

**THE CORPORATION OF THE
MUNICIPALITY OF SOUTH BRUCE
BY-LAW NUMBER NO. 2011-63**

**A BY-LAW TO REGULATE THE USE OF LANDS AND THE CHARACTER,
LOCATION AND USE OF BUILDINGS AND STRUCTURES IN THE
MUNICIPALITY OF SOUTH BRUCE**

DECEMBER 13, 2011

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THE CORPORATION OF THE MUNICIPALITY OF SOUTH BRUCE

BY-LAW NO. 2011-63

A BY-LAW TO REGULATE THE USE OF LAND AND THE ERECTION, USE, BULK, HEIGHT, SPACING OF AND OTHER MATTERS RELATING TO BUILDINGS AND STRUCTURES AND TO RESTRICT CERTAIN USES OF LAND AND THE ERECTION AND USE OF CERTAIN BUILDINGS AND STRUCTURES IN THE MUNICIPALITY OF SOUTH BRUCE.

WHEREAS the Council of the Corporation of the Municipality of South Bruce consider it advisable to restrict the use of land and the erection of buildings and structures on land situated within the Municipality of South Bruce.

AND WHEREAS the Council of the Corporation of the Municipality of South Bruce has operated under several by-laws passed under Section 34 of the Planning Act (known as zoning by-laws) that have not been consolidated or updated since the amalgamation of municipalities to form the Municipality of South Bruce, and the Council wishes to do so;

NOW THEREFORE the Council of the Corporation of the Municipality of South Bruce enacts as follows:

SECTION 1 – ADMINISTRATION

1.1 TITLE

This By-Law may be cited as the Comprehensive Zoning By-Law of the Municipality of South Bruce.

1.2 ADMINISTRATION OF BY-LAW

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

1.3 AREA TO WHICH BY-LAW APPLIES

This By-law applies to all lands within the Municipality of South Bruce.

1.4 APPLICATION OF BY-LAW

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

1.5 INTERPRETATION (TEXT)

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

1.6 APPLICATIONS, PLANS AND PERMITS

- .1 In addition to all the requirements of the Corporation's Building By-Law or any other By-Law of the Corporation, every application for a building permit shall be made in compliance with the Ontario Building Code Act.

1.7 INSPECTION OF PREMISES

- .1 Upon reasonable grounds, an officer duly appointed by the Corporation may enter and inspect any property on, or in respect of which, he or she believes a contravention of this By-law is occurring subject to the requirements and prescriptions of the Planning Act.

Explanatory Note:

An officer duly appointed by the Corporation shall not enter any room or place used as a dwelling unit without the consent of the owner or without a warrant issued pursuant to The Provincial Offences Act.

1.8 VIOLATIONS AND PENALTIES

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

Explanatory Note:

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

67. (1) Penalty - Every person who contravenes section 41, section 46, subsection 49 (4) or section 52 or who contravenes a by-law passed under section 34 or 38 or an order made under section 47 and, if the person is a corporation, every director or officer of the corporation who knowingly concurs in the contravention, is guilty of an offence and on conviction is liable,

- (a) on a first conviction to a fine of not more than \$25,000; and
- (b) on a subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted. 1994, c. 2, s. 48.

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

- (a) on a first conviction a fine of not more than \$50,000; and
- (b) on a subsequent conviction a fine of not more than \$25,000 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted, and not as provided in subsection (1).

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

1.9 VALIDITY/SEVERABILITY PROVISION

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

1.10 LICENSES, PERMITS AND OTHER BY-LAWS

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

1.11 GREATER RESTRICTIONS OF OTHERS TO GOVERN

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

1.12 EXAMPLES, ILLUSTRATIONS AND EXPLANATORY NOTES

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

1.13 METRIC AND IMPERIAL MEASUREMENT

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

SECTION 2 - DEFINITIONS

Definition Index (for convenience only, does not form part of this By-Law)

A

Abattoir
 Accessory
 Adventure Game
 Agricultural Produce Warehouse
 Agriculturally Related Commercial/Industrial Use
 Agriculture General
 Agritainment
 Alter
 Assembly Hall
 Attached
 Automobile Gas Bar
 Automobile Sales Establishment
 Automobile Service Station
 Automobile Wrecking Yard

B

Basement
 Bed & Breakfast Establishment
 Boat House
 Boat Launching & Docking
 Building
 Building By-Law
 Building Setback
 Bulk Fuel Depot
 Bulk Sales Establishment – Agricultural
 Bus Depot
 Business or Professional Office

C

Campground
 Campsite
 Carport
 Catastrophe
 Cellar
 Cemetery
 Centre Line
 Chief Building Official
 Clinic
 Commercial College
 Commercial Motor Vehicle
 Commercial Motor Vehicle Repair Establishment
 Composting Facility
 Conservation Area
 Contractor's Yard
 Convenience Store
 Corporation
 Council
 County
 Cross Country Ski Facility

D

Day Care Nursery

Driveway
 Dwelling
 Dwelling, Accessory Apartment
 Dwelling, Accessory Detached
 Dwelling, Apartment Building
 Dwelling, Duplex
 Dwelling, Mobile Home
 Dwelling, Multiple
 Dwelling, Non-Farm
 Dwelling, Semi-Detached
 Dwelling, Single Detached
 Dwelling, Townhouse
 Dwelling, Townhouse Street
 Dwelling, Townhouse Cluster

E

Educational Facility
 Erect
 Existing

F

Factory Sales Outlet
 Farm Implement Establishment
 Farm Implement Repair
 First Livestock Facility
 Fitness Centre
 Floor Area, Ground
 Floor Area, Useable
 Floor Area, Total
 Food Processing, Primary
 Food Processing, Secondary
 Forestry/Silviculture
 Funeral Home

G

Garden Centre
 Golf Course
 Golf Course, Miniature or Miniature Golf Course
 Golf Driving Range
 Grade
 Greenhouse
 Greenhouse, Commercial
 Gross Floor Area
 Ground Floor Area
 Group Home - Type One
 Gun Club

H

Height
 Home Industry
 Home Occupation
 Horse-Drawn Carriage Community
 Hotel/Motel

I

Industry, Light
 Industrial Use
 Industrial Use, Dry
 Institutional Use

K

Kennel

L

Landscaped Open Space
 Lane
 Livestock Assembly Yard
 Livestock Auction Barn
 Livestock Facility
 Loading Space
 Lot
 Lot Area
 Lot Corner or Corner Lot
 Lot Coverage
 Lot Frontage
 Lot, Interior or Interior Lot
 Lot Line
 Lot Line, Exterior or Exterior Lot Line
 Lot Line, Front or Front Lot Line
 Lot Line, Rear or Rear Lot Line
 Lot Line, Side or Side Lot Line
 Lot, Through or Through Lot

M

Main Building
 Marine, Recreation and Small Engine Establishments
 Minimum Distance Separation Formulae
 Mobile Home Site
 Mobile Home Park
 Mobile Home Park Open Space
 Mobile Home Park Road
 Motor Home
 Motor Vehicle
 Municipal Drain
 Municipal Drain, Open

N

Non-Conforming
 Non-Complying
 Non-Farm Lot
 Non-Residential
 Nuisance

O

Open Storage
 Outdoor Display Area

P

Park Model Trailer
 Parking Area
 Parking Lot
 Parking Space

Parking Space, Angle
 Parking Space, Parallel
 Personal Service Shop
 Pit
 Planting Area
 Portable Asphalt Plant
 Portable Concrete Plant
 Principal
 Private Garage
 Private Lane
 Public Garage
 Public Park
 Public Building
 Public Utility
 Public Utility Building

Q

Quarry

R

Recreation Centre
 Recycling Centre
 Recycling Depot
 Research Establishment/Laboratory
 Residential Care Facility
 Residential Use
 Restaurant
 Restaurant, Take-Out
 Restaurant, Portable Food Outlet
 Retail Floor Area
 Retail, Large Format
 Retail Store
 Riding Stable/Equestrian Centre

S

Salvage Yard
 Saw or Planing Mill
 School Bus Storage
 Setback
 Sewage Treatment Plant
 Sight Visibility Triangle
 Site Plan
 Snowmobile Club
 Solid Waste Disposal Site
 Storey
 Street
 Structure
 Swimming Pool

T

Tavern
 Technology Industry
 Tillable Hectares
 Tractor Trailer
 Trades Person
 Trades Person's Shop
 Trailer, Construction
 Trailer, Transport
 Trailer, Travel
 Transport Depot

Travel Trailer Sales Establishment

U

Use

V

Veterinary Clinic

Veterinary Clinic – Small Animal

W

Warehouse

Warehouse, Mini-Storage

Watercourse

Water Lot

Water System, Municipal

Wayside Pit or Wayside Quarry

Y

Yard

Yard, Exterior Side or Exterior Side Yard

Yard, Front or Front Yard

Yard, Rear or Rear Yard

Yard, Side or Side Yard

Z

Zone

Zoning Administrator

“ABATTOIR” shall mean a building or structure specifically designed to accommodate the penning and slaughtering of live animals and the preliminary processing of animal carcasses and may include the packing, treating, storing and sale of the product on the premises.

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

“ADVENTURE GAME” means lands used for outdoor sport or recreation in which the participants attempt to capture a flag or other object and return it to their home base.

“AGRICULTURAL PRODUCE WAREHOUSE” shall mean a building or structure used for the storage of agricultural produce and may include facilities for wholesale distribution or an accessory retail commercial outlet for the sale of such agricultural produce to the general public.

“AGRICULTURALLY RELATED COMMERCIAL/INDUSTRIAL USE” shall mean those farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation such as produce or grain storage facilities, cold storage facilities, ‘livestock assembly yard’ and grain drying facilities.

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

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

“ALTER” when used in reference to a building or part thereof, means to change any one or more of the internal or external dimensions of such building or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word "alter" means to change the width, depth, or area of any required yards setback, landscaped open space or parking area, to change the location of any boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise. The word "altered" and "alteration" shall have a corresponding meaning.

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

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

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

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

“AUTOMOBILE GAS BAR” means a lot containing not more than eight fuel/propane pumps and may include a structure of not greater than 18.5 square metres (199 square feet) used for the sale of fuel but shall not include any other automobile use defined in this By-law.

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

By-law.

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

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

"BASEMENT" means that portion of a building between two floor levels which has at least 50% of its height below average finished grade.

"BED & BREAKFAST ESTABLISHMENT" means a Home Occupation operated in accordance with the provisions of Section 3.9.

"BOATHOUSE" means a building or structure or part thereof not over one storey in height, used for the storage of private boats and equipment accessory to their use, as an accessory use to a residential use, no part of which shall be used as a dwelling unit or commercial purposes.

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

"BUILDING" shall mean any structure consisting of walls and roof which is used or intended to be used for the shelter, accommodation or enclosure of persons, animals, goods or materials and includes any structure defined as a building in the Ontario Building Code Act, but shall not include a wall, fence, sign.

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

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

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

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

"BUS DEPOT" means a lot, building or structure where commercial motor vehicles pick up and discharge fare paying passengers, and may include as an accessory use a ticket office, a restaurant, luggage checking and/or parcel shipping facilities, and offices accessory to the main use, but does not include the display or sale of any automobile or commercial motor vehicle.

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

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

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

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

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

"CELLAR" means the portion of a building or structure partially below ground level and having 50% or more of its height below average finished grade level.

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

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

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

"CLINIC" means a lot, building, or structure that is used by physicians, dentists or all other licensed practitioners and their staff for the purpose of consultation, diagnosis and treatment of outpatients and may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies, and dispensaries directly associated with the facility.

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

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

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

"COMMERCIAL COLLEGE" means a lot, building or structure used for a private career college operating under the Private Career Colleges Act S.O. 2005.

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

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

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

"CONVENIENCE STORE" means a building or structure not exceeding 140 square metres (1500 sq. ft.) of total

floor area in which articles for sale are restricted to a limited range of primarily food items such as milk, bread, soft drinks, ice cream, canned and bottled goods, snacks and candy, frozen meat and to complement such items may include the sale of magazines, toiletries, tobacco products. A convenience store may also include a catalogue outlet, pharmacy, post office outlet or similar ancillary uses.

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

“CORPORATION” means the Corporation of the Municipality of South Bruce.

“COUNCIL” means the Municipal Council of the Corporation.

“COUNTY” means the Corporation of the County of Bruce.

“DAY NURSERY” means a premises that receives no more than five 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 hours, where the children are,

- (a) Under eighteen years of age in the case of a day nursery for children with a developmental disability, and
- (b) Under ten years of age in all other cases, but does not include,
- (c) Part of a public school, separate school or private school under the *Education Act*.

“DRIVEWAY” means a vehicular passageway having at least one end thereof connected to a Class 1 or Class 2 Municipal Street or is shown as a lane or driveway on a plan of condominium providing ingress to and/or egress from a lot.

“DWELLING” means one or more rooms used or intended for the domestic use of one or more individuals living as a single housekeeping unit that is provided with cooking, living, sleeping and sanitary facilities. A dwelling shall not include any mobile home, park model trailer, construction trailer, travel trailer, hotels/motels, a home for the aged, nursing home, hospital, or living quarters for a caretaker, watchman or other person or persons using living quarters which are accessory to a non-residential building.

- (a) “DWELLING, ACCESSORY APARTMENT” means a dwelling subordinate and incidental to the principal building or structure located on the same lot therewith, and which is constructed as part of the permitted Non-Residential Use principal building or structure.
- (b) “DWELLING, ACCESSORY DETACHED” means a dwelling detached from and subordinate and incidental to the principal use, building or structure located on the same lot therewith.
- (c) “DWELLING, APARTMENT BUILDING” means a dwelling that contains five or more residential dwelling units that have a common entrance from street level and are served by a common corridor or hallway from inside.
- (d) “DWELLING, DUPLEX” means a residential dwelling on a lot that is divided into two separate dwellings each of which has an independent entrance either directly from the outside or through a common vestibule.
- (e) “DWELLING, MOBILE HOME” means a unit constructed or manufactured to provide for year round occupancy and is designed to be transported from one site to another. A mobile home does not include a ‘park model home’, ‘motor home’, ‘travel trailer’ or other similar accommodation. A mobile home shall be distinguished from other forms of prefabricated transportable housing by reason of a design which permits and features ready transfer from place to place whereas the latter are intended to be moved once only to a final location.
- (f) “DWELLING, MULTIPLE” means a residential dwelling that is divided into three but not more than five dwelling units wherein each unit is accessed by way of a common entrance and an internal staircase or hallway from inside.

- (g) “DWELLING, NON-FARM” means a residential dwelling not located on the same lot as an agricultural use.
- (h) “DWELLING, SEMI-DETACHED” means two attached residential dwellings divided vertically by a common wall, each of which has an independent entrance directly from the outside and no side yard on one side.
- (i) “DWELLING, SINGLE DETACHED” means a residential dwelling constructed and used as a residence of the owner or occupant thereof and is intended for permanent occupancy and is designed and/or constructed for year round or permanent human habitation.
- (j) “DWELLING, TOWNHOUSE” means a residential dwelling divided vertically into three or more residential dwelling units, each dwelling unit having an independent front and rear entrance immediately abutting the front and rear walls of each dwelling unit:
- (1) “DWELLING, TOWNHOUSE STREET” means a ‘Dwelling, Townhouse’ on a separate lot where each dwelling unit has frontage onto a Class 1 or Class 2 roadway.
 - (2) “DWELLING, TOWNHOUSE CLUSTER” means a ‘Dwelling, Townhouse’ on one lot where each dwelling unit does not have frontage onto a Class 1 or Class 2 roadway.

“EDUCATIONAL FACILITY” shall mean a school operating under the Education Act RSO 1990.

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

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

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

“FACTORY SALES OUTLET” means an accessory use to an ‘Industrial Use’ in which the goods, wares, or merchandise manufactured on the premises is offered for sale.

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

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

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

“FLOOR AREA, GROUND” shall mean the floor area of the lowest storey of a building, approximately at or first above the finished grade level, excluding any basement, cellar or subcellar, which area is measured between the exterior faces of the exterior walls at the floor level of such storey, but excludes car parking areas within the building.

“FLOOR AREA, USEABLE” shall mean the sum of the horizontal areas of each floor, whether any such floor is above or below grade, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, but shall not include:

- (a) Any floor area of the building or structure which is used for heating equipment, storage or parking of motor vehicles, locker storage and laundry facilities, children’s play areas and other accessory uses.

"FLOOR AREA, TOTAL" shall mean the sum of the horizontal areas of each floor, whether any such floor is above or below grade, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, excluding any area used for the storage and parking of motor vehicles.

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

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

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

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

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

"GOLF COURSE" means a public or private area operated for the purpose of playing golf with accessory uses such as 'Miniature Golf Course', 'Restaurant', 'Golf Driving Range', maintenance buildings and administration buildings.

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

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

"GRADE"

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

"GREENHOUSE" shall mean a building wherein the temperature and humidity can be regulated for the cultivation of vegetables, fruit, flowers, plants, shrubs, trees and similar vegetation.

"GREENHOUSE, COMMERCIAL" shall mean a building for the growing of vegetables, fruit, flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such greenhouse, but are sold directly from such building at wholesale or retail.

"GROUP HOME, TYPE ONE" means a single housekeeping unit in a residential dwelling in which up to five (5) residents with special care needs, including seniors or individuals who are developmentally and/or physically challenged or mentally ill, live under responsible supervision consistent with the requirements of the residents. Residents do not include staff or the receiving family. A type one group home is licensed and/or funded under Federal or Provincial Statute and in compliance with Municipal By-laws.

"GUN CLUB" means lands, buildings or structures used for target practice by use of a firearm. A gun club shall not

include provisions for overnight accommodations or for the preparation and serving of full course meals.

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

- (a) In the case of a flat roof, the highest point of the roof surface or parapet, whichever is greater;
- (b) In the case of a mansard roof, the deck roof line;
- (c) In the case of a gable, hip or gambrel roof, the mean heights between the eaves and the ridge.
- (d) Where the height is designated in terms of storeys, it means the designated number of storeys above and including the first storey.

"HOME INDUSTRY" means an occupation or business conducted for gain or profit as a secondary use to the main permitted use within a dwelling unit and/or accessory building and operated in accordance with Section 3.10.

"HOME OCCUPATION" means an occupation or business conducted for gain or profit as a secondary use within a dwelling unit and operated in accordance with Section(s) 3.8 or 3.9.

"HORSE-DRAWN CARRIAGE COMMUNITY" shall mean a group of people whose primary mode of transportation is by the use of a horse or horses and a carriage.

"HOTEL/MOTEL" means a building or structure used primarily for the purposes of catering to the needs of the traveling public by furnishing sleeping accommodations with no cooking facilities in any individual room or suite of rooms. A Hotel/Motel shall not have less than 6 guest rooms and may include permanent staff quarters, meeting rooms, recreational facilities, 'restaurant', and housekeeping units, but does not include any other establishments otherwise defined or classified in this By-law.

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

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

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

"INSTITUTIONAL USE" means the use of land, buildings, structures or portions thereof, for public or social purposes and, without limiting the generality of the foregoing, may include governmental, religious, educational, charitable, philanthropic, hospitals, nursing homes, public or private schools and nursery schools, or other similar uses.

"KENNEL" means a place where dogs or other domestic animals other than poultry are bred and raised and are sold or kept for sale or boarded.

"LANDSCAPED OPEN SPACE" means the open unobstructed space on a lot accessible from a 'street' on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and includes any surfaced walk, patio, planting area, or similar area but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any

building or structure.

“LANE” means a ‘street’ or ‘private lane’ which affords only a secondary means of access to the lots abutting thereon.

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

“LIVESTOCK ASSEMBLY YARD” shall mean a lot, building, structure or confined land area for temporarily holding animals for shipping.

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

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

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

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

“LOT AREA” means the total horizontal area within the lot lines of a lot. In the case of corner lots having a ‘street’ line rounding of a radius 6.0 metres (20 feet) or less, the lot area of such lot shall be calculated as if the lot lines were produced to their point of intersection.

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

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

“LOT FRONTAGE” shall mean the horizontal distance between the side lot lines, such distance being measured perpendicularly to the line joining the middle of the front lot line with either the middle of the rear lot line or the apex of the triangle formed by the side lot lines at the minimum distance from the front lot line at which erection of building or other structure is permitted by this By-law.

Refer to the end of Section 2 for Lot Frontage illustrations.

“LOT, INTERIOR” or “INTERIOR LOT” means a lot other than a corner lot and having frontage on one ‘street’ only.

“LOT LINE” means any boundary of a lot.

“LOT LINE, EXTERIOR” or “EXTERIOR LOT LINE” means any lot line abutting a ‘street’ or ‘lane’.

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

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

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

“LOT, THROUGH” or **“THROUGH LOT”** means a lot bounded on opposite sides by a ‘street’, ‘private road’ or ‘lane’ but does not include a corner lot.

“MAIN BUILDING” shall mean the building designed or used for the principal use on the lot.

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

“MANUFACTURING” shall mean compounding, processing, packaging, crating, bottling, packing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, or adapting for sale any good, substance, or article, or any part thereof.

“MINIMUM DISTANCE SEPARATION FORMULAE” means a formulae developed by the Province of Ontario to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

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

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

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

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

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

“MOTOR VEHICLE” means any equipment self-propelled by an engine or motor mounted on the vehicle.

“MUNICIPAL DRAIN” shall mean drainage works as defined by The Drainage Act, R.S.O 1990, as amended from time to time.

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

“MUNICIPAL DRAIN, ENCLOSED” shall mean a ‘municipal drain’, which is enclosed as a pipe, culvert or similar means of conveyance.

“NON-CONFORMING” means a building or structure legally existing as of the date of the passing of this By-law, which is used for a purpose not permitted in this By-law.

“NON-COMPLYING” means a permitted use, building or structure legally existing as of the date of the passing of this By-law which does not comply with a provision or provisions of their respective zone.

“NON-FARM LOT” shall mean a lot, which is less than 4.0 hectares (9.9 ac) in size.

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

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

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

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

“PARK MODEL TRAILER” means a recreational unit, constructed to the CAN/CSA-Z241 standard.

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

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

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

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

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

“PARKING SPACE, TANDEM” means the arrangement of two parking spaces such that it is necessary to traverse one space to gain vehicular access to the other from a lane or street.

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

“PIT” means lands licensed under the Aggregate Resources Act 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’.

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

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

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

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

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

“PRIVATE LANE” means a right-of-way over private property which affords access to abutting lots; or a road not under the jurisdiction of the Corporation, County or Province.

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

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

“PUBLIC PARK” means an area of land, playground or play fields which is owned by a public agency, and which may include therein one or more athletic fields, field houses, bleachers, swimming pools, wading pools, bandstands, outdoor ice skating rinks, tennis or badminton courts, bowling greens, fairgrounds, picnic area, historic site, interpretive centre, maintenance buildings or other such similar uses.

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

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

“QUARRY” means lands licensed under the Aggregate Resources Act where consolidated rock has been or is being removed by means of an open excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a ‘wayside quarry’.

“RECREATION CENTRE” means land, buildings or structures used for the purpose of active leisure activities and shall include an arena, swimming pool, community centre, curling rink, outdoor ice rink, and other such similar uses.

“RECYCLING CENTRE” means a facility that is not a ‘salvage yard’ and in which recoverable resources such as newspapers, glassware and metal cans, are collected, stored, flattened, crushed or bundled to be taken to another site for processing.

“RECYCLING DEPOT” means a building or structure or lot used for temporary storage of recyclable materials but does not include a ‘recycling centre’.

“RESEARCH ESTABLISHMENT/LABORATORY” means a building or structure that includes facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

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

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

“RESTAURANT”

(a) **“Restaurant”** means a building or structure or part thereof used to prepare food and offer for sale for immediate consumption within the building or structure, or adjacent patio and may include a ‘Restaurant, Take-Out’ and a ‘Tavern’.

(b) **“Restaurant, Take-Out”** means a building or structure or part thereof where food is prepared and offered for

sale to the public to be taken out and/or delivered, for consumption off the premises or consumed on an adjacent patio.

- (c) “Restaurant, Portable Food Outlet” means a trailer, tent or vehicle that is designed to be made mobile, from which food is prepared and offered for sale to the public for consumption outside. A Portable Food Outlet may only be permitted in accordance with the Corporation’s Licensing By-law if applicable.

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

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

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

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

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

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

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

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

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

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

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

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

“STOREY” shall mean that portion of a building, other than the basement or cellar, which lies between any floor and the roof or ceiling above such floor.

"STOREY, HALF" shall mean a portion of a building situated wholly or in part within a sloping roof and in which there is sufficient space to provide a height between finished floor and finished ceiling of at least seven feet, seven inches for at least one-half (1/2) but less than two-thirds (2/3) of the area of the floor below.

"STREET" means a road or highway which is constructed and maintained so as to allow normal vehicular access to adjacent properties.

"STRUCTURE" means anything constructed or erected, the use of which requires location on the ground, or on water, or attachment to something having a fixed location on the ground or on water, and without limiting the generality of the foregoing, includes walls, floors, roofs, signs and billboards, private outdoor swimming pools, satellite dishes, and an object designed and intended to float, but does not include hedges and fences or sewage disposal systems.

"SWIMMING POOL" means any permanent body of water located indoors or outdoors contained by artificial means, and having a depth of greater than 0.76 metres (2.5 ft) at any point, and used and maintained for the purpose of swimming, wading, diving or bathing.

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

"TECHNOLOGY INDUSTRY" means an operation where advanced or sophisticated devices especially in the fields of electronics and computers are manufactured, assembled, packaged or stored in an office, studio or laboratory setting.

"TILLABLE HECTARES" shall mean the total area of land measured in hectares including pasture that can be worked or cultivated to grow crops.

"TRADES PERSON" means an individual employed in the building trades/construction industry including bricklayers, stonemasons, carpenters, electricians, lathers, painters, decorators and paper-hangers, plasterers, sheet metal workers, heating, plumbing, air-conditioning, general contractor's, flooring, home decorator, or other similar trade, the like which provides an installation service.

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

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

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

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

"TRAILER, CONSTRUCTION" means a building or structure that is designed to be made mobile and drawn by a separate vehicle, and is used for the purpose of storage, administration and or temporary accommodation provided work is in progress and a valid building permit is in effect for the work being undertaken, for a period not exceeding two years from the date of issuance of the building permit.

"TRAILER, TRANSPORT" means any vehicle so constructed that it is suitable for being attached to a motor vehicle and capable of being used for transporting goods, materials, equipment or livestock notwithstanding that such vehicle is jacked up or that its running gear is removed.

“TRAILER, TRAVEL” means a structure designed, intended and used exclusively for travel, recreation and vacation and which is capable of being drawn or propelled by a motor vehicle or is self propelled and includes tent trailers or similar transportable accommodation, but not a ‘mobile home’.

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

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

- (a) any purpose for which land, buildings or other structures may be arranged, designated, designed, intended, maintained, or occupied, or
- (b) any occupation, business, activity, or operation carried on, or intended to be carried on, in a building or other structure or on land, or
- (c) the name of a tract of land or a building or other structure which indicates the purpose for which it is arranged, designated, intended, maintained or occupied.

“VETERINARY CLINIC” means a building in which two (2) or more rooms are used by a veterinary surgeon for the treatment of diseases and injuries of domestic and other animals. Without limiting the generality of the foregoing, a veterinary clinic may include administrative offices, waiting rooms, treatment rooms, boarding of animals, laboratories, pharmacies, and dispensaries directly associated with the clinic.

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

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

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

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

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

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

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

“YARD, EXTERIOR SIDE” or **“EXTERIOR SIDE YARD”** means a side yard immediately adjoining a ‘street’.

“YARD, FRONT” or **“FRONT YARD”** means a yard extending across the full width of a lot, measured perpendicularly from the front lot line to the closest wall of any main buildings or structures on the said lot. Where a lot does not have a ‘front lot line’, the front yard shall be measured from edge of the roadway from which principle

access to the lot is gained.

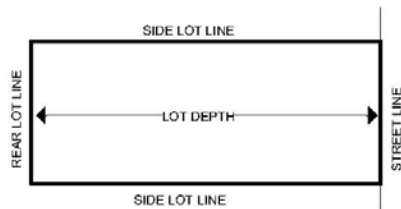
“YARD, REAR” or “REAR YARD” means a yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any building on the lot, but does not include any exterior side yard.

“YARD, SIDE” or “SIDE YARD” means a yard extending from the front yard to the rear yard between the side lot line and the nearest part of any building on the lot.

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

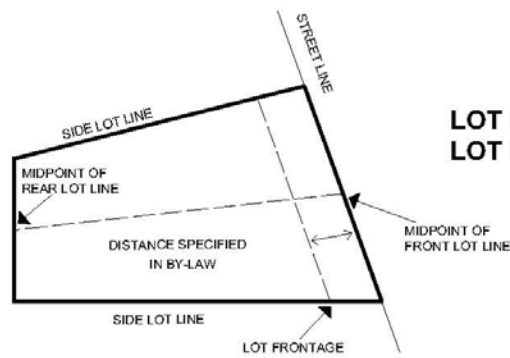
“ZONING ADMINISTRATOR” means the officer or employee of the Corporation for the time being charged with the duty of administering and enforcing the provisions of the Zoning By-law of the Corporation.

ILLUSTRATIONS OF LOT DEFINITIONS

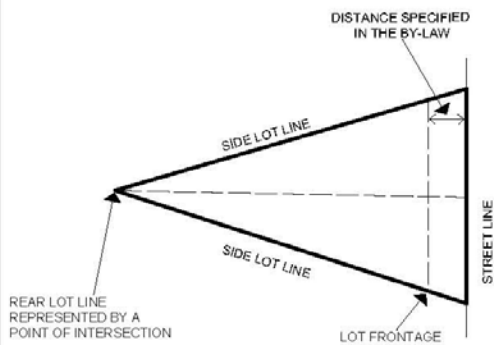


**LOT FRONTAGE AND LOT DEPTH
PARALLEL FRONT AND
REAR LOT LINES**

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

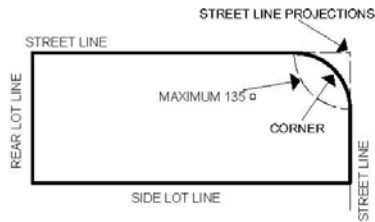


**LOT FRONTAGE AND LOT DEPTH
LOT LINES NOT PARALLEL**

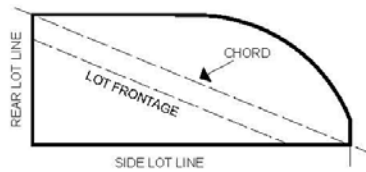


**REAR LOT LINE
SIDE LOT LINES INTERSECT**

ILLUSTRATIONS OF LOT DEFINITIONS

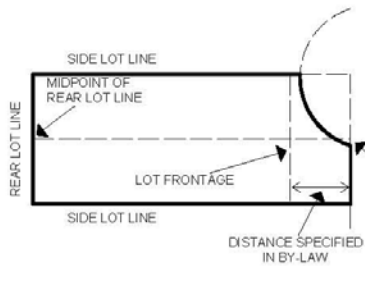


**CORNER LOT
CURVED SIDES**



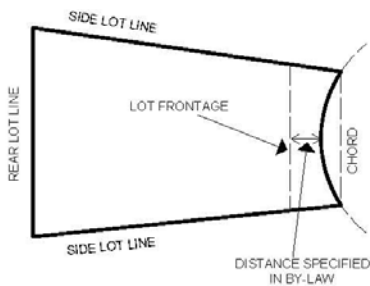
**LOT FRONTAGE
CONVEX CURVED FRONT LOT LINES**

- LOT FRONTAGE IS MEASURED ALONG A LINE BACK FROM AND PARALLEL TO THE CHORD OF THE FRONT LOT LINE



**LOT FRONTAGE
LOT ON A CORNER EYEBROW**

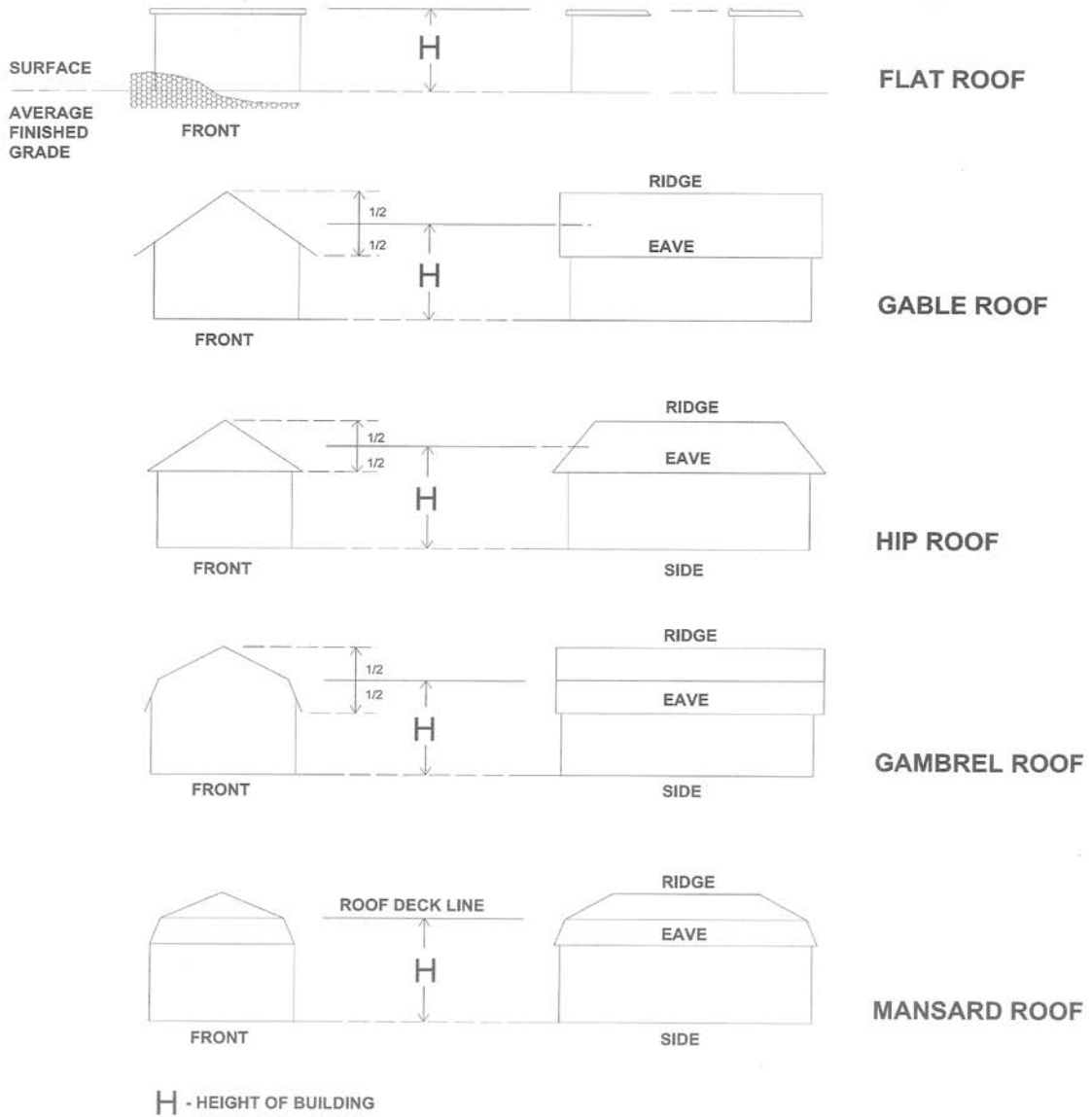
- LOT FRONTAGE IS MEASURED ALONG A LINE DRAWN PERPENDICULAR TO LINE JOINING THE MIDPOINTS OF REAR LOT LINE AND THE LINE PROJECTING THE FRONT LOT LINE TO THE PROJECTION OF THE SIDE LOT LINE AT DISTANCE SPECIFIED IN BY-LAW



**LOT FRONTAGE
CONCAVE CURVED FRONT LOT LINE**

- LOT FRONTAGE MEASURED BY LINE BACK FROM AND PARALLEL TO THE CHORD OF THE FRONT LOT LINE

ILLUSTRATION OF BUILDING HEIGHT DEFINITIONS



SECTION 3 - GENERAL PROVISIONS FOR ALL ZONES**3.1 PERMITTED USES IN ALL ZONES****3.1.1 Services and Utilities**

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

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

3.1.2 Temporary Buildings & Construction Facilities

- .1 A tool shed, scaffold or other building or structure incidental to construction on the lot where it is situated is permitted and only for so long as it is necessary for the work in progress and until the work is completed or abandoned. In addition to any sheds, scaffolds, or other structures incidental to building construction, accessory sales offices may be permitted in any Zone for so long as the same is necessary for work in progress which has neither been finished, nor abandoned, provided such sales office is provided for in a Subdivider's Agreement which is in effect. 'Abandoned' in this subsection shall mean the failure to proceed expeditiously with the construction of a work.
- .2 In any zone, such temporary buildings and construction facilities shall be permitted for a period lasting no longer than twelve (12) months commencing on the date on which the Building Permit is issued unless approved by the Chief Building Official.
- .3 For the purpose of Section 3.1.2 only, an existing dwelling, mobile home, park model trailer, travel trailer or similar transportable accommodation, shall be considered to be a temporary building or construction facility when approved by the Chief Building Official.
- (i) In no instance shall an existing dwelling, mobile home, park model trailer, travel trailer or similar transportable accommodation, be used for a temporary building or construction facility for a period lasting longer than twelve (12) months commencing on the date in which the Building Permit is issued.
 - (ii) An existing dwelling, mobile home, park model trailer, travel trailer or similar transportable accommodation, may only be used for a temporary building or construction facility during the construction of the principal or main use on a property.
 - (iii) A Building Permit issued for such construction shall note the requirement to remove and/or demolish such temporary buildings, mobile home, park model trailer, travel trailer or similar transportable accommodation as required.

3.1.3 Ornamental Structures

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

3.1.4 Signs and Signals

All signs and traffic signals shall be permitted in all zones in conformity with the appropriate public governments and agencies.

3.1.6 Multi-Purpose Use Recreational Trails

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

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

Wayside pits and quarries, portable asphalt and portable concrete plants shall be a permitted use, except for lands zoned for residential use and environmental use.

3.2 PUBLIC USES, BUILDINGS AND/OR STRUCTURES

Despite Section 3.1.1, the erection of any building or structure designed for use as an office, storage or other uses, and the use of land for outside storage, by the Corporation; any telephone, cable or communications utility company; any agency or department of the Federal, Provincial or County Government; any company holding a Provincial license to transport or distribute natural gas; an electric service provider; a railway company and any local or County Board or Commission must conform to the provisions of this By-law.

3.3 BUFFER ON LANDS ADJOINING INDUSTRIAL or RESIDENTIAL USES/ZONES

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

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

3.4 NON-CONFORMING USES**3.4.1 Continuation of Existing Uses**

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

3.4.2 Change of Use

Nothing in this By-law shall prevent a change in the use of a lot, building or structure which under the provisions hereof is not permissible within the zone in which such lot, building or structure is located if the use is changed to a use which is permissible within such zone, or such other compatible uses as may be approved by a Minor Variance under the Planning Act and any other applicable legislation.

3.4.3 Existing Detached Dwellings

A detached dwelling legally existing at the date of passing of this By-law and located in any 'C' – Commercial zone, may be altered or enlarged in accordance with the provisions of the 'R1' -Residential Zone One Zone.

3.4.4 Building Permit Issued

Nothing in this By-law shall apply to prevent the erection or use for a purpose prohibited by this By-law of any building or structure for which a permit has been issued under the Building Code Act, prior to the date of the passing of this By-law, provided that:

- (i) when erected, the building or structure is used and continues to be used for the purpose for which it was erected; and
- (ii) the permit has not been revoked under the Building Code Act; and the erection of such building or structure is commenced within two years after the date of the passing of this By-law and such building or structure is completed within a reasonable time after the erection thereof is commenced.

3.5 NON-COMPLYING USES**3.5.1 Strengthening to a Safe Condition**

Nothing in this By-law shall prevent the strengthening to a safe condition of any building or structure or part of any such building or structure which does not comply with the provisions of this By-law, provided such alteration or repair does not increase the height, habitable space, size, or change the use of such building or structure.

3.5.2 Permitted Extensions of Non-Complying Buildings

Nothing in this By-law shall prevent an accessory use, extension or an addition being made to a building or structure, which is used for a purpose specifically permitted within the zone in which such building or structure is located, and which building or structure legally existed at the date of passing of this By-law, but which building or structure does not comply with one or more of the Zone Provisions of this By-law, provided such accessory use, extension or addition does not contravene any of the provisions of this By-law.

3.5.3 Permitted Replacement of Non-Complying Buildings

Nothing in this By-law shall prevent the replacement of any building or structure which is destroyed by fire or an act of nature, which does not conform with one or more of the provisions of this By-law, provided that:

- (i) such replacement does not increase the amount of habitable space, the height, size, or change the use of such building or structure; and such replacement shall comply, with all applicable yard provisions of the applicable zone, if possible, and does not reduce the original non-complying yard dimensions.

3.5.4 Existing Lots

Unless otherwise indicated, existing lots means existing on the date of passing of this By-law. For the purposes of this By-law, any existing lot that has less area or lot frontage than required by this By-law may be used for a permitted use provided all other requirements of this By-law are met.

3.6 ACCESSORY BUILDINGS AND STRUCTURES

Section 3.6 shall apply to all Zones with the exception of the 'A1 – General Agriculture' Zones.

3.6.1 Prohibited Structures

For the purposes of Section 3.6 only, mobile homes, travel trailers, construction trailers, transport trailers, railway cars and buses, all of the proceeding with or without wheels or a similar undercarriage, shall not be used as accessory buildings or structures except in the Extractive Industrial (M2) or Waste Disposal (WD) zones.

3.6.2 Use of Accessory Buildings and Structures

Where this By-law provides that a lot may be used or a building or structure may be erected, altered or used for a purpose, that purpose shall include any accessory building or structure, but shall not include (1) any occupation for gain or profit except as may be permitted in this By-law; or (2) any building or structure used for human habitation except where a dwelling is a permitted accessory use.

3.6.3 Location – Residential Zones

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

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

3.6.4 Height

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

- (i) In all Commercial, Industrial, 'OS - Open Space', and 'WD - Waste Disposal' Zones, no greater than 8 metres (26 ft.);
- (ii) In all Residential, Institutional, 'EP – Environmental Protection', and 'FD – Future Development' Zones, no greater than 5 metres (16 ft.).
- (iii) In no case shall an accessory building contain more than two storeys.

3.6.5 Lot Coverage of Accessory Buildings & Structures

- .1 The total lot coverage of all accessory buildings on a lot shall not exceed 5% of the lot.
- .2 Accessory buildings or structures under 10 square metres (107 sq. ft.) shall not be considered to be an accessory building or structure.

3.6.6 Establishment of an Accessory Building/Structure or Use

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

3.7 ACCESSORY DWELLINGS**3.7.1 Dwelling, Accessory Apartment**

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

- .1 Minimum setbacks and yards shall be provided in accordance with the minimum setback and yard provisions for the building or structure in which the 'Dwelling, Accessory Apartment' is to be located.
- .2 The 'Dwelling, Accessory Apartment' shall have a separate access/entrance distinct from the principal use.
- .3 The 'Dwelling, Accessory Apartment' shall be located to the rear of the ground floor – at grade level and/or above the ground floor.
- .4 One parking space per 'Dwelling, Accessory Apartment' shall be provided, reserved and maintained for exclusive use by the 'Dwelling, Accessory Apartment'.

- .5 Accessory residential dwelling units shall not occupy more than fifty percent (50%) of the ground floor area of a building within a commercial zone.

3.7.2 Dwelling, Accessory Detached

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

- .1 Minimum setbacks and yards shall be provided in accordance with the minimum setback and yard provisions for the zone in which the detached dwelling unit is located.
- .2 The 'Dwelling, Accessory Detached' shall be reserved for the exclusive use of the owner or caretaker of the principal use.

3.8 HOME OCCUPATION - DOMESTIC & PROFESSIONAL USES

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

- .1 The Home Occupation - Domestic & Professional Uses shall be clearly accessory to the main use of the lot and/or building, or part thereof, and shall not change the character of the lot and/or building or part thereof;
- .2 The said dwelling unit is occupied as a place of residence by the individual operating the Home Occupation - Domestic & Professional Uses;
- .3 Home Occupation - Domestic & Professional Uses shall be conducted only by those residing on the lot except for the employment of one assistant;
- .4 All articles sold shall be produced by the individual operating the Home Occupation - Domestic & Professional Uses or their assistant;
- .5 'Floor Area, Total' area utilized shall not exceed 30% of the dwelling unit or a maximum of 28 square metres, whichever is lesser;
- .6 All signs shall be erected according to the Sign By-law of the Corporation or County;
- .7 There is no external storage of goods or materials;
- .8 One off-street parking space is provided for every 14 square metres (151 sq. ft.) of floor space occupied by the Home Occupation - Domestic and Professional Uses;
- .9 No mechanical equipment is used and no manufacturing is permitted except what is consistent with the use of a dwelling unit;
- .10 The Home Occupation - Domestic and Professional Uses shall not create or become a 'nuisance' in regard to noise, odours, vibrations, traffic generated or parking;
- .11 Home Occupation - Domestic and Professional Uses shall not include the retail sales of building or construction supplies nor any 'Motor Vehicle' or 'Commercial Motor Vehicle' related use as defined in this By-Law;

3.9 HOME OCCUPATION - BED & BREAKFAST ESTABLISHMENT

Where listed as a permitted use, Bed & Breakfast Establishment may carry out business only within a single detached dwelling unit and will be subject to the following provisions:

- .1 The Home Occupation - Bed & Breakfast shall be clearly secondary to the main use of the lot and/or building, or part thereof, and shall not change the character of the lot and/or building or part thereof;
- .2 The said building, or part thereof shall be occupied as a place of residence by the individual operating the Home Occupation;
- .3 The Home Occupation - Bed & Breakfast shall be conducted only by those residing on the lot except for the employment of one (1) assistant;
- .4 A Home Occupation - Bed & Breakfast shall provide no more than three (3) guest rooms for overnight accommodation;
- .5 Maximum number of occupants permitted to lodge within a Bed & Breakfast Establishment shall be six (6);
- .6 No food or drink shall be offered or kept for sale for persons who are not guests of the establishment. A Home Occupation - Bed & Breakfast shall not include a 'restaurant';
- .7 A Home Occupation - Bed & Breakfast shall provide one (1) additional parking space for each guest room;
- .8 All signs shall be erected according to the Sign By-law of the Corporation or County;

3.10 HOME INDUSTRY

A home industry is a limited-scale activity undertaken for financial gain, which occurs in a dwelling unit or an accessory building and is subordinate to the primary use of the property as a residence or farm. The activity is **limited** in scale. It is a sideline, and the use is secondary to the primary use of the property (e.g., an agricultural use). This means that the use is not the primary or original use for which the property was intended and by which it is zoned. The **home industry** provisions are intended to support the 'incubation' period for new businesses until such time as the business requires accommodations larger than permitted in this By-law. **Home industries** requiring larger buildings may be required to relocate to suitable 'commercial' or 'industrial' properties.

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

- .1 The Home Industry shall only be located on lands designated 'Agriculture' and 'Rural' in the County of Bruce Official Plan;
- .2 The Home Industry shall be clearly secondary to the main use of the lot and/or building, or part thereof and shall not change the character of the lot and/or building or part thereof;
- .2 The said dwelling unit is occupied as a place of residence by the individual operating the Home Industry;
- .3 Home Industry shall be conducted only by those residing on the lot except for the employment of one assistant;
- .4 'Floor Area, Total' utilized shall not exceed 30% of the dwelling unit or a maximum of 28 square metres, whichever is lesser. Where the Home Industry is located within an accessory building, not more than 100 square metres (1076.4 sq ft) shall be devoted to such use. The accessory building utilized for a Home Industry must be located within 30 metres (100 ft.) of the existing dwelling;
- .5 All signs shall be erected according to the Sign By-law of the Corporation or County;

- .6 There shall be no external storage of equipment, vehicles, waste materials, raw materials, finished products/goods, or supplies unless fully enclosed by a 'Planting Area/Visual Screening' as per Section 3.15;
- .7 One off-street parking space shall be provided for every 19 square metres (205 sq. ft.) of floor space occupied by the Home Industry in a dwelling or accessory building;
- .8 The Home Industry shall not create nor become a 'nuisance' in regard to noise, odours, vibrations, glare, smoke, dust, fumes, heat, traffic generated or parking;
- .9 Home Industry shall not include the retail sales of building or construction supplies nor any 'Motor Vehicle' or 'Commercial Motor Vehicle' related use as defined in this By-law;

3.11 ESTABLISHED BUILDING LINE SETBACK - RESIDENTIAL

- .1 Where a residential dwelling is permitted on a lot located between two lots, the required front yard setback may be the average of the two adjoining setbacks, but in no case shall it be less than 4.5 metres (15 ft.).
- .2 Notwithstanding any other section of this By-law to the contrary, where an existing 'Main Building' or structure encroaches into the required front yard or exterior yard setback as established in this By-law, additions to the existing 'Main Building' or structure may be permitted provided the building line to the line of occupation, subject to all other applicable regulations of this By-law.

3.12 EXCEPTIONS TO MAXIMUM HEIGHT REGULATIONS

The regulations prescribing the maximum height of any building or structure shall not, in any zone, apply to the following, provided that such features are erected only to such heights as is necessary to accomplish their purposes: antennas and radio or television receiving or transmitting equipment, grain elevators, windmills or wind turbines, electric power generation facilities, farm silo or barns, church spires, belfries, cupolas, towers or domes not used for human occupancy, chimneys, ventilators, skylights, water tanks, scenery lofts, bulk heads, firewalls, and similar features and necessary mechanical appurtenances accessory to the building on which they are erected. In no event shall any structure exceed 20 metres in a Residential zone, or 45 metres in all other zones.

3.13 PERMITTED YARD ENCROACHMENTS

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

- .1 A fireplace and chimney, sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters, bay windows and other ornamental architectural features may be permitted in the required setback provided such feature does not project more than 60 centimetres (2 ft.) into the setback and in no event shall such feature be closer than 1 metre (3 ft.) to any property line.
- .2 Unenclosed porches, covered or uncovered steps, open steel fire escapes, sundeck patios and awnings, or balconies are permitted to encroach into a required yard, but not more than 1.5 metres (5 ft.), provided that:
 - (i) they are located no closer than 3 metres from the front lot line and/or exterior side lot line; and,
 - (ii) they are set back a minimum of 1 metre from the interior side lot line or rear lot line; and
- .3 Flag poles, garden trellises, fences, and retaining walls, shall be permitted in a required yard.
- .4 Clothes poles and satellite dishes shall only be permitted in an interior side or rear yard.

3.14 PLANTING AREA/VISUAL SCREENING

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

3.14.1 Required Locations

Except as otherwise provided, a Planting Area/Visual Screening shall be provided as per Section 3.14,

where required by this By-Law, and where the interior side lot line or rear lot line of the lot abuts any lot zoned Residential, Open Space, or Institutional.

3.14.2 Height & Width of Planting Area/Visual Screening

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

3.14.3 Interruption for Driveway or Walkway

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

3.14.4 Maintaining Sight Visibility Triangle

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

3.15 LANDSCAPED OPEN SPACE

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

3.16 MINIMUM DISTANCE SEPARATION GUIDELINES (MDS)

- .1 The location of uses in the vicinity of livestock operations is governed by the MDS formulas developed by the Ministry of Agriculture, Food and Rural Affairs.
- .2 Notwithstanding any other provisions of this By-Law to the contrary, where a dwelling is destroyed in whole, or in part, by a catastrophe, MDS I will not be applied when the dwelling is rebuilt, provided it is built no closer to livestock facilities than before the catastrophe.
- .3 Notwithstanding any other provisions of this Bylaw to the contrary, a first or expanding livestock facility permitted in any Agricultural Zone, will not contravene the MDS II formula developed by the Ontario Ministry of Agriculture, Food and Rural Affairs.
- .4 Notwithstanding any other provisions of this By-Law to the contrary, where a livestock facility is destroyed in whole, or in part, by a catastrophe, MDS II will not be applied when the livestock facility is rebuilt, provided it is built no closer to surrounding land uses and lot lines than before the catastrophe, and the values of Factor A, B and/or D have not been increased for the livestock facility.

Explanatory Note

LIVESTOCK FACILITIES & MANURE OR MATERIAL STORAGE

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

3.17 WATERCOURSE SETBACKS

Notwithstanding any yard provisions of this By-law, no person shall hereafter erect any building or structure in any zone which is:

- (i) closer than 15 metres (50 ft.) from the top of bank of an open or an enclosed 'municipal drain'; **or** closer than 30 metres (98 ft.) to the top of bank of any 'watercourse' **or** within an 'EP - Environmental Protection' zone boundary, whichever setback is greater.

3.18 SETBACKS FROM DISPOSAL AREAS – WASTE & SEWAGE

- .1 No building or structure erected and used for human habitation shall be located closer than: (i) 150 metres (492 ft.) from any area zoned for and containing a 'sewage treatment plant' or (ii) 50 metres (164 ft.) from any area zoned for and containing a 'communal sewage disposal system'; either within or outside of the limits of the Corporation.
- .2 No building or structure erected and used for human habitation shall be located closer than 500 metres (1640 ft.) from the fill area as defined in a Certificate of Approval from the Ministry of Environment for an open municipal or private 'solid waste disposal site' or a 'composting facility', either within or outside of the limits of the Corporation.
- .3 Notwithstanding Sections 3.18.1, and 3.18.2, additions, enlargements and alterations to existing buildings and structures within the required setback shall be permitted in accordance with the applicable zoning designation.

3.19 COUNTY OR PROVINCIAL ROAD RIGHT-OF-WAY SETBACKS

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

NOTE: Ministry of Transportation

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

- .2 No building or structure shall be erected within a distance of 33 metres (108 ft.) from the centre line of any County Road.
- .3 Notwithstanding the provisions of Section 3.19.2, between two permanent dwellings on the same side of the street, separated by not more than 100 metres (328 ft.), the minimum setback shall be the average of the setbacks of the two adjacent buildings plus 2 metres, or 33 metres from the centre line of any County Street, whichever is the lesser.
- .4 Notwithstanding the provisions of Section 3.19.3, within 30 metres of an existing permanent dwelling where Section 3.19.3 would not apply, the minimum setback shall be the average of: the setback of the existing dwelling plus 33 metres ($(x + 33)/2$), from the centre line of any County Street, whichever is the lesser.
- .5 The provisions of Section 3.19.2, shall not apply where a County road is within an urban area shown on Schedule A: Land Use of the County of Bruce Official Plan as defined in the Highway Traffic Act, where building setbacks are regulated elsewhere in this By-law.

3.20 STREET**3.20.1 Streets - Class 1**

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

3.20.2 Streets - Class 2

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

3.20.3 Streets - Class 3 and Class 4

- .1 Class 3 Streets under the jurisdiction of the Corporation are shown on Schedule 'A' and are opened but unmaintained. Regardless of the level of construction the Corporation is not obligated to provide municipal services such as snow plowing, provision of garbage/recycling collection, or fire protection.
- .2 Class 4 Streets under the jurisdiction of the Corporation are shown on Schedule 'A' and are unopened and unmaintained. The Corporation is not obligated to open or maintain Class 4 Streets.

3.21 FRONTAGE ON A STREET (BUILDING PERMITS)

- .1 No person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected:
 - (i) fronts, and has ingress and egress upon a Class 1 Street; or
 - (ii) is a lot on a Registered Plan of Subdivision; or
 - (iii) is within a registered Plan of Condominium.
- .2 No person shall erect any building or structure, or increase the height, size or volume of existing structures, in any zone fronted by a Class 2 Street unless the owner of the lot upon which such building or structure is to be erected or increased in height, size or volume has entered into a 'Winter Maintenance Service Agreement' with the Corporation.
- .3 On Class 3 and/or Class 4 Streets, no building permits may be issued for any building or structure.

3.22 SETBACKS FROM PRIVATE LANES

A 'private lane' shall use the definition of a 'street' for the purposes of determining setbacks for this By-Law.

3.23 SIGHT TRIANGLES

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

3.24 OPEN STORAGE & OUTDOOR DISPLAY - INDUSTRIAL/COMMERCIAL ZONES**3.24.1 Open Storage**

- .1 'Open Storage' shall be permitted provided that:

- (i) the 'Open Storage' is accessory to the principle use on the lot;
- (ii) no 'Open Storage' shall be permitted in a front yard or exterior side yard;
- (ii) the 'Open Storage' complies with the minimum yard requirements of the Zone;
- (iii) the 'Open Storage' is visually screened from the street by a 'Planting Area/Visual Screening' as per Section 3.14.

.2 In the Industrial or Commercial Zones, where any side or rear lot line abuts a lot also zoned Industrial or Commercial, the minimum setback of any 'Open Storage' may be reduced to no less than 3 metres (10 ft.) from the said side or rear lot line.

3.24.2 Outdoor Display

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

- (i) the items displayed in the 'Outdoor Display' are accessory to the principle use of the lot; and
- (ii) the 'Outdoor Display' shall not inhibit sight triangles nor occupy space required for a 'Planting Area/Visual Screening' as required by Section 3.14 and/or 'Landscaped Open Space' as required by Section 3.15.

3.24.3 Lot Coverage

'Open Storage' and 'Outdoor Display' shall not cover more than 35% of the lot area.

3.24.4 Surface Treatment

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

3.24.5 Parking and Loading Spaces to be Preserved

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

3.24.6 Lighting

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

3.25 OFF-STREET PARKING REGULATIONS

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

3.25.1 Required Number of Spaces [Minimum]

Permitted Use	Minimum Number of Parking Spaces
i) Dwelling, Non-Farm; Dwelling, Accessory Detached; Dwelling, Single Detached; Dwelling, Duplex; Dwelling, Semi-Detached; Dwelling, Townhouse Street; or other Dwelling not otherwise specified herein	2 per Dwelling Unit
ii) Dwelling, Apartment Building; Dwelling, Townhouse, Cluster	1 per dwelling unit plus 0.25 parking spaces per dwelling unit intended and clearly identified for visitor parking.
iii) Group Home	2 plus 0.25 spaces per bedroom
iv) Assembly Hall; Livestock Auction Barn	1 for each 5 fixed seats or fraction thereof, or 1

		space for each 10 sq. metres (108 sq. ft.) of gross floor area, whichever is greater
v)	Commercial College; Day Nursery; Educational Facility	Commercial College: 1 per 20 sq. metres (215 sq. ft.) gross floor area Day Nursery: 3 per classroom assembly, whichever is greater. Educational Facility – Elementary: the greater of either 1.5 per classroom or 1 per 3 sq. metres of any auditorium any gymnasium floor area Educational Facility – Secondary: the greater of either 3 per classroom or 1 per 3 sq. metres of any auditorium any gymnasium floor area.
vi)	Public Park	2 per 0.4 hectares (1 ac.)
vii)	Travel Trailer Sales Establishment; Farm Implement Establishment; Marine, Recreation and Small Engine Establishments; School Bus Storage	4 per 0.4 hectares (1.0 ac.) plus 1 per service bay
viii)	Agricultural Produce Warehouse; Bulk Fuel Depot; Composting Facility; Livestock Assembly Yard; Pit; Portable Asphalt Plant or Concrete Plant; Quarry; Recycling Centre; Recycling Depot; Riding Stable/Equestrian Centre; Salvage Yard; Sewage Treatment Plant; Solid Waste Disposal Site; Trades Person's Shop; Transport Depot; Wayside Pit/Quarry	4 per Use
ix)	Conservation Area	1 per 1.0 hectares (2.5 ac.)
x)	Abattoir; Industrial Use, Dry; Industry, Light; Industrial Use; Food Processing Primary; Food Processing, Secondary; Research Establishment/Laboratory; Saw or Planing Mill; Technology Industry	1 per each 100 sq. metres (1,076 sq. ft.) of gross floor area plus 1 space for each 20 sq. metres (215 sq. ft.) or fraction thereof, devoted to office use.
xi)	Campground	1 per each campground site plus 1 for every 4 campground sites, or fraction thereof, to be set aside for and visually identified as 'Visitor's Parking'
xii)	Bulk Sales Establishment - Agriculture; Feed Mill & Elevator	1 per 20 sq. metres (215 sq. ft.) gross floor area for interior space plus 1 per 50 sq. metres (538 sq. ft.) gross floor area for outdoor sales, display or warehouse area
xiii)	Trades Person's Shop; Contractor's Yard	1 per 50 sq. metres (538 sq. ft.) of gross floor area plus 1 space for each 20 sq. metres (215 sq. ft.) or fraction thereof, devoted to office use.

xiv)	Garden Centre, Greenhouse, Commercial; Rental Establishments	1 per 20 sq. metres (215 sq. ft.) of gross floor area for retail or administration and 1 per 50 sq. metres (538 sq. ft.) of gross floor area for outdoor storage, sales and display or greenhouse.
xv)	Public Garage	2 per service bay
xvi)	Public Utility Building	1 per building or structure
xvii)	Golf Course; Miniature Golf Course; Golf Driving Range	2 per hole golf and miniature golf; 1 per tee plus 1 per 10 sq. metres (108 sq. ft.) of building gross floor area or fraction thereof
xviii)	Hospital; Residential Care Facility	1 per patient room or resident room
xix)	Funeral home	1 parking space per 18 sq. metres of gross floor area with a minimum of 10 spaces
xx)	Business or Professional Office; Clinic; Fitness Centre; Public Building; Veterinary Clinic; Veterinary Clinic - Small Animal	1 per 20 sq. metres of gross floor area
xxi)	Recreation Centre	the greater of 1 per 10 fixed seats or 1 per 10 sq. metres of gross floor area and 2 per 0.4 hectares (1 ac.) of lot area
xxii)	All Automobile Uses; All Commercial Motor Vehicles Uses	1 per 20 sq. metres of gross floor area plus 1 per service bay, wash bay and/or fuel pump
xxiii)	Hotel/Motel	1 per guest room plus the greater of either 1 per 4 seats or 1 per 10 sq. metres of gross floor area per 'Tavern' and/or 'Restaurant'
xxiv)	Warehouse; Warehouse, Mini-Storage	1 per 200 sq. metres (2153 sq. ft.) of gross floor area plus 1 space for each 20 sq. metres (215 sq. ft.) or fraction thereof, devoted to office use plus 1 per 500 sq. metres of total lot area used for open storage
xxv)	Artisan Studio; Convenience Store; Factory Outlet; Personal Service Shop; Retail Store; Retail, Large Format	1 plus 1 additional parking space per 20 m ² of gross floor area
xxvi)	Restaurant; Restaurant Take-Out; Tavern	the greater of either 1 per 4 seats or 1 per 10 sq. metres of gross floor area
xxvii)	Any 'Commercial Use' or 'Other Use' not otherwise specified herein	1 per each 30 sq. metres (323 sq. ft.) of gross floor area or fraction thereof
xxviii)	Any 'Industrial Use' not otherwise specified herein	1 per each 90 sq. metres (969 sq. ft.) of gross floor area or fraction thereof with a minimum of 5 spaces.

3.25.2 Barrier Free Parking Spaces

Included in the number of parking spaces required in Section 3.25.1 for all uses, save and except for Residential uses, shall be Barrier Free parking spaces in accordance with the following:

<u>Total Parking Spaces Required</u>	<u>No. of Handicapped Spaces Required</u>
10-25	1
26-50	2
51-75	3
76-100	4
101 +	4 plus 2% of # over 100 spaces

3.25.3 Calculation of Spaces

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

3.25.4 Size and Accessibility of Parking Spaces

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

.1 Angle Parking

Angle in Degrees	Parking Space in Length	Manoeuvring Aisle Width	Parking Space in Width
30	4.6 m (15 ft.)	3.7 m (12.1 ft.)	2.75 m (9.1 ft.)
45	5.5 (18 ft.)	4.0 m (13.1 ft.)	2.75 m (9.1 ft.)
60	5.8 (19 ft.)	5.5 m (18 ft.)	2.75 m (9.1 ft.)
90	5.5 m (18 ft.)	7.3 m (24 ft.)	2.75 m (9.1 ft.)

.2 Parallel Parking

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

3.25.5 Barrier Free Parking

Notwithstanding the parking space size requirements listed in Sections 3.25.4(1) and 3.25.4(2), the minimum parking space width for Barrier Free parking shall be 4 metres (13 ft.). Where two or more angled Barrier Free parking spaces are located together, the minimum parking space width shall be 3.2 metres (10.5 ft.).

3.25.6 Provisions and Location of Spaces

- .1 Parking spaces shall be provided at the time of erection of any building or structure, or at the time any building or structure is enlarged.
- .2 Parking spaces shall be located on the same lot or within the same building as the use for which said parking is required.
- .3 However, where the owner of a building or structure proposes to provide the required parking spaces and areas in a location other than on the same lot as the use that requires such spaces and areas, then such parking shall be located not more than 150 metres (492 ft.) from the said lot and shall be located within the same zone as the said lot. Such parking shall not be considered as required parking for the use of the lands upon which the parking spaces are situated.
- .4 Should it not be possible to accommodate the required number of parking spaces on site or within 150

metres (492 ft.) of the site, Council may, if appropriate, require the owner to enter into an agreement under Section 40 of the Planning Act for the payment of cash in lieu of parking.

- .5 Uncovered parking spaces may be located in the required yards.

3.25.7 Application of Parking Requirements

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

3.25.8 Seating Accommodation by Benches or Outdoors

For the purposes of Section 3.25.1, where seating accommodation is provided by benches, 0.5 metres (20 inches) of bench space shall be considered as equivalent to one (1) seat. Where outdoor seating is provided in conjunction with a permitted use, parking spaces shall be provided in accordance with Section 3.25.1. For the purposes of Section 3.25.1, an outdoor seating area shall be considered as part of the 'floor area, total' as the case may be, for the purposes of calculating required spaces.

3.25.9 Entrance - Driveways

- .1 A driveway shall have a minimum width of 3 metres and maximum of 9 metres.
- .2 The maximum width of any joint entrance and exit driveway measured along the street line shall be 9 metres.
- .3 The minimum distance between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 7.5 metres.
- .4 The minimum angle of intersection between a driveway and a street line shall be 60 degrees.
- .5 Every lot shall be limited to the following number of driveways:
- (a) Up to the first 30 metres of frontage measured along the street line – not more than 1 driveway.
 - (b) For each additional 30 metres of frontage measured along the street line – not more than 1 additional driveway to a maximum of three driveways.
- .6 An entrance serving a non-residential use shall not be located closer than 3 metres (10 ft.) to a lot containing a dwelling as a principal use.
- .7 An entrance serving a residential use shall not be located closer than 1 metre (3 ft.) to the side property line, save and except for a joint driveway servicing two lots in which case the entrance shall not require any setback.
- .8 All driveways shall require a permit from the appropriate approval authority.

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

3.25.10 Surfacing and Drainage of Parking Areas and Entrances

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

3.25.11 Illumination of Parking Areas or Entrances

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

3.26 LOADING REGULATIONS

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

Table 1 – Loading Space Regulation

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

Note: All of the above are in reference to 'Floor Area, Total' of the main use.

3.26.1 Access

In addition to the number of loading spaces, adequate space shall be provided for the parking of vehicles awaiting access to loading, and any additional area as is necessary for the manoeuvring of a truck-trailer either into or out of the loading space. Access to loading spaces shall be by means of a driveway at least 6 metres (20 ft.) wide contained within the lot on which the spaces are located and leading to a street or lane located within or adjoining the zone in which the use is located.

3.26.2 Loading Space Dimensions

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

3.26.3 Location of Loading Space

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

3.26.4 Surface and Drainage of Spaces and Driveways

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

3.26.5 Application of Loading Space Requirements

When a building or structure has insufficient loading spaces on the date of passing of this By-law to conform to the provisions herein, this by-law shall not apply to require that the deficiency be made up prior to the construction of any addition. In the case of an expansion or enlargement of an existing building or structure, the requirement for the provision of additional loading spaces shall be based on said expansion or enlargement. Notwithstanding Section 3.26.1, where the building or structure is deficient in loading spaces, a loading space shall be required for an expansion of 25 square metres or greater and less than 100 square metres.

3.26.6 Landscaping

Where a loading area adjoins any Residential zone or a street then a Planting Area/Visual Screen as per Section 3.14 shall be provided within the lot requiring such loading area and along the lot line adjoining such Residential zone or street.

3.27 PROVISIONS FOR AN EXISTING MOBILE HOME NOT LOCATED IN A MOBILE HOME PARK

Existing mobile homes shall conform to the residential provisions of the zone in which it is located. If no residential provisions exist for the zone in which it is located, the mobile home shall be subject to the 'Non-Farm Lot provisions of Section 6.3.

3.28 CONFLICTING REGULATIONS OR PROVISIONS

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

3.29 LIGHTING

Lighting fixtures designed to provide exterior illumination on any lot shall be installed with the light directed or deflected away from adjacent lots and streets and shall not be similar to traffic lights.

3.30 DRAINAGE OF LOTS

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

SECTION 4 - ESTABLISHMENT OF ZONES**4.1 GENERAL**

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

4.2 ZONE SYMBOLS

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

<u>Section</u>	<u>Zone</u>	<u>Symbol</u>
	Agriculture Zones	
6	General Agriculture	A1
	Residential Zones	
7	Hamlet Residential	HR
8	Residential: Low Density Single	R1
8	Residential: Low Density Multiple	R2
8	Residential: Medium Density	R3
9	Mobile Home Residential	MHP
10	Travel Trailer Park and Campground	TTP
	Commercial Zones	
11	Central Business District Commercial	C1
11	Transition Commercial	C2
11	Highway Commercial	C3
11	Large Format Commercial	C4
12	Hamlet Commercial	HC
	Industrial Zones	
14	Business Park 1	BP1
14	Business Park 2	BP2
15	Hamlet Industrial	HI
16	Agriculture Commercial Industrial	ACI
17	Extractive Industrial	M2
18	Rural Commercial Industrial	RCI
	Institutional Zones	
19	Institutional Rural	INR
19	Institutional Urban	IN
	Other Zones	
20	Open Space Rural	OSR
20	Open Space Urban	OS
21	Waste Disposal	WD
22	Environmental Protection	EP
23	Future Development	FD

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

4.3 SPECIAL USE PROVISIONS

Where any of the Zone symbols described in Section 4.2.1 are shown on Schedule 'A' followed by a dash and a number (e.g. A1-1) then special provisions and/or uses to the normal zone provisions apply to such lands. Such special provisions will be found by reference to that section of the By-law which deals with that

particular zone. Lands designated in this manner shall be subject to all the restrictions of the zone, except as otherwise provided by the special provisions.

4.4 HOLDING ('h') ZONE

- .1 The symbol 'H' when used in conjunction with a zone designation (e.g. 'BP1-h') denotes a holding zone. Such a zone will indicate which uses are permitted, and which uses are permitted only when the "h" symbol has been removed by amendment to the By-law. Such a zone may also list uses permitted prior to the removal of the "h".
2. The provisions of any holding (h) zone will also list the conditions that must be met before Council may remove the "h" on one or more of the uses that are subject to the holding condition.
3. In all holding (h) zones, unless specifically stated to the contrary in the zone provisions, alterations, additions or enlargements to existing residential building or structures and accessory structures will be permitted provided such buildings and structures were lawfully used for residential purposes on the date of the passing of this By-Law and provided such alterations, additions or enlargements conform to the relevant sections of this By-Law.

4.5 TEMPORARY USE BY-LAW

- .1 The symbol 'T' when used in conjunction with a zone designation (e.g. 'A1-110-T') on Schedule A, indicates that a Temporary Use By-Law has been passed in accordance with the Planning Act, R.S.O. 1990, c.P.13, to permit the use of lands, buildings or structures in accordance with the zone represented by that zone symbol within the area indicated, with the term of the said temporary use set out specifically in the Temporary Use By-Law; and upon expiry of such term, the underlying zone indicated on Schedule A shall apply.
- .2 The specific temporary use provisions are denoted by the number immediately preceding the symbol "t/T" (i.e. 'A1-110-T') as shown on Schedule 'A'.

4.6 INCORPORATION OF ZONING MAP

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

4.7 ZONING MAPS

4.7.1 Boundaries of Zones

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

- .1 Where a zone boundary is indicated as following and is within the boundary of a street, lane, railway right-of-way or watercourse, the boundary shall be deemed to be the centre line of such street, lane, railway right-of-way or watercourse.
- .2 Where a zone boundary is indicated as approximately following lot lines shown on a registered plan of subdivision or lot lines of the original Crown survey fabric, the boundary shall be deemed to follow such lot lines.
- .3 Where a zone boundary is indicated as approximately parallel to any street line and the distance from the street line is not indicated, such boundary shall be deemed to be parallel to such street line, and the distance there from shall be according to the scale shown on Schedule 'A'.
- .4 Where any zone boundary is left uncertain after application of the provisions of clauses (1), (2), (3) and (4) above, then the boundary shall be determined by the scale shown on the Zoning Map Schedule measured from the centre of the zone line.
- .5 Wherever it occurs, the municipal limit is the boundary of the zone adjacent to it.

.6 In any zone, where the zone boundary requires a more precise definition than that permitted by the scale or detail of the zoning map, the Zoning Administrator shall determine the precise location of the zone boundary and, where appropriate, may consult with other agencies or individuals as may be relevant.

.7 Notwithstanding the provisions of Section 4.7.1.7, the zone boundaries of the 'EP-1' Zone shall not be altered except by a By-Law passed under Section 34 of the Planning Act, R.S.O 1990 as amended.

4.7.2 Other Boundary Features – Streets, Watercourses Etc.

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

Explanatory Note:

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

- (i) Municipal Road Classifications;*
- (ii) Jurisdiction of streets between the Municipality and the County of Bruce; and,*
- (iii) Delineation of Saugeen Valley Conservation Authority Regulated Area (Ontario Regulation 169/06).*

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

4.7.3 More Than One Zone on a Lot

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

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

Explanatory Note:

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

SECTION 5 - GENERAL PROVISIONS FOR ALL AGRICULTURE ZONES - A**5.1 NO DWELLING PERMITTED – SEVERED AGRICULTURAL PARCELS**

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

5.2 REQUIREMENTS FOR KENNELS

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

5.3 ACCESSORY BUILDINGS AND STRUCTURES – NON-FARM LOT

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

5.3.1 Prohibited Structures

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

5.3.2 Use of Accessory Buildings and Structures

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

5.3.3 Location

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

- (i) When located in a rear yard, such accessory building or structure shall be located no closer than 1 metre (3.3 ft.) to the rear lot line. Further, any part of such accessory building or structure shall be setback 3 metres (9.8 ft.) from any part of a dwelling on an adjoining lot.
- (ii) When located in an interior side yard, an accessory building or structure may be positioned no closer than 1 metre (3.3 ft.) to an interior side lot line. Where a mutual private garage is erected on the lot line between two lots, no interior side yard setback is required.
- (iii) Where erected in an exterior side yard no accessory building or structure shall be located closer than 6 metres (19.7 ft.) to any street line.
- (iv) Detached garages or any part thereof may be located in front of the principle structure provided it complies with the minimum front yard setback requirements and minimum side yard requirements.
- (v) Detached accessory buildings, designed and used only for the storage of boats and boating accessories, and located on lots, which adjoin a body of water, shall not require a rear yard setback but shall comply with all other provisions of the By-Law.

5.3.4 Height

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

5.3.5 Number & Lot Coverage of Accessory Buildings & Structures

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

5.3.6 Establishment of an Accessory Building/Structure or Use

Notwithstanding any of the provisions of this By-Law, no accessory building, structure or use shall be erected, or used until the principal building, structure or use is erected to the satisfaction of the Chief Building Official and in compliance with the provisions of this By-Law. This shall not apply to those uses covered under Section 3.1.2 'Temporary Buildings and Construction Facilities'.

SECTION 6 - GENERAL AGRICULTURE (A1)**6.1 SCOPING NOTE**

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

6.2 USES PERMITTED

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

- (a) Non-Farm Lot
- Dwelling, Non-Farm
 - Group Home
 - Home Occupation - Domestic and Professional Uses as per Section 3.8
 - Home Occupation - Bed & Breakfast Establishment as per Section 3.9
 - Home Industry as per Section 3.10
 - Kennel as per Section 5.2
 - Accessory Buildings & Structures as per Section 5.3
- (b) Agriculture Lot
- Agritainment
 - Agriculture, General
 - Conservation Area
 - Dwelling – Accessory Detached as per Section 3.7.2
 - Group Home
 - Home Occupation - Domestic and Professional Use as per Section 3.8
 - Home Occupation - Bed & Breakfast Establishment as per Section 3.9
 - Home Industry as per Section 3.10
 - Livestock Facility
 - Kennel as per Section 5.2
 - Wayside Pit, Wayside Quarry or Portable Asphalt Plant

Note:

Garden Suites are permitted by the enactment of a Temporary Use By-law as prescribed in Section 39 and 39.1 of the Planning Act, which will form an amendment to this By-law.

6.3 ZONE PROVISIONS

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

Provisions: Private Water and Septic	Agriculture Lot	Non-Farm Lot
Minimum Lot Area	39 hectares (96 ac.)	0.5 hectares (1.24 ac.)
Minimum Lot Frontage	100 metres (328 ft.)	40 metres (131 ft.)
Minimum Front or Exterior Yard	20 metres (66 ft.)	10 metres (33 ft.)
Minimum Rear Yard	20 metres (66 ft.)	10 metres (33 ft.)
Minimum Side Yard	20 metres (66 ft.)	10 metres (33 ft.)
Maximum Height	Not applicable	10 metres (33 ft.)
Maximum Lot Coverage	15%	15%

6.4 SPECIAL PROVISIONS

Explanatory Note

The Special Provisions section contains provisions that apply only to specific lands, and that represent a site specific change from stated zone provisions.

Carrick By-law 92-606 (Haelzle, Part of Lots 3 & 4, Concession 'A')
 Carrick By-law 97-05 (Hall, Lot 46, Concession 'C')
 Carrick By-law 2002-01 (Morley, Part of Lot 29 & Lot 30, Concession 'D')
 Culross By-law 8-1990 (Borho, Part of Lot 6, Concession 11 & 12)
 Culross By-law 99-29 (Ireland, Lot 19, Concession 1)
 Culross By-law 99-53 (Lang Farms, Lot 2, Concession 9)
 South Bruce By-law 2003-39 (McKague, Lot 15, Concession 8, Culross)
 South Bruce By-law 2003-53 (Lieber, Lot 1, Concession 6, Carrick)
 South Bruce By-law 2003-58 (Datak/Deetzler, Lot 49, Concession 'C', Carrick)
 South Bruce By-law 2004-34 (Hinz/Steinback, Part of Lots 52 & 53, Concession 'C', Carrick)
 South Bruce By-law 2004-47 (Hucon/Deetzler, Part of Lots 18 & 19, Concession 2, Carrick)
 South Bruce By-law 2005-41 (Walter, Part of Lots 16, 17 & 18, Concession 5, Carrick)
 South Bruce By-law 2005-52 (McPherson/Sluys, Part of Lot 27, Concession 9, Culross)
 South Bruce By-law 2006-29 (Lantz, Lot 31, Concession 5, Carrick)
 South Bruce By-law 2006-36 (Timms, Part of Lots 13 & 14, Concession 'C', Carrick)
 South Bruce By-law 2006-43 (Tony Lang Farms Ltd, Lot 14, Concession 10, Culross)
 South Bruce By-law 2006-50 (Tony Lang Farms Ltd, Lot 13, Concession 10, Culross)
 South Bruce By-law 2006-51 (Tony Lang Farms Ltd, Part of Lot 34 & Lot 35, Concession 'A', Culross)
 South Bruce By-law 2006-62 (Lang Farms Ltd, Part of Lot 15, Concession 11 & Lot 15, Concession 12 Carrick)
 South Bruce By-law 2007-29 (McGlynn, Lot 15, Concession 'C', Carrick)
 South Bruce By-law 2007-44 (Tony Lang Farms Ltd, Lot 16, Concession 'C', Carrick)
 South Bruce By-law 2007-47 (Albadon Farms, Lot 13, Concession 2, Culross)
 South Bruce By-law 2007-62 (Schotman Farms, Part of Lots 23, 24 and 25, Concession 6, Carrick)
 South Bruce By-law 2008-09 (Sitler, Lot 13, Concession 14, Culross)
 South Bruce By-law 2008-47 (Reinhart, Lot 5, Concession 8, Carrick)
 South Bruce By-law 2008-53 (Inglis, Lot 6, Concession 1, Carrick)
 South Bruce By-law 2008-71 (Lang Farms, Part of Lot 17 & Lot 18, Concession 15, Culross)
 South Bruce By-law 2009-06 (Nichols/Grubb, South Part of Lot 9, Concession 'D', Carrick)
 South Bruce By-law 2009-35 (Ernewein, Lot 4 & South Part of Lot 5, Concession 15, Culross)
 South Bruce By-law 2009-36 (Schaus, Lot 30, Concession 12, Carrick)
 South Bruce By-law 2009-38 (Winters, Lot 16 & West Part of Lot 17, Concession 11, Carrick)
 South Bruce By-law 2010-37 (Schothorst Farms, Part of Lot 22, Concession 8, Carrick)
 South Bruce By-law 2010-53 (Lang Farms Ltd, Part of Lot 19 & Lot 20, Concession 7, Culross)

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

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

Carrick By-law 85-440 (Part Lot 30, Concession 'D')
 Carrick By-law 85-440 (Part Lot 26, Concession 15)
 Carrick By-law 85-440 (Part Lot 17, Concession 10)
 Carrick By-law 85-440 (Part Lot 20, Concession 11)
 Carrick By-law 85-440 (Part Lot 21, Concession 11)
 Carrick By-law 85-440 (Part Lot 28, Concession 11)
 Carrick By-law 20-1985 (Part Lot 27, Concession 7)
 Culross By-law 20-1985 (Part Lot 11, Concession 11)
 Culross By-law 20-1985 (Part Lot 19, Concession 5)
 Culross By-law 20-1985 (Part Lot 15, Concession 5)

.2 Notwithstanding their 'A1' Zoning designation, those lands delineated as '**A1-2**' on Schedule 'A' to this By-law, shall only be used for a cemetery in accordance with the 'A1 Non-Farm Lot' Zone provisions contained in this By-Law.

Carrick By-law 84-419 (Dietz, Part Lot 20, Concession 'D')
 Carrick By-law 85-440 (Part Lot 19, Concession 'D')
 Carrick By-law 85-440 (Part Lot 20, Concession 'D')
 Carrick By-law 85-440 (Part Lot 20, Concession 8)
 Carrick By-law 85-440 (Part Lot 21, Concession 8)
 Carrick By-law 88-503 (Withrow, Part Lots 1 and 2, Concession 15)
 Carrick By-law 89-516 (Sutherland Pt Lot 15, Concession 'A')
 Carrick By-law 89-517 (Inglis Part Lot 17, Concession 1)
 Carrick By-law 89-531 (K. Withrow, Part Lot 2, Concession 15)
 Carrick By-law 90-546(Inglis Farms Inc., Part Lot 17, Concession 1)
 Carrick By-law 91-582 (Withrow/Schmidt, Part Lot 2, Concession 15)
 Carrick By-law 92-610 (Inglis Farms Inc. Part Lot 17, Concession 1)
 Carrick By-law 94-671 (Jacobs, Part Lot 19, Concession 1)
 Culross By-law 26-1988 (Rettinger, Part of Lot 6, Concession 12)

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

- i) For Minimum Distance Separation [MDS] calculations shall be considered to be zoned 'residential'.

Carrick By-law 86-468 (Weishar, S 1/2 Lot 13, Concession 'A')
 Carrick By-law 87-484 (Watke, Part Lot 24, Concession 14)
 Culross By-law 20-1985 (Lot 22, Concession 6)

.4 Notwithstanding their 'A1' zoning designation those lands delineated as '**A1-4**' on Schedule 'A' to this By-law shall be used in accordance with the 'A1' Zone provisions contained in this By-law, excepting however that :

- i) Buildings and structures are not permitted.

Carrick By-law 96-31(Part Lot 46, Lot 47, Concession 'D')

.5 Notwithstanding their 'A1' zoning designation, where lands are designated as '**A1-5**' on Schedule 'A' to this By-law, shall only be used for non-farm residential purposes, in accordance with the 'A1' zoning provisions, excepting however that:

- i) The minimum lot area shall be 57 hectares (141 acres).

Carrick By-law 99-17 (Poechman W 2 Lot 29, Concession 14)

.6 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-6**' on Schedule 'A' to this By-Law, shall only be used for agricultural purposes in accordance with the 'A1' Zone provisions, excepting however that:

- i) The 'minimum lot area' shall be 18.0 hectares (44.5 acres).

Carrick By-law 2001-27 (Jerryview Farms, Part Lot 23, Concession 9)

.7 Notwithstanding their 'A1' Zoning designation, those lands delineated as '**A1-7**' on Schedule 'A' to this By-Law, shall only be used for agricultural purposes in accordance with the 'A1' Zone provisions, excepting however that:

- i) The 'minimum lot area' shall be 19.6 hectares (48.5 acres); and,
- ii) Dwellings/ residential structures accessory to an agricultural use shall be prohibited.

Carrick By-law 99-32 (Eckenswiller, Part Lot 7, Concession 'A')

.8 Notwithstanding their 'A1' Zoning designation, where lands are designated as '**A1-8**' on Schedule 'A' to this By-Law, the said lands may be used for General Agricultural purposes, in accordance with the 'A1' Zoning provisions, excepting however that:

- i) One additional non-agricultural dwelling may be permitted until such time as the subject property is sold. At that time the older residence on the property will be required to be demolished or removed.

Culross By-law 99-53 (Lang Farms, Lot 2, Concession 9)

.9 Notwithstanding their 'A1' zoning designation, where lands are designated as '**A1-9**' on Schedule 'A' to this By-law, the said lands may be used for General Agricultural purposes, in accordance with the 'A1' Zoning provisions, excepting however that:

- i) The minimum side yard shall be no less than 8.2 metres (27 feet) for existing buildings and/or structures; and,
- ii) The minimum lot area shall be 0.5 hectares (1.4 acres).

Culross By-law 3-1991 (Howard, Part of Lot 10, Concession 8)

.10 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-10**' on Schedule 'A' to this By-Law, may be used for the purposes of 2 dog kennels in addition to those uses normally permitted in the 'A1' Zone in accordance with the 'A1' Zone provisions contained in this By-Law excepting however that:

- i) The minimum rear yard may be reduced to 1.2 metres (3.94 feet) for one (1) dog kennel;
- ii) The minimum lot area shall be 4046.7 m² (43,560 square feet);
- iii) For the purposes of this By-Law, Section 8.1 (c) of By-law 20-1985 shall not apply so as to prevent only one (1) dog kennel to be constructed in the front yard, not closer than 46.36 m to the front lot line;
- iv) The minimum side yard on the north side of the subject lands may be reduced to 1.2 metres (3.94 feet) for both dog kennels proposed;
- v) The minimum side yards for the existing dwelling may be reduced to 8.2 metres (26.9 feet) on the north side and to 8.1 metres (26.6 feet) on the south side; and;
- vi) The minimum side yard on the south side of the subject lands may be reduced to 18 metres (59.0 feet) for one dog kennel and to 19.5 metres (63.9 feet) for the other dog kennel.

.11 Available 'A1-11'

Culross By-law 10-1991 (Thompson, W 1/2 Lot 15, Concession 1)

Culross By-law 20-1985 (Lot 9, Concession 8)

.12 Notwithstanding their 'A1' Zoning designation those lands delineated as '**A1-12**' on Schedule 'A' to this By-law may be used for the purposes of a second detached dwelling for the owner of the subject lands in addition to a private aerodrome and caretaker's residence, subject to compliance with the 'A1' Zone provisions contained in this By-law.

.13 Available 'A1-13'

Culross By-law 30-1988 (Woods, Lots 22 and 23, Concession 15)

.14 Notwithstanding their 'A1' Zoning designation those lands delineated as '**A1-14**' on Schedule 'A' to this By-law may be used for General Agricultural purposes in compliance with the 'A1' Zone provisions contained in this By-Law, excepting however that:

- i) Permitted residential uses shall be limited to a cottage dwelling.

Culross By-law 2000-42 (Lang Farms, Lot 24, Concession 7)

.15 Notwithstanding their 'A1' Zoning designation, where lands are designated as '**A1-15**' on Schedule 'A' to this By-Law, the said lands may be used for General Agricultural purposes, in accordance with the 'A1' Zoning provisions, excepting however that:

- i) Residential uses restricted solely for the use of the shareholders of the Corporation shall be permitted.

By-law 2002-20 (Losch Lot 28 Concession 8, Carrick)

.16 Notwithstanding their 'A1' zoning designation, those land delineated as '**A1-16**' on Schedule 'A' to this By-law may be used for a Non-Farm Lot, in accordance with the 'A1' zoning provisions excepting however that:

- i) The 'Non-Farm Lot: minimum lot area' shall be no less than 0.688 hectares (1.7 acres);
- ii) The 'minimum side yard' for the existing dwelling shall be no less than 9 metres (29.5 ft).

.17 Notwithstanding their 'A1' zoning designation, those land delineated as '**A1-17**' on Schedule 'A' to this By-law may be used for a Agricultural Lot, in accordance with the 'A1' zoning provisions excepting however that:

- i) The 'minimum side yard' for the existing dwelling shall be no less than 8 metres (26.2 ft).

South Bruce By-law 2002-22 (Rutherford W ½ Lot 7 Concession 1, Culross)

.18 Notwithstanding their 'A1' zoning designation, those land delineated as '**A1-18**' on Schedule 'A' to this By-law may be used for General Agricultural purposes, on accordance with the 'A1' zoning provisions excepting however that:

- i) The 'minimum lot area' shall be no less than 21.04 hectares (52 acres).

South Bruce By-law 2002-50 (McKinnon Lot 28 & W ½ Lot 27 Concession 5, Culross)

.19 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-19**' on Schedule 'A' to this By-law may be used for General Agricultural purposes, in accordance with the 'A1' zoning provisions excepting however that:

- i) The 'minimum lot area' shall be no less than 20.24 hectares (50 acres).

South Bruce By-law 2003-39 (McKague Lot 15 Concession 8, Culross)

.20 Notwithstanding their 'A1' zoning designation, those lands described as Part of Lot 15, Concession 8, in the Township of Culross and delineated as '**A1-20**' on Schedule 'A' to this By-law shall be used in compliance with the 'A1' Zone provisions contained in this By-law, excepting, however, that:

- i) Livestock and/or poultry shall be limited to 1.24 livestock units per hectare (0.5 livestock units per acre).

South Bruce By-law 2003-53 (Lieber, Lot 1 Concession 6, Carrick)

.21 Notwithstanding their 'A1' zoning designation, those lands described as Part of Lot 1, Concession 6 in the former Township of Carrick, and delineated as '**A1-21**' on Schedule 'A' to this By-law shall be used in compliance with the 'A1' Zone provisions contained in this By-law, excepting, however, that:

- i) Livestock and/or poultry shall be limited to 1.24 livestock units per hectare (0.5 livestock units per acre); and,
- ii) The minimum side yard setback may be reduced to 4.9 metres (16.0 feet) for the residence as it existed as of the date of passage of this By-law.

South Bruce By-law 2003-58 (Datak / Detzler Lot 49 Concession 'C', Carrick)

.22 Notwithstanding their 'A1' zoning designation, those lands described as Part of Lot 49 Concession 'C' in the former Township of Carrick, and delineated as '**A1-22**' on Schedule 'A' to this By-law shall be used in compliance with the 'A1' Zone provisions contained in this By-law, excepting, however, that:

- i) Livestock and/or poultry shall be limited to 1.24 livestock units per hectare (0.5 livestock units per acre);
- ii) The minimum lot frontage shall be reduced to 16.8 metres (55.0 feet); and
- iii) The minimum side yard setback shall be reduced to 9.1 metres (30.0 feet) for the house as it existed as of the date of passage of this By-law.

South Bruce By-law 2004-18 (Smith / Davidson Part Lots 28 and 29, Concession 2, Culross)

.23 Notwithstanding their 'A1' zoning designation, those lands described as Part Lot 28, Concession 2, Municipality of South Bruce (former Township of Culross) and delineated as '**A1-23**' and '**A1-23-H**' on Schedule 'A' to this By-law shall be used in compliance with the 'A1' Zone provisions contained in this By-law, excepting, however, that:

- i) The minimum lot area shall be 37.5 ha (92.7 ac);
- ii) Buildings and/or structures may be constructed on those lands zoned '**A1-23**';
- iii) The 'H – Holding' provision may be removed from lands zoned '**A1-23-H**' once the following condition has been met:
 - a) Any development proposal shall demonstrate to the satisfaction of the SVCA and the Municipality of South Bruce that there would be no negative impact on the wetland or coldwater

stream.

.24 Notwithstanding their 'A1' zoning designation, those lands described as Part Lot 28 and Part Lot 29, Concession 2, Municipality of South Bruce (former Township of Culross) and delineated as **'A1-24'** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' Zone provisions contained in this By-law, excepting, however, that:

- i) The minimum lot area shall be 37.5 ha (92.7 ac); and
- ii) Buildings and structures as they existed on the date of passage of this By-law.

South Bruce By-law 2004-20 (Scott Lot 27, Concession 7, (Culross))

.25 Notwithstanding their 'A1' zoning designation, those lands described as Lot 27, Concession 7, Municipality of South Bruce (former Township of Culross) and delineated as **'A1-25-H'** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' Zone provisions contained in this By-law, excepting, however, that:

- i) Buildings and structures are permitted to exist as they existed on the date of passage of this By-law;
- ii) A *'Farm Implement Repair'* shall be a permitted use; and
- iii) The *'Farm Implement Repair'* use shall be located within close proximity to the existing cluster of farm-related buildings; and
- iv) That the 'H – Holding' provision may be removed once the following conditions have been met:
 - a) A statement from the Chief Building Official or a qualified individual that all floor drains which may become contaminated with materials from the repair/servicing shop have been directed to a 'waste oil separator' or similar engineered system; and
 - b) A statement from the owner/operator that a certified individual/company has been retained to dispose of all contaminated materials.

.26 Available 'A1-26'

South Bruce By-law 2004-34 (Hinz Part Lot 53, Concession C, Carrick)

.27 Notwithstanding their 'A1' zoning designation, those lands described as Part of Lot 53, Concession 'C', in the Township of Carrick and delineated as **'A1-27'** on Schedule 'A' to this By-law shall be used in compliance with the Non-farm Lot provisions of the 'A1' Zone contained in this By-law, excepting, however, that:

- i) Livestock and/or poultry shall be limited to 3.7 livestock units per hectare (0.5 livestock units per acre); and,
- ii) Notwithstanding Section 6.32 Minimum Distance Separation Guidelines (MDS), the MDS I requirement shall be no less than 157 metres (515.1 feet).

Not Available

.28 Notwithstanding their 'A1' Zoning designation, the lands delineated as **'A1-28'** on Schedule 'A' to this By-law shall only be used for

South Bruce By-law 2004-45 (Datak / Detzler Part Lots 39 & 40, Concession D, Carrick)

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

- i) No residential buildings or structures shall be permitted; and
- ii) The minimum lot area shall be 31.18 hectares (77.04 acres).

South Bruce By-law 2004-45 (Datak / Detzler Part Lots 39 & 40, Concession D, Carrick)

.30 Notwithstanding their 'A1' zoning designation, those lands delineated as **'A1-30'** on Schedule 'A' to this By-law shall be used in compliance with the 'Non-farm Lot' provisions of the 'A1' Zone contained in this By-law, excepting, however, that:

- i) Livestock and/or poultry shall be limited to 3.7 livestock units per hectare (0.5 livestock units per acre).

South Bruce By-law 2004-47 (Hucon / Detzler Part Lots 18 & 19, Concession 2, Carrick)

.31 Notwithstanding their 'A1' zoning designation, those lands delineated as **'A1-31'** on Schedule 'A' to this By-law shall be used in compliance with the 'Non-farm Lot' provisions of the 'A1' Zone contained in this By-law, excepting, however, that:

- i) Livestock and/or poultry shall be limited to 3.7 livestock units per hectare (0.5 livestock units per acre);
- ii) The minimum lot frontage shall be 17.1 metres (56 feet); and
- iii) The minimum side and rear yard setbacks shall be 1.5 metres (5 feet) for the sheds as they existed as of the date of passage of this By-law.

South Bruce By-law 2004-43 (Datak / Detzler Part Lots 51 & 52, Concession D, Carrick)

.32 Notwithstanding their 'A1' zoning designation, those lands delineated as **'A1-32'** on Schedule 'A' to this By-law shall be used in compliance with the 'General Agriculture' provisions of the 'A1' Zone contained in this By-law, excepting, however, that:

- i) No residential buildings or structures shall be permitted; and
- ii) The minimum lot area shall be 27.2 hectares (67.31 acres).

.33 Notwithstanding their 'A1' zoning designation, those lands delineated as **'A1-33'** on Schedule 'A' to this By-law shall be used in compliance with the 'Non-farm Lot' provisions of the 'A1' Zone contained in this By-law, excepting, however, that:

- i) Livestock and/or poultry shall be limited to 3.7 livestock units per hectare (0.5 livestock units per acre); and
- ii) The minimum lot area shall be 0.28 hectares (0.69 acres).

South Bruce By-law 2005-02 (Walter Farms Part Lot 10, Concession 12, Carrick)

.34 Notwithstanding their 'A1' zoning designation, those lands delineated as **'A1-34'** on Schedule 'A' to this By-law shall be used in compliance with the 'General Agriculture' provisions of the 'A1' Zone contained in this By-law, excepting, however, that:

- i) No residential buildings or structures shall be permitted; and
- ii) The minimum lot area shall be 36.32 hectares.

.35 Notwithstanding their 'A1' zoning designation, those lands delineated as **'A1-35'** on Schedule 'A' to this By-law shall be used in compliance with the 'Non-farm Residential' provisions of the 'A1' Zone contained in this By-law, excepting, however, that:

- i) Livestock and/or poultry shall be limited to 3.7 livestock units per hectare; and
- ii) The minimum lot area shall be 0.44 hectares.

South Bruce By-law 2005-20 (Morely / 1599942 ON Ltd Pt Lot 21, Concession 'C', Carrick)

.36 Notwithstanding their 'A1' zoning designation, those lands delineated as **'A1-36'** on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Agriculture Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) No residential buildings or structures shall be permitted;
- ii) The minimum area for lands zoned 'A1-36' shall be 9.70 hectares (23.96 acres);
- iii) The setbacks for all structures shall be no less than as they existed as of the date of the passing of this By-law.

South Bruce By-law 2005-20 (Morley / 1599942 ON Ltd Pt Lot 21, Concession 'C', Carrick)

.37 Notwithstanding their 'A1' zoning designation, those lands delineated as **'A1-37'** on Schedule 'A' to this By-law shall be used in compliance with the 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) Livestock and/or poultry shall be limited to 3.7 livestock units per hectare (0.5 livestock units per acre).

South Bruce By-law 2005-25 (Huber, Pt Lot 23, Concession 8, Carrick)

.38 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-38**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Residential) Zone provisions contained in this By-law, excepting, however, that:

- i) The minimum lot area shall be 2356 m²;
- ii) The minimum side yard setback shall be no less than 2.0 m;
- iii) The minimum rear yard setback shall be no less than 3.3 m;
- iv) Livestock and/or poultry shall be limited to 3.7 livestock units per hectare; and
- v) Notwithstanding *Section 6.32 Minimum Distance Separation Guidelines (MDS)*, the Minimum Distance Separation I may be reduced to 50 meters.

Not Available

.39 Notwithstanding their 'A1' Zoning designation, the lands delineated as '**A1-39**' on Schedule 'A' to this By-law shall only be used for

South Bruce By-law 2005-41 (Walter, Pt Lots 16-18, Concession 5, Carrick)

.40 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-40**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) Livestock and/or poultry shall be limited to 3.7 livestock units per hectare (0.5 livestock units per acre); and
- ii) The minimum lot frontage shall be no less than 12.2 metres (40 feet).

South Bruce By-law 2005-42 (Lamont, Lot 24, Concession 15, Culross)

.41 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-41**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) Livestock and/or poultry shall be limited to 3.7 livestock units per hectare (0.5 livestock units per acre);
- ii) That the minimum rear yard setback shall be no less than 168.4 metres (552.4 feet);
- iii) That the sewage disposal system be located to the north of any proposed dwelling.

South Bruce By-law 2005-42 (Lamont, Lot 24, Concession 15, Culross)

.42 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-42**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) That the minimum lot area shall be no less than 38.45 ha (95 acres).

South Bruce By-law 2005-52 (McPherson/Sluys, Lot 27, Concession 9, Culross)

.43 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-43**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) Livestock and/or poultry shall be limited to 3.7 livestock units per hectare (0.5 livestock units per acre); and
- ii) The accessory buildings (being a detached garage and shed) located in the front yard are permitted as they existed on the date of passage of the By-law.

South Bruce By-law 2006-29 (Lantz, Lot 31, Concession 5, Carrick)

.44 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-44**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) The number of livestock and/or poultry units shall be limited to 1.25 units per hectare (0.5 livestock units per acre).

South Bruce By-law 2006-31 (Dahm/Walkerton Pentecostal Church, Part Lot 11, Concession 14, Carrick)

- .45 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-45**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:
- i) The number of livestock and/or poultry units shall be limited to 1.25 units per hectare (0.5 livestock units per acre).
- .46 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-46**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Agriculture Lot) Zone provisions contained in this By-law, excepting, however, that:
- i) That the minimum lot area shall be no less than 34.3 ha (85 acres).

South Bruce By-law 2006-32 (Timms, Part of Lots 13 and 14, Concession 'C', Carrick)

- .47 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-47**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:
- i) The number of livestock and/or poultry units shall be limited to 1.25 units per hectare (0.5 livestock units per acre).

South Bruce By-law 2006-50 (Tony Lang Farms Ltd, Lot 13, Concession 10, Culross)

- .48 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-48**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:
- i) The side yard setback shall be no less than 2.5 m; and,
 - ii) The number of livestock and/or poultry units shall be limited to 1.25 units per hectare (0.5 livestock units per acre).

South Bruce By-law 2006-43 (Tony Lang Farms Ltd, Lot 14, Concession 10, Culross)

- .49 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-49**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:
- i) The number of livestock and/or poultry units shall be limited to 1.25 units per hectare (0.5 livestock units per acre).

South Bruce By-law 2006-51 (Tony Lang Farms Ltd, Part of Lot 34 and Lot 35, Concession A, Culross)

- .50 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-50**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:
- i) The minimum rear yard setback shall be no less than 4.27m;
 - ii) The side yard setback shall be no less than 2.5m; and,
 - iii) The number of livestock and/or poultry units shall be limited to 1.25 livestock units per hectare (0.5 livestock units per acre).

South Bruce By-law 2006-62 (Lang Farms Ltd, Part of Lot 15, Concession 11 and Lot 15, Concession 12, Carrick)

- .51 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-51**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:
- i) The side yard setback shall be no less than 4.9 m; and,
 - ii) The number of livestock and/or poultry units shall be limited to 1.25 livestock units per hectare (0.5 livestock units per acre).

South Bruce By-law 2007-7 (Grubb/Municipality of South Bruce, Part of Lot 17, Concession 7, Culross)

- .52 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-52**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Agriculture Lot) Zone provisions contained in this By-law,

excepting, however, that:

- i) Minimum lot area shall be no less than 30.3 hectares.

South Bruce By-law 2007-5 (Haelzle/Municipality of South Bruce, Part of Lot 27, Concession 'C', Carrick)

.53 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-53**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Agriculture Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) Minimum lot area shall be no less than 19.02 hectares.

South Bruce By-law 2007-15 (Sitler, West ½ of Lot 12 and Lot 13, Concession 14, Culross)

.54 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-54**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) The minimum total lot area shall be no less than 20.23 hectares.

South Bruce By-law 2007-29 (McGlynn, Lot 15, Concession 'C', Carrick)

.55 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-55**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) The number of livestock and/or poultry units shall be limited to 1.25 livestock units per hectare (0.5 livestock units per acre).

South Bruce By-law 2007-44 (Tony Lang Farms Ltd, Lot 16, Concession 'C', RP 3R-7410 Less Part 3, Carrick)

.56 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-56**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) The number of livestock and/or poultry units shall be limited to 1.25 livestock units per hectare (0.5 livestock units per acre).

South Bruce By-law 2007-47 (Albadon Farms, Lot 13, Concession 2, Culross)

.57 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-57**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) The minimum side yard setback for all detached buildings shall be no less than 2.13 metres; and,
- ii) The number of livestock and/or poultry units shall be limited to 1.25 livestock units per hectare (0.5 livestock units per acre).

South Bruce By-law 2007-62 (Schotman Farms, Part Lots 23, 24 and 25, Concession 6, Carrick)

.58 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-58**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) The minimum frontage shall be no less than 9 m;
- ii) The minimum MDS I setback from the front lot line to a neighbouring livestock facility shall be no less than 185 m; and,
- iii) The number of livestock and/or poultry units shall be limited to 1.25 livestock units per hectare (0.5 livestock units per acre).

South Bruce By-law 2008-09 (Sitler, Lot 13, Concession 14, Culross)

.59 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-59**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) The minimum frontage shall be no less than 10 m;

- ii) The minimum side yard setback shall be no less than 5.73 m;
- iii) The minimum rear yard setback shall be no less than 4.6 m; and,
- iv) The number of livestock and/or poultry units shall be limited to 1.25 livestock units per hectare (0.5 livestock units per acre).

South Bruce By-law 2009-10 (Reinhardt/Kuepfer, Part of Lot 19, Concession 1 being Parts 1 and 2 on Registered Plan 3R-7058, Culross)

.60 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-60**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) A 'meat cutting and packaging' facility with retail service is a permitted use;
- ii) The minimum rear yard setback shall be no less than 4.6 m; and,
- iii) The number of livestock and/or poultry units shall be limited to 1.25 livestock units per hectare (0.5 livestock units per acre).

South Bruce By-law 2008-34 (Metcalf, Part of Lot 24, Concession 'D', Carrick)

.61 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-61**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Agriculture Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) Minimum lot area shall be no less than 33 hectares.

South Bruce By-law 2008-47 (Reinhart/Borth, Lot 5, Concession 8, Carrick)

.62 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-62**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) The number of livestock and/or poultry units shall be limited to 1.25 livestock units per hectare (0.5 livestock units per acre).

.63 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-63**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Agriculture Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) The minimum lot area shall be no less than 36.88 ha; and,
- ii) Residential buildings and/or structures shall be prohibited.

South Bruce By-law By-law 2008-64 (Inglis, Lot 6, Concession 1, Carrick)

.64 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-64**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) The minimum MDS I setback from the front lot line to a neighbouring livestock facility shall be no less than 94 m; and,
- ii) The number of livestock units shall be limited to 1.25 livestock units per hectare (0.5 livestock units per acre).
- iii) Driveway access shall relocate to Huron Bruce Road.

South Bruce By-law 2008-71 (Lang Farms Ltd, Part of Lot 17 and Lot 18, Concession 15, Culross)

.65 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-65**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) The minimum side yard setback shall be no less than 6 m; and,
- ii) The number of livestock units shall be limited to 1.25 livestock units per hectare (0.5 livestock units per acre).

South Bruce By-law 2009-06 (Grubb/Nichols, South Part of Lot 9, Concession 'D', Carrick)

.66 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-66**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) The number of livestock units shall be limited to 1.25 livestock units per hectare (0.5 livestock units per acre).

South Bruce By-law 2009-26 (Sauder, Lot 32 and Part of Lot 33, Concession 3, Culross)

.67 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-67**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Agriculture Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) The minimum lot area shall be no less than 20 hectares.

.68 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-68**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Agriculture Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) The minimum lot area shall be no less than 22 hectares.

South Bruce By-law 2009-35 (Ernewein, Lot 4 and South Part of Lot 5, Concession 15, Culross)

.69 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-69**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however that:

- i) The number of livestock units shall be limited to 1.25 livestock units per hectare (0.5 livestock units per acre).

South Bruce By-law 2009-36 (Schaus, Lot 30, Concession 12, Carrick)

.70 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-70**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) The number of livestock units shall be limited to 1.25 livestock units per hectare (0.5 livestock units per acre).

South Bruce By-law 2009-38 (Winters, Lot 16 and West Part of Lot 17, Concession 11, Carrick)

.71 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-71**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) The minimum frontage shall be no less than 6 metres; and,
- ii) The number of livestock units shall be limited to 1.25 livestock units per hectare (0.5 livestock units per acre).

South Bruce By-law 2009-49 (Kuntz, Part of Lot 30 and Part of Road Allowance, Concession 'A', Culross)

.72 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-72**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Agriculture Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) The minimum lot area shall be 14.4 ha as existed on the date of passage of the By-law.

South Bruce By-law 2010-14 (Jack, Part of Lot 29, Lot 30 and Lot 31, Concession 9, Carrick)

.73 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-73**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:

- i) The minimum side yard shall be no less than 9 metres;
- ii) The minimum rear yard shall be no less than 9 metres, and;
- iii) The number of livestock units shall be limited to 1.25 livestock units per hectare (0.5 livestock units per acre).

South Bruce By-law 2010-37 (Schothorst Farms, Part of Lot 22, Concession 8, Carrick)

- .74 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-74**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:
- i) The minimum lot area shall be no less than 1.2 hectares;
 - ii) The minimum rear yard shall be no less than 9 metres;
 - iii) Minimum Distance Separation Formula I shall be no less than 140 metres to nearest livestock facility; and,
 - iv) The number of livestock units shall be limited to 1.25 livestock units per hectare (0.5 livestock units per acre).

South Bruce By-law 2010-53 (Lang Farms Ltd, Part of Lot 19 and Lot 20, Concession 7, Culross)

- .75 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-75**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:
- i) The minimum side yard shall be no less than 3 m;
 - ii) The minimum rear yard shall be no less than 3 m;
 - iii) Minimum Distance Separation Formula I shall be no less than 71 m to nearest livestock facility; and,
 - iv) The number of livestock units shall be limited to 1.25 livestock units per hectare (0.5 livestock units per acre).

South Bruce By-law 2010-71 (Wilson, Part of Lots 14 and 15, Concession 5 and Part of Lot 13, Concession 6, Carrick)

- .76 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-76**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Agriculture Lot) Zoning provisions contained in this By-law, excepting, however, that:
- i) The minimum lot area shall be no less than 20 hectares.
- .77 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-77**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Agriculture Lot) Zoning provisions contained in this By-law, excepting, however, that:
- i) The minimum lot area shall be no less than 30 hectares.

South Bruce By-law 2008-63 (Robbins/Mackey, Part of Lot 48, Concession 'C', Carrick)

- .78 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-78**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Agriculture Lot) Zone provisions contained in this By-law, excepting, however, that:
- i) The minimum lot area shall be no less than 25 hectares.

South Bruce By-law 2011-20 (Ross, Lot 16, Concession 10 and North Part of Lot 15, Concession 5, Culross)

- .79 Notwithstanding their 'A1' zoning designation, those lands delineated as '**A1-79**' on Schedule 'A' to this By-law shall be used in compliance with 'A1' (Non-Farm Lot) Zone provisions contained in this By-law, excepting, however, that:
- i) The number of livestock units shall be limited to 1.25 livestock units per hectare (0.5 livestock units per acre).

SECTION 7 – HAMLET RESIDENTIAL (HR)**7.1 SCOPING NOTE**

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

7.2 USES PERMITTED

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

- 'Dwelling, Duplex'
- 'Dwelling, Semi-Detached'
- 'Dwelling, Single Detached'
- 'Group Home' [in a Dwelling, Single Detached only]
- 'Home Occupation - Domestic and Professional Uses' as per Section 3.8 [in a Dwelling, Single Detached only]
- 'Home Occupation - Bed & Breakfast Establishment' as per Section 3.9 [in a Dwelling, Single Detached only]
- 'Public park'

7.3 ZONE PROVISIONS

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

Provisions: Private Water and Septic System		
	Semi-Detached & Duplex	Single Detached Dwelling
Minimum Lot Area	0.625 hectares (1.55 ac.) or 0.313 hectares (0.77 ac.) for each. Semi-Detached Dwelling Unit to be erected on a separate lot of record.	0.5 hectares (1.24 ac.)
Minimum Lot Frontage	50 metres (164 ft.) or 25 metres (82 ft.) for each Semi-Detached Dwelling Unit to be erected on a separate lot of record	40 metres (133 ft.)
Minimum Front Yard and Exterior Side Yard	10 metres (33 ft.)	
Minimum Rear Yard	10 metres (33 ft.)	
Minimum Side Yard	10 metres (33 ft.) (see Footnote (a))	
Maximum Building Height 'Main Building'	10 metres (33 ft.)	
Maximum Lot Coverage	15%	

Footnotes

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

7.4 SPECIAL PROVISIONS

Culross By-law 5-1996

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

- i) Minimum lot area shall be 2,145 sq. metres (23,100 sq. ft.); and,
- ii) Section 3.21 Frontage on a Street shall not apply.

SECTION 8 –URBAN RESIDENTIAL ZONES (R1, R2, R3)

8.1 SCOPING NOTE

The provisions of the ‘Residential – Low Density Single (R1)’ zone or ‘Residential – Low Density Multiple (R2)’ zone or ‘Residential – Medium Density (R3)’ zone shall generally apply to lands designated ‘Residential’ on Schedule ‘A’: Land Use Plan of the Official Plan for the Urban Areas of Mildmay, Formosa and Teeswater.

8.2 USES PERMITTED

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

PERMITTED USES	RESIDENTIAL: LOW DENSITY SINGLE (R1)	RESIDENTIAL: LOW DENSITY MULTIPLE (R2)	RESIDENTIAL: MEDIUM DENSITY (R3)
‘Dwelling, Single Detached’	√	√	Not Permitted
‘Dwelling, Semi Detached’	√	√	Not Permitted
‘Dwelling, Duplex’	√	√	Not Permitted
‘Dwelling, Multiple’	Not Permitted	Not Permitted	√
‘Townhouse, Cluster’ or ‘Townhouse Street’	Not Permitted	√	√
‘Apartment Building’	Not Permitted	Not Permitted	√
‘Day Nursery’	√	√	Not Permitted
‘Home Occupation- Domestic and Professional’ as per Section 3.8 (a)	√	√	Not Permitted
‘Home Occupation - Bed & Breakfast Establishment’ as per Section 3.9 (a)	√	√	Not Permitted
‘Public Park’	√	√	√
‘Group Home – Type 1’ (a)	√	√	√
‘Residential Care Facility’	√	√	√
Accessory Buildings & Structures as per Section 3.5	√	√	√

Footnotes

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

8.3 ZONE PROVISIONS – ‘R1 & R2’

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

Provisions: Municipal Water & Municipal Sewer				
	Dwelling, Single Detached	Dwelling, Duplex & Semi Detached	Dwelling, Townhouse	
			Cluster (c)	Street
Minimum Lot Area	465 sq. metres (5,005 sq. ft.)	465 sq. metres (5,005 sq. ft.) or 232.5 sq. metres (2,502.7 sq. ft.) for each Semi-Detached Unit to be erected on a separate lot of record	155 sq. metres (1,668 sq. ft.) per dwelling unit	155 sq. metres (1, 668 sq. ft.) per dwelling unit
Minimum Lot Frontage	15 metres (50 ft.)	15 metres (50 ft.) or 7.5 metres (24.6 ft.) for each Semi-Detached Unit to be	15.0 metres (50 ft.)	7.5 metres (25 ft.) per dwelling unit

		erected on a separate lot of record		
Minimum Front Yard	6.0 metres (20 ft.)	6.0 metres (20 ft.)	(c)	6.0 metres (20 ft.)
Minimum Exterior Side Yard	6.0 metres (20 ft.)	6.0 metres (20 ft.)	(c)	6.0 metres (20 ft.) [End unit]
Minimum Interior Side Yard	1.2 metres (4 ft.)(a)	1.2 metres (4 ft.)(b)	(c)	3.0 metres (10 ft.) [End unit]
Minimum Rear Yard	7.5 metres (25 ft.)	7.5 metres (25 ft.)	(c)	7.5 metres (25 ft.)
Maximum Lot Coverage	35%	35%	40%	40%
Maximum Building Height - 'Main Building'	10 metres (33 ft.)	10 metres (33 ft.)	10 metres (33 ft.)	10.0 metres (33 ft.)

Footnotes

- (a) With attached garage or carport. Without an attached garage or carport, the interior side yard shall be a minimum of 2.5 metres (8 ft.) on one side and 1.2 metres (4 ft.) on the other side.
- (b) Where a 'Dwelling, Semi Detached' has been equally divided to provide individual ownership to each dwelling unit, the common side yard may be reduced to zero (0) metres.
- (c) A 'Dwelling, Townhouse, Cluster' shall be subject to the following Yard provisions:
- The setback between the front wall of a 'Townhouse Cluster' and an interior roadway or parking area shall be no less than 4 metres (13 ft.);
 - The setback between the end side walls of each 'Townhouse Cluster' (building ends) shall be no less than 3 metres (10 ft.);
 - The setback between the rear walls of a 'Townhouse Cluster' shall be no less than 3 metres (10 ft.);
 - The setback between the end side walls and/or rear walls of a 'Townhouse Cluster' and an abutting lot and/or exterior roadway shall be no less than 7.5 metres (25 ft.).

Provisions: Municipal Sewer				
	Dwelling, Single Detached	Dwelling, Semi-Detached & Duplex	Dwelling, Townhouse	
			Cluster (c)	Street
Minimum Lot Area	2,024 sq. metres (21,782 sq. ft.)	2,024 sq. metres (21,782 sq. ft.) or 1,012 sq. metres (10,891 sq. ft.) for each Semi-Detached Unit to be erected on a separate lot of record	675 sq. metres (7,265 sq. ft.) per dwelling unit	675 sq. metres (7,265 sq. ft.) per dwelling unit
Minimum Lot Frontage	30 metres (98 ft.)	30 metres (98 ft.) or 15 metres (50 ft.) for each Semi-Detached Unit to be erected on a separate lot of record	30 metres (98 ft.)	15 metres (50 ft.) per dwelling unit
Minimum Front Yard	7.5 metres (25 ft.)		(c)	7.5 metres (25 ft.)
Minimum Exterior Side Yard	7.5 metres (25 ft.)		(c)	7.5 metres (25 ft.)
Minimum Interior Side Yard	3 metres (10 ft.) (see Footnote (a) and (b))		(c)	3 metres (10 ft.) [End unit]
Minimum Rear Yard	7.5 metres (25 ft.)		(c)	7.5 metres (25 ft.)
Maximum Building Height 'Main Building'	10 metres (33 ft.)			
Maximum Lot Coverage	25%		30%	30%

Footnotes

- (a) With attached garage or carport. Without an attached garage or carport, the interior side yard shall be a minimum of 4 metres (13 ft.) on one side and 3 metres (10 ft.) on the other side.
- (b) Where a 'Dwelling, Semi Detached' has been equally divided to provide individual ownership to each dwelling unit, the common side yard may be reduced to zero (0) metres.
- (c) A 'Dwelling, Townhouse, Cluster' shall be subject to the following Yard provisions:
 - (i) The setback between the front wall of a 'Townhouse Cluster' and an interior roadway or parking area shall be no less than 4 metres (13 ft.);
 - (ii) The setback between the end side walls of each 'Townhouse Cluster' (building ends) shall be no less than 3 metres (10 ft.);
 - (v) The setback between the rear walls of a 'Townhouse Cluster' shall be no less than 3 metres (10 ft.);
 - (vi) The setback between the end side walls and/or rear walls of a 'Townhouse Cluster' and an abutting lot and/or exterior roadway shall be no less than 7.5 metres (25 ft.).

Provisions: Municipal Water		
	Semi-Detached & Duplex	Single Detached Dwelling
Minimum Lot Area	0.4 hectares (1 ac.) or 0.2 hectares (0.5 ac.) for each Semi-Detached Unit to be erected on a separate lot of record	0.4 hectares (1 ac.)
Minimum Lot Frontage	40 metres (131 ft.) or 20 metres (66 ft.) for each Semi-Detached Unit to be erected on a separate lot of record	40 metres (131 ft.)
Minimum Front Yard and Exterior Side Yard	10 metres (33 ft.)	
Minimum Interior Side Yard	3 metres (10 ft.) (see Footnote (a) and (b))	
Minimum Rear Yard	10 metres (33 ft.)	
Maximum Building Height 'Main Building'	10 metres (33 ft.)	
Maximum Lot Coverage	20%	

Footnotes

- (a) With attached garage or carport. Without an attached garage or carport, the interior side yard shall be a minimum of 6 metres (20 ft.) on one side and 3 metres (10 ft.) on the other side.
- (b) Where a 'Dwelling, Semi Detached' has been equally divided to provide individual ownership to each dwelling unit, the common side yard may be reduced to zero (0) metres.

Provisions: No Municipal Services		
	Semi-Detached & Duplex	Single Detached Dwelling
Minimum Lot Area	0.8 hectares (2 ac.) or 0.4 hectares (1 ac.) for each Semi-Detached Unit to be erected on a separate lot of record	0.8 hectares (2 ac.)
Minimum Lot Frontage	40 metres (131 ft.) or 20 metres (66 ft.) for each Semi-Detached Unit to be erected on a separate lot of record	40 metres (131 ft.)
Minimum Front Yard and Exterior Side Yard	10 metres (33 ft.)	
Minimum Interior Side Yard	10 metres (33 ft.) (see Footnote (a) and (b))	
Minimum Rear Yard	10 metres (33 ft.)	
Maximum Building Height 'Main Building'	10 metres (33 ft.)	

Maximum Lot Coverage	20%
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Explanatory Note:

Uses in the R2 zone may be subject to site plan control. You will be required to receive site plan approval prior to the issuance of a building permit. You are advised to check with the Municipality.

Footnotes

- (a) With attached garage or carport. Without an attached garage or carport, the interior side yard shall be a minimum of 6 metres (20 ft.) on one side and 10 metres (10 ft.) on the other side.
- (b) Where a 'Dwelling, Semi Detached' has been equally divided to provide individual ownership to each dwelling unit, the common side yard may be reduced to zero (0) metres.

8.5 ZONE PROVISIONS – 'R3'

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

Provisions: Municipal Water and Sewer				
	Dwelling, Townhouse		Dwelling, Multiple	Apartment Building
	Cluster (a)	Street		
Minimum Lot Area	155 sq. metres (1,668 sq. ft.) per dwelling unit	155 sq. metres (1,668 sq. ft.) per dwelling unit	155 sq. metres (1,668 sq. ft.) per dwelling unit	650 sq. metres (6,997 sq. ft.) per building
Minimum Lot Frontage	15.0 metres (50 ft.)	7.5 metres (25 ft.) per dwelling unit	15.0 metres (50 ft.)	15.0 metres (50 ft.)
Minimum Front Yard	(a)	6.0 metres (20 ft.)	6.0 metres (20 ft.)	8.0 metres (26 ft.)
Minimum Exterior Side Yard		6.0 metres (20 ft.) [End unit]	6.0 metres (20 ft.)	8.0 metres (26 ft.)
Minimum Interior Side Yard	(a)	3.0 metres (10 ft.) [End unit] (b)	3.0 metres (10 ft.)	5.0 metres (16 ft.)
Minimum Rear Yard	(a)	7.5 metres (25 ft.)	7.5 metres (25 ft.)	10.0 metres (33 ft.)
Maximum Lot Coverage	40%	40%	40%	45%
Minimum Landscaped Area/Open Space	30%	30%	30%	30%
Maximum Height - 'Main Building'	10 metres (33 ft.)	10 metres (33 ft.)	10.0 metres (33 ft.)	20 metres (66 ft.)

Explanatory Note:

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

Footnote

- (a) A 'Dwelling, Townhouse, Cluster' shall be subject to the following Yard provisions:
 - (i) The setback between the front wall of a 'Townhouse Cluster' and an interior roadway or parking area shall be no less than 4 metres (13 ft.);
 - (ii) The setback between the end side walls of each 'Townhouse Cluster' (building ends) shall be no less than 3 metres (10 ft.);
 - (iii) The setback between the rear walls of a 'Townhouse Cluster' shall be no less than 3 metres (10 ft.);
 - (iv) The setback between the end side walls and/or rear walls of a 'Townhouse Cluster' and an abutting lot and/or exterior roadway shall be no less than 7.5 metres (25 ft.).

- (c) Where a 'Townhouse, Street' has been divided to provide individual ownership to each dwelling unit, the common side yard may be reduced to zero (0) metres.

8.6 SPECIAL PROVISIONS – R1

Teeswater 2002-23 (Thompson, Part Park Lot 16 and Part Park Lot 17, Registered Plan 144)

- .1 Notwithstanding their 'R1' zoning designation, those lands delineated as '**R1-1-h**' on Schedule 'A' to this By-law may be used in accordance with the 'R1' Zone provisions excepting however that:

- i) The 'minimum lot frontage' shall be no less than 24.384 metres (80 feet).

That the 'H' (Holding) symbol shall be removed by By-Law of the Corporation of the Municipality of South Bruce when:

- ii) A "Lot Drainage and Grading Plan" prepared by a qualified engineer has been submitted and reviewed and approved by the Chief Building Official.

Weiss Drive Subdivision Ltd., Part of Lots 8 to 11 & Johnston Street Plan 81, Part Park Lot K Plan 158 (being Parts 1&2 on RP 3R-6576 and Part 23 on RP 3R-8180)

- .2 Notwithstanding their 'R1' zoning designation, those lands delineated as '**R1-2**' on Schedule 'A' to this By-law may be used in accordance with the 'R1' Zone provisions excepting however

that:

- i) Section 3.3 does not apply.

8.7 SPECIAL PROVISIONS – R2

8.8 SPECIAL PROVISIONS – R3

Mildmay 2010-45 (Weiss Drive Subdivision Ltd., Part Lots 8 to 11 & Johnston Street Plan 81, Part Park Lot K Plan 158 (being Parts 1&2 on RP 3R-6576 and Part 23 on RP 3R-8180)

- .1 Notwithstanding their 'R3' zoning designation, those lands delineated as '**R3-1-h**' on Schedule 'A' to this By-law shall be used in compliance with the 'R3' Zone provisions contained in this By-law, excepting however, that:

- (i) Minimum number of dwelling units shall be no less than 24;
- (ii) 'R3' uses shall be prohibited until the 'H' provision has been removed. The 'H' provision may be removed once the following conditions have been met:
- (1) A detailed Site Plan has been approved by the Municipality of South Bruce;
 - (2) Lot grading and lot drainage plans are completed to the satisfaction of the Municipality of South Bruce; and,
 - (3) Any requisite approvals from the Saugeen Valley Conservation Authority are obtained.

SECTION 9 - MOBILE HOME PARK RESIDENTIAL (MHP)**9.1 SCOPE**

The provisions of Section 9 apply only on lands that have been subject to an amendment of the County of Bruce Official Plan.

9.2 USES PERMITTED

No person shall within any 'MHP' zone use any lot or erect, alter or use any building or structure for any purpose except for one or more of the following uses:

(a) Residential Uses

- One 'Dwelling – Accessory Detached' in accordance with Section 3.8.2 exclusively for the use of the owner, manager or a care taker of the mobile home park.
- Mobile Home Park
- Mobile Home Site
- Mobile Home
- Buildings, structures and uses accessory to a permitted use in accordance with Section 9.3 – Additional Provisions: Mobile Home Parks.

9.2 ZONE PROVISIONS

No person shall use within a 'Mobile Home Park Residential (MHP)' Zone any lot or erect, alter or use any building or structure except in accordance with the following zone provisions:

PROVISIONS	MOBILE HOME PARK
Minimum Lot Area	4 hectares (10 ac.)
Minimum Lot Frontage	30 m (98 ft.)
Minimum Front, Side & Rear Yards	7.5 m (25 ft.)
Maximum Building Height	10 m (33 ft.)
Maximum Density	25 mobile homes per gross hectare
Mobile Home Park Open Space	Not less than 5% of gross Park area

PROVISIONS	MOBILE HOME SITE
Minimum Lot Area	325 sq. m (1938 sq. ft.)
Minimum Lot Frontage	13 m (43 ft.)
Minimum Setback – Front	3 m (10 ft.)
Minimum Setback – Side	2 m (7 ft.)
Minimum Setback- Rear	3 m (10 ft.)
Minimum Mobile Home Unit Floor Area	55 sq. m
Maximum Lot Coverage	35%

9.3 ADDITIONAL PROVISIONS - MOBILE HOME PARKS**.1 Access & Roads**

Each mobile home lot within a mobile home park shall be located on an internal mobile home park road which shall have a dust free surface and shall be a minimum traveled width of 4 metres (13 ft.) for one-way traffic and 6 metres (20 ft.) for two-way traffic flow.

.2 Services

Each mobile home lot/mobile home located within a mobile home park shall be provided with a water system, appropriate sewage disposal facilities, solid waste disposal, storm drainage, electrical service, street lighting, telephone and road maintenance.

.3 Parking

Each mobile home site shall be provided with one car parking space and visitor parking shall be provided on the basis of one space for every three (3) mobile home sites.

.4 Additions and Accessory Structures - Mobile Home Site

Additions to mobile homes and buildings and structures accessory to mobile homes shall be permitted provided that the yard setback and lot coverage provisions for the lot are maintained. No more than two (2) accessory buildings or structures shall be permitted on a mobile home site.

.5 Accessory Structures - Mobile Home Park

Buildings and structures accessory to mobile homes shall be permitted provided that the yard and setback provisions for the mobile home park are maintained. The minimum separation between a permitted accessory use and a mobile home site shall be no less than 10 metres (33 ft.).

.6 Mobile Home Park Planting Area/Visual Screening

A Planting Area/Visual Screening shall be provided around a mobile home park as per Section 3.15.

.7 Site Plan Control

A mobile home park may be subject to Site Plan Control as per the Planning Act RSO 1990

9.4 SPECIAL PROVISIONS

SECTION 10 - TRAVEL TRAILER PARK AND CAMPGROUND (TTP)**10.1 SCOPING NOTE**

The provisions of the Travel Trailer Park and Campground (TTP) Zone shall generally apply to lands designated as 'Recreation & Open Space' on Schedule 'A', 'B' or 'C': Land Use Plan of the Official Plan for the Urban Areas of Mildmay, Formosa and Teeswater or designated 'Travel Trailer Park & Commercial Campground' on Schedule 'A': Land Use of the County of Bruce Official Plan.

10.1 USES PERMITTED

No person shall within a 'Travel Trailer Park and Campground (TTP)' zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses.

- (i) Residential Uses
 - 'Dwelling, Accessory Detached' in accordance with Section 3.8.2 exclusively for the use of the owner or a caretaker.
- (ii) Non-Residential Uses
 - Campground

10.2 ZONE PROVISIONS

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

PROVISIONS	NON-RESIDENTIAL
Minimum Lot Area Campground	2 hectares (5 ac.)
Maximum Lot Area Campground	12 hectares (30 ac.)
Minimum Lot Frontage Campground	60 metres (197 ft.)
Minimum Set Back All Uses - All Lot Lines	7.5 metres (25 ft.)
Minimum Area of Campsite	235 sq. metres (2530 sq. ft.)
Minimum Width of Campsite	15 metres (49 ft.)
Maximum Density of Campsites per Campground	30 campsites per hectare (12 campsites per acre)
Maximum Number of Campsites per Campground	300
Minimum Open Space per Campground	17%

10.3 ADDITIONAL PROVISIONS - TRAVEL TRAILER PARK AND CAMPGROUND

- .1 Access & Roads
Each campsite within a Travel Trailer Park and Campground shall be located on an internal access road which shall have a dust free surface and shall be a minimum travelled width of 4 metres (13 ft.) for one-way traffic and 6 metres (20 ft.) for two-way traffic flow.
- .2 Services
The Travel Trailer Park and Campground shall provide a water system, appropriate sewage disposal facilities, solid waste disposal, storm drainage, electrical service, street lighting, telephone and road maintenance.
- .3 Parking
Each campsite shall be provided with one car parking space and visitor parking shall be provided on the basis of one space for every three (3) campsites.
- .5 Travel Trailer Park and Campground Planting Area/Visual Screening
A Planting Area/Visual Screening shall be provided around a travel trailer park as per Section 3.15.
- .6 Site Plan Control

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

10.4 SPECIAL PROVISIONS

Carrick By-law 85-440 (Part Lot 12, Concession 5)

.1 Notwithstanding their 'TTP' Zoning designation, where lands are delineated as '**TTP-1**' on Schedule 'A' to this By-law they shall only be used in accordance with the 'TTP' Zone provisions excepting however that:

- i) The maximum number of tent and/or travel trailer sites shall not exceed forty (40).

Carrick By-law 85-440 (Part Lot 12, Concession 5)

.2 Notwithstanding their 'TTP' Zoning designation, where lands are delineated as '**TTP-2**' on Schedule 'A' to this By-law they shall only be used in accordance with the 'TTP' Zone provisions excepting however that no buildings, structures or tent and travel trailer sites shall be permitted.

SECTION 11 –COMMERCIAL ZONES (C1, C2, C3, C4)**11.1 SCOPING NOTE**

The provisions of the 'Central Business District (C1)' zone or 'Transition Commercial (C2)' zone or 'Highway Commercial (C3) zone or 'Large Format Commercial (C4)' zone shall generally apply to lands designated 'Commercial' on Schedule 'A' Maps 1, 2 &3: Land Use Plan of the Official Plan for the Urban Areas of Mildmay, Formosa and Teeswater.

Explanatory Note:

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

11.2 USES PERMITTED

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

RESIDENTIAL PERMITTED USES				
	Central Business District (C1)	Transition Commercial (C2)	Highway Commercial (C3)	Large Format Commercial (C4)
'Dwelling, Single Detached' existing at the date of passing of this By-Law as per Section 8.3 Provisions of the 'R1' Zone	√	√	√	Not Permitted
'Home Occupation- Domestic and Professional Use' in a Dwelling, Single Detached existing at the date of passing of this By-Law and as per Section 3.8	√	√	√	Not Permitted
'Home Occupation - Bed & Breakfast Establishment' in a 'Dwelling, Single Detached' existing at the date of passing of this By-Law and as per Section 3.9	√	√	√	Not Permitted
'Dwelling, Accessory Apartment' as per Section 3.7.1	√	√	√	Not Permitted
Accessory Buildings & Structures as per Section 3.6	√	√	√	Not Permitted

NON-RESIDENTIAL PERMITTED USES				
	Central Business District (C1)	Transition Commercial (C2)	Highway Commercial (C3)	Large Format Commercial (C4)
Accessory Buildings & Structures as per Section 3.6	√	√	√	Not Permitted
Artisan Studio	√	√	Not Permitted	Not Permitted
Assembly Hall	√	√	Not Permitted	Not Permitted
Automobile Car Wash	Not Permitted	Not Permitted	√	Not Permitted
Automobile Gas Bar	Not Permitted	Not Permitted	√	Not Permitted
Automobile Sales Establishment	Not Permitted	Not Permitted	√	Not Permitted
Automobile Service Station	Not Permitted	Not Permitted	√	Not Permitted
Bus Depot	√	Not Permitted	√	Not Permitted
Business or Professional Office	√	√	Not Permitted	Not Permitted
Clinic	√	√	√	Not Permitted
Commercial Motor Vehicle Repair	Not Permitted	Not Permitted	√	√

Establishment				
Commercial Motor Vehicle Sales Establishment	Not Permitted	Not Permitted	√	√
Convenience Store	√	√	√	Not Permitted
Day Nursery	√	√	Not Permitted	Not Permitted
Fitness Centre	√	√	Not Permitted	Not Permitted
Funeral Home	√	√	Not Permitted	Not Permitted
Garden Centre	Not Permitted	√	√	√
Hotel/Motel	√	Not Permitted	√	Not Permitted
Parking Lot	√	√	Not Permitted	Not Permitted
Personal Service Shop	√	√	Not Permitted	Not Permitted
Public Building	√	√	Not Permitted	Not Permitted
Public Utility Building	Not Permitted	√	√	Not Permitted
Public Park	√	√	√	Not Permitted
Recreation Centre	√	√	√	Not Permitted
Recycling Depot	√	Not Permitted	√	Not Permitted
Restaurant	√	√	√	Not Permitted
Restaurant, Take-Out	√	√	√	√
Retail Store	√	√	√	Not Permitted
Retail, Large Format	Not Permitted	Not Permitted	√	√
Tavern	√	√	Not Permitted	Not Permitted
Veterinary Clinic - Small Animal	√	Not Permitted	Not Permitted	Not Permitted

11.3 ZONE PROVISIONS

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

Zone Provisions: Municipal Water & Sewer				
	Central Business District (C1)	Transition Commercial (C2)	Highway Commercial (C3)	Large Format Commercial (C4)
Minimum Lot Area	465 sq. metres (5,005 sq. ft.)	465 sq. metres (5,005 sq. ft.)	2000 sq. metres (21,529 sq. ft.)	3,000 sq. metres (32,291 sq. ft.)
Minimum Lot Frontage	15 metres (50 ft.)	15 metres (50 ft.)	30 metres (98 ft.)	15 metres (50 ft.)
Minimum Front Yard	0 metres (0 ft.)	6.0 metres (20 ft.)	7.5 metres (25 ft.)	6.0 metres (20 ft.)
Minimum Exterior Side Yard	0 metres (0 ft.)	6.0 metres (20 ft.)	7.5 metres (25 ft.)	6.0 metres (20 ft.)
Minimum Interior Side Yard	0 metres (0 ft.) (b)	1.2 metres (4 ft.)	3.0 metres (10 ft.) (c)	3.0 metres (10 ft.)
Minimum Rear Yard	6 metres (20 ft.) (a)	7.5 metres (25 ft.)	7.5 metres (25 ft.)	7.5 metres (25 ft.)
Maximum Building Height – 'Main Building'	10 metres (33 ft.)	10 metres (33 ft.)	10 metres (33 ft.)	10 metres (33 ft.)
Maximum Lot Coverage	Not applicable	35%	50%	60%
Landscaped Open Space	Not applicable	As per Section 3.15 Landscaped Open Space		
Open Storage & Outdoor Display	As per Section 3.24 Open Storage			
Planting Area/Visual Screening	Not applicable	As per Section 3.14 Planting Area/Visual Screening		

Non-Residential Zone Provisions: Municipal Sewer

	Central Business District (C1)	Transition Commercial (C2)
Minimum Lot Area	2,024 sq. metres (21,782 sq. ft.)	2,024 sq. metres (21,782 sq. ft.)
Minimum Lot Frontage	30 metres (98 ft.)	30 metres (98 ft.)
Minimum Front Yard	0 metres (0 ft.)	6.0 metres (20 ft.)
Minimum Exterior Side Yard	0 metres (0 ft.)	6.0 metres (20 ft.)
Minimum Interior Side Yard	0 metres (0 ft.) (b)	1.2 metres (4 ft.)
Minimum Rear Yard	6 metres (20 ft.) (a)	7.5 metres (25 ft.)
Maximum Building Height – ‘Main Building’	10 metres (33 ft.)	10 metres (33 ft.)
Maximum Lot Coverage	Not applicable	35%
Landscaped Open Space	Not applicable	As per Section 3.15 Landscaped Open Space
Open Storage & Outdoor Display	As per Section 3.24 Open Storage	
Planting Area/Visual Screening	Not applicable	As per Section 3.14 Planting Area/Visual Screening

Non-Residential Zone Provisions: Municipal Water

	Central Business District (C1)	Transition Commercial (C2)
Minimum Lot Area	0.4 hectares (1 ac.)	0.4 hectares (1 ac.)
Minimum Lot Frontage	30 metres (98 ft.)	40 metres (98 ft.)
Minimum Front Yard	0 metres (0 ft.)	6.0 metres (20 ft.)
Minimum Interior Side Yard	0 metres (0 ft.) (b)	1.2 metres (4 ft.)
Minimum Rear Yard	6 metres (20 ft.) (a)	7.5 metres (25 ft.)
Minimum Exterior Side Yard	0 metres (0 ft.)	6.0 metres (20 ft.)
Maximum Building Height – ‘Main Building’	10 metres (33 ft.)	10 metres (33 ft.)
Maximum Lot Coverage	Not applicable	35%
Landscaped Open Space	Not applicable	As per Section 3.15 Landscaped Open Space
Open Storage & Outdoor Display	As per Section 3.24 Open Storage	
Planting Area/Visual Screening	Not applicable	As per Section 3.14 Planting Area/Visual Screening

Non-Residential Zone Provisions: No Municipal Services

	Central Business District (C1)	Transition Commercial (C2)
Minimum Lot Area	0.8 hectares (2 ac.)	0.8 hectares (2 ac.)
Minimum Lot Frontage	30 metres (98 ft.)	30 metres (98 ft.)
Minimum Front Yard	0 metres (0 ft.)	6.0 metres (20 ft.)
Minimum Exterior Side Yard	0 metres (0 ft.)	6.0 metres (20 ft.)

Minimum Interior Side Yard	0 metres (0 ft.) (b)	1.2 metres (4 ft.)
Minimum Rear Yard	6 metres (20 ft.) (a)	7.5 metres (25 ft.)
Maximum Building Height – ‘Main Building’	10 metres (33 ft.)	10 metres (33 ft.)
Maximum Lot Coverage	Not applicable	35%
Landscaped Open Space	Not applicable	As per Section 3.15 Landscaped Open Space
Open Storage & Outdoor Display	As per Section 3.24 Open Storage	
Planting Area/Visual Screening	Not applicable	As per Section 3.14 Planting Area/Visual Screening

Footnotes

- (a) Where the Rear Yard of a ‘C1’ zone abuts a lane or parking lot, the minimum rear yard may be reduced to 1.5 metres (5 ft.).
- (b) Where the Interior Side Yard of a ‘C1’ zone abuts a Residential, Open Space or Institutional zone, the following restrictions shall apply:
- (i) the minimum side yard requirement for the abutting side yard within the Commercial Zone shall be 3 metres (10 ft.);
 - (ii) no open storage or outdoor display shall be permitted in the abutting side yard within the Commercial zone.
- (c) Where the Interior Side Yard of a ‘C3’ zone abuts a residential use or Zone the minimum Interior Side Yard requirement shall be 7.5 metres (25 ft.).

11.4 ADDITIONAL PROVISIONS – Automobile Gas Bars & Automobile Service Stations

- .1 Minimum setbacks for gasoline pumps, natural gas and/ or propane facilities
All gasoline pumps, natural gas and/ or propane facilities shall be setback a minimum of 7.5 metres (25 ft.) from the curbing of the pump island to the street line.
- .2 Entry Ramps
Notwithstanding the provisions of Section 3.25, there shall be no more than one entry ramp for each 15 metres (50 ft.) of street frontage and the width of any entry ramp shall not exceed 9 metres (30 ft.) at the street line.
- .3 Minimum Front or Exterior Side Yard
Notwithstanding the provisions of Section 11.3, the minimum front or exterior side yard shall be 15 metres (50 ft.).
- .4 Surfacing
Notwithstanding the provisions of Section 3.25 the surfaces of all ramps, driveways, service areas and off-street loading areas shall be surfaced with a capped, hard top substance such as asphalt, or other stable surface treated to prevent the raising of dust and/or loose particles.

11.5 SPECIAL PROVISIONS – C1**11.6 SPECIAL PROVISIONS – C2****11.7 SPECIAL PROVISIONS – C3**

SECTION 12 – HAMLET COMMERCIAL (HC)

12.1 SCOPING NOTE

The provisions of the Hamlet Commercial (HC) zone shall generally apply to lands designated ‘Hamlet’ on Schedule ‘A’ Land Use in the County of Bruce Official Plan for the Urban Areas of Carlsruhe and Belmore.

12.2 USES PERMITTED

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

(i) Residential Uses

- ‘Dwelling, Accessory Apartment’ as per Section 3.7.1
- ‘Dwelling, Single Detached’ existing at the date of passage of this By-Law as per Section 7.3 Hamlet Residential (HR) Zone provisions
- Home Occupation - Domestic and Professional Uses as per Section 3.8 [in a Dwelling, Single Detached only]
- Home Occupation - Bed & Breakfast Establishment as per Section 3.9 [in a Dwelling, single detached only]

(ii) Non-Residential Uses

- | | |
|--|--|
| <ul style="list-style-type: none"> • Assembly Hall • Automobile Gas Bar • Automobile Sales Establishment • Automobile Service Station • Business or Professional Office • Clinic • Convenience Store • Fitness Centre • Hotel/Motel • Marine, Recreation and Small Engine Establishments • Personal Service Shop • Public Park | <ul style="list-style-type: none"> • Restaurant • Restaurant, Take-Out • Retail Store under 140 sq. m (1500 sq ft) in ‘Floor Area, Total’ • Travel Trailer Sales Establishment • Veterinary Clinic – Small Animal • Buildings, structures and uses accessory to a permitted use as per Section 3.6 |
|--|--|

12.3 ZONE PROVISIONS

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

Provisions: Private Water and Septic System	
Minimum Lot Area	0.5 hectares (1.24 ac.)
Minimum Lot Frontage	30 metres (100 ft.)
Minimum Front Yard or Exterior Side Yard	7.5 metres (25 ft.)
Minimum Side Yard	5 metres (16.5 ft.)
Minimum Rear Yard	10 metres (33 ft.)
Maximum Building Height ‘Main Building’	10 metres (33 ft.)
Maximum Lot Coverage	15%

12.4 ADDITIONAL PROVISIONS –Gasoline Pumps, Natural Gas and Propane Facilities

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

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

.2 Entry Ramps

Notwithstanding the provisions of Section 3.25, there shall be no more than one entry ramp for each 15 metres (50 ft.) of street frontage and the width of any entry ramp shall not exceed 9 metres (30 ft.) at the street line.

.3 Minimum Front or Exterior Side Yard

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

.4 Surfacing

Notwithstanding the provisions of Section 3.25 the surfaces of all ramps, driveways, service areas and off-street loading areas shall be surfaced with a capped, hard top substance such as asphalt, or other stable surface treated to prevent the raising of dust and/or loose particles.

12.5 OFF-STREET PARKING REGULATIONS

Notwithstanding the minimum number of off-street parking spaces required by Section 3.25, where a 'Dwelling' is located in a non-residential building, a minimum of one parking space shall be provided for each 'Dwelling' contained therein on site.

12.6 SPECIAL PROVISIONS

SECTION 13 – GENERAL PROVISIONS FOR INDUSTRIAL ZONES (BP1, BP2, HI, M2, ACI, RCI)*Explanatory Note:*

Developments in an Industrial zone may be subject to site plan control, which requires that you submit and receive approval of a site plan prior to issuance of a building permit. You should check with the Municipality prior to making an application.

13.1 Accessory Buildings & Structures

Accessory Buildings & Structures shall be located as per Section 3.6.

13.2 Parking Requirements

Parking requirements shall be determined as per Section 3.25.

13.3 Loading Requirements

Loading requirements shall be determined as per Section 3.26.

13.4 Water and Sewer Services

All Business Park 1 (BP1) and Business Park 2 (BP2) uses shall be connected to a municipal water and municipal sewer system where available.

13.5 Planting Area/Visual Screening

Planting Area/Visual Screening shall be provided as per the requirements of Section 3.14.

13.6 Landscaped Open Space

Landscaped Open Space shall be provided as per the requirements of Section 3.15.

13.7 Open Storage & Outdoor Display

Open Storage & Outdoor Display shall be provided as per the requirements of Section 3.27.

13.8 Provincial or County Street Right-of-Way Setbacks

Provincial or County Street Right-of-Way Setbacks shall be provided as per the requirements of Section 3.19.

13.9 Multiple Buildings on One Lot

In an Industrial Zone more than one 'Main Building' or structure shall be permitted on a lot provided that all other provisions of this By-law are adhered to.

13.10 Offices Accessory to a Permitted Use

A business office(s) serving the principle use(s) on a lot shall be permitted.

13.11 Buffer on Lands Adjoining Industrial or Residential Uses/ Zones

Buffers shall be provided as per the requirements of Section 3.3.

13.12 All Outside Fuel Storage & Re-fuelling

The surfaces of all ramps, service areas, off-street loading areas used for fuel storage and/or re-fuelling shall be surfaced with a capped, hard top substance such as asphalt, or other stable surface treated to prevent the seepage of any spilled fuel and/or other potential hazardous materials.

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

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

SECTION 14 – BUSINESS PARK ZONE (BP1 & BP2)**14.1 SCOPING NOTE**

The provisions of the 'Business Park 1 (BP1)' and 'Business Park 2 (BP2)' Zones shall generally apply to lands designated 'Industrial' on Schedule 'A', 'B' or 'C': Land Use Plan of the Official Plan for the Urban Areas of Mildmay, Formosa and Teeswater.

14.2 USES PERMITTED

No person shall within a 'Business Park 1 (BP1)' zone or 'Business Park 2 (BP2)' use any lot or erect, alter or use any building or structure for any purpose except the following:

	Business Park 1 (BP1)	Business Park 2 (BP2)
<i>Residential Uses</i>	Not Permitted	Not Permitted
<i>Non-Residential Uses</i>		
Assembly Hall	√	Not Permitted
Bulk Fuel Depot	Not Permitted	√
Bulk Sales Establishment - Agriculture	Not Permitted	√
Commercial Motor Vehicle Repair Establishment	√	√
Commercial Motor Vehicle Sales Establishment	√	√
Commercial College	√	Not Permitted
Contractor's Yard	√	√
Factory Sales Outlet	√	√
Farm Implement Establishment	√	√
Industrial Use	Not Permitted	√
Industry, Light	√	√
Marine, Recreation and Small Engine Establishment	√	√
Public Building	√	Not Permitted
Public Garage	√	√
Public Park	√	Not Permitted
Public Utility Building	√	√
Recycling Centre	√	√
Recycling Depot	√	√
Research Establishment/Laboratory	√	Not Permitted
Technology Industry	√	Not Permitted
Trades Persons' Shop	√	√
Transport Depot	√	√
Travel Trailer Sales Establishment	√	Not Permitted
Warehouse	√	√
Warehouse, Mini Storage	√	√
Veterinary Clinic	√	√
Veterinary Clinic - Small Animal	√	Not Permitted

14.3 ZONE PROVISIONS

No person shall within any 'Business Park 1 (BP1)' Zone or 'Business Park 2 (BP2)' Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions: Municipal Water and Sewer			
		Business Park 1	Business Park 2
Minimum Lot Area		750 sq. metres (8073 sq. ft.)	1100 sq. metres (11841 sq. ft.)
Minimum Lot Frontage		30 metres (98 ft.)	30 metres (98 ft.)
Minimum Front Yard and Exterior Side Yard	(i) abutting a Future Development, Residential or Institutional zone or a residential or institutional use	6 metres	18 metres (59 ft.)
	(ii) all other cases		9 metres (29.5 ft.)
Minimum Interior Side Yard (see Footnote (a))	(i) abutting a Future Development, Residential or Institutional zone or a residential or institutional use	7.5 metres (25 ft.)	10 metres (33 ft.)
	(ii) all other cases	4 metres (13 ft.) on one side and 1.2 metres (4 ft.) on the other	3 metres (9.8 ft.)
Minimum Rear Yard	(i) abutting a Future Development, Residential or Institutional zone or a residential or institutional use	7.5 metres (25 ft.)	15 metres (49 ft.)
	(ii) all other cases		7.5 metres (25ft.)
Maximum Lot Coverage		75%	65%
Maximum Building Height	(i) within 20 metres of a Residential or Institutional zone or use	11 metres	
	(ii) in all other cases	22 metres	

Provisions: Municipal Sewer			
		Business Park 1	Business Park 2
Minimum Lot Area		2,024 sq. metres (21,782 sq. ft.)	4,048 sq. metres (43,574 sq. ft.)
Minimum Lot Frontage		15 metres (49 ft.)	30 metres (100 ft.)
Minimum Front Yard and Exterior Side Yard	(i) abutting a Future Development, Residential or Institutional zone or a residential or institutional use	15 metres (49 ft.)	20 metres (66 ft.)
	(ii) all other cases		18 metres (59 ft.)
Minimum Interior Side Yard (see Footnote (a))	(i) abutting a Future Development, Residential or Institutional zone or a residential or institutional use	15 metres (49 ft.)	15 metres (33 ft.)
	(ii) all other cases	7.5 metres (25 ft.) on one side and 4 metres (13 ft.) on the other	7.5 metres (25 ft.)
Minimum Rear Yard	(i) abutting a Future Development, Residential or Institutional zone or a residential or institutional use	10 metres (33 ft.)	15 metres (49 ft.)

	(ii) all other cases		7.5 metres (25ft.)
Maximum Lot Coverage		75%	65%
Maximum Building Height	(i) within 20 metres of a Residential or Institutional zone or use	11 metres	
	(ii) in all other cases	22 metres	

Provisions: Municipal Water			
		Business Park 1	Business Park 2
Minimum Lot Area		0.4 hectares (1 ac.)	0.8 hectares (2 ac.)
Minimum Lot Frontage		30 metres (98 ft.)	45 metres (148 ft.)
Minimum Front Yard and Exterior Side Yard	(i) abutting a Future Development, Residential or Institutional zone or a residential or institutional use	15 metres (49 ft.)	20 metres (66 ft.)
	(ii) all other cases		18 metres (59 ft.)
Minimum Interior Side Yard (see Footnote (a))	(i) abutting a Future Development, Residential or Institutional zone or a residential or institutional use	15 metres (49 ft.)	15 metres (33 ft.)
	(ii) all other cases	7.5 metres (25 ft.) on one side and 4 metres (13 ft.) on the other	7.5 metres (25 ft.)
Minimum Rear Yard	(i) abutting a Future Development, Residential or Institutional zone or a residential or institutional use	10 metres (33 ft.)	15 metres (49 ft.)
	(ii) all other cases		7.5 metres (25ft.)
Maximum Lot Coverage		75%	65%
Maximum Building Height	(i) within 20 metres of a Residential or Institutional zone or use	11 metres	
	(ii) in all other cases	22 metres	

Provisions: No Municipal Services			
		Business Park 1	Business Park 2
Minimum Lot Area		0.8 hectares (2 ac.)	1.6 hectares (4 ac.)
Minimum Lot Frontage		30 metres (98 ft.)	60 metres (197 ft.)
Minimum Front Yard and Exterior Side Yard	(i) abutting a Future Development, Residential or Institutional zone or a residential or institutional use	15 metres (49 ft.)	20 metres (66 ft.)
	(ii) all other cases		18 metres (59 ft.)
Minimum Interior Side Yard (see Footnote (a))	(i) abutting a Future Development, Residential or Institutional zone or a residential or institutional use	15 metres (49 ft.)	15 metres (33 ft.)

	(ii) all other cases	7.5 metres (25 ft.) on one side and 4 metres (13 ft.) on the other	7.5 metres (25 ft.)
Minimum Rear Yard	(i) abutting a Future Development, Residential or Institutional zone or a residential or institutional use	10 metres (33 ft.)	15 metres (49 ft.)
	(ii) all other cases		7.5 metres (25ft.)
Maximum Lot Coverage		75%	65%
Maximum Building Height	(i) within 20 metres of a Residential or Institutional zone or use	11 metres	
	(ii) in all other cases	22 metres	

Footnotes:

- (a) For a 'Bulk Fuel Depot' the Minimum Interior Side Yard for all fuel storage areas and/or pumps shall be no less than 7.5 metres (25 ft.).

14.4 SPECIAL PROVISIONS – BP1

Teeswater By-law 1983-3

- .1 Notwithstanding their 'BP1' zoning designation, those lands delineated as '**BP1-1**' on Schedule 'A' to this By-law shall be used in compliance with the 'BP1' zone provisions, excepting, however that: the provisions of Section 3.17 shall not apply and the required setback shall be reduced to zero (0).

.2 Available 'BP1-2'

Mildmay By-law 2008-36 (Metcalf, Part Lot 24, Concession 'D')

- .3 Notwithstanding their 'BP1' zoning designation, those lands delineated as '**BP1-3**' on Schedule 'A' to this

By-law shall be used in compliance with the 'BP1' Zone provisions contained in this By-law, excepting however, that:

- i) no more than two principle buildings are permitted;
- ii) the minimum frontage shall be no less than 43.6 m
- iii) the industrial buildings shall be no closer than 3 m (10 ft), as existed at the date of passage of the zoning by-law;
- iv) the side yard setback shall be no less than 3 m (10 ft); and,
- v) a planting area shall be established as required in Section 3.14.

Mildmay By-law 26-1995

- .4 Notwithstanding their 'BP1' zoning designation, those lands delineated as '**BP1-4**' on Schedule 'A' to this By-law shall be used in compliance with the 'BP1' Zone provisions contained in this By-law, excepting however, that:

- i) Facilities for the pumping and treatment of sewage, works yards, garage dumps and public incinerators shall not be permitted.

Mildmay By-law 26-1995

- .5 Notwithstanding their 'BP1' zoning designation, those lands delineated as '**BP1-5**' on Schedule 'A' to this By-law shall be used in compliance with the 'BP1' Zone provisions contained in this By-law,

excepting however, that:

- i) Permitted uses shall be limited to those industrial uses which can demonstrate that they do not create or require large volumes of water.

SECTION 15 – HAMLET INDUSTRIAL (HI)

15.1 SCOPING NOTE

The provisions of the Hamlet Industrial (HI) Zone shall apply to industrial development located in the Municipality’s hamlets as identified on Schedule ‘A’: Land Use of the County of Bruce Official Plan.

15.2 USES PERMITTED

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

- (i) Residential Uses
 - ‘Dwelling, Accessory Apartment’ as per Section 3.7.1, exclusively for the use of the owner or a caretaker. A ‘Dwelling, Accessory Apartment’ shall not be permitted in association with a ‘Bulk Fuel Depot’, or ‘Automobile Repair Establishment’.

- (ii) Non-Residential Uses
 - Agricultural Produce Warehouse
 - Automobile Service Station
 - Bulk Fuel Depot
 - Bulk Sales Establishment – Agricultural
 - Commercial Motor Vehicle Repair Establishment
 - Contractor’s Yard
 - Industrial Use, Dry
 - Farm Implement Establishment
 - Food Processing, Primary and Secondary
 - Garden Centre
 - Greenhouse, Commercial
 - Public Garage
 - School Bus Storage
 - Trades Person’s Shop
 - Veterinary Clinic

15.3 ZONE PROVISIONS

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

Provisions: Private Water and Septic System	Non-Residential Uses
Minimum Lot Area	0.8 hectares (2.0 ac.)
Minimum Lot Frontage	30 metres (98 ft.)
Minimum Front Yard or Exterior Side Yard	15 metres (49 ft.)
Minimum Side & Rear Yard	10 metres (33 ft.)
Maximum Height - ‘Main Building’	10 metres (33 ft.)
Maximum Lot Coverage	15%
Minimum Separation Distance from Accessory Detached Dwelling	30 metres (98 ft.)

15.4 SPECIAL PROVISIONS

SECTION 16 – AGRICULTURE COMMERCIAL INDUSTRIAL (ACI)

16.1 SCOPE

The provisions of Section 12 shall apply only on lands designated ‘A – Agriculture’ or ‘R – Rural’ on Schedule ‘A’: Land Use (South Section) of the County of Bruce Official Plan.

16.2 USES PERMITTED

No person shall within the ACI zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Residential Uses

- ‘ Dwelling, Accessory Apartment’ in accordance with Section 3.7.1 or a ‘ Dwelling, Accessory Detached’ in accordance with Section 3.7.2, exclusively for the use of the owner or a care taker. A ‘ Dwelling, Accessory Apartment’ or a ‘ Dwelling, Accessory Detached’ shall not be permitted in association with an ‘ Abattoir’ or ‘ Livestock Assembly Yard’.

(b) Non-Residential Uses

- Abattoir
- Bulk Sales Establishment - Agricultural
- Farm Implement Establishment
- Food Processing, Primary
- Feed Mill & Elevator
- Greenhouse, Commercial
- Livestock Assembly Yard
- Livestock Auction Barn
- Portable Asphalt Plant
- Portable Concrete Plant
- Veterinarian Clinic
- Wayside Pit or Wayside Quarry
- Accessory Buildings & Structures in accordance with Section 3.6

16.3 ZONE PROVISIONS

No person shall within any ‘Agriculture Commercial Industrial (ACI)’ zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions	Non-Residential Uses
Minimum Lot Area	0.8 hectares (2.0 ac.)
Minimum Lot Frontage	30 metres (100 ft.)
Minimum Front Yard	15 metres (49.2 ft.)
Minimum Side Yard	10 metres (33 ft.)
Minimum Rear Yard	10 metres (33 ft.)
Maximum Height - ‘Main Building’	10 metres (33 ft.)
Maximum Lot Coverage	15%
Minimum Separation Distance From Accessory Detached Dwelling	30 metres (100 ft.)

16.4 SPECIAL PROVISIONS:

Carrick By-law 85-440 (Part Lot 1, Concession B)
 Carrick By-law 85-440 (Part Lot 31, Concession 12)

- .1 Notwithstanding their ‘ACI’ Zoning designation, those lands delineated as ‘**ACI-1**’ on Schedule ‘A’ to this By-law may be used for the purposes of a small engine and machinery repair establishment in addition to those uses normally permitted in the ‘ACI’ Zone, subject to compliance with the ‘ACI’ Zone provisions contained in this By-law.

Carrick By-law 90-545 (Priebe, Part Lot 32, Concession 15)

- .2 Notwithstanding their 'ACI' zoning designation, those lands delineated as **'ACI-2'** on Schedule 'A' to this By-Law, may be used for the purposes of a construction storage yard and office facility in compliance with the 'ACI' Zone provisions contained in this By-Law provided however that:
- i) The buildings and structures used for the permitted contractor's storage yard shall be limited to a total floor area of 1355.82 square metres.

Carrick By-law 85-440 (Part Lot 10, Concession 15)

- .3 Notwithstanding their 'ACI' Zoning designation, those lands delineated as **'ACI-3'** on Schedule 'A' to this By-law shall only be used for the purposes of a cabinet making and/or machine shop establishment in compliance with the 'ACI' Zone provisions contained in this By-law.

Carrick By-law 90-554 (Weber, Part Lots 22 and 23, Concession C)

- .4 Notwithstanding their 'ACI' zoning designation, those lands delineated as **'ACI-4'** on Schedule 'A' to this By-Law, may be used for the storage and office facility of a plumbing and construction business in compliance with the 'ACI' Zone provisions contained in this By-Law provided however that:
- i) The buildings and structures used for the permitted plumbing and contractors storage and office facility shall be limited to a total floor area of 1226.3 square metres (13,200 square feet) as they existed at the time of the passing of this By-Law.

Carrick By-law 96-18 (Hasenberger, Part Lot 10, Concession 13)

- .5 Notwithstanding their 'ACI' zoning designation, where lands are designated as **'ACI-5'** on Schedule 'A' to this By-law, may be used for industrial/commercial purposes, in accordance with the 'ACI' zoning provisions, excepting however that:
- i) The processing and wholesaling of lumber products shall be permitted uses, and may include a lumber dimension facility, lumber dry kiln, lumber grading plant, and a fletch wood veneer facility;
 - ii) A truck wash and service facility shall be a permitted use;
 - iii) The maximum lot coverage on private services shall be 20 per cent;
 - iv) The minimum lot area shall be 2.4 hectares (5.9 acres); and,
 - iv) The minimum lot frontage shall be 115 metres (377 feet).

Carrick By-law 96-19 (Herman/Brian's Poultry, Part Lot 20, Concession C)

- .6 Notwithstanding their 'ACI' zoning designation, where lands are designated as **'ACI-6'** on Schedule 'B' to this By-law, may be used for industrial/commercial purposes, in accordance with the 'ACI' zoning provisions, excepting however that:
- i) An automotive repair and painting operation shall be allowed as an accessory use to a permitted use;
 - ii) A truck terminal and/or terminals for the storage and handling of freight shall be a permitted use; and,
 - iii) The minimum lot area shall be 1.7 hectares (4.2 acres).

Carrick By-law 85-440, (Part Lot 23, Concession 'C')

- .7 Notwithstanding their 'ACI' Zoning designation, those lands delineated as **'ACI-7'** on Schedule 'A' to this By-law shall only be used for the purposes of an establishment for the sale, repair and servicing of agricultural implements and equipment in compliance with the 'ACI' Zone provisions contained in this By-law.

South Bruce By-law 2002-37 (Dunstan/Wise/Wells, Part Lot 20, Concession 'C', Carrick)

- .8 Notwithstanding their 'ACI' zoning designation, those lands delineated as **'ACI-8-h'** on Schedule 'A' to this By-law shall only be used for the purposes of a 'commercial motor vehicle repair establishment' in accordance with the 'ACI' zone provisions contained in this By-law, excepting however that:
- i) the Non-Residential Uses shall be limited to a 'Veterinarian Clinic'; 'Commercial Motor Vehicle Repair Establishment'; 'Farm Implement Establishment'; 'Greenhouse, Commercial'; 'Portable Asphalt Plant'; 'Accessory Buildings and Structures in accordance with Section 3.6' and
 - ii) all Residential uses shall be prohibited;

- iii) the 'minimum lot size' shall be no less than 2.43 hectares (6 acres);
- iv) the washing of 'commercial motor vehicles' shall be limited to those 'commercial motor vehicles' which are being serviced on-site or are owned and operated by 'Robert Wells Transport Limited' or its successors; and
- v) the lands shall be subject to Site Plan Control.

That the 'h - Holding' provision shall apply only to the 'commercial motor vehicle repair establishment' as a permitted use. The 'h - Holding' provision may be removed once the following conditions have been met:

- (a) A Certificate of Approval (Air) under Part 9 of the Environmental Protection Act is obtained from the Ministry of the Environment, if a paint/spray booth is to be part of the operation, is provided; and
- (b) A statement from the Chief Building Official or a qualified individual stating that all floor drains which may become contaminated with materials from the repair/servicing/lube shop, are not directly connected to a new/existing domestic waste treatment system on the property is provided; and
- (c) A statement from the Chief Building Official or a qualified individual stating that a 'total retention/seperator tank' **or** a similar engineered system which separates oils, fuels, lubricants, cleaners & solvents etc. and stores all separated contaminants has been installed and is functioning according to its design specifications is provided;
- (d) A statement from the Chief Building Official or a qualified individual stating that a adequate method of disposal for separated wash water has been installed and is functioning according to its design specifications is provided; and
- (e) A current contract with a MOE - certified carrier engaged for the disposal of materials from the 'total retention/seperator tank' **or** a similar engineered system is provided; and
- (f) A statement/certificate from the MOE - certified carrier stating that an approved disposal/treatment facility is available and will accept the materials is provided.
- (g) A Certificate of Approval under the Ontario Water Resources Act, or other applicable legislation, is obtained from the Ministry of the Environment for any/all components of the truck washing/'total retention/seperator tank' system as required **or** notification from the Ministry that a Certificate of Approval is *not* required is provided;
- (h) That all recommendations proposed in the "Scoped Environmental Impact Study" be implemented to the satisfaction of the Saugeen Valley Conservation Authority; and
- (i) That a "Stormwater Management Plan" prepared to the specification of the Saugeen Valley Conservation Authority, and reviewed and approved to the satisfaction of the Saugeen Valley Conservation Authority be submitted.

Carrick By-law 85-440 (Lighthouse Motel, Part Lot 11, Concession 15)

.9 Notwithstanding their 'ACI' Zoning designation, those lands delineated as '**ACI-9**' on Schedule 'A' to this By-law shall only be used for the purposes of a motel in compliance with the 'ACI' Zone provisions contained in this By-law.

Carrick By-law 85-440 (Part Lot 10, Concession 15)

Carrick By-law 85-440 (Schmalz Motors, Part Lot 21, Concession 'C')

.10 Notwithstanding their 'ACI' Zoning designation, those lands delineated as '**ACI-10**' on Schedule 'A' to this By-law shall only be used for the purposes of an establishment for the sale, repair and servicing of agricultural implements and equipment in compliance with the 'ACI' Zone provisions contained in this By-law.

Carrick By-law 85-440 (Elora Road Meats, Part Lot 10, Concession 'C')

.11 Notwithstanding their 'ACI' Zoning designation, those lands delineated as '**ACI-11**' on Schedule 'A' to this By-law may be used for the purposes of an abattoir in addition to those uses normally permitted in the 'ACI' Zone, subject to compliance with the 'ACI' Zone provisions contained in this By-law.

Carrick By-law 85-440 (Part Lot 14, Concession 12)

Carrick By-law 85-440 (Part Lot 21, Concession 14)

.12 Notwithstanding their 'ACI' Zoning designation, those lands delineated as **'ACI-12'** on Schedule 'A' to this By-law may be used for the purposes of a builders or contractors yard in addition to those used normally permitted in the 'ACI' Zone, subject to compliance with the 'ACI' Zone provisions contained in this By-law.

Carrick By-law 94-678 Kunkel (Part of Lot 10, Concession 12)

.13 Notwithstanding their 'ACI' Zoning designation, those lands delineated as **'ACI-13'** on Schedule 'A' to this By-law shall only be used for the purposes of a sales, repair and servicing of agricultural implements and equipment establishment in addition to bus storage, repair and rentals in compliance with the 'ACI' Zone provisions contained in this By-law.

Carrick By-law 85-440 (Part Lot 26, Concession 6)

.14 Notwithstanding their 'ACI' Zoning designation, those lands delineated as **'ACI-14'** on Schedule 'A' to this By-law may be used for the purposes of a sawmill in addition to those uses normally permitted in the 'ACI' Zone, subject to compliance with the 'ACI' Zone provisions contained in this By-law.

Carrick By-law 85-440 (Part Lot 3, Concession 9)

.15 Notwithstanding their 'ACI' Zoning designation, those lands delineated as **'ACI-15'** on Schedule 'A' to this By-law may be used for the purposes of an autobody and autowrecking establishment in addition to those uses normally permitted in the 'ACI' Zone, subject to compliance with the 'ACI' Zone provisions contained in this By-law.

Carrick By-law 85-440 (Part Lot 20, Concession 'C' / 'D')

.16 Notwithstanding their 'ACI' Zoning designation, those lands delineated as **'ACI-16'** on Schedule 'A' to this By-law shall only be used for the purposes of motor vehicle oiling establishment in addition to those uses normally permitted in the 'ACI' Zone subject to compliance with the 'ACI' Zone provisions contained in this By-law.

Carrick By-law 86-453 (Priebe, Part Lot 34, Concession 14)

.17 Notwithstanding their 'ACI' Zoning designation, those lands delineated as **'ACI-17'** on Schedule 'A' to this By-law shall only be used for the purposes of a cement contracting business in addition to those uses normally permitted in the 'ACI' Zone, subject to compliance with the 'ACI' Zone provisions contained in this By-law.

Carrick By-law 89-520 (Hossfeld, Part Lot 10, Concession 11)

.18 Notwithstanding their 'ACI' zoning designation, where lands are delineated as **'ACI-18'** on Schedule 'A' to this By-law, they may be used for the purposes of an establishment for the repair and servicing of agricultural equipment and accessory uses thereto in addition to those uses normally permitted in the 'ACI' zone, in accordance with the 'ACI' Zone provisions contained in this By-law provided however that:

- i) The accessory uses shall be clearly secondary to the repair and servicing of agricultural implements and equipment,
- ii) The minimum lot area shall be 2.3 hectares (5.7 acres),
- iii) For the purpose of this subsection lot area shall mean the total horizontal area within the lot lines of a lot; and,
- iv) The minimum side yard shall be 15.3 metres (50 feet)

Carrick By-law 85-440 (Deemerton, Part Lot 21, Concession 8)

.19 Notwithstanding their 'ACI' zoning designation, those lands delineated as **'ACI-19'** on Schedule 'A' to this By-Law may be used only for the following permitted uses in compliance with the 'ACI' Zone provisions contained in this By-Law:

- i) 'Agricultural Produce Warehouse'
- ii) 'Automobile Service Station'
- iii) 'Business or professional office'
- iii) 'Contractor's Yard'
- iv) 'Industrial Use, Dry'

- v) 'Greenhouse, Commercial'
- vi) 'Hotel/Motel'
- vii) 'Marine, Recreation and Small Engine Establishments'
- viii) 'Restaurant'
- ix) 'Retail Store' under 140 sq. m (1500 sq ft) in 'Floor Area, Total'
- xi) 'Riding Stable/Equestrian Centre'
- xii) 'School Bus Storage'
- xiii) 'Travel Trailer Sales Establishments'
- xiv) Accessory Buildings & Structures in accordance with Section 3.6

Carrick By-law 88-502(Part Lot 27 Concession 'D' [Parts 1, 2 and 5 on 3R-2698])

.20 Notwithstanding their 'ACI' zoning designation, those lands delineated as '**ACI-20**' on Schedule 'A' to this By-Law may be used for the purpose of a public works yard, in compliance with the 'ACI' Zone provisions, provided, however, that outside storage of chemicals, including salt, are prohibited.

Culross By-law 20-1985 (Part Lot 19, Concession 14)

.21 Notwithstanding their 'ACI' Zoning designation those lands delineated as '**ACI-21**' on Schedule 'A' to this By-law may be used for the purpose of a drainage tile manufacturing and sales establishment in addition to those uses normally permitted in the 'ACI' Zone, subject to compliance with the 'ACI' Zone provisions contained in this By-law.

Culross By-Law 10-1997 (McKague, Part Lot 13, Concession 6)

.22 Notwithstanding their 'ACI' Zoning designation, where lands are designated as '**ACI-22**' on Schedule 'A' to this By-law may be used for industrial/commercial purposes, in accordance with the 'ACI' Zone provisions excepting however that:

- i) Motor vehicle inspection station, the maintenance of farm machinery and transport trucks, and a truck terminal for the storage and handling of freight may be permitted.

Culross By-Law 11-1997 (Ireland, Part Lot 10, Concession 4)

.23 Notwithstanding their 'ACI' Zoning designation, where lands are designated as '**ACI-23**' on Schedule 'A' to this By-law may be used for industrial/commercial purposes, in accordance with the 'ACI' Zone provisions excepting however that:

- i) Sale of agricultural implements, equipment and parts may be permitted; and,
- ii) An agricultural implements and equipment salvage yard may be permitted.

Culross By-Law 27-1997 (Ireland, Part Lot 12, Concession 6)

.24 Notwithstanding their 'ACI' Zoning designation, where lands are designated as '**ACI-24**' on Schedule 'A' to this By-law may be used for industrial/commercial purposes, in accordance with the 'ACI' Zone provisions excepting however that:

- i) Manufacturing, sale and service of toy farm machinery may be permitted;
- ii) The minimum lot area shall be 2322 square metres (25,000 square feet);
- iii) Lot area shall be defined as the total horizontal distance of the lands within the zone; and
- iv) Lot Frontage shall not apply.

Carrick By-law 85-440 (Part Lot 9, Concession 14)

Culross By-law 20-1985 (Part Lot 2, Concession 12)

South Bruce By-law 2004-26 (Morley / Reichenbach, Part Lot 21, Concession C, Carrick)

.25 Notwithstanding their 'ACI' Zoning designation, those lands delineated as '**ACI-25**' on Schedule 'A' to this By-law may be used for the purposes of a truck terminal in addition to those uses normally permitted in the 'ACI' Zone, subject to compliance with the 'ACI' Zone provisions contained in this By-law.

Culross By-law 20-1985 (Part Lot 16, Concession 14)

.26 Notwithstanding their 'ACI' Zoning designation those land delineated as '**ACI-26**' on Schedule 'A' to this By-law may be used for the purpose of a service station in addition to those uses normally permitted in the 'ACI' Zone, subject to compliance with the 'ACI' Zone provisions contained in this By-law.

Culross By-law 20-1985 (Part Lot 21, Concession 13)

.27 Notwithstanding their 'ACI' Zoning designation those lands delineated as '**ACI-27**' on Schedule 'A' to this By-law may be used for the purpose of an 'automobile wrecking yard' in addition to those uses normally permitted in the 'ACI' Zone, subject to compliance with the 'ACI' Zone provisions contained in this By-law.

Culross By-Law 2001-17 (Baks, Part Lot 14, Concession 4)

.28 Notwithstanding their 'ACI' Zoning designation, those lands delineated as '**ACI-28**', on Schedule 'A' to this By-Law shall only be used for the purposes of a 'Farm Implement and Equipment Establishment' and 'accessory office' in accordance with the 'ACI' Zone provisions contained in this By-Law, excepting however that:

- i) All 'Residential Uses' or 'Accessory Residential Uses' shall be prohibited;
- ii) The 'minimum area' shall be no less than 43,491 square feet;
- iii) The 'maximum retail floor area' shall not exceed 1800 square feet;
- iv) The 'minimum side yard' shall be no less than 6.6 feet;
- v) The 'minimum rear yard' shall be no less than 6.6 feet;

Culross By-law 20-1985 (Part Lot 13, Concession 12)

.29 Notwithstanding their 'ACI' Zoning designation those lands delineated as '**ACI-29**' on Schedule 'A' to this By-law may be used for the purpose of a welding and repair establishment in addition to those uses normally permitted in the 'ACI' Zone, subject to compliance with the 'ACI' Zone provisions contained in this By-law.

Culross By-law 20-1985 (Part Lot 6, Concession 12)

.30 Notwithstanding their 'ACI' Zoning designation those lands delineated as '**ACI-30**' on Schedule 'A' to this By-law may be used for the purpose of a meat market in addition to those uses normally permitted in the 'ACI' Zone, subject to compliance with the 'ACI' Zone provisions contained in this By-law.

Culross By-law 20-1985 (Part Lot 35, Concession 2)

.31 Notwithstanding their 'ACI' Zoning designation those lands delineated as '**ACI-31**' on Schedule 'A' to this By-law maybe used for the purpose of a bus terminal in addition to those uses normally permitted in the 'ACI' Zone, subject to compliance with the 'ACI' Zone provisions contained in this By-law.

Culross By-law 20-1985 (Part Lot 8 & 9, Concession 6)

.32 Notwithstanding their 'ACI' Zoning designation those lands delineated as '**ACI-32**' on Schedule 'A' to this By-law may be used for the purpose of a pickle processing plant in addition to those uses normally permitted in the 'ACI' zone, subject to compliance with the 'ACI' Zone provisions contained in this By-law.

Culross By-law 20-1985 (Part Lot 26, Concession 2)

.33 Notwithstanding their 'ACI' Zoning designation those lands delineated as '**ACI-33**' on Schedule 'A' to this By-law may be used for the purposes of a truck painting establishment in addition to those uses normally permitted in the 'ACI' zone, subject to compliance with the 'ACI' Zone provisions contained in this By-law.

Culross By-Law 20-1985 (Part Lot 26, Concession 13)

.34 Notwithstanding their 'ACI' Zoning designation those lands delineated as '**ACI-34**' on Schedule 'A' to this By-law shall only be used for the purposes of a sawmill, lumber yard and scrap yard and related and accessory uses including metal fabricating subject to compliance with the 'ACI' Zone provisions contained in this By-Law.

South Bruce By-law 2005-25 (Huber, Part Lot 23, Concession 8, Carrick)

.35 Notwithstanding their 'ACI' zoning designation, those lands delineated as '**ACI-35**' on Schedule 'A' to this By-law shall be used in compliance with the 'ACI' Zone provisions contained in this By-law, excepting, however, that:

- i) Residential uses are permitted as existed on the date of passage of the By-law;
- ii) An 'Automobile Repair Establishment' shall be a permitted use;
- iii) The minimum side yard setback shall be no less than 2.6 m;
- iv) The minimum separation distance from accessory detached dwelling shall be no less than 15 m;
- v) Livestock and/or poultry shall be limited to 3.7 livestock units per hectare; and

- vi) Notwithstanding Section 3.18 Minimum Distance Separation Guidelines (MDS,) the Minimum Distance Separation I may be reduced to 50 meters.

Culross By-law 2002-09 (Wideman/Beninger, Part Lot 2, Concession 'A')

.36 Notwithstanding their 'ACI' zoning designation, where lands are designated as '**ACI-36**' on Schedule 'A' to this By-law, shall only be used in accordance with the 'ACI' zoning provisions, excepting however that:

- i) In addition to the required provisions of Section 3.20 no buildings, structures, additions or extensions to existing buildings or structures or sewage disposal systems shall be erected, constructed or permitted within 28 metres (85.3 ft.) of the Environmental Protection zone; and
- ii) A single detached accessory residence exclusively for the use of the owner, manager or caretaker of the 'ACI' use shall be permitted; and
- x) A 'fuel storage establishment' shall be prohibited

South Bruce By-law 2008-63 (Robbins/Mackey, Part Lot 48, Concession 'C')

.37 Notwithstanding their 'ACI' zoning designation, those lands delineated as '**AC1-37-h**' on Schedule 'A' to this By-law shall be used in compliance with the 'ACI' Zone provisions contained in this By-law, excepting, however, that:

- i) Permitted uses shall be limited to a 'Farm Implement Repair and Farm Vehicle Sales Establishment'.
- ii) For the purposes of the ACI-37-h zone, a 'Farm Equipment and Farm Vehicle Sales and Repair Establishment' shall be defined as:

"FARM IMPLEMENT REPAIR AND FARM VEHICLE REPAIR ESTABLISHMENT": means the use of land, buildings or structures for the sale of, storage of, or repair of new or used agricultural equipment and machinery directly associated with the operation of a farm and the sale, servicing, repair, cleaning, washing, polishing and greasing of vehicles for farm use.
- iii) Accessory dwelling unit – detached unit shall be a permitted use under the 'h - Holding' provision.
- iv) Farm Implement Repair and Farm Vehicle Repair Establishment' uses shall be prohibited until the 'h' provision is removed. The 'h' provision may be removed once the following conditions have been met:
 - (1) A statement from the Chief Building Official stating that all floor drains which may become contaminated with materials from the repair/servicing establishment, are not directly connected to a new/existing domestic waste treatment system on the property is provided; and
 - (2) A statement from the Chief Building Official stating that all floor drains which may become contaminated with materials from the repair/servicing establishment, have been connected to a total retention/separator tank **or** similar engineered system is provided; and
 - (3) A statement from the Chief Building Official stating that a total retention/separator tank **or** a similar engineered system which separates oils, fuels, lubricants, cleaners & solvents etc. and stores all separated contaminants has been installed and is functioning according to its design specifications is provided; and
 - (4) A current contract with a MOE - certified carrier engaged for the disposal of materials from the total retention/separator tank **or** a similar engineered system is provided.

SECTION 17 - EXTRACTIVE INDUSTRIAL (M2)

17.1 SCOPING NOTE

The provisions of the Extractive Industrial (M2) Zone shall apply to pits and quarries as identified on Schedule 'A': Land Use of the County of Bruce Official Plan.

17.2 USES PERMITTED

No person shall within an 'Extractive Industrial (M2)' zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- (a) Residential Uses
 - Prohibited
- (b) Non-Residential Uses
 - Agriculture, General
 - Pit
 - Portable Asphalt Plant
 - Portable Concrete Plant
 - Quarry
 - Buildings, structures and uses accessory to a permitted use [i.e., open storage, scales, pump buildings, administration, equipment storage, and fuel pumps]
 - Processing of natural materials extracted from the site including screening, sorting, washing, crushing, storing, portable ready mix/concrete, asphalt plant, and other similar operations allied to a 'Pit' or 'Quarry' operation

17.3 ZONE PROVISIONS

No person shall within any 'Extractive Industrial (M2)' Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

PROVISIONS	NON-RESIDENTIAL
Minimum Lot Area	1 hectare (2.5 ac.)
Minimum Lot Frontage	30 metres (98 ft.)

17.4 ADDITIONAL PROVISIONS - EXTRACTIVE INDUSTRIAL

- .1 No excavation shall occur within:
 - (i) 15 metres (50 ft.) from the boundary of the licensed area.
 - (ii) 30 metres (98 ft.) from any part of the boundary of the licensed area that abuts:
 - a) A Class 1 or 2 Road;
 - b) Land in use for residential purposes at the time the license was issued, or land zoned Residential or Institutional when an aggregate license is issued.
 - (iii) 30 metres (98 ft.) from a watercourse.
- .2 All excavation faces are to be stabilized in so far as to prevent erosion into the excavation setback area and every excavation face shall be sloped to no greater than 45 degrees off horizontal.
- .3 No mineral aggregate resource, aggregate pile, topsoil pile, overburden pile, or any building or structure shall be located closer than:
 - (i) 30 metres (98 ft.) of the boundary of the licensed area; and
 - (ii) 90 metres (295 ft.) of the boundary of the licensed area abutting a Class 1 or 2 Street; or a residential dwelling existing at the time an aggregate license is issued, or land zoned Residential or Institutional when an aggregate license is issued.

Where an interior lot line in an M2 zone abuts land held in separate ownership but is also zoned M2, no setback may be required.
- .4 All machinery employed in the processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete or the production of secondary related products shall be located no closer than:

- (i) 30 metres (98 ft.) of the boundary of the licensed area; and,
 - (ii) 90 metres (295 ft.) of the boundary of the licensed area abutting a Class 1 or 2 Street; or a residential dwelling existing at the time an aggregate license is issued, or land zoned Residential or Institutional when an aggregate license is issued.
- .5 Berms that are intended to screen the adjoining lands from the operation on the site are exempt from Section 17.4.3.
- .6 All berms shall be located at least three metres from the boundary of the licensed area.
- .7 Adequate vegetation shall be established and maintained to control erosion of any topsoil or overburden on the site.
- .8 The maximum height for any conveyors or similar machinery shall be 25 metres (82 ft.).
- .9 Notwithstanding the requirements of Section 3.14, a Planting Area shall be planted and maintained along all front and exterior lot lines and along any lot line within 60 metres (197 ft.) of a residential dwelling or a Residential zone, except for entrances and exits. The Planting Area shall provide a year round visual barrier and shall be a minimum of 15 metres (50 ft.) in width and consist of a dense screen of shrubs and/or evergreen trees, a minimum of one metre (3 ft.) in height when planted and of a type that will attain a minimum height of 6 metres (20 ft.) at maturity.

17.5 SPECIAL PROVISIONS

SECTION 18 – RURAL COMMERCIAL INDUSTRIAL (RCI)**18.1 SCOPE**

The provisions of Section 14 shall apply only on lands designated 'R – Rural' on Schedule 'A': Land Use (South Section) of the County of Bruce Official Plan.

18.2 USES PERMITTED

No person shall within the 'Rural Commercial Industrial (RCI)' zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

(a) Residential Uses

- 'Dwelling, Accessory Apartment' in accordance with Section 3.7.1 or a 'Dwelling, Accessory Detached' in accordance with Section 3.7.2, exclusively for the use of the owner or a care taker.

A 'Dwelling, Accessory Apartment' or a 'Dwelling, Accessory Detached' shall not be permitted in association with an 'Abattoir', or 'Public Garage'.

(b) Non-Residential Uses

In addition to all Non-Residential Uses permitted in the 'ACI' zone the following shall also be permitted:

- Agricultural Produce Warehouse
- Greenhouse, Commercial
- Industrial, Dry limited to welding shops, blacksmith shops, and wood fabricating;
- Public Garage
- Riding Stable/Equestrian Centre
- Salvage Yard
- Saw or Planing Mill

18.3 ZONE PROVISIONS

No person shall within any 'Rural Commercial Industrial (RCI)' zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

PROVISIONS	Non-Residential
Minimum Lot Area	0.8 hectares (2.0 ac)
Minimum Lot Frontage	30 metres (98 ft.)
Minimum Front or Exterior Yard	15 metres (49.2 ft.)
Minimum Side & Rear Yard	10 metres (33 ft.)
Maximum Height B Main Building	10 metres (33 ft.)
Maximum Lot Coverage	15%
Minimum Separation Distance from Accessory Detached Dwelling	30 metres (98 ft.)

18.4 SPECIAL PROVISIONS

SECTION 19 –RURAL & URBAN INSTITUTIONALS (INR, IN)**19.1 SCOPING NOTE**

The provisions of the Institutional Rural (INR) and Institutional Urban (IN) zones shall generally apply to institutional development generally located in the rural and urban areas of the Municipality.

19.2 USES PERMITTED

No person shall within a 'Rural Institutional (INR)' zone or 'Urban Institutional (IN)' zone use any lot or erect, alter or use any building or structure for any purpose except the following:

PERMITTED USES	INSTITUTIONAL- RURAL (INR)	INSTITUTIONAL – URBAN (IN)
'Dwelling, Accessory Apartment' as per Section 3.7.1	√	√
'Dwelling, Accessory Detached' as per Section 3.7.2, used only in association with 'Assembly Hall'	√	√
Assembly Hall	√	√
Cemetery	√	√
Clinic	Not Permitted	√
Day Care Nursery (Licensed)	Not Permitted	√
Educational Facility	Not Permitted	√
Hospital	Not Permitted	√
Public Building	Not Permitted	√
Public Park	√	√
Residential Care Facility	Not Permitted	√
Accessory Buildings & Structures as per Section 3.6	√	√

19.3 ZONE PROVISIONS

No person shall within any 'Institutional - Urban (IN)' or 'Institutional – Rural (INR)' zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions	Municipal and Municipal Sewer	Municipal Sewer	Municipal Water	No Municipal Services
Minimum Lot Area	550 sq. metres (5,920 sq. ft.)	2,024 sq. metres (21,782 sq. ft.)	0.4 hectares (1 ac.)	0.8 hectares (2 ac.)
Minimum Lot Frontage	15 metres (49 ft.)	30 metres (98 ft.)	40 metres (131 ft.)	40 metres (131 ft.)
Minimum Front Yard	6.0 metres (20 ft.)	7.5 metres (25 ft.)	10 metres (33 ft.)	10 metres (33 ft.)
Minimum Exterior Side Yard	6.0 metres (20 ft.)	7.5 metres (25 ft.)	10 metres (33 ft.)	10 metres (33 ft.)
Minimum Interior Side Yard	5 metres (16 ft.)			
Minimum Rear Yard	10 metres (33 ft.)			
Maximum Building Height - 'Main Building'	10 metres (33 ft.)			
Maximum Lot Coverage	40%	25%	20%	20%

19.4 SPECIAL PROVISIONS - INR

Carrick By-law 85-440 (Part Lot 11 Concession 14)

- .1 Notwithstanding their 'INR' Zoning designation, the lands delineated as **'INR-1'** on Schedule 'A' to this By-law shall only be used for the purposes of an 'assembly hall' in compliance with the 'INR' Zone provisions contained in this By-law.

Carrick By-law 85-440 (Part Lot 26 Concession 9 & 10)

- .2 Notwithstanding their 'INR' Zoning designation, the lands delineated as **'INR-2'** on Schedule 'A' to this By-law shall only be used for the purposes of a church camp in compliance with the 'INR' Zone provisions contained in this By-law.

.3 Available 'INR-3'

Carrick By-law 85-440 (Part Lot 11, Concession 14)

- .4 Notwithstanding their 'INR' Zoning designation, the lands delineated as **'INR-4'** on Schedule 'A' to this By-law shall only be used for the purposes of an 'assembly hall' in compliance with the 'INR' Zone provisions contained in this By-law.

South Bruce By-law 2006-44 (Lot 5, Concession 1, Carrick)

- .5 Notwithstanding their 'I - Institutional' zoning designation, those lands delineated as **'INR-5'** on Schedule 'A' to this By-law shall be used in compliance with the 'INR' Zone provisions contained in this By-law, excepting, however, that:
- i) The permitted uses shall be limited to an 'educational facility' serving the local 'horse-drawn carriage community'.
 - ii) Notwithstanding Section 3.16, being the requirements to meet Minimum Distance Separation Formulae 1, the proposed 'educational facility' shall be no closer than 249 metres from any neighbouring livestock facility.

19.5 SPECIAL PROVISIONS - IN

SECTION 20 – RURAL & URBAN OPEN SPACE (OSR, OS)**20.1 SCOPING NOTE**

The provisions of the Rural Open Space (OSR) and Urban Open Space (OS) zones shall generally apply to open space development generally located in the urban and rural areas of the Municipality.

20.2 USES PERMITTED

No person shall within any 'General Open Space (OS)' zone use any lot or erect, alter or use any building or structure for any purpose except for one or more of the following:

PERMITTED USES	OPEN SPACE - RURAL (OSR)	OPEN SPACE – URBAN (OS)
'Dwelling, Accessory Apartment' in accordance with Section 3.8.1 or a 'Dwelling, Accessory Detached' in accordance with Section 3.8.2, used only in association with a 'golf course' by an owner or caretaker of the principal use.	√	√
Adventure Game	√	Not Permitted
Agriculture, General	√	Not Permitted
Boat Launching & Docking	√	√
Conservation Area	√	√
Golf Course	Not Permitted	√
Golf Course, Miniature	Not Permitted	√
Golf Driving Range	Not Permitted	√
Gun Club	√	Not Permitted
Public Park	√	√
Snowmobile Club	√	Not Permitted

20.3 ZONE PROVISIONS

No person shall within any 'Open Space – Rural' and 'Open Space – Urban' use any land or erect, alter or use any building or structure except in accordance with the following provisions:

PROVISIONS	NON-RESIDENTIAL
Minimum Lot Area	0.5 hectares (1.2 ac.)
Minimum Front or Exterior Yard	15 metres (49.2 ft.)
Minimum Side/Rear Yard	10 metres (33 ft.)
Maximum Height – 'Main Building'	10 metres (33 ft.)
Maximum Lot Coverage	5%

20.4 ADDITIONAL SETBACKS - GUN CLUB

No 'gun club' shall be permitted within 250 metres (820 ft.) of any Residential or Institutional use.

20.5 SPECIAL PROVISIONS - OSR

Culross By-law 15-1997 (Steffen, Part of Lot 29, Concession 7)

.1 Notwithstanding their 'OSR' zoning designation, where lands are designated as '**OSR-1**' on Schedule 'A' to this By-law, may also be used for General Agricultural purposes in accordance with the 'A1' Zone provisions, excepting, however, that subject to compliance with the 'OSR' Zone provisions contained in this By-law:

- i) A paint ball course and associated accessory uses shall be permitted.

20.6 SPECIAL PROVISIONS - OS

Mildmay By-law 2006-48 (Gray, Part Lot 24 and 25, Concession 'C')
.1 Notwithstanding their 'OS1 Open Space' zoning designation, those lands designated as '**OS1-1**' shall be used in accordance with the permitted uses and zone provisions of the 'OS1' Zone excepting however that a public use shall not be a permitted use.

SECTION 21 - WASTE DISPOSAL (WD)**21.1 SCOPING NOTE**

The provisions of the Waste Disposal (WD) Zone shall generally apply only to lands designated for such uses on Schedule 'A': Land Use Plan of the Official Plan for the Urban Areas of Mildmay, Formosa and Teeswater or on Schedule 'A': Land Use Plan of the County of Bruce Official Plan.

21.2 USES PERMITTED

No person shall within any 'Waste Disposal (WD)' zone use any lot or erect or use any building or structure for any purpose except one or more of the following:

- (i) Residential Uses
 - Prohibited
- (ii) Non-Residential Uses
 - Composting Facility
 - Portable Asphalt Plant
 - Portable Concrete Plant
 - Recycling Centre
 - Recycling Depot
 - Sewage Treatment Plant
 - Solid Waste Disposal Site
 - Uses accessory to a Non-Residential Permitted Use [i.e., open storage, scales, pump buildings, administration office, equipment storage, maintenance building, fuel pumps and similar uses]
 - Wayside Pit
 - Wayside Quarry

21.3 ZONE PROVISIONS

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

PROVISIONS	NON-RESIDENTIAL
Minimum Lot Area	2 hectares (5 ac)
Minimum Lot Frontage	20 metres (66 ft)
Minimum Setback from all Lot Lines (Buildings/Structures)	15 metres (50 ft)
Minimum Setback from Lot Line (All other activities)	30 metres (100 ft)
Maximum Building Height	10 metres (33 ft)
Maximum Lot Coverage (Buildings/Structures)	1%

21.4 PLANTING AREAS

Except for entrances and exits, planting areas having a minimum width of 15 metres (49.2 ft) and consisting of a dense screen of shrubs and evergreen trees, minimum 1 metre (3 ft) high when planted and of a type that will attain a minimum height of 6 metres (20 ft) at maturity and as well provide a year round visual barrier, shall be planted and maintained along any street lot line and along any lot line abutting any Residential or Institutional zone.

21.5 SPECIAL PROVISIONS

- .1 Notwithstanding their 'WD' Zoning designation those lands delineated as 'WD-1' on Schedule 'A' to this By-law may be used for the purpose of a gravel pit in addition to those uses normally permitted in the 'WD' Zone, subject to compliance with the 'WD' Zone provisions contained in this By-law.

SECTION 22 - ENVIRONMENTAL PROTECTION (EP)**22.1 SCOPING NOTE**

The provisions of the Environmental Protection (EP) Zone shall generally apply only to lands designated 'Hazard Land' on Schedule 'A': Land Use Plan of the Official Plan for the Urban Areas of Mildmay Formosa and Teeswater or designated 'Hazard' on Schedule 'A': Land Use Plan of the County of Bruce Official Plan.

22.2 USES PERMITTED

No person shall within an 'Environmental Protection (EP)' zone use any lot or erect, alter or use any building or structure, for any purpose except the following:

- Agriculture, General
- Boat Launching & Docking
- Conservation Area
- Public Park
- Snowmobile Club

22.3 STRUCTURES PROHIBITED

All buildings and structures shall be prohibited in an 'EP - Environmental Protection' zone except for the following:

- i) Those necessary for flood and/or erosion control purposes in accordance with Section 22.4;
- ii) Unenclosed picnic shelters;
- iii) Washroom facilities associated with a Public Park or Conservation Area;
- iv) Buildings for essential public services;
- v) Boat Launching and Docking; and,
- vi) Buildings, structures or appurtenances that are essential for the provision of public services and that cannot be feasibly located in another zone, and which have received approval from any appropriate approval authority.

22.4 ZONE PROVISIONS

No person shall within any 'Environmental Protection (EP)' zone use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

PROVISIONS	FLOOD CONTROL BUILDINGS
Minimum Building Setback from Any Lot Line	10 metres (33 ft)
Maximum Building Size	20 sq. metres (215 sq. ft.)
Maximum Building Height	3 metres (10 ft.)

Explanatory Note:

Development, Interference with Wetlands and Alterations to Shorelines and Watercourses.

Where development or site works are proposed within a Regulated Area, as identified by Ontario Regulation 151/06 or Ontario Regulation 169/06, and shown on schedules filed with the Conservation Authority where such mapping exists, a permit from the applicable Conservation Authority having jurisdiction may be required. The applicable Authority should be contacted to determine the extent of the Regulated Area. The applicable Authority should be consulted prior to the commencement of development and/or site alterations, including construction, re-construction, conversions, grading, filling or excavating occurs to determine whether the applicable Authority's regulations apply.

22.5 SPECIAL PROVISIONS

[Provincially Significant Wetlands]

- .1 Notwithstanding their 'EP' Zoning designation, those lands delineated as 'EP-1' on Schedule 'A' to this By-law, shall only be used for existing agricultural uses and outdoor recreational activities which are non-intensive nature and are compatible with the surrounding natural environment including uses such as

nature interpretation, hiking and walking trails, cross-country skiing, fishing and hunting in accordance with the 'EP' Zone provisions contained in this By-Law, excepting however that notwithstanding the provisions of Section 4.7.1, the boundaries and uses of the 'EP-1' Zone shall not be altered except by a By-law passed under Section 34 of the Planning Act, R.S.O 1990 as amended.

All buildings and structures shall be prohibited in a 'EP-1' zone except those necessary for flood and/or erosion control purposes in accordance with Section 22.4. Site alteration, such as filling or excavation is not permitted within the 'EP-1' zone except to allow existing agricultural uses to continue.

Explanatory Note:

Where development is proposed on lands located within 120 metres of a Provincially Significant Wetland, as defined by the Environmental Protection (EP-1) zone on Schedule A to this By-Law, the owner may require the preparation of an Environmental Impact Study in accordance with the County of Bruce Official Plan and in consultation with the appropriate approval authority, which demonstrates that there will be no negative impacts on the natural features or the ecological functions for which the area is defined.

Upon the recommendation of the applicable Conservation Authority, Council may consider waiving this requirement if the proposal is of such a minor nature or site conditions indicate that the preparation of an Environmental Impact Statement is unwarranted or would serve no purpose on the natural features or the ecological functions for which the area is defined.

Culross By-Law 15-1997 (Steffen, Part Lot 29, Concession 7)

.2 Notwithstanding their 'EP' zoning designation, where lands are designated as **'EP-2'** on Schedule 'A' to this By-law, may be used for environmental protection uses in accordance with the 'EP' Zone provisions, excepting, however, that:

- i) That a paint ball course shall be permitted; and,
- ii) No buildings or structures accessory to the paint ball course shall be permitted.

South Bruce By-Law 2005-42 (Lamont, Part Lot 24, Concession 15, Culross)

.3 Notwithstanding their 'EP' zoning designation, where lands are designated as **'EP-3'** on Schedule 'A' to this By-law, may be used for environmental protection uses in accordance with the 'EP' Zone provisions, excepting, however, that:

- i) No filling, excavation or regarding shall be permitted.

South Bruce By-Law 2002-09 (Beninger/Wideman, Part Lot 2, Concession 'A', Culross)

.4 Notwithstanding their 'EP' zoning designation, where lands are designated as **'EP-4'** on Schedule 'A' to this By-law, may be used for environmental protection uses in accordance with the 'EP' Zone provisions, excepting, however, that:

- i) The placement of fill material of any type, grading or excavation which would result in the change to the landform or natural vegetation characteristics of the zone is prohibited.

Mildmay By-law 26-1995 (Plan 48 Part of Park Lot 5, RP 3R-4401 Part 2)

.5 Notwithstanding their 'EP' zoning designation, where lands are designated as **'EP-5'** on Schedule 'A' to this By-law, may be used for environmental protection uses in accordance with the 'EP' Zone provisions, excepting, however, that:

- i) A parking lot shall be a permitted use.

Mildmay By-law 2003-18 (Grey, Part Lots 24 and 25, Concession 'C')

.6 Notwithstanding their 'EP' zoning designation, where lands are designated as **'EP-6'** on Schedule 'A' to this By-law, may be used for environmental protection uses in accordance with the 'EP' Zone provisions, excepting, however, that:

- i) All buildings and/or structures are prohibited.

SECTION 23 – FUTURE DEVELOPMENT (FD)**23.1 SCOPING NOTE**

The provisions of the Future Development (FD) Zone shall generally apply only to lands designated 'Future Development' on Schedule 'A': Land Use Plan of the Official Plan for the Urban Areas of Mildmay, Formosa and Teeswater.

23.2 USES PERMITTED

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

- 'Dwelling' existing at the date of passing of this By-law
- 'Agriculture, General' except that no new buildings, structures or expansions to existing uses, buildings and structures
- Legal uses, buildings and structures existing at the date of passing of this By-Law
- 'Conservation Area'
- 'Home Occupation- Domestic and Professional' as per Section 3.8 (in a 'Dwelling, Single Detached' only)
- 'Home Occupation - Bed & Breakfast Establishment' as per Section 3.9 (in a 'Dwelling, Single Detached' only)
- 'Group Home - Type 1' (in a 'Dwelling, Single Detached' only)
- 'Public Park'
- Accessory Buildings & Structures as per Section 3.6

23.3 REGULATIONS FOR EXISTING 'DWELLING' ZONED FUTURE DEVELOPMENT

Alteration and/or enlargement of an existing 'Dwelling' and/or an accessory structure associated with a 'Dwelling' shall be as follows:

- (a) On lands in Carlsruhe and Belmore in accordance with the provisions of the 'HR' zone.
- (b) On lands in Mildmay, Formosa and Teeswater in accordance with the provisions of the 'R1' zone.
- (c) For all other lands, in accordance with the provisions of the 'A1' zone.

23.4 SPECIAL PROVISIONS

Mildmay By-law 2006-48 (Grey, Part Lot 24 and 25, Concession 'C')

.1 Notwithstanding their 'FD' zoning, those lands designated as '**FD-1**' shall be used in accordance with the Permitted Uses and Zone Provisions of the 'R1' zone excepting however that:

- i) The 'Front Lot Line' shall be deemed to be the longer of the street lines abutting a street;
- ii) The 'minimum exterior side yard' shall be no less than 60 metres (196.85 ft.);
- iii) The 'minimum front yard' shall be no less than 10 metres (32.8 ft); and,
- iv) There shall be no direct driveway access onto Absalom Street.

SECTION 24 - ENACTMENT

24.1 CONFLICT WITH OTHER BY-LAWS

In the event of any conflict or inconsistency between this By-Law and any other general or special By-Law of the Corporation, the provisions of this By-Law shall prevail.

24.2 REPEAL OF EXISTING BY-LAWS

All previous by-laws of the Corporation of the Municipality of South Bruce passed pursuant to section 34 of the Planning Act are hereby repealed.

24.3 EFFECTIVE DATE

This By-Law shall come into force on the date it is passed by Council subject to the provisions of The Planning Act, R.S.O. 1990, as amended.

READ A FIRST & SECOND TIME THIS ____ DAY OF _____ 2011.

READ A THIRD TIME & FINALLY PASSED THIS ____ DAY OF _____ 2011.

MAYOR

CLERK