary, no livestock facility shall be erected or expanded unless it complies with the Minimum Distance Separation (MDS II), as may be amended, calculated using the formulas provided by the Ontario Ministry of Agriculture, Food and Rural Affairs

6.30 DISTANCE SEPARATION - GROUP HOME

6.30.1 Within Zone 1, no group home shall be located on any parcel of land, any part of which is within 1000 metres of any part of a parcel which contains an existing group home.

6.30.2 Within any zone other than Zone 1 where group homes are a permitted use, no group home shall be located on any parcel of land, any part of which is within 400 metres of any part of a parcel of land abutting the same street and which parcel contains an existing group home.

6.31 Notwithstanding any other provisions of this By-law, the storage, repair or restoration of inoperative motor vehicles shall only be permitted in a building or an enclosed area screened by a wall or fence so that the use is not visible from any street.

6.32 LOTS WITH MORE THAN ONE USE OR ZONE

6.32.1 More than One Use

- i) Where a lot contains more than one permitted use defined separately herein, other than an accessory use, each such use shall conform to the provisions of this By-law which are applicable to such use in the Zone in which the said lot is located as if such use existed independently of any other use.
- ii) Where standards or provisions pertaining to two or more uses on one lot are in conflict, the highest or more restrictive standards or provisions shall prevail.

6.32.2 More than One Zone

- i) Except as otherwise provided in Paragraph (ii) of this Clause, where a lot is divided into two or more zones, each such portion of the said lot shall be considered a separate lot as defined herein and shall be used in accordance with the provisions of this By-law which are applicable to the zone wherein such portion of the said lot is located.
- ii) Notwithstanding anything to the contrary in Paragraph (i) of this Clause, where the use or uses of a lot divided into two or more zones are permitted in all such zones, the said lot shall be considered to be a single lot as defined herein and the highest or most restrictive zone requirements pertaining to such use or uses in all the said zones shall apply throughout the said lot.

6.33 DERELICT VEHICLES

Derelict vehicles shall not be stored in any zone other than on premises where the storage of such vehicles is accessory to a business lawfully conducted on the premises, provided no vehicle or equipment, excluding agriculture equipment, not actively under repair shall be stored for more than 14 days.

Within the municipality the following is restricted either alone or in conjunction with other uses except as otherwise permitted in this By-law:

- i) The locating or storing on any land for any purpose whatsoever any disused railroad car, street car body, truck body or trailer without wheels, whether or not the same is situated on a foundation.

6.34 PORTABLE BUILDINGS

Except for temporary contractor's shed, temporary real estate sales offices and portable school classroom buildings, and except as specifically provided elsewhere in this By-law, the use of portable buildings and/or structures is prohibited.

6.35 BED AND BREAKFAST ESTABLISHMENT (B & B)

No person or persons shall use any part of a dwelling unit for a Bed & Breakfast Establishment except in conformity with the following regulations:

- 6.35.1 That the Bed and Breakfast is located within the main residential building – one unit
- 6.35.2 That a maximum of four bedrooms be available for the accommodation of guests
- 6.35.3 That one off-street parking space be provided for each bedroom available to the public in addition to the space(s) required for the residential unit
- 6.35.4 That any exterior stairways required for the B & B shall be located in a side or rear yard

6.35.5 Bed and Breakfast Establishments are not permitted until a Certificate of Occupancy has been issued by the Township of North Dumfries Chief Building Official.

6.36 LAND USE COMPATIBILITY AND SENSITIVE LAND USES

Notwithstanding any other provisions of this By-law, the Township may utilize the Ministry of the Environment (MOE) Guidelines D-1 for “Land Use Compatibility”, or other current policies and guidelines, as a parameter to assess the relationship of industrial uses to sensitive lands by regulating permitted uses, separation distances, and operation intensity, as recommended in the guidelines.

6.37 REDUCTION IN REGULATIONS RESULTING FROM STREET WIDENING

If the acquisition of land, by registration on title on or after March 22, 1999, to widen a street results in non-compliance with regulations existing on the date of acquisition and respecting lot area, floor space ratio, lot width or yards, a building or use shall be deemed to comply with such regulations only in the circumstances which follows:

- 6.37.1 where the building or use existed at the date of the acquisition;
- 6.37.2 where a building or use is proposed to be developed by the same owner who conveyed the land for street widening; or
- 6.37.3 where a building or use is proposed to be developed in strict accordance with an approved site plan applied for by a previous owner, which required the conveyance of land for street widening, provided that:
 - i) where the lot is rezoned after the acquisition of land for street widening, no greater benefit shall be obtained than that which could be obtained based on the zoning in effect on the date of such acquisition; and
 - ii) the provisions of this section shall not apply in circumstances where the conveyance of land for street widening is a requirement of a subdivision of land approval.

6.38 QUONSET HUT

A quonset hut shall not be used as an accessory building within Residential Zones 4, 4(a), 4(b), 4(c), and 4(d); Residential Zones 5, 5(a); Industrial Zones 9, 10, and 11.

6.39 REGULATIONS FOR SECONDARY DWELLING UNITS

In any zone where a Secondary Dwelling Unit is permitted, such Secondary Dwelling Unit shall only be permitted in conformity with the following:

- 6.39.1 A maximum of one (1) Secondary Dwelling Unit may be permitted per lot. In the case of a condominium unit, only one (1) Secondary Dwelling Unit shall be permitted per condominium unit.

- 6.39.2 A Secondary Dwelling Unit shall be permitted within any zone in association with a single-detached or linked-detached dwelling, semi-detached dwelling, or townhouse dwelling.
- 6.39.3 The unit must be connected to municipal services where such services are available. However, where municipal services are not available, a unit may be connected to private services subject to approval.
- 6.39.4 The creation of the unit must not result in any new doorway entrance added to the front wall of the principal dwelling unit. An internal lobby or vestibule with a common doorway entrance in the front wall is permitted.
- 6.39.5 Stairs above ground may be permitted only in the rear yard to access a second unit on the second storey if there is a deck connected to the second storey entrance with a minimum size of 15 m² (150 ft²).
- 6.39.6 Basement access and basement wells are permitted only in the rear yard and must not exceed a maximum area of 5 m² (50 ft²), in addition to the stairs.
- 6.39.7 The unit, if located at or above grade shall not be larger than 40% of the gross floor area of the principal dwelling or 110 m² (1,184 ft²), whichever is lesser. If located in the basement of the principal dwelling the unit may occupy the entire basement area.
- 6.39.8 The maximum driveway width for all zones is equal to the greater of:
- i. the garage door width plus 2.0 m (6.6 ft), provided that:
 - a. in the case of a lot with a lot width less than 10.1 m (33 ft), a minimum 25% soft landscaping is provided in the front or exterior yard in which the driveway is located;
 - b. in the case of a lot with a lot width of 10.1 m (33 ft) or greater, a minimum 40% soft landscaping is provided in the front or exterior side yard in which the driveway is located; or
 - ii. up to 6.1 m (20 ft) provided a minimum 40% soft landscaping is provided in the front or exterior side yard in which the driveway is located.
- 6.39.9 A Secondary Dwelling Unit shall not be permitted in an area regulated by the Grand River Conservation Authority unless a permit is obtained. The unit shall not be permitted within a Core Environmental Feature as identified in the Township of North Dumfries Official Plan.
- 6.39.10 Where a Secondary Dwelling Unit is located on a lot, neither a Coach House, Garden Suite, nor any rooming units such as a bed and breakfast or group home are permitted on that lot.

6.40 REGULATIONS FOR COACH HOUSES

In any zone where a Coach House is permitted, such Coach House shall only be permitted in conformity with the following:

- 6.40.1 A maximum of one (1) Coach House may be permitted per lot.
- 6.40.2 A Coach House shall only be permitted within a zone in association with a single detached dwelling.
- 6.40.3 The Coach House may not be severed from the lot containing the principal dwelling.
- 6.40.4 Water and sewer services must be connected to the principal residence where municipal services are available. However, where municipal services are not available, a Coach House may be connected to private services subject to approval.
- 6.40.5 A Coach House must be located on a lot with a minimum lot width of 16 m (54 ft), a lot depth of 40 m (131 ft), and a lot area of 640 m² (7,074 ft²).
- 6.40.6 The Coach House and any associated driveway and parking areas may not exceed a lot coverage of more than 40% of the rear yard;
- 6.40.7 The size of the Coach House must:
 - i. not be greater in size than 40% of the footprint of the principal dwelling unit or 110 m² (1,184 ft²), whichever is lesser;
- 6.40.8 If the Coach House is attached to or above a detached garage:
 - i. the building height cannot exceed that of the principal dwelling and in no case shall be more than 5.2 m (17 ft) in height; however, if the lot is greater than 0.4 hectares (1 acre), then the height shall be no more than 6.1 m (20 ft); and
 - ii. the Coach House cannot be closer to the street line than the front wall of the principal dwelling located on the same lot.
- 6.40.9 If the Coach House is a free-standing structure or forms part of an accessory structure (other than a detached garage):
 - i. the height cannot exceed the height of the principal dwelling, and in no case shall be more than 3.6 m (11.8 ft) in height except for a coach house with a flat roof, which has a maximum building height of 3.2 m (10.5 ft); however, if the lot is greater than 0.4 hectares (1 acre), then the height shall be no more than 6.1 m (20 ft); and
 - ii. the Coach House must be located in the rear yard.

- 6.40.10 A basement is not permitted.
- 6.40.11 A Coach House cannot be within 4 m (13 ft) of any building on an adjoining lot and cannot be within 1.5 m (4.9 feet) from any interior or rear lot line.
- 6.40.12 A Coach House may not be permitted within any building lines established by this By-law.
- 6.40.13 Where an accessory structure existed as of April 23, 2018 and does not comply with the minimum required height, interior and rear yard setbacks or building lines, it may be converted to a Coach House if it complies with all other provisions of this section and does not encroach further into the building lines as established by this By-law.
- 6.40.14 The maximum driveway width for all zones is equal to the greater of:
- i. the garage door width plus 2.0 m (6.6 ft), provided that a minimum 40% soft landscaping is provided in the front or exterior side yard in which the driveway is located; or
 - ii. up to 6.1 m (20 ft) provided a minimum 40% soft landscaping is provided in the front or exterior side yard in which the driveway is located.
- 6.40.15 At least one unobstructed pathway must be provided at a minimum width of 1.2 m (3.93 ft) and a maximum width of 1.5 m (4.9 ft) between the Coach House and a public street.
- 6.40.16 The roof of a building containing a Coach House may not contain an amenity area.
- 6.40.17 A Coach House shall not be permitted in an area regulated by the Grand River Conservation Authority unless a permit is obtained. The unit shall not be permitted within a Core Environmental Feature as identified in the Township of North Dumfries Official Plan.
- 6.40.18 Where a Coach House is located on a lot, neither a Garden Suite, Secondary Dwelling Unit, nor any rooming units such as a bed and breakfast or group home are permitted on that lot.

6.41 DECKS

A Deck is permitted in any property zoned Residential or Agriculture where a residential building exists. The Deck may be attached to a residential building or detached from the residential building. The Deck, when measured greater than 0.6 metres above the average grade, shall not:

- i. Encroach into a required side yard setback established for the principal dwelling within the applicable zone classification when affixed to the residential building or as detached structure; and,
- ii. Intrude any further than a maximum of 3 metres into a required rear yard setback that has been established for the applicable zone classification when affixed to the residential building or as a detached structure; and,
- iii. Where a detached deck is constructed accessory to an above ground pool, the deck shall not exceed a height of 1.2 metres above the average grade, and, shall be set back a minimum of 1.5 metres from the property line.

SECTION 7: ZONE 1 – Z.1

7.1 PERMITTED USES

Within a Zone 1 – Z.1, no land shall be used and no building or structure shall be erected or used except for one or more of the Permitted Uses listed in Column 1 of sub-section 7.3.

7.2 REGULATIONS

Within a Zone 1 – Z.1, no land shall be used and no building or structure shall be erected or used except in conformity with the applicable regulations contained in Section 6 – “General Regulations” and the following:

7.2.1	Minimum Lot Area	35 hectares (86.5 acres)
7.2.2	Minimum Lot Frontage	230 metres (754.6 feet)
7.2.3	Minimum Side Yard (each side) a) Residence b) Other Permitted and/or Accessory Buildings	3 metres (10 feet) Equal to one-half (1/2) building but in no case less than 3 metres (10 feet)
7.2.4	Minimum Rear Yard	7.5 metres (25 feet)
7.2.5	Minimum Floor Area – Residential Building a) 1 storey b) 1 ½ storey or split level c) 2 or more storeys	100 square metres (1075 square feet) 140 square metres (1500 square feet) 160 square metres (1700 square feet)
7.2.6	Off-Street Parking	In conformity with the provision of sub-sections 6.11 and 6.13
7.2.7	Minimum Distance Separation Buildings used for livestock or manure storage	In conformity with the provisions of sub-sections 6.28 and 6.29.

7.3 ADDITIONAL REGULATIONS

In addition to the regulations set forth in sub-section 7.2, the regulations in Column 2 below shall apply to the specific uses listed in Column 1 below:

	<u>Column 1</u> <u>Permitted Uses</u>	<u>Column 2</u> <u>Regulation</u>
7.3.1	Farming (except sod farming or commercial greenhouses) including the following accessory uses: a) any barn, shed, building or structure required as part of the farm operation part b) sale of products grown or raised on the premises c) a farm-related occupation d) a second dwelling unit by	In conformity with the provisions of sub-section 6.4 In conformity with the provisions of sub-section 6.23 In conformity with the provisions of sub-sections 6.24, 6.25, 6.39
7.3.2	Residential Building – One Unit which may include: a) private home day care b) a home occupation or office, base or headquarters for	In conformity with the provisions of sub-section 6.18

	c) a hairdresser or barber d) bed and breakfast establishment	In conformity with the provisions of sub-section 6.27 In conformity with the provisions of sub-section 6.35
	A Secondary Dwelling Unit A Coach House	In conformity with the provisions of sub-section 6.39 In conformity with the provisions of sub-section 6.40
7.3.3	A Group Home Type 'A'	In conformity with the provisions of sub-section 6.30
7.3.4	A Veterinary Clinic or Office	
7.3.5	The raising, training or boarding of horses including Riding Stable or Riding Academy	
7.3.6	Accessory Uses a) buildings or structures accessory to the foregoing permitted uses b) accessory signs	In conformity with the provisions of sub-section 6.4 In conformity with the provisions of sub-section 6.16

7.4 RECOGNICIZED LOT – 13900 SQUARE METRES TO 4 HECTARES

Notwithstanding anything contained in the foregoing, any Recognized Lot which has a Minimum Lot Frontage of not less than 30 metres and which contains an area of not more than 4 hectares may be used for the permitted uses listed in Column 1 below in conformity with the applicable regulations contained in Section 6, entitled "General Regulations", and in conformity with the additional regulations for the specific uses listed in Column 2 below.

	<u>Column 1</u> <u>Permitted Uses</u>	<u>Column 2</u> <u>Regulation</u>
7.4.1	Farming (except sod farming, commercial greenhouses or any farming activity which includes the keeping or raising of animals or other livestock for commercial purposes except as specifically permitted below) including the following accessory uses: a) any barn, shed, building or structure required as part of the farm operation part b) sale of products grown or raised on the premises The foregoing permitted uses are not to be constructed to permit a farm-related occupation	In conformity with the provisions of sub-section 7.2 except for Minimum Lot Area and Minimum Frontage requirements In conformity with the provisions of sub-section 6.4
7.4.2	Residential Building – One Unit which may include: a) private home day care b) a home occupation or office, base or headquarters for c) bed and breakfast establishment A Secondary Dwelling Unit A Coach House	In conformity with the provisions of sub-section 7.2 except for Minimum Lot Area and Minimum Frontage requirements In conformity with the provisions of sub-section 6.18 In conformity with the provisions of sub-section 6.35 In conformity with the provisions of sub-section 6.39 In conformity with the provisions of sub-section 6.40

7.4.3	A Group Home Type 'A'	In conformity with the provisions for a Residential Building – One Unit of paragraph 7.4.2 and the provisions of sub-section 6.30
7.4.4	A Veterinary Clinic or Office	
7.4.5	The raising, training or boarding of horses	In conformity with the provisions of sub-sections 6.28 and 6.29
7.4.6	Accessory Uses a) buildings or structures accessory to the foregoing permitted uses b) accessory signs	In conformity with the provisions of sub-section 6.4 In conformity with the provisions of sub-section 6.16

7.5 RECOGNIZED LOT – 4 HECTARES TO 35 HECTARES

Notwithstanding anything contained in the foregoing, any Recognized Lot which has a Minimum Lot Frontage of not less than 30 metres and which contains an area of more than 4 hectares and area of not more than 35 hectares may be used for the permitted uses listed in Column 1 below in conformity with the applicable regulations contained in Section 6, entitled, "General Regulations", and in conformity with the additional regulations for the specific uses listed in Column 2 below.

	<u>Column 1</u> <u>Permitted Uses</u>	<u>Column 2</u> <u>Regulation</u>
7.5.1	Farming (except sod farming, commercial greenhouses) including the following accessory uses: a) any barn, shed, building or structure required as part of the farm operation b) sale of products grown or raised on the premises c) a farm-related occupation	In conformity with the provisions of sub-section 7.2 except for Minimum Lot Area and Minimum Frontage requirements In conformity with the provisions of sub-section 6.4 In conformity with the provisions of sub-section 6.23
7.5.2	Residential Building – One Unit which may include: a) private home day care b) a home occupation or office, base or headquarters for c) bed and breakfast establishment A Secondary Dwelling Unit A Coach House	In conformity with the provisions of sub-section 7.2 except for Minimum Lot Area and Minimum Frontage requirements In conformity with the provisions of sub-section 6.18 In conformity with the provisions of sub-section 6.35 In conformity with the provisions of sub-section 6.39 In conformity with the provisions of sub-section 6.40
7.5.3	A Group Home Type 'A'	In conformity with the provisions for a Residential Building – One Unit of paragraph 7.5.2 and the provisions of sub-section 6.30
7.5.4	A Veterinary Clinic or Office	
7.5.5	The raising, training or boarding of horses including Riding Stable or Riding Academy	
7.5.6	Accessory Uses a) buildings or structures accessory to the foregoing permitted uses b) accessory signs	In conformity with the provisions of sub-section 6.4 In conformity with the provisions of sub-section 6.16

SECTION 8: ZONE 2 – Z.2 and Zone 2a – Z.2a

8.1 PERMITTED USES

Within a Zone 2 - Z.2 or a Zone 2a - Z.2a, no land shall be used and no building or structure shall be erected or used except for one or more of the Permitted Uses in Column 1 below.

8.2 REGULATIONS

Within a Zone 2 - Z.2 or a Zone 2a - Z.2a, no land shall be used and no building or structure shall be erected or used except in conformity with the applicable regulations contained in Section 6 - "General Regulations" and the additional regulations for the specific uses listed in Column 2 below.

	<u>Column 1</u> <u>Permitted Uses</u>	<u>Column 2</u> <u>Regulations</u>
8.2.1	Residential Building – One Unit which may include: a) private home day care b) a home occupation or office, base or headquarters for c) bed and breakfast establishment A Secondary Dwelling Unit A Coach House	In conformity with the provisions of sub-section 8.3 In conformity with the provisions of sub-section 6.18 In conformity with the provisions of sub-section 6.35 In conformity with the provisions of sub-section 6.39 In conformity with the provisions of sub-section 6.40
8.2.2	A Group Home Type ‘A’	In conformity with the provisions for a Residential Building – One Unit of paragraph 8.3 and the provisions of sub-section 6.30
8.2.3	Accessory Uses a) buildings or structures accessory to the foregoing permitted uses	In conformity with the provisions of sub-section 6.4

8.3 MINIMUM LOT AREAS

		<u>Without Municipal Services</u>			Zone 4	Zone 4a	<u>With Municipal Services</u>			Zone 5	Zone 5a
		Zone 2	Zone 2a	Zone 3			Zone 4b	Zone 4c	Zone 4d		
8.3.1	Minimum Lot Area	0.8ha	0.4ha	2000m ²	700m ²	800m ²	580m ²	600m ²	350m ²	1000m ²	730m ²
8.3.2	Minimum Lot Width	60m	30m	30m	18m	18m	13m	16m	11m	24m	18m
	a) Interior Lot	45m	30m	18m	18m	18m	13m	16m	11m	24m	18m
	(Subdivision)										
	b) Corner Lot	60m	30m	30m	18m	18m	13m	16m	16m	24m	18m
	c) Lots on Cul-de-Sac,	30m	25m	23m	15m	15m	11m	14m	11m	20m	15m
Bulbs or Curved/Rounded Section of Street (Subdivision)											
8.3.3	Minimum Side Yard (each side)										
	a) 1 storey	3m	3m	1.8m	1.5m	1.5m	1.2m	1.2m	1.2m	1.2m	1.2m
	b) More than 1 storey	2.4m	2.4m	2.4m	2.4m	2.4m	1.8m	1.8m	1.2m	2.4m	1.8m

1. In any case, except for a Residential Building containing not more than two private dwelling units in the form of a Residential Building - Semi-Detached where the required off-street parking is to be provided in a rear yard, one side yard shall be increased to not less than 3 metres. In the case of a Residential Building containing not more than two private dwelling units in the form of a Residential Building - Semi-Detached, if the required off-street parking is to be provided in a rear yard shall be increased to not less than 3 metres. On a corner lot, a side yard requirement may be substituted for a rear yard requirement for all permitted uses except for a Residential Building containing not more than two private dwelling units in the form of a Residential Building - Semi-Detached.
2. In the case of twin dwelling (link) the minimum side yard shall be the same as a one storey established at 1.2 metres. All other housing forms greater than one storey shall remain at 1.8 metres.

		<u>Without Municipal Services</u>			Zone 4	Zone 4a	<u>With Municipal Services</u>			Zone 5	Zone 5a
		Zone 2	Zone 2a	Zone 3			Zone 4b	Zone 4c	Zone 4d		
8.3.4	Minimum Rear Yard	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m
8.3.5	Maximum Building Height - Main Building	10.5m	10.5m	10.5m	12m	12m	12m	12m	12m	12m	12m
8.3.6	Minimum Floor Areas a) 1 story	165m ²	100m ²	100m ²	100m ²	100m ²	90m ²	100m ²	100m ²	100m ²	90m ²
	b) 1 1/2 storey	200m ²	140m ²	125m ²	100m ²	100m ²	90m ²	100m ²	100m ²	100m ²	90m ²
	c) 2 or more stories	200m ²	160m ²	150m ²	100m ²	100m ²	90m ²	100m ²	100m ²	100m ²	90m ²
d) A minimum ground floor area of not less than 75 square meters shall be provided for Residential Buildings containing 1 ½ stories or more.											
8.3.7	All Accessory Buildings										
	a) Max. Floor Area *	3%	3%	4%	60m ²	60m ²	60m ²	60m ²	60m ²	60m ²	60m ²
	b) Max. Height	5.2m	5.2m	5.2m	5.2m	5.2m	5.2m	5.2m	5.0m	5.2m	5.2m

* The maximum floor area for accessory buildings for Zones 2, 2a and 3 are based on a percent of total lot coverage.

SECTION 9: ZONE 3 – Z.3

9.1 PERMITTED USES

Within a Zone 3 - Z.3, no land shall be used and no building or structure shall be erected or used except for one or more of the Permitted Uses in Column 1 below.

9.2 REGULATIONS

Within a Zone 3 - Z.3, no land shall be used and no building or structure shall be erected or used except in conformity with the applicable regulations contained in Section 6 - "General Regulations" and the additional regulations for the specific uses listed in Column 2 below.

	<u>Column 1</u> <u>Permitted Uses</u>	<u>Column 2</u> <u>Regulations</u>
9.2.1	Residential Building – One Unit which may include: a) private home day care b) a home occupation or office, base or headquarters for c) bed and breakfast establishment A Secondary Dwelling Unit A Coach House	In conformity with the provisions of sub-section 8.3 In conformity with the provisions of sub-section 6.18 In conformity with the provisions of sub-section 6.35 In conformity with the provisions of sub-section 6.39 In conformity with the provisions of sub-section 6.40
9.2.2	A Group Home Type ‘A’	In conformity with the provisions for a Residential Building – One Unit of paragraph 8.3 and the provisions of sub-section 6.30
9.2.3	Accessory Uses a) buildings or structures accessory to the foregoing permitted uses	In conformity with the provisions of sub-section 6.4 and sub-section 8.3

SECTION 10: ZONE 4 – Z.4, ZONE 4a – Z.4a, ZONE 4b – Z.4b,
ZONE 4c – Z.4c, and ZONE 4d – Z.4d

10.1 PERMITTED USES

Within a Zone 4 - Z.4, Zone 4a – Z.4a, Zone 4b – Z.4b, Zone 4c – Z.4c, and Zone 4D – Z.4d, no land shall be used and no building or structure shall be erected or used except for one or more of the Permitted Uses in Column 1 below.

10.2 REGULATIONS

Within a Zone 4 - Z.4, Zone 4a – Z.4a, Zone 4b – Z.4b, Zone 4c – Z.4c, and Zone 4D – Z.4d, no land shall be used and no building or structure shall be erected or used except in conformity with the applicable regulations contained in Section 6 - "General Regulations" and the additional regulations for the specific uses listed in Column 2 below.

	<u>Column 1</u> <u>Permitted Uses</u>	<u>Column 2</u> <u>Regulations</u>
10.2.1	Residential Building – One Unit which may include: a) private home day care b) a home occupation or office, base or headquarters for c) bed and breakfast establishment A Secondary Dwelling Unit A Coach House	In conformity with the provisions of sub-section 8.3 In conformity with the provisions of sub-section 6.18 In conformity with the provisions of sub-section 6.35 In conformity with the provisions of sub-section 6.39 In conformity with the provisions of sub-section 6.40
10.2.2	A Group Home Type ‘A’	In conformity with the provisions for a Residential Building – One Unit of paragraph 8.3 and the provisions of sub-section 6.30
10.2.3	Accessory Uses a) buildings or structures accessory to the foregoing permitted uses	In conformity with the provisions of sub-section 6.4 and sub-section 8.3

SECTION 11: ZONE 5 – Z.5, ZONE 5a – Z.5a

11.1 PERMITTED USES

Within a Zone 5 - Z.5, Zone 5a – Z.5a, no land shall be used and no building or structure shall be erected or used except for one or more of the Permitted Uses in Column 1 below.

11.2 REGULATIONS

Within a Zone 5 - Z.5, Zone 5a – Z.5a, no land shall be used and no building or structure shall be erected or used except in conformity with the applicable regulations contained in Section 6 - "General Regulations" and the additional regulations for the specific uses listed in Column 2 below.

	<u>Column 1</u> <u>Permitted Uses</u>	<u>Column 2</u> <u>Regulations</u>
11.2.1	Residential Building – One Unit which may include: a) private home day care b) a home occupation or office, base or headquarters for c) bed and breakfast establishment A Secondary Dwelling Unit A Coach House	In conformity with the provisions of sub-section 8.3 In conformity with the provisions of sub-section 6.18 In conformity with the provisions of sub-section 6.35 In conformity with the provisions of sub-section 6.39 In conformity with the provisions of sub-section 6.40
11.2.2	A Group Home Type ‘A’	In conformity with the provisions for a Residential Building – One Unit of paragraph 8.3 and the provisions of sub-section 6.30
11.2.3	Residential Building – Duplex which may include: a) a home occupation or office, base or headquarters for the occupant	In conformity with the provisions of sub-section 6.18
11.2.4	Residential Building – Semi-Detached may include: a) a home occupation or office, base or headquarters for the occupant	In conformity with the provisions of sub-section 6.18
11.2.5	Residential Building – Twin Dwelling (Link) may include: a home occupation or office, base or headquarters for the occupant	In conformity with the provisions of sub-section 6.18
11.2.6	Accessory Uses a) buildings or structures accessory to the foregoing permitted uses b) accessory signs	In conformity with the provisions of sub-section 6.4 In conformity with the provisions of sub-section 6.16

SECTION 12: ZONE 6 - Z.6

12.1 PERMITTED USES

Within a Zone 6 - Z.6, no land shall be used and no building or structure shall be erected or used except for one or more of the Permitted Uses listed in Column 1 below.

12.2 REGULATIONS

Within a Zone 6 - Z.6, no land shall be used and no building or structure shall be erected or used except in conformity with the applicable regulations contained in Section 6, "General Regulations" and the additional regulations for the specific uses listed in Column 2 below.

	<u>Column 1</u> <u>Permitted Uses</u>	<u>Column 2</u> <u>Regulation</u>
12.2.1	Retail or Wholesale Commercial Establishment including the Sale or Service of Motor Vehicles	In conformity with the provisions of sub-sections 12.3.1a) and 13.3
12.2.2	Office	In conformity with the provisions of sub-section 13.3
12.2.3	Financial Institutional	In conformity with the provisions of sub-sections 12.3.1 and 13.3
12.2.4	Hotel	In conformity with the provisions of sub-section 6.19
12.2.5	Tavern	In conformity with the provisions of sub-section 13.3
12.2.6	Service Club or Fraternal Organization	In conformity with the provisions of sub-section 13.3
12.2.7	Commercial or Trade School	In conformity with the provisions of sub-section 13.3
12.2.8	Dwelling Units - to the rear of a permitted commercial use	In conformity with the provisions of sub-sections 12.3.2
12.2.9	Parking Lot	In conformity with the provisions of sub-section 13.3
12.2.10	Restaurant or Place for Dispensing Refreshment to the public including Drive-In or Take-Out	In conformity with the provisions of sub-section 13.3
12.2.11	Laundromat or Dry Cleaning Establishment	In conformity with the provisions of sub-section 12.3.1 and 13.3
12.2.12	Hairdresser or Barber	In conformity with the provisions of sub-section 13.3
12.2.13	Clinic or Laboratory	In conformity with the provisions of sub-section 13.3
12.2.14	Commercial Printing or Office Services	In conformity with the provisions of sub-section 13.3
12.2.15	Studio	In conformity with the provisions of sub-section 13.3
12.2.16	Repair Shop	In conformity with the provisions of sub-section 13.3
12.2.17	Commercial Entertainment and Recreation Establishment within an Enclosed Building	In conformity with the provisions of sub-section 13.3
12.2.18	Day Nursery	In conformity with the provisions of sub-section 13.3
12.2.19	Funeral Home	In conformity with the provisions of sub-section 13.3
12.2.20	Church	In conformity with the provisions of sub-section 13.3
12.2.21	Dwelling Unit – above a permitted commercial use with street floor frontage	In conformity with the provisions of sub-section 12.3.2
12.2.22	Showroom or Wholesale Outlet	In conformity with the provisions of sub-section 13.3
12.2.23	Bed and Breakfast Establishment	In conformity with the provisions of sub-section 6.35
12.2.24	Accessory Uses a) Accessory buildings or structures accessory to the foregoing permitted uses b) Accessory signs	In conformity with the provisions of sub-section 6.4 In conformity with the provisions of sub-section 6/16

12.3 ADDITIONAL REGULATIONS

12.3.1 Permitted uses shall be conducted entirely within an enclosed building except that:

- a) outdoor display and sale of new or used motor vehicles or farm equipment is permitted so long as all such display or sales areas are to the rear of all building lines established by this By-law;
- b) provision may be made for a “Drive In” bank, laundry or cleaner provided that access to and exit from the lot is so arranged so as not to interfere with the safe movement of automotive or pedestrian traffic on the lot and on the abutting streets.

12.3.2 The following regulations shall apply to dwelling units situated to the rear, or above of, a permitted commercial use:

- a) that the building conforms to the requirements of all other by-laws of the municipality;
- b) that each residential dwelling unit created shall be fully self-contained and shall have a minimum floor area of 70 square meters (750 square feet);
- c) that each residential dwelling unit shall have a direct access to a public street by means of halls or stairs;
- d) that there shall be no exterior stairways except open metal fire escapes which shall be located only in a rear or side yard.

SECTION 13: ZONE 7 - Z.7

13.1 PERMITTED USES

Within a Zone 7 - Z.7, no land shall be used and no building or structure shall be erected or used except for one or more of the Permitted Uses listed in Column 1 below.

13.2 REGULATIONS

Within a Zone 7 - Z.7, no land shall be used and no building or structure shall be erected or used except in conformity with the applicable regulations contained in Section 6, "General Regulations", and the additional regulations for the specific uses listed in Column 2 below.

	<u>Column 1</u> <u>Permitted Uses</u>	<u>Column 2</u> <u>Regulations</u>
13.2.1	Retail Food Store which shall not include the processing or manufacturing of any product or ingredient	In conformity with the provisions of sub-section 13.3
13.2.2	Drug Store or Pharmacy	In conformity with the provisions of sub-section 13.3
13.2.3	Restaurant or Place for Dispensing Refreshment to the Public including Drive-In or Take-Out	In conformity with the provisions of sub-section 13.3
13.2.4	Hardware Store	In conformity with the provisions of sub-section 13.3
13.2.5	Tobacco or Magazine Store	In conformity with the provisions of sub-section 13.3
13.2.6	Shoe Repair and/or Retail Shoe Store	In conformity with the provisions of sub-section 13.3
13.2.7	Hairdresser or Barber	In conformity with the provisions of sub-section 13.3
13.2.8	Clothing or Dry Goods Store	In conformity with the provisions of sub-section 13.3
13.2.9	Bank, Post Office, Travel Agency or Ticket Office	In conformity with the provisions of sub-section 13.3
13.2.10	Bookstore, Stationery Store or Lending Library	In conformity with the provisions of sub-section 13.3
13.2.11	Office of any Professional Service such as Dentist, Doctor, Lawyer, Surveyor or Consultant to any of the Professions	In conformity with the provisions of sub-section 13.3
13.2.12	Real Estate Office	In conformity with the provisions of sub-section 13.3
13.2.13	Retail Florist or Nursery	In conformity with the provisions of sub-section 13.3
13.2.14	Automobile Service Station which shall not include the sale of automobiles new or used	In conformity with the provisions of sub-section 13.3
13.2.15	Bowling Alley, Community Hall or Theatre but not a Dance Hall operated for profit	In conformity with the provisions of sub-section 13.3

13.2.16	Residential Buildings existing at the time of the passing of this By-law	In conformity with the provisions of sub-section 13.3
13.2.17	Any Use Permitted in a Zone 3 – Z.3	In conformity with the provisions of sub-section 13.3
13.2.18	Dwelling Units Situated Above a Permitted Use or at Ground Level and Attached to a Permitted Use	In conformity with the provisions of sub-section 13.3.9
13.2.19	Accessory Uses a) Accessory buildings or structures accessory to the foregoing permitted uses b) Accessory signs	In conformity with the provisions of sub-section 6.4 In conformity with the provisions of sub-section 6.16

13.3 ADDITIONAL REGULATIONS

13.3.1	No buildings or structures shall be erected in a Zone 6 – Z.6 or a Zone 7 - Z.7 within 3 metres (10 feet) of the limit of any Zone 2, 2a, 3, 4, 4a or 5.	
13.3.2	Buffer Strips	In conformity with the provisions of sub-section 6.15 where a Zone 6 or Zone 7 abuts any Zone 2, 2a, 3, 4, 4a or 5
13.3.3	Minimum Lot Area	The area of the existing lot
13.3.4	Minimum Lot Frontage	The frontage of the existing lot
13.3.5	Maximum Building Height – Main Building	13.5 metres (44 feet)
13.3.6	Off-Street Parking and Off-Street Loading	In conformity with the provisions of sub-section 6.11, 6.12, 6.13
13.3.7	Minimum Rear Yard	7.5 metres (25 feet)
13.3.8	Enclosed Buildings	The operation of every commercial use permitted in a Zone 6 – Z.6 and Zone 7 – Z.7 except designated parking lots shall be conducted entirely within an enclosed building or structure without any “curb service” or similar activity and there shall be no outdoor storage or display of goods or material
13.3.9	<p>Dwelling units may be situated above a permitted use (except an automobile service station or repair garage) and not more than one dwelling unit may be situated at ground level and attached to a permitted use.</p> <p>Each such dwelling unit shall be in conformity with the following:</p> <ul style="list-style-type: none"> a) That the building conforms to the requirements of all other by-laws of the municipality b) That each residential dwelling unit created shall be fully self-contained and shall have a floor area of not less than 70 square metres (750 square feet) c) That each residential dwelling unit shall have a direct means of access to a public street by means of hall or stairs d) That there shall be no exterior stairways except open metal fire escapes which shall be located only in a rear or side yard 	

SECTION 14: ZONE 8 - Z.8

14.1 PERMITTED USES

Within a Zone 8 - Z.8, no land shall be used and no building or structure shall be erected or used except for one or more of the Permitted Uses in Column 1 below.

14.2 REGULATIONS

Within a Zone 8 - Z.8, no land shall be used and no building or structure shall be erected or used except in conformity with the applicable regulations contained in Section 6, "General Regulations" and the additional regulations for the specific uses listed in Column 2 below.

	<u>Column 1</u> <u>Permitted Use</u>	<u>Column 2</u> <u>Regulations</u>
14.2.1	Automobile Service Station	In conformity with the provisions of sub-section 14.3
14.2.2	Facility for Dispensing Motor Vehicle Fuels (Gas Bar)	In conformity with the provisions of sub-section 14.3
14.2.3	Accessory Uses a) Accessory buildings or structures accessory to the foregoing permitted use b) Accessory signs	In conformity with the provisions of sub-section 6.4 In conformity with the provisions of sub-section 6.16 and 14.3
14.3	ADDITIONAL REGULATIONS	
14.3.1	Minimum Lot Area	2000 square metres (21,528 square feet) or the area of a recognized lot
14.3.2	Minimum Lot Width a) Interior Lot b) Corner Lot	30 metres (100 feet) 45 metres (150 feet)
14.3.3	Minimum Side Yard (each side)	6 metres (20 feet)
14.3.4	Minimum Flankage Yard	15 metres (50 feet)
14.3.5	Minimum Rear Yard	7.5 metres (25 feet)
14.3.6	Service Pumps: Service pumps shall not be located closer than 4.5 metres (15 feet) to any street line nor within a radius of 15 metres (50 feet) of the corner of intersecting streets	
14.3.7	Storage Tanks: Storage tanks for gasoline shall be underground and shall not be placed closer than 4.5 metres (15 feet) to a street line, side lot line or rear lot line.	
14.3.8	Off-Street Parking and Off-Street Loading a) Off-street parking and off-street loading shall be provided in conformity with the provisions of sub-sections 6.11, 6.12 and 6.13. b) Notwithstanding anything contained in this By-law, the parking area in the front and flankage yards in a Zone 8 - Z.8 may extend to a point not closer than 7.5 metres (25 feet) to the street line.	
14.3.9	Buffer Strips A buffer strip in conformity with the provisions of sub-section 6.15 shall be provided along	

	lot lines which abut any Zone 2, 2a, 3, 4, 4a or 5.
14.3.10	<p>Outdoor Storage</p> <p>No discarded automotive parts or equipment or permanently disabled or wrecked vehicles or trash shall be stored outside the service station building except within areas shielded from the public view by a solid wall or fence having a minimum height of 1.8 metres (6 feet) and provided such storage does not constitute a private or public nuisance.</p>
14.3.11	<p>Surfaces</p> <p>The surface of all entrances, driveways, service areas, off-street parking and off-street loading areas, if not paved, shall be properly levelled, drained and treated and maintained to the satisfaction of the municipality to prevent the escape of dust.</p>
14.3.12	<p>Merchandising</p> <p>All new and use merchandise including vending equipment shall be stored and displayed within the service station or screened patio, except batteries, tires, accessories and lubrication items which are maintained in movable or enclosable display cases or stands.</p>
14.3.13	<p>Signs</p> <p>One identification sign on a standard may be located between the street line and the building line setback on each street frontage.</p>
14.3.14	<p>Dwelling Units as Accessory Use</p> <p>No dwelling unit shall be permitted as an accessory use to an Automobile Service Station or a Public Garage in any zone.</p>

SECTION 15: ZONE 9 - Z.9

15.1 PERMITTED USES

Within a Zone 9 - Z.9, no land shall be used and no building or structure shall be erected or used except for one or more of the Permitted Uses listed in Column 1 below.

15.2 REGULATIONS

Within a Zone 9 - Z.9, no land shall be used and no building or structure shall be erected or used except in conformity with the applicable Regulations contained in Section 6, "General Regulations" and the additional regulations for the specific uses listed in Column 2 below.

	<u>Column 1</u> <u>Permitted Uses</u>	<u>Column 2</u> <u>Regulations</u>
15.2.1	Any light to medium industrial use providing light to medium scale processing, manufacturing, packaging, assembly, production, fabrication, warehousing, testing, treating, storage of goods / products, or finishing, and having minimal adverse effects for nearby sensitive land uses. In connection with any of the above permitted uses, a retail or wholesale outlet or showroom may be established as any accessory use so long as such outlet is located within the main building and does not occupy an area exceeding 25% of an area of the ground floor of the main building. Such outlet or showroom shall only display or offer for sale products manufactured, fabricated or processed on the premises.	In conformity with the provisions of sub-section 15.3
15.2.2	Distributing or Transportation Operation	In conformity with the provisions of sub-section 15.3
15.2.3	Veterinary Clinic or Office	In conformity with the provisions of sub-section 15.3
15.2.4	Contractor, Building Supplies Dealer/ Outlet or Sawmill	In conformity with the provisions of sub-section 15.3
15.2.5	Automobile Service Station	In conformity with the provisions of sub-section 15.3
15.2.6	Farm Equipment Sales and Service	In conformity with the provisions of sub-section 15.3
15.2.7	Warehousing or Indoor Storage	In conformity with the provisions of sub-section 15.3
15.2.8	Wholesale Outlet or Showroom	In conformity with the provisions of sub-section 15.3
15.2.9	Bank, Restaurant or Catering Service	In conformity with the provisions of sub-section 15.3
15.2.10	Parking Lot or Garage Public	In conformity with the provisions of sub-section 15.3
15.2.11	Service or Repair Enterprise	In conformity with the provisions of sub-section 15.3
15.2.12	Office or Office Building	In conformity with the provisions of sub-section 15.3
15.2.13	Commercial Printing or Laundry	In conformity with the provisions of sub-section 15.3
15.2.14	Car Washing Establishment	In conformity with the provisions of sub-section 15.3
15.2.15	Club or Amusement Enterprise, Lodge or Recreation Use	In conformity with the provisions of sub-section 15.3
15.2.16	Hotel or Motel	In conformity with the provisions of sub-section 15.3

15.2.17	Trucking or Transportation Enterprise or Terminal	In conformity with the provisions of sub-section 15.3
15.2.18	Sales or Servicing of Motor Vehicles or Machinery	In conformity with the provisions of sub-section 15.3
15.2.19	Boat, Bus, and Trailer Display, Service and Storage	In conformity with the provisions of sub-section 15.3
15.2.20	Funeral Home	In conformity with the provisions of sub-section 15.3
15.2.21	Theatre or Bowling Alley	In conformity with the provisions of sub-section 15.3
15.2.22	Storage and Display of Manufactures Modular or Prefabricated Buildings	In conformity with the provisions of sub-section 15.3
15.2.23	Storage, Sale and Supply of Livestock Equipment (excluding animals)	In conformity with the provisions of sub-section 15.3
15.2.24	Storage, Sale and Supply of Poultry Equipment (excluding animals/ birds)	In conformity with the provisions of sub-section 15.3
15.2.25	Accessory Uses a) Accessory buildings or structures b) Accessory signs	In conformity with the provisions of sub-section 6.4 In conformity with the provisions of sub-section 6.16
15.2.26	<p>The foregoing permitted uses are not to be construed to permit:</p> <p>a) a use designated as an offensive trade, business or manufacture by the Public Health Act, R.S.O. 1980, as amended;</p> <p>b) a use which is or may become obnoxious, offensive or dangerous by reasons of the presence, emission or production in any manner of odour, dust, smoke, noise, fumes, vibration, refuse matter or water-carried wastes;</p> <p>c) use which would require for its operation a standard of services (particularly water supply and waste disposal) which the municipality is unable or unwilling to provide;</p> <p>d) the recycling of animal, oil or waste products, a rendering plant, abattoir or slaughter house.</p>	

15.3 ADDITIONAL REGULATIONS

15.3.1	Minimum Lot Area a) With municipal water and sewer b) Without municipal water and sewer	1390 square metres or the area of a recognized lot 2000 square metres or the area of a recognized lot
15.3.2	Minimum Lot Width a) With municipal water and sewer b) Without municipal water and sewer	22 metres or the width of a recognized lot 30 metres or the width of a recognized lot
15.3.3	Minimum Side Yard (each side)	Equal to one-half building height but in no case less than 3 metres. On any yard that abuts a Zone 2, 2a, 3, 4, 4a or 5, the minimum side yard shall be 7.5 metres
15.3.4	Minimum Flankage Yard	7.5 metres
15.3.5	Minimum Rear Yard a) where any rear yard abuts a railway or right-of-way and/or an Ontario Hydro right-of-way, no rear yard is required b) in any case where a side or rear yard abuts a Zone 2, 2a, 3, 4, 4a or 5, no building, structure, outdoor storage or parking area shall be permitted within 4.5 metres of the side or rear lot lines	7.5 metres
15.3.6	Maximum Lot Coverage	Fifty percent (50%) of total lot area
15.3.7	Maximum Building Height	13.5 metres (44 feet)
15.3.8	Off-Street Parking and Off-Street Loading	In conformity with the provisions of sub-sections 6.11, 6.12, 6.13
15.3.9	Buffer Strips A buffer strip in conformity with the provisions of sub-section 6.15 shall be provided along all lot lines which abut any Zone 2, 2a, 3, 4, 4a, 4b, 4c, 4d, 5, 5a, 6 or 7.	
15.3.10	Outdoor Storage a) shall not be permitted between the front wall of the main building and the street line; b) shall not be permitted in any required side yard; c) all outdoor storage areas shall be screened by a wall, fence or planting so that such storage space is not visible from any street; d) notwithstanding the aforementioned, outdoor display and sale of new or used motor vehicles or farm equipment is permitted so long as all such display or sales area are to the rear of all building lines established by this By-law.	
15.3.11	Main and Accessory Buildings Notwithstanding any other provisions of this By-law, more than one main building and an accessory building or buildings shall be permitted on any lot in this zone.	
15.3.12	Gasoline Pumps as Accessory Use Notwithstanding anything contained in this By-law, gasoline pumps may be installed by a trucking or transportation enterprise as an accessory use only. However, no gasoline or diesel fuels shall be permitted to be sold or resold on the premises of such trucking or transportation enterprise.	
15.3.13	Parking in Flankage Yard	

	<p>Notwithstanding anything contained in this By-law, off-street parking spaces may be provided in the front or flankage yards of a corner lot in this zone in accordance with the following regulations:</p> <ul style="list-style-type: none"> a) that a buffer strip of flowers, grass or shrubs with a minimum width of 1.5 metres (5 feet) shall be provided and maintained along and abutting the street except at the location of the ingress and egress ramps; b) that a minimum distance between such ramps shall be 21 metres (68.9 feet); and, c) that on a corner lot, no such ramps shall be situated closer than 9 metres (25.5 feet) to the intersection of the front and flankage lot lines
15.3.14	<p>Farm Building</p> <p>Notwithstanding any other provisions of this By-law, Farm Buildings are prohibited in any Zone 9,10, or 11 designation.</p>
15.3.15	<p>Notwithstanding any other provisions of this By-law, Quonset Huts are prohibited in any Zone 9,10, or 11 designation.</p>

SECTION 16: ZONE 10 - Z.10

16.1 PERMITTED USES

Within a Zone 10 - Z.10, no land shall be used and no building or structure shall be erected or used except for one or more of the Permitted Uses listed in Column 1 below.

16.2 REGULATIONS

Within a Zone 10 - Z.10, no land shall be used and no building or structure shall be erected or used except in conformity with the applicable regulations contained in Section 6, "General Regulations" and the additional regulations for the specific uses listed in Column 2 below.

	<u>Column 1</u> <u>Permitted Uses</u>	<u>Column 2</u> <u>Regulations</u>
16.2.1	<p>Any light to medium industrial use providing light to medium scale processing, manufacturing, packaging, assembly, production, fabrication, warehousing, testing, treating, storage of goods / products, or finishing, and having minimal adverse effects for nearby sensitive land uses.</p> <p>In connection with any of the above permitted uses, a retail or wholesale outlet or showroom may be established as an accessory use so long as such outlet is located within the main building and does not occupy an area exceeding 25% of the area of the ground floor of the main building. Such outlet or showroom shall only display or offer for sale products manufactured, fabricated or processed on the premises.</p>	In conformity with the provisions of sub-section 15.3
16.2.2	Service or Repair Enterprise but not including an Automobile Service Station or Repair Garage	In conformity with the provisions of sub-section 15.3
16.2.3	Warehousing for the storage and distribution of goods and materials and wholesale uses which are contained within wholly enclosed structures. A transport terminal for the loading or unloading of goods and materials from transport vehicles is NOT permitted.	In conformity with the provisions of sub-section 15.3
16.2.4	Commercial Printing Establishment	In conformity with the provisions of sub-section 15.3
16.2.5	Accessory Uses a) Accessory buildings or structures b) Accessory signs	In conformity with the provisions of sub-section 6.4 In conformity with the provisions of sub-section 6.16

16.2.6	<p>The foregoing permitted uses are not to be construed to permit:</p> <ul style="list-style-type: none"> a) a use designated as an offensive trade, business or manufacture by The Public Health Act, R.S.O. 1980, as amended; b) a use which is or may become obnoxious, offensive or dangerous by reasons of the presence, emission or production in any manner of odour, dust, smoke, noise, fumes, vibration, refuse matter or water-carried wastes; c) a use which would require for its operation a standard of services (particularly water supply and waste disposal) which the municipality is unable or unwilling to provide; d) the recycling of animals oil or waste products, a rendering plant, abattoir or slaughter house.
--------	---

SECTION 17: ZONE 11 - Z.11

17.1 PERMITTED USES

Within a Zone 11 - Z.11, no land shall be used and no building or structure shall be erected or used except for one or more of the Permitted Uses listed in Column 1 below.

17.2 REGULATIONS

Within a Zone 11 - Z.11, no land shall be used and no building or structure shall be erected or used except in conformity with the applicable regulations contained in Section 6, "General Regulations" and the additional regulations for the specific uses listed in Column 2 below.

	<u>Column 1</u> <u>Permitted Uses</u>	<u>Column 2</u> <u>Regulations</u>
17.2.1	<p>Any permitted use as listed in Zone 9 (Section 15.2.1 to 15.2.26 inclusive) <u>and</u> any industrial use providing large scale processing, manufacturing, packaging, assembly, production, fabrication, testing, warehousing, stamping, treating, storage of goods/ products, or finishing, characterized by large physical size, production volumes and intensity of use.</p> <p>In connection with any of the above permitted uses, a retail or wholesale outlet or showroom may be established as an accessory use so long as such outlet is located within the main building and does not occupy an area exceeding 25% of the area of the ground floor of the main building. Such outlet or showroom shall only display or offer for sale products manufactured, fabricated or processed on the premises.</p>	In conformity with the provisions of sub-section 15.3
17.2.2	Batching Plant, Temporary Asphalt Plant, Portable	In conformity with the provisions of sub-section 15.3
17.2.3	Fertilizer Manufacture, Mixing or Storage	In conformity with the provisions of sub-section 15.3
17.2.4	Existing Auction Centre	
17.2.5	Existing Cement Batching Plant	
17.2.6	Restaurant or Place for Dispensing Refreshment to the Public including Drive-In or Take-Out	
17.2.7	<p>Accessory Uses</p> <p>a) Accessory buildings or structures</p> <p>b) Accessory signs</p>	<p>In conformity with the provisions of sub-section 6.4</p> <p>In conformity with the provisions of sub-section 6.16</p>

17.2.8	<p>The foregoing permitted uses are not to be construed to permit:</p> <ul style="list-style-type: none"> a) a use designated as an offensive trade, business or manufacture by The Public Health Act, R.S.O. 1980, as amended; b) a use which is or may become obnoxious, offensive or dangerous by reasons of the presence, emission or production in any manner of odour, dust, smoke, noise, fumes, vibration, refuse matter or water-carried wastes; c) a use which would require for its operation a standard of services (particularly water supply and waste disposal) which the municipality is unable or unwilling to provide; d) the recycling of animals oil or waste products, a rendering plant, abattoir or slaughter house.
--------	---

SECTION 18: ZONE 12 - Z.12

18.1 PERMITTED USES

Within a Zone 12 - Z.12, no land shall be used and no building or structure shall be erected or used except for one or more of the Permitted Uses listed in Column 1 below.

18.2 REGULATIONS

Within a Zone 12 - Z.12, no land shall be used and no building or structure shall be erected or used except in conformity with the applicable regulations contained in Section 6, "General Regulations" and the additional regulations for the specific uses listed in Column 2 below.

<u>Column 1</u> <u>Permitted Uses</u>	<u>Column 2</u> <u>Regulations</u>
18.2.1 Public Park	In conformity with the provisions of sub-section 18.3
18.2.2 Public Playground	In conformity with the provisions of sub-section 18.3
18.2.3 Public Conservation Area	In conformity with the provisions of sub-section 18.3
18.2.4 Public Recreation Area	In conformity with the provisions of sub-section 18.3
18.2.5 Arboretum	In conformity with the provisions of sub-section 18.3
18.2.6 Wildlife Sanctuary	In conformity with the provisions of sub-section 18.3
18.2.7 Farming	In conformity with the provisions of sub-section 18.3
18.2.8 Accessory Uses	
a) buildings or structures accessory to the foregoing permitted uses	In conformity with the provisions of sub-section 18.3
b) accessory signs	In conformity with the provisions of sub-section 6.16

18.3 ADDITIONAL REGULATIONS

18.3.1 Off-street parking shall be provided in conformity with the provisions of sub-sections 6.11 and 6.13.

18.3.2 No buildings or structures shall be erected on any lands within a Zone 12 - Z.12.

SECTION 18A: ZONE 12A - Z.12A

Section 18A: ENVIRONMENTAL PROTECTION ONE (EP1) 12A – 12A

Explanatory Note: Zone 12A – Z.12A applies to lands that are within:

- Environmental Preservation Areas, Provincially Significant Wetland Areas, Natural Heritage buffers established through an Environmental Impact Statement, or Natural Hazards.

The zone limits for the Environmental Protection One (EP1) may be refined, and minor areas added or deleted without amendment to the Township's Zoning By-law. The location of an amended boundary will be determined through an Environmental Impact Statement and/or through consultation with the applicable agency, including the Region of Waterloo and the Grand River Conservation Authority.

18A.1 PERMITTED USES

Within a Zone 12A – Z.12A, no land shall be used and no building or structure shall be erected or used except in accordance with the following uses:

- a farm on existing cleared areas, excluding new farm buildings, structures and accessory dwellings. Notwithstanding this clause, a farm accessory structure may be permitted in the floodplain provided a permit is obtained from the Grand River Conservation Authority under The Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses, Ontario Regulation 150/06 (an any amendments thereto);
- municipal services and public utilities, excluding essential emergency services such as: police, fire and ambulance
- wildlife management area
- forest management area
- buildings or structures intended for erosion control, normally operated and maintained by a public authority

18A.2 EXISTING USES TO CONTINUE

Where a building or structure and/or land use that legally existed at the date of the passing of this By-law, such buildings and lands may continue to be used for the same purposes, but may not be reconstructed, except in circumstances outlined below. Expansions to an existing use as described herein may be permitted subject to the approval of the Township and the Grand River Conservation Authority. Buildings or structures existing on the date of the passage of this By-law within the Environmental Protection One (EP1) 12A- Z. 12A shall be recognized as legal non-conforming.

Where an existing use, building or structure is destroyed by fire, flood, or any act of God, such building or structure may be restored and reconstructed to the same dimensions/footprint and on the same lot provided the yard depths existing at the time prior to the destruction are maintained or are not reduced to a depth less than required by the Township's Zoning By-law, provided that a building permit for such restoration or reconstruction, is issued within one year of the date of destruction, subject to the approval by the Township of North Dumfries and the Grand River Conservation Authority. The Township and the Grand River Conservation Authority may consider an alternate

location for the use, building or structure if the alternate location reduces the impact on the natural heritage features and functions or natural hazard risks.

18A.3 RESTRICTED USES

Without expanding the permitted uses, or limiting the restricted uses, the following uses shall specifically not be permitted:

- no new development or redevelopment is permitted within: the significant portion of the habitat in the Environmental Protection Area, Provincially Significant Wetlands, or areas susceptible to Natural Hazards;
- institutional uses such as hospitals, nursing homes, senior citizens residences, schools, day care centres, residential care facilities;
- any manufacturing use or storage of dangerous, flammable, explosive, toxic, corrosive, or buoyant materials;
- major expansions or increase in habitable units to existing residential uses will be required to meet the Provincial requirements for Safe Access and Egress by emergency vehicles;
- essential services such as police, fire, ambulance, major electrical substations;
- private sewage disposal systems (both primary and alternate systems locations).

GLOSSARY:

Adjacent – those lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area.

Buffers – an area adjacent to a natural heritage feature that has been identified through an Environmental Impact Statement as integral to the form and function of the natural heritage feature.

Conservation Area – a place designated by the Ministry of Natural Resources as environmentally sensitive and includes any area owned by a Conservation Authority.

Environmental Impact Statement – a study prepared in accordance with established procedures to refine the boundaries of elements of the Natural Habitat Network, identify the potential impacts of a development application on such elements, and recommend a means of preventing or minimizing these impacts through avoidance or mitigation. As defined in ROPP Glossary.

Environmental Preservation Areas - include those lands which may be identified for protection as the significant portions of habitat of Endangered Species; and/or the significant portions of habitat of Threatened Species. As defined in Regional Official Policies Plan (ROPP) (Section 4.2).

Environmentally Sensitive Policy Area – as identified in the ROPP (Section 4.3) and the Township of North Dumfries Official Plan (Section 6.1.4 and Map No. 6A)

Fish Habitat – the spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend or indirectly in order to carry out their life processes. As identified in the Township of North Dumfries Official Plan (Section 6.1.5)

Forest Management Area – an area subject to the management of trees, woodlots and forests for the sustainable production and harvesting of wood and wood products, excluding the associated structures and new or improved access/egress routes.

Locally Significant Natural Areas - as identified in the Township of North Dumfries Official Plan (Section 6.1.8 and Map No. 6B)

Natural Hazards - lands having physical and environmental constraints such as: steep slopes, flood susceptibility, organic soils, erosion susceptibility, permanent water holding areas, other geophysical limitations, and all of their associated buffers and setbacks, which place limitations on development, as identified in the Township of North Dumfries Official Plan (Section 6.2 and Map No. 6C).

Wildlife Management Area – an area of land in which one or more wildlife species are protected or given sanctuary.

SECTION 18B: ZONE 12B – 12B

Section 18B: ENVIRONMENTAL PROTECTION TWO (EP2) 12B – 12B

Explanatory Note: Zone 12B – Z.12B classification applies to lands that are:

- Sensitive Groundwater Areas, Recharge Areas, Discharge Areas, Headwaters, Environmentally Sensitive Policy Areas, Locally Significant Natural Areas, Fish Habitat, Woodlands, Valleylands, Wildlife Habitat, ANSI's, wetlands identified by the Grand River Conservation Authority.

Where mapping is available, these features have been identified as Environmental Protection Two (EP2) 12B – Z. 12B. Development or redevelopment proposed within, contiguous or adjacent to these features requires the completion of an Environmental Impact Statement to the satisfaction of the Region of Waterloo, the Grand River Conservation Authority, and the Township of North Dumfries.

The zone limits for the Environmental Protection Two (EP2) 12B- Z. 12B may be refined, and minor areas added or deleted without amendment to the Zoning By-law. The location of an amended boundary will be determined through an Environmental Impact Statement and/or through consultation with the applicable agency, including the Region of Waterloo and the Grand River Conservation Authority.

Any new development or redevelopment proposed on the above-mentioned lands is subject to any provisions outlined in a completed Environmental Impact Statement to the satisfaction of the Region of Waterloo, the Grand River Conservation Authority and the Township of North Dumfries.

18B.1 PERMITTED USES

Within a Zone 12B – Z.12B, no land shall be used and no building or structure shall be erected or used except in accordance with the following uses:

- conservation area
- forest management area
- a farm on existing cleared areas, excluding farm buildings, structures and accessory buildings
- existing recreational trails
- existing public works and utility facilities
- legal non-conforming uses
- wildlife management area

18B.2 EXISTING USES TO CONTINUE

Expansions to an existing use as described herein may be permitted subject to the approval of the Township and the Grand River Conservation Authority.

Where an existing use, building or structure is destroyed by fire, flood, or any act of God, such building or structure may be restored and reconstructed to the same dimensions/footprint and on

the same lot provided the yard depths existing at the time prior to the destruction are maintained or are not reduced to a depth less than required by the Township's Zoning By-law, provided that a building permit for such restoration or reconstruction, is issued within one year of the date of destruction, subject to the approval by the Township of North Dumfries and the Grand River Conservation Authority. The Township and the Grand River Conservation Authority may consider an alternate location for the use, building or structure if the alternate location reduces the impact on the natural heritage features and functions or natural hazard risks.

18B.3 RESTRICTED USES

Without expanding the permitted uses, or limiting the restricted uses, the following uses shall specifically not be permitted:

- new development or redevelopment is not permitted within areas identified as significant through a technical study associated with the following features: Sensitive Groundwater Areas, Recharge Areas, Discharge Areas, Headwaters, Environmentally Sensitive Policy Areas, Locally Significant Natural Areas, Fish Habitat, Woodlands, Valleylands, Wildlife Habitat, ANSI's, wetlands identified by the GRCA;
- private sewage disposal systems (both primary and alternate systems locations).

GLOSSARY:

Adjacent – those lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area.

Buffers – an area adjacent to a natural heritage feature that has been identified through an Environmental Impact Statement as integral to the form and function of the natural heritage feature.

Conservation Area – a place designated by the Ministry of Natural Resources as environmentally sensitive and includes any area owned by a Conservation Authority.

Environmental Impact Statement – a study prepared in accordance with established procedures to refine the boundaries of elements of the Natural Habitat Network, identify the potential impacts of a development application on such elements, and recommend a means of preventing or minimizing these impacts through avoidance or mitigation. As defined in ROPP Glossary.

Environmental Preservation Areas - include those lands which may be identified for protection as the significant portions of habitat of Endangered Species; and/or the significant portions of habitat of Threatened Species. As defined in Regional Official Policies Plan (ROPP) (Section 4.2).

Environmentally Sensitive Policy Area – as identified in the ROPP (Section 4.3) and the Township of North Dumfries Official Plan (Section 6.1.4 and Map No. 6A)

Fish Habitat – the spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend or indirectly in order to carry out their life processes. As identified in the Township of North Dumfries Official Plan (Section 6.1.5)

Forest Management Area – an area subject to the management of trees, woodlots and forests for the sustainable production and harvesting of wood and wood products, excluding the associated structures and new or improved access/egress routes.

Locally Significant Natural Areas - as identified in the Township of North Dumfries Official Plan (Section 6.1.8 and Map No. 6B)

Natural Hazards - lands having physical and environmental constraints such as: steep slopes, flood susceptibility, organic soils, erosion susceptibility, permanent water holding areas, other geophysical limitations, and all of their associated buffers and setbacks, which place limitations on development, as identified in the Township of North Dumfries Official Plan (Section 6.2 and Map No. 6C).

Wildlife Management Area – an area of land in which one or more wildlife species are protected or given sanctuary.

SECTION 18C: ZONE 12C – 12C

SECTION 18C: ADJACENT LANDS OVERLAY 12C – Z.12C

Explanatory Note: Zone 12C- Z.12C is an overlay that is intended to apply to areas surrounding the following natural heritage features and environmental resources. The following lands and descriptors will be identified with an overlay and subject to the provisions of the Township's Zoning by-law:

- Lands contiguous to Sensitive Groundwater Areas, Recharge Areas, Discharge Areas, Headwaters;
- Lands contiguous to an Environmentally Sensitive Policy Area;
- Lands contiguous to a Locally Significant Natural Area, as identified in the Township of North Dumfries Official Plan (Section 6.1.8 and Map No. 6B);
- Lands within 30 metres of Fish Habitat and Non-Provincially Significant Wetlands as identified in the Township of North Dumfries Official Plan (Section 6.1.5);
- Lands contiguous to Woodlands as identified in the Township of North Dumfries Official Plan (Section 6.1.9);
- Lands that are within 120 metres of an Environmental Preservation Area (due to the sensitive nature of these features, the extent of the area of study will be determined at the time of an application);
- Lands that are within 120 metres of a Provincially Significant Wetland Area and unevaluated wetlands;
- Lands within 50 metres of valleylands, as identified in the Township of North Dumfries Official Plan (Section 6.1.18 and Map No. 6B);

The Adjacent Lands Overlay is intended to implement the policies of Section 6.5 (Environmental Impact Statements) of the Township of North Dumfries Official Plan. The provisions of the Adjacent Lands Overlay are to be applied in conjunction with the zone provisions for the underlying zones as established by the Township's Zoning By-law.

Prior to new development or redevelopment, within the Adjacent Lands Overlay 12C- Z.12C, that is contiguous or adjacent to the features noted above, any such new development or redevelopment is subject to the completion of an Environmental Impact Statement to the satisfaction of the Region of Waterloo, the Grand River Conservation Authority and the Township of North Dumfries. When the natural heritage and environmental features noted above are in close proximity to each other, the adjacent lands will be identified with the appropriate combination of overlays.

18C.1 PERMITTED USES:

The permitted uses, buildings and structures in the Adjacent Lands Overlay Zone shall be the same as those that are permitted in the applicable underlying zone.

GLOSSARY:

Adjacent – those lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area.

Buffers – an area adjacent to a natural heritage feature that has been identified through an Environmental Impact Statement as integral to the form and function of the natural heritage feature.

Conservation Area – a place designated by the Ministry of Natural Resources as environmentally sensitive and includes any area owned by a Conservation Authority.

Environmental Impact Statement – a study prepared in accordance with established procedures to refine the boundaries of elements of the Natural Habitat Network, identify the potential impacts of a development application on such elements, and recommend a means of preventing or minimizing these impacts through avoidance or mitigation. As defined in ROPP Glossary.

Environmental Preservation Areas - include those lands which may be identified for protection as the significant portions of habitat of Endangered Species; and/or the significant portions of habitat of Threatened Species. As defined in Regional Official Policies Plan (ROPP) (Section 4.2).

Environmentally Sensitive Policy Area – as identified in the ROPP (Section 4.3) and the Township of North Dumfries Official Plan (Section 6.1.4 and Map No. 6A)

Fish Habitat – the spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend or indirectly in order to carry out their life processes. As identified in the Township of North Dumfries Official Plan (Section 6.1.5)

Forest Management Area – an area subject to the management of trees, woodlots and forests for the sustainable production and harvesting of wood and wood products, excluding the associated structures and new or improved access/egress routes.

Locally Significant Natural Areas - as identified in the Township of North Dumfries Official Plan (Section 6.1.8 and Map No. 6B)

Natural Hazards - lands having physical and environmental constraints such as: steep slopes, flood susceptibility, organic soils, erosion susceptibility, permanent water holding areas, other geophysical limitations, and all of their associated buffers and setbacks, which place limitations on development, as identified in the Township of North Dumfries Official Plan (Section 6.2 and Map No. 6C).

Wildlife Management Area – an area of land in which one or more wildlife species are protected or given sanctuary.

SECTION 19: ZONE 13 - Z.13

19.1 PERMITTED USES

Within a Zone 13 - Z.13, no land shall be used and no building or structure shall be erected or used except for one or more of the Permitted Uses listed in Column 1 below.

19.2 REGULATIONS

Within a Zone 13 - Z.13, no land shall be used and no building or structure shall be erected or used except in conformity with the applicable regulations contained in Section 6, "General Regulations" and the additional regulations for the specific uses listed in Column 2 below.

	<u>Column 1</u> <u>Permitted Uses</u>	<u>Column 2</u> <u>Regulations</u>
19.2.1	School under the jurisdiction of a County Board of Education or School Board under a Private School under Provincial Charter	In conformity with the provisions of sub-section 19.3
19.2.2	Church	In conformity with the provisions of sub-section 19.3
19.2.3	Cemetery	In conformity with the provisions of sub-section 19.3
19.2.4	Home for the Aged	In conformity with the provisions of sub-section 19.3
19.2.5	Monastery	In conformity with the provisions of sub-section 19.3
19.2.6	Nunnery	In conformity with the provisions of sub-section 19.3
19.2.7	Home for the Mentally Challenged	In conformity with the provisions of sub-section 19.3
19.2.8	Hospital or Clinic	In conformity with the provisions of sub-section 19.3
19.2.9	Orphanage	In conformity with the provisions of sub-section 19.3
19.2.10	Day Nursery	In conformity with the provisions of sub-section 19.3
19.2.11	Nursing or Convalescent Home	In conformity with the provisions of sub-section 19.3
19.2.12	Accessory Uses a) Accessory buildings or structures accessory to the foregoing permitted uses b) Accessory signs	In conformity with the provisions of sub-section 6.4 In conformity with the provisions of sub-section 6.16

19.3 ADDITIONAL REGULATIONS

19.3.1	Minimum Lot Area a) With municipal water and sewer b) Without municipal water and sewer	1390 square metres or the area of a recognized lot 2000 square metres or the area of a recognized lot
19.3.2	Minimum Lot Width a) With municipal water and sewer b) Without municipal water and sewer	30 metres or the width of a recognized lot 30 metres or the width of a recognized lot
19.3.3	Minimum Side Yard (each side)	Equal to one-half building height but in no case less than 4.5 metres (15 feet)
19.3.4	Minimum Rear Yard	7.5 metres (25 feet)
19.3.5	Maximum Building Height	13.5 metres (44 feet)
19.3.6	Maximum Lot Coverage	Fifty percent (50%) of total lot area
19.3.7	Off-Street Parking	In conformity with the provisions of sub-sections 6.11 and 6.13

SECTION 19A: ZONE 14 - Z.14

19A.1 PERMITTED USES

Within a Zone 14 - Z.14, no land shall be used and no building or structure shall be erected or used except for one or more of the Permitted Uses listed in Column 1 below.

19A.2 REGULATIONS

Within a Zone 14 - Z.14, no land shall be used and no building or structure shall be erected or used except in conformity with the applicable regulations contained in Section 6, "General Regulations" and the additional regulations for the specific uses listed in Column 2 below.

	<u>Column 1</u> <u>Permitted Uses</u>	<u>Column 2</u> <u>Regulations</u>
19A.2.1	The making, establishment or operation of a pit or quarry.	
19A.2.2	Farming (except sod farming or commercial greenhouse and not including a residence or residential unit)	
19A.2.3	Forestry	
19A.2.4	<p>The following uses only, accessory to the foregoing permitted uses:</p> <p>a) Buildings or structures which are incidental to and directly related to the extraction operation and which are shown on the site plan forming part of the license approval.</p> <p>Nothing in the foregoing shall be deemed to permit any manufacturing, commercial or processing operation except for the screening, washing, crushing and storage of material mined on the site</p> <p>b) Any barn, shed, building or structure required as part of the farming operation except a residence or a residential unit</p> <p>c) Accessory signs</p>	<p>Accessory uses permitted in sub-paragraph 19A.2.4(a) shall not be located within 15 metres of any zone limit</p> <p>In conformity with the provisions of sub-section 6.16</p>