

TOWNSHIP OF WEST LINCOLN

ZONING BY-LAW NO. 2017-70

JUNE 2017

Consolidated June 29, 2021

West Lincoln
Your Future Naturally

318 CANBOROUGH STREET
PO BOX 400
SMITHVILLE, ONTARIO
L0R 2A0

INTRODUCTION

A USER'S GUIDE TO THE ZONING BY-LAW

ABOUT THIS BY-LAW

The authority for a municipality to zone land is granted by the Ontario Planning Act, R.S.O. 1990, c.P.13, as amended. Section 34 of the Planning Act states that Zoning By-laws may be enacted by the councils of local municipalities, and establishes the scope of municipal zoning powers to:

- Restrict the use of land;
- Restrict erecting, locating and use of buildings and structures;
- Prohibit erection of buildings or structures on hazardous lands, prohibit the use of land and the erection, location or use of buildings or structures within environmentally sensitive areas, contains sensitive water features or with significant natural or archaeological resource features;
- Regulate the construction of buildings and structures such as height, bulk, location, size, floor area, spacing, character and use of buildings or structures to be erected and the regulation of doors, windows and other openings in buildings or structures;
- Require provision and maintenance of parking and loading facilities;
- Regulate the development of pits and quarries;
- Regulate minimum area and height and density provisions;
- Prohibit use of land if municipal services as may be set out in the bylaw are not available to service the land, buildings or structures;
- Allow council to acquire or dispose of non-conforming lands; and outlines the excepted lands and buildings to a zoning bylaw.

What is a Zoning Bylaw?

A Zoning By-law is a municipal regulatory tool for land use, buildings and structures that implements and takes direction from the Official Plan. The Official Plan sets out a municipality's general policies for future land use, growth and development in the Township. The Zoning By-law implements the Official Plan by placing each property into a land use zone and establishing and regulating: the permitted use of land and buildings; the size, floor area, height, character, spacing and location of buildings and structures; lot size and density of development; parking requirements and loading facilities; and, other matters as set out in the Planning Act, as described above. The Zoning Bylaw contains specific requirements that are legally enforceable. Municipalities cannot permit the use of land or issue a building permit for construction or new development unless it complies with the Zoning Bylaw.

Example:

The Official Plan designates areas that are generally permitted for housing and other Residential land uses and establishes the policies for development in these areas. The Zoning Bylaw zones specific properties for certain types of dwellings such as single detached dwellings, semi-detached dwellings, townhouses and/or apartments, and sets the minimum lot sizes and building setbacks, maximum height and other standards that apply.

Together, the Official Plan and Zoning By-law direct and regulate land use and development, buildings and structures and help to minimize or avoid potentially conflicting land uses while providing greater certainty about what types of land uses, and what sizes and types of buildings and structures can be built, by establishing consistent standards for land use development in specific areas, for all properties throughout the municipality.

The Planning Act also provides that a Zoning By-law may be amended or, for minor changes, varied by a Minor Variance, and sets out the related procedures and requirements for each type of application. For further information, please contact the Township's Planning & Development Division of the Planning & Development and Building & By-law Department prior to filing a complete application for a Zoning By-law Amendment or for a Minor Variance, and for other types of planning applications.

Additional information about Zoning By-laws is provided in the Citizens' Guide to Land-use Planning available from the Ministry of Municipal Affairs and Ministry of Housing at www.mah.gov.on.ca

HOW TO USE THIS BY-LAW

The following steps outline how to determine the zoning of a specific area or property and how to determine the applicable permitted uses and regulations that apply:

1. Locate the subject property or area of the Township on the Zoning Maps in Schedule "A". Each Zoning Map displays a portion of the Township as shown on the map index grid in the bottom left corner of each map. For Smithville, refer to maps S1 to S9. For all other areas of the Township outside of Smithville, refer to maps A1 to F7.
2. When the property or area has been located on the Zoning Maps, identify the Zone that the property is located in. Each Zone is represented on the map with a Zone Symbol as described in Part 4 of the Zoning By-law. For example, the Agricultural Zone is represented on the Zone Maps with the Zone Symbol "A".
3. After determining the Zone that the property or area is located in, turn to the appropriate Part of the Zoning By-law that sets out the permitted uses and regulations for that Zone. Following the example in Step 2 above, for the "A" Zone, Part 5 of the Zoning By-law establishes the permitted uses and regulations for this and other types of Agricultural Zones.

Note: where Special Provisions apply as indicated on the Zoning Maps, refer also to Part 13 for the following:

- Holding Provisions, which are denoted in parentheses on the Zoning Maps by an upper case letter “H”, a hyphen and a number that follow the zone symbol (see Section 13.1);
 - Site-Specific Provisions, which are denoted by a dash and a number following the Zone Symbol (see Section 13.2); and,
 - Temporary Use Provisions, which are denoted in parentheses by an upper case letter “T” followed by a dash and a number that follow the zone symbol (see Section 13.3).
4. From here, the permitted uses and regulations for each Zone are set out in tables in the applicable Part of the By-law. Continuing with the example above for the Agricultural “A”, Table 11 in Section 5.2 identifies the permitted Principal Uses and Accessory Uses in the “A” Zone, and Table 12 in Section 5.3 identifies the regulations applicable to lots, buildings and structures, and other requirements such as minimum landscaped open space and maximum outside storage areas.
 5. For each of the permitted uses and regulations of the applicable Zone, there are corresponding defined terms which are italicized throughout the Zoning By-law. A complete glossary of all defined terms is provided in Part 2, Definitions. For example, “Principle Uses” are defined in Part 2 (see “Use, Principal”) as “the main or primary purpose for which a lot, building or structure is used” and “Accessory Uses” are defined as “a use naturally and normally incidental to, subordinate to or exclusively devoted to a principal use and located on the same lot.”
 6. Finally, in addition to the regulations of the applicable Zone, certain permitted uses and types of buildings and structures are subject to additional regulations which are set out in Part 3, General Provisions. For example, accessory uses, buildings and structures are subject to the regulations in Section 3.1. Parking and loading space requirements are set out in Section 3.12. Special setbacks are required from pipelines (Section 3.18), certain public streets (Section 3.19), railways (Section 3.20) and watercourses (Section 3.21) and sight triangles at the intersection of streets cannot be obstructed (Section 3.22). Minimum Distance Separation (MDS) requirements apply to certain land uses, buildings or structures that could be impacted by odour from livestock facilities and manure storage facilities (MDS I), and also to new or expanding livestock facilities and manure storage (MDS II). The MDS requirements are set out in Section 3.12 and Schedule “B”.

COMPONENTS OF THIS BY-LAW

The Zoning By-law should read and considered in its entirety to determine and apply the provisions that are relevant to individual land uses, buildings and structures. The following describes the various components of the Zoning By-law:

- **Part 1. Administration**
 - Sets out the title of the by-law, it’s scope and rules for administration, enforcement, conformity and compliance with the by-law;
 - The Zoning By-law does not relieve persons from the requirement to comply with other applicable laws, regulations and requirements of other levels of government and agencies;

Note: certain lands in the Township of West Lincoln are subject to the Niagara Peninsula Conservation Authority permit requirements under Ontario Regulation 155/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. To determine if a specific area or property is subject to these requirements, please contact the Niagara Peninsula Conservation Authority.

- Establishes the penalties for Zoning By-law violations, which are set out in the Planning Act;
 - Provides general rules for interpretation of the Zoning By-law, including reference to the Definitions (Part 2), clarification of the meaning of certain words (discretionary and mandatory meanings), examples and illustrations that are provided and which are not a legal part of the By-law, legislative references, determining and rounding measurements, and determining the boundaries of zones on the Zoning Maps;
 - Allows that the Township may make certain technical revisions to the By-law without the requirement for a formal amendment, for example to correct errors and modify formatting;
 - Establishes when the Zoning By-law becomes effective, being when it is passed by Township Council, upon which time the previous Zoning By-laws of the Township are repealed, and the rules for transition for applications and other matters in process at that time.
- **Part 2. Definitions**
- Defines key regulatory terms used in the By-law;
 - Defines each of the permitted uses in the By-law and certain uses that are not permitted;
 - Note: if a land use is not defined or addressed in the Zoning By-law, it is generally not permitted.
- **Part 3. General Provisions**
- Establishes regulations that apply generally throughout the Township and/or to specific types of land uses, buildings and structures in certain zones or all zones;
 - Sets out the regulations and limitations for accessory buildings or structures and accessory uses generally, and more specifically for:
 - Accessory dwelling units
 - Accessory farm dwellings
 - Agri-tourism / value-added uses
 - Allowable projections and exceptions to maximum height requirements for certain types of building appurtenances and structures
 - Bed and breakfast establishments
 - Bicycle parking facilities
 - Drive-through facilities
 - Garden suites
 - Home occupations and home industries
 - Landscaping and planting strips
 - On-farm diversified uses
 - Parking and loading facilities
 - Private garages
 - Renewable energy systems
 - Signs

- Swimming pools
 - Waste storage enclosures
 - Provides rules to allow for existing uses and existing lots, buildings and structures that were legally established before the Zoning By-law was passed but do not conform with the Zoning By-law, and for related changes to existing uses, buildings or structures;
 - Establishes provisions and regulations for specific land uses, buildings or structures including:
 - Group homes
 - Kennels and pet care establishments
 - Cannabis Production
 - Public uses
 - Renewable energy systems
 - Setbacks to pipelines, public streets and railways
 - Sight triangles and intersections of roads and roads/railways
 - Signs
 - Swimming pools
 - Waste storage enclosures
 - Wayside pits and quarries
 - Parking and loading facility requirements, including:
 - Specifications for the number, type and size of parking spaces required
 - Driveway and parking aisle requirements
 - Drive-through facility requirements
 - Bicycle parking requirements for certain land uses
 - Loading space requirements for certain land uses
 - Designated barrier-free (accessible) parking space requirements
 - Requirements for private garages
 - Provides additional general regulations, including:
 - Requirements for landscaping and planting strips that apply in certain circumstances, such as for parking areas and outside storage;
 - Minimum Distance Separation (MDS) requirements for non-agricultural uses that may be impacted by livestock facilities and manure storage facilities (MDS I) and to new or expanding livestock facilities and manure storage (MDS II);
 - Identifies uses that are generally prohibited throughout the Township, unless otherwise specifically permitted;
 - Establishes general requirements for lots and servicing;
 - Provides rules for temporary uses associated with land development, including construction uses, model homes, and temporary sales offices.
- **Part 4. Establishment of Zones**
- Establishes the zone categories and specific zone names and symbols used in the Zoning By-law;
 - Provides rules for interpreting and applying the Zoning By-law for multiple uses of a lot and where multiple zones apply to a lot;
 - Establishes the special provisions and symbols used in the Zoning By-law.

▪ **Parts 5 to 12. Zones**

- There are 8 categories of zones and a total of 26 unique zones established and uses in the Zoning By-law;
- Agricultural Zones (Part 5) include 3 zones for agricultural uses, lots or areas that shall be used for agricultural purposes only (excluding a dwelling), and for agriculture-related uses;
- Residential Zones (Part 6) include 11 zones for a range of housing types, including existing rural residential, 6 low density residential zones of which 5 zones are primarily for residential areas in Smithville and the R1A zone for residential uses in other settlement areas, and 3 medium density residential zones and 1 high density residential zone that are also intended for residential areas and development in Smithville;
- Commercial Zones (Part 7) include 4 zones including the downtown core area, neighbourhood commercial and commercial plazas in Smithville, as well as service commercial uses throughout the Township;
- Employment Zones (Part 8) include 3 zones for office and business park uses in Smithville, and industrial uses throughout the Township as well as extractive industrial areas;
- An Institutional Zone (Part 9) for a range of community facilities and public uses such as schools, health and long-term care facilities, recreation facilities and certain types of supportive and special needs housing such as retirement homes;
- Open Space Zones (Part 10) including 2 zones for outdoor and certain indoor recreational uses and similar uses as well as cemeteries;
- Environmental Zones (Part 11) including 2 zones that protect natural heritage features such as wetlands, woodlands and valleylands, and hazardous areas such as floodplains;
- Other Zones (Part 12) including a zone for future development areas where only existing uses are permitted and the land is subject to future amendments to the Zoning By-law and potentially other planning approvals prior to development.

▪ **Part 13. Special Provisions**

- Establishes holding provisions where conditions apply and an amendment to the Zoning By-law to lift the holding “H” zone is required prior to certain uses or development being permitted;
- Establishes site-specific provisions that apply in addition to, or as exceptions to, the parent zone(s) permitted uses and/or regulations for specific properties or areas;
- Identifies temporary use provisions where certain permitted uses, buildings or structures are subject to a time limit in accordance with a Temporary Use By-law passed by Council under the Planning Act.

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SCHEDULE B - MINIMUM DISTANCE SEPARATION (MDS I, MDS II) FORMULAE

**SCHEDULE C - TRANSPORT CANADA GUIDE FOR DETERMINING MINIMUM
SIGHT LINES AT GRADE CROSSINGS**

**ZONING BY-LAW
NO. 2017-70**

JUNE 2017

A By-law to restrict the use of land and the erecting, locating, or using of buildings or structures, and to regulate the use of land, buildings, and structures.

COUNCIL ENACTS AS FOLLOWS:

PART 1. ADMINISTRATION

1.1 TITLE

This By-law shall be cited as "The *Township* of West Lincoln Zoning By-Law" and may be referenced herein as "this By-law".

1.2 SCOPE AND APPLICATION

1.2.1 Administration and Enforcement

This By-law shall be administered by the municipal staff as appointed by the Council of the *Township* of West Lincoln. The Chief Building Official and any Inspector appointed under the Building Code Act are each assigned the responsibility of enforcing this By-law for the purposes of Section 49 of the Planning Act.

1.2.2 Area Subject to By-law

This By-law applies to all land within the boundaries of the *Township* of West Lincoln as shown on the Zoning Maps forming Schedule "A" of this By-law.

1.2.3 Conformity and Compliance Requirements

- a) No land shall be used and no *building* or *structure* shall be *erected, altered* or *used* except in conformity with the permitted uses of this By-law and in compliance with the regulations of this By-law.
- b) No municipal permit, certificate or license shall be issued for the *use* of land or for the *erection, alteration* or *use* of any *building* or *structure* that is not in conformity and compliance with this By-law.
- c) No *person*, other than a *public authority*, shall create or *alter* the boundaries of any *lot* by conveyance or otherwise such that the *lot* does not comply with the requirements of this By-law. For any *lot* that is not in compliance with the requirements of this By-law on the effective date, and where the acquisition of land by a *public authority* *alters* the boundaries or area of a *lot* in a manner that results in non-compliance with the regulations of this By-law, the requirements of Section 3.5 shall apply.
- d) To the extent of any conflict among the provisions of this By-law, the more restrictive provisions shall apply.

1.2.4 Compliance with Other Legislation

- a) Nothing in this By-law shall exempt any *person* from the requirement to comply with other By-laws of the *Township* of West Lincoln and regulations of the *Regional Municipality* of Niagara, Niagara Peninsula Conservation Authority, Province of Ontario, and Government of Canada, that may affect the *use* of land or the *erection, use* or *alteration* of *buildings* or *structures*.
- b) To the extent of any conflict or inconsistency between this By-law and any other By-law of the *Township* of West Lincoln, the more restrictive By-law shall prevail.

- c) To the extent of any conflict with this By-law, the regulations of the *Regional Municipality* of Niagara, Province of Ontario, or Government of Canada shall prevail.
- d) Where a permit has been issued by the Niagara Peninsula Conservation Authority, the provisions or conditions set out in the permit shall supersede the provisions of this By-law where more restrictive.
- e) References to “the Zoning By-law” or “By-law 79-14” or similar references contained in other By-laws or documents of the *Township* of West Lincoln shall be deemed to refer to this By-law.

1.2.5 Validity and Severability

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

1.2.6 Violations and Penalties

Every *person* who contravenes a provision of this By-law 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 to fines under the Planning Act.

1.3 INTERPRETATION

1.3.1 Definitions

For convenience, terms that are *italicized* are defined in Part 2 of this By-law. This does not apply to the titles of Parts, Sections and Subsections. Certain defined terms listed in Part 2 of this By-law are reversed and this is done solely for the ease and convenience of locating and identifying the term with other like terms and does not alter the meaning of the term or its usage throughout the By-law.

1.3.2 Discretionary and Mandatory Wording

The words “must” and “shall” are mandatory. The word “may” is not mandatory. “May” is used to indicate where certain circumstances may or may not be applicable.

1.3.3 Examples and Illustrations

Examples and illustrations, where provided, are for clarification and convenience and do not form part of this By-law.

1.3.4 Legislative References

Any reference to legislation or regulations or sections thereof approved by another *public authority* shall include any amendments or successors thereto.

1.3.5 Measurements

All measurements of length, area or *height* used to determine compliance with the regulations of this By-law shall be subject to the normal mathematical rules of rounding numbers and the level of accuracy expressed in the regulations of this By-law, as follows:

- a) For regulations expressed as a whole number, measurements less than 0.5 shall be rounded downward to the nearest whole number, and measurements greater than 0.5 shall be rounded upward to the nearest whole number;
- b) For regulations expressed as a number with one decimal place, measurements less than 0.05 shall be rounded downward to the nearest one-tenth unit, and measurements greater than 0.05 shall be rounded upward to the nearest one-tenth unit;
- c) For regulations expressed as a ratio or percentage, measurements shall not be subject to rounding.

1.3.6 Zoning Maps

The Zoning Maps comprising Schedule “A” show the boundaries and extent of all *zones*. These maps, together with all notations, references, and other information form part of this By-law. The following rules shall apply to determine the location of the boundary of any *zone* on the Zoning Maps where it is shown:

- a) As following a street, lane, railway, right-of-way, transmission corridor, or watercourse, the boundary shall be the centre-line of the applicable feature, provided that where any of these features as shown on a Zoning Map is closed or diverted after the effective date of this By-law, the land formerly within said feature shall be included within the *zone* of the adjoining property on either side of the said closed or diverted feature, except where the land on either side of the feature is in different *zones* in which case the *zone* boundary shall be the former centre-line of the said closed or diverted feature;
- b) As following the *lot frontage* on a future *lot* shown on a draft approved Plan of Subdivision or Condominium, the boundary shall be the centre-line of the future *public street* being constructed;
- c) As following any other *lot line* on an *existing lot* or a future *lot* shown on a draft approved Plan of Subdivision or Condominium, the boundary shall be the *existing* or future *lot line*;
- d) As running substantially parallel to a *lot line* abutting any *street* and the distance from that *street* is not indicated, the boundary shall be parallel to the applicable *lot line* and the distance shall be determined according to the scale shown on the Zoning Maps;
- e) As following a *lot line* abutting an unopened road allowance, the boundary shall be the centre-line of such road allowance;
- f) As an Environmental Protection (EP) *Zone* or an Environmental Conservation (EC) *Zone*, the boundary shall follow the limits of identified natural environment features and any associated buffer area required to protect the environmental features and their ecological functions which shall be based on the most detailed resource mapping available and may be more precisely determined in consultation with the Niagara Peninsula Conservation Authority or other agencies having jurisdiction in the area, and where detailed resource mapping becomes available after the effective date of this By-law the limits of the EP and EC *zone* boundaries may be refined without the requirement for a zoning by-law amendment, and all requirements of this By-law shall be applied relative to the revised interpretation of the EP and EC *zone* boundaries, including any applicable setbacks and the uses and regulations of the adjacent *zone* on the same *lot* shall apply;

- g) As following the limits of the *Township*, the boundary shall be the limits of the *Township*; and
- h) Where none of the above provisions apply, the *zone* boundary shall be scaled from the Zoning Maps.

1.4 TECHNICAL REVISIONS

The following revisions may be made to this By-law by the *Township* of West Lincoln at any time without the need for an amendment:

- a) Corrections to grammar, punctuation or typographical errors or formatting revisions that do not change the intent of the provisions;
- b) Additions or revisions to technical information on maps or schedules that does not affect the zoning of land including, but not limited to, matters such as updating and correcting base map information (roads, assessment parcels and labels), keys, legends or title blocks; and
- c) Changes to appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, historical or reference information, page numbering, footers and headers, which do not form a part of this By-law and are editorially inserted for convenience of reference only.

1.5 EFFECTIVE DATE

This By-law is effective on the date it is passed by the Council of the *Township* of West Lincoln, subject to the appeal provisions of the Planning Act.

1.6 REPEAL OF FORMER BY-LAWS

Township of West Lincoln Zoning By-law 79-14, and all amendments thereto, are repealed on the effective date of this By-law.

1.7 TRANSITION MATTERS

1.7.1 Building Permit Applications Filed Prior to Effective Date

Notwithstanding Sections 1.2 and 1.6 of this By-law, nothing in this By-law shall prevent the *erection* or *alteration* of a *building* or *structure* on the basis of a building permit that is issued for an application that was filed on or prior to the effective date of this By-law provided the building permit application complies with the provisions of Zoning By-law 79-14, as amended, as it read on the effective date of this By-law, all information required for a zoning review is submitted, and all required approvals under the Planning Act, if any, have been obtained.

1.7.2 Lots Conditionally Approved Prior to Effective Date

Notwithstanding Sections 1.2 and 1.6 of this By-law, where the Committee of Adjustment of the *Township* of West Lincoln or the Ontario Municipal Board has conditionally authorized the creation of a *lot* or changes to the boundaries of a *lot* under the Planning Act prior to the effective date of this By-law, the *lot* shall be deemed to comply with the *lot* frontage and *lot area* requirements of this By-law provided the *lot* complies with the *lot* frontage and *lot area* requirements of Zoning By-law 79-14, as amended, as it read on the effective date of this By-law, and the final approval of the *lot* is granted before the conditional approval lapses.

1.7.3 Minor Variances Approved Prior to Effective Date

Notwithstanding Sections 1.2 and 1.6 of this By-law, where the Committee of Adjustment of the *Township* of West Lincoln or the Ontario Municipal Board has authorized a minor variance from the provisions of Zoning By-law 79-14, in respect of any land, *building* or *structure* and the decision of the Committee of Adjustment or the Ontario Municipal Board has become final and binding prior to the effective date of this By-law, the provisions of this By-law, as they apply to such land, *building* or *structure*, shall be deemed to be modified to the extent necessary to give effect to such minor variance.

1.7.4 Site Plan Agreements Entered Into Prior to Effective Date

Notwithstanding Sections 1.2 and 1.6 of this By-law, where the *Township* of West Lincoln has entered into a Site Plan Agreement in respect of any land, *building* or *structure* prior to the effective date of this By-law, the provisions of this By-law shall be deemed to be modified to the extent necessary to give effect to such Site Plan Agreement.

1.7.5 Expiry

- a) The relief provided by Section 1.7 of this By-law shall not continue beyond the issuance of the building permit, approval or agreement upon which the exemption is founded, at which time the provisions of Zoning By-law 79-14 shall cease to be in effect.
- b) Notwithstanding Clause (a) above, the relief provided by Section 1.7 of this By-law ceases to be in effect on the date of the lapsing of the applicable approval.

PART 2. DEFINITIONS

ABATTOIR

means 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 BUILDING OR STRUCTURE

means a detached *building* or *structure*, the *use* of which is naturally and normally incidental to, subordinate to, or exclusively devoted to a *principal use* or *building* on the same *lot*.

ACCESSORY USE

means a *use* naturally and normally incidental to, subordinate to or exclusively devoted to a *principal use* and located on the same *lot*.

ADULT ENTERTAINMENT ESTABLISHMENT

means *premises* or any part thereof in which is provided, in the pursuance of a business: (a) goods, entertainment or services that are designed to appeal to erotic or sexual appetites or inclinations; or (b) body-rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a *person's* body, performed, offered or solicited, but does not include *premises* or part thereof where body-rubs are performed, offered or solicited for the purpose of medical or therapeutic treatment and are performed or offered by *persons* otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario.

AGRICULTURAL SERVICE AND SUPPLY ESTABLISHMENT

means *premises* used for the supply of goods, materials, equipment and/or services that support *agricultural uses*.

AGRICULTURAL USE

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

AGRICULTURE-RELATED USE

means *premises* used for *commercial uses* and *industrial uses* that are directly related to *agricultural uses* in the area, require a location that is in close proximity to *agricultural uses*, and directly provide products and/or services to *agricultural uses* as the primary business, including *agricultural service and supply establishments*, *commercial kennels*, *veterinary clinics*, and farm produce processing and storage facilities.

AGRI-TOURISM / VALUE-ADDED USES

means the *use* of land, *buildings* or *structures* for *accessory uses* to the principal *agricultural use* of the *lot*, conducted for gain or profit to support, promote and sustain the viability of the *agricultural use*, including but not limited to agricultural education and research facilities, *bed and breakfast establishments*,

farm markets and the retail sale of farm produce, pick your own facilities, farm mazes, special event facilities related to farming, and value-added assembly, fabrication, processing, packing or storage operations.

ALTER

means:

- (a) When used in reference to a *building* or part thereof, a change in the total *floor area* or an addition made to a *building* or a change made in the type of construction of the exterior walls or roof thereof; or,
- (b) When used in reference to a *lot*, a decrease in the width, depth or area of any *required yard*, or a change in the location of any boundary of such *lot* with respect to a *public street*, whether such *alteration* is made by conveyance of any portion of the said *lot* or otherwise.

AMENITY AREA

means the private and common indoor and outdoor areas which are intended for recreational *use* by the occupants of a *building/property*, and may include open spaces, patios, balconies, pools, gymnasiums, communal play areas, lounges, sundecks and roof decks but shall not include service areas, laundry rooms, storage/locker rooms, *parking areas* and *driveways*.

ANIMAL SHELTER

means a *premises* used for the caring for lost, abandoned, rescued or neglected animals but does not include a *kennel* or *veterinary clinic*.

ART GALLERY

means a *premises* used for any combination of the preservation, production, exhibition, or sale of paintings or other works of art.

ATTIC

means the unfinished space between the roof and the ceiling of the top *storey* of a *building*.

AVERAGE FINISHED GRADE

means the grade elevation of the *lot* calculated as:

- (a) the average of all grades measured adjacent to the front exterior wall of the *building* on *interior lots*; and,
- (b) the average of all grades measured adjacent to each exterior wall of the *building* on *corner lots* and *through lots*.

BASEMENT

means that portion of a *building* below the first *storey*.

BED AND BREAKFAST ESTABLISHMENT

means a *dwelling* in which one or more *lodging units* is provided for the temporary accommodation of the traveling public.

BOARDING OR ROOMING HOUSE

means a *dwelling* in which three (3) or more *lodging units* are provided for the accommodation of *persons* other than the lessee, tenant or owner of said *dwelling*.

BUILDING

means a combination of walls, roofs and floors comprising a structural system serving the function thereof and includes anything defined as a building in the Building Code Act or in the building by-law excluding sewage systems and plumbing. (By-law 2019-63)

BUILDING, MAIN

means a *building* for a *principal use* of the *lot*, and in a Residential Zone the *dwelling* is the *main building*.

CAMPING ESTABLISHMENT

means a *lot* consisting of *camp sites* maintained as grounds for temporary recreational camping in tents and/or *recreational vehicles*.

CAMP SITE

means a defined area within a *camping establishment* of a *lot* designed for camping in tents and/or the parking of one *recreational vehicle* for camping purposes on the basis of a concession, lease, license, permit, rental agreement or similar commercial arrangement.

CANNABIS PRODUCTION

means lands, buildings or structures used for the cultivation of marihuana (or alternative names including marijuana) and/or the processing, testing, destruction, packaging and/or shipping of marihuana.

CASINO

means a *premises* used for gambling activities, including games of chance such as card games, dice games, wagering, and game machines or devices, for money or other items of value, but does not include bingo halls or any other *place of entertainment*.

CEMETERY

means land that has been established or recognized as a *cemetery* under the laws of the Province of Ontario that is used for the interment of human remains and may include a mausoleum or columbarium.

COMMUNICATIONS ESTABLISHMENT

means a *premises* used for broadcasting and/or receiving communications and/or media via cable, radio, satellite or other means as the *principal use*, and may include facilities for data processing, storage and transfer, filming, recording, and similar forms of communications and media processing, production and services.

CONSERVATION USE

means the *use* of land dedicated towards the preservation, protection and/or improvement of components of the natural environment through management and maintenance.

CONTRACTORS ESTABLISHMENT

means a *premises* where construction, maintenance, repair and service equipment, *vehicles* and materials of a contractor are stored and where a contractor performs work in preparation for providing construction, maintenance or repair services elsewhere, and may include an accessory *office* for the administration of the business.

DAY CARE

means a *premises* that is licensed in accordance with the Day Nurseries Act where more than five children are provided with temporary care and/or guidance for a continuous period not exceeding twenty-four hours.

DAY CARE, PRIVATE HOME

means a *dwelling* used for the temporary care of five or fewer children, other than children residing in the *dwelling* as a principal residence, for a continuous period not exceeding 24 hours.

DRIVE-THROUGH FACILITY

means the *use* of a *lot*, *building* or *structure*, to provide or dispense products or services through an attendant, a window, or an automated machine including an order box with or without voice communication, or parts thereof, to *persons* remaining in *motor vehicles* in a designated *stacking lane*.

DRIVEWAY

means an unobstructed driving route located within a *parking area* and designed to provide access between a *public street* or *private street* and a *parking space*, *aisle*, or *loading space*, or between two *parking areas*, by *motor vehicles*.

DRY CLEANING/LAUNDRY DEPOT

means *premises* used for the purpose of collection and distribution of clothing or fabric goods to be subjected to laundering or dry-cleaning elsewhere, and includes a self-service laundromat with one or more washers and drying, ironing, finishing and incidental equipment, but does not include a *dry cleaning/laundry establishment*.

DRY CLEANING/LAUNDRY ESTABLISHMENT

means *premises* used for laundering or dry-cleaning clothing or fabric goods.

DWELLING

means a separate *building* containing one or more *dwelling units*.

DWELLING, ACCESSORY

means a *dwelling unit* which is accessory to a permitted principal *use*. (Bylaw 2018-61)

DWELLING, ACCESSORY FARM

means a *dwelling* or part thereof used for the accommodation of employees of an *agricultural use*.

DWELLING, APARTMENT

means a residential *building* containing five or more *dwelling units* which have a common entrance from the street level and are connected by a common corridor, but does not include a *boarding or rooming house*.

DWELLING, BACK-TO-BACK TOWNHOUSE

means a *dwelling* divided by common walls, including a common rear wall, into four (4) or more attached *dwelling units*, to a maximum of eight (8) *dwelling units*, each having a separate entrance from the exterior of the *dwelling*.

DWELLING, CONVERTED

means a *dwelling altered* to contain a greater number of *dwelling units*.

DWELLING, DUPLEX

means a *dwelling* containing not more than two (2) *dwelling units*, each of which is completely on a separate *storey*.

DWELLING, FOURPLEX

means a *dwelling* containing four (4) *dwelling units*.

DWELLING, SEMI-DETACHED

means a *dwelling* divided by a common wall into two (2) attached *dwelling units*, each having a separate entrance from the exterior of the *dwelling*.

DWELLING, SINGLE DETACHED

means a *dwelling* containing one *dwelling unit*.

DWELLING, STACKED TOWNHOUSE

means a *dwelling* containing four (4), six (6) or eight (8) attached *dwelling units* and wherein pairs of *dwelling units* are stacked and divided vertically and each pair of *dwelling units* is divided horizontally from the next attached pair, and each *dwelling unit* has an independent entrance from the exterior of the *dwelling* to the interior of the *dwelling unit*.

DWELLING, STREET TOWNHOUSE

means a *townhouse dwelling* wherein each *dwelling unit* is located on a separate *lot*.

DWELLING, TOWNHOUSE

means a *dwelling* divided by common walls into three (3) or more attached *dwelling units*, to a maximum of eight (8) *dwelling units*, each having a separate entrance from the exterior of the *dwelling*, and includes a *back-to-back townhouse dwelling*.

DWELLING, TRIPLEX

means a *dwelling* containing three (3) *dwelling units*.

DWELLING UNIT

means a place of residence containing one or more *habitable rooms* with separate kitchen and bathroom facilities for the private *use* of a single housekeeping unit, but does not include a cabin, cottage, *hotel/motel*, *boarding/rooming house* room(s), *mobile home*, *recreational vehicle*, tent or *trailer*.

ERECT

means to build, construct, reconstruct, move or enlarge a *building* or *structure*, and includes any physical operation and preparatory work such as excavating, filling, grading, or draining land for a *building* or *structure*.

EXISTING

means *existing* on the effective date of this By-law.

FINANCIAL INSTITUTION

means a *premises* used to provide financial services to the public.

FLOOR AREA

means the total area of all floors in a *building*, measured between the exterior faces of the exterior walls or from the centre line of the common walls of the *building* at each floor level, excluding *attics*, *basements*, *private garages* and any *floor area* with a ceiling *height* less than 2.2 metres unless otherwise specified in this By-law.

FLOOR AREA, GROSS LEASABLE

means the total area of all floors in a *building*, measured from the interior faces of the exterior walls, but does not include any area not capable of being used for a permitted *commercial use* such as enclosed mall areas, public corridors, public washrooms, utility rooms and utility service corridors, loading and storage areas that are inaccessible to the public.

FLOOR AREA, GROSS

means the aggregate of the *floor areas* of all the *storeys* of all *buildings* and *structures* on a *lot*.

FLOOR AREA, GROUND

means the *floor area* of the lowest *storey* of a *building* at or first above the *average finished grade* excluding any *basement*.

FUNERAL HOME

means a *premises* used for providing funeral supplies and services to the public and includes facilities intended for the preparation of the human body for internment or cremation off site.

GARDEN SUITE

means a detached *accessory building* that contains one *dwelling unit*, is designed to be portable and is located on the same *lot* as an *existing dwelling*.

GARAGE WIDTH

means the width of a *private garage* measured between the inside faces of the interior walls at the narrowest point of the *private garage*, or the width of the garage door, whichever is greater.

GARAGE, PRIVATE

means a portion of a *dwelling* or a detached *accessory building or structure* accessory to a *dwelling* designed or primarily used for the parking of private *motor vehicles*, permitted *commercial motor vehicles*, and/or *recreational vehicles*, and includes carports.

GARDEN CENTRE

means a *premises used* for the display and retail sale of goods related to gardening and *landscaping*.

GREENHOUSE

means a *building* for the growing of flowers, plants, shrubs, trees and similar vegetation but shall not include a *garden centre* or landscaping business.

GROUP HOME

means a *premises* used to provide supervised living accommodation, licensed or funded under Province of Ontario or Government of Canada legislation, for three to six *persons*, exclusive of staff, living together in a single housekeeping unit because they require a group living arrangement.

HABITABLE ROOM

means a room in a *dwelling unit* designed for living, sleeping, eating or food preparation.

HEIGHT

means the vertical distance measured from the *average finished grade* to the highest point of a *building* or *structure*, except in the case of a pitched roof where the distance shall be measured to the midway point between the eaves of the majority of the roof and the ridge. (Bylaw 2018-61)

HOME INDUSTRY

means the *accessory use* of a *dwelling*, or of an *accessory building or structure* to a permitted *dwelling*, for an occupation or business which results in a product or service.

HOME OCCUPATION

means the *accessory use* of a *dwelling* for an occupation or business which results in a product or service.

HOSPITAL

means any public or private health care facility established and approved under the laws of the Province of Ontario for the treatment and care of human health, and may include laboratories, research and educational facilities, pharmacies and accessory retail and food services.

HOT TUB

means a hydro-massage pool containing an artificial body of water that is intended primarily for the therapeutic or recreational use of a single dwelling unit that is not drained, cleaned or refilled before use by each individual and that utilizes hydro-jet circulation, air induction bubbles, current flow or a combination of them over the majority of the pool area, but does not include a *swimming pool*.

HOTEL/MOTEL

means a *premises* that contains *lodging units* with or without private cooking facilities that are rented on a temporary basis to the public, equipped to be occupied as temporary accommodation for the public, and may contain accessory meeting rooms, banquet facilities and recreational amenities.

INFRASTRUCTURE

means drainage and stormwater management facilities, electricity distribution systems, flood control *structures*, natural gas distribution systems, oil and gas pipelines, *public streets*, public transit systems, railways, sewers, telecommunications lines and other cabled services, watermains and related *buildings* or *structures* located within a public right of way or easement controlled by a *public authority*, and related service laterals for individual *lots*, excluding *renewable energy systems*.

KENNEL, COMMERCIAL

means a *premises* primarily for the boarding and/or breeding and/or training of dogs for hire or gain.

KENNEL, PRIVATE

means the *accessory use* of land, *buildings* or *structures* for the keeping and/or training of four (4) or more dogs as pets and/or for personal *use*, and there is no boarding and no revenue derived from the *kennel*.

LANDSCAPED OPEN SPACE

means the calculation of the horizontal area of a *lot* covered by *landscaping*, expressed as a percentage of the *lot area*.

LANDSCAPING

means an outdoor area of a *lot* not covered by *buildings* or *structures* and comprised exclusively of vegetation such as grass, shrubs, flowers and trees, and/or other permeable surfaces used for walks, patios, decks, fences and decorative surface treatments, but does not include *parking areas* or driveways.

LOADING SPACE

means an unobstructed area of land that is used for the temporary parking of one or more *commercial motor vehicles* while merchandise or materials are being loaded to or unloaded from such vehicle.

LODGING UNIT

means a room provided for rent or hire, which is used or designed to be used as a sleeping accommodation.

LONG TERM CARE FACILITY

means a *premises* licensed pursuant to the laws of the Province of Ontario, where a broad range of personal care, support and health services are provided for residents in a supervised setting, and may include one or more *accessory uses*, such as common dining, lounging, kitchen and recreational areas, and administrative and *medical offices*.

LOT

means one parcel or tract of land that is registered as a legally conveyable parcel of land in the Land Registry Office which is:

- a whole *lot* as shown on a Registered Plan of Subdivision except those which have been deemed not to be a Registered Plan of Subdivision under a by-law enacted pursuant to the Planning Act; or
- a separate parcel of land shown on a Registered Plan of Condominium that is individually owned and conveyed as a single unit with associated private outdoor areas excluding common elements and other shared facilities that have common ownership;
- a separate parcel of land without any adjoining lands being owned by the same owner as of March 5, 1979 (Bylaw 2018-89); or
- a separate parcel of land, the description of which is the same as in a deed which has been given consent pursuant to the Planning Act; or
- a separate parcel of land being the whole remnant remaining to an owner or owners after a conveyance made with consent pursuant to the Planning Act;

and which:

- fronts on a *public street*; or
- fronts on, and is legally tied to, a *private street* within a Registered Plan of Condominium which provides direct access to a *public street* or which connects to another *private street(s)* in Registered Plan(s) of Condominium having access to a *public street*; or
- for an *existing lot*, the *existing lot* has access to an *existing private street* which provides direct access to a *public street* or which connects to another *existing private street(s)* having access to a *public street*.

For the purposes of this By-law, no parcel or tract of land ceases to be a *lot* by reason only of the fact that a part or parts of it had or have been conveyed to or acquired by any public agency.

LOT, CORNER

means a *lot* at the intersection of two or more *public streets* or upon two parts of the same *public street* with such street or streets containing an angle of not more than 135 degrees.

LOT, INTERIOR

means a *lot* other than a *corner lot*, *through lot* or *through corner lot*.

LOT, THROUGH

means a *lot* bounded by a *public street* on two opposite *lot lines*, but does not include a *corner lot* or *through corner lot*.

LOT, THROUGH CORNER

means a *lot* bounded by *public streets* on three or more *lot lines*.

LOT AREA

means the total horizontal land area within the *lot lines* of a *lot*.

LOT COVERAGE

means the horizontal area of that part of the *lot* covered by all roofed *structures* and *buildings* above ground level, excluding permitted eave projections and balconies, expressed as a percentage of the *lot area*.

LOT FRONTAGE

means the horizontal distance between the *side lot lines* measured along the *front lot line*, but where the *front lot line* is not a straight line or where the *side lot lines* are not parallel, the *lot frontage* is to be measured by a line that is setback from and parallel to the chord of the *lot frontage* by a distance equal to the minimum *front yard* of the applicable zone, and for the purpose of this paragraph, the chord of the *lot frontage* is a straight line joining the two (2) points where the *side lot lines* intersect the *front lot line*. In the case of a *corner lot* with a *sight triangle*, the exterior *side lot line* shall be deemed to extend to its hypothetical point of intersection with the extension of the *front lot line* for the purposes of calculating *lot frontage*.

LOT LINE

means any boundary of a *lot*.

LOT LINE, EXTERIOR SIDE

means the *lot line* of a *corner lot*, other than the *front lot line*, which divides the *lot* from a *public street*. For a *through corner lot*, the *exterior side lot line* is the *lot line* which divides the *lot* from a *public street* and meets the *front lot line*.

LOT LINE, FRONT

means the *lot line* that divides the *lot* from the *public street* or *private street*. For a *corner lot*, *through lot*, or *through corner lot*, the shortest of the *lot lines* that divides the *lot* from the *public street* or *private street* shall be deemed to be the *front lot line*. On a *corner lot*, *through lot* or *through corner lot* where such *lot lines* are of equal length and where one *lot line* abuts a Regional Road or Provincial highway, the *front lot line* shall be deemed to be that *lot line* which abuts the Regional Road or Provincial highway. On a *corner lot*, *through lot* or *through corner lot* where such *lot lines* are of equal length and where both *lot lines* abut *public streets* under the same jurisdiction, the *Township* may designate which *lot line* is the *front lot line*.

LOT LINE, INTERIOR SIDE

means a *lot line* other than a *front*, *rear* or *exterior side lot line*.

LOT LINE, REAR

means the *lot line* opposite to, and most distant from, the *front lot line*, but where the *side lot lines* intersect, the *rear lot line* shall be the point of intersection of the *side lot lines*.

LOT LINE, SIDE

means *interior side lot lines* and *exterior side lot lines*.

MEDICAL MARIHUANA PRODUCTION FACILITY (Removed, Bylaw 2019-04)

MINERAL AGGREGATE OPERATION

means lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the Aggregate Resources Act, or successors thereto, and includes land not designated under the Aggregate Resources Act, that is used for established pits and quarries *existing* on the effective date of this By-law, and including adjacent land under agreement with or owned by the operator for the continuation of the operation; and includes associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

MINIMUM DISTANCE SEPERATION (MDS)

means the mathematical tool to determine a recommended distance between livestock and manure storage facilities and *non-agricultural uses*.

MOBILE HOME

means any *dwelling* that is designed to be mobile, and constructed or manufactured to provide a permanent residence for one or more *persons* in accordance with the applicable Canadian Standards Association standard, but does not include a park model home, travel *trailer* or tent *trailer* or *trailer* otherwise designed.

MOBILE HOME PARK

means a *lot* or part thereof designed and used for the location of two or more occupied *mobile homes* and shall include *accessory buildings or structures* for *offices*, laundry facilities, recreational amenities, maintenance facilities and similar *uses* integral to the park operation.

MOBILE HOME SITE

means that part of a *lot* designed and reserved for one *mobile home* within a permitted *mobile home park*.

MODEL HOME

means a *building* that is temporarily used as a sales office or as an example of the type of *dwelling* offered for sale in a related development and which is not occupied or used as a *dwelling*.

MOTOR VEHICLE

means an automobile, motorcycle, motor-assisted bicycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a street car or other *motor vehicles* running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine.

MOTOR VEHICLE BODY SHOP

means a *premises used* for the painting and repairing of the interior, exterior, or undercarriage of *motor vehicle* bodies.

MOTOR VEHICLE, COMMERCIAL

means a *motor vehicle* having permanently attached thereto a truck or delivery body and includes an ambulance, hearse, casket wagon, fire apparatus, police patrol, motor bus and tractor used for hauling purposes on the highways and any vehicle bearing commercial license plates.

MOTOR VEHICLE DEALERSHIP

means a *premises* used for the sale and/or rental of *motor vehicles* and may include, as *accessory uses*, a *motor vehicle repair establishment*, *motor vehicle service station* and *motor vehicle body shop*.

MOTOR VEHICLE GASOLINE BAR

means a *premises* where fuel for *motor vehicles* is kept and dispensed for sale, and may include an accessory *retail store*, but shall not include a *motor vehicle repair establishment* or a *motor vehicle washing establishment*.

MOTOR VEHICLE REPAIR ESTABLISHMENT

means a *premises* for the service, maintenance and repair of *motor vehicles*, and may include the accessory retail sale of automotive parts and accessories and *motor vehicle* sales, lease and/or rental, but does not include a *motor vehicle body shop*.

MOTOR VEHICLE SERVICE STATION

means a *premises* where fuel for *motor vehicles* is kept and dispensed for sale, which may include the following *accessory uses*: *retail store*, *motor vehicle repair establishment* and *motor vehicle washing establishment*, but does not include a *motor vehicle body shop*.

MOTOR VEHICLE WASHING ESTABLISHMENT

means a *premises* used for the mechanical or manual washing, cleaning or polishing of *motor vehicles*.

MUNICIPAL DRAIN

means a *municipal drain* pursuant to the Drainage Act.

MUNICIPALITY

means the Corporation of the *Municipality* of the *Township* of West Lincoln.

NON-COMPLYING

means a *building, structure* or *lot* that does not comply with the regulation(s) of this By-law.

NON-CONFORMING

means a *use* that is not a permitted *use* in the *zone* in which the said *use* is located.

OBNOXIOUS USE

means a *use* which, from its nature or operation, creates a nuisance or is liable to become a nuisance or is offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, light, or objectionable odour, or by reason of the matter, waste or other material generated by the user, and without limiting the generality of the foregoing shall include any *uses* which may be declared to be a health hazard under the Health Protection and Promotion Act, as amended. Permitted *uses* which are operating in accordance with all applicable Federal, Provincial and Municipal rules and regulations are deemed not to be obnoxious.

OFFICE

means a *premises* where the affairs of businesses, professions, services, industries, governments, non-profit organizations or like activities are conducted, in which the chief product of labour is information services.

OFFICE, MEDICAL

means a *premises* designed and used for the diagnosis, examination, and treatment of human patients by a medical professional licensed by the Province of Ontario, including pharmacies and dispensaries, waiting rooms, treatment rooms and laboratories, but shall not include overnight accommodation for in-patient care.

ON-FARM DIVERSIFIED USES

means the *use* of land, *buildings* or *structures* for *accessory uses* to the principal *agricultural use* of the *lot*, conducted for gain or profit to support, promote and sustain the viability of the *agricultural use*, including *agriculture-related uses, agricultural service and supply establishments, agri-tourism/value added uses, bed and breakfast establishments, home industries, home occupations, pet care establishments, private kennels, service shops* and *veterinary clinics*.

OUTSIDE DISPLAY AND SALES AREA

means an area of land used for the display of goods and materials accessory to a *principal use* for a business located within a *building* or *structure* on the same *lot*.

OUTSIDE STORAGE

means an area of land used for the storage of goods and materials accessory to a *principal use* for a business located within a *building* or *structure* on the same *lot*.

PARK, PRIVATE

means an area of land not owned or managed by a *public authority* that is designed or maintained for outdoor recreational purposes.

PARK, PUBLIC

means an area of land owned or managed by a *public authority* that is designed or maintained for outdoor recreational purposes.

PARKING AISLE

means an unobstructed driving route located within a *parking area* and designed to provide access to *parking spaces* by *motor vehicles*, and that is connected to a *driveway* but does not include a *driveway*.

PARKING AREA

means an area of a *lot* consisting of one or more *driveways*, *parking aisles* and *parking spaces* located outdoors or in a *structure*.

PARKING FACILITY, BICYCLE

means an unobstructed area for the parking of one or more bicycles:

- with an adjacent pole, rack or other fixture anchored to the ground or to a permitted *building* or *structure* to which one or more bicycles can be secured; or
- an enclosed storage space within which one or more bicycles can be secured.

PARKING SPACE

means an unobstructed area for the parking of a *motor vehicle*.

PASSIVE RECREATION

means outdoor recreational activities, such as outdoor education, nature observation, hiking, and canoeing or kayaking, and related minimal facilities including nature trails, boardwalks, footbridges, fences, signage, docking, picnic facilities and other low impact facilities for the recreational use of the site and that contribute to the conservation and management of the natural environment by directing and limiting human activities to appropriate areas.

PERSON

means any individual human being, association, firm, partnership, corporation, trust, incorporated company, organization, trustee or agent, the heirs, executors, or other legal representatives of a *person* to whom the same can apply according to law.

PERSONAL SERVICE SHOP

means a *premises* for providing services involving the care of *persons* or their apparel, and without limiting the generality of the foregoing, includes a barber shop, a beauty salon, a caterer's establishment, a day spa, a *dry cleaning depot*, a nutrition centre, a photographer's *studio*, a shoe repair establishment, a tailor, a tanning salon, a travel agent, or similar service establishments.

PET CARE ESTABLISHMENT

means a *premises* for the grooming, training and/or day-care of pets, but where no pets are kept overnight, and does not include the sale of pets.

PLACE OF ENTERTAINMENT

means *premises* used for facilities for the entertainment of the public including a cinema, live theatre, concert hall, planetarium, or other similar *use*, as well as facilities for the playing of games for the amusement of the public including billiard rooms, bowling alleys, laser games, electronic games, indoor miniature golf courses and bingo halls but does not include *casinos* or any other establishment accommodating gambling or gaming services, an *adult entertainment establishment*, nightclub, or a sports facility.

PLACE OF WORSHIP

means a *lot*, *building* or *structure*, or part thereof, used for the practice of religion and faith-based spiritual purposes where people assemble for religious worship, faith-based teaching, fellowship and community social outreach.

PLANTING STRIP

means an area of *landscaped open space* located immediately adjacent to a *lot line* or portion thereof and on which is situated one or more of the following screening devices: a continuous row of trees, a continuous hedgerow of evergreens or shrubs, a berm, a wall or an opaque fence.

PRE-FABRICATED SHIPPING CONTAINER

means a pre-fabricated metal container that is conventionally used for the purpose of shipping goods, but does not include a truck body, *trailer* or transport *trailer*, and does not have wheels and cannot be capable of human habitation. For the purposes of this By-law, a *pre-fabricated shipping container* is deemed to be a *structure* and shall comply with the Ontario Building Code.

PREMISES

means the area of a *building* occupied or used by a business or enterprise. In a multiple tenancy *building* occupied by more than one (1) business, each business area shall be considered separate *premises*. Each individual unit proposed and/or registered in a draft Plan of Condominium and occupied or used by a business or enterprise shall also be considered an individual *premises*.

PRIVATE CLUB

means a *premises* used as a meeting place by members and guests of members of non-profit and non-commercial organizations for community, social or cultural purposes, but does not include *uses* that are normally carried out as a commercial business.

PUBLIC AUTHORITY

means any Federal, Provincial, Regional or Municipal government commission, board, or authority and includes utilities which provide *infrastructure* for *public use*.

PUBLIC USE

means any *use* of land, *buildings* or *structures* by or on behalf of a *public authority*.

RECREATIONAL VEHICLE

means a vehicle requiring a license and designed to be used primarily for travel, recreation or vacationing and includes such vehicles commonly known as travel *trailers*, camper *trailers*, truck camper, motor homes, boats, snowmobiles or other similar vehicles but does not include a *mobile home*.

RECREATION FACILITY

means *premises* in which indoor facilities are provided for the purpose of instruction, conduct, practice, and training for sports, physical exercise and/or the arts, and without limiting the generality of the foregoing, includes arenas, bowling alleys, community centers, dance studios, gymnasias, indoor sports fields and sport courts, fitness centers, martial arts schools, music studios, swimming pools and similar facilities, but shall not include a *place of entertainment*.

REGIONAL MUNICIPALITY

means the Corporation of the *Regional Municipality* of Niagara.

RENEWABLE ENERGY SYSTEM

means a structure or facility that generates electricity from an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy, tidal forces and other renewable energy sources.

RESTAURANT

means a *premises* where meals or refreshments are provided to order, and may include table service on an accessory patio.

RETAIL STORE

means a *premises* in which goods, wares, merchandise, substances, articles or things are displayed, rented or sold directly to the public.

RETIREMENT HOME

means a *building* or part thereof designed exclusively to accommodate seniors or other special needs users with central kitchen and dining facilities, common indoor and outdoor *amenity areas*, consisting of either *dwelling units* or assisted living units or both.

SALVAGE YARD

means land and/or *buildings* used for a *motor vehicle* wrecking yard or *premises*, the keeping and/or storing of used building products, bicycles, automobile tires, old metal, other scrap material or salvage and where such materials are bought, exchanged, baled, packed, disassembled, handled or otherwise processed for further *use*.

SCHOOL, COMMERCIAL

means a *premises* used as a school conducted for gain, including a *studio* of a dancing teacher or a music teacher, an art school, a golf school, school of calisthenics, business or trade school and any other such specialized school.

SCHOOL, PRIVATE

means a *lot*, *building*, *structure*, or part thereof where academic instruction in a full range of the subjects of the elementary or secondary school courses of study is provided.

SCHOOL, PUBLIC

means a *lot*, *building*, *structure*, or part thereof, where academic instruction in a full range of the subjects of the elementary or secondary school courses of study is provided under the jurisdiction of a school board established by the Province of Ontario.

SERVICE SHOP

means a *premises* for the servicing or repair of household articles, or from which the services of a construction trade or contractor are offered, but does not include a *motor vehicle repair establishment*.

SETTLEMENT AREA

means all land within the area delineated by a *settlement area* boundary shown on Schedule "A" to this By-law.

SHOPPING CENTER

means a *premises* of multiple *commercial uses* that is designed and functions as a unit either in a single *building* or in multiple *buildings* on the same *lot* or on abutting *lots*.

SIGHT TRIANGLE

means a triangular area on a *lot* determined by measuring a specified distance along each *street line* and joining such points with a straight line. At the intersection of a *public street* and railway, the triangular area shall be determined by measuring a specified distance along the centre line of the *public street* and the centre line of the railway.

SIGN

means any board, plate, panel, object, surface or device upon, within, against, through or by which there is inscribed, painted, affixed, borne, or projected any declaration, demonstration, insignia or illustration used for the purpose of direction, information, advertisement, promotion or identification including any related *sign structure*, structural trim, and advertising device.

STACKING LANE

means a continuous on-site queuing lane that includes *stacking spaces* for *motor vehicles* which is separated from other vehicular traffic and pedestrian circulation by barriers, markings, or *signs*.

STACKING SPACE

means a rectangular space designed to be used for temporary queuing of a *motor vehicle* in a *stacking lane*.

STOREY

means that portion of a *building* having a clear height of 2.2 metres or greater between the top surface of a floor and the bottom surface of the floor, ceiling or roof immediately above, but does not include an *attic* or *basement*.

STREET LINE

means any *lot line* that divides a *lot* from a *public street*.

STREET, PRIVATE

means an easement, right-of-way or roadway that is maintained by a condominium corporation or other private owner and is used for providing *motor vehicle* access to individual *lots*, but does not include a *public street*. For the purposes of this By-law, streets that are located within a Registered Plan of Condominium that are subject to an agreement between the owner of the condominium and the Township that includes provisions for the construction of the streets shown on the plan of condominium, and that is registered in the Land Registry Office, shall be deemed to be *private streets*.

STREET, PUBLIC

means an open roadway owned and maintained on a year-round basis by a *public authority*. For the purposes of this By-law, streets that are located within a Registered Plan of Subdivision that are subject to an agreement between the owner of the subdivision and the *Township* that includes provisions for the construction and municipal assumption of the streets shown on the plan of subdivision, and that is registered in the Land Registry Office, shall be deemed to be *public streets*. For the purposes of identifying a *lot* as a *corner lot*, *through lot* or *through corner lot*, determining *street lines*, *front lot lines* and *exterior side lot lines*, and applying the *yard* and setback requirements of this By-law, an unopened road allowance owned by a *public authority* is deemed to be a *public street*.

STRUCTURE

means anything that is *erected*, built or constructed of parts joined together and attached or fixed permanently to the ground or any other *structure*, including manure storage facilities, but shall not include what is defined as a Building in the Building Code Act or in the building bylaw, excluding sewage systems and plumbing (By-law 2019-63).

STUDIO

means a *premises* used primarily for the instruction and performance of art, dancing, language, music, photography or similar *uses*, and includes the retail sale of artifacts produced on the *premises* as an *accessory use*.

SWIMMING POOL

means any artificial body of water located out of doors, and capable of holding a depth of 610mm of water at any given section but does not include:

- a pond which is maintained for ornamental purposes only;
- a pond which is used only for agricultural, horticultural or industrial purposes or is located in an agricultural zone;
- a pond which is used as a reservoir for firefighting;
- natural occurring streams, lakes, swamps or other natural bodies of water; or
- a swimming pool which is subject to the regulations of the Ontario Building Code established through the Building Code Act.

TOWNSHIP

means the Corporation of The *Township* of West Lincoln.

TRAILER

means any vehicle so constructed that it is suitable for being attached to a *motor vehicle* for the purpose of being drawn or propelled by the *motor vehicle*, notwithstanding that such vehicle is jacked up or that its running gear is removed, but not including any *motor vehicle*.

USE

means the purpose for which any *lot, building, structure* or *premises* is arranged, designed, intended, occupied or maintained.

USE, COMMERCIAL

means the *use* of land, *buildings* or *structures* for the supply for sale of goods and services.

USE, INDUSTRIAL

means the *use* of land, *buildings* or *structures* for manufacturing, processing, fabricating, assembling, warehousing or storing of raw materials or goods and related *accessory uses*.

USE, INSTITUTIONAL

means the *use* of land, *buildings* or *structures* for social, educational, health or religious purposes and related *accessory uses*.

USE, NON-AGRICULTURAL

means the use of land, *buildings* or *structures* for a purpose other than an *agricultural use*, including, but not limited to a *commercial use, industrial use, institutional use* and *residential use*, but not including *agriculture-related uses* and *on-farm diversified uses*.

USE, PRINCIPAL

means the main or primary purpose for which a *lot, building or structure* is used.

USE, RESIDENTIAL

means the *use* of a *building or structure* as a *dwelling* and related *accessory uses*.

VETERINARY CLINIC

means a *premises* used for the diagnosis, examination, treatment and overnight care of animals supervised by a licensed veterinarian, all within enclosed *buildings*.

WASTE MANAGEMENT FACILITY

means a *lot, building or structure* approved under the Environmental Assessment Act and/or the Canadian Environmental Assessment Act for the deposit, disposal, handling, storage, transfer, treatment or processing of waste.

WASTE STORAGE ENCLOSURE

means a solid, opaque wall or fence with a gate that screens an area of a *lot* and containers used for waste storage accessory to the *principal use* of the *lot*.

WAYSIDE PITS AND QUARRIES

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 an open, uncovered, unoccupied space appurtenant to and located on the same *lot* as a *building*, and in determining *yard* measurements the minimum horizontal distance between the applicable *lot line* and the nearest point of the *building* shall be used unless otherwise specified by this By-law.

YARD, EXTERIOR SIDE

means the *yard* of a *corner lot* extending from the *front yard* to the *rear yard* between the *exterior side lot line* and the nearest wall of a *building or structure* on the *lot*.

YARD, FRONT

means a *yard* extending across the full width of the *lot* between the *front lot line* and the nearest point of a wall of a main *building or structure* on the *lot*. (Bylaw 2018-61)

YARD, INTERIOR SIDE

means a *yard* other than an *exterior side yard* that extends from the *front yard* to the *rear yard* between the interior *side lot line* and the nearest wall of a *building or structure* on the *lot*.

YARD, REAR

means a *yard* extending across the full width of the *lot* between the *rear lot line* and the nearest wall of a *building or structure* on the *lot*.

YARD, REQUIRED

means a *yard* required by this By-law.

YARD, SIDE

means a *yard* extending from the *front yard* to the *rear yard* between a *side lot line* and the nearest wall of a *building* or *structure* on the *lot*.

ZONE

means a designated area of land *use(s)* shown on the Zoning Maps of this By-law.

PART 3. GENERAL PROVISIONS

3.1 ACCESSORY BUILDINGS OR STRUCTURES AND ACCESSORY USES

The following regulations apply to *accessory buildings or structures* and *accessory uses*:

- a) Where this By-law permits a *lot* to be used or a *building or structure* to be *erected* or used for a permitted *use*, that *use* shall include any *accessory building or structure* and any *accessory use*.
- b) An *accessory building or structure* shall not be used for human habitation or an occupation for gain or profit, except if specifically permitted by this By-law.
- c) An *accessory building or structure* and *accessory use* shall be located on the same *lot* as the *principal use* to which it is associated.
- d) An *accessory building or structure* shall not be *erected* on a *lot* prior to the *erection* of the *main building* on the *lot* or prior to the establishment of the *principal use* to which it is associated, except if specifically permitted by this By-law.
- e) An *accessory building or structure* or part thereof shall not be located within an easement that is in favour of a *public authority*.
- f) An *accessory building or structure* shall not include any storage or *pre-fabricated shipping container*, portable storage unit, repurposed *motor vehicle* or *trailer*, in whole or in part, except:
 - i. In the Service Commercial *Zone* outside of *settlement areas*, on a *lot* having a minimum *lot area* of 2 hectares, a maximum of 2 *pre-fabricated shipping containers* are permitted as *accessory structures* to be located in the *rear yard* or *interior side yard* only;
 - ii. In Employment *Zones*, in the *rear yard* or *interior side yard* only; and,
 - iii. In Agricultural *Zones*, a *pre-fabricated shipping container* is permitted as an *accessory structure*, accessory to an *agricultural use* or *agriculturally related use*, on a *lot* having a *minimum lot area* of 4 hectares, to a maximum of 1 *pre-fabricated shipping container* per 4 hectares of *lot area* and not exceeding a total of 5 *pre-fabricated shipping containers* on a *lot*. (Bylaw 2018-61, 2019-63)
- g) Certain *accessory buildings or structures* and *accessory uses* are subject to additional regulations contained in other Sections or Subsections of this By-law as follows:
 - i. *Accessory dwelling units*: refer to Subsection 3.2.1;
 - ii. *Accessory farm dwellings*: refer to Subsection 3.2.2;
 - iii. *Agri-tourism / value-added uses*: refer to Section 3.11;
 - iv. Allowable projections: refer to Section 3.3;
 - v. *Bed and breakfast establishments*: refer to Subsection 3.4;
 - vi. *Bicycle parking facilities*: refer to Subsection 3.12.4;
 - vii. *Drive-through facilities*: refer to Subsection 3.12.3;
 - viii. *Garden suites*: refer to Subsection 3.2.4;
 - ix. *Home occupations* and *home industries*: refer to Subsection 3.7;
 - x. *Landscaping* and *planting strips*: refer to Section 3.9;

- xi. *On-farm diversified uses*: refer to Section 3.11;
 - xii. *Parking and loading facilities*: refer to Section 3.12;
 - xiii. *Private garages*: refer to Subsection 3.12.7;
 - xiv. *Renewable energy systems*: refer to Section 3.15;
 - xv. *Signs*: refer to Section 3.23;
 - xvi. *Swimming pools*: refer to Subsection 3.24;
 - xvii. *Waste storage enclosures*: refer to Section 3.26.
- h) In addition to the above, an *accessory building or structure* shall comply with the regulations in Tables 1-1 and 1-2 based on the applicable *zone*.

Table 1-1: Regulations for Accessory Buildings and Structures in Agricultural Zones

Regulation		Accessory Buildings or Structures in an Agricultural Zone		
		Type 1 (0.1 to 10m ²)	Type 2 (10.1 to 100m ²)	Type 3 (greater than 100m ²)
Maximum <i>ground floor area</i> per <i>building or structure</i>		10m ²	100m ²	Based on maximum <i>lot coverage</i> (see below)
Maximum number of <i>accessory buildings or structures</i> per <i>lot</i>	<i>Accessory buildings</i>	3	2	Based on maximum <i>lot coverage</i> (see below)
	<i>Accessory Structures</i>	Based on maximum <i>lot coverage</i> (see below)		
Permitted <i>yards</i>		All <i>Yards</i> except the <i>required front yard</i> or <i>required exterior side yard</i> , except that a Type 1 <i>accessory building or structure</i> used for the retail sale of farm produce shall be permitted in the <i>required front yard</i> and <i>required exterior side yard</i>		
Minimum setback to <i>front lot line</i>		No closer to the <i>front lot line</i> than the <i>main building</i> , and in accordance with the minimum <i>yard</i> requirements of the applicable <i>zone</i> , except that a Type 1 <i>accessory building or structure</i> used for the retail sale of farm produce shall not be located any closer than 6 metres to the <i>front lot line</i>		
Minimum setback to <i>exterior side lot line</i>		No closer to the <i>exterior side lot line</i> than the <i>main building</i> , except that a detached <i>private garage</i> in the <i>rear yard</i> shall not be located any closer than 6 metres to the <i>exterior side lot line</i> , and a Type 1 <i>accessory building or structure</i> used for the retail sale of farm produce shall not be located any closer than 6 metres to the <i>exterior side lot line</i>		
Minimum setback to <i>interior side lot line</i>		1.2 metres	2 metres	7.5 metres
Minimum setback to <i>rear lot line</i>				
Maximum <i>height</i>		3 metres	5.5 metres	10 metres
Maximum <i>lot coverage</i> of all <i>accessory buildings or structures</i> on the <i>lot</i>	<i>Lot area</i> 0.4 ha or less	8%, of the <i>lot area</i> , provided the <i>lot coverage</i> shall not exceed the maximum <i>lot coverage</i> requirement for all <i>buildings and structures</i> in the respective <i>zone</i>		Not permitted on this <i>lot size</i>
	<i>Lot area</i> 0.5 ha to 2 ha	Greater of 5% or 320m ² , provided the <i>lot coverage</i> shall not exceed the maximum <i>lot coverage</i> requirement for all <i>buildings and structures</i> in the respective <i>zone</i>		
	<i>Lot area</i> 2.1 ha to 10 ha	Greater of 2.5% or 1,000 m ² , provided the <i>lot coverage</i> shall not exceed the maximum <i>lot coverage</i> requirement for all <i>buildings and structures</i> in the respective <i>zone</i>		
	<i>Lot area</i> greater than 10 ha	Greater of 1% or 2,500 m ² , provided the <i>lot coverage</i> shall not exceed the maximum <i>lot coverage</i> requirement for all <i>buildings and structures</i> in the respective <i>zone</i>		
Minimum setback from <i>main building</i> ⁽¹⁾		1.5 metres	3 metres	
Maximum distance from a <i>main building</i>		The nearest point of a wall of the accessory building must be located within 50 metres of the <i>main building</i> (Bylaw 2018-61)		

⁽¹⁾ No projection shall be permitted into this required setback. This setback does not apply to a balcony, deck, fence, patio, porch, roof-mounted solar panels, satellite dish/antenna, steps, sunroom, walkway or other accessory structure normally appurtenant to a *main building*.

Table 1-2: Regulations for Accessory Buildings and Structures in Non-Agricultural Zones

Regulation		Accessory Buildings or Structures in a Residential Zone	Accessory Buildings or Structures in a Commercial, Institutional or Open Space Zone	Accessory Buildings or Structures in an Employment Zone
Maximum ground floor area per building or structure	RuR and R1A Zones	100m ²	Based on maximum lot coverage (see below)	
	All other Residential Zones	50m ²		
Maximum number of accessory buildings or structures per lot	Accessory buildings	2		
	Accessory Structures	Based on maximum lot coverage (see below)		
Permitted yards		Interior Side Yard Rear Yard	All Yards	
Minimum setback from front lot line		No closer to the front lot line than the main building	4.5 metres	15 metres
Minimum setback to exterior side lot line		No closer to the exterior side lot line than the main building, except that a detached private garage in the rear yard shall not be located any closer than 6 metres to the exterior side lot line		
Minimum setback to interior side lot line		1.2 metres, except that this shall not apply to prevent a permitted detached private garage which services two dwellings that are each on a separate lot	1.2 metres, or as required in the applicable zone where a lesser interior side yard is required for the main building	5 metres
Minimum setback to rear lot line			1.2 metres	7.5 metres
Maximum height		5 metres	6 metres	10 metres
Maximum lot coverage	RuR and R1A Zones	200m ² or 8% of the lot area, whichever is less, provided the lot coverage shall not exceed the maximum lot coverage requirement for all buildings and structures in the respective zone	8% of the lot area, provided the lot coverage shall not exceed the maximum lot coverage requirement for all buildings and structures in the respective zone	
	All other Residential Zones	100m ² or 8% of the lot area, whichever is less, provided the lot coverage shall not exceed the maximum lot coverage requirement for all buildings and structures in the respective zone		
Minimum setback from main building ⁽¹⁾		1.5 metres	3 metres	

⁽¹⁾ No projection shall be permitted into this required setback. This setback does not apply to a balcony, deck, fence, patio, porch, roof-mounted solar panels, satellite dish/antenna, steps, sunroom, walkway or other accessory structure normally appurtenant to a main building.

3.2 ACCESSORY DWELLINGS AND DWELLING UNITS

3.2.1 Accessory Dwelling Units

The following regulations apply to *accessory dwelling units*:

- a) *Accessory dwelling units* shall be located within a *main building* containing an *existing principal use*, or within a residential *accessory building*, on a *lot* where both the *principal use* and an *accessory dwelling unit* are permitted by the applicable *zone* above the ground floor and remain a secondary use to the *accessory building*. (Bylaw 2018-61) An area of no greater than 10 square metres on the ground floor is permitted to be used for entrance purposes to the above ground floor accessory dwelling unit. (Bylaw 2020-97)
- b) A maximum of one (1) *accessory dwelling unit* is permitted on a *lot*, except where permitted otherwise by the applicable *zone*.
- c) *Accessory dwelling units* shall comply with the regulations of the applicable *zone*.
- d) A *main building* that is used for an *accessory dwelling unit* shall comply with the regulations of the applicable *zone*.
- e) On a *lot* that is not serviced by municipal sewage services and/or municipal water services, an *accessory dwelling unit* shall not be permitted unless the *lot* has a minimum *lot area* of 0.4 hectare and the private sewage services and/or private water services are approved for the *lot* with adequate capacity for the *accessory dwelling unit* and any other *uses* on the *lot*.
- f) Parking for *accessory dwelling units* shall be provided in accordance with Section 3.12.
- g) Where permitted in a Residential *Zone*, or as an *accessory use* to a *dwelling* that is permitted as a *principal use* in any other *zone*, an *accessory dwelling unit* shall be in accordance with the following additional regulations:
 - i. An *accessory dwelling unit* shall be located within a *single detached dwelling*, *semi-detached dwelling* or an *accessory building* on the same *lot* as a *single detached dwelling* or *semi-detached dwelling*;
 - ii. An *accessory dwelling unit* shall have a minimum *floor area* of 40 square metres and a maximum *floor area* of the lesser of 100 square metres or 40% of the *floor area* of the *main building*. For the purposes of this Subsection, the floor area shall include all area within a *basement* but shall not include a *private garage* or *attic*. (Bylaw 2018-61)
 - iii. An *accessory building* that is used for an *accessory dwelling unit* shall comply with the requirements of Section 3.1, except that the maximum *height* of an *accessory building* that contains an *accessory dwelling unit* above the first *storey* shall be 8 metres;
 - iv. The residential appearance and character of the *dwelling* as a *single detached dwelling* or *semi-detached dwelling* shall be maintained, and any separate entrance and exit for the *accessory dwelling unit* shall be oriented toward the *exterior side lot line*, *interior side lot line*, or *rear lot line*, and not located on the front façade of the *dwelling*. (By-law 2019-63)
 - v. An *accessory dwelling unit* shall not be permitted on a *lot* that is *used* for a *bed and breakfast establishment*, *boarding or rooming house*, *garden suite* or *group home*.
 - vi. A *home occupation* shall not be permitted within the *accessory dwelling unit*.
 - vii. For the purposes of satisfying the required parking for an *accessory dwelling unit*, tandem parking shall be permitted within a permitted *parking area* or *driveway*, including a *driveway* in a required *front yard* that has a minimum depth of 6m.

viii. Access to the required parking for the accessory dwelling unit shall be provided from the same driveway that provides access to the primary dwelling unit on the lot. (Bylaw 2018-61)

- h) Where permitted in a Commercial Zone, an *accessory dwelling unit* is only permitted within the same *building* as a permitted *art gallery, commercial school, dry cleaning/laundry depot, financial institution, office* including a *medical office, personal service shop, private club, restaurant, retail store, service shop* or *studio*, and shall be located above the first *storey* of the commercial *building*.

3.2.2 Accessory Farm Dwellings

The following regulations apply to *accessory farm dwellings*:

- a) An *accessory farm dwelling* shall be located on a *lot* having a minimum *lot area* of 10 hectares and containing a permitted *agricultural use* and an associated *single detached dwelling*, where permitted by the applicable *zone*.
- b) A maximum of one (1) *dwelling unit* shall be permitted within an *accessory farm dwelling* in addition to the primary *single detached dwelling* on the *lot*.
- c) An *accessory farm dwelling* shall be located within one (1) of following:
- i. An *accessory building or structure* in accordance with Section 3.1 excluding Clause 3.1 (b), that is within 50 metres of the primary *single detached dwelling* on the *lot* not exceeding 100 square metres (not including the basement)(By-law 2019-63); or
 - ii. An *accessory dwelling unit* in accordance with Subsection 3.2.1; or
 - iii. A *garden suite* in accordance with Subsection 3.2.4.
- d) Access to the required parking for the *accessory farm dwelling* shall be provided from the same *driveway* that provides access to the primary *single detached dwelling* on the *lot*.
- e) Prior to the issuance of a building permit the owner is to provide an undertaking to the Township stating that the *accessory farm dwelling* is not eligible for future severances and that the permanent *main dwelling* and the *accessory farm dwelling* is required for the operation of the farm and will be occupied by a full time employee of the farm operations (By-law 2019-63).

3.2.3 Dwelling Units

The following regulations apply to *dwelling units*:

- a) Except where specifically permitted otherwise in this By-law, a maximum of one (1) *dwelling unit* is permitted on a *lot*.
- b) No *person* shall *erect*, use or occupy any *building* or *structure* as a *dwelling unit* unless a *building* permit has been issued for the *building* intended to be *erected* or used for residential purposes, such *building* has been completed and finished in all respects in accordance with the plans and specification approved for the *building* permit, and such *building* is serviced with a municipal sewage services and municipal water services or, where permitted by the applicable *zone*, private sewage services and private water services approved for the *lot* upon which the *building* is located.
- c) No truck, bus, coach, street car body or structure of any kind, other than a *dwelling unit* *erected* and used in accordance with this and all other By-laws of the *Municipality*, shall be

used for human habitation, whether or not the same is mounted on wheels or other form of mounting or foundation.

- d) No *dwelling unit* shall in its entirety be located in a *basement* unless the finished floor level of such *basement* is above the level of the sanitary or storm sewer serving the *building* or *structure* in which such *basement* is located and provided further that the floor level of such *basement* is not more than 1.2 metres below the *average finished grade*.

3.2.4 Garden Suites

The following regulations apply to *garden suites*:

- a) A *garden suite* shall be subject to Temporary Use By-law and, as a condition to passing a by-law authorizing a *garden suite*, the owner of the *lot* shall enter into an agreement pursuant to the Planning Act with and satisfactory to the *Municipality* dealing with such matters related to the temporary use of the *garden suite* as the Council considers necessary, including:
- i. The installation, maintenance and removal of the *garden suite*;
 - ii. The period of occupancy of the *garden suite* by any of the *persons* named in the agreement; and
 - iii. The monetary or other form of security that the council may require for actual or potential costs to the *Municipality* related to the *garden suite*.
- b) A *garden suite* shall be accessory to and located on the same *lot* used for a *single detached dwelling* where permitted by the applicable *zone*.
- c) A maximum of one (1) *garden suite* shall be permitted on a *lot*.
- d) A *garden suite* shall not exceed a maximum *floor area* of 100 square metres.
- e) Access to the required parking for the *garden suite* shall be provided from the same *driveway* that provides access to the *single detached dwelling* on the *lot*.

3.3 ALLOWABLE PROJECTIONS

3.3.1 Allowable Projections into Required Yards

The following projections of *buildings* and *structures* into *required yards* are permitted in accordance with Table 2:

Table 2: Allowable Building and Structure Projections into Required Yards

<i>Building or Structure and related appurtenances</i>	<i>Applicable Yards</i>	<i>Maximum Projection into Required Yard</i> ⁽¹⁾
Air conditioners, heat pumps and any appurtenances thereto	<i>Interior side, rear</i> (2)	Up to 0.6 metre from the applicable <i>lot line</i>
Antennae, satellite dishes and similar exterior communications/media receiving equipment that exceeds 1 metre in size by any dimension		
Awnings, canopies, cornices, coves, belt courses, eaves, gutters, overhangs, pilasters, sills, or other weather shield	All	0.6 metre for <i>main building</i>
		0.3 metre for <i>accessory building or structure</i>

<i>Building or Structure and related appurtenances</i>	<i>Applicable Yards</i>	<i>Maximum Projection into Required Yard⁽¹⁾</i>
Balconies and decks, uncovered and unenclosed	<i>Front, exterior side</i>	1.5 metres
	<i>Rear</i>	3 metres
Barrier-free accessibility ramps and lifts, uncovered and unenclosed	All	Up to 0 metre from the <i>lot line</i>
Bay, box or bow windows, without foundations, 3 metres or less in width and <i>height</i>		0.6 metre
Chimneys and gas fireplaces and chases		
Fences, freestanding walls and retaining walls, in accordance with the <i>Township's</i> by-laws regulating fences	See below	See below
0.8 metre or less in <i>height</i>	All	Up to 0 metre from the <i>lot line</i>
greater than 0.8 metre and less than 1.8 metres in <i>height</i>		Up to 3 metres from <i>street lines</i>
Fire escapes	<i>Interior side, rear</i>	1.5 metres
Fuel pumps, fuel pump islands and charging stations for <i>motor vehicles</i>	All	Up to 5 metres from <i>street lines</i>
<i>Landscaping</i> and related <i>structures</i> including garden trellises, pergolas, play structures, swings and similar <i>accessory structures</i> , and plantings such as hedges, shrubs, trees and other vegetation that is:		See below
0.8 metre or less in <i>height</i>		Up to 0 metre from the <i>lot line</i>
greater than 0.8 metre and less than 2.5 metres in <i>height</i> (Bylaw 2018-61)		Up to 3 metres from <i>street lines</i>
Poles, clothes lines, flagpoles, light standards, and similar <i>accessory structures</i> and appurtenances		Up to 3 metres from <i>street lines</i>
Porches, unenclosed, 4.5 metres or less in <i>height</i>	<i>Front, exterior side</i>	1.5 metres
	<i>Rear</i>	3 metres
Stairs above grade, uncovered and unenclosed, for access to a <i>main building</i>	<i>Front, exterior side</i>	Up to 1.5 metres from the applicable <i>lot line</i>
	<i>Interior side</i>	Up to 1.2 metres, but no closer than 0.6 metres from the <i>lot line</i> (Bylaw 2018-61)
	<i>Rear</i>	Up to 4 metres from the <i>lot line</i>
Stairs below grade, uncovered, for access to a <i>main building</i>		

(1) No projection shall be permitted within a *sight triangle* required in accordance with Section 3.22.

(2) Within the Core Commercial (C1) *Zone*, the Neighbourhood Commercial (C2) *Zone*, the Institutional (I) *Zone* within *settlement areas*, and in all Residential *Zones*, exterior communications and mechanical equipment and appurtenances that exceed 1 metre in size by any dimension shall be located in an *interior side yard* or *rear yard* unless attached to the rooftop of a *main building* and screened from view or setback from the roof edges in accordance with Subsection 3.3.2 (b).

3.3.2 Exceptions to Height Requirements

The following exceptions apply to the *height* requirements of this By-law:

- a) Architectural *building* features and appurtenances such as, but not limited to, belfries, chimneys, clock towers, cupolas, finials, spires, and weather vanes, are permitted to exceed the maximum *height* requirements of the applicable *zone*, where associated with and normally incidental to a *main building* and a *principal use* on the *lot* which are permitted in the applicable *zone* and provided that all other requirements of the *zone* are complied with.

- b) Non-habitable rooftop structures, equipment and appurtenances and related screens or enclosures are permitted to exceed the maximum height requirements of the applicable *zone* to a maximum of 6 metres in additional *height* above the top of the roof of the *building*, where associated with and normally incidental to a *main building* and a *principal use* on the *lot* which are permitted in the applicable *zone*, and provided that all other requirements of the *zone* are complied with. Where not enclosed in a penthouse or otherwise screened from view, such equipment shall be setback a minimum of 5 metres from all edges of the roof of the associated *main building*.
- c) Non-habitable *buildings* and *structures* associated with a permitted *agricultural use* or *agriculture-related use*, including but not limited to a barn, feed mill, grain elevator or silo, are permitted to exceed the maximum *height* requirements of the applicable *zone*, provided that all other requirements of the *zone* are complied with.
- d) Towers designed to be occupied for access and maintenance only and associated with approved communications services or other approved *infrastructure*, water towers and standpipes owned or operated by a *public authority*, are permitted to exceed the maximum *height* requirements of the applicable *zone*, provided that all other requirements of the *zone* are complied with, where applicable. Towers associated with a wind turbine or other *renewable energy system* that is subject to the requirements of this By-law shall be in accordance with the requirements of Section 3.15.

3.4 BED AND BREAKFAST ESTABLISHMENTS

The following regulations apply to *bed and breakfast establishments*:

- a) A *bed and breakfast establishment* shall be located within a *single detached dwelling* and only where permitted by the applicable *zone*.
- b) A maximum of one (1) *bed and breakfast establishment* shall be permitted on a *lot*.
- c) A *bed and breakfast establishment* shall have a maximum of three (3) *lodging units* which shall in total not exceed 50% of the *gross floor area* of the *dwelling*.
- d) A *bed and breakfast establishment* shall be operated by the *person* or *persons* whose principal residence is the *dwelling* in which the *bed and breakfast establishment* is located.
- e) Where permitted outside of a *settlement area*, a *bed and breakfast establishment* shall be located within a *single detached dwelling* that complies with the Minimum Distance Separation (MDS I) requirements.

3.5 EXISTING USES, LOTS, BUILDINGS AND STRUCTURES

The following regulations apply to *existing non-conforming uses* and *existing non-complying lots, buildings* and *structures*:

- a) This By-law shall not apply to prevent the *use* of any *existing lot, building* or *structure* for any purpose prohibited by this By-law, provided:
 - i. The *existing lot, building* or *structure* was lawfully used for such purpose prior to the effective date of this By-law and continues to be used for that purpose; and,
 - ii. If the *use* has been discontinued for a period of twelve months or longer, the *lot, building* or *structure* shall be used in accordance with this By-law.
- b) This By-law shall not apply to prevent the *use* of a *lot* that does not meet the minimum *lot area* or *lot frontage* requirements of the applicable *zone*, provided:
 - i. The *lot* was lawfully in existence prior to the effective date of this By-law; and,

- ii. The *use* is permitted in accordance with this By-law; and,
 - iii. The required municipal sewage services and municipal water services or private sewage services and private water services are approved for the *lot*; and,
 - iv. The boundaries of the *lot* shall not be *altered* except in accordance with the requirements of this By-law.
- c) This By-law shall not apply to prevent *buildings* and *structures* to be *erected*, enlarged, repaired, renovated or replaced on a *lot* that does not meet the minimum *lot area* or *lot frontage* requirements of the applicable *zone*, provided:
 - i. The *lot* was lawfully in existence prior to the effective date of this By-law; and,
 - ii. The *use* is permitted in accordance with this By-law; and,
 - iii. The *buildings* and *structures* comply with this By-law; and,
 - iv. The required municipal sewage services and municipal water services or private sewage services and private water services are approved for the *lot*; and,
 - v. The boundaries of the *lot* shall not be *altered* except in accordance with the requirements of this By-law.
- d) This By-law shall not apply to prevent the enlargement, repair or renovation of a *building* or *structure* that does not comply with the provisions of this By-law, provided:
 - i. The *building* or *structure* was legally *erected* or *altered* in accordance with the By-laws in force at the time of construction; and,
 - ii. The enlargement, repair or renovation does not further increase the extent or degree of non-compliance; and,
 - iii. The *building* or *structure* complies with all other applicable provisions of this By-law.
 - iv. In the case of enlargement the addition complies with all applicable provisions of this bylaw (By-law 2019-63)
- e) For any *lot* that is not in compliance with the requirements of this By-law on the effective date, no *person*, other than a *public authority*, shall *alter* the boundaries of the *lot* in a manner that would increase the extent of the non-compliance.
- f) Where the acquisition of land by a *public authority* *alters* the boundaries or area of a *lot* in a manner that results in non-compliance with any regulation of this By-law, this By-law shall not apply to prevent the continued *use* of the *lot* and of any *buildings* and *structures* in existence on the *lot* on the date of the acquisition, provided:
 - i. The extent of the non-compliance shall not be increased on or after the date of the acquisition, except by further acquisition of land by a *public authority*; and,
 - ii. The *use* conforms with the permitted uses of this By-law or is permitted to continue as a lawfully *existing non-conforming use* in accordance with this By-law; and,
 - iii. This provision shall not apply where the conveyance of any part or parts of the *lot* to any *public authority* is required as a condition of an approval required for the creation of a *lot*, or where the construction of a new *building* or *structure* or addition to a *building* or *structure* subsequent to the conveyance would further increase the extent or degree of non-compliance; and,
 - iv. Where this provision applies and a new *building* or *structure* is proposed:
 - 1. *Lot area*, *lot frontage*, and *lot coverage* shall be calculated using the original *lot* including the part(s) conveyed to or acquired by the *public authority*; and,
 - 2. All other regulations shall be calculated using the remainder of the *lot* not conveyed to or acquired by the *public authority*.

3.6 GROUP HOMES

The following regulations apply to *group homes*:

- a) A *group home* shall be located within a *single detached dwelling* and only where permitted by the applicable *zone*.

3.7 HOME INDUSTRIES AND HOME OCCUPATIONS

3.7.1 Home Industries

The following regulations apply to *home industries*:

- a) A *home industry* shall be located within a *dwelling* and/or within an *accessory building or structure* to a *dwelling*, except where specifically provided otherwise in this By-law, and only where permitted by the applicable *zone*.
- b) The residential appearance and character of the *dwelling* shall be maintained.
- c) A maximum of one (1) *home industry* shall be permitted on a *lot*, except where specifically provided otherwise in this By-law.
- d) A *home industry* that is located in whole or in part within a *dwelling* shall only be permitted where the *ground floor area* of the *dwelling unit* is not less than 55 square metres and shall occupy a maximum of 25% of the *gross floor area* of the *dwelling*.
- e) A *home industry* shall only be located in whole or in part within an *accessory building or structure* or *private garage* where:
 - i. The *lot* has a minimum *lot frontage* of 24 metres; and,
 - ii. The *lot* has a minimum *lot area* of 4,000 square metres; and,
 - iii. The *accessory buildings or structures* comply with the requirements of Section 3.1; and,
 - iv. The total combined *gross floor area* used for the *home industry* in all *accessory buildings and structures* shall not exceed 100 square metres or the maximum *gross floor area* permitted for *accessory buildings and structures* by Section 3.1, whichever is less. (Bylaw 2018-61)
- f) A *home industry* shall be operated by the *person* or *persons* whose principal residence is the *dwelling* on the *lot* upon which the *home industry* is located, and up to a maximum of two (2) *persons* other than the residents of the *dwelling* are permitted to be employed in the *home industry*.
- g) *Signs* shall be erected in accordance with the sign bylaw, 2020-54, as amended from time to time. (Bylaw 2020-97)
- h) There shall be no goods, wares or merchandise offered for sale or rent on the *lot* other than those produced on the *lot* as part of the *home industry*.
- i) *Outside storage* is not permitted as part of a *home industry*.
- j) In the conduct of a *home industry*, no machinery or processes which emit noise, vibration, glare, fumes, odour, dust, radio or television interference beyond the *lot* containing the *home industry* are permitted.

- k) Only the following *uses* are permitted as a *home industry*:
- i. *Agricultural service and supply establishment*, subject to Section 3.11;
 - ii. *Agri-tourism / value-added uses*, subject to Section 3.11;
 - iii. *Pet care establishment*, subject to Subsection 3.8.2;
 - iv. *Private kennel*, subject to Subsection 3.8.1;
 - v. Retail sale of items produced on the *lot*, including agricultural products produced on the same *lot* containing a permitted *agricultural use*;
 - vi. *Service shop*;
 - vii. *Uses* permitted as a *home occupation* by Subsection 3.7.2 (k);
 - viii. *Veterinary clinic*.

3.7.2 Home Occupations

The following regulations apply to *home occupations*:

- a) A *home occupation* shall be located entirely within a *dwelling*, except where specifically provided otherwise in this By-law, and only where permitted by the applicable *zone*.
- b) The residential appearance and character of the *dwelling* shall be maintained.
- c) A maximum of one (1) *home occupation* shall be permitted per *dwelling unit*, except where specifically provided otherwise in this By-law.
- d) A *home occupation* shall only be permitted where the *ground floor area* of the *dwelling unit* is not less than 55 square metres and shall occupy a maximum of 25% of the *gross floor area* of the *dwelling*.
- e) A *home occupation* shall not be located within an *accessory building or structure* or *private garage*.
- f) A *home occupation* shall be operated exclusively by the *person* or *persons* whose principal residence is the *dwelling* in which the *home occupation* is located, and no *person* who does not reside in the *dwelling* as a principal residence shall be employed by the *home occupation*.
- g) *Signs* shall be erected in accordance with the sign bylaw, 2020-54, as amended from time to time. (Bylaw 2020-97)
- h) There shall be no goods, wares or merchandise offered for sale or rent on the *lot* other than those produced on the *lot* as part of the *home occupation*.
- i) *Outside storage* is not permitted as part of a *home occupation*.
- j) In the conduct of a *home occupation*, no machinery or processes which emit noise, vibration, glare, fumes, odour, dust, radio or television interference beyond the *lot* containing the *home occupation* are permitted.
- k) Only the following *uses* are permitted as a *home occupation*:
 - i. *Art gallery*;
 - ii. *Commercial school*;
 - iii. *Medical office*;
 - iv. *Office*;

- v. *Personal service shop*;
- vi. *Private home day care*;
- vii. Retail sale of items produced on the *lot*;
- viii. *Studio*.

3.8 KENNELS AND PET CARE ESTABLISHMENTS

3.8.1 Commercial Kennels and Private Kennels

The following regulations apply to *commercial kennels* and *private kennels*:

- a) A *commercial kennel* and a *private kennel* shall be located only where permitted by the applicable *zone*.
- b) A *commercial kennel* shall comply with the regulations of the applicable *zone* and the following:
 - i. Minimum *lot area*: 4 hectares
 - ii. Minimum *lot line* setbacks: 75 metres measured to all *lot lines* where the adjoining *lot* is used or permitted to be used for a *dwelling*
 - iii. Dog runs, pens, enclosures and all *structures* used in connection with the operation (including exercising yards) shall be:
 - 1. Enclosed by a *planting strip* including solid opaque fencing having a minimum *height* of 1.8 metres and at least one other screening device;
 - 2. Setback at least 15 metres from any drilled well and 30 metres from any dug well.
 - iv. A Commercial Kennel shall be subject to site plan. (By-law 2019-63)
- c) A *private kennel* shall comply with the regulations of the applicable *zone* and the following:
 - i. Minimum *lot area*: 4 hectares
 - ii. Minimum *lot line* setbacks 75 metres measured to all lot lines where the adjoining lot is used or permitted to be used for a dwelling.
 - iii. Dog runs, pens, enclosures and all structures used in connection with the operation (including exercising yards) shall be:
 - a) Enclosed by a planting strip including solid opaque fencing having a minimum height of 1.8 metres and at least one other screening devise.
 - b) Setback at least 15 metres from any drilled well and 30 metres from any dug well.
 - iv. No *Private Kennel* may have more than twenty (20) dogs at one time, excluding pups under ten (10) weeks of age. (By-law 2019-63)

3.8.2 Pet Care Establishments

The following regulations apply to *pet care establishments*:

- a) A *pet care establishment* shall be located only where permitted by the applicable *zone*.
- b) A *pet care establishment* shall be wholly enclosed within a permitted *building*.
- c) A *pet care establishment* that is located within any non-commercial *zone* shall comply with the regulations of the applicable *zone* and the following:
 - i. Minimum *lot line* setbacks: 75 metres measured to all *lot lines* where the adjoining *lot* is used or permitted to be used for a *dwelling*

- ii. Maximum *gross floor area*: 75 square metres.

3.9 LANDSCAPING AND PLANTING STRIPS

3.9.1 Landscaped Open Space

The following regulations apply to *landscaped open space*:

- a) A minimum of ten percent (10%) of the area of every *lot* on which a *building* or *structure* is *erected* shall be used and maintained as *landscaped open space*, unless otherwise provided in this By-law.
- b) In order to qualify as part of the area of a *lot* for the purposes of meeting the minimum *landscaped open space* requirements of this By-law, an individual *landscaped open space* shall have a minimum continuous area of 10 square metres and shall not be less than 1 metre in dimension at its narrowest point.
- c) *Landscaping* provided on the roof of a *building* shall be included in the calculation of required *landscaped open space*, provided it meets the minimum size requirements of Clause (b) of this Subsection.
- d) Where there is a conflict among two different *landscaped open space* requirements of this By-law, the provision requiring the greater amount of *landscaped open space* shall apply.
- e) On *residential zoned lots* a minimum of 50 per cent of the *front yard* shall be *landscaped open space*. (By-law 2019-63).

3.9.2 Planting Strips

The following regulations apply to *planting strips*:

- a) *Plantings strips* shall be provided as follows:
 - i. Along the *interior side lot line* and the *rear lot line* of a *lot* that is used for a non-residential purpose, where the applicable *lot line* adjoins a *lot* within a Residential *zone*; and,
 - ii. Along the *interior side lot line* and the *rear lot line* of a *lot* that is used for a *dwelling* with 5 or more *dwelling units*; and,
 - iii. Along the *street line* where a *parking area* is located adjacent to a *public street*; and,
 - iv. Along the *lot lines* of a *lot* where a *parking area* is located adjacent to an *interior side lot line* or *rear lot line* of a *lot* in a Residential *zone*; and,
 - v. Along the boundaries of *outside storage areas*, where required in order to screen the *outside storage* from view from adjoining *lots* and *public streets*; and,
 - vi. Along the *interior side lot line* or *rear lot line* of a *lot* that contains an *outside display and sales area* and abuts a Residential *Zone*, along such abutting *lot line* or portion thereof;
 - vii. In accordance with the requirements of the applicable *zone*.
- b) The area of a *lot* required as *planting strips* may form part of the minimum *landscaped open space* required by this By-law.
- c) Where an area of a *lot* is required to be used for no other purpose than a *planting strip*, it shall have a minimum width of 1.5 metres measured perpendicular to the adjoining *lot line* unless otherwise specified in this By-law.

- d) Required *planting strips* shall be uninterrupted along their entire length except for required *driveways* and walkways which shall be permitted to interrupt the *planting strip* within 3 metres of the edge of a required *driveway* or within 1.5 metres of the edge of a walkway. For the purposes of this Subsection, a walkway that interrupts a required *planting strip* shall have a maximum width of 2 metres.
- e) *Planting strips* shall be planted with vegetation except for any required fence or wall that forms part of the *planting strip* to achieve the required screening.
- f) Where a fence, wall, row of trees or hedgerow forms part of a *planting strip* required by this By-law, it shall have a minimum *height* of 1.5 metres measured from the *average finished grade*. Within a required *sight triangle*, the *height* of the *planting strip* shall not exceed 0.8 metre measured from *average finished grade*. For the purposes of this Subsection, the *average finished grade* shall be measured along the nearest *lot line*.

3.10 MINIMUM DISTANCE SEPARATION

3.10.1 Compliance with Minimum Distance Separation I (MDS I) Guidelines

The following regulations apply to *non-agricultural uses, buildings and structures*:

- a) Notwithstanding the *yard* or setback requirements of this By-law to the contrary, all *lots, buildings and structures* to be used for a *non-agricultural use* outside of a *settlement area* shall comply with the *Minimum Distance Separation I (MDS I) Guidelines* attached as Schedule “B” to this By-law.
- b) The requirements of this Subsection shall not apply to prevent the continuation of an *existing non-agricultural use*, the *alteration* of the boundaries of an *existing lot*, or the enlargement, repair, renovation or replacement of *existing buildings and structures* on an *existing lot* outside of a *settlement area*, in accordance with Section 3.5.
- c) The requirements of this Subsection shall not apply to permitted *agriculture-related uses* and *on-farm diversified uses*, except where specifically required otherwise in this By-law.
- d) Nothing in this Subsection shall provide relief from the requirement for all *buildings and structures* to comply with the minimum *yard* and setback requirements of the applicable *zone* and the General Provisions of this By-law.

3.10.2 Compliance with Minimum Distance Separation II (MDS II) Guidelines

The following regulations apply to *agricultural uses, buildings and structures*:

- a) Notwithstanding the *yard* or setback requirements of this By-law to the contrary, all *buildings and structures* to be used for housing livestock or manure storage or anaerobic digesters, including any *alterations, enlargements, renovations or replacements* thereof, shall comply with the *Minimum Distance Separation II (MDS II) Guidelines* attached as Schedule “B” to this By-law.
- b) *Buildings and structures* to be used for housing livestock or manure storage or anaerobic digesters shall not be permitted on any *lot* or part thereof that is located within a *settlement area*. This Subsection shall not apply to prevent the continued *use* of *existing lots, buildings and structures* within a *settlement area* that were lawfully used for one or more of these purposes on the effective date of this By-law:

- i. In accordance with Section 3.5; and,
 - ii. Provided that, for any *existing building* or *structure* that is subject to MDS II the *building* or *structure* shall not be *altered*, renovated, repaired or replaced in a manner that would increase the required separation distance calculated in accordance with Schedule “B”.
- c) Notwithstanding this Subsection, an *existing* manure storage system which does not meet the MDS II requirements may be replaced by a more compatible system which results in a reduction in the required separation distance calculated in accordance with Schedule “B”, provided the livestock housing capacity is not increased.
 - d) The requirements of this Subsection shall not apply to require setbacks to permitted *agriculture-related uses* and *on-farm diversified uses*, except where such uses are subject to MDS I where specifically required in this By-law.
 - e) Nothing in this Subsection shall provide relief from the requirement for all *buildings* and *structures* used for housing livestock or manure storage or anaerobic digesters to comply with the minimum *yard* and setback requirements of the applicable *zone* and the General Provisions of this By-law.
 - f) For the purposes of this By-law and application of MDS II, *existing cemeteries* which are closed or inactive and receive low levels of visitation shall be treated as Type A land uses.

3.10.3 Cannabis Production (By-law 2019-04)

The following regulations apply to *cannabis production*:

- a) All *cannabis production* where permitted in Agricultural Zones shall have a minimum setback of 150m from all *lot lines* of other *lots*, except where specifically provided otherwise.
- b) All *cannabis production* where permitted in Employment Zones shall have a minimum setback of 45m from all *lot lines* abutting *lots* that are *used* or permitted to be *used* for a *dwelling* or an *institutional use*, except where specifically provided otherwise.
- c) No *outside storage* or outdoor growing or production of cannabis shall be permitted.
- d) For any *cannabis production building* or *structure* that consists of more than 10% glass and where artificial lighting is required, a solid fence having a minimum *height* of 1.8 metres shall be provided and maintained along every *lot line* that abuts a *lot* that is *used* or permitted to be *used* for a *dwelling* or an *institutional use*.
- e) Notwithstanding Clause (c) of this Subsection, a security fence having a minimum *height* of 1.8 metres shall be provided and maintained around the entire perimeter of the area of a *lot* that is *used* for a *cannabis production*.

3.11 ON-FARM DIVERSIFIED USES

The following regulations apply to *on-farm diversified uses*:

- a) An *on-farm diversified use* shall be located on a *lot* having a minimum *lot area* of 10 hectares and containing a permitted *agricultural use* and associated *single detached dwelling*, where the specific type of *on-farm diversified use* is permitted by the applicable *zone*.
- b) A maximum of three (3) *on-farm diversified uses* shall be permitted on a *lot*.

- c) *On-farm diversified uses* shall not exceed the following size limits:
- i. The area of the *lot* permanently, temporarily or seasonally devoted to *on-farm diversified uses* shall not exceed the lesser of 1% of the *lot area* or 0.5 hectare, including the area of *existing* and new *buildings* and *structures*, required parking and loading areas, *outside display and sales areas*, *outside storage areas*, and any other areas of the *lot* used for the *on-farm diversified use*, excluding *existing driveways* shared with a permitted *principal use* on the *lot* and areas that produce a harvestable crop; and,
 - ii. The total *gross floor area* that is permanently, temporarily or seasonally devoted to *on-farm diversified uses* shall not exceed 500 square metres including the *gross floor areas* used within all *main buildings* or *structures* and *accessory buildings* or *structures* on the *lot*; and,
 - iii. For the purposes of determining the maximum *gross floor area* permitted in accordance with Subclause (v), the *gross floor area* that is used for *on-farm diversified uses* within *existing main buildings* on the *lot* shall be discounted by 50%; and,
 - iv. *Accessory buildings* or *structures* that are used for *on-farm diversified uses* shall comply with the requirements of Section 3.1; and,
 - v. *Main buildings* or *structures* that are used for *on-farm diversified uses* shall comply with the regulations of the applicable *zone*; and,
 - vi. The total *lot coverage* of all *main buildings* or *structures* and *accessory buildings* or *structures* shall not exceed the maximum *lot coverage* of the applicable *zone*.
- d) *On-farm diversified uses* shall be accessory and directly related to the *existing* permitted *agriculture use(s)* on the *lot* and shall primarily serve the *existing* permitted *agricultural use(s)* on the *lot* and the *existing* permitted *agricultural uses* on surrounding *lots* in the area.
- e) *On-farm diversified uses* that involve value-added packaging, processing, sale and/or storage of products shall be limited to products produced by, or derived from, the principal *agricultural use(s)* on the *lot* as the primary source of the majority of the product, and may include product sourced from *agricultural uses* on surrounding *lots* in the area as a secondary source of product.
- f) Retail sales that form part of *on-farm diversified uses* shall be subject to the following regulations:
- i. The *gross floor area* devoted to retail sales shall not exceed 50% of the *gross floor area* of all *buildings* and *structures* used in conjunction with the *on-farm diversified uses*, to a maximum of 200 square metres of *gross floor area* for retail use; and,
 - ii. The *gross floor area* devoted to retail sale of products that are not produced on, or derived from, agricultural products produced on the *lot*, shall not exceed 25% of the *gross floor area* of all *buildings* and *structures* used in conjunction with the *on-farm diversified uses*, and,
 - iii. A maximum of one (1) retail outlet shall be permitted on a *lot*; and,
 - iv. The maximum area of the *lot* permitted to be used for *outside display and sales areas* shall be 25 square metres and such outdoor area shall not be counted as part of the maximum *gross floor area* permitted for retail use; and,
 - v. *Outside display and sales areas* shall be setback a minimum of 3 metres to all *lot lines*; and,
 - vi. *Outside display and sales areas* and any related *structures* shall not exceed a maximum *height* of 3 metres.
- g) *Outside storage* for purposes other than *outside display and sales areas* on the *lot* shall be located in a *rear yard* or *side yard* and screened from view from *public streets* and adjacent *lots* by

planting strips in accordance with Subsection 3.9.2, and shall comply with the regulations of the applicable *zone*.

- h) *On-farm diversified uses* shall be operated by the *person* or *persons* whose principal residence is the *dwelling* on the *lot*, and a maximum of two (2) *persons* other than the residents of the *dwelling* on the *lot* are permitted to be employed in the business of the *on-farm diversified uses*.
- i) *On-farm diversified uses* that include overnight accommodations shall be limited to a permitted *bed and breakfast establishment* in accordance with Section 3.4.
- j) Notwithstanding the regulations of this Section to the contrary, certain *on-farm diversified uses* are subject to additional or different regulations contained in other Sections of this By-law, as follows:
 - i. The requirements of Section 3.4, for *bed and breakfast establishments*; and,
 - ii. The requirements of Section 3.7, for *home occupations* and *home industries*; and,
 - iii. The requirements of Section 3.8, for *private kennels* and *pet care establishments*.
- k) Parking for *on-farm diversified uses* shall be provided in accordance with Section 3.12.
- l) A *sign* is permitted to be displayed on the *lot* for on-farm diversified uses, provided:
 - i. A maximum of one (1) *sign* is permitted on a *lot* for each permitted *home occupation*; and,
 - ii. The *sign* shall not be illuminated; and,
 - iii. The *sign* shall have a maximum area of 0.2 square metres per side; and,
 - iv. The *sign* shall be setback a minimum of 1 metre to all *lot lines* and shall not be located within a *sight triangle*; and,
 - v. The maximum *height* of the *sign* shall be 0.8 metre; and,
 - vi. The *sign* shall comply with the *Township's Sign By-law*.

3.12 PARKING AND LOADING FACILITIES

3.12.1 Applicability and General Requirements

The following regulations apply to parking and loading facilities:

- a) Parking and loading facilities shall be provided and maintained for the identified *uses* of *lots*, *buildings* and *structures* in accordance with the requirements of this Section.
- b) Notwithstanding Clause (a) of this Subsection to the contrary, the requirements of this By-law for providing and maintaining parking and loading facilities shall not apply to *existing uses* of *existing lots*, *buildings* and *structures* provided:
 - i. The *existing use*, *lot*, *building* or *structure* was lawfully in existence prior to the effective date of this By-law; and,
 - ii. Where there is a change in *use* of a *lot*, *building* or *structure*, parking and loading facilities shall be provided and maintained for such new *use* in accordance with the requirements of this Section, except that no additional parking or loading facilities shall be required for a change in *use* of an *existing lot*, *building* or *structure* located in the Core Commercial (C1) *Zone*; and,
 - iii. If the number of *dwelling units*, the *floor area* or the seating capacity within a *building* or *structure* is increased, parking and loading facilities shall be provided for such increased

dwelling units, floor areas and seating capacity in accordance with the requirements of this Section.

- c) Parking and loading facilities shall be provided and maintained on the same *lot* as the *uses, buildings* and *structures* for which the facilities are required, unless specifically required otherwise in this By-law.
- d) Where a *lot, building* or *structure* accommodates more than one *use*, the required parking and loading facilities shall be calculated as the sum of the required facilities for each *use*, unless specifically required otherwise in this By-law.
- e) Where the calculation of required *bicycle parking facilities, loading spaces, parking spaces* or *stacking space* exceeds a whole number by 0.25 or greater, the calculation shall be rounded up to the next whole number to determine the total requirement.
- f) Any area of a *lot, building* or *structure* that is used, designed or otherwise intended to be used primarily for storage, *outside storage* or *outside display and sales areas* shall not be included as required parking or loading facilities.
- g) Where *parking space* requirements are to be calculated based upon the seating or other capacity of a *lot, building* or *structure*, such capacity shall be deemed to be the same as the maximum capacity for such *lot, building* or *structure* permitted by The Ontario Building Code, or where applicable, The Liquor Licensing Board of Ontario, whichever capacity is the lesser, except that where seating is provided in the form of fixed benches or pews, every 0.6 metre of each such bench or pew shall be considered as one (1) seat.
- h) Parking and loading facilities for *commercial uses, industrial uses, institutional uses, and residential uses* with five (5) or more *dwelling units* on a *lot*, shall be provided with suitable lighting facilities. Where parking and loading facilities are illuminated, lighting fixtures shall be arranged, designed and installed so that the light is directed downward and deflected away from adjacent *lots* and travelled *public streets*.
- i) Parking and loading facilities required to be provided by this By-law for a *non-agricultural use* in a *settlement area* shall be provided and maintained with an asphalt, concrete, interlocking brick or stone, bituminous gravel or similar hardscaped surface. For *agricultural uses* and for other *uses* that are located outside of a *settlement area*, a gravel or similar surface shall also be permitted. All parking and loading facilities shall be surfaced to provide stability, prevent erosion and the raising of dust, be usable in all seasons, and facilitate the drainage and infiltration of surface water.

3.12.2 Driveways and Parking Aisles

The following regulations apply to *driveways* and *parking aisles*:

- a) Access to and from parking and loading facilities shall be provided and maintained by permitted *driveways*, and by *parking aisles* where required for access to and from *parking spaces*.
- b) *Driveways* and *parking aisles* shall have minimum and maximum widths in accordance with Table 3.

Table 3: Minimum and Maximum Widths for Driveways and Parking Aisles

Type of <i>Driveway</i> or <i>Parking Aisle</i>	Minimum Width	Maximum Width
<i>Driveways</i> for residential uses within a settlement area with less than five (5) <i>dwelling units</i> (By-law 2019-63):		
<i>Driveway</i> for a <i>dwelling</i> with a <i>private garage</i>	3 metres	<i>Garage width</i> plus 0.5 metre or 50% of the <i>lot frontage</i> , whichever is greater, to a maximum of 6 metres
<i>Driveway</i> for a <i>dwelling</i> with no <i>private garage</i>		50% of the <i>lot frontage</i> , to a maximum of 6 metres
<i>Driveways</i> for residential uses outside a settlement area with less than five (5) <i>dwelling units</i> (Bylaw 2019-63):		
<i>Driveway</i> for a <i>dwelling</i> with a <i>private garage</i>	3 metres	<i>Garage width</i> plus 0.5 metre or 50% of the <i>lot frontage</i> , whichever is greater, to a maximum of 7.5 metres
<i>Driveway</i> for a <i>dwelling</i> with no <i>private garage</i>		50% of the <i>lot frontage</i> , to a maximum of 7.5 metres
<i>Driveways</i> for residential uses with five (5) or more <i>dwelling units</i> and <i>non-residential uses</i> :		
Single traffic lane for travel in one direction	3 metres	4.5 metres
Double traffic lane for travel in one or two directions	7.5 metres	9 metres
Double traffic lane for travel in one or two directions plus one or more dedicated turning lanes where required in accordance with an approved site plan	9 metres	16 metres
<i>Parking aisles</i> :		
<i>Parking aisles</i> for <i>parking spaces</i> angled 75 or 90 degrees to a line parallel to the <i>aisle</i>	6 metres	7.5 metres
<i>Parking aisles</i> for <i>parking spaces</i> angled 60 degrees to a line parallel to the <i>aisle</i>	5 metres	
<i>Parking aisles</i> for <i>parking spaces</i> angled 45 degrees to a line parallel to the <i>aisle</i>	4 metres	
<i>Parking aisles</i> for parallel <i>parking spaces</i>	5 metres	

Note: the *driveway* width shall be measured along the *street line*, and the minimum and maximum *driveway* widths shall apply along the entire length of the *driveway* on the *lot*.

- c) For a *driveway* that provides access to and from a *public street*, the minimum length of the *driveway* shall be 6 metres measured from the *street line*.
- d) No *driveway* shall exceed 50% of the area of a *required yard*.
- e) *Driveways* shall be located as follows:
 - i. A *driveway* for a *residential use* with less than five (5) *dwelling units* shall be located no closer to the *interior side lot line* than the minimum *interior side yard* required for the *private garage* on a *lot* where the *dwelling* includes a *private garage*, or for the *dwelling* on a *lot* with no *private garage*;
 - ii. A *driveway* for a *residential use* with five (5) or more *dwelling units* or for a *non-residential use* shall be located no closer than 3 metres to a *lot line* that adjoins a *lot* within a Residential *zone*;
 - iii. All other *driveways* shall not be located closer than 1.5 metres to an *interior side lot line* or a *rear lot line*, except for a permitted *driveway* located in the *rear yard* of a *through lot* and a permitted shared *driveway* for two adjoining *lots* that are in the same *zone*.

- f) 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.
- g) Notwithstanding Clause (d) of this Subsection, *driveways* for *residential uses* on a *corner lot* may be located closer than 7.5 metres to an intersection of *street lines* provided:
 - i. There are less than five (5) *dwelling units* on the *lot*; and,
 - ii. The *lot* cannot accommodate a permitted *driveway* of the required minimum and maximum width prescribed by Table 3 in a required location on the *lot* that is a minimum distance of 7.5 metres from the nearest intersection of *street lines*; and,
 - iii. The *driveway* is located nearest to the *side lot line* that is furthest from the intersection of *street lines* and in accordance with all other requirements of this By-law.
- h) The maximum number of *driveways* permitted on a *lot* shall be:
 - i. One (1) *driveway* for *lots* having a *front lot line* or *exterior side lot line* that is 18 metres or less in length measured along the *street line*;
 - ii. Two (2) *driveways* for *lots* having a *front lot line* or *exterior side lot line* of more than 18 metres in length measured along the *street line*;
 - iii. Three (3) *driveways* for *lots* having a *front lot line* and/or *exterior side lot line* of 100 metres or more in total length measured along the *street line(s)*.
- i) The minimum angle of intersection between a *driveway* and a *street line* shall be 60 degrees.
- j) Notwithstanding the requirements of this Subsection, the *driveway* requirements of the *Regional Municipality* of Niagara shall apply along all Regional Roads.

3.12.3 Drive-through Facilities

The following regulations apply to *drive-through facilities*:

- a) A *drive-through facility* shall be located on a *lot* containing a permitted *commercial use* and only where permitted by the applicable *zone*.
- b) A *drive-through facility* shall include a minimum of eight (8) designated *stacking spaces* for a *restaurant* or mechanical *motor vehicle washing establishment* (per facility) and a minimum of two (2) *stacking spaces* for a *manual motor vehicle washing establishment* (per bay) and any other *commercial use*.
- c) A *stacking space* shall be a minimum of 5.5 metres in length and 3.0 metres in width.
- d) A *stacking lane* shall not be permitted within 20.0 metres of a *lot line* of a *lot* in a Residential *Zone*.
- e) Notwithstanding Clause (d) of this Subsection, the required setback may be reduced to a minimum of 7.5 metres where:
 - i. An acoustic wall, berm or other noise controls certified by a professional engineer, is installed prior to operation of the *drive-through facility* to mitigate the noise impacts; and,
 - ii. The noise levels shall not exceed the maximum levels specified by the Ministry of Environment's NPC-300 – Environmental Noise Guideline, as amended, for stationary sources of noise.

- f) *Stacking spaces* shall not be included in the calculation of required parking spaces
- g) *Stacking spaces* shall not be located within any *parking aisle* or *driveway*.

3.12.4 Off-Street Bicycle Parking Facility Requirements

The following regulations apply to *bicycle parking facilities*:

- a) *Bicycle parking facilities* shall be provided and maintained for the identified *uses* of *lots*, *buildings* and *structures* in accordance with Table 4.

Table 4: Required Bicycle Parking Facilities

<i>Use</i>		Minimum <i>Bicycle Parking Facilities</i> to be Provided (number of bicycles to be accommodated)
Any <i>use</i> located outside of a <i>settlement area</i> and any <i>use</i> not specifically listed below		No minimum requirement
<i>Art gallery, commercial school, day care, financial institution, medical office, office, personal service shop, place of entertainment, private club, recreation facility, restaurant, retail store, service shop, shopping center, studio</i>		The greater of 2 or 1 per 1,000 m ² of <i>gross floor area</i>
<i>Apartment dwelling</i>		1 per <i>dwelling unit</i>
<i>Industrial use</i>		2 plus 0.25 per 1,000 m ² of <i>gross floor area</i>
<i>Long-term care facility, retirement home</i>		The lesser of 5 or 0.25 per <i>lodging unit</i>
<i>School, private or public</i>	<i>Elementary school</i>	0.25 per classroom, excluding portables
	<i>Secondary school</i>	0.5 per classroom, excluding portables

- b) Notwithstanding Clause (a) of this Subsection, in no case shall the number of bicycles required to be accommodated exceed 30 for any use.

3.12.5 Off-Street Loading Facility Requirements

The following regulations apply to loading facilities:

- a) *Loading spaces* shall be provided and maintained for the identified uses of *lots*, *buildings* and *structures* in accordance with Table 5.

Table 5: Required Loading Facilities

<i>Use</i>		Minimum Number of Loading Spaces to be Provided
Any use located outside of a <i>settlement area</i> and any use not included below		No minimum requirement
Any <i>commercial, industrial or institutional use</i> that includes receiving and/or shipping and/or transport of goods, supplies or other materials to or from the <i>lot</i>	<i>Gross floor area:</i> 450 m ² or less	No minimum requirement
	451 m ² to 900 m ²	1 <i>loading space</i> (9 metre length)
	901 m ² to 1,850 m ²	1 <i>loading space</i> (18 metre length)
	1,851 m ² to 7,400 m ²	2 <i>loading spaces</i> (18 metre length)
	7,400 m ² to 13,000 m ²	3 <i>loading spaces</i> (18 metre length)

<i>Use</i>	Minimum Number of Loading Spaces to be Provided
Each additional 7,400 m ²	1 <i>loading space</i> (18 metre length)
<i>Apartment dwelling</i> containing 50 or more <i>dwelling units</i>	1 <i>loading space</i> (9 metre length)
<i>Motor vehicle dealership</i>	1 <i>loading space</i> (18 metre length)

Note: the minimum length of a *loading space* required for a *medical office* or *office* shall be 9 metres.

- b) *Loading spaces* shall have minimum dimensions as follows:
- i. Minimum width: 3.5 metres;
 - ii. Minimum length: in accordance with Table 5 and in no case less than 9 metres;
 - iii. Minimum vertical clearance: 4.2 metres,
- c) *Loading spaces* shall be located as follows:
- i. Abutting or within the *building* for which the *loading space* is provided; and,
 - ii. No closer than 7.5 metres to any *lot line* of a *lot* in a Residential Zone, except if the *loading spaces* is located entirely within a permitted *building* or *structure* or is required on a *lot* in a Residential Zone; and,
 - iii. Not within any required *yard, front yard* or *exterior side yard*.

3.12.6 Off-Street Motor Vehicle Parking Facility Requirements

The following regulations apply to *motor vehicle* parking facilities:

- a) *Parking spaces* for *motor vehicles* shall be provided and maintained for the identified uses of *lots, buildings* and *structures* in accordance with Table 6.

Table 6: Required Parking Facilities

<i>Use</i>	Minimum Number of <i>Parking Spaces</i> to be Provided	
<i>Residential uses</i>		
<i>Apartment dwelling, townhouse dwelling</i> or <i>stacked townhouse dwelling</i>	1.75 <i>parking spaces</i> per <i>dwelling unit</i> (Bylaw 2020-97)	
<i>Boarding or rooming house</i>	1 <i>parking space</i> per <i>lodging unit</i>	
<i>Group home</i>	2 <i>parking spaces</i>	
<i>Mobile home park</i>	1 <i>parking space</i> per <i>mobile home park site</i>	
<i>Residential uses</i> not specifically listed above	2 <i>parking space</i> per <i>dwelling unit</i> (Bylaw 2020-97)	
<i>Accessory residential uses</i>		
<i>Accessory dwelling</i>	1 <i>parking space</i>	
<i>Accessory farm dwelling</i>	1 <i>parking space</i>	
<i>Bed and breakfast establishment</i>	1 <i>parking space</i> per <i>lodging unit</i>	
<i>Garden suite</i>	1 <i>parking space</i>	
<i>Home occupation and home industry</i>	Any <i>use</i> not separately defined	1 <i>parking space</i>
	<i>Medical office</i>	4 <i>parking spaces</i>
	Other defined <i>use</i>	See below
	Where up to two (2) outside employees are permitted	2 <i>parking spaces</i>

<i>Use</i>	Minimum Number of <i>Parking Spaces</i> to be Provided
<i>Agriculture-related uses</i>	
<i>Agricultural service and supply establishment</i>	1 <i>parking space</i> per 40 m ² of <i>gross floor area</i> , plus 1 <i>parking space</i> per 100 m ² of <i>gross floor area</i> used for warehousing / wholesaling
<i>Agriculture-related use</i> not separately defined	1 <i>parking space</i> per 55 m ² of <i>gross floor area</i> (Bylaw 2018-61)
<i>Agri-tourism / value-added uses</i>	
<i>On-farm diversified uses</i>	
<i>Commercial uses</i>	
<i>Adult entertainment establishment</i>	1 <i>parking space</i> per 20 m ² of <i>gross floor area</i>
<i>Animal shelter</i>	1 <i>parking space</i> per 40 m ² of <i>gross floor area</i>
<i>Art gallery</i>	1 <i>parking space</i> per 30 m ² of <i>gross floor area</i>
<i>Casino</i>	1 <i>parking space</i> per 30 m ² of <i>gross floor area</i>
<i>Commercial uses</i> not separately defined	1 <i>parking space</i> per 30 m ² of <i>gross floor area</i>
<i>Day care</i>	1.5 <i>parking spaces</i> per classroom plus 1 <i>parking space</i> per 40 m ² of <i>gross floor area</i>
<i>Dry cleaning/ laundry depot</i>	1 <i>parking space</i> per 30 m ² of <i>gross floor area</i>
<i>Dry cleaning/ laundry establishment</i>	
<i>Financial institution</i>	Greater of 5 <i>parking spaces</i> or 1 <i>parking space</i> per 28 m ² of <i>gross leasable floor area</i>
<i>Funeral home</i>	Greater of 1 <i>parking space</i> per 5 seats in a chapel or auditorium or 10 <i>parking spaces</i> per visitation room
<i>Hotel/ Motel</i>	1 <i>parking space</i> per <i>lodging unit</i> , plus required <i>parking spaces</i> for any <i>floor areas</i> used for other <i>commercial uses</i>
<i>Kennel, commercial or private</i>	1 <i>parking space</i> per 40 m ² of <i>gross floor area</i>
<i>Motor vehicle body shop</i>	1 <i>parking space</i> per 50 m ² of <i>gross floor area</i>
<i>Motor vehicle dealership</i>	
<i>Motor vehicle gasoline bar</i>	
<i>Motor vehicle repair establishment</i>	
<i>Motor vehicle service station</i>	
<i>Motor vehicle washing establishment</i>	1 <i>parking space</i> per 50 m ² of <i>gross floor area</i> , excluding any <i>gross floor areas</i> devoted to providing <i>parking spaces</i> for the manual washing of <i>motor vehicles</i> , which shall be counted as required <i>parking spaces</i> , except that <i>parking spaces</i> designated only for interior cleaning, vacuuming or air compressors for tire inflation for <i>motor vehicles</i> shall not be counted as required <i>parking spaces</i> . See also Subsection 3.12.3.
<i>Office, including a medical office</i>	1 <i>parking space</i> per 28 m ² of <i>gross leasable floor area</i>
<i>Personal service shop</i>	1 <i>parking space</i> per 20 m ² of <i>gross leasable floor area</i>
<i>Pet care establishment</i>	1 <i>parking space</i> per 40 m ² of <i>gross floor area</i>
<i>Place of entertainment</i>	Greater of 1 <i>parking space</i> per 5 seats, or 1 <i>parking space</i> per 5 <i>persons</i> capacity, or 1 <i>parking space</i> 30 m ² of <i>gross floor area</i>
<i>Private club</i>	1 <i>parking space</i> per 30 m ² of <i>gross floor area</i>

<i>Use</i>		Minimum Number of <i>Parking Spaces</i> to be Provided
<i>Restaurant</i>		1 <i>parking space</i> per 20 m ² of <i>gross leasable floor area</i>
<i>Retail store</i>		
<i>Service shop</i>		1 <i>parking space</i> per 25 m ² of <i>gross leasable floor area</i> (Bylaw 2018-61)
<i>Shopping center</i>		
<i>Studio</i>		1 <i>parking space</i> per 30 m ² of <i>gross floor area</i>
<i>Veterinary clinic</i>		
Public, institutional, recreational and other uses		
<i>Camping establishment</i>		1 <i>parking space</i> per <i>camp site</i>
<i>Cemetery</i>		No minimum requirement
<i>Hospital</i>		1 <i>parking space</i> per 2 beds
<i>Institutional uses</i> not separately defined		1 <i>parking space</i> per 30 m ² of <i>gross floor area</i>
<i>Long term care facility</i>		1 <i>parking space</i> per 2 <i>lodging units</i>
<i>Place of worship</i>		Greater of 1 <i>parking space</i> per 5 seats, or 1 <i>parking space</i> per 5 <i>persons</i> capacity, or 1 <i>parking space</i> 30 m ² of <i>gross floor area</i>
<i>Recreation facility</i>		
<i>Retirement home</i>		1 <i>parking space</i> per 2 <i>lodging units</i>
<i>School, commercial</i>		1 <i>parking space</i> per 30 m ² of <i>gross floor area</i>
<i>School, private or public</i>	<i>Elementary school</i>	1.5 <i>parking spaces</i> per classroom plus 1 <i>parking space</i> per 9 m ² of <i>gross floor area</i> for a gymnasium or auditorium
	<i>Secondary school</i>	Greater of 1 <i>parking space</i> per 5 classroom seats, or 1 <i>parking space</i> per 15 m ² of <i>gross floor area</i> for a gymnasium, or 1 <i>parking space</i> per 15 m ² of <i>gross floor area</i> for an auditorium
Industrial uses and processing facilities		
<i>Abattoir</i>		1 <i>parking space</i> per 100 m ² of <i>gross floor area</i>
<i>Industrial uses</i> not separately defined		1 <i>parking space</i> per 100 m ² of <i>gross floor area</i>
<i>Salvage yard</i>		1 <i>parking space</i> per 40 m ² of <i>gross floor area</i>
<i>Waste management facility</i>		1 <i>parking space</i> per 40 m ² of <i>gross floor area</i>

- b) Notwithstanding Clause (a) of this Subsection, cash-in-lieu of required *parking spaces* may be accepted by the *Township*, subject to a by-law and agreement approved by Council in accordance with the Planning Act.
- c) Barrier-free *parking spaces* shall be provided in addition to the *parking spaces* required for *residential uses* where *parking spaces* are provided in a common *parking area* excluding a *private garage* or *driveway*, and for non-*residential uses*, in accordance with this Subsection and Table 7.

Table 7: Required Barrier-Free Parking Facilities

Total Number of <i>Parking Spaces</i> on the Lot	Minimum Number of Barrier-Free <i>Parking Spaces</i>		
	Type A	Type A or B*	Total

Total Number of <i>Parking Spaces</i> on the Lot	Minimum Number of Barrier-Free <i>Parking Spaces</i>		
	Type A	Type A or B*	Total
1 to 25 <i>parking spaces</i>	1	-	1
26 to 50 <i>parking spaces</i>	1	1	2
51 to 75 <i>parking spaces</i>	1	2	3
76 to 100 <i>parking spaces</i>	2	2	4
Greater than 100 <i>parking spaces</i>	4% of the total number of <i>parking spaces</i> on the lot shall be barrier-free <i>parking spaces</i> . Where an even number of barrier-free parking spaces are required, an equal number of Type A and Type B parking spaces shall be provided. Where an odd number of barrier-free <i>parking spaces</i> are required, the additional barrier-free <i>parking space</i> may be Type A or Type B.		

*Where one or more Type B barrier-free parking space(s) is(are) required, an equal number of Type A barrier-free *parking spaces* may be substituted for the Type B barrier-free parking spaces, provided that this provision shall not reduce the total number of barrier-free *parking spaces* required.

- d) *Parking spaces* shall have minimum dimensions of 2.7 metres in width by 6 metres in length, except:
- i. *Parking spaces* that are parallel to a *parking aisle* or *driveway* shall be a minimum of 6.5 metres in length;
 - ii. Type A barrier-free *parking spaces* shall be a minimum of 3.4 metres in width;
 - iii. Type B barrier-free *parking spaces* shall be a minimum of 2.4 metres in width;
 - iv. An access aisle shall be provided on one side of all barrier-free *parking spaces* and shall have a minimum width of 1.5 metres and a minimum length equal to the full length of the *parking space* and shall be marked with high tonal contrast diagonal lines where the surface is asphalt, concrete or other hard surface, and one access aisle may be shared by two barrier-free *parking spaces* (with one barrier-free *parking space* located on each side of the access aisle);
 - v. Where the side of a *parking space* abuts a *building* or *structure* that has a *height* of 0.5 metre or greater, the *parking space* shall be a minimum of 3 metres in width;
 - vi. Where the side of a *parking space* abuts an area of *landscaped open space* or walkway that is greater than 1 metre in width and located on the same *lot*, the *parking space* shall be a minimum of 2.4 metres in width.
 - vii. Private residential garages for single detached, semi-detached and townhouse must be a minimum of 3.5 metres wide by 6 metres long (measured from interior walls) unobstructed in order to be counted as a required parking space. (Bylaw 2020-97)
- e) *Parking spaces* shall be located in accordance with the following:
- i. In a Residential Zone, on a *lot* with less than five (5) *dwelling units*:
 1. Within a permitted *private garage* or other parking *structure*; or,
 2. Within a permitted *driveway*, including *parking spaces* that may be in tandem, except that no *parking spaces* shall be located within a required *front yard* or a required *exterior side yard*, except in an approved driveway or parking area. (Bylaw 2018-##)

3. Within any other permitted *parking area* located in an *interior side yard* or *rear yard*, provided that no *parking spaces* or *parking aisles* shall be located closer than 1 metre to an *interior side lot line* or *rear lot line*, and no more than 50% of the area of any *required yard* shall be used for parking.
 - ii. In a Residential Zone, on a *lot* with more than five (5) *dwelling units*:
 1. Within a permitted *private garage* or other *parking structure*; or,
 2. Within any other permitted *parking area* located in an *interior side yard* or *rear yard*, provided that no *parking spaces* or *parking aisles* shall be located closer than 1.5 metres to a *side lot line* or *rear lot line*, and no more than 50% of the area of any *required yard* shall be used for parking; or,
 3. Adjacent to a *private street*, provided that such *parking spaces* located along and/or accessed from a *private street* are not located closer than 7.5m to a *public street*;
 4. Plantings strips shall be provided where required in accordance with Subsection 3.9.2.
 - iii. In a Commercial Zone, *Employment Zone* or *Institutional Zone* within a *settlement area*:
 1. Within a permitted *private garage* or other *parking structure*; or,
 2. Within any other permitted *parking area* located in an *interior side yard* or *rear yard*;
 3. Plantings strips shall be provided where required in accordance with Subsection 3.9.2.
 - iv. In any other *zone*, *parking spaces* shall be located within a permitted *parking area* in any *yard* provided:
 1. No part of the *parking area*, other than a permitted *driveway*, shall be located closer than 1.5 metres to any *street line*; and,
 2. Plantings strips shall be provided where required in accordance with Subsection 3.9.2.
- f) *Parking spaces* that are required in accordance with this Subsection shall be used only for the parking of operative, currently licensed *motor vehicles*, with the following exceptions:
- i. The parking of *commercial motor vehicles* and *trailers* incidental to a permitted non-residential use on the same *lot*;
 - ii. The temporary parking of *commercial motor vehicles* and *trailers* on a *lot* in a Residential Zone for the purposes of incidental deliveries, moving services, home maintenance, repair or construction services, for a period not exceeding 72 hours of any month;
 - iii. The temporary parking of one *recreational vehicle* or *trailer* not exceeding 3.6 metres in *height* within a permitted *driveway* on a *lot* in a Residential Zone, only between May 1st and October 31st, provided it does not occupy a *parking space* required by this By-law;
 - iv. The temporary parking of one *recreational vehicle* or *trailer* not exceeding 3.6 metres in *height*, used explicitly for the transporting of snowmobiles, within a permitted *driveway* on a *lot* in a Residential Zone, only between November 1st and April 30th, provided it does not occupy a *parking space* required by this By-law;
 - v. For the purposes of Subclauses (iii) and (iv), *height* shall be measured from the bottom of the wheels to the highest point of said *trailer* or *recreational vehicle*, including any load thereon, but excluding any antenna or satellite dish;
 - vi. This Subsection shall not apply to prevent parking of *commercial motor vehicles*, *recreational vehicles* or *trailers* within a permitted *building* or *parking area* in an *interior side yard* or *rear yard*, provided it does not occupy a *parking space* required by this By-law;
- g) No *parking area* shall be occupied or used in a manner that obstructs or protrudes into a municipal road allowance or private right-of-way.

3.12.7 Private Garages

The following regulations apply to *private garages*:

- a) A *private garage* shall be located on a *lot* containing a permitted *residential use*.
- b) No more than one *private garage*, attached or detached, shall be permitted on a *lot* in a Residential Zone within the urban area of Smithville. In residential zones outside of the urban area of Smithville a maximum of one detached and one attached private garage is permitted on a lot, except where otherwise specified in this By-law. (By-law 2019-63)
- c) Detached *private garages* shall be in accordance with Section 3.1 applicable to *accessory buildings or structures* and this Subsection.
- d) Attached *private garages* shall be located in accordance with the requirements of the applicable *zone*.
- e) For the purposes of meeting the parking requirements of this By-law, a *private garage* shall have a minimum *garage width* of 3 metres and a minimum depth of 5.5 metres with a maximum of one step having an allowable projection of 0.2 metre into this space.
- f) Except where otherwise specified in this By-law, the front of a *private garage* shall be located as follows:
 - i. No closer than 6 metres to a *public street*;
 - ii. In a residential, commercial or institutional zone, an attached private garage may project up to a maximum of 1.5 metres closer to the front lot line than the main front wall of the dwelling on the same lot [provided the front yard setback is met for the private garage]. Detached private garages must be located in accordance with Section 3.1; (By-law 2019-63)
 - iii. In all other zones where private garages are permitted, an attached private garage may project up to a maximum of 4 metres closer to the front lot line than the main front wall of the dwelling on the same lot [provided the front yard setback is met for the private garage]. Detached private garages must be located in accordance with Section 3.1; (By-law 2019-63)
 - iv. No closer to an *exterior side lot line* than a main exterior side wall of the *dwelling* on the same *lot*.
- g) The *height* of the garage door for an attached *private garage* shall not exceed 2.6 metres.
- h) The maximum *garage width* for an attached *private garage* shall be 50% of the total width of the *dwelling* on the *lot*, or 9.2 metres, whichever is less, except where otherwise specified in this By-law. The width of the *dwelling* shall be measured in a straight line along the main front wall of the *dwelling* between the outside edges of the side walls of the *dwelling*.

3.13 PROHIBITED USES

Unless otherwise specified in this By-law, the following uses are prohibited in any *zone*:

- a) Any use that is not specifically defined and listed in the permitted uses of a *zone* or permitted by the General Provisions of this By-law shall not be permitted in that *zone*.

- b) The refining, storage or use in manufacturing of coal oil, rock oil, water oil, naphtha, benzene, dynamite, dualine, nitroglycerin, or gunpowder, except where specifically permitted for commercial purposes. This provision shall not apply to prevent the above ground storage of such substances by a farmer, where such storage is incidental and accessory to a permitted *agricultural use*, or the use of natural gas, propane or fuel oil for purposes such as heating and cooking, in conjunction with any permitted use.
- c) The tanning or storage of uncured hides or skins.
- d) The boiling of blood, tripe, or bones for commercial purposes.
- e) The manufacturing of glue or fertilizers from dead animals or from human or animal waste.
- f) A livestock yard, livestock exchange, or dead stock yard.
- g) The extracting of oil from fish.
- h) Keeping or raising of any livestock, exotic bird, reptile or wild animal including tamed or domesticated wild animal or exotic bird or reptile on any residential *lot* or in any *building* or *structure* in a Residential *Zone*, but this shall not prevent the keeping of up to three (3) of any type of household pet, such as dogs, cats, hamsters, mice, rabbits, turtles.
- i) A junk-yard, *salvage yard*, *motor vehicle* wrecking yard, or the collection, storage or sale of junk, salvage, partially or completely dismantled *motor vehicles* or *trailers*, or parts of *motor vehicles* or *trailers*.
- j) A track for the driving, racing or testing of any motorized vehicle.
- k) A disposal site for solid waste.
- l) *Mobile homes*, *motor vehicles*, or *recreational vehicles* and *trailers* occupied as a permanent residence.
- m) Locating or storing on any land for any purpose whatsoever any disused railroad car, street car body, truck body, *motor vehicle* body, or *trailer* without wheels whether or not the same is situated on a foundation.
- n) Locating or storing *pre-fabricated shipping containers*.
- o) *Outside storage* of road salt, road sand or other de-icing materials at a scale or in a manner that could contaminate land or water.
- p) *Adult entertainment establishments*.
- q) *Obnoxious uses* as defined in Part 2.
- r) *Cannabis Production* of more than four (4) plants, unless otherwise permitted through a zoning bylaw amendment (Bylaw 2019-04)

3.14 PUBLIC USES

The following regulations apply to *public uses*:

- a) Public uses shall be permitted in all *zones*, in accordance with the requirements of this Section, except that permitted public uses within Environmental *Zones* shall be limited to *infrastructure* authorized under an environmental assessment process and works subject to the Drainage Act, unless otherwise specified in this By-law.
- b) Public uses shall comply with the regulations of the applicable *zone* and the applicable General Provisions of this By-law, except that this requirement shall not apply to permitted *infrastructure*.
- c) No *outside storage* shall be permitted unless such *outside storage* is specifically permitted in the applicable *zone*.
- d) Nothing in this By-law shall prevent *buildings* and *structures* used for the storage of road maintenance materials within a public works yard owned by a *public authority*.
- e) Any above-ground, utility or *public use* which is located in a Residential *Zone* shall be located and maintained in general harmony with the residential *buildings* permitted in such *Zone*.

3.15 RENEWABLE ENERGY SYSTEMS

The following regulations apply to *renewable energy systems* that are subject to this By-law:

- a) Except where specifically permitted otherwise in this By-law, a maximum of one (1) *renewable energy system*, not exceeding 10KW is permitted on a *lot*. Any *renewable energy systems* greater than 10KW on a lot shall require an Official Plan Amendment in accordance with Renewable Energy Policies (Official Plan Amendment No. 56).
- b) Any part of an accessory *renewable energy system* of less than 10KW that services a permitted *dwelling* shall comply with the following:
 - i. The requirements of the applicable *zone* for the *main building* on the *lot*, if located within or attached to the *dwelling*;
 - ii. The requirements of Section 3.1 applicable to *accessory buildings or structures*, if not located within or attached to the *dwelling*.
- c) Notwithstanding Clause (b) of this Section, a wind energy device that is accessory to a permitted *dwelling* may exceed the maximum *height* required for the *main building* on the *lot* by up to 3 metres measured to the top of the highest point of the device.
- d) Any part of an accessory *renewable energy system* of less than 10KW that services a permitted *agricultural use* or any other permitted non-residential use in a non-residential *zone* shall comply with the following:
 - i. The requirements of the applicable *zone* for the *main building* on the *lot*, if located within or attached to a permitted *main building* or *structure*; and
 - ii. The requirements of Section 3.1 applicable to *accessory buildings or structures*, if not located within or attached to a permitted *main building* or *structure*.
 - iii. Any *renewable energy system* greater than 10KW on a lot shall require an Official Plan Amendment in accordance with Renewable Energy Policies (Official Plan Amendment No. 56).

- e) Notwithstanding Clauses (d) of this Section, an accessory wind energy device that services a permitted *agricultural use* or any other permitted non-residential use in a non-residential *zone* and that is freestanding or attached to a permitted *main building* or *structure* shall comply with the following requirements:
 - i. Maximum *height* of 30 metres measured from the *average finished grade* to the top of the highest point of the wind energy device;
 - ii. Minimum setbacks equal to the *height* of the wind energy device to all *lot lines*, measured from the base of the wind energy device to the *lot line*; and,
 - iii. Minimum setbacks equal to the *height* of the wind energy device to all *dwellings*, measured from the base of the wind energy device to the nearest wall of the *dwelling*.

3.16 REQUIREMENTS FOR LOTS

The following regulations shall apply to all *lots*, *buildings* and *structures* in any *zone*:

- a) Except as otherwise provided in this By-law, no *building* or *structure* shall be *erected*, *altered*, extended or enlarged except upon a *lot* nor shall any land be used for any permitted *use* unless it comprises a *lot*; but this provision shall not prevent the *use* of any parcel or tract of land for a permitted *agricultural use* excluding any *building* or *structure* except a fence.
- b) Where two or more abutting *lots* under one identical ownership are consolidated for the purpose of development, the internal *lot lines* of the original *lots* shall not be construed to be *lot lines* for the purposes of applying the regulations of the applicable *zone*, provided that all applicable regulations of this By-law relative to the consolidated *lot* development and its external *lot lines* are complied with.
- c) For land that is subject to an approved draft plan of condominium, and any required site plan approval, where registration of the plan is intended to occur in phases and/or stages, the lands to which the draft approved plan of condominium is to be located shall be deemed to be one *lot* for the purpose of applying the provisions of this By-law.

3.17 SERVICES REQUIRED

No *lot*, *building* or *structure* in any *zone* shall be used unless the required municipal services or approved private services as set out in the applicable *zone* are available to service the *lot*, *buildings* or *structures*.

3.18 SETBACKS TO PIPELINES

3.18.1 TransCanada Pipelines

- a) Notwithstanding any other provisions of this By-Law to the contrary, no *main building* or *structure* shall be located closer than 7 metres from the limit of the right of way for a TransCanada Pipeline.
- b) Notwithstanding any other provisions of this By-Law to the contrary, no *accessory building* or *structure* shall be located closer than 3 metres from the limit of the right of way for a TransCanada Pipeline.

3.18.2 Enbridge Pipelines

- a) Notwithstanding any other provisions of this By-Law to the contrary, no *building* or *structure* used for a *dwelling* or associated with a *dwelling* shall be located closer than 3 metres from the limit of the right of way for an Enbridge Pipeline.

3.19 SETBACKS TO PUBLIC STREETS

- a) Notwithstanding any other provisions of this By-Law to the contrary, *yard* and setback requirements adjacent to the *public streets* listed in Table 8 shall be measured a minimum distance from the centreline of the original road allowance in accordance with Table 8.

Table 8: Required Setbacks to Public Streets

<i>Public Street</i>	Required Minimum Distance from Centre Line of <i>Public Street</i> for <i>Yards</i> and <i>Setbacks</i>
<i>Public streets</i> under <i>Township</i> jurisdiction	10 metres
Regional Road 20 – outside of the Smithville <i>settlement area</i>	17.5 metres
Regional Road 20 – within the Smithville <i>settlement area</i>	10.05 metres
All other Regional Roads	13.1 metres

- b) A minimum setback of 14 metres shall be required along the designated Highway 20 by-pass for all *buildings* and *structures*.

3.20 GENERAL SETBACKS TO RAILWAYS, PETROLIUM RESOURCES AND SEWAGE LAGOONS

- a) Notwithstanding any other provisions of this By-Law to the contrary, all *buildings* and *structures* used for a *dwelling*, *place of worship*, *day care*, or a *private or public school* shall be located no closer than 30 metres from the limit of any railway right of way.
- b) Notwithstanding any other provisions of this by-law to the contrary, no *building* or *structure* shall be located closer than 75 metres from any petroleum resource wells. (By-law 2019-63)
- c) No new *dwelling* or other sensitive land *uses* are to be permitted within 150 metres of the former Smithville Sewage Lagoon outside of the urban Area Boundary. (By-law 2019-63)

3.21 SETBACKS TO WATERCOURSES

Except as otherwise provided for *existing buildings* and *structures* in Section 3.5 of this By-law, all *principal buildings* and *structures* and *dwellings* or other *buildings* or *structures* containing *dwelling units* or *habitable rooms* shall be setback a minimum of 15 metres from the top-of-bank or high water mark of *municipal drains* and other watercourses.

3.22 SIGHT TRIANGLES

The following regulations apply to *sight triangles*:

- a) *Sight triangles* shall be provided and maintained on all *corner lots* where no triangular or curved area of land has been incorporated into the right of way of a *public street*, and on *lots* abutting a railway right of way where it intersects with a *public street* at grade.
- b) Within a required *sight triangle*, no *building* or *structure* or *landscaping* shall be greater than 0.8 metre in *height* above the *average finished grade* at the *street line*.
- c) *Sight triangles* shall have minimum dimensions in accordance with Table 9:

Table 9: Required Sight Triangles

Intersection Type		<i>Sight Triangle Dimensions</i>
<i>Public streets</i> under <i>Township</i> jurisdiction	Residential <i>Zones</i>	6 metres
	Other <i>Zones</i>	7.5 metres
<i>Public streets</i> and railways		In accordance with Schedule “C” – Transport Canada Guide for Determining Minimum Sightlines at Grade Crossings
Any intersection involving a Regional Road		In accordance with <i>Regional Municipality</i> of Niagara requirements

3.23 SIGNS

Unless otherwise specified, *signs* shall be erected in accordance with the sign bylaw, 2020-54, as amended from time to time. (Bylaw 2020-97)

3.24 SWIMMING POOLS AND HOT TUBS

- a) *Swimming pools* and all associated equipment such as, but not limited to, pumps, filters and heating equipment shall be located as follows:
 - i. Shall not be located within a *front yard*;
 - ii. Setback a minimum of 1.8m from any *dwelling* on the same *lot*, measured to the water’s edge;
 - iii. Setback a minimum of 1.2m from any other *building* on the same *lot*, measured to the water’s edge;
 - iv. In a Residential *Zone*, setback a minimum of 3m to an *exterior side lot line*, and 1.2m to an *interior side lot line* and *rear lot line*;
 - v. In an Agricultural *Zone*, setback a minimum of 12m to an *exterior side lot line*, and 2m to an *interior side lot line* and *rear lot line*;
 - vi. In any other *zone*, setback a minimum of 4.5m to an *exterior side lot line*, and 1.2m to an *interior side lot line* and *rear lot line*.
- b) *Hot tubs* shall be located as follows:
 - i. Shall not be located within a *front yard*;
 - ii. Setback a minimum of 1.2m to any *side lot line* and *rear lot line*, measured to the water’s edge.

- c) Every *swimming pool* and hot tub *hot tub* shall be enclosed and secured in accordance with the *Township's* by-laws regulating fences, gates, pool enclosures and covers.
- d) The regulations of this Section do not apply to a *swimming pool* or *hot tub* owned by a *public authority*.

3.25 TEMPORARY USES

3.25.1 Construction Uses

The following regulations apply to temporary construction *uses*:

- a) Notwithstanding any other provisions of this By-law to the contrary, incidental construction uses, *buildings* and *structures* are permitted on any *lot* in all *zones* provided:
 - i. The construction is in accordance with a valid *building* permit, site alteration permit or other required permit or approval; and,
 - ii. All temporary *buildings*, *structures* and materials associated with the construction are removed from the *lot* upon completion of the work or if the work is discontinued for a period of 60 days; and,
 - iii. *Buildings* and *structures* for incidental construction uses may be established on the *lot* prior to *erecting* the *main building*, provided it is used for no other purpose than storage.
 - iv. *Temporary construction uses* shall not include a mobile home or other temporary dwelling unit unless the dwelling on the same lot was recently completely or partially destroyed by fire, lightning, explosion, tempest, flood or Act of God, subject on the property owner entering into an agreement with the Township to allow the Temporary use of a mobile home during the construction of a replacement dwelling. (By-law 2019-63)
- b) The provision of this By-law shall not apply to prevent incidental construction uses for approved *infrastructure*.

3.25.2 Model Homes

The following regulations apply to *model homes*:

- a) Notwithstanding any other provisions of this By-law to the contrary, *model homes* are permitted on land that is subject to an approved draft plan of subdivision or condominium for *residential uses*, provided:
 - i. The number of *model homes* shall not exceed 20 *dwelling units* or 10% of the *dwelling units* approved in the draft plan of subdivision or condominium, whichever is the lesser, or as otherwise provided in a development agreement; and,
 - ii. The *model home* is built within a *lot* defined by the draft approved plan of subdivision or condominium; and,
 - iii. The *model home* complies with all other requirements of this By-law for the applicable type of *dwelling unit* with the exception of the parking requirements; and,
 - iv. The *buildings* are used for the purpose of *model homes* only and shall not be occupied prior to the date of registration of the plan subdivision or condominium and the development agreement.

3.25.3 Temporary Sales Offices

The following regulations apply to temporary sales offices:

- a) Notwithstanding any other provisions of this By-law to the contrary, temporary sales offices are permitted on land that is subject to an approved draft plan of subdivision or condominium for *commercial uses, industrial uses, institutional uses* or *residential uses*, or on a *lot* in a *zone* that permits the proposed development, provided:
 - i. The temporary sales office shall only be permitted for such period that work within a relevant plan of subdivision or condominium remains in progress, having not been finished or discontinued for 60 days; and,
 - ii. The temporary sales office shall comply with the regulations of the applicable *zone*; and,
 - iii. The required parking facilities shall be provided in accordance with Section 3.12; and,
 - iv. The *lots* or units to be sold shall be located within the *Township*.

3.26 WASTE STORAGE ENCLOSURES

The following regulations apply to *waste storage enclosures*:

- a) Where the storage of waste generated or received on a *lot* is not contained within a *building*, a *waste storage enclosure* shall be provided and maintained on the *lot*.
- b) A *waste storage enclosure* shall not be located:
 - i. Within a *front yard* or *exterior side yard*; or
 - ii. Within any *required yard* adjoining a *lot line* of a *lot* in a *Residential Zone*; or
 - iii. Within any required *landscaped open space, loading space, parking area* or *planting strip*.
- c) This Section shall not apply to a permitted *waste management facility* or the temporary storage of waste associated with an incidental construction *use*.

3.27 WAYSIDE PITS OR QUARRIES

The following regulations apply to *wayside pits or quarries*:

- a) A *wayside pit or quarry* used for *public authority* contracts shall be permitted in any *zone* except a *Residential Zone* or an *Environmental Protection Zone*, provided:
 - i. The *wayside pit or quarry* shall not be located closer than 150 metres to the boundary of any *Residential Zone*, measured from the nearest limit of the operation; and,
 - ii. The *wayside pit or quarry* is established and operated in accordance with the terms and conditions of a valid permit by the Minister of Natural Resources.

3.28 URBAN DESIGN

All development within the Township of West Lincoln should conform to the Township of West Lincoln Urban Design Manual. (By-law 2019-63)

PART 4. ESTABLISHMENT OF ZONES

4.1 ESTABLISHMENT OF ZONES

The *zones* and *zone* symbols of this By-law are established in Table 10 and apply to the land subject to this By-law as shown in Schedule “A”.

Table 10: Zones and Zone Symbols

ZONE	SYMBOL
AGRICULTURAL ZONES	
Agricultural	A
Agricultural Purposes Only	APO
Agriculture-Related	AR
RESIDENTIAL ZONES	
Rural Residential	RuR
Residential Low Density – Type 1A	R1A
– Type 1B	R1B
– Type 1C	R1C
– Type 1D	R1D
Residential Low Density – Type 2	R2
Residential Low Density – Type 3	R3
Residential Medium Density – Type 1	RM1
Residential Medium Density – Type 2	RM2
Residential Medium Density – Type 3	RM3
Residential High Density	RH
COMMERCIAL ZONES	
Core Commercial	C1
Neighbourhood Commercial	C2
Service Commercial	C3
Commercial Plaza	C4
EMPLOYMENT ZONES	
Office and Business Park Employment	M1
Industrial Employment	M2
Extractive Industrial	M3
INSTITUTIONAL ZONES	
Institutional	I
OPEN SPACE & RECREATION ZONES	
Open Space	OS
Open Space Recreation	OSR
ENVIRONMENTAL ZONES	
Environmental Protection	EP
Environmental Conservation	EC
OTHER ZONES	
Development	D

4.2 MULTIPLE USES AND MULTIPLE ZONES

The following regulations apply to *lots* used for multiple uses or within multiple *zones*:

- a) Notwithstanding any other provisions of this By-law to the contrary, where any land, *building* or *structure* is used for more than one purpose:
 - i. All provisions of this By-law relating to each *use* shall be complied with; and,
 - ii. No *dwelling* shall be located within 3 metres of any other *building* on the *lot* except a *building* accessory to such *dwelling*; and,
 - iii. Subclause (ii) shall not apply to permitted *accessory dwellings* within a *building* containing a permitted non-*residential use*.
- b) Where a *lot* is located in more than one *zone*:
 - i. Each portion of the *lot* shall be subject to the permitted uses and regulations of the applicable *zone* applying to that portion of the *lot*, except that the *lot area* and *lot frontage* shall be determined for the entire *lot* and shall comply with the largest minimum *lot area* and minimum *lot frontage* requirements of the applicable *zones*; and,
 - ii. A *zone* boundary dividing the *lot* into two or more *zones* shall not be deemed to be a *lot line* for the purposes of this By-law, except that the boundaries of the Environmental Protection *Zone* shall be deemed to be a *lot line* only for the purposes of determining required *yards*.

4.3 SPECIAL PROVISIONS AND SYMBOLS

4.3.1 Holding Provisions

- a) Where a *zone* symbol is followed by an upper case letter “H”, a hyphen and a number, all in parentheses, the symbol refers to a holding provision that applies to the land as shown on Schedule “A”. The land shall be subject to the holding provision and the requirements of the *zone*. Holding provisions are established in Section 13.1.

4.3.2 Site-Specific Provisions

- a) Where a *zone* symbol is followed by a hyphen and a number, the symbol refers to a site-specific provision that applies to the land as shown on Schedule “A”. The land shall be subject to the site-specific provision and the requirements of the *zone*. Site-specific provisions are established in Section 13.2.

4.3.3 Temporary Use Provisions

- a) Where a *zone* symbol is followed by the upper case letter “T”, a hyphen and a number, all in parentheses, the symbol refers to a temporary *use* provision that applies to the land as shown on Schedule “A”. The land shall be subject to the temporary *use* provision until the temporary *use* provision expires, and the requirements of the *zone*. Temporary *use* provisions are established in Section 13.3.

PART 5. AGRICULTURAL ZONES

5.1 APPLICABLE ZONES

The permitted *uses* and regulations of Part 5 apply to land within the following *zones*:

Zone	Symbol
Agricultural <i>Zone</i>	A
Agricultural Purposes Only <i>Zone</i>	APO
Agriculture-Related <i>Zone</i>	AR

These *zones* apply to land identified with the corresponding *zone* symbol as shown in Schedule “A”.

5.2 PERMITTED USES

In the *zones* identified in Section 5.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the permitted *uses* in Table 11.

Table 11: Permitted Uses in Agricultural Zones

Uses	Zones where Permitted		
	A	APO	AR
Principal Uses			
<i>Agricultural use</i>	A	APO	
<i>Agriculture-related use</i>			AR ⁽²⁾
<i>Agricultural service and supply establishment</i>			AR ⁽²⁾
<i>Commercial kennel</i> (see s. 3.8)			AR ⁽²⁾
<i>Contractors establishment</i>			AR ⁽²⁾
<i>Garden centre</i>			AR ⁽²⁾
<i>Pet care establishment</i> (see s. 3.8)			AR ⁽²⁾
<i>Private kennel</i> (see s. 3.8)			AR ⁽²⁾
<i>Service shop</i>			AR ⁽²⁾
<i>Single detached dwelling</i>	A		
<i>Veterinary clinic</i>			AR ⁽²⁾
<i>Wayside pit or quarry</i> (see s. 3.27)	A	APO	AR
Accessory Uses⁽¹⁾			
<i>Accessory buildings or structures and accessory uses</i> (see s. 3.1)	A ⁽¹⁾	APO ⁽¹⁾	AR ⁽¹⁾
<i>Accessory dwelling unit</i> (see s. 3.2)	A ⁽¹⁾		
<i>Accessory farm dwelling</i> (see s. 3.2)	A ⁽¹⁾		
<i>Garden suite</i> (see s. 3.2)	A ⁽¹⁾		
<i>Group home</i> (see s. 3.6)	A ⁽¹⁾		
<i>Home occupation</i> (see s. 3.7)	A ⁽¹⁾		
<i>On-farm diversified uses</i> (see s. 3.11), including:	A ⁽¹⁾		
<i>Agriculture-related use</i> (see s. 3.11)	A ⁽¹⁾		

Uses	Zones where Permitted		
	A ⁽¹⁾	APO ⁽¹⁾	AR ⁽¹⁾
<i>Agricultural service and supply establishment</i> (see s. 3.11)	A ⁽¹⁾		
<i>Agri-tourism / value-added use</i> (see s. 3.11)	A ⁽¹⁾		
<i>Bed and breakfast establishment</i> (see s. 3.4)	A ⁽¹⁾		
<i>Home industry</i> (see s. 3.7)	A ⁽¹⁾		
<i>Home occupation</i> (see s. 3.7)	A ⁽¹⁾		
<i>Pet care establishment</i> (see s. 3.8)	A ⁽¹⁾		
<i>Private kennel</i> (see s. 3.8)	A ⁽¹⁾		
<i>Service Shop</i> (see s. 3.11)	A ⁽¹⁾		
<i>Veterinary Clinic</i> (see s. 3.11)	A ⁽¹⁾		
<i>Outside display and sales area</i>			AR ⁽¹⁾
<i>Outside storage</i>	A ⁽¹⁾	APO ⁽¹⁾	AR ⁽¹⁾
<i>Pet care establishment</i> (see s. 3.8)	A ⁽¹⁾		
<i>Private kennel</i> (see s. 3.8)	A ⁽¹⁾		
<i>Renewable energy system</i> (see s. 3.15)	A ⁽¹⁾	APO ⁽¹⁾	AR ⁽¹⁾

(1) Denotes uses that are only permitted accessory to or in conjunction with a permitted *principal use*.

(2) These permitted *principal uses* in the AR Zone shall be directly related to *agricultural uses* in the area, require a location that is in close proximity to *agricultural uses*, and directly provide products and/or services to *agricultural uses* as the primary business.

5.3 REGULATIONS

In the *zones* identified in Section 5.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the regulations in Table 12.

Table 12: Regulations for Permitted Uses in Agricultural Zones

Regulation		Zone Requirements		
		A	APO	AR
Minimum <i>lot area</i>		40 ha	39 ha	0.4 ha
Minimum <i>lot frontage</i>		100m		50m
Minimum <i>front yard</i>	<i>Dwelling</i>	15m	-	
	<i>Greenhouse</i>	30m		
	<i>Mushroom farm building</i>	150m ⁽¹⁾		-
	<i>Other main building</i>	20m		10m
Minimum <i>exterior side yard</i>	<i>Dwelling</i>	15m	-	-
	<i>Greenhouse</i>	30m		
	<i>Mushroom farm building</i>	150 m ⁽¹⁾		-
	<i>Other main building</i>	20m		10m
Minimum <i>interior side yard</i>	<i>Dwelling</i>	5m	-	-
	<i>Greenhouse</i>	15m ⁽²⁾		
	<i>Mushroom farm building</i>	75m ⁽¹⁾		-
	<i>Other main building</i>	15m	7.5m	

Regulation		Zone Requirements		
		A	APO	AR
Minimum <i>rear yard</i>	<i>Dwelling</i>	15m	-	-
	<i>Greenhouse</i>	15m ⁽²⁾		
	Mushroom farm <i>building</i>	75m ⁽¹⁾		-
	Other <i>main building</i>	20m	7.5m	
Maximum <i>lot coverage</i>	<i>Greenhouses</i>	70%	40%	
	Other <i>buildings or structures</i>	10%		
Maximum <i>height</i>		15m	15m	
Minimum <i>landscaped open space</i>		No minimum	10%	
Maximum <i>outside storage</i>		5% of <i>lot area</i> ⁽³⁾	10% of <i>lot area</i> ⁽³⁾	

⁽¹⁾No *building* or *structure* used for the growing of mushrooms shall be located closer than 150 metres to the nearest main wall of a *dwelling* on a separate *lot* or any *street line*, and 300 metres to the nearest boundary of an Institutional *Zone* or a Residential *Zone* other than the Rural Residential *Zone*.

⁽²⁾The minimum *interior side yard* and *rear yard* for a *greenhouse* shall be 25 metres where one or more ventilating fans exhaust into the respective *yard*.

⁽³⁾*Outside storage* for purposes other than *outside display and sales areas* on the *lot* shall be located in a *rear yard* or *side yard* and screened from view from *public streets* and adjacent *lots*. No manure, compost or equipment storage area shall be permitted within 30 metres of a *street line* or a *lot line* of a separate *lot* that contains a *residential use* or the top of bank of a *municipal drain* or watercourse.

PART 6. RESIDENTIAL ZONES

6.1 APPLICABLE ZONES

The permitted *uses* and regulations of Part 6 apply to land within the following *zones*:

Zone	Symbol
Rural Residential	RuR
Residential Low Density	– Type 1A R1A
	– Type 1B R1B
	– Type 1C R1C
	– Type 1D R1D
	– Type 2 R2
	– Type 3 R3
Residential Medium Density	– Type 1 RM1
	– Type 2 RM2
	– Type 3 RM3
Residential High Density	RH

These *zones* apply to land identified with the corresponding *zone* symbol as shown in Schedule “A”.

6.2 PERMITTED USES

In the *zones* identified in Section 6.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the permitted *uses* in Table 13.

Table 13: Permitted Uses in Residential Zones

Uses	Zones where Permitted										
Principal Uses											
<i>Apartment dwelling</i>										RM3	RH
<i>Duplex dwelling</i>									RM2		
<i>Fourplex dwelling</i>									RM2	RM3	
<i>Retirement home</i>											RH
<i>Semi-detached dwelling</i>						R2	R3	RM1	RM2	RM3	
<i>Single detached dwelling</i>	RuR	R1A	R1B	R1C	R1D	R2	R3				
<i>Stacked townhouse dwelling</i>										RM3	
<i>Street townhouse dwelling</i>								RM1	RM2	RM3	
<i>Townhouse dwelling</i>									RM2	RM3	
<i>Triplex dwelling</i>									RM2	RM3	
Accessory Uses ⁽¹⁾											
<i>Accessory buildings or structures and accessory uses (see s. 3.1)</i>	RuR ⁽¹⁾	R1A ⁽¹⁾	R1B ⁽¹⁾	R1C ⁽¹⁾	R1D ⁽¹⁾	R2 ⁽¹⁾	R3 ⁽¹⁾	RM1 ⁽¹⁾	RM2 ⁽¹⁾	RM3 ⁽¹⁾	RH ⁽¹⁾
<i>Accessory dwelling unit (see s. 3.2)</i>	RuR ⁽¹⁾	R1A ⁽¹⁾	R1B ⁽¹⁾	R1C ⁽¹⁾	R1D ⁽¹⁾	R2 ⁽¹⁾	R3 ⁽¹⁾				
<i>Bed and breakfast establishment (see s. 3.4)</i>	RuR ⁽¹⁾	R1A ⁽¹⁾	R1B ⁽¹⁾	R1C ⁽¹⁾	R1D ⁽¹⁾						

Uses	Zones where Permitted										
<i>Boarding or rooming house</i>	RuR ⁽¹⁾	R1A ⁽¹⁾	R1B ⁽¹⁾	R1C ⁽¹⁾	R1D ⁽¹⁾						RM3 ⁽¹⁾
<i>Garden suite</i> (see s. 3.2)	RuR ⁽¹⁾	R1A ⁽¹⁾	R1B ⁽¹⁾	R1C ⁽¹⁾	R1D ⁽¹⁾						
<i>Group home</i> (see s. 3.6)	RuR ⁽¹⁾	R1A ⁽¹⁾	R1B ⁽¹⁾	R1C ⁽¹⁾	R1D ⁽¹⁾	R2 ⁽¹⁾	R3 ⁽¹⁾				
<i>Home occupation</i> (see s. 3.7)	RuR ⁽¹⁾	R1A ⁽¹⁾	R1B ⁽¹⁾	R1C ⁽¹⁾	R1D ⁽¹⁾	R2 ⁽¹⁾	R3 ⁽¹⁾				
<i>Renewable energy system</i> (see s. 3.15)	RuR ⁽¹⁾	R1A ⁽¹⁾	R1B ⁽¹⁾	R1C ⁽¹⁾	R1D ⁽¹⁾	R2 ⁽¹⁾	R3 ⁽¹⁾	RM1 ⁽¹⁾	RM2 ⁽¹⁾	RM3 ⁽¹⁾	RH ⁽¹⁾

⁽¹⁾ Denotes *uses* that are only permitted accessory to or in conjunction with a permitted *principal use*.

6.3 REGULATIONS

In the *zones* identified in Section 6.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the regulations in Tables 14 and 15.

Table 14: Regulations for Permitted Uses in Low Density and Rural Residential Zones

Regulation				Zone Requirements							
				RuR	R1A	R1B	R1C	R1D	R2	R3	
Minimum lot area	Municipal services	<i>Single detached dwelling</i>		0.4 ha	800m ²	550m ²	475m ²	400m ²	360m ²	300m ²	
		<i>Semi-detached dwelling</i> ⁽¹⁾		-					720m ²	450m ²	
	Private services				0.4 ha	-					
Minimum lot frontage	Municipal services	<i>Corner lot</i>	<i>Single detached dwelling</i>		45m	21m	18m	15m	15m	12.5m	
			<i>Semi-detached dwelling</i> ⁽¹⁾		-					24m	18m
		<i>Other lot</i>	<i>Single detached dwelling</i>		45m	21m	18m	15m	13m	12m	10m
			<i>Semi-detached dwelling</i> ⁽¹⁾		-					24m	18m
	Private services				45m	-					
Minimum front yard	<i>Dwelling</i>		15m	7.5m	6m	4.5m					
	<i>Private garage</i> ⁽⁴⁾		6m								
Minimum exterior side yard				9m	6m	5m	4.5m			3m	
Minimum interior side yard	<i>Dwelling</i>		3m		1.5m	1.2m		1.2m ⁽²⁾			
	<i>Private garage</i> (attached to <i>dwelling</i>) ⁽⁴⁾		0.6m ⁽³⁾								
Minimum rear yard				15m	10m	7.5m					
Maximum lot coverage	Municipal services		20%	35%	40%	45%					
	Private services		20%	20%	-						
Maximum height				10m							
Minimum landscaped open space				35%	30%	25%					

⁽¹⁾ Where each *dwelling unit* of a *semi-detached dwelling* is located on a separate *lot*, the minimum *lot area* and minimum *lot frontage* for each *dwelling unit* shall be half the requirement identified above for the applicable *zone*.

⁽²⁾ Where each *dwelling unit* of a *semi-detached dwelling* is located on a separate *lot*, no *interior side yard* shall be required along the common *lot line* of the attached wall joining the two *dwelling units*.

⁽³⁾ This provision shall only apply where an attached *private garage* is located on a *lot* where the nearest *interior side yard* on the adjoining *lot* is required to be 1.2 metres or greater in width. If the nearest *interior side yard* on the adjoining *lot* is permitted to be less 1.2 metres, the minimum *interior side yard* for the *private garage* shall be 1.2 metres.

⁽⁴⁾ Refer to Section 3.12.7 *Private Garages* for further regulations.

Table 15: Regulations for Permitted Uses in Medium and High Density Residential Zones

Regulation		Zone Requirements			
		RM1	RM2	RM3	RH
Minimum lot area (per dwelling unit)	<i>Apartment dwelling</i>	-		160m ²	120m ²
	<i>Duplex dwelling</i>	-	250m ²	-	
	<i>Fourplex dwelling</i>	-		180m ²	-
	<i>Retirement home</i>	-			120m ²
	<i>Semi-detached dwelling</i> ⁽¹⁾	270m ²	200 m ²		-
	<i>Stacked townhouse dwelling</i>	-	-	160m ²	-
	<i>Street townhouse dwelling</i>	225m ²	180m ²		-
	<i>Townhouse dwelling</i>	-	200m ²	180m ²	-
	<i>Triplex dwelling</i>	-	250m ²	200m ²	-
Minimum lot frontage ⁽²⁾	<i>Apartment dwelling</i>	-		30m	
	<i>Duplex dwelling</i>	-	20m	-	
	<i>Fourplex dwelling</i>	-	30m		-
	<i>Retirement home</i>	-			30m
	<i>Semi-detached dwelling</i> ⁽¹⁾	9m/unit	8m/unit		-
	<i>Stacked townhouse dwelling</i>	-	-	30m	-
	<i>Street townhouse dwelling</i>	7.5m/unit	6m/unit		-
	<i>Townhouse dwelling</i>	-	30m		-
	<i>Triplex dwelling</i>	-	20m	18m	-
Minimum front yard	<i>Dwelling</i>	4.5m			7.5m
	<i>Private garage</i>	6m			
Minimum exterior side yard		3m		Greater of 50% of building height or 3m	
Minimum interior side yard	Adjoining a lot in a low density residential zone	3m ⁽³⁾			
	Adjoining a lot in any other zone	1.2m ⁽³⁾		3m	
Minimum rear yard ⁽⁴⁾	Adjoining a lot in a low density residential zone	7.5m			
	Adjoining a lot in any other zone	6m			
Maximum lot coverage		45%	50%		
Minimum separation distance between dwellings on the same lot	Between exterior side walls	-	3m		
	Between exterior front or rear walls		12m		
	Between exterior front or rear walls and side walls		7.5m		
Maximum height		10m	12m		15m
Minimum landscaped open space		25%			
Minimum amenity area ⁽⁵⁾	<i>Dwelling with 3 or 4 dwelling units on one lot</i>	-	20m ² per dwelling unit		
	<i>Dwelling with 5 to 8 dwelling units on one lot</i>		40m ² plus 10m ² per dwelling unit		
	<i>Dwelling with 9 or more dwelling units on one lot</i>		-	80m ² plus 5.5m ² per dwelling unit	

- (1) Where *semi-detached dwellings* are located in the RM2 or RM3 zone, the *dwelling units* shall be located on lands within a Registered Plan of Condominium or shall be tied to a common elements condominium *private street*.
- (2) Where multiple attached *dwellings* are located on the same *lot* in the RM2 or RM3 Zone, including more than one type of attached *dwelling*, the minimum *lot frontage* requirement of the RM2 or RM3 zone, as applicable, shall be 30 metres in the case of a *lot* that contains one or more *fourplex* and/or *townhouse dwelling* and/or *stacked townhouse dwelling*, and 20 metres in all other cases, and shall apply to the entire *lot*. For *semi-detached dwellings* where each unit is located on a separate *lot*, and for *street townhouse dwellings*, each *lot* shall meet the prescribed minimum *lot frontage*.
- (3) Where each *dwelling unit* of a *semi-detached dwelling* is located on a separate *lot*, and for *street townhouse dwellings*, no *interior side yard* shall be required along the common *lot line* of the attached wall joining two *dwelling units*.
- (4) No rear yard is required for a *back-to-back townhouse dwelling*.
- (5) No common outdoor *amenity area* provided at grade shall have an area less than 40m².

PART 7. COMMERCIAL ZONES

7.1 APPLICABLE ZONES

The permitted *uses* and regulations of Part 7 apply to land within the following *zones*:

Zone	Symbol
Core Commercial	C1
Neighbourhood Commercial	C2
Service Commercial	C3
Commercial Plaza	C4

These *zones* apply to land identified with the corresponding *zone* symbol as shown in Schedule “A”.

7.2 PERMITTED USES

In the *zones* identified in Section 7.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the permitted *uses* in Table 16.

Table 16: Permitted Uses in Commercial Zones

Uses	Zones where Permitted			
<i>Principal Uses</i>				
<i>Apartment dwelling</i>	C1			
<i>Art gallery</i>	C1			
<i>Commercial kennel (see s. 3.8)</i>			C3	
<i>Commercial school</i>	C1	C2	C3	C4
<i>Communications establishment</i>	C1		C3	C4
<i>Contractors establishment</i>			C3	
<i>Day care</i>		C2		
<i>Drive-through facility (see s. 3.12)</i>			C3	C4
<i>Dry cleaning/ laundry depot</i>	C1	C2	C3	C4
<i>Financial institution</i>	C1		C3	C4
<i>Funeral home</i>	C1		C3	
<i>Garden centre</i>			C3	C4
<i>Hotel/ motel</i>			C3	
<i>Motor vehicle dealership</i>			C3	
<i>Motor vehicle gasoline bar</i>			C3	C4
<i>Motor vehicle repair establishment</i>			C3	
<i>Motor vehicle service station</i>			C3	C4
<i>Motor vehicle washing establishment</i>			C3	C4
<i>Office, including a medical office</i>	C1	C2	C3	C4
<i>Personal service shop</i>	C1	C2	C3	C4

Uses	Zones where Permitted			
<i>Pet care establishment</i> (see s. 3.8)			C3	C4
<i>Place of entertainment</i>	C1		C3	C4
<i>Private club</i>	C1		C3	C4
<i>Recreation facility</i>	C1		C3	C4
<i>Restaurant</i>	C1	C2	C3	C4
<i>Retail store</i>	C1	C2	C3	C4
<i>Service shop</i>	C1		C3	C4
<i>Shopping center</i>				C4
<i>Studio</i>	C1	C2	C3	C4
<i>Veterinary clinic</i>	C1		C3	C4
<i>Wayside pit or quarry</i> (see s. 3.27)			C3	C4
Accessory Uses ⁽¹⁾				
<i>Accessory buildings or structures and accessory uses</i> (see s. 3.1)	C1 ⁽¹⁾	C2 ⁽¹⁾	C3 ⁽¹⁾	C4 ⁽¹⁾
<i>Accessory dwelling units</i> (see s. 3.2)	C1 ⁽¹⁾			
<i>Outside display and sales area</i>			C3 ⁽¹⁾	C4 ⁽¹⁾
<i>Outside storage</i>			C3 ⁽¹⁾	C4 ⁽¹⁾
<i>Renewable energy system</i> (see s. 3.15)	C1 ⁽¹⁾	C2 ⁽¹⁾	C3 ⁽¹⁾	C4 ⁽¹⁾

⁽¹⁾ Denotes *uses* that are only permitted accessory to or in conjunction with a permitted *principal use*.

7.3 REGULATIONS

In the *zones* identified in Section 7.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the regulations in Table 17.

Table 17: Regulations for Permitted Uses in Commercial Zones

Regulation		Zone Requirements			
		C1 ^{(1),(2)}	C2	C3	C4
Minimum <i>lot area</i>		-	500m ²	750m ²	900m ²
Minimum <i>lot frontage</i>		-	15m	25m	30m
Minimum <i>front yard</i>	Adjoining Regional Road 14 or 20	-	6m	9m	
	Other	6m			
Minimum <i>exterior side yard</i>	Adjoining Regional Road 14 or 20	-	6m		
	Other	6m			
Minimum <i>interior side yard</i>	Adjoining a <i>lot</i> in a Residential <i>Zone</i>	3m	5m	9m	
	Other	-	3m	6m	
Minimum <i>rear yard</i>	Adjoining a <i>lot</i> in a Residential <i>Zone</i>	6m	6m	9m	
	Other			6m	
Maximum <i>lot coverage</i>		-	45%	50%	
Maximum <i>height</i>		15m	10m		
Minimum <i>landscaped open space</i>		-	20%	10%	
Maximum <i>outside storage</i>		-		5% of <i>lot area</i> ⁽³⁾	

Regulation		Zone Requirements			
		C1 ^{(1),(2)}	C2	C3	C4
Maximum <i>gross leasable floor area</i>	<i>Per commercial use</i>	-	280m ²	-	-
	<i>Total % of lot area</i>	-	45%	-	50%

- ⁽¹⁾ An *apartment dwelling* in the C1 Zone shall be permitted as an exclusive *principal use* of a *main building* or shall be located above the first *storey* within a *main building* containing a permitted non-residential *principal use* on the ground floor, and shall be subject to the minimum *lot area*, minimum separation distance between *dwellings* on the same *lot* and minimum *amenity area* requirements of the RH Zone in accordance with Section 6.3, Table 15. All other requirements of the C1 Zone shall apply.
- ⁽²⁾ The maximum number of *accessory dwelling units* on a *lot* in the C1 Zone shall not exceed 1 *dwelling unit* per 120 m² of *lot area*.
- ⁽³⁾ *Outside storage* for purposes other than *outside display and sales areas* on the *lot* shall be located in a *rear yard* or *side yard* and screened from view from *public streets* and adjacent *lots*.

PART 8. EMPLOYMENT ZONES

8.1 APPLICABLE ZONES

The permitted *uses* and regulations of Part 8 apply to land within the following *zones*:

Zone	Symbol
Office and Business Park Employment	M1
Industrial Employment	M2
Extractive Industrial	M3

These *zones* apply to land identified with the corresponding *zone* symbol as shown in Schedule “A”.

8.2 PERMITTED USES

In the *zones* identified in Section 8.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the permitted *uses* in Table 18.

Table 18: Permitted Uses in Employment Zones

Uses	Zones where Permitted		
	M1	M2	M3
Principal Uses			
<i>Animal shelter</i>	M1		
<i>Commercial kennel</i>	M1		
<i>Commercial school</i>	M1		
<i>Communications establishment</i>		M2	
<i>Contractors establishment</i>		M2	
<i>Dry cleaning/ laundry establishment</i>	M1		
<i>Industrial use</i>		M2	
<i>Mineral aggregate operation</i>			M3
<i>Motor vehicle body shop</i>		M2	
<i>Office, including a medical office</i>	M1		
<i>Pet care establishment</i>	M1		
<i>Recreation facility</i>	M1		
<i>Service shop</i>		M2	
<i>Studio</i>	M1		
<i>Veterinary clinic</i>	M1		
<i>Wayside pit or quarry</i> (see s. 3.27)	M1	M2	M3
Accessory Uses ⁽¹⁾			
<i>Accessory buildings or structures and accessory uses</i> (see s. 3.1)	M1 ⁽¹⁾	M2 ⁽¹⁾	M3 ⁽¹⁾
<i>Office</i>		M2 ⁽¹⁾	
<i>Outside storage</i>	M1 ⁽¹⁾	M2 ⁽¹⁾	M3 ⁽¹⁾
<i>Renewable energy system</i> (see s. 3.15)	M1 ⁽¹⁾	M2 ⁽¹⁾	M3 ⁽¹⁾

Uses	Zones where Permitted		
	M1 ⁽¹⁾	M2 ⁽¹⁾	M3 ⁽¹⁾
Retail store			

⁽¹⁾ Denotes *uses* that are only permitted accessory to or in conjunction with a permitted *principal use*.

8.3 REGULATIONS

In the *zones* identified in Section 8.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the regulations in Table 19.

Table 19: Regulations for Permitted Uses in Employment Zones

Regulation		Zone Requirements		
		M1	M2	M3
Minimum <i>lot area</i>		2,000m ²		-
Minimum <i>lot frontage</i>		30m		-
Minimum <i>front yard</i>		15m		30m ⁽¹⁾
Minimum <i>exterior side yard</i>		10m	15m	30m ⁽¹⁾
Minimum <i>interior side yard</i>	Adjoining a <i>lot</i> in a Residential <i>Zone</i>	15m	30m	90m ⁽¹⁾
	Other	5m	7.5m	30m ⁽¹⁾
Minimum <i>rear yard</i>	Adjoining a <i>lot</i> in a Residential <i>Zone</i>	15m	30m	90m ⁽¹⁾
	Other	7.5m		30m ⁽¹⁾
Maximum <i>lot coverage</i>		50%		-
Maximum <i>height</i>		10m		15m ⁽¹⁾
Minimum <i>landscaped open space</i>		10% ⁽²⁾		-
Maximum <i>outside storage</i>		5% ⁽³⁾		-
Maximum accessory <i>retail gross floor area</i>		10% of <i>gross floor area</i>		-

⁽¹⁾ Minimum *yard* requirements apply to *buildings, structures* and aggregate stockpiles.

⁽²⁾ A minimum of 50% of required *landscaped open space* shall be located in the *front yard*.

⁽³⁾ *Outside storage* for purposes other than *outside display and sales areas* on the *lot* shall be located in a *rear yard* or *side yard* and screened from view from *public streets* and adjacent *lots*.

PART 9. INSTITUTIONAL ZONES

9.1 APPLICABLE ZONES

The permitted *uses* and regulations of Part 9 apply to land within the following *zone*:

Zone	Symbol
Institutional	I

This *zone* applies to land identified with the corresponding *zone* symbol as shown in Schedule “A”.

9.2 PERMITTED USES

In the *zone* identified in Section 9.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter or use* any *building* or *structure* for any purpose except in accordance with the permitted *uses* in Table 20.

Table 20: Permitted Uses in Institutional Zone

Uses	Zones where Permitted
<i>Principal Uses</i>	
<i>Commercial school</i>	I
<i>Day care</i>	I
<i>Funeral home</i>	I
<i>Hospital</i>	I
<i>Long-term care facility</i>	I
<i>Medical office</i>	I
<i>Place of worship</i>	I
<i>Private club</i>	I
<i>Private or public park</i>	I
<i>Private or public school</i>	I
<i>Recreation facility</i>	I
<i>Retirement home</i>	I
<i>Accessory Uses</i> ⁽¹⁾	
<i>Accessory buildings or structures and accessory uses</i> (see s. 3.1)	I ⁽¹⁾
<i>Renewable energy system</i> (see s. 3.15)	I ⁽¹⁾

⁽¹⁾ Denotes *uses* that are only permitted accessory to or in conjunction with a permitted *principal use*.

9.3 REGULATIONS

In the *zone* identified in Section 9.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the regulations in Table 21.

Table 21: Regulations for Permitted Uses in Institutional Zone

Regulation		Zone Requirements
		I
Minimum <i>lot area</i>	<i>Long-term care facility</i> or <i>retirement home</i>	120m ² /unit
	Other <i>institutional use</i>	2,000m ²
Minimum <i>lot frontage</i>		30m
Minimum <i>front yard</i>		7.5m
Minimum <i>exterior side yard</i>		7.5m
Minimum <i>interior side yard</i>	Adjoining a <i>lot</i> in a Residential Zone	7.5m
	<i>Private</i> or <i>public school</i>	
	Other	Greater of 50% of <i>building height</i> or 5m
Minimum <i>rear yard</i>		7.5m
Maximum <i>lot coverage</i>		50%
Maximum <i>height</i>	<i>Private</i> or <i>public school</i>	12m
	Other	15m
Minimum <i>landscaped open space</i>		10%

PART 10. OPEN SPACE ZONES

10.1 APPLICABLE ZONES

The permitted *uses* and regulations of Part 10 apply to land within the following *zones*:

Zone	Symbol
Open Space	OS
Open Space Recreation	OSR

These *zones* apply to land identified with the corresponding *zone* symbol as shown in Schedule “A”.

10.2 PERMITTED USES

In the *zones* identified in Section 10.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the permitted *uses* in Table 22.

Table 22: Permitted Uses in Open Space Zones

Uses	Zones where Permitted	
<i>Principal Uses</i>		
<i>Art gallery</i>		OSR
<i>Camping establishment</i>	OS	OSR
<i>Cemetery</i>	OS	OSR
<i>Commercial school</i>		OSR
<i>Private or public park</i>	OS	OSR
<i>Private club</i>		OSR
<i>Recreation facility</i>		OSR
<i>Studio</i>		OSR
<i>Accessory Uses</i>⁽¹⁾		
<i>Accessory buildings or structures and accessory uses</i> (see s. 3.1)	OS ⁽¹⁾	OSR ⁽¹⁾
<i>Renewable energy system</i> (see s. 3.15)	OS ⁽¹⁾	OSR ⁽¹⁾

⁽¹⁾ Denotes *uses* that are only permitted accessory to or in conjunction with a permitted *principal use*.

10.3 REGULATIONS

In the *zones* identified in Section 10.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the regulations in Table 23.

Table 23: Regulations for Permitted Uses in Open Space Zones

Regulation		Zone Requirements	
		OS	OSR
Minimum <i>lot area</i>		-	2,000m ²
Minimum <i>lot frontage</i>		-	15m
Minimum <i>front yard</i>		7.5m	
Minimum <i>exterior side yard</i>			
Minimum <i>interior side yard</i>	Adjoining a <i>lot</i> in a Residential <i>Zone</i>	7.5m	7.5m
	Other	5m	Greater of 50% of <i>building height</i> or 5m
Minimum <i>rear yard</i>		7.5m	
Maximum <i>lot coverage</i>		5%	50%
Maximum <i>height</i>		10m	15m
Minimum <i>landscaped open space</i>		30%	10%

PART 11. ENVIRONMENTAL ZONES

11.1 APPLICABLE ZONES

The permitted *uses* and regulations of Part 11 apply to land within the following *zones*:

Zone	Symbol
Environmental Protection	EP
Environmental Conservation	EC

These *zones* apply to land identified with the corresponding *zone* symbol as shown in Schedule “A”.

11.2 PERMITTED USES

In the *zones* identified in Section 11.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the permitted *uses* in Table 24.

Table 24: Permitted Uses in Environmental Zones

Uses	Zones where Permitted	
<i>Principal Uses</i>		
<i>Conservation use</i>	EP	EC
<i>Existing uses, buildings and structures</i> ⁽²⁾		EC
<i>Public park for passive recreation</i> ⁽²⁾	EP	EC
<i>Accessory Uses</i> ⁽¹⁾		
<i>Accessory buildings or structures and accessory uses</i> ⁽²⁾ (see s. 3.1)		EC ⁽¹⁾

⁽¹⁾ Denotes *uses* that are only permitted accessory to or in conjunction with a permitted *principal use*.

⁽²⁾ For the purposes of this Section, the definitions of the denoted *uses* listed in Table 24 shall be deemed to include the words “approved under a permit issued by the Niagara Peninsula Conservation Authority where the land is subject to the Niagara Peninsula Conservation Authority permit requirements under Ontario Regulation 155/06 Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses, and/or on the basis of an Environmental Impact Study (EIS) approved by the *Township*, where an EIS is required as determined by the *Township* based on the Niagara Region Environmental Impact Study Guidelines.”

11.3 REGULATIONS

In the *zones* identified in Section 11.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the regulations in Table 25.

Table 25: Regulations for Permitted Uses in Environmental Zones

Regulation	Zone Requirements	
	EP	EC ^{(1), (2)}
Minimum <i>lot area</i>	-	
Minimum <i>lot frontage</i>	-	
Minimum <i>front yard</i>	10m	
Minimum <i>exterior side yard</i>	10m	
Minimum <i>interior side yard</i>	10m	
Minimum <i>rear yard</i>	10m	
Maximum <i>lot coverage</i>	5%	
Maximum <i>height</i>	5m	
Minimum <i>landscaped open space</i> (includes natural areas and <i>existing agricultural uses</i> excluding <i>buildings</i> and <i>structures</i>)	95%	

⁽¹⁾ For any *lot* that is zoned EC in its entirety, or that is zoned EC and EP but no part of the *lot* is within one or more non-Environmental *zone(s)*, the following additional regulations shall apply to the *lot*, or part thereof, that is within the EC Zone:

- a) The regulations of Section 3.1 of this By-law for *accessory buildings or structures* shall be applied according to the *existing use* of the *lot*, as follows:
 - i. For an *existing agricultural use*, the regulations of Section 3.1 applicable to *accessory buildings or structures* in an Agricultural Zone shall apply;
 - ii. For an *existing dwelling*, the regulations of Section 3.1 applicable to *accessory buildings or structures* in a Residential Zone shall apply;
 - iii. For an *existing commercial, institutional or open space use*, the regulations of Section 3.1 applicable to *accessory buildings or structures* in a Commercial, Institutional or Open Space Zone shall apply;
 - iv. For an *existing employment use*, the regulations of Section 3.1 applicable to *accessory buildings or structures* in an Employment Zone shall apply; and,
 - v. For any other *existing use*, *accessory buildings or structures* shall comply with the regulations of the EC Zone and the regulations of Section 3.1 applicable to all *accessory buildings or structures*.

⁽²⁾ For any *lot* that is zoned EC and that is also partially within one or more non-Environmental *zone(s)*, the following additional regulations shall apply:

- a) No new *buildings or structures* shall be permitted within the EC zoned portion of the *lot* where the *buildings or structures* can be located in the non-Environmental zoned portion of the *lot* in compliance with the regulations of the applicable non-Environmental *zone*; and,
- b) For an enlargement, repair, renovation or replacement of an *existing building or structure* on the *lot*, the regulations of the non-Environmental zoned portion of the *lot* shall also apply to the EC zoned portion of the *lot*, and the regulations of Section 3.5(d) shall apply to the enlargement, repair, renovation or replacement of a *building or structure* that does not comply with the regulations of the applicable non-Environmental *zone*; and,
- c) The regulations of Section 3.1 of this By-law for *accessory buildings and structures* for the applicable non-Environmental *zone* shall apply to both the EC zoned portion of the *lot* and the non-Environmental zoned portion of the *lot*.

PART 12. OTHER ZONES

12.1 OTHER ZONES

The permitted *uses* and regulations of Part 12 apply to land within the following *zone*:

Zone	Symbol
Development	D

This *zone* applies to land identified with the corresponding *zone* symbol as shown in Schedule “A”.

12.2 PERMITTED USES

In the *zone* identified in Section 12.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the permitted *uses* in Table 26.

Table 26: Permitted Uses in Other Zones

Uses	<i>Zones</i> where Permitted
<i>Principal Uses</i>	
<i>Conservation use</i>	D
<i>Public park</i> for <i>passive recreation</i>	D
<i>Single detached dwelling</i> on <i>existing lot</i> of record, in accordance with R1A <i>Zone</i> regulations	D
<i>Accessory Uses</i> ⁽¹⁾	
<i>Accessory buildings or structures</i> and <i>accessory uses</i> (see s. 3.1)	D ⁽¹⁾

12.3 REGULATIONS

In the *zone* identified in Section 12.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the regulations in Table 27.

Table 27: Regulations for Permitted Uses in Other Zones

Regulation	<i>Zone</i> Requirements
	D
Minimum <i>lot area</i>	<i>existing</i>
Minimum <i>lot frontage</i>	<i>existing</i>
Minimum <i>front yard</i>	<i>existing</i>
Minimum <i>exterior side yard</i>	<i>existing</i>
Minimum <i>interior side yard</i>	<i>existing</i>
Minimum <i>rear yard</i>	<i>existing</i>
Maximum <i>lot coverage</i>	<i>existing</i>

Regulation	Zone Requirements
	D
Maximum <i>height</i>	<i>existing</i>
Minimum <i>landscaped open space</i>	30%

PART 13. SPECIAL PROVISIONS

13.1 HOLDING PROVISIONS

The site-specific provisions of this By-law are established in Table 28 and apply to the land subject to this By-law as shown in Schedule “A”. In Table 28:

- a) Column 1 sets out the holding provision number symbol of each holding provision which corresponds to an area of the *Municipality* identified on Schedule “A” by an upper case letter “H”, a hyphen and the same number symbol, following a *Zone* symbol and a dash, denoting the holding provision.
- b) Column 2 identifies the *zone* map number in Schedule “A” where the land subject to the holding provision is shown.
- c) Column 3 identifies the parent *Zone* subject to the holding provision.
- d) Column 4 sets out the permitted *use(s)* that are subject to the holding provision.
- e) Column 5 sets out the holding provisions applicable to the permitted *use(s)*, which shall remain into effect until the identified conditions are addressed and the holding provision is removed.
- f) All other provisions of this By-law continue to apply to the lands subject to this Section.

Table 28: Holding Provisions

Holding Provision #	Map #	Parent Zone(s)	Permitted Uses Subject to Holding Provisions	Holding Provisions
H-1	C5	OS	All permitted <i>uses</i> of the parent <i>zone</i> , except <i>existing uses</i> .	No site alteration or <i>buildings</i> or <i>structures</i> shall be permitted until an archaeological assessment and preservation plan is completed and submitted to the satisfaction of the <i>Township</i> .
H-2			All permitted <i>uses</i> of the parent <i>zone</i> , except <i>existing uses</i> .	Municipal servicing capacity shall be demonstrated to the satisfaction of the <i>Township</i> prior to any development or site alteration.
H-3	A2	C3-45	All permitted <i>uses</i> of the site-specific <i>zone</i> , except <i>existing uses</i> .	Confirmation that the site has adequate area to accommodate an approved septic system in accordance with the Ontario Building Code shall be provided prior to any development or site alteration.
H-4	S5	RM2-64	All permitted <i>uses</i> of the site-specific <i>zone</i> , except <i>existing uses</i> .	Upgrades to St. Catharines Street to the satisfaction of the Region of Niagara shall be completed prior to any development or site alteration.
H-5	A4	A-74	All permitted <i>uses</i> of the site-specific <i>zone</i> ,	Niagara Peninsula Conservation Authority Permit shall be obtained and a portion of the

Holding Provision #	Map #	Parent Zone(s)	Permitted Uses Subject to Holding Provisions	Holding Provisions
			except <i>existing uses</i> .	berm within the floodplain shall be removed to the satisfaction of the Niagara Peninsula Conservation Authority and all works contemplated by this <i>zone</i> shall be completed prior to establishment of the permitted <i>uses</i> .
H-6	S3	M2-119	All permitted <i>uses</i> of the site-specific <i>zone</i> , except <i>existing uses</i> .	Approval of a Site Plan shall be obtained prior to <i>development</i> or site alteration and the establishment of the permitted <i>uses</i> .
H-7	A4 A5 B4	Varies	All permitted <i>uses</i> of the parent and site-specific <i>zones</i> , except <i>existing uses</i> .	No development or site alteration shall be permitted on lands within 500m of an existing <i>waste management facility</i> , delineated as the shaded area on Schedule “A”, until an assessment is prepared and submitted in accordance with the MOECC D-4 Guidelines, or successors thereto, to establish that there will be no risk to public health and safety associated with the development of the land due to its proximity to the <i>waste management facility</i> and that appropriate mitigation and monitoring measures will be undertaken.
H-8	D2	I	All permitted uses of the parent zone, once ‘H’ is removed	Holding provision shall not be removed and no site alteration or new buildings or structures shall be permitted until an archaeological assessment and preservation plan is completed and submitted to the satisfaction of the Township and Region

13.2 SITE-SPECIFIC PROVISIONS

The site-specific provisions of this By-law are established in Table 29 and apply to the land subject to this By-law as shown in Schedule “A”. In Table 29:

- a) Column 1 sets out the site-specific provision number symbol of each site-specific provision which corresponds to an area of the *Municipality* identified on Schedule “A” by the same number symbol, following a *Zone* symbol and a dash, denoting site-specific provisions.
- b) Column 2 identifies the *zone* map number in Schedule “A” where the land subject to the site-specific provision is shown.
- c) Column 3 identifies the parent *Zone* subject to the special provision.
- d) Column 4 sets out the special permitted *use(s)*.
- e) Column 5 sets out the *zone* regulations and other special regulations applicable to the permitted *use(s)*.
- f) All other provisions of this By-law continue to apply to the lands subject to this Section.

Table 29: Site-Specific Provisions

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
1	B4 C6 C10 E7 E9 S3	A AR M2	As per the parent <i>zone</i> , plus: <i>Abattoir</i> .	As per the parent <i>zone</i> .
				<u>6245 Pearson Avenue:</u> As per the parent <i>zone</i> , except: Maximum number of <i>loading spaces</i> in the <i>front yard</i> : 7 Minimum <i>driveway</i> and <i>parking aisle</i> width for two-way traffic: 5.5m
				<u>3625 Sixteen Road:</u> As per the parent <i>zone</i> , except: Maximum <i>gross floor area</i> for <i>abattoir</i> : 650 m ²
				<u>6121 Elcho Road:</u> As per the parent <i>zone</i> , except: Maximum <i>gross floor area</i> for <i>abattoir</i> : 237m ²
2	A1 B1 B2 D6	A	As per the parent <i>zone</i> , plus: <i>Industrial use</i> , limited to a sawmill for the production, manufacture, drying, processing, treating, <i>outside storage</i> and sale of wood products.	As per the parent <i>zone</i> .
				<u>6038 Sixteen Road:</u> As per the parent <i>zone</i> , except: A fence having a minimum <i>height</i> of 1.8m shall be provided and maintained along the east side of the <i>existing building</i> ; and, Any expansion to the <i>existing building</i> or any new <i>building</i> shall be located to the rear of the <i>existing building</i>
3	A2 B2	A	As per the parent <i>zone</i> , plus: <i>Industrial use</i> , limited to the production and sale of cut stone products.	As per the parent <i>zone</i>
4	B4 B5	A	As per the parent <i>zone</i> , plus: <i>Industrial use</i> , limited to the storage and sale of propane.	As per the parent <i>zone</i>
5	B2 C1 C2 D4 E4 E5	A M1	As per the parent <i>zone</i> , plus: <i>Salvage yard</i> .	As per the parent <i>zone</i>
				<u>8248 Concession 3 Road:</u> As per the parent <i>zone</i> , except: Minimum <i>lot area</i> : 0.96 ha Minimum <i>lot frontage</i> : 28m Minimum <i>west side yard</i> : 6.7m Minimum <i>east side yard</i> : 9.1m Minimum <i>rear yard</i> : 7.5m Maximum <i>lot coverage</i> : 5% Maximum <i>height</i> : 5.3m
			<u>2093 Twenty Road:</u> As per the parent <i>zone</i> , plus: <i>Salvage yard</i> , provided that no	<u>2093 Twenty Road:</u> As per the parent <i>zone</i> , except: A solid fence having a minimum

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
			<i>residential use</i> shall be permitted.	<i>height</i> of 2.4m shall be provided and maintained around the perimeter of all <i>outside storage</i> areas
			<u>1461 Caistorville Road:</u> As per the parent <i>zone</i> , plus: <i>Agricultural uses</i> and a <i>salvage yard</i> , limited to <i>motor vehicle</i> recycling and salvage operations which shall only include the dismantling (stripping) and crushing (flattening) of <i>motor vehicles</i> , storage of <i>motor vehicles</i> and storage and retail sale of <i>motor vehicle</i> parts, and <i>accessory uses</i> to the foregoing including but not limited to <i>office</i> and warehouse. The following uses shall be prohibited: the flattening or crushing of motor vehicle bodies from other recycling and salvage yards, and scrap processing except for as specifically permitted for <i>motor vehicles</i> .	<u>1461 Caistorville Road:</u> As per the parent <i>zone</i> , except: A chain link fence having a minimum <i>height</i> of 2.1m shall be provided and maintained around the perimeter of a <i>salvage yard</i> ; and, No piling of wrecked or dismantled <i>motor vehicles</i> shall be permitted
			<u>9558 Regional Road 65 (M1-5):</u> As per the parent <i>zone</i> , plus: <i>Single detached dwelling</i> and <i>accessory uses</i> to a <i>salvage yard</i> , limited to <i>office</i> , warehouse, retail sale and storage of <i>motor vehicle</i> parts and dismantling of <i>motor vehicles</i> , in conjunction with a <i>salvage yard</i> located at 1461 Caistorville Road, provided that the delivery or removal of wrecked or dismantled <i>vehicles</i> through the <i>front yard</i> shall not be permitted.	<u>9558 Regional Road 65 (M1-5):</u> As per the parent <i>zone</i> , except: Minimum <i>front yard</i> : 80m Minimum <i>front yard</i> for <i>parking areas</i> : 60m Minimum <i>west side yard</i> : 80m
			<u>9558 Regional Road 65 (A-5):</u> As per the parent <i>zone</i> , plus: A <i>planting strip</i> comprised of an earthen berm required in conjunction with a <i>salvage yard</i> located at 1461 Caistorville Road.	<u>9558 Regional Road 65 (A-5):</u> As per the parent <i>zone</i> , except: A <i>planting strip</i> having a minimum width of 10m and a minimum <i>height</i> of 0.9m with a block wall having a minimum <i>height</i> of 1.8m constructed on top of the berm for a combined berm/wall <i>height</i> of 2.7m, supplemented by an effective tree screen comprised of two rows of coniferous trees having a minimum <i>height</i> of 1.8m, extending along the entire westerly limit of the lot excluding <i>existing</i> forested areas, shall be provided and maintained.

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
6	C4	A	As per the parent <i>zone</i> , plus: <i>Industrial use</i> , limited to the manufacture and sale of wood pallets.	As per the parent <i>zone</i> , except: Minimum <i>lot area</i> : 1.5 ha Minimum <i>lot frontage</i> : 79m Minimum westerly <i>side yard</i> (existing workshop): 6.5m Minimum easterly <i>side yard</i> (existing workshop): 10.6m
7	D2 D8 E2	A	As per the parent <i>zone</i> , plus: <i>Private club</i> , limited to a gun club, provided that no <i>residential use</i> shall be permitted except for an <i>existing dwelling</i> , unless the gun club ceases and all related <i>buildings</i> and <i>structures</i> are removed.	As per the parent <i>zone</i> .
				<u>9141 North Chippawa Road</u> : As per the parent <i>zone</i> , except: Minimum <i>lot area</i> : 11.2 ha
8	A2 A4 B2	R1A C3 S4	<u>R1A-8</u> : As per the parent <i>zone</i> , or: <i>Motor vehicle body shop</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot area</i> : 0.32 ha Minimum <i>lot frontage</i> : 21.3m, and: The portion of the <i>lot</i> that is 62.5m from the <i>front lot line</i> shall be enclosed by a solid fence having a <i>height</i> of 1.8m around the perimeter; Sandblasting shall not be permitted outdoors and shall only be permitted within a <i>building</i> or within a self-contained sandblasting unit; No <i>parking areas</i> or <i>outside storage</i> shall be permitted within 62.5m of the <i>front lot line</i> .
			<u>C3-8</u> : As per the parent <i>zone</i> , plus: <i>Motor vehicle body shop</i> .	As per the parent <i>zone</i> .
9	F3	I	As per the parent <i>zone</i> , plus: <i>Private school</i> including associated dormitory, recreational and dining facilities.	As per the parent <i>zone</i> , except: Minimum <i>lot area</i> : <i>existing</i> Minimum <i>lot frontage</i> : <i>existing</i>
10	E9	R1A	As per the parent <i>zone</i> , plus: <i>Greenhouse</i> and accessory <i>retail store</i>	As per the parent <i>zone</i> , except: Maximum <i>lot coverage</i> for a <i>greenhouse</i> : 5%
11	C3	C3	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot frontage</i> : 55.9m Minimum <i>front yard</i> : 19.2m Minimum <i>interior side yard</i> : 3m
12	A3	C3	As per the parent <i>zone</i> , plus: <i>Single detached dwelling</i> only as an <i>accessory use</i> to a permitted <i>commercial use</i>	As per the parent <i>zone</i> , except: Maximum <i>lot coverage</i> : <i>Commercial uses</i> and <i>commercial accessory uses</i> : 4.5%

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
				Single detached dwelling and residential accessory uses: 4% Maximum gross floor area for commercial uses: 5.5% of lot area A planting strip shall not be required adjacent to the northerly lot line abutting the RuR zone.
13	A3	R1A	As per the parent zone.	As per the parent zone, except: Minimum south interior side yard: 27.5m
14	A2	R1A	As per the parent zone.	As per the parent zone, except: Minimum south interior side yard: 10m
15	B4	AR	As per the parent zone, plus: Industrial use, limited to the manufacture, assembly and servicing of indoor and outdoor environmental control curtain systems, plant transportation systems and other related products for the horticultural and greenhouse industry, and accessory retail and offices.	As per the parent zone, except: Minimum lot area: 6.5 ha Maximum lot coverage: 7.5% Outside operations, outside storage and outside display and sales areas shall not be located in any yard abutting a public street. All ponds or open bodies of water shall be enclosed by a fence having a minimum height of 1.2m and access shall only be via an automatic self-closing gate.
16	S4	R1B	As per the parent zone.	As per the parent zone, except: Minimum front yard: 35m Minimum north interior side yard: 1.2m Minimum south interior side yard: 4m Lot frontage on a public street is not required for existing lots, and the front lot line is deemed to be the east lot line.
17	F5	R1A	As per the parent zone.	As per the parent zone, except: Minimum rear yard: 7.5m measured from the nearest limit of an EP Zone boundary
18	B4	A	As per the parent zone.	As per the parent zone, except: Minimum east interior side yard: 22.5m
19	S5	I	Limited to apartment dwellings up to a total maximum of 32 dwelling units on the lot.	As per the parent zone, except: Minimum front yard: 45m, except that an unenclosed driveway canopy may project a maximum of 8 metres into the minimum front yard from the main building face

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
				Minimum north <i>interior side yard</i> : 9m Minimum south <i>interior side yard</i> : 4.5m Minimum <i>rear yard</i> : 15m Maximum <i>height</i> : 2 storeys <i>Lot frontage</i> on a <i>public street</i> is not required for the <i>existing lot</i> , and the <i>front lot line</i> is deemed to be the west <i>lot line</i> .
20	D1	A	<u>A-20</u> : Limited to a communication tower and equipment <i>building</i> .	As per the parent <i>zone</i> .
21	S2 S5	RM2	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>exterior side yard</i> : 5m Minimum <i>interior side yard</i> : 2m Minimum number of <i>parking spaces</i> to be provided: 2 <i>parking spaces per dwelling unit</i>
22	S5	C1	As per the parent <i>zone</i> , plus: <i>Motor vehicle repair establishment</i> .	As per the parent <i>zone</i> .
23	S5	C1	As per the parent <i>zone</i> , plus: <i>Contractors establishment</i> .	As per the parent <i>zone</i> .
24	A4 B4	A	Limited to <i>waste management facility</i> and <i>accessory uses</i> .	As per the parent <i>zone</i> .
25	B4	APO	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot frontage</i> : 99m Minimum <i>front yard</i> : 9m Min. north <i>interior side yard</i> : 3m Min. south <i>interior side yard</i> : 7.5m Minimum distance from <i>dwelling</i> s on adjacent <i>lots</i> : 11.7m
26	D4	A	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: The <i>lot frontage</i> of the <i>lot</i> shall be deemed to be the northern boundary of the access easement being Part 1 on Reference Plan 30R-7683.
27	B4 D9 E9	A C3	<u>1486 Boyle Road</u> : As per the parent <i>zone</i> , plus: <i>Industrial use</i> , limited to a welding shop and <i>accessory uses</i> , and except that a <i>motor vehicle repair establishment</i> shall not be permitted.	<u>1486 Boyle Road</u> : As per the parent <i>zone</i> , except: <i>Parking areas</i> and <i>outside storage</i> shall not be permitted in the <i>front yard</i> .
			<u>7416 Regional Road 20</u> : As per the parent <i>zone</i> , plus: <i>Industrial use</i> , limited to a welding shop and <i>accessory uses</i> .	<u>7416 Regional Road 20</u> : As per the parent <i>zone</i> , except: Minimum east <i>interior side yard</i> : 6m
28	C6	A	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except:

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
				The maximum number of <i>dwelling</i> s permitted on an <i>existing lot</i> shall be two (2) <i>single detached dwelling</i> s.
29	C1	A	As per the parent <i>zone</i> , plus: Post <i>office</i> .	As per the parent <i>zone</i> , except: Minimum <i>front yard</i> for a post <i>office</i> : 10.6m
30	B3	A	As per the parent <i>zone</i> .	8138 Regional Road 20: As per the parent <i>zone</i> , except: Maximum <i>lot coverage</i> for <i>accessory buildings or structures</i> : 5.2%
				4610 Regional Road 20: As per the parent <i>zone</i> , except: Maximum <i>lot coverage</i> for <i>accessory buildings or structures</i> : 7.9%
				4057 Regional Road 20: As per the parent <i>zone</i> , except: Maximum <i>lot coverage</i> for <i>accessory buildings or structures</i> : 5.5%
31	E8	AR	As per the parent <i>zone</i> , plus: <i>Motor vehicle dealership</i> and <i>motor vehicle repair establishment</i> , only as an <i>accessory use</i> to an <i>agricultural service and supply establishment</i> .	As per the parent <i>zone</i> , except: Minimum <i>rear yard</i> : 7m Maximum number of <i>motor vehicles</i> available for retail sale at any one time: 6
32	S5	RM2	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot frontage</i> : 13.7m The <i>lot frontage</i> shall be deemed to be located on the west side of Griffin Street.
33	S8	R1C	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum east <i>interior side yard</i> : 4.5m
34	D7	A	As per the parent <i>zone</i> , plus: Egg storage warehouse.	As per the parent <i>zone</i> , except: Maximum <i>gross floor area</i> for egg storage warehouse: 280m ²
35	B4	C3	As per the parent <i>zone</i> , plus: Feed store and warehouse.	As per the parent <i>zone</i> .
36	B4	A	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum westerly <i>interior side yard</i> for <i>existing barn</i> : 18m
37	B3	C3	Limited to: <i>Agricultural service and supply establishment, garden centre, ornamental concrete sales and manufacturing, retail store</i> (including building supply sales), and <i>existing outside storage</i> as an <i>accessory use</i> .	As per the parent <i>zone</i> , except: Minimum setback to EP Zone for all <i>buildings, structures, outside storage, development and site alteration</i> : 15m; <i>Outside storage</i> shall not be permitted beyond the <i>existing outside storage area</i> .
38	E3	A	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot area</i> : 3.2 ha

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
				Minimum <i>lot frontage</i> : 0m Minimum <i>building</i> setback to northerly <i>lot line</i> : 7.5m
39	D1 D2	A	As per the parent <i>zone</i> , plus: Golf course.	As per the parent <i>zone</i> .
40	A2	A	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot area</i> : 3.6 ha Minimum <i>lot frontage</i> : 54m Minimum <i>interior side yard</i> for <i>accessory buildings or structures</i> : 7m
41	D7	RuR	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Maximum <i>lot coverage</i> : 5.7% for <i>accessory buildings or structures</i> Maximum <i>height</i> : 5.5m for <i>accessory buildings or structures</i> Maximum number of <i>dwelling units</i> on a <i>lot</i> : 4 in the <i>existing dwelling</i>
42	E6	APO	As per the parent <i>zone</i> , except that the <i>existing</i> barns shall not be permitted to be <i>used</i> for livestock purposes.	As per the parent <i>zone</i> .
43	C1	A	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum setback to watercourse: 15m for all <i>buildings, structures</i> and fill material.
44	F2	C3	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>front yard</i> : 5m Maximum number of <i>motor vehicles</i> available for retail sale at any one time: 20
45	A2	C3	Limited to: <i>Agricultural service and supply establishment; agri-tourism / value-added use</i> limited to retail sale of farm produce; <i>contractors establishment; retail store</i> , limited to building supplies; <i>service shop</i> , including a welding or machine shop and tool and equipment rental outlet; <i>single detached dwelling; accessory buildings or structures</i> ; and, <i>accessory uses</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot frontage</i> : 49m Minimum <i>front yard</i> : 40m Minimum south <i>interior side yard</i> : - <i>Single detached dwelling</i> : 27m - Other permitted <i>use</i> : 2m Minimum north <i>interior side yard</i> : 5m Maximum <i>lot coverage</i> : - <i>Single detached dwelling</i> : 5%
46	S4	RM2	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>exterior side yard</i> : 3m Minimum <i>interior side yard</i> : 1.5m Minimum <i>rear yard</i> : 9m Maximum <i>lot coverage</i> : not applicable (<i>lot coverage</i> limited by minimum <i>yard</i> requirements) Maximum projection into

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
				required <i>front yard</i> or <i>rear yard</i> : 1.6m for unenclosed porch
47	S4	RM2	As per the parent <i>zone</i> .	As per the parent <i>zone</i> and RM2-46, except: Minimum <i>rear yard</i> : 6.7m (corner end unit) 7m (interior centre unit) 8.7m (interior end unit)
48	S4	RM2	As per the parent <i>zone</i> .	As per the parent <i>zone</i> and RM2-46, except: Minimum <i>rear yard</i> : 7.9m (corner end unit)
49	A3 S5	A M2	As per the parent <i>zone</i> .	<u>A-49</u> : As per the parent <i>zone</i> , except: The <i>lot frontage</i> shall be deemed to be located on the east side of South Grimsby Road 15.
				<u>M2-49</u> : As per the parent <i>zone</i> , except: The <i>lot frontage</i> shall be deemed to be located on Clifford Street.
50	S5	RM2	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot frontage</i> : 19m Minimum <i>interior side yard</i> : 1.5m Maximum number of <i>dwelling units</i> on a <i>lot</i> : <i>townhouse dwellings</i> with a total maximum of 10 <i>dwelling units</i>
51	B4	AR	As per the parent <i>zone</i> , plus: <i>Industrial use</i> , limited to the manufacturing, warehousing and distribution of primarily agriculturally-related plastic.	As per the parent <i>zone</i> , except: Minimum <i>lot area</i> : 1.5ha Minimum <i>lot frontage</i> : 130m Minimum <i>interior side yard</i> : <i>existing</i> Minimum <i>rear yard</i> : 18m Maximum <i>lot coverage</i> : 30% The <i>existing driveway</i> having a width of 6m and partially located on the adjacent <i>lot</i> to the west is permitted.
52	S5	RM2	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot area</i> per <i>dwelling unit</i> : Exterior unit: 245m ² Interior unit: 155m ² Minimum <i>rear yard</i> : 5.5m
53	A1	A	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot area</i> : 2.3ha Minimum <i>lot frontage</i> : 97m Minimum <i>interior side yards</i> : <i>Existing agricultural building</i> or <i>structure</i> or <i>accessory building</i> or <i>structure</i> : <i>existing</i>

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
				<p>Maximum <i>lot area</i> for residential <i>accessory buildings or structures</i>: 250 m²</p> <p>Minimum setback to <i>municipal drain</i>: 6.1m for livestock <i>buildings or structures</i></p> <p>A fence shall be provided and maintained to keep livestock a minimum of 6m from a <i>municipal drain</i>.</p>
54	B5	RuR	<p>Limited to a <i>single detached dwelling</i> and the following <i>uses</i>, of which no more than two <i>uses</i> shall be permitted at one time:</p> <p><i>Agricultural service and supply establishment;</i> <i>Day care;</i> <i>Garden centre;</i> <i>Home industry;</i> <i>Home occupation;</i> <i>Service shop;</i> <i>Studio.</i></p>	<p>As per the parent <i>zone</i>, except:</p> <p>Minimum setback to EP and EC <i>Zone</i> boundaries: 30m</p>
55	E9	C3	<p>As per the parent <i>zone</i>, plus:</p> <p><i>Industrial use</i>, limited to woodworking operations, <i>accessory buildings or structures</i> and <i>accessory uses</i>.</p>	<p>As per the parent <i>zone</i>, except:</p> <p>Maximum <i>gross floor area</i>: 1,115 m²</p> <p>Minimum north <i>interior side yard</i>: 5m</p> <p>Minimum south <i>interior side yard</i>: 3m</p>
56	B3	AR	<p>Limited to:</p> <p><i>Agricultural service and supply establishment, accessory buildings or structures</i> and <i>accessory uses</i>.</p>	<p>As per the parent <i>zone</i>, except:</p> <p>Maximum <i>gross floor area</i>: 1,900 m², and permitting a maximum of up to 3.1 hectares of lot area for lands zoned Agriculturally related 'AR' (Bylaw 2018-78).</p>
57	S4	RM1	<p>As per the parent <i>zone</i>.</p>	<p>As per the parent <i>zone</i>, except:</p> <p>Minimum <i>exterior side yard</i>: 3m</p> <p>Minimum <i>interior side yard</i>: 1.5m</p> <p>Maximum <i>lot coverage</i>: not applicable (<i>lot coverage</i> limited by minimum <i>yard</i> requirements)</p> <p>Maximum projection into required <i>front yard</i> or <i>rear yard</i>: 1.6m for unenclosed porch</p>
58	B5	A	<p>As per the parent <i>zone</i>, plus:</p> <p><i>Home industry</i>, including a <i>motor vehicle</i> restoration business wherein <i>motor vehicles</i> are assembled but not as part of an assembly line, or rebuilt or restored, and may involve</p>	<p>As per the parent <i>zone</i>, except:</p> <p>The <i>lot frontage</i> shall be deemed to be located on Young Street;</p> <p>Maximum <i>gross floor area</i> for <i>home industry</i>: 372 m² within an <i>existing accessory building</i>.</p>

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			fabricating, welding, painting and other activities customarily associated with <i>motor vehicle</i> restoration.	
59	S5	RM2	Limited to <i>semi-detached dwellings</i> and <i>townhouse dwellings</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot area</i> : 6,000 m ² Minimum <i>lot frontage</i> : 11m The <i>lot frontage</i> shall be deemed to be located on Smits Cove; Maximum <i>lot coverage</i> : 30% Maximum number of <i>dwelling units</i> : 50 <i>dwelling units</i> in <i>semi-detached dwellings</i> and 4 <i>dwelling units</i> in a <i>townhouse dwelling</i> Minimum separation distance between <i>dwellings</i> on the same <i>lot</i> : Between exterior side walls: 3m Between exterior front or rear walls and side walls: 9m Between exterior rear walls: 15m; Minimum number of <i>parking spaces</i> to be provided: 1.5 <i>parking spaces</i> per <i>dwelling unit</i> ; Minimum separation distance between <i>dwellings</i> and <i>parking areas</i> : Between a <i>parking area</i> and any <i>lot line</i> of any <i>lot</i> in any other <i>zone</i> : 6m; Between a <i>parking area</i> and any <i>lot line</i> of a <i>lot</i> in the same <i>zone</i> : 0m Between a <i>parking area</i> and an exterior side wall of any <i>semi-detached</i> or <i>townhouse dwelling</i> : 2.5m except where a <i>parking space</i> is provided for a specific <i>dwelling unit</i> such <i>parking space</i> may be adjacent to that specific <i>dwelling unit</i> ; Minimum width of <i>private street</i> : 6.5m
60	E3	RuR	As per the parent <i>zone</i> , plus: <i>Agricultural use</i> .	As per the parent <i>zone</i> , except: Maximum Lot Area: 1.5ha Maximum capacity for livestock and manure storage facilities: 2 nutrient units
61	C2	R1A	As per the parent <i>zone</i> , plus: <i>Day care</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot area</i> : 1,011 m ² Minimum <i>lot frontage</i> : 34.8m Minimum front yard: 1.2m Minimum north <i>interior side yard</i> :

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				<p>1m Minimum <i>rear yard</i>: 4.8m Maximum <i>lot coverage</i>: 23% Minimum setback for <i>accessory building or structure</i> from <i>main building</i>: 0.6m A <i>day care</i> shall not be permitted within the same <i>building</i> as a <i>dwelling unit</i> and shall be limited to a maximum capacity of 16 persons (total of children and care givers) based on the design capacity of the <i>existing</i> septic system. <i>Day care</i> pick-up and drop-off shall be from the adjoining <i>lot</i> to the east.</p>
62	A3	C3	As per the parent <i>zone</i> , plus: <i>Industrial use</i> , limited to a light metal fabrication business within a wholly enclosed <i>building</i> , and except that no <i>outside storage</i> shall be permitted.	As per the parent <i>zone</i> , except: Minimum <i>rear yard</i> : 75m A <i>planting strip</i> having a minimum width of 3.5m shall be provided and maintained along the westerly <i>interior side lot line</i> from a point 45m south of the <i>front lot line</i> and having a total length of not less than 45m, and along the easterly <i>interior side lot line</i> where it abuts a <i>lot</i> in a residential <i>zone</i> .
63	S8	RM2	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Maximum number of <i>dwelling units</i> : 24 Minimum <i>rear yard</i> abutting EP or EC Zone: 7m Minimum setback between the face of a <i>dwelling</i> and a <i>private street</i> : 5m Minimum width of <i>private street</i> : 6m
64	S5	RM2	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>rear yard</i> : 6.5m Maximum number of <i>dwelling units</i> : 10 Minimum separation distance between exterior front or rear walls of <i>dwellings</i> and <i>private street</i> : 3m Minimum width of <i>private street</i> : 6m
65	F7	RuR	As per the parent <i>zone</i> , plus: <i>Home industry</i> , limited to a custom	As per the parent <i>zone</i> , except: Maximum <i>gross floor area</i> for <i>home</i>

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
			farm business being the provision of a variety of agricultural-based services to the surrounding agricultural community, and such services may include ploughing, cultivating, cutting hay and similar activities, and servicing of farm equipment incidental to the provision of agricultural-based services.	<i>industry</i> : 400 m ² within an <i>existing accessory building</i> . Minimum setback to <i>interior side lot line</i> for any <i>accessory building or structure</i> used for a <i>home industry</i> : 7.5m Minimum setback to <i>rear lot line</i> for any <i>accessory building or structure</i> used for a <i>home industry</i> : 4.5m
66	C10	A	As per the parent <i>zone</i> , plus: <i>Commercial kennel</i> , including a tactical canine training facility being the breeding, training and sales of non-registered service dogs of various breeds for tactical, security, law enforcement and paramilitary purposes and that may involve training methods on site related to tracking, building and area searches, criminal apprehension, and the detection of explosives, narcotics, accelerants and firearms.	As per the parent <i>zone</i> , except: Minimum setback to a <i>dwelling</i> on a separate <i>lot</i> : 130m for <i>dwellings</i> located to the west (3581 Sixteen Road) and south (3504 Sixteen Road), and any new <i>dwelling</i> on an adjoining <i>lot</i> shall have a minimum setback of 150m from the tactical canine training facility; Maximum number of dogs, excluding pups, permitted on the <i>lot</i> at any one time: 115; A solid fence having a minimum <i>height</i> of 1.8m shall be provided and maintained as follows: Along the westerly <i>lot line</i> , from a point 18m north of the <i>front lot line</i> and having a length of 80m; Along the easterly <i>lot line</i> , from a point 170m north of the <i>front lot line</i> and having a length of 80m.
67	A2	A	As per the parent <i>zone</i> , plus: <i>Commercial kennel</i> .	As per the parent <i>zone</i> , except: <i>Existing dwellings</i> shall have a minimum setback of 50m to the <i>existing commercial kennel</i> (training operation only) and <i>private kennel</i> , save and except the <i>existing dwelling</i> situated at 3545 Townline Road which is recognized with an <i>existing</i> setback of 16m; Any new <i>dwelling</i> or expansion of an <i>existing dwelling</i> on an adjoining <i>lot</i> shall have a minimum setback of 150m from the <i>existing commercial kennel</i> (training operation only, excluding the <i>existing exercise area</i>) and <i>private kennel</i> ; Any expansion or enlargement of

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
				<p>an <i>existing dwelling</i> on an adjoining <i>lot</i> closer to the <i>existing commercial kennel</i> and <i>private kennel use</i> shall be required to sign an acknowledgement that they are expanding in proximity to an <i>existing kennel use</i>;</p> <p>A <i>commercial kennel</i> shall only be located within the <i>basement</i> of an <i>existing dwelling</i>, except for the <i>existing exercise area</i>;</p> <p>Maximum number of dogs permitted on the <i>lot</i> at any one time: 12 total (6 dogs for a <i>commercial kennel</i> and 6 dogs for a <i>private kennel</i>);</p> <p>A wire fence shall be provided and maintained to enclose the <i>existing exercise area</i> as follows: From a point at the southeast corner of the <i>existing dwelling</i>, southerly 3m to the south <i>lot line</i>, then easterly not more than 10m, then northerly not more than 3m, then easterly not more than 3m, then easterly not more than 15m, then northerly not more than 25m, then westerly 25m, then south to the northeast corner of the <i>existing dwelling</i> and <i>private garage</i>;</p> <p>A solid fence having a minimum <i>height</i> of 1.2m shall be provided and maintained as follows: Along the north side of the <i>existing exercise area</i>, immediately adjacent to the wire fence described above, from the rear wall of the <i>existing dwelling</i> and <i>private garage</i> easterly not more than 4m;</p> <p>A solid fence having a minimum <i>height</i> of 1.8m shall be provided and maintained as follows: From the east limit of the 1.2m solid fence described above easterly to the rear of the <i>existing exercise area</i> described above; From the easterly limit of the</p>

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
				3.2m solid fence described below to a point 24m further easterly to the <i>rear lot line</i> ; A solid fence having a minimum <i>height</i> of 3.2m shall be provided and maintained as follows: From the south wall of the <i>existing dwelling</i> , at a point not less than 4.5m from the front wall of the <i>existing dwelling</i> , southerly 3m to the south <i>lot line</i> .
68	B4	RuR	As per the parent <i>zone</i> , plus: <i>Retail store</i> limited to the retail sale of clothing and personal goods, artisan and ceramic goods and services accessory thereto.	As per the parent <i>zone</i> , except: Maximum <i>gross floor area</i> for <i>retail store</i> : 270m ² within an <i>existing</i> residential <i>accessory building</i> .
69	S5	R2	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Maximum <i>lot coverage</i> : 50%
70	S5	RM2	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot area</i> per <i>dwelling unit</i> : Exterior unit: 245m ² Interior unit: 155m ² Minimum <i>lot frontage</i> per <i>dwelling unit</i> : Exterior unit: 7.5m Minimum <i>exterior side yard</i> : 5.5m
71	S5	RM2	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot area</i> : <i>existing</i> Minimum <i>exterior side yard</i> : 3m Minimum <i>front yard</i> : Units 2-20: 4.5m Minimum <i>rear yard</i> : Blocks 1 to 6: 3.5m Blocks 7 to 11: 4.5m Blocks 12 to 20: 2m Maximum projection into required <i>rear yard</i> : 1m for required fire breaks; Minimum separation distance between <i>buildings</i> : Blocks 18 and 19: 3m; Minimum separation distance between an exterior side wall of a <i>dwelling</i> and <i>parking areas</i> : 0.7m; Maximum <i>height</i> : one <i>storey</i> and no loft shall be permitted.
72	A2	RuR	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>front yard</i> : 10m Minimum <i>rear yard</i> : 10m

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
73	A4	I	Limited to an Agricultural Society <i>use</i> along with related <i>buildings, structures, and uses, buildings and structures</i> accessory thereto.	As per the parent <i>zone</i> .
74	A4	A	<u>A-74.1:</u> As per the parent <i>zone</i> , plus: <i>Accessory uses</i> to the permitted <i>uses</i> of those lands zoned I-73 on a temporary and occasional basis only, and may permit a Heritage Farm museum and display area.	<u>A-74.1:</u> As per the parent <i>zone</i> .
			<u>A-74.2:</u> As per the parent <i>zone</i> , plus: A heritage farm, including museums and educational displays, displays of non-operating farm equipment, and operating antique farm equipment limited to two events not exceed four days per year. Monster truck, motorcycle, all-terrain vehicle and snowmobile competitions are prohibited.	<u>A-74.2:</u> As per the parent <i>zone</i> , except: Minimum front yard: Existing dwelling: 15m Existing barn: 9m Minimum setback to Regional Road 73: 30m for re-located rural <i>buildings</i> , operating heritage farm equipment and <i>accessory buildings or structures</i> , which shall be limited to a total area of 50m ² ; Access to Regional Road 73 shall be limited to one gated <i>driveway</i> entrance in front of the <i>existing</i> heritage barn for servicing purposes.
75	D1	A	As per the parent <i>zone</i> , plus: <i>Commercial kennel</i> for cats only, as a <i>home industry</i> , except that no outside storage shall be permitted for the <i>home industry</i> .	As per the parent <i>zone</i> , except: Maximum number of cats permitted on the <i>lot</i> at any one time for a <i>commercial kennel</i> : 50
76	C2	RuR	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum lot frontage: 30m Minimum Distance Separation (MDS) requirements: MDS I to barn and manure storage to the north east: 200m MDS I to barn and manure storage to the south east: 300m
77	C2	A	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: The <i>lot frontage</i> shall be deemed to be located on the north side of Concession 3 Road.
78	C2	RuR	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum Distance Separation (MDS) requirements: MDS I to barn and manure storage to the north east: 340m

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
79	C2	RuR	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum Distance Separation (MDS) requirements: MDS I to barn and manure storage to the north east: 285m
80	D5 D6	A	As per the parent <i>zone</i> , plus: <i>Home industry</i> , including a lumber sales and processing operation, except that no <i>outside storage</i> shall be permitted for the <i>home industry</i> .	As per the parent <i>zone</i> , except: Maximum <i>gross floor area</i> for <i>home industry</i> : 1,025m ² in an <i>existing building</i>
81	S4	R1B	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>exterior side yard</i> : 3m
82	S4	RM1	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>interior side yard</i> : 1.5m Minimum <i>exterior side yard</i> : 3m Maximum <i>lot coverage</i> : not applicable
83	S4	RM1	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>exterior side yard</i> : 3m Maximum <i>lot coverage</i> : not applicable
84	S1	RM3	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum lot area: 250m ² / exterior unit 160m ² / interior unit Minimum <i>lot frontage</i> : 8.5m/ exterior unit Minimum <i>exterior side yard</i> : 2m Minimum <i>rear yard</i> : 7m Maximum <i>lot coverage</i> : not applicable Minimum setback to R1C Zone: 11m to southwest <i>lot line</i> for any multi-unit <i>dwelling</i> , <i>parking spaces</i> or paved <i>driveway</i> surfaces Minimum setback to Streamside Drive: 6m for <i>parking spaces</i> or paved <i>driveway</i> surfaces Maximum <i>height</i> : 2 storeys No side of a <i>dwelling</i> shall be closer than 2.5m to any <i>parking area</i> ; Minimum width of <i>private street</i> : 6m of paved surface; Minimum parking requirements: a minimum of 26 <i>parking spaces</i> shall be provided and designated as visitor parking, in addition to the <i>parking space</i> requirements for each

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
				<p><i>dwelling unit</i>; Allowable Projections: no balcony, deck or unenclosed porch shall be permitted to project into the required <i>rear yard</i> from the second floor of <i>dwellings</i> that back onto the sanitary/storm easement; Planting Strips: No planting strip shall be required where an interior side or rear lot line abuts a Residential Zone, except along the southwesterly limit of the development where a board on board fence having a minimum height of 1.5m shall be provided along the rear lot line 3m north of the easement along with coniferous tree plantings not less than 4.6m in height between the easement and the board on board fence as depicted on the site plan. Decorative wrought iron fencing and brick pillars shall be installed along the perimeter of the development adjacent to Streamside Drive and Regional Road 20 and shall be depicted on the site plan. <i>Rear yard</i> access for all interior units shall be provided and controlled by the condominium agreement.</p>
85	E5	A	As per the parent <i>zone</i> , plus: <i>Home industry</i> , including modular transport business being a business that transports mobile offices and modular <i>buildings</i> and may include the repair of transport trucks which are used in the business and the repair of chassis to be connected to a mobile office of modular <i>building</i> to facilitate transport of the unit, but shall not include the manufacture of office trailers or modular <i>buildings</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot area</i> : 14.1m Minimum <i>front yard</i> : 9m for <i>existing dwelling</i> ; Minimum westerly <i>interior side yard</i> : 4.9m for <i>existing dwelling</i> ; 4.8m for <i>existing buildings</i> to be used for the <i>home industry</i> ; Maximum <i>lot area</i> used for <i>home industry</i> : 7,500m ² in the irregular shaped area extending from the northwest corner of the <i>lot</i> along the <i>front lot line</i> for 40m and having a depth of not more than 150m;

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
				<p>Maximum <i>gross floor area</i> for <i>home industry</i>: 450m² within <i>existing buildings</i> located directly to the south of the <i>existing dwelling</i>;</p> <p>Not more than 3 office trailers or modular <i>buildings</i>, or any combination thereof, shall be stored on the <i>lot</i> at any one time;</p> <p>Not more than two shipping containers shall be permitted on the <i>lot</i>;</p> <p>No inoperable trucks shall be kept outdoors on the <i>lot</i>;</p> <p>Not more than 2 on-site employees and 3 off-site drivers, other than the owners, shall be employed by the <i>home industry</i>;</p> <p>Hours of operation shall be limited to the following:</p> <p>Trucks entering and exiting the lot, and on-site employees, 7am to 9pm Monday to Saturday only;</p> <p>Operations outside of these hours shall be limited to emergency purposes only, and repairs shall only occur within a wholly enclosed <i>building</i>;</p> <p>A solid fence, berm, or combination thereof having a minimum combined <i>height</i> of 3m, shall be provided and maintained to block visibility of the <i>home industry</i> from adjacent <i>lots</i> as follows:</p> <p>Along the western most lot line from a point that is 83.1m from the northwest corner of the lot and extending south to a minimum length of 40m;</p> <p>Trees shall be planted and maintained along the top of the berm.</p>
86	B3	RuR	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Maximum <i>lot area</i> : 2.3ha Minimum <i>lot frontage</i> : shall be deemed to be the portion of the <i>lot line</i> that abuts the opened and maintained portion of South Grimsby Road 13;

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
				Minimum <i>rear yard</i> for <i>dwelling</i> : 12m.
87	A2 B2	RuR	As per the parent <i>zone</i> , plus: <i>Home industry</i> , including a <i>veterinary clinic</i> , animal hospital and mobile horse clinic, except that no <i>outside storage</i> shall be permitted for the <i>home industry</i> .	As per the parent <i>zone</i> , except: A <i>home industry</i> shall be located entirely within an <i>existing accessory building</i> .
88	D10	A	As per the parent <i>zone</i> , plus: <i>Home industry</i> , including a year-round fireworks sales operations, subject to the requirements of the Fire Works By-law and all other applicable Federal and Provincial regulations. No <i>outside storage</i> shall be permitted for the <i>home industry</i> .	As per the parent <i>zone</i> , except: Maximum <i>gross floor area</i> for <i>home industry</i> : 230m ² and shall be entirely within an <i>accessory building</i> only.
89	S1	I	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum setback for <i>parking areas</i> and <i>parking spaces</i> : 1.5m to <i>lot lines</i> .
90	D6	A	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: A <i>home occupation</i> shall be entirely located within an <i>accessory building</i> on the <i>lot</i> .
91	S8	R1B	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot frontage</i> : 16.5m Minimum east <i>interior side yard</i> : 1.4m for <i>existing dwelling</i> Minimum west <i>interior side yard</i> : 0.6m for <i>accessory building</i> Maximum <i>lot coverage</i> : 15% for <i>accessory building</i> .
92	S8	R1B	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot frontage</i> : 16.5m Maximum <i>lot coverage</i> : 16% for <i>accessory building</i> .
93	B5	APO	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot frontage</i> : 18m The <i>lot frontage</i> of the <i>lot</i> shall be deemed to be the <i>lot line</i> abutting the public road allowance and the Hydro One corridor.
94	B5	RuR	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot frontage</i> : 18m The <i>lot frontage</i> of the <i>lot</i> shall be deemed to be the <i>lot line</i> abutting the Hydro One corridor and the legal access to the <i>lot</i> shall be deemed to be the right-of-way easement over the Hydro One

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
				lands registered on title to the property.
95	C4	RuR	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>front yard</i> : 13m Minimum Distance Separation (MDS) requirements: MDS I to barn to the south west: 180m for <i>existing dwelling</i> .
96		OSR	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum Distance Separation (MDS) requirements: The lands zoned OSR-96 shall be considered as vacant agricultural land for the purposes of calculating MDS; The MDS requirements of this by-law shall not be applied to prevent any <i>existing buildings or structures</i> that are <i>used</i> for <i>existing</i> livestock operations in proximity to the lands zoned OSR-96 to be modified, rebuilt or reconstructed if damaged, demolished or completely or partially destroyed, regardless of the cause. Minimum setbacks to <i>existing dwelling</i> at 2598 South Grimsby Road: <i>Buildings, structures</i> and recreational fields: 244m <i>Parking areas</i> : 183m Lighting structures: 305m. Minimum setback abutting a <i>lot line</i> of a <i>lot</i> containing an <i>existing residential use</i> : 23m for all public walkways and bicycle paths. A berm having a minimum <i>height</i> of 1.5m and a vegetation buffer having a minimum width of 1.5m shall be provided along the <i>lot line</i> abutting South Grimsby Road 6 except for permitted <i>driveways</i> .
97	C10	A	As per the parent <i>zone</i> , plus: A <i>home occupation</i> , including a winery that processes grapes grown on the <i>lot</i> and may also include locally grown grapes, and a <i>retail store</i> for the sale of wine.	As per the parent <i>zone</i> , except: Maximum <i>gross floor area</i> for <i>home occupation</i> : 60m ² within the <i>existing dwelling</i> ; Minimum area of the <i>lot</i> to be planted and used for vineyard

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
				production: 70% of <i>lot area</i> ; One (1) <i>sign</i> advertising the winery and <i>retail store</i> on the <i>lot</i> shall be permitted up to a maximum area of 2.5m ² per side.
98	B1 C1 C2	RuR	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot area</i> : 0.87ha Minimum Distance Separation (MDS) requirements: MDS I to barn to the north: 160m for <i>existing dwelling</i> .
99	B4 C5	APO	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: The <i>lot frontage</i> shall be deemed to be the <i>lot line</i> abutting South Grimsby Road 8.
100	S9	C3	Limited to: Storage of <i>recreational vehicles</i> and <i>trailers</i> for sale and rental purposes, excluding seasonal storage, a storage/shop/garage <i>building</i> and an <i>existing dwelling</i> which may be used as a <i>recreational vehicle</i> and trailer sales <i>office</i> but shall not be permitted to be occupied for <i>residential use</i> , all on the <i>existing</i> private services, provided that a new septic system shall not be permitted on the vacant <i>lot</i> at 304 St. Catharine Street. When municipal water and municipal sewer services become available to service the <i>lots</i> , the permitted <i>uses</i> shall also include those of the parent <i>zone</i> subject the required service connections which shall be made at the cost of the property owner(s).	As per the parent <i>zone</i> , except: Minimum <i>front yard</i> : <i>Existing dwelling</i> : 0m Commercial <i>building</i> : 13m Minimum <i>interior side yard</i> : 30m for commercial <i>building</i> abutting a residential <i>zone</i> ; 0m along the common <i>lot line</i> of two adjoining <i>lots</i> in same parent <i>zone</i> .
101	S9	EP	As per the parent <i>zone</i> , plus: Storage of <i>recreational vehicles</i> and <i>trailers</i> only for the purposes of storage, not for active sale, retail display or seasonal storage, in a manner that shall not cause surface or groundwater contamination and/or contamination of Twenty Mile Creek, and provided the flood depths under a Regulatory Flood event do not exceed 0.3m.	As per the parent <i>zone</i> , except: The storage area for <i>recreational vehicles</i> and <i>trailers</i> shall be located on land that is between elevation 182.42m and 182.72m.
102	S9	C3	Limited to: Existing dwelling, provided that, when municipal water and	As per the parent <i>zone</i> , except: The <i>existing dwelling</i> shall not exceed a total habitable area of

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
			municipal sewer services become available to service the <i>lot</i> , the permitted <i>uses</i> shall also include those of the parent <i>zone</i> and a <i>bed and breakfast establishment</i> , commercial kitchen, catering establishment, and a culinary studio (teaching kitchen), subject the required service connections which shall be made at the cost of the property owner(s).	242m ² .
103	D9 E8	RuR	As per the parent <i>zone</i> , plus: <i>Home occupation</i> , including a <i>retail store</i> for the sale of motorcycle clothing and accessories, but excluding the sale of motorcycles and motorcycle parts.	As per the parent <i>zone</i> , except: Maximum <i>gross floor area</i> for <i>home occupation</i> : 195m ² within one or more <i>accessory buildings</i> , including a maximum of 2 shipping containers; One (1) <i>sign</i> advertising the <i>home occupation</i> on the <i>lot</i> shall be permitted up to a maximum area of 3 m ² per side.
104	S3	M2	As per the parent <i>zone</i> , plus: <i>Parking area</i> , operated as private parking lot as the <i>principal use</i> of the <i>lot</i> .	As per the parent <i>zone</i> , except: Minimum <i>rear yard</i> : 3m for <i>existing accessory building</i> (Quonset hut); Maximum <i>lot coverage</i> : the <i>parking area</i> shall be included in the calculation of total <i>lot coverage</i> for the lands legally described as Lots 37, 43 and 44 on Plan M94 in the former Township of South Grimsby, now in the Township of West Lincoln.
105	E4	APO	As per the parent <i>zone</i> , except that no livestock shall be permitted to be housed in the <i>existing barn</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot frontage</i> : 242m (broken <i>lot frontage</i>); Minimum <i>interior side yard</i> : 8m for <i>existing barn</i> .
106	B4	A	As per the parent <i>zone</i> , plus: Storage of <i>recreational vehicles</i> and <i>trailers</i> for sale or commercial storage, except that no recreational vehicles shall be permitted to be stored within the regulated floodplain area, and except that no commercial <i>buildings</i> or <i>structures</i> shall be permitted.	As per the parent <i>zone</i> , except: A berm having a minimum <i>height</i> of 1.5m shall be provided and maintained along any <i>lot line</i> abutting any adjoining <i>lot</i> used or permitted to be used for a residential <i>dwelling</i> , and that a row of coniferous trees shall be planted and maintained along the top of the northerly portion of the berm.
107	E3	APO	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except:

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
				Minimum <i>lot frontage</i> : 90m; The <i>lot frontage</i> shall be deemed to be the <i>lot line</i> abutting Concession 2 Road.
108	E9	R1A	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>front yard</i> : 12.5m Minimum <i>exterior side yard</i> : 6.5m
109	D5	A	As per the parent <i>zone</i> , plus: <i>Home industry</i> , including a <i>contractors establishment</i> for landscape services with limited outside storage of landscaping materials, provided that no commercial sale of landscape materials shall be permitted on the <i>lot</i> .	As per the parent <i>zone</i> .
110	S5	RM3	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot area</i> : 1,492m ² Minimum <i>lot frontage</i> : 38.5m Minimum <i>front yard</i> : 1.3m Minimum <i>exterior side yard</i> : 4.7m for <i>apartment dwelling</i> Minimum <i>interior side yard</i> : 0m for <i>apartment dwelling</i> Minimum <i>rear yard</i> : 9.8m Maximum <i>lot coverage</i> : <i>existing</i> Maximum number of <i>dwelling units</i> per <i>lot</i> : 15 <i>dwelling units</i> in an <i>apartment dwelling</i> Minimum parking requirements: 15 <i>parking spaces</i> of which a maximum of 4 <i>parking spaces</i> shall be permitted in the <i>front yard</i>
111	C6	A	As per the parent <i>zone</i> , plus: <i>Contractors establishment</i> including <i>outside storage</i> of associated materials, machinery and other products used, and related <i>buildings and structures</i> that are adequately serviced by private services.	As per the parent <i>zone</i> .
112	E6	APO	As per the parent <i>zone</i> , except that no livestock shall be permitted to be housed in the <i>existing</i> barn.	As per the parent <i>zone</i> , except: Minimum <i>lot frontage</i> : 250m (broken <i>lot frontage</i>); Minimum <i>front yard</i> : 15m for <i>existing</i> barn.
113	E8	APO	As per the parent <i>zone</i> , except that no livestock shall be permitted to be housed in the <i>existing</i> barn.	As per the parent <i>zone</i> .
114	E8	RuR	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: The <i>lot frontage</i> shall be deemed to

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
				be the <i>lot line</i> abutting Regional Road 20; Minimum <i>front yard</i> : 7.5m for <i>existing dwelling</i> .
115	C4	RuR	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>rear yard</i> : 13.9m for <i>existing dwelling</i> ; Minimum Distance Separation (MDS) requirements: MDS I to <i>existing barn</i> : 132m.
116	S5	R1C	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>rear yard</i> : 3m A solid fence having a minimum <i>height</i> of 1.8m shall be provided and maintained along the entire southern <i>lot line</i> for a total length of 29.6m.
117	S5	R1C	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>interior side yard</i> : 3m A <i>driveway</i> shall be permitted in the <i>exterior side yard</i> at a distance of not less than 14m from the intersection of the <i>street lines</i> of Hornak Road and Station Street; A solid fence having a minimum <i>height</i> of 1.8m shall be provided and maintained along the southern <i>lot line</i> from the west <i>lot line</i> to a line parallel to the exterior wall of the <i>existing dwelling</i> , for a total length of 24.3m.
118	D2	A	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Requirements for <i>accessory dwelling unit</i> located in an <i>accessory building</i> : Maximum <i>floor area</i> : 45% of total <i>floor area</i> of <i>existing dwelling</i> Minimum <i>front yard</i> : 39m Minimum west <i>interior side yard</i> : 88m Minimum east <i>interior side yard</i> : 130m Minimum <i>rear yard</i> : 480m
119	S3	M2	As per the parent <i>zone</i> , plus: <i>Parking area</i> , operated as private parking lot as the <i>principal use</i> of the <i>lot</i> .	As per the parent <i>zone</i> .
120	B3	AR	Limited to: <i>Agricultural uses</i> ; <i>Agricultural service and supply</i>	As per the parent <i>zone</i> , except: The area of the <i>lot</i> devoted to the <i>agricultural service and supply</i>

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
			<i>establishment</i> , only in conjunction with a permitted <i>agricultural use</i> on the same <i>lot</i> , including the storage and sale of materials and supplies related to agricultural drainage, stone and mulch in bulk storage bins, farm equipment sales and rentals, water tanks and septic tanks, and related services and <i>accessory uses</i> .	<i>establishment</i> shall not exceed 1ha; Minimum <i>front yard</i> : 14m for <i>existing building</i> ; <i>Outdoor storage</i> areas shall be located south of the <i>existing building</i> in a fully screened enclosure.
121	C4	A EC	As per the parent <i>zone</i> , except that a nursery planting area and remaining agricultural crop area shall be established and fully operational and functioning prior to the establishment of a permitted <i>use</i> on the land zoned A-121. (Bylaw 2018-61)	As per the parent <i>zone</i> . (Bylaw 2018-61)
122	C4	A	Limited to: <i>Home industry</i> , including: Composting operation, not including any human waste, within a bermed area; Mushroom operation within an <i>existing</i> fully enclosed <i>building</i> , outside berm; Worm growing/casting use within an <i>existing</i> fully enclosed <i>building</i> , outside berm; One accessory, business-related <i>building</i> and <i>accessory buildings</i> to the principal <i>agricultural use</i> , outside berm; Grinding/mulching/lumber and firewood production, within a bermed area; <i>Parking area</i> including visitor and accessory business-related truck parking, outside berm. The above permitted <i>uses</i> shall only be permitted in conjunction with an established permitted <i>principal use</i> on the portion of the <i>lot</i> zoned A-122. At no time shall any components of the tree service business be permitted in the absence of the principal <i>agricultural uses</i> and nursery <i>uses</i> of the <i>lot</i> . (Bylaw 2018-61)	As per the parent <i>zone</i> , except: The area of the <i>lot</i> devoted to the <i>home industry</i> shall not exceed 3.3ha and the total footprint of the <i>home industry</i> shall not exceed 2% of the <i>lot area</i> ; A paved <i>driveway</i> apron shall be provided over the <i>driveway</i> culvert prior to the establishment of any permitted <i>use</i> ; <i>Existing buildings</i> located within the EC zoned portion of the <i>lot</i> shall not be enlarged or expanded for the permitted <i>uses</i> ; Landscape/noise mitigation berms having a minimum height of 2m shall be provided and maintained around the lumber/firewood/mulch/compost portion of the <i>home industry</i> , immediately adjacent to the area permitted for such operation; Minimum setback distance to an existing dwelling on a separate lot: 250m for all permitted <i>uses</i> associated with the <i>home industry</i> . (Bylaw 2018-61)
123	E9	AR	As per the parent <i>zone</i> , plus: <i>Existing single detached dwelling</i> .	As per the parent <i>zone</i> .

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
124	S5	R1B	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot frontage</i> : 21m No <i>parking spaces</i> shall be permitted in the <i>front yard</i> .
125	S8	RM3	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>front yard</i> : 6m Minimum <i>rear yard</i> : 4.5m Minimum separation distance between <i>dwellings</i> on the same <i>lot</i> : 3m between <i>semi-detached dwellings</i> and <i>triplex dwellings</i> ; Minimum width of <i>private street</i> : 6m of paved surface; <i>Accessory buildings or structures</i> shall not be permitted to straddle ownership lines within the plan of condominium.
126	S5	RM2	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot area per dwelling unit</i> : Exterior unit: 245m ² Interior unit: 155m ² Minimum <i>lot frontage per dwelling unit</i> : Exterior unit: 7.8m Minimum <i>exterior side yard</i> : 4.5m
127	S4	RM3	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot frontage</i> : 15.5m Maximum <i>lot coverage</i> : not applicable
128	S6	M2	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>rear yard</i> abutting a railway or rail spur: 0m
129	C3	RuR	As per the parent <i>zone</i> .	Minimum Distance Separation (MDS) requirements: MDS I to barns at 8608 Sixteen Road: 145m MDS I to manure storage facility at 8608 Sixteen Road: 233m
130	C6	EP	As per the parent <i>zone</i> , plus: <i>Existing single detached dwelling and accessory buildings or structures</i>	As per the parent <i>zone</i> , except: An <i>existing single detached dwelling</i> and <i>accessory buildings or structures</i> shall be in accordance with the regulations applicable to these <i>uses</i> in the <i>RuR Zone</i>
131	F5	R1A	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>lot frontage</i> : 19m Minimum <i>front yard</i> for <i>existing building</i> : 6.5m Minimum <i>rear yard</i> for <i>existing</i>

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
				<i>building: 9m</i> Maximum <i>lot coverage: 25%</i>
132	D9	RuR	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum Distance Separation (MDS) requirements: MDS I to nearest livestock barn: 220m
133	D9	A	As per the parent <i>zone</i> , plus: Two (2) <i>existing dwellings</i> are permitted on the <i>lot</i> and an additional third <i>dwelling</i> is permitted for a period of one year or until occupancy is granted for a new <i>dwelling</i> .	As per the parent <i>zone</i> , except: Minimum <i>front yard</i> for <i>existing dwelling: 14m</i> Minimum <i>accessory building</i> setback to <i>front lot line: 2m</i> for <i>existing tin barn</i> used for livestock
134	E6	A	As per the parent <i>zone</i> , plus: <i>Industrial use</i> , limited to a wood shaving bedding storage and shipping business.	As per the parent <i>zone</i> .
135	A1	A	As per the parent <i>zone</i> , plus: <i>Home industry</i> , secondary to the <i>principal use</i> of the <i>lot</i> which shall continue to be an <i>agricultural use</i> , and shall be operated by the owner/ farmer, and associated <i>parking area, buildings</i> and <i>outside storage</i> .	As per the parent <i>zone</i> , except: For a <i>home industry</i> , the maximum number of employees shall not exceed 7 plus the owners of the <i>lot</i> , at any one time. Total maximum <i>gross floor area</i> for <i>home industry: 200m²</i> which shall only be used for storage and repair. There shall be no alterations to or interference with a <i>municipal drain</i> .
136	E3	A	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: A <i>single detached dwelling</i> and <i>accessory buildings or structures</i> shall only be permitted within a <i>building envelope</i> that is cleared and registered by way of an Archaeological Assessment.
137	S1	C3	As per the parent <i>zone</i> .	As per the parent <i>zone</i> , except: Minimum <i>rear yard: 5m</i>
138	S1	I	Limited to: <i>Commercial school</i> <i>Day care</i> <i>Place of worship</i> <i>Private club</i> <i>Private or public park</i> <i>Private or public school</i>	As per the parent <i>zone</i> , except: Permitted <i>principal uses</i> shall be located within an <i>existing building</i> or additions thereto, provided that the total <i>gross floor area</i> added to the <i>existing building</i> shall not exceed a maximum of 25% of the

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
			<i>Recreation facility</i> including charitable and philanthropic <i>uses</i> and <i>Accessory buildings or structures</i> and <i>accessory uses</i>	<i>existing gross floor area.</i>
139 1601-008-17 Snippe	E7	APO	As per the parent zone.	As per the parent zone, except: Minimum Lot Area:17.1 hectares.
140 1601-008-17 Snippe	D6 E5	RuR	As per the parent zone.	As per the parent zone, except: Minimum Front yard of 10 metres to recognize the existing dwelling.
141 1601-011-17 Verdonk	C8	R1A	As per the parent zone.	As per the parent zone, except: any dwelling proposed to be built or expanded cannot exceed a maximum sewage flow rate of 1,600 litres per day. The maximum lot coverage for all accessory buildings shall not exceed 2% of the lot area. Accessory buildings are only permitted within the rear yard with a front yard setback of no less than 51 metres, a rear yard setback of no less than 5 metres, a south lot line setback of no less than 5 metres, a north lot line setback of no less than 35 metres and a minimum 1 metre setback to the proposed septic bed mantel and reserved septic ben mantel. All other provisions of the R1A zone apply.
142 1601-011-17 Verdonk	C8	A	As per the parent zone.	As per the parent zone, except: Minimum Lot Area: 18.4 hectares.
143 1601-012-17 Hunt & Popiluk	B3	A	As per the parent zone; plus a <i>Commercial Kennel</i> with no more than 7 dogs (not including puppies under 5 months old) within the existing dwelling	As per the parent zone, except: <i>Any Commercial Kennel</i> operation is permitted on the subject land with a lot area of no less than 3.6 hectares, and a minimum front yard setback of 70 metres, a minimum west side yard setback of 70 metres, and a minimum rear yard setback of 40 metres.

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
<p>144 1601-018-17 Mihelcic</p>	C1	RuR	<p>As per the Parent Zone; plus a Home Industry within the existing accessory building and on the graveled lot limited to an auto repair establishment to operate in conjunction with an approved site plan and a change of us permit which shall address concerns around noise, time of operation, outside storage, landscaping, buffering, signage, bathroom(s) and septic requirements. All other provisions of the Rural Residential 'RuR' Zone and Home Industry provisions apply, except as amended by this exception.</p>	<p>As per the parent zone, except: The Home Industry shall be limited to the existing accessory building no greater than 200 square metres, and fully enclosed outdoor storage behind the east wall of the accessory structure limited to the existing graveled area, no greater than 170 square metres, unenclosed outdoor storage of fully licensed vehicles and trailers south of the accessory building within the existing graveled area no greater than 220 square metres, and with no more than five (5) customer parking spaces permitted west of the accessory building. Trees are required to be planted along the west property line to screen the home industry from neighbouring residential use, as shown on an approved site plan.</p>
<p>145 1601-014-17 Green</p>	C2	R1A	<p>As per the Parent zone, plus: Home Industry, limited to a small scale wood chipping business including outside storage of associated materials, within the existing graveled area not exceeding 600 square metres.</p>	<p>As per the Parent zone, except: a 0 metre interior side yard setback and a 0 metre rear yard setback to recognize the accessory building.</p>
<p>146 1601-016-17 McFeeters</p>	A1	AR	<p>As per the Parent Zone; including industrial uses which are limited to a sawmill for the production, manufacture drying, processing, treating, outside storage and sale of wood products for agricultural purposes. All other provisions of the Agricultural Related 'AR' Zone apply.</p>	<p>As per the parent zone; except: a maximum of 10% lot coverage; that a 1.8 metre board on board fence be constructed along the frontage of the subject lands from the north lot line, 60 meters to the south and also include the planting of appropriate established trees; and no residential uses are permitted.</p>
<p>147 1601-013-17 Kielt</p>	B3	A	<p>Bylaw Denied by Council</p>	<p>Bylaw Denied by Council</p>
<p>148 1601-014-17 2424568 Ont Inc.</p>	S5	RM2	<p>As per the parent zone.</p>	<p>As per the parent zone, except; a minimum lot area of 145 square metres per dwelling unit, a minimum lot frontage of 5.99 metres per dwelling unit, a</p>

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
				minimum front yard of 6 metres to the garage and 2.5 metres to the dwelling, except for Block 2 Unit 4, where the front yard shall be no less than 1.2 metres, a minimum interior side yard adjoining a low density zone no less than 1.2 metres, a minimum distance separation for dwellings on the same lot of no less than 2.4 metres, a minimum rear yard of 4.5 metres, a maximum lot coverage of 60%, a minimum planting strip of 1.2 metres, and a minimum setback of a private street to side lot line no less than 1.2 metres.
149 1601-009-17 Gao	E5	A	Bylaw Denied by Council	Bylaw Denied by Council
150 1601-003-18 Smith	B4	A	As per the parent zone.	As per the parent zoned, except: An easterly side yard setback for existing building to 5 metres, and a lot area which includes lands zoned C3-152 at a minimum of 72 metres lot frontage.
151 1601-003-18 Smith	B4	RuR	As per the parent zone.	As per the parent zone, except; an MDS I setback from neighboring livestock barns to the east of not less than 170 metres; and a setback of not less than 53 metres to the neighbouring Class I business.
152 1601-003-18 Smith	B4	C3	As per the parent zone.	As per the Parent Zone, and being part of a property that includes lands zoned A-150.
153 1601-005-18 Baarcreek	D5	APO	As per the parent zone.	As per the parent zone; except: a minimum lot area of 5.5 hectares.
154 1601-005-18 Baarcreek	D5	RuR	As per the parent zone.	As per the parent zone, except: a maximum ground floor area of 135 square metres for an existing accessory building.

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
155 1601-007-18 Housekeeping 1601-020-18 Dawd	A4	RM3	As per the parent zone; limited to a fourplex	As per the parent zone; except the fourplex must have adequate private water and wastewater servicing to meet the requirements of the Ontario Building Code. Decks and porches may encroach no more than 2 metres within any established yard.
157 1601-013-18 AT Realty	B3	APO	As per the parent zone.	As per the parent zone; except a minimum lot area of 33 hectares.
158 1601-010-18 Dochstader	A3	A	As per the parent zoned; except; an on-farm diversified use/home industry (excavation business) shall be permitted without a dwelling unit on the property.	As per the parent zone; except the on-farm diversified use (excavation business) shall have a maximum area of 0.5 hectares (92m by 54m); and the maximum number of employees shall be five full-time and five seasonal employees for an on-farm diversified use/home industry (excavation business). These provisions are limited to an excavation business as an on-farm diversified use.
159 1601-009-18 Snippe	E5	RuR	As per the parent zone.	As per the Parent Zone, except: a maximum ground floor area for an existing accessory building of 180 square metres.
160 1601-009-18 Snippe	E5	APO	As per the parent zone.	As per the Parent Zone, except; a minimum lot area of 19.75 hectares, a minimum lot frontage of 98.8 metres and to recognize an interior side yard setback of 5.0 metres for a Type 3 accessory building.
161 1601-012-18 Wielink	D4	APO	As per the parent zone.	As per the parent zone; except, a minimum lot area of 22 hectares.
162 1601-012-18 Wielink	D4	RuR	As per the parent zone.	As per the parent zone; except, a maximum ground floor area not exceeding 300 square metres for an existing accessory building.

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
163 1601-018-18 AP's Lube Service Inc.	S5	C3	As per the parent zone.	As per the parent zone, except; permitting the location of one storage container not exceeding 19 square metres in size, and one mobile office not exceeding 15 square metres in size, in accordance with the accessory building provisions as they apply to the subject lands
164 1601-011-18 Aantjes	F4	RuR	As per the parent zone.	As per the parent zone, except: recognize existing not less than 0.3m interior side yard setback for an accessory building and recognize a not less than 14.0m front yard setback for the dwelling
165 1601-011-18 Aantjes	F4	APO	As per the parent zone.	As per the parent zone; except: a minimum lot area of not less than 13.4 hectares.
166 1601-015-18 Brough	E7	RuR	As per the parent zone.	As per the parent zone, except: a maximum ground floor area not exceeding 300 square metres for an existing accessory building; a maximum lot area not exceeding 0.9 hectares.
167 1601-003-16 R.V.L Contracting	S2	RM2	As Per the parent zone except no accessory buildings, structures, decks or fences shall be permitted beyond those shown on the approved site plan. (Bylaw Approved by LPAT)	As per the parent zone, except: zoning shall be applied against the condominium as one property; no minimum lot area per dwelling unit, a minimum front yard setback to east lot line of 3.0 metres and a minimum rear yard setback to west lot line of 1.2 metres shall apply. Also, a 1.7 metre encroachment for covered and unenclosed porches shall be permitted into the required front and exterior side yard.
168 1601-023-19 A.W. Topp & Sons	C8	APO	As per the parent zone.	As per the parent zone; except a minimum lot size of 23 hectares
169 1601-023-19 A.W. Topp & Sons	C8	RuR	As per the parent zone.	As per the parent zone; except a maximum ground floor area of 200 square metres for an existing accessory building

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
170 Phelps Approved by LPAT April 15, 2020	S5	R1B	As per the Parent Zone	As per the parent zone; except; minimum lot frontage of 12 metres, minimum rear yard of 31 meters, maximum lot coverage of 36%
171 Pelissero	E7	A	Repealed by Council	Repealed by Council
172 Pelissero	E7	RuR	Repealed by Council	Repealed by Council
173 Krick	E5 E6 F3 F4	RuR	As per the parent zone.	As per the parent zone, except: a maximum ground floor area not exceeding 220 square metres for the existing accessory building.
174 Mego	B3 B4	APO	As per the parent zone.	As per the parent zone, except a minimum lot size of 26 hectares.
175 Mego	B3 B4	RuR	As per the parent zone.	As per the parent zone, except a maximum ground floor area not exceeding 200 square metres for the existing accessory building.
176 Housekeeping Ray	D2	A	As per the parent zone; plus a commercial kennel as approved in Site Plan Application 2100-004-17	As per the parent zone.
177 Housekeeping Dubrukci	E8	A	As per the parent zone; plus a permanent farm help house	As per the parent zone.
178 Bosscher	B4	RuR	As per the parent zone.	As per the parent zone, except; A maximum ground floor area for an existing accessory building be 190 square metres. A maximum number of accessory buildings and structures be five (5). A maximum setback from a main building for an existing accessory building be no greater than 58 metres.

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
179 Bosscher	B4	C3	As per the parent zone.	As per the parent zone, except; a Minimum lot frontage of 11 metres and a minimum driveway setback to lot line of 0 metres.
180 Bosscher	B4	OS	As per the parent zone; excluding a Camping Establishment and/or a Cemetery.	As per the parent zone.
181 R.V.L./Ellis	S2	R2	As per the parent zone.	As per the parent zone, except; a permitted projection of no more than 3.6 metres for an unenclosed porch of a height not more than 4.5 metres.
182 Bradaric	D5 E4 E5	APO	As per the parent zone.	As per the parent zone, except: a minimum lot area of ± 20 hectares.
183 Gibson	C3	A	Appealed to LPAT – SEE A-198	Appealed to LPAT – SEE A-198
184 Dhaliwal	A2	C3	As per the Parent zoned except; that the property be limited to a gasoline bar and fast food station, and that the main building be no larger than 287 square metres	As per the parent zone, except, that the gasoline station be subject to site plan control
185 Zeldenrust/ Tenhage	C3 C4	RuR	As per the parent zone.	As per the parent zone, except: To permit an accessory building to be located closer to the front lot line than the main building at a front yard setback of 11 metres Accessory Building maximum height = 5.5 metres
186 Vuckovic	B2 B3 C3	APO	As per the parent zone.	As per the parent zone; except; a minimum lot frontage of 89 metres.
187 DenBestin	E7	APO	As per the parent zone.	As per the parent zone, except: a minimum lot area of 18 hectares.
188 DenBestin	E7	RuR	As per the parent zone.	As per the parent zone, except: a maximum size of an accessory structure shall be 171 square metres.

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
189 Dunloe	S1	R3	As per the parent zone	Minimum Rear Yard: 6 metres Maximum Lot Coverage: 50% Minimum Exterior Side Yard Setback: 4.5 metres to exterior side lot line abutting a public street, excluding a daylighting triangle
190 Dunloe	S1	RM3	As per the parent zone	Minimum lot area per unit: 155 m ² Minimum Rear Yard: 6 metres Maximum Lot Coverage: 60% Minimum Exterior Side Yard Setback: 4.5 metres to exterior side lot line abutting a public street, excluding a daylighting triangle Minimum Parking Spaces: 1.5 spaces per dwelling unit. A garage can be counted as a space if it meets the minimum size requirements as set out in the zoning bylaw. Minimum width for a private street: 6 metres
191 Dunloe	S1	RM3	As per the parent zone	Minimum Exterior Side Yard Setback: 4.5 metres to exterior side lot line abutting a public street, excluding a daylighting triangle Minimum Parking Spaces: 1.5 spaces per dwelling unit. A garage can be counted as a space if it meets the minimum size requirements as set out in the zoning bylaw. Minimum width for a private street: 6 metres
192 Snippe	E6	APO	As per the parent zone	As per the parent zone, except: a minimum lot area of 21 hectares.
193 Snippe	E6	RuR	As per the parent zone	As per the parent zone, except; a minimum front yard setback of 5.4 metres to the existing dwelling

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
194 West Lincoln	S5	RH	As per the parent zone.	As per the parent zone, plus: Minimum height = 9 metres Maximum height = 18 metres
195 West Lincoln	S5	RM3	As per the parent zone, plus: On the ground floor; <i>Dry cleaning/ laundry depot, day care, office, including a medical office, personal service shop, restaurant, retail store, service shop, studio and veterinary clinic.</i>	As per the parent zone.
196 Niagara Pallet	B4	C3	As per the parent zone, plus a wood processing facility and accessory uses.	As per the parent zone, except a reduction in the required parking from 310 parking spaces to a maximum of 90 parking spaces for the lands zoned C3-196
197 Niagara Pallet	B4	A	As per the parent zone.	As per the parent zone, except a reduction in the required lot size of 19.4 hectares whereas 40 hectares is the required minimum.
198 Gibson LPAT Approval Feb. 18, 2021	C3	A	As per the parent zone and <i>Cannabis Production</i> Regulations (3.10.3), a Cannabis Production Facility	As per the Parent zone and Section 3.10.3, plus a) That the <i>cannabis production</i> facility be no larger than 474 square metres of fully enclosed building area. b) That the <i>cannabis production</i> facility be compliant with the 150 metre setback from all property lines c) That the westerly wall of the cannabis facility be no further east than 160 metres from the westerly lot line d) That the main lot area be not less than 19.72 hectares; and e) That the <i>cannabis production</i> facility be subject to site plan control.
199 Vitucci	D7	APO	As per the parent zone.	As per the parent zone, except; a minimum lot area of 31 hectares.
200 Foliera	B5	A	As per the parent zone.	As per the parent zone, except: a maximum of 2 accessory farm dwelling units to house farm workers in addition to an existing unit within the greenhouse

Site-Specific Provision #	Map #	Parent Zone(s)	Permitted Uses	Regulations
				whereas the maximum is only one accessory farm dwelling unit.
201 P Budd	S1 S2	RM2	As per the parent zone.	As per the parent zone, except for interior units where a maximum driveway width of 70% of the unit frontage and a minimum front yard landscaped area of 30% is permitted. Driveways on abutting internal units can be paired together, Minimum separation distance between townhouse exterior unit side walls: 2.4 metres
202 P Budd	S1 S2	RM3	As per the parent zone, plus back-to-back townhouses.	As per the parent zone, except: a minimum lot area of 265 sq. metres per dwelling unit to be applied to the entire block. Minimum separation distance between townhouse exterior unit side walls: 2.4 metres
203 P Budd	S1 S2	RM3	As per the parent zone, plus, Stacked Townhouses.	As per the parent zone, except for stacked townhouses where a minimum unit area of 120 sq. metres per dwelling unit to be applied within the entire block. Minimum separation distance between townhouse exterior unit side walls: 2.4 metres

13.3 TEMPORARY USE PROVISIONS

The temporary *use* provisions of this By-law are established in Table 30 and apply to the land subject to this By-law as shown in Schedule “A”. In Table 30:

- a) Column 1 sets out the temporary *use* symbol of each temporary *use* permission which corresponds to an area of the *Municipality* identified on Schedule “A” by the same symbol, following a *Zone* symbol, special provision (where applicable) and identified in parentheses, denoting a temporary use permission.
- b) Column 2 identifies the *zone* map number in Schedule “A” where the land subject to the Temporary Use By-law is shown.
- c) Column 3 identifies the parent *Zone* subject to the Temporary Use By-law.
- d) Column 4 describes the property subject to the Temporary Use By-law.

- e) Column 5 sets out the permitted temporary *uses*.
- f) Column 6 sets out any *zone* regulations and other special regulations applicable to the temporary *use(s)*.
- g) Column 7 identifies the start date of the permission granted by the Temporary Use By-law.
- h) Column 7 identifies the date of expiry of the Temporary Use By-law.
- i) All other provisions of this By-law continue to apply to the lands subject to this Section.

Table 30: Temporary Use Provisions

Temporary Use Provision #	Map #	Parent Zone(s)	Property Description	Permitted Temporary Uses	Regulations	Start Date	Expiry Date
T-1	C7	A	5208, 5327 Regional Road 69; Part Lots 20 and 21, Con 6, former Township of Gainsborough	Wood grinding facility	As per the parent <i>zone</i> , except: Minimum setback distance to any <i>dwelling</i> on a separate <i>lot</i> : 200m; Maximum new material sourced off-site permitted to be used in operation: 30% of total volume of material processed	25/03/2014	24/03/2017
T-2	E3	A	1047 Regional Road 14; Part Lot 7, Con 2, being Part 2 on 30R697, former Township of Caistor	<i>Garden suite</i>	As per the parent <i>zone</i> , except: The <i>garden suite</i> shall be limited to a one-unit detached residential <i>structure</i> containing bathroom and kitchen facilities.	25/03/2014	24/03/2024
T-3	E7	A	4872 Regional Road 20; Part Lot 16, Con 4, former Township of Gainsborough	<i>Garden suite</i>	As per the parent <i>zone</i> .	26/09/2016	26/09/2026
T-4	C1	A	9653 Concession 3 Road; Part Lot 21, Con 4, former Township of Caistor	<i>Garden suite</i>	The <i>garden suite</i> shall be limited to a one-unit detached residential <i>structure</i> containing bathroom and kitchen facilities.	26/09/2016 28/10/2019	26/09/2019 28/10/2022

Temporary Use Provision #	Map #	Parent Zone(s)	Property Description	Permitted Temporary Uses	Regulations	Start Date	Expiry Date
T-5	D7	A	5748 Concession 4 Road	<i>Garden suite</i>	As per the parent zone.	26/06/2017	26/06/2020
T-6 1601-017-17 Owens	S1	D	Plan M98 Lot 21 former Township of South Grimsby	Existing uses; plus food trucks or temporary structures for a period of no more than 3 years.	Any food trucks/ structures must meet the setback requirements of a <i>main building</i> in a <i>Commercial Zone</i> , and must be licensed by the Township on an annual basis, if required.	26/02/18	26/02/2021
T-7 1601-002-18 Golfi	C2	R1A	Con 4, Pt Lt 15, RP 30R9199 Pt 1, former Township of Caistor	In addition to 'R1A' uses, a mobile home as a permitted use and structure.	Any mobile home must meet the setback requirements of a main building in a Low Density Residential 'R1A' zone.	26/03/18	26/03/2021 or 60 days beyond final occupancy being granted for the main dwelling, whichever is first.
T-8 Tomascin	B5	A	Con8, Pt Lot 14, 30R2809, Pt Part 1	<i>Garden suite</i>	As per the parent zone.	December 16, 2019	December 16, 2029
T-9 Niagara Pallets	D8	A	4981 Regional Road 20	<i>A business for the purpose of storing pallets</i>	As per the parent zone.	February 24 th , 2020	February 28 th , 2022
T-10 Sims/ Wrigley	B5	A	Concession 2, PT LOT 26 RP30R1989 PT 1	<i>Garden suite</i>	As per the parent	September 29, 2020	December 30, 2030

ENACTMENT

ZONING BY-LAW NO. 2017-70 READ A FIRST, SECOND AND THIRD TIME THIS
26TH DAY OF JUNE, 2017.

ORIGINAL SIGNED BY MAYOR

MAYOR DOUGLAS JOYNER

ORIGINAL SIGNED BY CLERK

CAROLYN LANGLEY, CLERK