

3 ZONES AND ZONE PROVISIONS

3.1 Agricultural (AG)

3.1.1 PERMITTED USES

PRIMARY USES

- Conservation use;
- Equestrian facility;
- Farm help accommodation building;
- Forestry and maple syrup production;
- Passive recreation uses;
- Plant Nursery;
- Produce farm or a livestock farm;
- Single detached dwelling

ACCESSORY USES

- Accessory agricultural open storage;
- Accessory agricultural processing plant, which involves processing only produce from the farm operation;
- Accessory bed and breakfast;
- Accessory dwelling unit;
- Accessory farm office;
- Accessory farm produce roadside retail stand;
- Accessory farm produce sales outlet;
- Accessory farm winery or cidery;
- Accessory small scale biogeneration facilities.
- Home occupation;
- Home industry;
- Single accessory apartment;
- Temporary agricultural fair or exhibition;
- Temporary accessory seasonal outdoor attraction such as a farm tour, a maze, an agriculturally related play or activity area;

3.1.2 ZONE PROVISIONS

- a) Minimum Lot Area: 35 ha
 - a) Minimum Lot Frontage: 100 m
 - b) Minimum Front Yard: 10 m
 - c) Minimum Rear Yard: 7.5 m
 - d) Minimum Interior Side Yard: 7.5 m
 - e) Minimum Exterior Side Yard: 10 m
 - f) Maximum Lot Coverage: 20%
 - g) Maximum Height of Agricultural Buildings: 20 m
 - h) Maximum Height of Agricultural Structures: 30 m
 - i) Maximum Height of Non Agricultural Principal Buildings and Structures: 13 m
 - j) Maximum Height of Accessory Buildings: 8 m
 - k) Maximum Gross Floor Area of All Accessory Buildings: Not Applicable
 - l) Minimum Lot Area for Approved Surplus Dwelling Lot: 0.3 ha
 - m) Minimum Lot Frontage for Approved Surplus Dwelling Lot: 30 m
- n) Notwithstanding the minimum lot area and frontage provisions of this By-law, all of the permitted uses of this Zone may be permitted on a lot existing at the time of adoption of this By-law having less frontage and lot area provided that:
- i. Where a main residential or accessory residential or accommodation use is to occur, the lot must have a minimum frontage of 30 metres and a minimum area of 0.3 ha;
 - ii. For any non-residential building, the lot must have a minimum frontage of 10 metres;
 - iii. For a livestock farm, the minimum lot area should be 2 ha and, other provisions of this By-law are complied with.
- o) For lots having a lot area of 1.5 hectares or less, the permitted uses shall be limited to the following:
- Conservation Use
 - Passive Recreation Use
 - Single Detached Dwelling
 - Accessory Dwelling Unit
 - Home Occupation
 - Home Industry
 - Single Accessory Apartment

- p) Notwithstanding any contrary provision of this By-law, accessory buildings, structures, and uses may be located in all yards, including the front yard, but shall be required to meet all minimum yard and setback requirements.
- q) Notwithstanding any other contrary provisions of this By-law, in an Agricultural Zone, an accessory dwelling unit may be located in an accessory building where there is no separate farm help accommodation building on the same lot. Where located in an accessory building, the accessory dwelling unit shall have a minimum gross floor area in accordance with Section 2.1 and shall have a total gross floor area of no greater than 50 percent of that of the primary, or principle, residence on the lot and shall be no greater than 111 square metres total gross floor area. An accessory dwelling unit in an accessory building shall be located no further than 50 metres from the principle dwelling. The accessory dwelling unit may occupy the entire accessory building. An accessory dwelling unit shall not be considered to be a surplus residence for the purposes of obtaining a consent and may not be separated from the lot by a severance.
- r) Accessory agricultural open storage shall allow for open storage of agriculturally related produce, products, and agricultural equipment. The zone provisions shall also apply to accessory agricultural open storage. The provisions do not apply to produce temporarily stored in production areas during harvesting.
- s) The aggregate area of an accessory agricultural processing use including all associated uses such as, but not limited to parking, loading areas, outside storage areas devoted to processing, and processing waste storage areas located on a lot shall not exceed two (2) ha.
- t) An accessory farm produce retail operation shall be permitted for the purposes of retail sales of produce, including processed produce, predominantly from the farm including a winery or cidery. Such produce may include food products or non food products manufactured from organic products, such as, but not limited to, wood or hemp products. Such a retail operation shall not exceed a floor area of more than 250 square metres including a hospitality area for wineries or cideries.
- u) Farm Produce Sales Outlet and Farm Winery or Cidery Provisions:
 - i. Any buildings dedicated to a Farm Produce Sales Outlet and Farm Winery or Cidery shall not exceed 250 square meters in gross floor area and shall be setback a minimum of 30 meters from any dwelling, other than a dwelling located on the same lot, including any outdoor patio or seating area. Further, any outdoor patio or seating area shall not exceed 93 square meters in area.
- v) A farm help accommodation building is permitted where there is no accessory dwelling unit in an accessory building on the same lot. Farm help accommodation buildings shall be located within 50 metres of the primary detached dwelling. Such additional accommodation may be permitted in a

separate building for the accommodation of farm workers where the lot is a minimum of 30 ha in area. Such additional accommodation shall have a minimum floor area of 78 square metres, and shall have the same yard requirements and use the same driveway or entrance as the principal dwelling on the lot. Such accommodation shall not be permitted to be renovated or otherwise altered to a permanent dwelling unit for a use other than as housing for farm help and shall not be severed from the farm.

- w) A temporary agricultural fair or exhibition shall:
 - i. Not exceed a duration of more than one (1) month;
 - ii. Not involve the construction of any permanent buildings or structures; and,
 - iii. Meet all other provisions of this By-law.
- x) Accessory uses shall not alter the primary character or farm use of the property.
- y) Accessory small scale biogeneration facilities shall:
 - i. Limit agricultural inputs to manure from one farm unit or a combination of farm units with total collective inputs not exceeding 1,000 nutrient units annually;
 - ii. Not receive more than 5,000 m³ of co-substrate per year;
 - iii. Not store more than 100 m³ of co-substrate;
 - iv. Not exceed a 25% mixture of co-substrates; and,
 - v. Comply with applicable Minimum Distance Separation requirements and the Nutrient Management Act.
- z) A temporary accessory seasonal attraction shall:
 - i. Not involve the construction of any permanent buildings or structures;
 - ii. Not exceed a duration of six (6) weeks over a contiguous period of time;
 - iii. Shall not occur on more than two (2) contiguous periods of time per year;
 - iv. Not occupy more than four (4) ha; and,
 - v. Meet all other provisions of this By-law.

3.1.3 AGRICULTURAL – RESIDENTIAL USE EXCEPTIONS (AG-ER)

Notwithstanding the permitted uses of the Agricultural Zone, a single detached dwelling, farm help accommodation, an accessory dwelling unit, an accessory bed and breakfast, a garden suite, a home occupation and a home industry are prohibited uses on the following properties as identified by the symbol AG-ER on the schedules to this By-law or amendments thereto.

AG-ER1

Part of Lots 5 & 6, Concession 10, Formerly Sunnidale
(6319 Highway 26, 040-003-09500)

Altered or Additional Provisions:

Minimum Lot Frontage: 90 metres

AG-ER2

Part of Lot 11, Concession 1, Formerly Sunnidale
(5816 Highway 25, 040-003-15200)

Altered or Additional Provisions:

Minimum Lot Area: 11 hectares

AG-ER3

Part of Lot 11 WSR, Concession 9 and 10, Formerly Sunnidale
(12042 County Road 10, 040-003-10700)

Altered or Additional Provisions:

A livestock use shall be prohibited in any farm buildings existing on the date of passage of this by-law (September 24, 2012).

AG-ER4

Part Lot 22 ESR, Concession 4, Formerly Sunnidale
(10325 & 10235 County Road 10, 040-002-17700 & 040-002-17800)

AG-ER5

Part of Lot 15 Concession 1, Formerly Nottawasaga
(6309 15/16 Sideroad, 010-002-01000)

AG-ER6

Part of Lot 27 Concession 6, Formerly Nottawasaga
(1273 Concession 6 North, 010-008-04100)

AG-ER-7

North Part Lot 30 & North 1/2 Lot 30 Concession 3; Part 1 51R13044
8073 & 8077 Highway 26

Altered or Additional Provisions:

- Minimum Lot Area: 30.8 ha
- Minimum Lot Frontage: 90 m

3.1.4 AGRICULTURAL – LIVESTOCK USE EXCEPTIONS (AG-EL)

Notwithstanding the permitted uses of the Agricultural Zone, a livestock use is a prohibited use on the following properties as identified by the symbol AG-EL on the schedules to this By-law or amendments thereto.

AG-EL1

Part of Lots 5 & 6, Concession 10, Formerly Sunnidale
(6319 Highway 26, 040-003-09500)

Additional Permitted Uses:

- Existing rental storage unit buildings as a home industry: 2 Buildings (1200 square metres each)

AG-EL2

Part Lot 2 & 3, Concession 10, Formerly Sunnidale
(6619 Highway 26, 040 003 08700)

Additional Permitted Use:

- 2nd existing dwelling

Altered Zone Provision:

- Zero (0) side yard setback for an existing accessory building

AG-EL3

N Pt Lot 23 Concession 5
(1154 Fairgrounds Road South, 010-008-00802)

Altered or Additional Provision:

- Notwithstanding General Provision 2.6.1.4 of the Township of Clearview Zoning By-law 06-54, the maximum gross floor area of all accessory structures shall not exceed 308 m².

AG-EL4

S Pt Lot 17 WSR, Con 6, N Pt Lot 17 WSR, Con 6, N Pt Lot 17 ESR, Con 6
(10936, 11010 & 11019 County Road 10, 040-002-27400, 040-002-27900, 040-002-28100)

Altered or Additional Provision:

- Notwithstanding General Provision 2.6.1.4 of the Township of Clearview Zoning By-law 06-54, the maximum gross floor area of all existing accessory structures shall not exceed 560 m².

3.1.5 AGRICULTURAL ZONE EXCEPTIONS

AG-1

Part Lot 8, W.S.R., Concession 12, Formerly Sunnidale
(12694 County Rd 10, 040-003-18200)

Additional Permitted Use:

- Garden Suite

AG-2

Part Lot 10, Concession 6, Formerly Sunnidale
(2377 Creemore Rd, 040-002-27301)

- Permitted Uses Limited To:
- Produce farm;
- Conservation use;
- Forestry and maple syrup production;
- Passive recreation;
- Temporary agricultural fair or exhibition;
- Temporary seasonal farm related outdoor attraction;
- Accessory farm produce roadside retail stand.

AG-3

Part of Lot 39, Concession 8, Formerly Nottawasaga
(4525 County Road 124, 010-007-05200)

Altered or Additional Provisions:

- Minimum Lot Area: 8090 square metres
- Minimum Lot Frontage: 45 metres
- Accessory outdoor storage and accessory agricultural outdoor storage shall be limited to not more than twenty percent (20%) lot coverage and shall be located to the rear of all buildings and occur within a fenced area. There shall be no open outdoor external storage of manure, compost, organic, or other waste material including wastewater associated with an agricultural operation.

AG-4

Part of Lot 39, Concession 8, Formerly Nottawasaga
(4537 County Road 124, 010-007-05201)

Altered or Additional Provisions:

- Minimum Lot Area: 9.5 ha
- Minimum Lot Frontage: 95 metres

AG-5

Part of Lot 7, Concession 6, Formerly Sunnidale
(5321 Concession 7, 040-002-26900)

Altered or Additional Provisions:

- A single detached dwelling is not a permitted use
- Minimum Lot Area: 28.3 ha

AG-6

Part of Lot 5, Concession 10, Formerly Sunnidale
(6347 Highway 26, 040-003-09400)

Altered or Additional Provisions:

- Minimum Lot Frontage: 10 m
- Minimum West Side Yard: 3.5 m

AG-7

Part of Lot 23, Concession 7 & 8
(1152 Concession 6 South, 010-008-06000)

Permitted Uses Limited To:

- Single-detached dwelling
- Accessory Uses: home occupation, home industry, single accessory apartment, accessory bed and breakfast.

Altered Zone Provisions:

- Minimum Lot Area 2.5 hectares
- Minimum Lot Frontage 60 metres

AG-8

Part of Lot 39, Concession 10, Formerly Nottawasaga
(2735 Concession 10, 010-012-00800)

Altered or Additional Provisions:

- Notwithstanding the provisions of 3.1.2, a farm help accommodations for full time farm help shall be permitted on the south half of Lot 39, Concession 10 in

the former Nottawasaga Township located not more than 35 metres from the dwelling located on the lot and existing on the date of passing of this exception.

~~AG-9~~

~~Part of Lot 39, Concession 8, Formerly Nottawasaga
(4559 County Road 124, 010-00705400)~~

~~Altered or Additional Provisions:~~

- ~~▪ Minimum Lot Area: 10.4 ha~~

AG-10

North Part of Lot 33, Concession 4, Formerly Nottawasaga
(6263 33/34 Sideroad, 010-003-51801)

Altered or Additional Provisions:

- Minimum Lot Area: 1.9 ha

AG-11

West Part lot 9, Concession 8, Formerly Sunnidale
(4857 Concession 9, 040-003-17000)

Altered or Additional Provisions:

- Minimum Interior Side Yard Setback (East): 4 m

AG-12

Part of Lot 39, Concession 8, Formerly Nottawasaga
(4559 County Road 124, 010-007-05400)

Altered or Additional Provisions:

- Minimum lot Area: 6.94 ha (17.1 acres)
- No permanent buildings or structures shall be located, installed within 15 meters of the limit of the County Road No.124 and Poplar Sideroad, unless an exception to this requirement has been approved in writing by the County of Simcoe, in accordance with the County Road Setback by-law

AG-13

North Part of Lot 20, Concession 1, Formerly Nottawasaga
(1426 Centre Line Road, 010-002-02000)

Altered or Additional Provisions:

- Minimum Lot Frontage shall be 20 m

AG-14

Part of Lot 11, Concession 6, Formerly Nottawasaga
(2629 Concession 6 South, 010-010-04101)

Permitted Uses Restricted to:

- Single Detached Dwelling
- Produce Farm
- Conservation Use
- Passive Recreation Use
- Forestry and Maple Syrup Production
- Greenhouse and Plant Nursery (no retailing from subject lands)

Accessory Uses Restricted to:

- Accessory Buildings
- Accessory Agricultural Open Storage
- Accessory Farm Office
- Garden Suite subject to a Temporary Use By-law
- Following Home Occupations (no public to attend the subject lands):
- Professional Offices
- Arts and Crafts (artists, jewelers etc.)
- Business Services (secretarial, word processing etc.)
- Following Home Industries (no public to attend the subject lands):
- Trade Businesses (contractors, trades etc.)
- Catering and Food Preparation

Altered Provisions:

- Minimum Lot Area shall be 0.8 ha
- Minimum Lot Frontage shall be 0 m
- Setbacks from all lot lines 3 m
- Maximum Lot Coverage 20%
- Maximum Height of Buildings 13 m
- Maximum Height of Accessory Buildings 8 m
- Maximum Number of Accessory Buildings No Limit
- Maximum Gross Floor Area of All Accessory Buildings No Limit

AG-15

West Part of Lot 10, Concession 2, Formerly Nottawasaga
(2741 County Road 42, 010-001-05501)

Altered Provisions:

- Minimum Lot Area shall be 34.5 ha

AG-16

Not Part of Lot 20 and Lot 21, Concession 1, Formerly Nottawasaga
(1426 & 1482 Centre Line Road, 010-002-02100, 010-002-02000)

Altered Provisions:

- Minimum Lot Frontage shall be 15 m

AG-17

Part of South Half Lot 24, Concession 4, Formerly Nottawasaga
(1087 Fairgrounds Road, 010-002-22700)

Altered Provisions:

- Minimum Lot Frontage shall be 9 m
- Interior Side Yard shall be 3 m (northern property line)

AG-18

Part of Lot 11, Concession 2, Formerly Nottawasaga
(2605 County Road 42, 010-001-05600)

Altered Provision:

- Minimum Lot Frontage 23 m

AG-19

West Part Lot 22, Concession 6, Formerly Nottawasaga
(1287 Concession 6 South, 010-008-03000)

Altered Provisions:

- Minimum Lot Area 0.4 ha
- Minimum Lot Frontage 55 m

AG-20

Part of Lot 32, Concession 10, Formerly Nottawasaga
(1909 and 1931 Concession 10, 010-007-17801, 010-007-17800)

Altered Provision:

- Minimum Lot Area 1 ha
- Minimum Lot Frontage 60 m

AG-21

Part of Lot 3, Concession 1 and 2, formerly Nottawasaga

(6797 3/4 Sideroad, 010-001-00600)

Additional Permitted Uses:

- Extraction of aggregate above and below the water table;
- Portable processing and associated equipment but not including asphalt or concrete plants;
- Temporary stockpiles of aggregate extracted on the premises;
- Temporary stockpile of topsoil from the extracted site.

Altered or Additional Provisions:

- Minimum Lot Area 35 ha
- Minimum Lot Frontage 100 m
- Minimum Front Yard 15 m
- Minimum Rear Yard 0 m
- Minimum Interior Side Yard abutting Agricultural (AG) Zone 15 m
- Minimum Interior Side Yard abutting Extractive Industrial Exemption M3(E1) Zone 0 m
- Minimum Exterior Side Yard 15 m

Yard requirements shall apply to all aggregate extraction and processing activities.

No buildings or structures are permitted other than extraction equipment and portable processing equipment utilized in on-site operations.

All extraction and portable processing areas shall be screened and buffered from visibility from public roads and residential, commercial, recreational and institutional uses.

AG-22

W Pt Lot 4 Concession 12

(10158 County Road 9, 010-011-27400)

Additional Permitted Uses:

- Firewood processing operation

AG-23

North Part Lot 20 ESR Concession 5

10581 County Road 10

Altered Provisions:

- Existing Northern Interior Side Yard: 1.5 m

AG-24

North Part Lot 30 & North 1/2 Lot 30 Concession 3; Part 1 51R13044
8073 Highway 26

In addition to the permitted uses of the AG zone the following use is also permitted:

- Commercial Self-storage facility

Altered or Additional Provisions:

- Minimum Lot Area: 1.4 ha
- Minimum Lot Frontage: 50 m
- Existing buildings will be deemed to conform to the setbacks, on the date of the passing of this By-law.

AG-25

6042 30/31 Sideroad
South Part Lot 31 Concession 3

Altered Provisions:

- Total Gross Floor Area for accessory buildings 721 m²

3.2 AGRICULTURALLY RELATED INDUSTRIAL (AGI)

3.2.1 PERMITTED USES

PRIMARY USES

- All uses permitted in the Agricultural (AG) Zone and complying with the provisions of that zone;
- Abattoir;
- Agricultural processing plant;
- Agricultural produce warehouse;
- Cold storage;
- Dairy products plant;
- Feed mill;
- Fertilizer mixing plant and distribution facility;
- Grain drying facility;
- Large scale agri-composting facilities and bio-generation energy facilities;
- Livestock assembly area;
- Seed cleaning plant

ACCESSORY USES

- Accessory retail outlet associated with a permitted agricultural processing plant;
- Accessory retail outlet associated;
- Accessory and primary open storage;
- Accessory office;
- Accessory display and sales.

3.2.2 ZONE PROVISIONS

- a) Minimum Lot Area: 0.5 ha
- b) Minimum Lot Frontage: 40 m
- c) Minimum Front Yard: 10 m
- d) Minimum Rear Yard: 7.5 m
- e) Minimum Interior Side Yard: 7.5 m
- f) Minimum Exterior Side Yard: 10 m
- g) Maximum Lot Coverage on the Area Zoned AGI: 60%
- h) Maximum Height of Principal Buildings and Structures: 20 m
- i) Maximum Height of Accessory Buildings: 18 m
- j) Maximum Number of Accessory Buildings: Not Applicable

- k) Maximum Gross Floor Area of All Accessory Buildings: Not Applicable
- l) The minimum setback of the zone boundary from any Residential Zone or the lot line of any residential use, other than a residential use on the same lot, shall be 30 metres. This setback shall be increased 100 metres for an abattoir.
- m) Where the zone boundary is within 100 metres of a residential use or zone, other than a residential use on the same lot, the Agriculturally Related Industrial uses shall be buffered from those uses with a landscape buffer as defined herein.
- n) Accessory buildings and structures may be located in all yards, including the front yard, but shall be required to meet all minimum yard and setback requirements.

3.2.3 Agriculturally Related Industrial Zone Exceptions

AGI-1

Part of Lot 14, Concession 12, Formerly Sunnidale
(3829 Concession 12, 040-003-21002)

Altered or Additional Provisions:

- The uses permitted shall be limited to a meat smoking and processing operation utilizing a building of not more than 240 square metres. For purposes of this by-law, meat processing shall not include the slaughter of livestock on the premises.

AGI-3

West Part of Lot 10, Concession 3 and Concession 4, Formerly Nottawasaga
(7280 County Road 9, 010-001-12200)

Permitted Uses Restricted To:

All uses permitted in the Agricultural (AG) Zone and complying with the provisions of that zone;

- Dairy products plant;
- Agricultural processing plant; and,
- Agricultural produce warehouse.

Accessory Uses Restricted To:

- Accessory retail outlet associated with a permitted agricultural processing plant;
- Accessory retail outlet;
- Accessory office; and

- Accessory display and sales.

Zone Provisions:

- Minimum Lot Area: .10 ha
- Minimum Lot Frontage: 10 m
- Minimum Front Yard: .5 m
- Minimum Rear Yard: .5 m
- Minimum Interior Side Yard: .5 m
- Maximum Lot Coverage: 60%
- Maximum Building Height: 30 m

AGI-4

North Part Lot 19, Concession 2, Formerly Stayner
(1617 County Road 42, 010-002-08300)

Permitted Primary Uses Restricted To:

- Agricultural processing plant specifically related to birdseed

Permitted Accessory Uses Restricted To:

- Accessory retail outlet associated with the agricultural processing plant, combined with a farm produce sales outlet, to a total maximum of 350 m² in gross floor area;
- Accessory agricultural buildings and structures;
- Accessory and primary open storage;
- Accessory office;
- Accessory display and sales.

Additional or Altered Provisions:

Minimum required number of parking stalls: 13 stalls

- A landscape buffer is required to be installed along the north and south perimeters of the parking area to a minimum width of 1.5 metres. Neither trees nor landscaping screens are required along the lot boundaries or along the perimeter of the parking area;
- Two loading stalls are to be provided directly abutting the rear of the retail/warehouse building. Provided the loading stalls are in this location, no additional screening shall be required;
- A garbage receptacle is to be placed directly abutting the rear of the retail/warehouse building. The garbage receptacle is to be screened on the south side by a working room. Provided the garbage receptacle is in this location, no additional screening shall be required.

AGI-5

Part of Lot 39, Concession 8, Formerly Nottawasaga
(4559 County Road 124, 010-007-05400)

Permitted Uses restricted to:

- All uses permitted in the Agricultural (AG) Zone and complying with the provisions of that zone;
- Contractor's shop and contractor's yard associated with landscaping and supply and services (including sprinkler company);
- Cold storage, and;
- Agricultural produce warehouse.

Accessory Uses Restricted To:

- Accessory and primary open storage;
- Accessory office associated with the contractor's shop, contractor's yard and landscaping supply and services;
- Accessory display and sales associated with contractor's shop, contractor's yard and landscaping supply and services; and
- Retail supply and sale landscaping services, products, materials and items.

Altered or Additional Provisions:

- Maximum Area AGI-5 – 1.2 ha (2.95 acres)
- Maximum size of buildings for the contractor's shop and contractor's yard associated with landscaping supply and services is 416 square meters.
- Existing accessory storage sheds to a maximum 75 square meters combined floor area;
- Location of the existing storage shed no less than 1.5m from the side lot line.
- Retail supply and sale of landscaping services, products, materials and items to a maximum of 250 square meters.

AGI-6

Part of Lots 9, 10, 11 ESR, Concession 11, Part 3 51R-40147, Pt 4 51R-14004,
Formerly Sunnidale
(1062 Klondike Park Road, 040-003-15100)

Prohibited Uses:

- Single Detached Dwelling
- Residential Uses

3.3 AGRICULTURALLY RELATED COMMERCIAL (AGC)

3.3.1 PERMITTED USES

PRIMARY USES

- All uses permitted in the Agricultural (AG) Zone and complying with the provisions of that Zone;
- Agricultural equipment and supply sales outlet;
- Agricultural veterinary clinic in areas designated Agricultural in the Township Official Plan and a veterinary clinic in areas designated Rural in the Township Official Plan;
- Agri-tourism operation;
- Farm auction or stock yard establishment;
- Farm co-operative;
- Farm produce sales outlet;
- Farmers market;
- Fertilizer, seed, pesticide, and herbicide sales facility

ACCESSORY USES

- Accessory and primary open storage;
- Accessory display and sales;
- Accessory office;
- Temporary accessory seasonal outdoor attraction such as a farm tour, a maze, an agriculturally related play or activity area;
- Temporary agricultural fair or exhibition

3.3.2 ZONE PROVISIONS

- a) Minimum Lot Area for Lands Designated Agricultural in Clearview Township Official Plan: 35 ha
- b) Minimum Lot Area Zoned AGC: 0.5 ha
- c) Minimum Lot Frontage: 30 m
- d) Minimum Front Yard: 10 m
- e) Minimum Rear Yard: 7.5 m
- f) Minimum Interior Side Yard: 7.5 m
- g) Minimum Exterior Side Yard: 10 m
- h) Maximum Lot Coverage on Area Zoned AGC: 60%
- i) Maximum Height of Principal Buildings and Structures: 15 m
- j) Maximum Height of Accessory Buildings and Structures: 15 m
- k) Maximum Number of Accessory Buildings: Not Applicable

- l) Maximum Gross Floor Area of All Accessory Buildings: Not Applicable
- m) Agriculturally related commercial uses, including all associated uses, must be clearly farm related through ongoing interaction with agricultural activities, and shall not include facilities for activities, commercial uses, dining, or accommodation which have no or only minimal agricultural interaction or local agriculturally related input or components.
- n) A retail establishment shall not exceed a floor area of more than 500 m² for the retail use. This does not include production, processing, or storage floor space, but does include a hospitality room in the case of wineries and cideries.
- o) The minimum setback from any Residential Zone or the lot line of any residential use, other than a residential use on the same lot, shall be 30 metres.
- p) Where the zone boundary is within 100 metres of a residential use or zone, other than a residential use on the same lot, the Agriculturally Related Commercial uses shall be buffered from those uses with a landscape buffer as defined herein.
- q) Accessory buildings and structures may be located in all yards, including the front yard, but shall be required to meet all minimum yard and setback requirements.
- r) An agri-tourism operation may incorporate a restaurant in which food products produced primarily on the farm or surrounding farms are prepared and served.
- s) Agri-tourism buildings, including those for dining, must be an integral component of the farm, must not alter the character of the farm or landscape, and shall be located in or in the immediate vicinity of the farm building cluster. In regard to restaurant uses, they are to be distinct in character from restaurant uses permitted in the Highway Commercial Zone and drive-through restaurants are not permitted. As an agri-tourism operation, a restaurant shall not exceed seating and entertainment floor area of more than 93 square metres, excluding kitchen and storage areas.
- t) A temporary agricultural fair or exhibition shall:
- i. Not exceed a duration of more than one (1) month;
 - ii. Not involve the construction of any permanent buildings or structures; and,
 - iii. Meet all other provisions of this By-law.
- u) A temporary accessory seasonal attraction shall:
- i. Not involve the construction of any permanent buildings or structures;
 - ii. Not exceed a duration of six (6) weeks over a contiguous period of time;

- iii. Shall not occur on more than two (2) contiguous periods of time per year;
- iv. Not occupy more than four (4) ha; and,
- v. Meet all other provisions of this By-law.

3.3.3 AGRICULTURALLY RELATED COMMERCIAL ZONE EXCEPTIONS

AGC-1

Part Lot 39, Concession 7, Formerly Nottawasaga
(7293 Poplar Side Road, 010-005-71700)

Permitted Uses Limited To:

- All uses permitted in the Agricultural (AG) Zone and complying with the provisions of that zone; or,
- A veterinary clinic.

~~AGC-2~~

~~Part of Lot 39, Concession 8, Formerly Nottawasaga
(4559 County Road 124, 010-007-05400)~~

~~Permitted Uses Limited To:~~

- ~~▪ All uses permitted in the Agricultural (AG) Zone and complying with the provisions of that zone;~~
- ~~▪ Fertilizer, seed, pesticide, and herbicide sales facility;~~
- ~~▪ Agricultural equipment and supply sales outlet;~~
- ~~▪ Agri-tourism operation;~~
- ~~▪ Retail and wholesale establishment for the sale of locally produced agricultural products including indoor and outdoor display and sales and including winery or cidery retail outlets (locally produced refers to produces from farm(s) located 160 km (100 mile radius) of Clearview Township); or,~~
- ~~▪ Farmers market.~~

~~Accessory Uses:~~

- ~~▪ Temporary agricultural fair or exhibition;~~
- ~~▪ Temporary accessory seasonal outdoor attraction such as a farm tour, a maze, an agricultural related play or activity area;~~
- ~~▪ Accessory and primary open storage;~~
- ~~▪ Accessory office; or,~~
- ~~▪ Accessory display and sales.~~

~~Altered or Additional Provisions:~~

- ~~▪ Retail establishment will be permitted to have a floor area no larger than 760 square meters for retail use;~~
- ~~▪ No building or structures shall be located, installed or rebuilt within 15 metres of the limit of the County Road No. 124 right of way, unless a specific setback distance has been set out in the County Road Setback By-law 5604 or an exception to the requirements of the Road Setback By-law has been approved in writing by the County of Simcoe and provided to the Township of Clearview.~~

AGC-3

Part of Lot 39, Concession 8, Formerly Nottawasaga
(4559 County Road 124, 010-007-05400)

Permitted Uses restricted to:

- All uses permitted in the Agricultural (AG) Zone and complying with the provisions of that zone;
- Fertilizer, seed, pesticide, and herbicide sales facility;
- Agricultural equipment and supply sales outlet;
- Agri-tourism operation;
- Retail and wholesale establishment for the sale of locally produced agricultural/horticultural products that contain items or ingredients from farm(s) generally Province-wide, including indoor and outdoor display and sales including winery or cidery retail outlets;
- Farm auction; and
- Farmers market

Accessory Uses Restricted To:

- Temporary agricultural fair or exhibition;
- Temporary accessory seasonal outdoor attraction such as a farm tour, a maze, an agricultural related play or activity or area;
- Accessory and primary open storage;
- Accessory office;
- Accessory display and sales.

Altered or Additional Provisions:

- Maximum Area of AGC-3 – 2 ha (5 acres)
- Fertilizers, seed, pesticide and herbicide facility; retail and wholesale establishment for the sale of locally produced agricultural/horticultural products that contain items or ingredients from farm(s) located generally Province-wide, including indoor and outdoor display and sales and including winery or cidery retail outlets; Farm Auction; and Farmer's Market; will be permitted to have a floor area of no larger than 1000 square meters, all these uses will be include in the primary structure;
- Greenhouse uses and a retail component, also included in the primary structure, will be permitted to have a floor area no larger than 800 square meters;

- The total floor area of the primary structure shall be no greater than 1800 square meters;
- Agricultural equipment and supply sales outlet to have a combined floor area of no larger than 1,000 square meters;
- No permanent buildings or structures shall be located, installed within 15 meters of the limit of the County Road No.124 and Poplar Sideroad, unless an exception to this requirement has been approved in writing by the County of Simcoe, in accordance with the County Road Setback by-law.

AGC-4

West Part of Lot 3, Concession 12, Formerly Nottawasaga
(793175 County Road 124)

Permitted Uses Restricted to:

- All uses permitted in the Agricultural (AG) Zone and complying with the provisions of that zone;
- Farm co-operative;
- Agricultural equipment and supply sales outlet;
- Agri-tourism operation;
- Retail and wholesale establishment for the sale of locally produced agricultural/horticultural products that contain items or ingredients from farm(s) located generally Province-wide, including indoor and outdoor display and sales and including winery or cidery retail outlets;
- Farm auction;
- Farmers market;
- Cutting, folding, shaping and milling of raw metal;
- Outdoor display and sales (related to the agricultural equipment and supply sales outlet)
- Primary outside storage (related to the agricultural equipment and supply sales outlet)

Accessory Uses Restricted To:

- Accessory office

Altered or Additional Provisions:

- Outdoor display and sales shall be permitted within the County Road setback however will not be closer than .3 m to any property line
- Outdoor display and sales will be seasonal
- Maximum area for outdoor display and sales and primary outside storage is 750m²
- Outdoor display and sales and primary outside storage will be permitted within the required minimum yards, but only where shown on the approved site plan and will not be required to be enclosed.

- Landscaping screens or buffers will not be required for outdoor display and sales and primary outside storage areas adjacent to the exterior side yard
- Maximum number of parking spaces required on site will be 13
- Parking spaces will be setback .3m from property lines, in all yards
- Minimum rear and interior side yard to be 7m
- For the purposes of the permitted uses in the AGC-4 Zone an: Agricultural equipment and supply sales outlet: means a building, structure and/or clearly defined space on a lot that is used for the display and sale, lease, storage or rental of farm implements, farm equipment, and may include the servicing repair, cleaning, polishing, and lubricating of such machinery or equipment and the sale of related accessory tools and parts.

AGC-5

West Part of Lot 10, Concession 2, Formerly Nottawasaga
(793175 County Road 124, 010-011-27200)

Prohibited Uses:

- Single Detached Dwelling
- Residential Uses
- Primary Outdoor Display and Sales
- Primary Outdoor Storage

Altered Provisions:

- Minimum Lot Area for Agriculturally Related Commercial Use shall be 3.2 ha
- Minimum Distance Separation I shall be maximum of 290 m to 7005 County Road 9 (Roll 432901000105300)
- Minimum Distance Separation I shall be maximum of 375 m to 7131 County Road 9 (Roll 432901000111900)
- Number of Parking Spaces Required 31
- Number of Barrier Free Parking Spaces Required 2
- Loading Spaces may be located in Interior Side Yard and Rear Yard
- The provisions of Section 2.17 Outdoor Display and Sales and the Section 2.18 Outdoor Storage shall not apply.

Altered Provisions for Primary Outdoor Display and Sales and Outdoor Storage:

- May occur in all yards
- Minimum Front Yard Setback 6 m
- Minimum Exterior Side Yard Setback 7 m
- Minimum Rear Yard Setback 3 m
- Shall be included in the maximum lot coverage

Altered Provisions for Landscaping:

- Landscape buffer shall be required a maximum of 1.5 m in width from property lines, no other landscape screen or buffer is required
- Minimum of 11 trees shall be planted on site
- No landscaping is required for parking or loading spaces

AGC-6

North Part of Lot 33, Concession 8, Formerly Nottawasaga
(3815 County Road 124, 010-007-00605)

Altered Provision:

- No additional landscaping will be required in the parking lot
- No additional curbs or wheel stops required for parking or loading spaces
- No additional tree planting required

AGC-7

West Part of Lot 9, Concession 2, Formerly Nottawasaga
(7005 County Road 9, 010-001-05300)

Additional Uses:

- Agriculturally Related Machine Repair Shop
- Additional Accessory Uses:
- Accessory Display
- Prohibited Uses:
- Single Detached Dwelling
- Residential Uses

Prohibited Accessory Uses:

- Accessory and Primary Outdoor Storage
- Accessory Outdoor Sales Area

Altered Provisions:

- Minimum Lot Area for Agriculturally Related Commercial Use shall be 4.0 ha
- Number of Parking Spaces Required 71
- Loading Spaces may be located in Rear Side Yard
- Minimum Distance Separation I shall be maximum of 450 m to 7164 County Road 9 (432901000112300)
- Minimum Distance Separation I shall be maximum of 215 m to 7131 County Road 9 (432901000111900)
- Minimum Distance Separation I shall be maximum of 225 m to 7005 County Road 9 (432901000105300)

Altered Provisions for Accessory Display:

- Will be located in front yard and exterior side yard setback a minimum 7.25 m from the front property line and a minimum 8 m from the exterior side yard
- This accessory display will be shown on the implementing site plan
- Accessory Display Area to be no larger than 485 m²
- Shall meet the maximum height provisions applicable to buildings and structures

Altered Provisions for Landscaping:

- Landscape buffer shall be required a minimum of 1.5 m in width from property lines
- Minimum of 90 trees shall be planted on the site
- No landscaping is required for parking, loading or truck spaces
- Treed berm will be placed from the south west corner following 50 m along west property line and 50 m along south property line, originating at the south west corner
- Berm will be 2 m in height and 1.5 m in width and will be treed

3.4 AGRICULTURAL BOARDING KENNEL (AGK)

3.4.1 PERMITTED USES

- On a properly zoned AGK a boarding kennel is an additional permitted use.
- The primary permitted uses in the case of a property zoned AGK are the permitted uses of the Agricultural (AG) Zone.
- An accessory grooming service and accessory retail area of no greater than 15 square metres of floor area may also be permitted.

3.4.2 ZONE PROVISIONS

In addition to the provisions of the AG Zone for an AGK use, the following provisions shall also apply:

- a) No kennel shall house more than thirty-five (35) canines;
- b) In no case shall any kennel be located closer than 100 metres to the lot boundary of any residential use in a settlement area shown in this By-law, or within 50 m of any other residential structure other than a residential structure on the property on which the kennel is located; and,

An accessory retail use shall not exceed a total gross floor area of 10 square metres.

3.4.3 AGRICULTURAL KENNEL ZONE EXCEPTIONS

AGK-1

Part Lot 31, Concession 5, Formerly Nottawasaga
(1824 Fairgrounds Rd North, 010-005-00101)

Altered or Additional Provisions:

- Minimum setback for a kennel use from any lot line: 75 metres
- Maximum number of canines permitted: 15

AGK-2

Part Lot 29, Concession 3, Formerly Nottawasaga
(7933 Highway 26, 010-002-19301)

Altered or Additional Provisions:

- Maximum number of canines: 10

AGK-3

Part of Lot 30, Concession 5, Formerly Nottawasaga
(6773 30/31 Sideroad, 010-008-02402)

Altered or Additional Provisions:

- Maximum number of canines: 15

AGK-4

Part Lot 29 Concession 7
(1550 Concession 6 North, 010-008-07801)

Altered or Additional Provisions:

- Day Use - boarding kennel - maximum number of canines - 20
- Over Night Use - boarding kennel - maximum number of canines - 15
- Minimum number of boarding kennel parking spaces - 6
- Maximum area of the boarding kennel runs - 1120 m²
- Maximum area for the boarding kennel building - 143 m²
- 2m wood board fence required around the perimeter of area zoned for the boarding kennel.

AGK-5

N1/2 Pt Lot 11, W1/2 & E1/2 Pt Lot 15 Concession 7
(11323 County Road 10, 040-002-32500)

Additional Permitted Uses:

- Accessory Uses of the Agricultural (AG) Zone
- Accessory groom service and retail area of no greater than 28 m²

Altered or Additional Provisions:

- Maximum area for the kennel area – 1740 m² (.43 acres)
- Minimum area for the outdoor dog play area – 112 m²
- Minimum area for indoor dog play area – 56 m²
- Notwithstanding the 50 m setback from the principle dwelling for an accessory dwelling unit located in an accessory building, an accessory dwelling unit can be built within the Agricultural Kennel Zone Exception (AGK-5)

3.5 RURAL (RU)

3.5.1 PERMITTED USES

PRIMARY USES

- Conservation use;
- Equestrian facility;
- Farm help accommodation building;
- Forestry and maple syrup production;
- Passive recreation uses;
- Plant nursery;
- Produce farm or a livestock farm;
- Single-detached dwelling

ACCESSORY USES

- Accessory agricultural open storage;
- Accessory agricultural processing plant, including a winery, which involves processing only produce from the farm operation;
- Accessory bed and breakfast;
- Accessory dwelling unit;
- Accessory farm office;
- Accessory farm produce sales outlet;
- Accessory farm produce road-side retail stand;
- Accessory farm winery or cidery;
- Home industry;
- Home occupation;
- Temporary accessory season outdoor attraction such as a farm tour operation, a maze, an agriculturally related play or activity area;
- Temporary agricultural fair or exhibition

3.5.2 ZONE PROVISIONS

- a) Minimum Lot Area: 0.4 ha
- b) Minimum Lot Frontage: 45 m
- c) Minimum Front Yard: 10 m
- d) Minimum Rear Yard: 7.5 m
- e) Minimum Interior Side Yard: 4.5 m
- f) Minimum Exterior Side Yard: 15 m

- g) Maximum Lot Coverage: 20%
- h) Maximum Height of Agricultural Buildings and Structure: 18 m
- i) Maximum Height of Principal Buildings and Structures: 13 m
- j) Maximum Height of Non Agricultural Accessory Buildings: 8 m
- k) Notwithstanding the minimum lot area and frontage provisions of this By-law, all of the permitted uses of this Zone may be permitted on a lot existing at the time of adoption of this By-law having less frontage and lot area provided that:
 - i. Where a main residential or accessory residential or accommodation use is to occur, the lot must have a minimum frontage of 30 metres and a minimum area of 0.3 ha;
 - ii. For any non-residential building, the lot must have a minimum frontage of 10 metres;
 - iii. For a livestock farm, the minimum lot area should be 2 ha; and,
 - iv. All other provisions of this By-law are complied with.
- l) For a livestock farm on a lot created subsequent to the adoption of this By-law, the minimum lot area shall be ten (10) ha and a minimum frontage of 150 metres.
- m) Notwithstanding these provisions, where an agricultural processing plant use occurs, the minimum lot area shall be ten (10) ha and the minimum lot frontage shall be 150 metres. No agricultural processing facility shall be located closer than 100 metres to a residential use on a separate lot.
- n) Notwithstanding any other contrary provision of this By-law, in a Rural Zone, an accessory dwelling unit may be located in an accessory building where there is no separate farm help accommodation building on the same lot. Where located in an accessory building, the accessory dwelling unit shall have a minimum gross floor area in accordance with Section 2.1 and shall have a total gross floor area of no greater than 50 percent of that of the primary, or principle, residence on the lot and shall be no greater than 111 square metres in total gross floor area. An accessory dwelling unit in an accessory building shall be located no further than 50 metres from the principle dwelling. The accessory dwelling unit may occupy the entire accessory building. An accessory dwelling unit shall not be considered to be a surplus residence for the purposes of obtaining a consent and may not be separated from the lot by a severance.
- o) The aggregate area of an accessory agricultural processing use including all associated uses such as, but not limited to, parking, loading areas, outside storage areas, and processing waste storage areas located on a lot shall not exceed two (2) ha.

- p) An accessory farm produce road-side retail stand shall be permitted for the purposes of retail sales of produce, including processed produce predominantly from the farm. Such produce may include food products or products manufactured from organic products such as, but not limited to, wood or hemp products.
- q) Farm Produce Sales Outlet and Farm Winery or Cidery Provisions:
- r) Any buildings dedicated to a Farm Produce Sales Outlet and Farm Winery or Cidery shall not exceed 250 square meters in gross floor area and shall be setback a minimum of 30 meters from any residential use other than a residential use on the same lot, including any outdoor patio or seating area. Further, any outdoor patio or seating area shall not exceed 93 square meters in area.
- s) A farm help accommodation building is permitted where there is no accessory dwelling unit in an accessory building on the same lot. Farm help accommodation buildings shall be located within 50 metres of the primary detached dwelling. Such additional accommodation may be permitted in a separate building for the accommodation of farm workers where the lot is a minimum of 30 ha in area. Such additional accommodation shall have a minimum floor area of 78 square metres, and shall have the same yard requirements and use the same driveway or entrance as the principal dwelling on the lot. Such accommodation shall not be permitted to be renovated or otherwise altered to a permanent dwelling unit for a use other than as housing for farm help and shall not be severed from the farm.
- t) A temporary agricultural fair or exhibition shall:
- i. Not exceed a duration of more than one (1) month;
 - ii. Occur over a contiguous period of time;
 - iii. Not occur more than once every three (3) years on the same lot;
 - iv. Not involve the construction of any permanent buildings or structures; and,
 - v. Meet all other provisions of this By-law.
- u) A temporary accessory seasonal attraction shall:
- i. Not involve the construction of any permanent buildings or structures;
 - ii. Not exceed a duration of six (6) weeks over a contiguous period of time;
 - iii. Shall not occur on more than two (2) contiguous periods of time per year;
 - iv. Not occupy more than four (4) ha; and,
 - v. Meet all other provisions of this By-law.

3.5.3 RURAL ZONE EXCEPTIONS

RU-1

Part of Lot 20, Concession 2, Formerly Nottawasaga
(1547 County Road 42, 010-002-08500)

Altered or Additional Provisions:

- Minimum number of spaces required for the existing structures: 34 spaces

RU-2

Part of Lot 39, Concession 9, Formerly Nottawasaga
(7623 Poplar Side Road, 010-007-12700)

Additional Permitted Uses:

- Antique store, pottery studio, arts and crafts gallery or studio;
- Boutique;
- Café;
- Dwelling unit in a portion of a non-residential building;
- Garden or nursery centre;
- Veterinary clinic;
- Specialty food store

Altered or Additional Provisions:

- Maximum gross floor area for a garden or nursery centre: 100 m²

RU-3

Part of Lot 7, Concession 2, Formerly Sunnidale
(3571 Hogback Road, 040-001-18110)

Altered or Additional Provisions:

- All habitable buildings or structures on the lands shall be flood proofed to a minimum opening elevation of 0.15 metres above the centre line of the municipal road adjacent to the lot.

RU-4

Part of Lot 7, Concession 2, Formerly Sunnidale
(3522 Hogback Road, 040-001-17910)

Altered or Additional Provisions:

- All habitable buildings or structures to be constructed on the lands shall be flood proofed to a minimum opening elevation of 0.35 metres above the centre line of Hogback road.

RU-5

Part of Lot 24, W.S.R., Concession 3, Formerly Sunnidale
(9976 County Road 10, 040-001-29200)

Additional Permitted Use:

- Taxidermy studio.

RU-6

Part of Lot 7, Concession 4, Formerly Sunnidale
(5649 County Road 9, 040-002-03620)

Additional Permitted Uses:

- Cabinet making, woodworking shop, and as accessory to this use an office and showroom.

Altered or Additional Provisions:

- No outside storage of goods or materials is permitted.

RU-7

Part of East Half of Lot 4, Concession 2, Formerly Sunnidale
(6155 & 6125 Concession 2, 040-001-16800 & 040-001-16801)

Altered or Additional Provisions:

- Maximum Development Area: 3610 square metres (38 metres by 95 metres)
- Frontage of Development Area: 38 metres

RU-8

Part of Lot 37, Concession 7, Formerly Nottawasaga
(7266 36/37 Sideroad, 010-005-70201)

Altered or Additional Provisions:

- Minimum Lot Frontage: 10 metres

RU-9

East ½ Lot 31, Concession 2, Formerly Nottawasaga
(5820 County Road 64, 010-003-25700)

Permitted Uses Limited To:

- Produce farm;
- Conservation use;
- Wholesale topsoil operation;

- Outdoor storage for stockpiling of soil and other material

RU-10

Part of Lots 38 and 39, Concession 12, Formerly Nottawasaga
(010-012-09600)

Altered or Additional Permitted Uses:

- Snowmaking reservoir pond;
- Accessory structures;
- Associated piping.

RU-11

East Part of Lot 11, Concession 5, Formerly Sunnidale
(16 Whitetail Drive, 040-002-23200)

Permitted Uses Limited To:

- Single detached dwelling;
- Conservation use;
- Forestry and maple syrup production; or,
- Passive recreation uses.

Permitted Accessory Uses Limited To:

- Home occupation;
- Accessory dwelling unit.
- Section 1.21 shall not apply to lands zoned RU-11. The following zone provisions shall apply as additional or altered zone provisions to the RU zone provisions:
 - Minimum Development Area 5120 m²
 - Maximum Development Area Coverage 20%
 - Minimum Lot Frontage (Whitetail Drive) 20 m
 - Minimum Front Yard Setback (measured from the south lot line, notwithstanding that the RU-11 zone does not abut the south lot line) 15 m
 - Minimum Rear Yard Setback (measured from the north RU-11 Zone boundary) 0 m
 - Minimum Interior Yard Setback (measured from the 4.5 m west lot line) 4.5 m
 - Minimum Interior Yard Setback (measured from the 0m east RU-11 Zone boundary) 0m

All other provisions of the RU Zone and the remainder of the Zoning By-law, not contrary to the special zone provisions above continue to apply.

RU-14

East Part of Lot 31, Concession 2, Formerly Nottawasaga
(5836 County Road 64, 010-003-25702)

Additional Uses:

- Truck Terminal
- Wholesale Topsoil Storage and Screening Operation
- Outdoor Storage

Altered Provisions or Additional Provisions:

- Notwithstanding the provisions of the Rural (RU) Zone to the contrary where the lands are zoned RU-14 the following apply:
- Minimum Front Yard 15 m
- Side Yard Setback from the west property line 14 m
- Principal Structure Height 19 m
- Maximum Number of Accessory Buildings No Limit other than that maximum lot coverage applies
- Maximum Gross Floor Area of All Accessory Buildings Not Applicable
- Notwithstanding the general provisions in Section 2 to the contrary where the lands are zoned RU-14 the following apply
- Minimum 30 m setback from the Environmental Protection (EP) Zone
- Minimum setbacks from the West Draw of the Lamont Creek will be as follows: fuel tank 55 m, shop/storage building 35 m
- No landscaping will be required along the eastern, or northern property line
- No landscaping is required for parking, loading or truck spaces
- Landscaping in the front yard will be a continuous row of evergreens
- Number of parking spaces required 28
- Number of loading spaces required 1
- Number of barrier free spaces required 2

RU-15

Part Lot 2 & Part Lot 3 Concession 4
(6372 County Road 9, 040-002-01000)

Altered Provisions:

- The minimum southern interior side yard in the RU zone shall be 15 m

RU-18

Part Lot 42 Concession 11; Parts 5 to 27 51R545
(854 Sixth Street, 010-012-05516 to 010-012-05526)

Additional or Altered Provisions:

- Minimum Lot Frontage: 20 m

RU-19

North Part Lot 4 & North Part Lot 5 Concession 4
(2745 3/4 Sideroad)

Altered Provision:

- Minimum Lot Frontage: 17.8m

3.6 RURAL BOARDING KENNEL (RUK)

3.6.1 PERMITTED USES

- On a properly zoned RUK, a boarding kennel is an additional permitted use.
- The primary permitted use of a property zoned RUK are the permitted uses of the Rural (RU) Zone.
- An accessory grooming service and accessory retail area of no greater than 15 square metres of floor area may also be permitted.

3.6.2 ZONE PROVISIONS

In addition to the provisions of the RU Zone for an RUK use, the following provisions shall also apply:

- a) No kennel shall house more than thirty-five (35) canines;
- b) In no case shall any kennel be located closer than 100 metres to the lot boundary of any residential use in a settlement area shown in this By-law, or within 50 m of any other residential structure other than a residential structure on the property on which the kennel is located; and,
- c) An accessory retail use shall not exceed a total gross floor area of 10 square metres.

3.6.3 RURAL KENNEL ZONE EXCEPTIONS

RUK-1

Part of Lot 28, Concession 8 WSR, Formerly Sunnidale
(3686 McCarthy Drive, 040-001-04705)

Altered or Additional Provisions:

- Minimum Rear Yard: 4 metres
- Area Permitted for Kennel: 346 metres (18.9 m by 18.3 m)

3.7 RESIDENTIAL ESTATE (RE)

3.7.1 PERMITTED USES

PRIMARY USES

- Single detached dwelling.

ACCESSORY USES

- Accessory dwelling unit;
- Home occupation.

3.7.2 ZONE PROVISIONS

- a) Minimum Lot Area: 0.6 ha
- b) Minimum Lot Frontage: 50 m
- c) Minimum Front Yard: 15 m
- d) Minimum Rear Yard: 15 m
- e) Minimum Interior Side Yard: 6 m
- f) Minimum Exterior Side Yard: 15 m
- g) Maximum Lot Coverage: 20%
- h) Maximum Height of Principal Buildings and Structures: 11 m
- i) Minimum Gross Floor Area for Single Detached Dwelling: 120 m²
- j) Maximum Height of Accessory Buildings: 6 m
- k) Maximum Number of Accessory Buildings: 3
- l) Maximum Gross Floor Area of All Accessory Buildings: 64 m²

- m) Development may be permitted on private services.

3.7.3 RESIDENTIAL ESTATE ZONE EXCEPTIONS

RE-1

Part Lots 38, 39, & 40, Concession 12, Formerly Nottawasaga
(Angus Drive, Angus Crescent, 010-012-10500)

(Osler Pines Rd, Osler Pines Court, 010-012-10500)

Part Lots 38 & 39, RP 51R13478, RP 51R14056, Concession 2, Formerly
Nottawasaga

(Oslerview Drive, Oslerview Crescent, 010-012-09601)

Altered or Additional Provisions:

Maximum number of leased lots (Angus Drive & Angus Crescent): 45
 Maximum number of leased lots (Osler Pines Rd & Osler Pines Court): 28
 Maximum number of leased lots (Oslerview Drive & Oslerview Crescent): 28
 Minimum Lot Area: 0.13 ha
 Minimum Lot Frontage: 30 m
 Minimum Yards:
 Front: 6 m
 Rear: 6 m
 Interior Side: 1.2 m
 Exterior Side: 4.5 m
 Maximum Lot Coverage: 30%
 Maximum Height of Principle: 11 m
 Buildings and Structures
 Minimum Gross Floor Area: 120 m²

Accessory Buildings:

Minimum Yards:
 Front: Prohibited
 Rear: 3 m
 Interior Side: 1.2 m
 Exterior Side: 4.5 m
 Maximum Height: 4.5 m
 Maximum Number: 3
 Maximum Gross Floor Area: 64 m²

Notwithstanding the definitions of a lot in this By-law, where lands are zoned Residential Estate Zone Exception No.1 (RE-1) a lot shall mean a leased lot as shown on the Osler Bluff Ski Club Ltd Lot Plan and the above provisions shall apply to the leased lots.

RE-2

West Part Lot 42, Concession 12, Formerly Nottawasaga
 (7956889 Grey Road 19, 010-012-11600)

Altered or Additional Provisions:

- Notwithstanding the requirement for a minimum lot area of 0.6 ha, lots having a lesser area, but more than 0.39 ha, as shown on the approved draft plan at the time of adoption of this By-law, shall be deemed to comply with the minimum lot area requirement.
- Notwithstanding the requirement for a minimum lot frontage of 50 metres, lots having a lesser frontage, but more than 39.9 metres, as shown on the approved

draft plan at the time of adoption of this By-law, shall be deemed to comply with the minimum lot frontage requirement.

- Notwithstanding the requirements for a minimum interior side yard, the minimum interior side yard on these lands shall be 5 metres.

RE-3

Part Lot 40, Concession 11, Formerly Nottawasaga

(Plan M183, M184)

(Plan 1570, Lots 1, 4, 6 to 14 Inclusive, 67, 68, 82, & 86)

(Plan 1569, Lots 12 & 15)

Altered or Additional Provisions:

Minimum Lot Area: 0.13 ha

Minimum Lot Frontage: 30 m

Minimum Yards:

Front: 10 m

Rear: 10 m

Interior Side: 5 m

Exterior Side: 8 m

3.8 RESIDENTIAL HAMLET (RS)

3.8.1 PERMITTED USES

PRIMARY USES

- Single detached dwelling; or,
- Semi-detached dwelling.

ACCESSORY USES

- Accessory dwelling unit;
- Bed and Breakfast;
- Home occupation

3.8.2 ZONE PROVISIONS

- a) Minimum Lot Area: 0.2 ha
- b) Minimum Lot Frontage: 25 m
- c) Minimum Front Yard: 7.5 m
- d) Minimum Rear Yard: 10 m
- e) Minimum Interior Side Yard: 2.5 m
- f) Minimum Exterior Side Yard: 7.5 m
- g) Maximum Lot Coverage: 25%
- h) Maximum Height of Dwelling: 11 m
- i) Maximum Height of Accessory Buildings: 6 m
- j) Maximum Number of Accessory Buildings: 3
- k) Maximum Gross Floor Area of All Accessory Buildings: 100 m²

- l) Development may be permitted on private services.

3.8.3 RESIDENTIAL HAMLET ZONE EXCEPTIONS

RS-1

Part of Park Lot 3, Plan 141, Formerly Sunnidale
(154 Switzer Street, 040-002-20700)

Altered or Additional Provisions:

- No dwelling shall be more than 33 metres from the front lot line;
- All openings of dwellings shall be at least 0.3 metres above the regulatory flood elevation of 219.58 metres;

RS-3

NE 1/2 Lot 36 Concession 7; Pts 10-12 RP51R25964
(2416 Concession 6 North, 010-005-69910)

Altered or Additional Provisions:

- Maximum number of Accessory Buildings: 4
- Maximum Gross Floor Area of All Accessory Buildings: 128m²
- Notwithstanding Section 2.6.1.2 of By-law 06-54, the existing accessory building not exceeding 10.5m² may be located closer to the front lot line than the front wall of the primary building in its existing location.

3.9 RESIDENTIAL LARGE LOT (RS1)

3.9.1 PERMITTED USES

PRIMARY USES

- Single detached dwelling.

ACCESSORY USES

- Accessory dwelling unit;
- Bed and Breakfast;
- Home occupation

3.9.2 ZONE PROVISIONS

- a) Minimum Lot Area: 1400 m²
- b) Minimum Lot Frontage: 22 m
- c) Minimum Front Yard: 6 m
- d) Minimum Rear Yard: 7.5 m
- e) Minimum Interior Side Yard: 1.5 m
- f) Minimum Exterior Side Yard: 6 m
- g) Maximum Lot Coverage: 25%
- h) Maximum Height of Dwelling: 11 m
- i) Maximum Height of Accessory Buildings: 4.5 m
- j) Maximum Number of Accessory Buildings: 2
- k) Maximum Gross Floor Area of All Accessory Buildings: 64 m²
- l) New development of residential buildings and new accessory dwelling units may be permitted on private or partial services where:
 - i. Municipal services do not currently exist; and,
 - ii. The owner has submitted to the satisfaction of the Township proof of adequate servicing capability which services will not detrimentally impact neighbouring properties or the environment.

3.9.3 RESIDENTIAL LARGE LOT ZONE EXCEPTIONS

RS1-1

Part of Lots 39, Lot 41, 42, 43 and 44, Plan 315, Block 1, Plan 138, Formerly Creemore
(79 Mary Street, 030-001-01600)

Altered or Additional Provisions:

- Building Envelope will be 19.6 m by 44.6 m

RS1-2

Part of Lot 11, Concession 4, Formerly Sunnidale
(5156 County Road 9, 040-002-15200)

Altered or Additional Provisions:

- Minimum Lot Frontage: 18 m

3.10 RESIDENTIAL LOW DENSITY (RS2)

3.10.1 PERMITTED USES

PRIMARY USES

- Single detached dwelling.

ACCESSORY USES

- Accessory dwelling unit;
- Bed and Breakfast;
- Home occupation

3.10.2 ZONE PROVISIONS

- a) Minimum Lot Area: 750 m²
- b) Minimum Lot Frontage: 18.5 m
- c) Minimum Front Yard: 6 m
- d) Minimum Rear Yard: 6 m
- e) Minimum Interior Side Yard: 1.5 m
- f) Minimum Exterior Side Yard: 6 m
- g) Maximum Lot Coverage: 45%
- h) Maximum Height of Principal Buildings and Structures: 10 m
- i) Maximum Height of Accessory Buildings: 4.5 m
- j) Maximum Number of Accessory Buildings: 2
- k) Maximum Gross Floor Area of All Accessory Buildings: 64 m²

- l) New development, including a new accessory dwelling unit, shall occur on full municipal services.

3.10.3 RESIDENTIAL LOW DENSITY ZONE EXCEPTIONS

RS2-1

South Part of Market Square, Plan 68, Formerly Stayner
(226 Charles Street, 020-022-16700)

Additional Permitted Uses:

- Fiveplex

Altered or Additional Provisions:

- Minimum Yards:
 - Interior Side (East): 1.2 m
 - Interior Side (West): 1.7 m
- Minimum Landscaped Screen Width Adjacent to Parking Lot: 1 m

RS2-2

Part of Lot 8 and Part of the North and South Halves of Lot 9, Concession 4, Formerly Creemore

Altered or Additional Provisions:

- Notwithstanding the definitions of Section 4.0 of By-law 06-54, the following amended definition shall apply to lands zoned RS2-2:
 - Notwithstanding the definition of height and maximum height, a turret and decorative roof elements shall not be included in the calculation of maximum height;
- Minimum Lot Area: 600 m²
- Minimum Lot Frontage: 15 m
- Minimum Exterior Side Yard: 4 m
- Maximum Lot Coverage: 50%
- Maximum Height of Principle and Structures: The lesser of 13 m or 3 stacked storeys, and the number of storeys shall be measured only in the principle portion of the building, and a floor above a garage or in a side split or back split unit shall not be considered an additional storey for the purposes of this by-law;
- There shall be a maximum of 76 lots, each developable as one single detached unit in the RS2-2 Zone;
- Where an accessory garage is located in a rear yard, no dwelling unit on the same lot shall be located within 6 m of the accessory garage.

RS2-3

Part Lots 16 and 17, Plan 68, Formerly Stayner
(235 John Street, 020-002-11700)

Altered or Additional Provisions:

- Minimum Lot Area: 500 m²
- Maximum Lot Coverage 50%

RS2-4

Part Lots 16 and 17, Plan 68, Formerly Stayner
(235 John Street, 020-002-11700)

Altered or Additional Provisions:

- Minimum Lot Area: 500 m²

- Minimum Front Yard: 2.7 m
- Minimum Exterior Side Yard: 0.27 m
- Maximum Lot Coverage 50%

RS2-5

Part of Lots 7 & 8, Plan 68, Formerly Stayner
(265 Superior Street, 020-001-20704 & 208 Thomas Street, 020-001-20710)

Additional or Altered Provisions:

- Minimum Lot Area: 580 m²
- Maximum Lot Coverage 50%

RS2-6

Part of Lots 6 & 7, Plan 68, Formerly Stayner
(269 Superior Street, 020-001-20704)

Additional or Altered Provisions:

- Minimum Front Yard: 3 m
- Maximum Lot Coverage 50%

RS2-7

Pt Lot 20, Plan 194; Pt 3 51R15039
214 North Street

Additional Permitted Uses:

- Parking Area or Lot

RS2-8

Lot 10 & Part Lot 21 Plan 116
(5328 County Road 9)

Altered Provisions:

- Minimum Exterior Side Yard: 3.3m
- Allow development on partial services

3.11 RESIDENTIAL MULTIPLE LOW DENSITY (RS3)

3.11.1 PERMITTED USES

PRIMARY USES

- Duplex dwelling;
- Single-detached dwelling;
- Semi-detached dwelling;

ACCESSORY USES

- Accessory dwelling unit in a single detached dwelling only;
- Bed and Breakfast;
- Home occupation

3.11.2 SINGLE DETACHED DWELLING ZONE PROVISIONS

- a) Minimum Lot Area: 400 m²
- b) Minimum Lot Frontage: 13.5 m
- c) Minimum Front Yard: 6 m
- d) Minimum Rear Yard: 6 m
- e) Minimum Interior Side Yard: 1.2 m
- f) Minimum Exterior Side Yard: 4 m
- g) Maximum Lot Coverage: 50%
- h) Maximum Height of Principal Buildings and Structures: 10 m
- i) Maximum Height of Accessory Buildings: 4.5 m
- j) Maximum Number of Accessory Buildings: 2 per residential unit
- k) Maximum Gross Floor Area of All Accessory Buildings: 52 m²

3.11.3 SEMI-DETACHED AND DUPLEX DWELLING ZONE PROVISIONS

- a) Minimum Lot Area: 230 m² per unit
- b) Minimum Lot Frontage: 7.6 m per unit
- c) Minimum Front Yard: 6 m
- d) Minimum Rear Yard: 6 m
- e) Minimum Interior Side Yard: 1.2 m on exterior walls and 0 m on the shared wall of a semi-detached dwelling
- f) Minimum Exterior Side Yard: 4 m
- g) Maximum Lot Coverage: 60%
- h) Maximum Height of Dwelling: 10 m

- i) Maximum Height of Accessory Buildings: 4.5 m
- j) Maximum Number of Accessory Buildings: 2 per residential unit
- k) Maximum Gross Floor Area of All Accessory Buildings: 52 m²

l) New development shall occur on full municipal services.

3.11.4 RESIDENTIAL MULTIPLE LOW DENSITY ZONE EXCEPTIONS

RS3-1(H7)

Part of Lot 8 and Part of the North and South Halves of Lot 9, Concession 4,
Formerly Creemore

Permitted Uses Restricted To:

- Single detached dwelling

Altered or Additional Provisions:

- Notwithstanding the definitions of Section 4.0 of the By-law 06-54, the following amended definition shall apply to lands zoned RS3-1:
 - Notwithstanding the definition of height and maximum height, a turret and decorative roof elements shall not be included in the calculation of maximum height;
- Maximum Lot Coverage: 60%
- Maximum Height of Principle Buildings and Structures: The lesser of 13 m or 3 stacked storeys, and the number of storeys shall be measured only in the principal portion of the building, and a floor above a garage or in a side split or back split unit shall not be considered an additional storey for the purposes of this by-law;
- There shall be a maximum of 32 lots, each developable as one single detached dwelling unit in the RS3-1 Zone;
- Where an accessory garage is located in a rear yard, no dwelling unit on the same lot shall be located within 6 m of the accessory garage;

RS3-2

Part of Lot 24, Plan 315, Formerly Creemore
(29 Elizabeth Street East, 030-001-07201)

Altered or Additional Provisions:

- Minimum Front Yard: 11 metres

RS3-4 (H12)

East and West Parts of Lot 25, Concession 1, Formerly Nottawasaga

Permitted Uses Restricted To:

- Single Detached Dwelling;

Accessory Uses Restricted To:

- Home Occupation
- Accessory Dwelling Unit in a single-detached dwelling only

RS3-4 (H24)

East and West Parts of Lot 25, Concession 1, Formerly Nottawasaga

Permitted Uses Restricted To:

- Single Detached Dwelling;

Accessory Uses Restricted To:

- Home Occupation
- Accessory Dwelling Unit in a single-detached dwelling only

RS3-7

Part of Lot 23, Concession 2, Formerly Nottawasaga
(251 Margaret Street, 010-002-09400)

Temporary Uses Permitted

- Two (2) Model Homes and a parking area established in accordance with the model home or residential sales office provisions in Section 2.39 of By-law 06-54
- The temporary use shall only be permitted for a period of 3 years from the date that By-law 17-80 came into effect, where after this subsection shall be deemed to be deleted from the By-law 06-54 and the zoning then reverting back to the Development Area (DA-1) zone.

RS3-8

Part of Lot 27, Concession 2, Formerly Nottawasaga
(7662 Highway 26, 010-002-12901)

Altered Provisions:

- Minimum Front Yard for Attached Garage 8 m

RS3-9

Part of Lot 27, Concession 2, Formerly Nottawasaga
Clearview Zoning By-law

(7662 Highway 26, 010-002-12901)

Altered Provisions:

- Minimum Lot Area 360 m²
- Minimum Lot Frontage 12 m
- Minimum Front Yard for Attached Garage 8 m

RS3-10

Part Park Lot 25, 194, Formerly Stayner
(369 Spruce Street)

Altered Provisions:

- Maximum Height of Principal Buildings 11.5m
- Maximum Lot Coverage 51%

RS3-11(H12)

Part of Park Lot 21, Plan 194
(211 North Street, 020-003-14900)

Altered Provisions:

- Minimum Front Yard Setback for Garage 7m
- Maximum Number of Accessory Buildings 1 per residential unit
- Maximum Gross Floor Area for All Accessory Structures 22m²
- Southern lot line along North Street shall be recognized as the front lot line when determining frontage.
- Single-detached Dwelling(s)
- Minimum Lot Area 340 m²

RS3-12(H12)

Part of Park Lot 21, Plan 194
(211 North Street, 020-003-14900)

Altered Provisions:

- Maximum Number of Accessory Buildings 1 per residential unit
- Maximum Gross Floor Area for All Accessory Structures 22 m²
- Single-detached Dwelling(s)
- Minimum Lot Area 340 m²

RS3-12(H20)

Part of Park Lot 21, Plan 194
(211 North Street, 020-003-14900)

Altered Provisions:

- Maximum Number of Accessory Buildings 1 per residential unit
- Maximum Gross Floor Area for All Accessory Structures 22 m²
- Northern lot line along Street 'B' shall be recognized as the front lot line when determining lot frontage for Block 2, as depicted within Draft Plan Drawing No. DP
- Single-detached Dwelling(s)
- Minimum Lot Area 340 m²

RS3-13(H19)

Lots 6 to 10, Lots 20 & 21, Blocks 22, 23, 27 & Part of Lot 5; and Part of Sidell Drive (Plan 51M-541); and Part of Park Lot 10 Plan 71, Formerly Nottawasaga

Altered or Additional Provisions:

- Minimum Lot Area 360 m²
- Minimum Lot Frontage 12 m
- Parking areas, whether temporary or permanent, serving single-detached, semi-detached, duplex and townhouse dwellings shall:
- Not be located on the landscaped open space portion of a front yard and/or side yard.
- Not cover an area larger than fifty-two percent (52%) for a single-detached, semi-detached and duplex dwelling or a townhouse dwelling of the total area of the front yard and/or side yard in which the parking area is located.

RS3-15

11 Locke Avenue

West Part Lot 36 Concession 2

Altered Provisions:

- Minimum Lot Frontage 12 m

RS3-16

21 Locke Avenue

West Part Lot 26 Concession 2, Part 14 51R658

Altered Provisions:

- Minimum Lot Frontage 12m

RS3-17

3 Jonathan Court & 13 Locke Avenue

West Part Lot 26, Concession 2; RP 51R4188 Part 2

Altered Provisions:

- Minimum Lot Frontage 12 m

RS3-18(H32)

263 Warden Street

Part Block 6 Plan 51M943

Altered or Additional Provisions:

- Minimum Lot Frontage 12.5 m

RS3-19(H32)

263 Warden Street

Part Block 6 Plan 51M943

Altered or Additional Provisions:

- Driveway may be located a minimum of 6.5 m from the intersection of the front lot line and the exterior side lot line.

RS3-20(H32)

263 Warden Street

Part Block 6 Plan 51M943

Altered or Additional Provisions:

- Driveway may be located a minimum of 8.5 m from the intersection of the front lot line and the exterior side lot line.

3.12 RESIDENTIAL MEDIUM DENSITY (RS4)

3.12.1 PERMITTED USES

PRIMARY USES

- Fourplex;
- Townhouse and link home dwelling units of up to 4 units per building;
- Triplex

ACCESSORY USES

- Home occupation.

3.12.2 ZONE PROVISIONS

- a) Minimum Lot Area: 200 m² per residential unit
- b) Minimum Lot Frontage: 6.1 m per unit
- c) Minimum Front Yard: 6 m and 8 m where the driveway abuts the dwelling
- d) Minimum Rear Yard: 6 m
- e) Minimum Interior Side Yard: 2 m and 0 m on any shared wall
- f) Minimum Exterior Side Yard: 6 m
- g) Maximum Lot Coverage: 60%
- h) Maximum Height of Principal Buildings and Structures: 11 m
- i) Maximum Height of Accessory Buildings: 4.5 m
- j) Maximum Number of Accessory Buildings: 1 per residential unit
- k) Maximum Gross Floor Area of All Accessory Buildings: 52 m²
- l) A minimum of 10 square metres of outdoor amenity space shall be provided adjacent to and for the exclusive use of each residential unit. Notwithstanding this requirement, where the units are stacked, the amenity area for units not having ground floor access may be consolidated as a common area provided in addition to any required landscape screens or buffers.
- m) Common parking areas may be provided. All such parking areas shall be hard-surfaced, shall include landscaping amenities and a landscaping screen shall be provided to screen the common parking area from adjacent residential properties. Common parking facilities shall be located no closer than 3 metres to a lot line.
- n) New development shall occur on full municipal services.

3.12.3 RESIDENTIAL MEDIUM DENSITY ZONE EXCEPTIONS

RS4-1

Lot 18, Plan 68, Formerly Stayner
(238 Warrington Road, 020-001-16400)

Permitted Uses Restricted To:

- Single detached dwelling;
- Accessory dwelling unit within single detached dwelling;
- One additional accessory dwelling unit in accessory detached building;

Altered or Additional Provisions:

- Minimum Front Yard for existing dwelling: 4 metres
- Minimum Rear Yard for accessory apartment in a detached accessory building: 5.5 metres
- Minimum Exterior Side Yard for existing dwelling and accessory building: 3 metres

Accessory Apartment in Detached Accessory Building Provisions:

- Minimum Habitable Area: 25 square metres
- Accessory dwelling unit shall not be greater than 50% of the gross floor area of the principle single detached dwelling including accessory dwelling unit within;
- Accessory dwelling unit in a detached building may occupy the entire accessory building;
- Accessory dwelling unit shall have separate sanitary and kitchen facilities; and,
- Accessory dwelling unit shall meet all other applicable provisions of the parent by-law and any other fire, health, safety, or occupancy regulations or by-laws.

RS4-2 (H8)

Part of Lot 8 and Part of the North and South Halves of Lot 9, Concession 4,
Formerly Creemore

Permitted Uses Restricted To:

- Single detached dwelling;
- Duplex;
- Triplex;
- Fourplex;
- A home occupation in a single detached or duplex dwelling;

- In a triplex or fourplex dwelling unit, only a professional office as an accessory use located in a residential dwelling in accordance with the provisions contained in Section 2.11 is permitted, however notwithstanding those provisions, no employees other than residents of the dwelling unit shall be permitted and no external signage shall be permitted;

Altered or Additional Provisions:

- Notwithstanding the definitions of Section 4.0 of By-law 06-54, the following amended definition shall apply to lands zone RS4-2:
 - Notwithstanding the definition of height and maximum height, a turret and decorative roof elements shall not be included in the calculation of maximum height;
- Minimum Lot Areas:
 - Single detached dwelling: 530 m²
 - Duplex: 700 m²
 - Triplex or Fourplex: 980 m²
- Minimum Lot Frontages:
 - Single detached or duplex dwelling: 13.5 m
 - Triplex or Fourplex: 6 m per unit
- Minimum Interior Side Yard for Fourplex: 3 m
- Maximum Height of Principle Buildings and Structures: The lesser of 13 m or 3 stacked storeys, and the number of storeys shall be measured only in the principle portion of the building, and a floor above a garage or in a side split or back split unit shall not be considered an additional storey for the purposes of this by-law;
- Maximum Number of Accessory Buildings:
 - Single detached dwelling: 1
 - All other uses: 2
- Maximum Gross Floor Area of Accessory Buildings:
 - Triplex: 63 m²
 - Fourplex: 86 m²
 - All other uses: 52 m²
- Minimum Required Driveway Width: 3 m
- Maximum Dwelling Unit Count: 24
- Outdoor Amenity Space:
 - The amenity space for all units on a lot can be consolidated into a common area or combination of common areas on a lot;
- In addition to, and notwithstanding any provisions of By-law 06-54, the landscaped buffers and screens for Multiple Residential (3 or more units) zoned RS4-2 shall comply with the following provisions:
 - A landscaped buffer is not required along the front lot line and within the front yard;

- For a side lot line, a landscaped buffer is required. The landscape buffer shall be located along the lot line between a location parallel to the main front wall and extend to the rear lot line;
- Where a driveway abuts the side lot line, a landscaped buffer shall be reduced to 1 metre and a solid fence shall be built from a point on the side lot line located halfway between the main front wall and the main rear wall to the rear lot line; and,
- Notwithstanding anything to the contrary, the landscape buffer and/or screen can be reduced to a minimum of 0.3 metre in width between an accessory building, a parking space, a parking aisle, an outdoor amenity area, and a lot line provided that a fence with a minimum height of 1.8 metres is included within the landscape buffer/screen;
- In addition to, and notwithstanding any provisions of By-law 06-54, the design of parking spaces and common parking areas for Multiple Residential (3 or more units) shall comply with the following provisions:
 - Pedestrian walkways shall not be required;
 - Parking shall be located no closer than 1 metre to an adjacent rear lot line, and 0.3 m to a side lot line, of a lot used or intended to be used for a residential use, provided that a fence with a minimum height of 1.8 m is included within the landscaped buffer/screen;
 - A parking area for a triplex or a fourplex shall not be permitted in the front yard; and,
 - Each parking aisle shall have a minimum width of 6 metres;
 - Where an accessory garage is located in a rear yard, no dwelling unit on the same lot shall be located within 6 metres of the accessory garage.

RS4-3 (H8)

Part of Lot 8 and Part of the North and South Halves of Lot 9, Concession 4,
Formerly Creemore

Additional Definition: Dwelling, Sixplex

Means a separate building containing six (6) dwelling units divided horizontally into two floors with each floor containing three (3) dwelling units.

Permitted Uses Restricted To:

- Single detached dwelling;
- Duplex;
- Triplex;
- Fourplex;
- Sixplex;
- A home occupation, as an accessory use, in a single detached or a duplex dwelling;
- In a triplex, fourplex, or sixplex dwelling unit, only a professional office as an accessory use located in a residential dwelling in accordance with the provisions contained in Section 2.11 is permitted, however notwithstanding those

provisions, no employees other than residents of the dwelling unit shall be permitted and no external signage shall be permitted;

Altered or Additional Provisions:

- Notwithstanding the definitions of Section 4.0 of By-law 06-54, the following amended definition shall apply to lands zoned RS4-3:
 - Notwithstanding the definition of height and maximum height, a turret and decorative roof elements shall not be included in the calculation of maximum height;
- Minimum Lot Areas:
 - Single detached dwelling: 530 m²
 - Duplex: 700 m²
 - Triplex or Fourplex: 980 m²
 - Sixplex: 1200 m²
- Minimum Lot Frontages:
 - Single detached or duplex dwelling: 15 m
 - Triplex or Fourplex: 6 m per unit
 - Sixplex: 5 m per unit
- Minimum Interior Side Yard for a Fourplex and Sixplex: 4 m
- Maximum Height of Principle Buildings and Structures: The lesser of 13 m or 3 stacked storeys, and the number of storeys shall be measured only in the principle portion of the building, and a floor above a garage or in a side split or back split unit shall not be considered an additional storey for the purposes of this by-law;
- Maximum Number of Accessory Buildings:
 - Single detached dwelling: 1
 - All other uses: 2
- Maximum Gross Floor Area of Accessory Buildings:
 - Sixplex: 125 m²
 - Fourplex: 86 m²
 - Triplex: 63 m²
 - Other uses: 52 m²
- Minimum Required Driveway Width: 3 m
- Maximum Dwelling Unit Count: 72
- Outdoor Amenity Space:
 - Notwithstanding anything to the contrary, the amenity space for all units on a lot can be considered into a common area or combination of common areas on a lot;
- In addition to, and notwithstanding any provisions of By-law 06-54, the landscaped buffers and screens for Multiple Residential (3 or more units) zoned RS4-3 shall comply with the following provisions:
 - A landscaped buffer is not required along the front lot line and within the front yard;

- For a side lot line, a landscape buffer is required. The landscape buffer shall be located along the lot line between a location parallel to the main front wall and extend to the rear lot line;
- Where a driveway abuts the side lot line, a landscape buffer shall be reduced to 1 metre and a solid fence shall be built from a point on the side lot line located halfway between the main front wall and the main rear wall to the rear lot line; and,
- Notwithstanding anything to the contrary, the landscaped buffer and/or screen can be reduced to a minimum of 0.3 metre in width between an accessory building, a parking space, a parking aisle, an outdoor amenity area, and a lot line provided that a fence with a minimum height of 1.8 metres is included within the landscape buffer/screen;
- In addition to, and notwithstanding any provisions of By-law 06-54, the design of parking spaces and common parking areas for Multiple Residential (3 or more units) shall comply with the following provisions:
 - Pedestrian walkways shall not be required;
 - Parking shall be located no closer than 1 metre to an adjacent rear lot line, and 0.3 metres to a side lot line, of a lot used or intended to be used for a residential use provided that a fence with a minimum height of 1.8 metres is included within the landscaped buffer or screen;
- Where an accessory garage is located in a rear yard, no dwelling unit on the same lot shall be located within 6 m of the accessory garage.

RS4-4 (H12)

East and West Parts of Lot 25, Concession 1, Formerly Nottawasaga

Permitted Uses Restricted To:

- Triplex;

Accessory Uses Restricted To:

- Home Occupation

RS4-5 (H14)

Part of Lot 27, Concession 2, Formerly Nottawasaga
(7662 Highway 26, 010-002-12901)

Additional Uses:

- Townhouse of up to Eight (8) units per building
- Altered Provisions:
- Minimum Front Yard for Attached Garage 8 m
- Minimum Exterior Side Yard 4 m

RS4-6 (H14)

Part of Lot 27, Concession 2, Formerly Nottawasaga
(7662 Highway 26, 010-002-12901)

Additional Uses:

- Townhouse of up to Eight (8) units per building

Altered Provisions:

- Minimum Lot Frontage 11 m

RS4-7(H12)

Park Lot 21, Plan 194, formerly Stayner
(211 North Street, 020-003-14900)

Altered Provisions:

- Minimum Interior Side Yard Setback: 1.5 m
- Maximum Number of Accessory Buildings: 1 per residential unit
- Maximum Gross Floor Area for All Accessory Structures: 22 m²
- Minimum Front Yard Setback: 6 m

RS4-8-H2

Pt Lot 25, Concession 2

Primary Uses are Limited to:

- Townhouses up to 5 units per building

Notwithstanding anything to the contrary, altered or additional provisions include as follows:

- For the purposes of this zone the shortest lot line abutting the Condominium Road shall be considered the lot frontage
- Minimum Front Yard: 4.3 m and 6 m where the driveway abuts the dwelling
- Unenclosed porch may encroach into the Front Yard: 2 m
- Maximum Unenclosed Porch Size: 2 m in depth and 4 m width
- Minimum Interior Side Yard to any other zone: 2.74 m
- Minimum Interior Side Yard to Interior Property Line (between buildings): 2.19 m and 0 m on a shared wall
- Minimum Exterior Side Yard to the Condominium Road: 4 m
- Maximum Total Gross Floor Area for Accessory Buildings: 30 m²
- Maximum Number of Accessory Buildings: 2

3.13 RESIDENTIAL MULTIPLE MEDIUM DENSITY (RS5)

3.13.1 PERMITTED USES

PRIMARY USES

- Townhouse of up to ten (10) units per building;
- Two storey apartment dwelling of up to ten (10) units per building

ACCESSORY USES

- Home occupation.

3.13.2 ZONE PROVISIONS

- a) Minimum Lot Area: 200 m² per residential unit
- b) Minimum Lot Frontage: 6.1 m per unit
- c) Minimum Front Yard: 6 m and 8 m where the driveway abuts the dwelling
- d) Minimum Rear Yard: 6 m
- e) Minimum Interior Side Yard: 2 m and 0 m on any shared wall
- f) Minimum Exterior Side Yard: 6 m
- g) Maximum Lot Coverage: 50%
- h) Maximum Height of Principal Buildings and Structures: 11 m
- i) Maximum Height of Accessory Buildings: 4.5 m
- j) Maximum Number of Accessory Buildings: 1 per residential unit
- k) Maximum Gross Floor Area of All Accessory Buildings: 52 m²
- l) A minimum of 10 square metres of outdoor amenity space shall be provided adjacent to and for the exclusive use of each residential unit.
- m) Common parking areas may be provided. All such parking areas shall be hard-surfaced, shall include landscaping amenities and a landscaping screen shall be provided to screen the common parking area from adjacent residential properties. Common parking facilities shall be located no closer than 3 metres to a lot line.
- n) For an apartment dwelling, a common garbage storage facility shall be provided within the building or shall be provided outside and screened in accordance with the requirements of this By-law and shall be located no closer than 5 metres to an adjacent property.

- o) To ensure compatibility with surrounding uses, landscaping and landscaping screens and buffers shall be required in accordance with the requirements of this By-law.
- p) New development shall occur on full municipal services.

3.13.3 RESIDENTIAL MULTIPLE MEDIUM DENSITY ZONE EXCEPTIONS

RS5-1

Part Lots 42 & 49, Plan 196, Block 44, Plan 51M-839, Formerly Stayner (Aspen Ridge Phase 2)

Altered Provisions:

- Minimum Lot Area shall be 185 m²
- Minimum Front Yard Setback for Attached Garage shall be 8 m
- Minimum Interior Side Yard shall be 1.5 m
- Encroachment for Front Porch into Minimum Front Yard 1 m
- Maximum Lot Coverage: 60%

RS5-7(H19)

Lots 6 to 10, Lots 20 & 21, Blocks 22, 23, 27 & Part of Lot 5; and Part of Sidell Drive (Plan 51M-541); and Part of Park Lot 10 Plan 71, Formerly Nottawasaga

Altered or Additional Provisions:

- Minimum Lot Area 180 m²
- Minimum Exterior Side Yard 5.8 m
- Minimum Front Yard 8 m
- No driveway shall be located within 8.8 m of the intersection of the front lot line and the exterior side lot line on a corner lot.
- No driveway shall be located closer than 1.0 m to any lot line except for a shared driveway, driveways for multi-unit buildings, and with the exception that the access to the parking area may cross a lot line.

3.14 RESIDENTIAL HIGH DENSITY (RS6)

3.14.1 PERMITTED USES

PRIMARY USES

- Apartment dwelling of over 10 units or over two stories;
- Townhouse or link homes of 10 or more units per building
- Accessory Uses
- Home occupation.

3.14.2 ZONE PROVISIONS

- a) Minimum Lot Area: 181 m² per residential unit
- b) Minimum Lot Frontage: 30 m
- c) Minimum Front Yard: 6 m and 8 m where the driveway abuts the dwelling
- d) Minimum Rear Yard: 7.5 m
- e) Minimum Interior Side Yard: 6.5 m and 0 m on any shared wall
- f) Minimum Exterior Side Yard: 7.5 m
- g) Maximum Height of Principal Buildings and Structures: 13 m
- h) Maximum Height of Accessory Buildings: 4.5 m
- i) Maximum Number of Accessory Buildings: 2
- j) Maximum Gross Floor Area of All Accessory Buildings: 64 m²
- k) Minimum Landscaped Open Space: 10%
- l) Maximum lot coverage: 55%
- m) A maximum of 35 residential units per hectare shall be permitted where more than 50% of the required parking spaces are provided as outdoor parking. A maximum of 50 residential units per hectare shall be permitted where underground or indoor parking is provided for a minimum of 50% of the residential units.
- n) A minimum common outdoor amenity area of 6 square metres per residential unit shall be provided in consolidated form in addition to any required landscaped screen or buffers, and such area shall be exclusive of balconies, any on-site community centre building or a swimming pool.
- o) Common parking areas shall be provided. All such outdoor parking areas shall be hard-surfaced and include landscaping amenities, and a minimum of 3 metres wide landscaping screen shall be provided to screen the common parking area from adjacent residential properties. Common parking facilities shall be located no closer than 3 m to a lot line.

- p) A common garbage storage facility shall be provided within the building or shall be provided outside and screened in accordance with the requirements of this By-law and shall be located no closer than 5 metres to an adjacent property.
- q) To ensure compatibility with surrounding uses, landscaping and landscaping screens and buffers shall be required in accordance with the requirements of this By-law.
- r) New development shall occur on full municipal services.

3.14.3 RESIDENTIAL HIGH DENSITY ZONE EXCEPTIONS

~~RS6-1 (H5)~~

~~Part of Lot 8, Concession 4, Part of Lot 33, RP 315, Formerly Creemore
(80 Edward Street East, 030-001-04700)~~

~~Permitted Uses Restricted To:~~

~~Reference in the following provisions to Blocks is made to the Blocks as shown on the draft plan of condominium approved by Ontario Municipal Board Orders 0500 and 1023;~~

~~Block 1 shall be restricted to an apartment dwelling of no more than 18 dwelling units~~

~~Blocks 2 and 3 shall be restricted to an apartment dwelling each which shall collectively not exceed 54 dwelling units;~~

~~Notwithstanding the list of permitted uses, in Block 1 an area of 16 m in depth along the southwestern portion of Mary Street and 42 m in width extending along Edward Street and 60 m in depth extending along Edward Street in the remaining portion of Block 1 and in Blocks 2 and 3, buildings and structures not required for landscaping, amenities, parking or servicing, as approved by the municipality in site plan approval, shall not be permitted.~~

~~Altered or Additional Provisions:~~

- ~~* Each of Blocks 1, 2 and 3 shall be considered to be a lot, regardless of the registration of a common elements condominium on this parcel fabric. All related definitions with respect to lot lines and associated provision standards shall be interpreted accordingly;~~
- ~~* The front lot line of Block 1 shall be the lot line along Mary Street;~~
- ~~* The front lot line of Block 2 and 3 shall be the lot line along Edward Street;~~
- ~~* Minimum Lot Area: 0.6 ha~~
- ~~* Minimum Lot Frontage:—~~
 - ~~○ 69 m for Block 1~~
 - ~~○ 55 m for Block 2~~
 - ~~○ 65 m for Block 3~~

- ~~Minimum Front Yard: 7.0 m~~
- ~~Minimum Rear Yard:~~
 - ~~25 m for Block 1~~
 - ~~9.0 m for Blocks 2 and 3~~
- ~~Minimum Interior Side Yard:—~~
 - ~~18 m for Block 1~~
 - ~~9.0 m for Block 2~~
 - ~~9.0 m for the west side lot line of Block 3~~
 - ~~11 m for the east lot line of Block 3~~
- ~~Minimum Exterior Side Yard: 16 m for Block 1~~
- ~~Maximum Height of Principal Buildings: 13 m to the peak and 9 m to the eaves~~
- ~~Maximum Number of Accessory Buildings: 1~~
- ~~Minimum Landscaped Open Space: 30%~~

- ~~Accessory refuse storage structures and buildings may be located no closer than 5 m to any interior lot line other than the rear lot line.~~

- ~~A landscaped screen shall be required and shall be installed along:~~
 - ~~The northern side lot lines of Block 1;~~
 - ~~The rear lot lines of Block 2 and 3; and,~~
 - ~~The east side lot line of Block 3.~~
 - ~~A landscaped buffer shall be required along the front lot line of Block 1.~~

- ~~A landscaped buffer with a minimum width of 16 m shall be provided along the external side lot line of Block 1 and the front lot lines of Blocks 2 and 3. The landscaping buffer shall also incorporate a masonry or stone wall of a minimum height of 1m along the southerly perimeter of all parking areas to be constructed on Blocks 1, 2 and 3.~~
- ~~The parking spaces required for the development of Blocks 1, 2 and 3 may be provided collectively through distribution of parking facilities on all three Blocks. The total amount of parking required shall therefore be calculated on the basis of the total amount of development on Blocks 1, 2 and 3.~~
- ~~An additional area equal to ten percent (10%) of the required parking area shall be provided for snow storage.~~
- ~~Parking areas and access to the parking area may cross a lot line where shared contiguous parking facilities are provided.~~
- ~~All artificial lighting used to illuminate a parking area, maneuvering space, or driveway shall be arranged and shielded as to prevent direct glare from the light source onto any public street, or onto adjacent property other than Blocks 1, 2 or 3.~~

RS6-1

Part Lot 33 Plan 315; Part 1 RP 51R5173
121 Mary Street (030-001-04700)

Permitted Primary Uses restricted to:

- Apartment building(s) having a combined maximum of 72 dwelling units

Accessory Uses restricted to:

- Accessory buildings
- Home occupations

Zone Provisions or Additional or Altered Provisions

- Loading spaces are required to be setback a minimum of 3 m to property lines;
- An apartment building may include an underground parking structure;
- A landscape buffer having a minimum width of 16 m shall be provided along the exterior side yard (Edward Street);
- No buildings or structures are permitted within the landscape buffer except the stormwater management pond, emergency road and utility infrastructure; and
- Masonry or stone fences will be minimum height of 1 m along the southerly perimeter of all parking areas.

Minimum Lot Areas	16,000 m ²
Minimum Frontage	25 m
Minimum Front Yard (West)	55 m
Minimum Rear Yard (East)	15 m
Minimum Exterior Side Yard (North)	10 m
Minimum Exterior Side Yard (South)	65 m
Maximum Lot Coverage	20%
Minimum Landscape Open Space	60%
Maximum Number of Stories	3
Maximum Height of Buildings to Peak	16 m
Maximum Number of Accessory Buildings	7 (this will include utility buildings)

Maximum Gross Floor Area of Accessory Buildings 400 m²

Minimum Size of Loading Space 3m x 9m

RS6-2 (H15)

Lots 10-14 Melville Street, Plan 296, Part Lot 9, 10 to 16 River Lane, Plan 410, Part Lot 36, Concession 9, Formerly Nottawasaga
(23 Melville Street, 010-006-15300)

Altered or Additional Provisions:

- Maximum Number of Dwelling Units: 22
- Minimum Dwelling Unit Size: 34 square metres
- Maximum Height of the fence on the northern property line will be 1.8 metres;
- No landscaping islands will be required for every 10 parking spaces;
- No landscaping screen will be required for the loading space;
- The loading space will be permitted to be located in front of the main wall of the building;
- The loading space access aisle will be permitted to be 6 metres in width;
- Parking space size will be permitted to be 2.75 metres by 5.8 metres;
- Disabled parking space size will be permitted to be 4.6 by 5.8 metres;
- Minimum parking aisle will be permitted to be 6 metres in width;
- Driveway width will be permitted to be 6 metres in width;
- Parking will be permitted to be located 2.5 metres from the north lot line and 1.5 metres from the front lot line;
- Minimum landscaping screen between the parking area and the adjacent residential property and lot lines will be 1.5 metres in width;
- The development will be permitted to develop on private services;
- Interior side yard setback on the northern property line in front of the building will be permitted to be 2.5 metres.

RS6-3 (H9)

Part of Lot 8 and Part of the North and South Halves of Lot 9, Concession 4, Formerly Creemore

Permitted Uses Restricted To:

- Single detached dwelling;
- Townhouse dwelling of no more than 8 units per building;
- A home occupation, as an accessory use, in a single detached dwelling;
- In a townhouse dwelling unit, only a professional office as an accessory use located in a residential dwelling in accordance with the provisions contained in Section 2.11 is permitted, however notwithstanding those provisions, no employees other than residents of the dwelling unit shall be permitted and no external signage shall be permitted;

Altered or Additional Provisions:

- Notwithstanding the definitions of Section 4.0 of By-law 06-54, the following amended definition shall apply to lands zoned RS6-3:
 - Notwithstanding the definition of front lot line, a front lot line shall include a lot line which divides a lot from a private street in a plan of condominium;
 - Notwithstanding the definition of lot frontage, lot frontage shall include the horizontal distance along the street line of a private street measured between the interior side and/or exterior side lot lines in a plan of condominium;
 - Notwithstanding the definition of height and maximum height, a turret and decorative roof elements shall not be included in the calculation of maximum height;
- Minimum Lot Areas per unit:
 - Single detached dwelling: 360 m²
 - Townhouse unit: 180 m²
- Minimum Lot Frontages per unit:
 - Single detached dwelling: 12.2 m
 - Townhouse unit: 6 m
- Minimum Yard Setbacks for a Townhouse Dwelling:
 - Interior and Exterior Side Yard: 3 m, 0 m for a shared wall
 - Front Yard: 6 m
 - Rear Yard: 5 m
- Minimum Yard Setbacks for a Single Detached Dwelling:
 - Front Yard Setback: 6 m
 - Exterior and Interior Side Yard: 1.2 m
 - Rear Yard Setback: 5 m
- Maximum Height of Principle Buildings and Structures: 10.5 m or 2 stacked storeys, and the number of storeys shall be measured only in the principal portion of the building, and a floor above a garage or in a side split or back split unit shall not be considered an additional storey for the purposes of this by-law;
- Maximum Number of Accessory Buildings: 1 per unit
- Maximum Gross Floor Area of Accessory Buildings:
 - Single detached dwelling: 20 m²
 - All other dwelling uses: 10 m² per unit
- Parking Areas:
 - Common parking areas are not required, but may be provided. Where parking is not provided in a common area, the parking requirement shall be satisfied with the required number of parking spaces in association with each dwelling unit;
- Minimum Paved Width of a Private Street: 7 m
- Maximum Dwelling Unit Count: 149 units

- In addition to, and notwithstanding any provisions of By-law 06-54, the landscaped buffers and screens for Multiple Residential (3 or more units) zoned RS6-3 shall comply with the following provisions:
 - A landscaped buffer is not required along the front lot line and within the front yard;
 - For a side lot line the landscape screen shall commence from the main front wall to the rear lot line for external townhouse units in a townhouse dwelling;
 - A landscape screen is not required between two townhouse dwelling units within the same townhouse building;
 - A fence, of a minimum height of 1.8 m shall separate rear yards of abutting townhouse units.

RS6-4 (H10)

Part of Lot 8 and Part of the North and South Halves of Lot 9, Concession 4, Formerly Creemore

Permitted Uses Restricted To:

- Fourplex;
- Sixplex;
- A professional office as an accessory use located in a residential dwelling in accordance with the provisions contained in Section 2.11, however notwithstanding those provisions, no employees other than residents of the dwelling unit shall be permitted and no external signage shall be permitted;

Altered or Additional Provisions:

- Notwithstanding the definitions of Section 4.0 of By-law 06-54, the following amended definition shall apply to lands zoned RS6-4:
- Minimum Lot Areas:
 - Fourplex Dwelling Building: 980 m²
 - Sixplex Dwelling Building: 1300 m²
- Minimum Lot Frontages:
 - Fourplex: 5.5 m per unit
 - Sixplex: 5 m per unit
- Minimum Front Yard Setback: 6 m
- Minimum Interior Side Yard Setback: 3 m
- Minimum Exterior Side Yard Setback: 4 m
- Maximum Height of Principle Building and Structures: The lesser of 13 m or 3 stacked storeys, and the number of storeys shall be measured only in the principal portion of the building, and a floor above a garage or in a side split or back split unit shall not be considered an additional storey for the purposes of this by-law;
- Maximum Height of Accessory Buildings abutting County Road 9 is 6 m;
- Maximum Number of Accessory Buildings: 2 per building

- Maximum Gross Floor Area of all Accessory Building for each Fourplex or Sixplex Dwelling:
 - Fourplex: 86 m²
 - Sixplex: 125 m²
- Minimum Required Driveway Width: 3 m
- Minimum Paved Width of a Private Street: 7 m
- Maximum Dwelling Unit Count: 70
- Maximum amount of Fourplex Dwelling Buildings: 7
- Maximum amount of Sixplex Dwelling Buildings: 7
- Outdoor Amenity Space:
 - The amenity space for all units on a lot can be consolidated into a common area or a combination of common areas on a lot;
- Additional Regulations for Accessory Buildings and Structures:
 - No accessory building or structure shall be located within 1 metre of a side lot line;
- In addition to, and notwithstanding any provisions of By-law 06-54, the landscaped buffers and screens for Multiple Residential (3 or more units) zoned RS6-4 shall comply with the following requirements:
 - A landscaped screen/buffer is not required along the front lot line and within the front yard;
 - For a side lot line, a landscape buffer is required. The landscape buffer shall commence from the main front wall to the rear lot line;
 - Where a driveway or parking area abuts the side lot line, a landscape buffer shall be reduced to 1 metre; and,
 - The landscape buffer and/or screen can be reduced to a minimum of 1 metre in width between accessory building or a parking space and a lot line, provided that a fence with a minimum height of 1.8 metres is included within the landscape buffer/screen;
- Parking Standards for Multiple Residential (3 or more units):
 - Minimum Required Parking: 1.5 per unit located on the lot of the fourplex or sixplex dwelling; and,
 - Minimum Required Visitor Parking: 0.5 spaces for every 3 dwelling units which may be provided on the same lot as the dwelling units or may be located within the lands zoned RS6-4 as provided for in an approved site plan and plan of condominium;
- In addition to, and notwithstanding any provisions of By-law 06-54, the design of parking spaces and common parking areas for Multiple Residential (3 or more units shall comply with the following provisions:
 - Pedestrian walkways shall not be required;
 - Parking shall be located no closer than 1 metre to an adjacent lot line of a lot used or intended to be used for a residential use;
 - A parking area for a fourplex or a sixplex shall not be permitted in the front yard; and,
 - Each parking aisle shall have a minimum width of 7 metres;

- Where an accessory garage is located in a rear yard, no dwelling unit on the same lot shall be located within 6 m of the accessory garage;

RS6-5 (H9)

Part of Lot 8 and Part of the North and South Halves of Lot 9, Concession 4, Formerly Creemore

Permitted Uses Restricted To:

- Apartment dwellings;
- Townhouse or link homes of a maximum of four units per building and one storey;
- A professional office as an accessory use located in a residential dwelling in accordance with the regulations contained in Section 2.11, however notwithstanding those regulations, no employees other than residents of the dwelling unit shall be permitted and no external signage shall be permitted;
- Accessory buildings or structures incidental to the permitted uses;
- Accessory recreational uses to apartment dwellings;
- Commercial uses permitted in the Neighbourhood Commercial (C5) Zone and a café;

Altered or Additional Provisions:

- Minimum Lot Area: A minimum of 1,000 m² plus 181 m² per dwelling unit
- Maximum Dwelling Unit Count: 75
- Maximum Height of Principal Buildings and Structures: The lesser of 13 m or 3 stacked storeys, and the number of storeys shall be measured only in the principal portion of the building, and a floor above a garage or in a side split or back split unit shall not be considered an additional storey for the purposes of this by-law;
- Commercial Uses are permitted in accordance with the zone provisions for commercial uses in the Neighbourhood Commercial (C5) Zone with the altered and additional provisions that:
 - Such commercial uses must occupy the ground floor of an apartment dwelling and the residential use must exceed 50% of the total gross floor area of the building;
 - The total gross floor area limitation of 200 m² applies to the entire area zoned RS6-5;
 - Garbage storage facilities shall be located within the building;
 - Parking spaces for the commercial uses shall be separated from and separately identified for the commercial use; and,
 - The landscaping requirements shall be those which would apply to the apartment dwelling.

RS6-6 (H13)

East and West Parts of Lot 25, Concession 1, Formerly Nottawasaga

Permitted Uses Restricted To:

- Townhouse of 10 or more units per building (by plan of condominium);
- Apartment dwelling of 10 or more units with maximum height of three stories;
- Accessory Uses Restricted To:
- Home Occupation.

~~RS6-7 (H5)~~

~~Part of Lot 8, Concession 4, Pt Lot 33 RP315, Formerly Creemore
80 Edward Street East 030-001-04700~~

~~Permitted Primary Uses restricted to:~~

- ~~▪—Apartment dwelling having a maximum of 18 dwelling units~~

~~Accessory Uses restricted to:~~

- ~~▪—Accessory buildings~~
- ~~▪—Home occupations~~

~~Zone Provisions or Additional or Altered Provisions~~

- ~~▪—Parking spaces and loading spaces do not require setbacks to residential zones or to the lots/blocks within the draft plan of subdivision and can be placed in any yard pursuant to approved site plan;~~
- ~~▪—Parking spaces required in the Residential High Density Exception (RS6-7) Zone can be provided in the Residential High Density Exception Zone (RS6-1);~~
- ~~▪—An apartment dwelling may include an underground parking structure;~~
- ~~▪—Outdoor amenity spaces, landscape buffers and screens, parking areas, loading spaces and garbage storage shall be implemented pursuant to the approved site plan;~~
- ~~▪—Outdoor amenity spaces, landscape buffers and screens required in the Residential High Density (RS6-7) Zone can be provided in the Residential High Density Zone (RS6-1);~~
- ~~▪—A principal use or main building shall not be required for the construction and use of accessory buildings/structures; and~~
- ~~▪—Section 2.38 Outdoor Living Area for Lots in a Residential Zone to the By-law 06-54 shall not apply to those lands zoned RS6-1.~~
- ~~▪—Minimum Lot Area: 1900 m²~~
- ~~▪—Minimum Lot Frontage: 38 m~~
- ~~▪—Minimum Front Yard (West): 6 m plus 0.1 m for every additional 0.3 m above a height of 9m~~
- ~~▪—Minimum Rear Yard (East): 6 m plus 0.1 m for every additional 0.3 m above a height of 9m~~
- ~~▪—Minimum Interior Side Yard (North): 4 m~~
- ~~▪—Minimum Interior Side Yard (South): 0 m~~

- ~~Maximum Lot Coverage: 60%~~
- ~~Minimum Landscaped Open Space: 10%~~
- ~~Maximum Hight of Buildings to Peak: 16 m~~
- ~~Maximum Number of Stories: 3~~
- ~~Maximum Number of Accessory Buildings: 2 (this will include the utility building if required)~~
- ~~Maximum Gross Floor Area of Accessory Buildings: 64 m²~~
- ~~Total Loading Spaces: None~~

RS6-8(H29)

31 Caroline Street West

Lots 42-44 Plan 315

Altered Provisions:

- Minimum Interior Side Yard (West) 3.8 m
- Maximum Gross Floor Area of all Accessory Buildings 252 m²
- Maximum of 36.7 residential units per hectare is permitted where more than 50% of the required parking spaces are provided as outdoor parking.
- Outdoor parking area for the rear property line to provide 1.3 m wide landscaping screen shall be provided to screen the common parking area from adjacent residential properties.
- Common parking facilities shall be located no closer to the rear property line than 1.3 m

3.15 DEVELOPMENT AREA (DA)

3.15.1 PERMITTED USES

PRIMARY USES

- Single detached dwelling;
- Produce farm;

ACCESSORY USES

- Accessory dwelling unit;
- Accessory farm produce road-side retail stand;
- Accessory farm produce sales outlet;
- Accessory farm winery or cidery;
- Home industry;
- Home occupation

3.15.2 ZONE PROVISIONS

- a) Minimum Lot Area: 750 m² or the existing lot area, whichever is greater.
- b) Minimum Lot Frontage: 18.5 m or the existing lot frontage, whichever is greater.
- c) Minimum Front Yard: 6 m
- d) Minimum Rear Yard: 6 m
- e) Minimum Interior Side Yard: 1.5 m
- f) Minimum Exterior Side Yard: 6 m
- g) Maximum Lot Coverage: 50%
- h) Maximum Height of Principal Buildings and Structures: 10 m
- i) Maximum Height of Accessory Buildings: 4.5 m
- j) Maximum Number of Accessory Buildings: 2
- k) Maximum Gross Floor Area of All Accessory Buildings: 64 m²
- l) Farm Produce Sales Outlet and Farm Winery or Cidery Provisions:
 - i. Any buildings dedicated to a Farm Produce Sales Outlet and Farm Winery or Cidery shall not exceed 250 square metres in gross floor area and shall be setback a minimum of 30 metres from any residential use other than a residential use on the same lot, including any outdoor patio or seating area. Further, any outdoor patio or seating area shall not exceed 93 square metres in area.

3.15.3 DEVELOPMENT AREA ZONE EXCEPTIONS

DA-1

Part of Lot 23, Concession 2 East, Formerly Stayner
(247 Margaret Street, Ashton Meadows, 010-002-09400)

Additional Permitted Uses:

- Golf course and driving range with accessory structures and uses.

DA-2

Part of Lot 26, Concession 3, Formerly Nottawasaga
(7603 Highway 26, 010-002-17800)

Additional Permitted Uses:

- Livestock, including any cattle, chickens, turkeys, or other fowl, fur bearing animals, pigs and hogs are permitted until 13 February 2009 or, until occupancy is granted for on the adjacent property to the south which is zoned C4-1(H).

DA-3

Lot 21 Concession 4, Part of Lot 12 Concession 4, Formerly Sunnidale
(5080 & 4916 County Road 9, 10434 County Road 10, 040-002-16200, 040-002-17300, 040-002-15500)

Additional Permitted Uses:

- Livestock are permitted until 11th day of January, 2019

Additional Provisions:

- No buildings or structures will be permitted in association with the livestock use
- Livestock are permitted on approximately 34.71 ha of the subject lands as shown on Schedule "1" of the By-law

3.16 INSTITUTIONAL (IN)

3.16.1 PERMITTED USES

PRIMARY USES

- Art gallery;
- Career counselling centre;
- Cemetery, including an accessory funeral home or a crematorium;
- Daycare centre;
- Government office or government works building;
- Hospital or health care centre;
- Job training centre;
- Library;
- Museum;
- Place of worship;
- Public works yards and facilities with accessory outdoor storage;
- School or education facility
- Fire Hall

3.16.2 ZONE PROVISIONS

3.16.2.1 For Privately or Partially Serviced Development

- | | |
|--|--------------------|
| a) Minimum Lot Area: | 0.4 ha |
| b) Minimum Lot Frontage: | 30 m |
| c) Minimum Front Yard: | 7.5 m |
| d) Minimum Rear Yard: | 10 m |
| e) Minimum Interior Side Yard: | 5 m |
| f) Minimum Exterior Side Yard: | 7.5 m |
| g) Maximum Lot Coverage: | 35% |
| h) Maximum Height of Principal Buildings and Structures: | 14 m |
| i) Maximum Height of Accessory Buildings: | 6.5 m |
| j) Maximum Number of Accessory Buildings: | 3 |
| k) Maximum Gross Floor Area of All Accessory Buildings: | 100 m ² |

3.16.2.2 For Full Municipally Serviced Development

- | | |
|--------------------------|--------------------|
| a) Minimum Lot Area: | 750 m ² |
| b) Minimum Lot Frontage: | 18.5 m |

- c) Minimum Front Yard: 6 m
 - d) Minimum Rear Yard: 6 m
 - e) Minimum Interior Side Yard: 1.5 m
 - f) Minimum Exterior Side Yard: 6 m
 - g) Maximum Lot Coverage: 50%
 - h) Maximum Height of Principal Buildings and Structures: 14 m
 - i) Maximum Height of Accessory Buildings: 6.5 m
 - j) Maximum Number of Accessory Buildings: 3
 - k) Maximum Gross Floor Area of All Accessory Buildings: 100 m²
- l) To ensure compatibility with surrounding uses, landscaping and landscaping screens and buffers shall be required in accordance with the requirements of this By-law. Landscaping screens shall be used along lot lines adjacent to residential uses and zones and shall have a minimum width of 3 metres.

3.16.3 INSTITUTIONAL ZONE EXCEPTIONS

IN-1

Lots 2, 3, 4, & 5, Plan 51M-541, Part 21, RP 51R36521, Formerly Stayner
(6993 Highway 26, 020-001-280-32-34-60-62)

Additional Permitted Uses:

- An emergency services facility containing fire, ambulance, police and related services as well as accessory buildings and structures;

Altered or Additional Provisions:

- Minimum Parking: 66 spaces of which a minimum of 2 shall be designed for persons with disabilities;
- Loading spaces may be located within the building and no additional snow storage space is required;
- Parking design may allow a maximum of 13 spaces in a row uninterrupted by landscaped island or peninsula;
- Front lot line shall be the line separating the lot from the right-of-way of Provincial Highway 26

IN-2

West Part of Lot 23, Concession 2, Formerly Nottawasaga
(209 Margaret Street and 1191 County Road 42, 010 002 09500 – 09600)

Permitted Uses Limited To:

- School or educational facility;
- Daycare centre;
- Career counseling centre;

- Place of worship;
- Job training centre;
- Library;
- Museum;
- Art gallery;
- Government office or government works building;
- Hospital or health care centre;
- Cemetery, including an accessory funeral home or a crematorium.

Altered or Additional Provisions:

- No permanent buildings or structure shall be located or installed within 10 metres of the limit of the County Road No. 42 right-of-way, unless an exception to this requirement has been approved in writing by the County of Simcoe, in accordance with the County Road Setback By-law.

IN-4

East Part of Lot 10, Concession 13, Formerly Sunnidale
(4250 Concession 12, 040-003-23800)

Altered Provisions:

- Minimum Front Yard Setback shall be 5 m

3.17 INSTITUTIONAL RESIDENTIAL 1 (INR1)

3.17.1 PERMITTED USES

PRIMARY USES

- Nursing home or assisted care facility;
- Retirement home.

3.17.2 ZONE PROVISIONS

- a) Minimum Lot Area: 1400 m²
- b) Minimum Lot Frontage: 22 m
- c) Minimum Front Yard: 7.5 m
- d) Minimum Rear Yard: 10 m
- e) Minimum Interior Side Yard: 3 m
- f) Minimum Exterior Side Yard: 7.5 m
- g) Maximum Height of Principal Buildings and Structures: 11 m
- h) Maximum Height of Accessory Buildings: 4.5 m
- i) Maximum Number of Accessory Buildings: 2
- j) Maximum Gross Floor Area of All Accessory Buildings: 150 m²
- k) All new development shall be on full municipal services.
- l) The maximum lot coverage shall be 55% however this may be increased to a maximum of 75% coverage where a minimum of 75% of the required parking spaces are provided as underground or indoor parking.
- m) A minimum common outdoor amenity area of 6 square metres per residential occupant shall be provided in consolidated form in addition to any required landscaped strips or buffers, and such area shall be exclusive of balconies, any on-site community centre building, or a swimming pool.
- n) Common parking areas shall be provided. All such outdoor parking areas shall be hard-surfaced, shall include landscaping amenities and a minimum 3 metre wide landscaping screen shall be provided to screen the common parking area from adjacent residential properties. Common parking facilities shall be located no closer than 3 m to a lot line.
- o) A common garbage storage facility shall be provided within the building or shall be screened in accordance with the requirements of this By-law, and shall be located no closer than 5 metres to an adjacent property.

- p) To ensure compatibility with existing uses, landscaping and landscaping screens and buffers shall be required in accordance with the requirements of this By-law.
- q) Institutional Residential uses shall be considered to be multiple residential uses in regard to the requirements for landscaping and parking standards (other than the required number of spaces as specified in this By-law) and the applicable provision shall apply in this context.

3.17.3 INSTITUTIONAL RESIDENTIAL 1 ZONE EXCEPTIONS

INR1-1

Part of Block M, Plan 214, Formerly Stayner
(212 Scott Street, 020-001-00500)

Permitted Uses Limited To:

- No primary or accessory buildings and structures shall be permitted to expand or enlarge beyond those that existed on May 1, 1996.

INR1-2

W Pt Lot 25 Concession; Part of Block 39 Draft Plan Approved Estate of Clearview Subdivision

Additional Permitted Uses:

- Clinic, Medical
- Dwelling Unit, Apartment
- Business or Professional Office
- Personal Service Shop
- Bake Shop
- Restaurant

Altered or Additional Provisions:

- Maximum Height of Principal Buildings and Structures 18 m
- Maximum Height of Accessory Buildings 7 m
- Minimum Number of Loading Spaces 2 spaces

3.18 RECREATION LANDS (REC)

3.18.1 PERMITTED USES

Any of the following principal uses where not a commercial use and not intended for profit:

PRIMARY USES

- Arena;
- Community centre;
- Existing campground;
- Fairground;
- Fitness centre;
- Library;
- Nature interpretation centre;
- Ornamental greenhouse and botanical garden;
- Passive recreational and conservation uses;
- Recreation and athletic facility;
- Theatre;
- Wildlife management area

ACCESSORY USES

- Accessory restaurant;
- Accessory retail sales.

3.18.2 ZONE PROVISIONS

- | | |
|--|------------|
| a) Minimum Lot Area: | No Minimum |
| b) Minimum Lot Frontage: | No Minimum |
| c) Minimum Front Yard: | 7.5 m |
| d) Minimum Rear Yard: | 15 m |
| e) Minimum Interior Side Yard: | 15 m |
| f) Minimum Exterior Side Yard: | 7.5 m |
| g) Maximum Lot Coverage: | 40% |
| h) Maximum Height of Principal Buildings and Structures: | 11 m |
| i) Maximum Height of Accessory Buildings: | 11 m |
| j) Maximum Number of Accessory Buildings: | No Limit |
| k) Maximum Gross Floor Area of All Accessory Buildings: | No Limit |

3.18.3 RECREATION LANDS ZONE EXCEPTIONS

REC-1

South Part of Lot 4, Concession 6, Formerly Sunnidale
(5867 County Road 9, 040-002-03202)

Permitted Uses Limited To:

- Campgrounds

REC-2

Part of Lot 35, Concession 5, RP 51R11038 Part 1, 2 and 3, Formerly Nottawasaga
(2220 Fairgrounds Road North, 010-005-00950)

Notwithstanding the permitted uses of the Recreation Lands Zone, the following additional or altered provisions shall apply:

- Truck and Tractor Pull;
- Demolition Derby;
- Mud Bog Competition.

The additional or altered provisions shall be limited to no more than two (2) occurrences per year.

REC-3

Part of Lot 8 and Part of the North and South Halves of Lot 9, Concession 4,
Formerly Creemore

Permitted Uses Restricted To:

- Walking trails;
- Municipal well;
- Water treatment facility.

REC-4

Part of Lot 8 and Part of the North and South Halves of Lot 9, Concession 4,
Formerly Creemore

Permitted Uses Restricted To:

- Walking trails;
- Drainage channel;
- Stormwater management facilities.

3.19 COMMERCIAL RECREATION LANDS (RECC)

3.19.1 PERMITTED USES

PRIMARY USES

Any of the following principal uses operated on a commercial and/or private member basis:

- All uses permitted in the Recreation Lands (REC) Zone;
- Arena;
- Assembly hall;
- Conference centre;
- Equestrian facility;
- Fish camp;
- Fitness centre;
- Golf course;
- Golf driving range;
- Hotel;
- Recreation and athletic facility;
- Restaurant;
- Ski facility;
- Theatre

ACCESSORY USES

- Accessory retail use;
- Accessory outdoor display and sales.

3.19.2 ZONE PROVISIONS

- a) Minimum Lot Area: 2 ha
- b) Minimum Lot Frontage: 50 m
- c) Minimum Front Yard: 7.5 m
- d) Minimum Rear Yard: 15 m
- e) Minimum Interior Side Yard: 15 m
- f) Minimum Exterior Side Yard: 7.5m
- g) Maximum Lot Coverage: 40%
- h) Maximum Height of Principal Buildings and Structures: 13 m
- i) Maximum Height of Accessory Buildings: 11 m

- j) Maximum Number of Accessory Buildings: No Limit
- k) Maximum Gross Floor Area of All Accessory Buildings: No Limit
- l) Any garbage storage facility shall be located no closer than 5 metres to an adjacent property in accordance with the requirements of this By-law shall be screened.
- m) Parking for customers shall be located no closer than 3 metres to an adjacent property and shall be screened from any adjacent residential use in accordance with the requirements of this By-law. The parking spaces attributable to a temporary residential use shall be designated for the exclusive use of the temporary residential occupants and shall be so signed and shall be physically separated from the off-street parking spaces attributable to commercial uses.

3.19.3 COMMERCIAL RECREATION LANDS ZONE EXCEPTIONS

RECC-1

West Part Lot 42, Concession 12, Formerly Nottawasaga
(7956889 Grey Rd 19, 010-012-11600)

Permitted Uses Limited To:

- Outdoor recreational facilities including picnic areas, tennis courts, playgrounds and playing fields;
- Passive recreation trails;
- Conservation uses.

No buildings are permitted.

3.20 GENERAL COMMERCIAL (C1)

3.20.1 PERMITTED USES

PRIMARY USES

- Art gallery;
- Commercial parking lot;
- Commercial training school;
- Data processing centre;
- Farmer's market;
- Financial service establishment;
- Fitness centre;
- Funeral home or crematorium;
- Government, business, or professional offices;
- Hotel or inn, but not a motel;
- Laundromats and dry cleaning establishment;
- Medical clinic;
- Meeting hall and assembly hall;
- Personal service shop;
- Place of entertainment, but not an adult entertainment business;
- Restaurant other than a drive-through or drive-in restaurant;
- Retail store;
- Service shop;
- Veterinarian clinic

ACCESSORY USES

- Accessory dwelling units;
- Accessory outdoor display and sales.

3.20.2 ZONE PROVISIONS

- a) Minimum Lot Area: 450 m²
- b) Minimum Lot Frontage: 10 m
- c) Minimum Front Yard: 0 m
- d) Maximum Front Yard: 2 m (applies to buildings, not structures)
- e) Minimum Rear Yard: 0 m unless adjoining a Residential Zone where the minimum shall be 5 m
- f) Minimum Interior Side Yard: 0 m unless adjoining a Residential Zone where the minimum shall be 5 m

- g) Minimum Number of Stories: 2, of which the second storey gross floor area shall be no less than 50% of the gross floor area of the first storey
- h) Minimum Exterior Side Yard: 0 m
- i) Maximum Lot Coverage: 65%
- j) Maximum Height of Principal Buildings and Structures: 14 m
- k) Maximum Height of Accessory Buildings: 10 m
- l) Maximum Number of Accessory Buildings: No Limit
- m) Maximum Gross Floor Area of All Accessory Buildings: No Limit

- n) Notwithstanding the maximum front yard requirement for buildings, buildings existing at the time of adoption of this By-law may be expanded or enlarged despite having a larger than required front yard.

- o) Notwithstanding the above provisions, where a lot is serviced by a private sewage disposal system, the minimum required lot size is 0.4 ha.

- p) For developments where more than 50% of the required parking is provided underground or enclosed in the building, the minimum lot coverage is increased to 100%, although other applicable provisions including, but not limited to, parking, loading, servicing, and landscaping screen and buffer requirements must be met.

- q) Commercial uses which are located in the Historic Downtown Cores as shown on schedules to this By-law, and which are exempt from the parking requirements of this By-law shall also be entitled to 100% lot coverage.

- r) Maximum ratio of residential to commercial:
 - i. No more than 25% of the ground floor area shall be used for a residential use.
 - ii. Where all or part of a residential use occurs on the ground floor, it shall be located within the rear half of the building.
 - iii. For buildings over one storey, no residential use may occur on the main floor other than access to the residential use.
 - iv. Any exterior garbage storage facility shall be screened in accordance with the requirements of this By-law and shall be located no closer than 5 metres to an adjacent property used for residential purposes.

- s) Parking for customers shall be located no closer than 3 metres to an adjacent property and shall be screened from any adjacent primary residential use. Screening is not required for a residential use which is accessory to a commercial use. The parking spaces attributable to a accessory dwelling unit shall be designated for the exclusive use of the residential occupants, and shall be so signed, and shall be physically separated from the off-street parking spaces attributable to commercial uses. Parking shall be provided to the rear or side of the building.

3.20.3 GENERAL COMMERCIAL ZONE EXCEPTIONS

C1-2

Part of Lot 15, Plan 315, Formerly Creemore
(3 Caroline Street East, 030-001-13100)

Altered or Additional Provisions:

- Minimum Lot Area: 400 square metres

C1-4

Part of Block B, Plan 116, Formerly Sunnidale
(5273 County Road 9, 040-002-09000)

Additional Permitted Uses:

- Plumbing contractor shop and office;

Altered or Additional Provisions:

- Minimum Lot Area (private sewage disposal): 2500 square metres
- Parking Spaces for Business Office: 1 space per 20 square metres of gross floor area
- Parking Spaces: 2 additional parking spaces over the number per use
- Landscape screening or fence is not required between loading space and residential use;
- Truck deliveries are permitted to back in from the street;
- The plumbing contractor ship and office shall not exceed 35% of the total gross floor area of the ground floor area.

C1-6 (H14)

Part of Lot 27, Concession 2, Formerly Nottawasaga
(7662 Highway 26, 010-002-12901)

Additional Permitted Uses:

- Restaurant including a drive through or take-out restaurant
- Drive through associated with such uses as a bank, pharmacy, grocery store, or like uses
- Gas Bar
- Motor Vehicle Washing Facility

Altered Provisions:

- Minimum Number of stories shall be 1

C1-7

Part of Lot 2 Plan 68; Part 4 51R8529
201 Huron Street

Additional Permitted Uses:

- Daycare centre
- Museum

Altered Zone Provisions:

- Maximum Front Yard: 2.5m
- Minimum Number of Stories: 1
- Maximum Lot Coverage: 90%
- Section 2.17 Historical Downtown Parking & Loading Exceptions applies to the subject lands

C1-8

Part of Lot 24, Concession 2
(230, 232, 234 and 236 Huron Street and 217 Ontario Street)

Additional Permitted Uses:

- Light custom workshop

Additional Zone Provisions:

- Garage or overhead bay doors are not permitted to face Ontario or Huron Street

C1-9 (H25)

Part Lot 13 & 14 Plan 315
(143 & 145 Mill Street)

Prohibited Uses:

- Dry Cleaning Establishment
- Crematorium

Altered Provisions:

- Minimum Number of Parking Spaces: 10 (including barrier free space)
- Minimum Number of Barrier Free Spaces: 1
- No Loading Spaces Required
- Parking Area shall be located a minimum of .9 m from the interior side lot line.
- Landscaping Requirements shall be limited to planting beds located in the parking lot as set out on the site plan.
- No on-site snow storage is required

3.21 COMMERCIAL TRANSITION 1 (CT1)

3.21.1 PERMITTED USES

PRIMARY USES

In addition to the uses of the underlying zone, the following additional uses are permitted:

- Accessory dwelling unit;
- Art gallery;
- Bed and Breakfast;
- Business and professional offices;
- Daycare centres;
- Home occupation;
- Medical clinics;
- Personal service shop;
- Restaurants except for drive-in or drive-through restaurants and not including any outdoor serving or seating area;
- Retail store;
- Single-detached dwelling

3.21.2 ZONE PROVISIONS

- a) In addition to the provisions of the underlying zone category, the following provisions shall apply where a transitional commercial use occurs.
- b) Parking for customers shall not be located any closer than 3 metres to an adjacent property, and shall be screened from any adjacent residential use with a landscaping screen. The parking spaces attributable to a residential use shall be designated for the exclusive use of the residential occupants and shall be so signed and shall be physically separated from the off-street parking spaces attributable to commercial uses.
- c) To ensure compatibility with existing uses, landscaping and landscaping screens and buffers shall be required in accordance with the provisions of this By-law.

3.21.3 Commercial Transition 1 Exceptions

CT1-1

Lot 28, Plan 102, Formerly Stayner
(7142 Highway 26, 020-001-04700)

Notwithstanding the permitted uses of the Commercial Transition 1, the following additional or altered provisions shall apply:

- A minimum side yard of 1.0 metres shall be permitted where the side lot establishing the yard is fenced with a solid board fence with a minimum height of 1.5 metres;
- The landscape buffer strip required shall be reduced to a minimum of 1.0 metres in width and a requirement for a solid board fence no less than 1.5 metres in height along the side lot lines and the rear lot line (along Weir Street) except for the area required for the laneway to/from the parking area. In the case of the rear line the solid fence shall be placed a minimum of 1.0 metres into the lot from the lot line and the landscaped buffer shall be placed between the lot line and fence; and,
- A minimum of seven (7) parking spaces are required for a therapy clinic of up to three (3) practitioners.

3.22 COMMERCIAL TRANSITION 2 (CT2)

3.22.1 PERMITTED USES

PRIMARY USES

In addition to the uses of the underlying zone, the following additional uses are permitted:

- Accessory dwelling unit;
- Art gallery;
- Bed and Breakfast;
- Home occupation;
- Retail store;
- Single-detached dwelling

3.22.2 ZONE PROVISIONS

- a) In addition to the provisions of the underlying zone category, the following provisions shall apply where a transitional commercial use occurs.
- b) Parking for customers shall not be located any closer than 3 metres to a neighbouring property, and shall be screened from any adjacent residential use with a landscaping screen. The parking spaces attributable to a residential use shall be designated for the exclusive use of the residential occupants and shall be so signed and shall be physically separated from the off-street parking spaces attributable to commercial uses.
- c) To ensure compatibility with existing uses, landscaping and landscaping screens and buffers shall be required in accordance with the provisions of this By-law.

3.22.3 COMMERCIAL TRANSITION 2 EXCEPTIONS

3.23 HIGHWAY COMMERCIAL (C2)

3.23.1 PERMITTED USES

PRIMARY USES

- Commercial or car pool parking lot;
- Gas bar;
- Inns, hotels, and motels;
- Motor vehicle wash facility;
- Restaurant including a drive through restaurant;
- Towing compound;

ACCESSORY USES

- Accessory outside display and sales;
- Accessory retail use

3.23.2 ZONE PROVISIONS

- a) Minimum Lot Area: 450 m²
- b) Minimum Lot Frontage: 15 m
- c) Minimum Front Yard: 7.5 m
- d) Minimum Rear Yard: 7 m
- e) Minimum Interior Side Yard: 3 m
- f) Minimum Exterior Side Yard: 6 m
- g) Maximum Lot Coverage: 40%
- h) Maximum Height of Principal Buildings and Structures: 14 m
- i) Maximum Height of Accessory Buildings: 11 m
- j) Maximum Number of Accessory Buildings: 3
- k) Maximum Gross Floor Area of All Accessory Buildings: No Limit
- l) Notwithstanding the above provisions, where a lot is serviced by a private sewage disposal system, the minimum required lot size is 0.4 ha.
- m) Any new development and any outside display area shall have a minimum setback from any residential building, other than a residential building on the same lot, of 30 metres.
- n) Any garbage storage facility shall be located no closer than 5 metres to an adjacent property and shall be screened in accordance with the provisions of this By-law.

- o) Parking for customers shall be located no closer than 3 metres to an adjacent property and shall be screened from any adjacent residential use with a landscaping screen with a minimum width of 3 metres.
- p) No fuel pump or full service island shall be located closer than 6 metres to a front or exterior lot line. No fuel storage tank access shall be located with an area required for parking.
- q) To ensure compatibility between on and off site uses, landscaping and landscaping screens and buffers shall be required in accordance with the provision of this By-law.

3.23.3 HIGHWAY COMMERCIAL ZONE EXCEPTIONS

C2-2 (H1)

Part of Lot 11 WSR, Concession 11, Formerly Sunnidale
(12384 County Road 10, 040-003-14400)

Additional Permitted Uses:

- Retail store.

Altered or Additional Provisions:

- New development shall have a minimum setback from the existing residential building on an adjacent lot of 15 metres;
- Parking standards for restaurant (take out or drive through) shall be 2 spaces per 20 square metres;
- A solid noise fence shall be placed along the west side of the stacking lane to the Township's satisfaction and a sound impact study shall not be required.

C2-3

Part Block A, Plan 412, Formerly Stayner
(7109 and 7117 Highway 26, 020-001-23900 – 24000)

Additional Permitted Use:

- Retail store
- Additional or Altered Provisions:
 - Maximum entrance width at Highway 26: 12.57 m
 - Required number of parking stalls: 12 stalls
 - Minimum stacking land setback from the west residential use lot boundary: 2 m
 - Minimum landscape screen width adjacent to drive through stacking lane: 2 m

- Snow storage requirement as a percent of the total parking and loading areas: 24%

C2-4

Permitted Uses Restricted to:

- Restaurant and drive through;
- Gas Bar;
- Art gallery or artist studio;
- Retail store;
- One Accessory Apartment;
- Farmer's Market

Additional or Altered Provisions:

- No permanent buildings or structures shall be located or installed within 15 meters of the limit of the County Road No. 42 and County Road No. 9, unless an exception to this requirement has been approved in writing by the County of Simcoe, in accordance with the County Road Setback by-law
- Notwithstanding any contrary provisions, snowmobile parking maybe permitted in accordance with an approved site plan within 1.5m of the south property line but shall not interfere with vehicular parking;
- Maximum size of Outdoor Display and Sale is 54m²
- Notwithstanding stacking lane requirements a minimum of (3) three parking space before the order board and minimum of (9) nine parking spaces between the order board and transition window shall be required
- Minimum number of vehicular parking spaces shall be 54

C2-5

(794047 County Road 124, 4329-010-009-06703)

Altered or Additional Provisions:

- Minimum Front Yard setback to existing gas pump 5.7 m
- Minimum Front Yard setback to existing gas pump canopy 1.5 m
- Minimum number of required parking spaces 23 spaces
- Minimum number of required loading spaces 1 loading space
- Location of loading space permitted to encroach a maximum of 7.5 m beyond the front wall of the main building.
- Minimum setback from stacking lane to property line 1.3 m

3.24 SERVICE COMMERCIAL (C3)

3.24.1 PERMITTED USES

PRIMARY USES

- Commercial parking lot;
- Equipment sales and rental establishment;
- Farm implement and supplies outlets and farm co-operative;
- Gas bar;
- Marine sales and service establishment;
- Motor vehicle repair establishment;
- Motor vehicle sales establishment;
- Motor vehicle wash facility;
- Recreational vehicle sales and service establishment;
- Towing compound

ACCESSORY USES

- Accessory outdoor display and sales;
- Accessory outdoor storage.
- Accessory restaurant

3.24.2 ZONE PROVISIONS

- a) Minimum Lot Area: 0.5 ha
- b) Minimum Lot Frontage: 50 m
- c) Minimum Front Yard: 15 m
- d) Minimum Rear Yard: 7.5 m
- e) Minimum Interior Side Yard: 7.5 m
- f) Minimum Exterior Side Yard: 15 m
- g) Maximum Lot Coverage: 40%
- h) Maximum Height of Principal Buildings and Structures: 11 m
- i) Maximum Height of Accessory Buildings: 11 m
- j) Maximum Number of Accessory Buildings: 3
- k) Maximum Gross Floor Area of All Accessory Buildings: Not Applicable
- l) Any new development and any outside display area shall have a minimum setback from any residential building, other than a residential building on the same lot, of 30 metres.
- m) Any garbage storage facility shall be contained within a solid fence and shall be located no closer than 5 metres to an adjacent property.

- n) Parking for customers shall be located no closer than 3 metres to an adjacent residential property and shall be screened from any adjacent residential use with a landscaping screen with a minimum width of 3 metres. The parking spaces attributable to a residential use shall be designated for the exclusive use of the residential occupants and shall be so signed and shall be physically separated from the off-street parking spaces attributable to commercial uses.
- o) No fuel pump or full service island shall be located closer than 6 metres to a front or exterior lot line. No fuel storage tank access shall be located with an area required for parking.
- p) To ensure compatibility between on and off site uses landscaping screens and buffers shall be required in accordance with the provisions of this By-law. Landscaping screens shall have a minimum width of 3 metres.

3.24.3 SERVICE COMMERCIAL ZONE EXCEPTIONS

C3-1

Part of Lot 22, Concession 2, Formerly Nottawasaga
(1247 County Road 42, 010-002-09301)

Additional Permitted Uses:

- Building supply outlet;
- Motor vehicle leasing establishment;
- Commercial self storage facility;
- Contractor's yard;
- Garden centre;
- Mobile home or trailer sales, service, and display centre;
- Motel or hotel;
- Motor vehicle repair establishment;
- Motor vehicle sales establishment;
- Plant nursery;
- Prefabricated building sales and display centre;
- Retail store;
- Restaurant;
- Farmer's market;
- Truck terminal;
- Veterinary clinic
- Farm implement outlet;
- Gas bar;
- Light equipment sales, service and rental;

- Marine sales and service;

C3-2

South Half of Lot 10, Concession 5, Formerly Sunnidale
(2585 9/10 Sideroad, 040-002-22800)

Permitted Uses Limited To:

- Recreational vehicle sales and service and parts supply

C3-3

Part of Lot 22, Concession 2, Formerly Nottawasaga
(1247 County Road 42, 010-002-09301)

Permitted Uses Limited To:

- Garden centre;
- Motor vehicle leasing establishment;
- Motor vehicle sales establishment;
- Motor vehicle repair establishment;
- Marine sales and service;
- Mobile home or trailer sales, service, and display centre;
- Motel or hotel;
- Plan nursery;
- Restaurant, but not a drive through restaurant;
- Retail store;
- Farmers Market;
- Truck terminal providing services to a winery, brewery, or food related business or industry;
- Accessory retail or wholesale sales establishment;
- Accessory enclosed storage of equipment or supplies;
- Accessory outdoor display and sales.

Altered or Additional Provisions:

- Notwithstanding the definition of a Truck Terminal, as set out in Section 4 of this By-law, goods and materials may be stored on-site for a period of up to four months prior to being transferred or re-shipped;
- Notwithstanding Section 2.27, in association with an active truck terminal use, goods or materials may be temporarily stored in licensed truck trailers in designated and appropriately screened truck trailers storage/parking areas. Screening requirements for such truck trailer storage/parking areas shall be the same as those established in Section 2.13.1 for outdoor storage areas and truck loading areas;

- Truck trailer storage/parking spaces shall be considered loading spaces and shall be designed in accordance with the requirements for Section 2.14.10. Notwithstanding the requirements of Section 2.14.10(f), loading spaces used for the storage or parking of truck trailers may be constructed of a porous pavement surface or a stabilized grass surface (i.e. porous grass paving grid surface). All other parking and loading spaces and access aisles shall meet the requirements for Section 2.14.10(f);
- Notwithstanding the requirements of Section 2.13.1, a landscaped screen shall be required along the entire northerly and easterly lot lines and a landscape buffer shall be required along all other lot lines;
- Notwithstanding Sections 2.13.3, 2.14.4, and 2.19.8, or any other contrary section of this By-law, the development of, or use of the lands in accordance with the permitted uses of this site, shall require full compliance with the general and zone provisions, unless other stipulated in this exception.

C3-4

Part of Lot 24, Concession 2, Formerly Stayner
(238 Huron Street, 020-001-15140)

Permitted Uses Limited To:

- Motor vehicle repair establishment within the existing building;
- All uses under the General Commercial (C1) Zone.
- Light custom workshop

Altered or Additional Provisions:

- The Service Commercial (C3) Zone provisions shall not apply and the General Commercial (C1) Zone provisions shall apply to the entire lot.
- Garage or overhead bay doors are not permitted to face Huron Street.

C3-5

Part of Lot 24, Concession 2, Formerly Stayner
(238 Huron Street, 020-001-15140)

Permitted Uses Limited To:

- Recreational vehicle sales and display within the northern 20 metres of the existing parking lot;
- All uses under the General Commercial (C1) Zone
- Light custom workshop

Altered or Additional Provisions:

- The Service Commercial (C3) Zone provisions shall not apply and the General Commercial (C1) Zone provisions shall apply to the entire lot.
- Garage or overhead bay doors are not permitted to face Huron Street.

C3-6

Parts of Lot 1 and 2, Plan 197, Formerly Nottawasaga
(7106 Highway 26, 010-002-04701)

Altered or Additional Provisions:

- Minimum Lot Frontage: 40 metres
- Minimum Front Yard: 5 metres
- New Development and outside display area shall have a minimum setback from any residential building, other than a residential building on the same lot: 15 metres

C3-7

15 Station Street

Permitted Uses Limited to:

- Building Supply Outlet
- Outdoor Storage
- Outdoor Display and Sales

Altered or Additional Provisions:

- Minimum Lot Area .47ha
- Minimum Front Yard Setback 3 m
- Exterior Side Yard Setback 3 m
- Two entrances will be permitted.
- Loading spaces none required
- Parking spaces none required
- Landscaping Screens 1.8 m high solid board fence along frontage.
1.8 m high solid board fence along west side lot line and measured 19 m from front lot line.
1.8 m high solid board fence along east side lot line measured 13 m from front lot line.
- Landscape Buffering Tree planting along frontage, 7 coniferous trees are required.
- Outdoor storage and Outdoor Display and Sales Area maximum 500 m².
- No curbing or asphaltting required.

3.25 LARGE FORMAT COMMERCIAL (C4)

3.25.1 PERMITTED USES

PRIMARY USES

- Art gallery;
- Banquet halls;
- Building supply outlet;
- Financial service establishment;
- Fitness centre;
- Garden centre;
- Government, business and professional offices;
- Hotel;
- Personal service shop;
- Place of entertainment;
- Restaurant including a drive-through restaurant;
- Retail store;
- Wholesale retail outlet;

ACCESSORY USES

- Accessory outdoor display and sales.

3.25.2 ZONE PROVISIONS

- a) Minimum Lot Area: 0.5 ha
- b) Minimum Lot Frontage: 50 m
- c) Minimum Front Yard: 3 m
- d) Maximum Front Yard: 5 m (applies only to 60% of total building ground floor area)
- e) Minimum Rear Yard: 7.5 m
- f) Minimum Interior Side Yard: 7.5 m
- g) Minimum Exterior Side Yard: 15 m
- h) Maximum Lot Coverage: 30%
- i) Maximum Height of Principal Buildings and Structures: 14 m
- j) Maximum Height of Accessory Buildings: 11 m
- k) Maximum Number of Accessory Buildings: 3
- l) Maximum Gross Floor Area of All Accessory Buildings: Not Applicable

- m) Maximum lot coverage may be increased to 60% where a two storey building occurs and the second storey has a floor area no less than 50% of the first storey floor area, or where a 5 metre maximum front yard for buildings occurs.
- n) All development other than building supply outlets and nursery and garden centres shall be full municipal services.
- o) Any new development and any outside display area shall have a minimum setback from any residential building, other than a residential building on the same lot, of 30 metres.
- p) Any garbage storage facility shall be contained within a solid fence and shall be located no closer than 5 metres to an adjacent property.
- q) Parking for customers shall be located no closer than 3 metres to an adjacent property and shall be screened from any adjacent residential use with a landscaping screen. The parking spaces attributable to a residential use shall be designated for the exclusive use of the residential occupants and shall be so signed and shall be physically separated from the off-street parking spaces attributable to commercial uses.
- r) To ensure compatibility between on and off site uses landscaping screens and buffers shall be required in accordance with the provisions of this By-law. Landscaped screens shall have a minimum width of 3 metres.

3.25.3 LARGE FORMAT COMMERCIAL ZONE EXCEPTIONS

C4-1

North Part of Lot 26, South Part of Lot 27, Concession 3, Formerly Nottawasaga (7603 Highway 26, 010-002-17800)

Notwithstanding the regulations of the Commercial Large Format (C4) Zone, where a property is zoned Commercial Large Format Hold (C4-1(H)), the following applies:

Altered or Additional Provisions:

- Setback from a Rural Zone or Rural lot line: 8 m (Including parking areas and structures)
- Additional landscaping buffers shall be placed along the front yard as well as interior side yards, and a landscape plan shall be provided to the satisfaction of the Township as part of the site plan approval process;
- Parking areas shall be paved with asphalt.

Permitted Uses Restricted To:

- Outdoor storage is prohibited.

C4-2

Part of Lot 38, Concession 8, Formerly Nottawasaga
(4473 County Road 124, 010-007-04500)

Permitted Primary Uses Restricted To:

- Retail store;
- Wholesale retail outlet;
- Building supply outlet;
- Garden centre;
- Plant nursery;
- Pool and patio supply outlet;

Permitted Accessory Uses Restricted To:

- Accessory outdoor storage;

Altered or Additional Provisions:

- Minimum interior side yard (south lot line applicable to an addition of up to 120 square metres): 4 metres
- Development is permitted on private water and sanitary services.

C4-3(H30)(H31)

6934 & 7044 Highway 26

- Altered or Additional Provisions:
- Permit 'Medical Clinic' as additional permitted use.
- Remove 'Building Supply Outlet' & 'Banquet Halls' as permitted uses.
- Reduce the minimum number of required loading spaces for Building No. 1 (i.e., Retail Grocery Store) from four (4) loading spaces to one (1) loading space.
- Reduce the minimum required exterior side yard setback from 15 m to 9 m.
- Remove the maximum front yard setback requirement of 5 m from the subject lands.
- Include a minimum required height requirement of 5.5 m for all commercial buildings.

At such time as the Holding Symbol (H30) is removed, the following uses shall be permitted on the lands:

- Art gallery
- Financial service establishment
- Fitness centre
- Garden centre
- Government, business and professional offices

- Personal service shop
- Place of entertainment
- Retail store
- Wholesale retail outlet
- Medical clinic

3.26 NEIGHBOURHOOD COMMERCIAL (C5)

3.26.1 PERMITTED USES

PRIMARY USES

- Retail store;
- Personal service shop.

ACCESSORY USES

- Accessory dwelling unit;
- Accessory outside display and sales.

3.26.2 ZONE PROVISIONS

- a) Minimum Lot Area: 1,000 m²
- b) Minimum Lot Frontage: 20 m
- c) Minimum Front Yard: 7.5 m
- d) Minimum Rear Yard: 10 m
- e) Minimum Interior Side Yard: 5 m
- f) Minimum Exterior Side Yard: 7.5 m
- g) Maximum Lot Coverage: 60%
- h) Minimum Number of Stories: 2
- i) Maximum Total Gross Floor Area of Commercial Use: 200 m²
- j) Maximum Height of Principal Buildings and Structures: 10 m
- k) Maximum Height of Accessory Buildings: 4.5 m
- l) Maximum Number of Accessory Buildings: 2
- m) Maximum Gross Floor Area of All Accessory Buildings: 64 m²
- n) Notwithstanding the above provisions where a lot is serviced by a private sewage disposal system, the minimum required lot size is 0.4 ha.
- o) The maximum total gross floor area utilized for an accessory dwelling unit in a building used for commercial uses shall not exceed 50% of the total gross floor area of the building.
- p) Any garbage storage facility shall be contained within a solid fence and shall be located no closer than 5 metres to an adjacent property.
- q) Parking for customers shall be located no closer than 3 metres to an adjacent property and shall be screened from any adjacent primary residential use with

a landscaping screen. Screening is not required for a residential use which is accessory to a commercial use. The parking spaces attributable to a residential use shall be designated for the exclusive use of the residential occupants and shall be so signed and shall be physically separated from the off-street parking spaces attributable to commercial uses.

- r) To ensure compatibility between on and off site uses, landscaping and landscaping screens and buffers shall be required shall be required in accordance with the provisions of this By-law.

3.26.3 NEIGHBOURHOOD COMMERCIAL ZONE EXCEPTIONS

3.27 RESTRICTED INDUSTRIAL (MR)

3.27.1 PERMITTED USES

PRIMARY USES

Any of the following uses which are intended to be light industrial and accessory uses:

- Adult entertainment businesses;
- Assembly halls;
- Broadcasting and communication establishments;
- Commercial self-storage facility;
- Dairy products plant;
- Data processing centre;
- Dry light manufacturing, processing, repairing, fabricating and assembly operations;
- Food processing establishment;
- Home improvement outlets;
- Industrial laundromats and/or dry-cleaning establishments;
- Light equipment sales and rental establishments;
- Moving company;
- Warehouses;
- Printing or publishing establishments;
- Research establishments including laboratories;
- Restaurant;
- Towing compound;
- Wineries and breweries

ACCESSORY USES

- Accessory business and administrative offices;
- Accessory outdoor storage;
- Accessory outside display and sales;
- An accessory retail outlet for the purpose of sale of goods and materials produced on the premises.

3.27.2 ZONE PROVISIONS

- a) Minimum Lot Area: 0.2 ha
- b) Minimum Lot Frontage: 30 m
- c) Minimum Front Yard: 15 m except where use on opposite side of the street is industrial shall be reduced to 7.5 m
- d) Minimum Rear Yard: 5 m except where adjacent to a non-industrial zone boundary shall be increased to 15 m
- e) Minimum Interior Side Yard: 2 m except where adjacent to a non-industrial zone boundary shall be increased to 15 m
- f) Minimum Exterior Side Yard: 15 m
- g) Maximum Lot Coverage: 50% on private or partial services; 70% on full services
- h) Maximum Height of Principal Buildings and Structures: 18 m
- i) Maximum Height of Accessory Buildings: 18 m
- j) Maximum Number of Accessory Buildings: No Limit
- k) Maximum Gross Floor Area of All Accessory Buildings: No Limit
- l) Notwithstanding the above provisions, where a lot is serviced by a private sewage disposal system, the minimum required lot size is 0.4 ha.
- m) No industrial use shall be located any closer than 20 m to a residential or institutional building.
- n) All uses, other than accessory outdoor storage or accessory outside display and sales, must be carried out in a fully enclosed building.
- o) To ensure compatibility between on and off site uses, landscaping screens and buffers shall be required in accordance with the provisions of this By-law. Landscape screens shall have a minimum width of 3 metres.
- p) It is the purpose of this provision of the By-law to establish reasonable and uniform regulations to prevent the concentration of adult entertainment businesses within the Township of Clearview.
- q) It is the intent to promote the health, safety, and general welfare of the citizens of the Township of Clearview; and, it is the intent of this that the regulations be utilized to prevent problems of land use incompatibility which may accompany and may be brought about by the concentration of adult entertainment businesses.
- r) The provisions of this By-law have neither the purpose nor effect of imposing limitation or restriction on the content of any communicative materials, including sexually oriented materials or to unlawfully restrict or deny access by

adults to sexually oriented materials; and, neither is it the intent, nor effect of this By-law, to condone or legitimize the distribution of such materials.

- s) Adult entertainment businesses are permitted in the Restricted Industrial zone by amendment to this By-law. Notwithstanding any other provision of this By-law, no adult entertainment business shall be permitted within 200 metres of another existing adult entertainment business or one for which a building permit has been applied for. No adult entertainment business shall be permitted within 200 metres of any existing dwelling or residential zone boundary, within 50 metres of any commercial zone boundary, and within 300 metres of any school, daycare, or place of worship. These separation distances shall be measured in a straight line from property boundary to property boundary without regard to intervening building, structures, or uses.

3.27.3 RESTRICTED INDUSTRIAL ZONE EXCEPTIONS

MR-1

Part of Lot 27, Concession 1, Formerly Sunnidale
(9523 County Road 10, 040-001-06400)

Primary Uses Restricted to:

- Warehouses; and,
- Light equipment sales and rental establishments.

Additional Permitted Primary Uses:

- Transportation terminal;
- Truck terminal;
- Contractor shop and/or yard;
- Garden centre; and,
- Antique shop.

Additional Permitted Uses:

- All materials uses of the MR Zone with the exception that outdoor storage of any waste materials;
- An accessory boarding house limited to employees of a business on the premises only;
- An accessory dwelling unit.

MR-2

Part of Lot 10, Concession 4, Formerly Sunnidale
(6 Greengage Rd, 040-002-10020)

Additional Permitted Uses:

- Motor vehicle body shop;
- Contractor shop;
- Truck terminal.

MR-3

Part of Lot 10, Concession 4, Formerly Sunnidale
(2 Greengage Road, 040-002- 10002)

Additional Permitted Uses:

- Sawmill or lumber yard;
- Transportation terminal;
- Truck terminal;
- Building supply outlet.

Additional or Altered Provisions:

- No outdoor storage shall occur beyond the perimeter of the concrete slab existing at the time of adoption of former By-law 05-58, as illustrated on the site plan forming a schedule thereto;
- All outdoor storage shall be enclosed by either a solid fence and or combination of chain link fence and landscaped screening.

MR-4

Part of Lot 11, Concession 4, Formerly Sunnidale
(10, 12, & 14 Greengage Road, 040-002-10022-23-24)

Additional Permitted Uses:

- Sawmill or lumber yard;
- Building supply outlet;
- Outdoor assembly and storage of log home components.

MR-5

Part of Lot 10 & 11, Concession 4, Formerly Sunnidale
(7 Greengage Road, 040-002-10027)

Additional Permitted Uses:

- Welding and manufacturing of metal components conducted entirely within an enclosed building.

MR-6

Part of Lot 10, Concession 4, Formerly Sunnidale
(3 Greengage Road, 040-002-10030)

Additional Permitted Uses:

- Transportation terminal;
- Truck terminal

MR-7

Part of Lot 9, Concession 5, Block K, RP 51R13949 Parts 1 & 2, Formerly Nottawasaga
(56 Wellington St. West, 030-001-37312)

Additional Permitted Uses:

- Construction yard or contractor yards; or,
- Transportation terminal;
- Truck terminal

MR-8

Part of Lot 9, Concession 5, Formerly Nottawasaga
(7685 County Road 9, 030-001-37303)

Additional Permitted Uses:

- Transportation terminal;
- Truck terminal;
- Metals recycling transfer station.

Notwithstanding the provisions of the 'Restricted Industrial (MR)' Zone and general provisions of Section 2 'General Provisions' to the contrary, where lands are zoned MR-8 the following apply:

Zone Provisions or Additional or Altered Provisions

Minimum Rear Yard:	3 m
Minimum Interior Side Yard (West): west property line	0 m for the existing buildings on the
Minimum Interior Side Yard (West):	2 m for all other buildings
Minimum Interior Side Yard (East):	7.5 m
Maximum Lot Coverage:	75%
Number Parking Spaces:	8
Barrier Free Parking Spaces:	1
Loading Spaces:	1
▪ Primary outdoor storage will have no setback requirements from the property lines of the subject property;	

- Primary outdoor storage shall not be permitted to be closer to the front lot line than the front wall of the primary building, and will be required to be located behind a 2 m high solid board or metal fence or gate;
- A minimum 2 m high solid board or metal fence or gate will be required around the perimeter of the property, except the front yard;
- The fence along the front yard, will be setback behind the front wall of the primary building;
- Recycling bins, when stacked will not be higher than the perimeter fence located around the property;
- An industrial use is permitted to be located within 15 m to an institutional building;
- Snow storage will not be required on site and will be permitted to be hauled off site;
- Metal recycling transfer station will be permitted to occur inside buildings and outdoors behind the required fencing and behind the front wall of the primary building;
- Landscaping on site will be satisfied by the minimum 2 m high solid board or metal fence which will be placed around the perimeter of the site, except along the front yard where fencing will be placed behind the front wall of the primary building;
- Development is permitted to occur on partial/private services; and,
- Driveway permitted to be a minimum of 9 m and maximum 36 m in width.

MR-9

Part of Lot 12, Concession 10, Formerly Sunnidale
(6029 Highway 26, 040-003-10000)

Additional Permitted Uses:

- Auto wrecking and salvage yard;
- A single detached dwelling.

MR-10

North Part Lot 38, Concession 7, RP 51R22727 Part 1, Formerly Nottawasaga
(2700 Concession 6, 010-005-71204)

Additional Permitted Uses:

- Contractor's Yard;
- Accessory Outdoor Storage.

MR-11

North Part of Lot 31, Concession 1, Formerly Nottawasaga
(1858 and 1872 County Road 7, 010-003-00200/00300)

Additional Permitted Uses:

- Accessory single detached dwelling;
- Ancillary office building;
- Additional or Altered Provisions:
- Minimum Front Yard for single detached dwelling: 8 metres
- Minimum Front Yard for ancillary office building: 6 metres
- Minimum Interior Side Yard for Storage Units: 6 metres
- Minimum Interior Side Yard for existing single detached dwelling: 2.5 metres
- Notwithstanding the parking provisions, two regular parking spaces and one barrier free parking space will be required;
- Notwithstanding the loading provisions, no loading spaces will be required;
- Notwithstanding Section 2.19.17(g), the hard surfacing will be located from the northern property line measured 21 metres south, except that at the westerly property line measured easterly 18 metres, hard surfacing will be located from the northern property line 27 metres south.

MR-11

Part of Lots 10 & 11 Concession 4; Part 9 RP 51R19933
9 Greengage Road

Additional Permitted Uses:

- Indoor Baseball Practice Facility

Altered Provisions:

- Minimum number of parking spaces: 32
Includes two spaces for persons with disabilities

MR-12

East Part of Lot 25, Concession 4, Formerly Nottawasaga
(7674 County Road 91, 010-002-23000)

Primary Permitted Uses Restricted To:

- Dry light manufacturing, processing, repairing, fabricating and assembly operations
- Warehouses
- Commercial Self Storage Facility
- Printing or Publishing Establishments
- Broadcasting and Communication Establishments

- Light Equipment Sales and Rental Establishments
- Towing Compound
- Wineries and Breweries
- Research Establishments including Laboratories
- Data Processing Centre
- Home Improvement Outlets without outdoor storage
- Business, professional or administration offices
- Indoor Recreational Facilities

Permitted Accessory Uses Restricted To:

- Accessory business and administrative offices
- Accessory outside display and sales
- Accessory outdoor storage
- An accessory retail outlet for the purposes of sale of goods and materials produced on the premises
- Accessory Residential Use

3.28 PRESTIGE INDUSTRIAL (MP)

3.28.1 PERMITTED USES

PRIMARY USES

Any of the following uses which are intended to be prestige light industrial and accessory uses:

- Broadcasting and communication establishments;
- Business, professional and administrative offices;
- Indoor recreational facilities and fitness clubs;
- Light manufacturing, processing, repairing, fabricating and assembly operations;
- Printing or publishing establishments;
- Research establishments;
- Wineries and breweries

Accessory Uses

- An accessory retail outlet for the purpose of sale of goods and materials produced on the premises.

3.28.2 ZONE PROVISIONS

- a) Minimum Lot Area: 2 ha
- b) Minimum Lot Frontage: 100 m
- c) Minimum Front Yard: 15 m
- d) Minimum Rear Yard: 20 m
- e) Minimum Interior Side Yard: 5 m
- f) Minimum Exterior Side Yard: 15 m
- g) Maximum Lot Coverage: 50%
- h) Maximum Height of Principal Buildings and Structures: 18 m
- i) Maximum Height of Accessory Buildings: 18 m
- j) Maximum Number of Accessory Buildings: No Limit
- k) Minimum Landscaped Open Space: 20%
- l) All development is to incorporate a landscaped buffer which may include berms. All development must be on full municipal water and waste water services. All uses must be carried out in a fully enclosed building. Landscape screens shall

have a minimum width of 5 metres and landscaped buffers shall have a minimum width of 3 metres.

- m) To ensure compatibility between on and off site uses, landscaping screens and buffers shall be required in accordance with the provisions of this By-law.

3.28.3 PRESTIGE INDUSTRIAL ZONE EXCEPTIONS

3.29 GENERAL INDUSTRIAL (MG)

3.29.1 PERMITTED USES

PRIMARY USES

Any of the following uses which are intended to allow both light industrial and heavy industrial and accessory uses:

- All restricted industrial uses;
- Asphalt and concrete plants;
- Auto wrecking and salvage yards;
- Building supply outlets;
- Bulk storage operations including bulk storage of road salts, fuels and petroleum products, hazardous chemicals, and other hazardous substances;
- Chemical manufacturing and petroleum products refining;
- Construction yards and contractors yards;
- Ethanol production plants;
- Farm implement and supplies outlets;
- Heavy manufacturing, processing, repairing, fabricating and assembly operations;
- Marine sales establishments;
- Motor vehicle body-shops;
- Motor vehicle repair establishment;
- Motor vehicle sales establishments;
- Moving company;
- Outdoor storage;
- Primary metals plant;
- Recreational vehicle sales and service establishments;
- Recycling facility;
- Sawmill or lumber yards;
- Snow storage and disposal facilities;
- Tannery;
- Top soil bulking and manufacture establishments;
- Towing compound;
- Transportation terminal;
- Truck terminal;

Accessory Uses

- Accessory outdoor storage.

3.29.2 ZONE PROVISIONS

- a) Minimum Lot Area: 0.4 ha
- b) Minimum Lot Frontage: 40 m
- c) Minimum Front Yard: 15 m except where use on opposite side of the street is industrial shall be reduced to 7.5 m
- d) Minimum Rear Yard: 5 m except where adjacent to a non-industrial zone boundary shall be increased to 15 m
- e) Minimum Interior Side Yard: 2 m except where adjacent to a non-industrial zone boundary shall be increased to 15 m
- f) Minimum Exterior Side Yard: 15 m
- g) Maximum Lot Coverage: 50% on private or partial services
 - i. 70% on full municipal services
- h) Maximum Height of Principal Buildings and Structures: 18 m
- i) Maximum Height of Accessory Buildings: 18 m
- j) Maximum Number of Accessory Buildings: No Limit
- k) Maximum Gross Floor Area of All Accessory Buildings: No Limit
- l) To ensure compatibility between on and off site uses, landscaping screens and buffers shall be required in accordance with the provisions of this By-law. Landscaped screens shall have a minimum width of 3 metres.
- m) A towing compound shall be considered to be a primary outdoor storage use and shall comply with the requirements of Section 2.18. A towing compound shall also incorporate an associated office on the same lot.

3.29.3 GENERAL INDUSTRIAL ZONE EXCEPTIONS

MG-1

Part of Lot 21, E.S.R., Concession 4, Formerly Sunnidale
(10367 County Road 10, 040-002-17600)

Permitted Uses Limited to:

- An underground storage facility for the purposes of storing:
 - Organic Waste – Fuels – 221L Light Fuels – Gasoline, kerosene, diesel tank drainings/washings/bottoms, spill cleanup residues; and,
 - Organic Waste – Oily Wastes 251L Waste Oils/Sludges (Petroleum bases) – Oil/Water separator sludges, dissolved air floatation skimming, heavy oil tanks drainage, slop oil and emulsions.

Altered or Additional Provisions:

- Township of Clearview Site Plan Agreement required;
- Ministry of Environment Certificate of Approval required;
- Maximum Area (including underground tanks): 550 m²

- Maximum Underground Tank Volume: 50,000 litres
- Minimum Front Yard for Buildings and Structures: 210 m (including underground tanks)
- Minimum Front Yard shall mean the minimum distance between County Road 10 ROW and the zone boundary;
- Minimum interior side yard for buildings and structures 90 metres including underground tanks;
- Minimum interior side yard shall mean the minimum distance from the south property line to the zone boundary;
- Access to the facility and parking and loading spaces shall be paved and the driveway shall have a minimum width of 6 metres;
- No additional storage, under or above the ground, shall be permitted;
- Maximum Height of Buildings: 10 m

MG-2

Part of Lot 35, Plan 315, RP 51R24351 Part 1, Formerly Nottawasaga, (102 Edward Street East, 030-001-04500)

Part of Lot 35, Plan 315, RP 51R24351 Part 2, Formerly Nottawasaga, (104 Edward Street East, 030-001-04425)

Part of Lot 35, Plan 315, RP 51R24351 Part 3, Formerly Nottawasaga, (108 Edward Street East, 030-001-04410)

Part of Lot 35, Plan 315, RP 51R11823, Formerly Nottawasaga, (112 Edward Street East, 030-001-04400)

Permitted Uses Restricted To:

- All restricted industrial uses;
- Motor vehicle repair establishment;
- Motor vehicle body shops;
- Construction yards and contractor yards;
- Transportation terminals.

MG-3

Lot 34, Plan 315, Formerly Nottawasaga (90 Edward Street East, 030-001-04600)

Permitted Uses Restricted To:

- All restricted industrial uses; or,
- Transportation terminal;
- Truck terminal

MG-4

East Part of Lot 25, Concession 4, Formerly Nottawasaga
(7674 County Road 91, 010-002-23000)

Permitted Primary Uses Restricted To:

- All Restricted Industrial Uses
- Motor Vehicle Repair Establishment
- Motor Vehicle Body-shops
- Marine Sales and Service Establishments
- Motor Vehicle Sales and Service Establishments
- Recreational Vehicle Sales and Service Establishments
- Farm Implement and Supplies Outlets
- Building Supply Outlets
- Construction Yards and Contractor Yards
- Truck or Transportation Terminals
- Towing Compound
- Primary Outdoor Storage

Permitted Accessory Uses Restricted To:

- Accessory Outdoor Storage

3.30 AIRPORT INDUSTRIAL (MA)

3.30.1 PERMITTED USES

PRIMARY USES

- Airport related special events, exhibits, and trade show venues;
- Broadcasting and communication establishments;
- Cartage terminals and warehousing;
- Commercial flight school;
- Dry light manufacturing, processing, repairing, fabricating and assembly operations;
- Fueling station for small aircraft;
- Light equipment sales and rental establishments;
- Research establishments including laboratories;
- Runways and Taxiways;
- Sales, service, display, and rental of aircraft;
- Storage units;
- Warehouses

ACCESSORY USES

- Accessory business and administrative offices;
- Accessory buildings including hangars;
- Accessory outdoor storage;
- Accessory restaurant;
- Accessory retail outlet for the purpose of sale of goods and materials produced on the premises.

3.30.2 ZONE PROVISIONS

- a) Minimum Lot Area: 0.4 ha
- b) Minimum Lot Frontage: 40 m
- c) Minimum Front Yard: 15 m
- d) Minimum Rear Yard: 5 m except where adjacent to a non-industrial zone boundary shall be increased to 15 m
- e) Minimum Interior Side Yard: 2 m except where adjacent to a non-industrial zone boundary shall be increased to 15 m
- f) Minimum Exterior Side Yard: 15 m
- g) Maximum Lot Coverage: 40%
- h) Maximum Height of Principal Buildings and Structures: 18 m

- i) Maximum Height of Accessory Buildings: 18 m
- j) Maximum Number of Accessory Buildings: No Limit
- k) Maximum Gross Floor Area of All Accessory Buildings: No Limit
- l) No commercial or industrial use shall be located any closer than 20 metres to a residential or institutional use other than a flight school.
- m) All uses, other than accessory outdoor storage or accessory outside display and sales, must be carried out in a fully enclosed building.
- n) Accessory buildings may be located in all yards and shall comply with all minimum yards and setbacks.
- o) Parking for special events will be provided on site on temporary grass parking areas.
- p) To ensure compatibility between on and off site uses, landscaping screens and buffers shall be required in accordance with the provisions of this By-law.
- q) Nothing in this By-law shall be construed to apply to the operation of an aerodrome in relation to matter regulated by Transport Canada other than by voluntary compliance.

3.30.3 AIRPORT INDUSTRIAL ZONE EXCEPTIONS

MA-1

Part of Lot 13 & 14, Concession 10, Formerly Sunnidale
(5195 Highway 26, 040-003-12300)

Additional Permitted Uses:

- Single Detached Dwelling;
- Apartment Dwelling

Altered or Additional Provisions:

- No more than four (4) dwelling units within the apartment dwelling.
- Parking for special events may be provided on site on temporary grass parking areas.

MA-1(H1)

Part of Lot 13, Concession 10; Part 1 51R-17260, Formerly Sunnidale
(5355 Highway 26, 040-003-12200)

MA-2

E Pt Lot 33 Concession 6, Formerly Nottawasaga
(6833 33/34 Sideroad)

Permitted Uses:

- Aircraft sales, service, display and rental
- Aircraft hangar
- Aircraft taxiways
- Aeronautical manufacturing, processing, repairing, fabricating and assembly operations
- Airport-related warehouse
- Airport-related light equipment sales and rental establishments
- Airport-related research establishments, including laboratories
- Airport-related offices
- Aircraft fueling station
- Aircraft or airport-related outdoor storage
- Airport-related truck/transportation or shipping terminal
- Existing agricultural uses
- Flight school

Accessory Uses:

- Restaurant, except a drive-through or drive-in
- Accessory outdoor storage
- Accessory retail outlet
- Accessory temporary accommodation associated with a flight school
- Accessory administrative offices

Prohibited Uses

In addition to the uses generally prohibited in Section 2 of the By-law, the following uses shall also be prohibited:

- Inns, hotels and motels
- Large format commercial uses
- Residential Uses
- Uses resulting in the production of steam or other exhaust, glare, the attraction of birds, the production of electronic signal interference, or any other uses which would negatively impact the long term operation and economic role of the adjacent airport.

Zone Provisions

Minimum Lot Area: 0.4ha

Minimum Lot Frontage: 40 m

Clearview Zoning By-law

Minimum Front Yard:	7.5 m
Minimum Rear Yard:	5 m where adjacent to an industrial zone category 15 m where adjacent to a non-industrial zone category
Minimum Interior Side Yard:	2 m where adjacent to an industrial zone category 15 m where adjacent to a non-industrial zone category
Minimum Exterior Side Yard:	7.5 m
Maximum Lot Coverage:	60%
Maximum Height:	24 m

- Individual on-site water or sewage services shall not be permitted.
- Wet industrial/commercial uses shall only be permitted on fully municipal services and shall be subject to the serviced design capability to handle such uses.
- Notwithstanding any general provisions to the contrary in Sections 1 and 2 of the By-law:
 - The boundaries of the MA exception zone shall be strictly scaled and shall not be subject to interpretation.
 - Maximum height requirements shall apply to all buildings, structures, monuments (including flag poles), signs, utility equipment, machinery, landscaping materials, or other vertical projection.
 - Where a building spans across multiple MA exception zone categories, the building may be terraced, stepped-back, or use height transitions in order to comply with the maximum height of the given zone.
 - Any temporary use that may cause short-term contravention of the by-law as a result of construction or site works, such as the use of cranes or creation of excessive dust, shall be coordinated with the adjacent airport authority and the Township of Clearview prior to such a use being commenced or established.
- Obstruction lighting shall be installed on all buildings and structures and any other objects where required by Transport Canada's Canadian Aviation Regulations, in accordance with federal regulations.
- Additional or altered parking provisions:
 - Aircraft hangar: a required parking ratio of one (1) space per 200 m² of gross floor area shall apply.
 - Airport-related warehouse: a required parking ratio of one (1) space per 200 m² of gross floor area shall apply.
 - Accessory temporary accommodation associated with a flight school: a required parking ratio of one (1) space per student room shall apply.
- A restaurant may be established in a detached building or may stand alone on a lot, separate from other airport-related uses. A restaurant may not be erected in a given phase prior to the construction of a primary airport-related

use, and must have staff or on-site users in numbers sufficient to necessitate the need in such phase.

- An accessory retail outlet shall be permitted for the purpose of sale of goods and materials produced on the premises and shall be limited to a maximum GFA of 10% of the total GFA of the primary use.
- Fuel sales shall be permitted provided that an agreement has been entered into with the adjacent airport authority that contemplates such sales.

MA-3

E Part Lot 33 Concession 6, Formerly Nottawasaga
(6833 33/34 Sideroad)

Altered Provision:

- The following maximum height requirement shall apply where a property is marked with an MA-3 zone exception.

Maximum Height: 10 m

All other permitted uses and provisions of the MA-2 zone shall apply.

MA-4

E Part Lot 33 Concession 6, Formerly Nottawasaga
(6833 33/34 Sideroad)

Notwithstanding the permitted uses and zone provisions of the MA zone, the following uses and provisions shall apply to lands marked with the MA-4 exception:

Altered Provision:

- The following maximum height requirement shall apply where a property is marked with an MA-4 zone exception.

Maximum Height: 24 m

All other permitted uses and provisions of the MA-2 zone shall apply.

3.31 WASTE DISPOSAL INDUSTRIAL (MW)

3.31.1 PERMITTED USES

PRIMARY USES

- Sewage treatment plan including a sewage lagoon;
- Waste disposal facility including active and inactive landfill sites;
- Waste management system;
- Waste recycling facility;
- Waste transfer station;

3.31.2 ZONING PROVISIONS

- a) Minimum Lot Area: 4 ha
- b) Minimum Lot Frontage: 30 m
- c) Minimum Front Yard: 30 m
- d) Minimum Rear Yard: 30 m
- e) Minimum Interior Side Yard: 30 m
- f) Minimum Exterior Side Yard: 30 m
- g) Maximum Lot Coverage: 5%
- h) Maximum Height of Principal Buildings and Structures: 11 m
- i) Maximum Height of Accessory Buildings: 11 m
- j) Maximum Number of Accessory Buildings: No Limit
- k) Maximum Gross Floor Area of All Accessory Buildings: No Limit
- l) No permitted use shall be established, altered, enlarged or extended unless a provincial certificate of approval has been issued by the Ministry of the Environment as required by the Environmental Protection Act.
- m) Permitted uses shall be well separated from existing or proposed residential land uses and shall meet all applicable Ministry of the Environment minimum distance separation guidelines including the Ministry "Guideline on Separation Distances" as may be amended from time to time. At a minimum, a strip of land not less than 15 metres in width shall be reserved for landscaped open space purposes along all property lines. At a minimum, where a permitted use abuts a Residential Zone or a lot containing a dwelling, or a roadway is the only separation between two such areas, then no permitted use shall be made of any kind within 70 metres of the abutting lot line.

- n) Development and site alteration shall occur in a manner so that it is compatible with surrounding uses and the impacts of uses shall be mitigated through the use of landscaping screens and buffers and on the basis of land use compatibility and design guidelines as may be adopted by Council.

3.31.3 WASTE DISPOSAL INDUSTRIAL ZONE EXCEPTIONS

MW-1

Lot 34, Plan 315, Formerly Nottawasaga
(90 Edward Street East, 030-001-04600)

Permitted Uses Restricted to:

- Closed landfill site.

3.32 WASTE DISPOSAL ASSESSMENT AREA (OVERLAY) (WDAA)

3.32.1 PERMITTED USES

All uses permitted by the underlying zone category are permitted with the exception that no new buildings may be constructed and no building additions may occur unless the owner has prepared and submitted studies to the Township, and applicable approval authorities, demonstrating to the satisfaction of the Township and approval authorities that:

- a) Such development can occur in compatibility and without risk associated with the existing or former waste disposal use; and,
- b) That the recommendations of any such studies have or will be implemented.

Notwithstanding the foregoing, new buildings may also be permitted where the Township and approval authority determine that development is exempt from the requirement to prepare a study. Additionally, new structures and alterations to existing structures, interior alterations to existing buildings, exterior alterations to existing buildings that do not expand the footprint, and new buildings which do not require a building permit are permitted without the need for studies or implementation measures.

3.33 MINERAL AGGREGATE RESOURCE AREA (OVERLAY) (MARA)

3.33.1 PERMITTED USES

Primary Uses

- All uses permitted by the underlying zoning category with the exception that no new buildings or structures are permitted unless the owner has prepared and submitted information to the Township to indicate to the Township's satisfaction that development and site alteration will not preclude or hinder future extraction of the aggregate resource or that there are no significant aggregate resources in the area of the proposed development.

3.34 ENVIRONMENTAL PROTECTION (EP)

3.34.1 PERMITTED USES

PRIMARY USES

- Conservation use;
- Existing agricultural uses;
- Flood and erosion control works;
- Forestry (including the harvesting, collection and processing of maple syrup) conducted in accordance with good forestry practices;
- Passive recreation uses;
- Wildlife management area;

3.34.2 ZONE PROVISIONS

- a) Minimum Lot Area: No Minimum
- b) Minimum Lot Frontage: No Minimum
- c) Minimum Front Yard: No Minimum
- d) Minimum Rear Yard: No Minimum
- e) Minimum Interior Side Yard: No Minimum
- f) Minimum Exterior Side Yard: No Minimum
- g) Maximum Lot Coverage: Not Applicable
- h) Maximum Height of Principal Buildings and Structures: Not Applicable
- i) Maximum Height of Accessory Buildings and Structures: Not Applicable
- j) Maximum Number of Accessory Buildings: Not Applicable
- k) Maximum Gross Floor Area of All Accessory Buildings: Not Applicable

- l) Structures and buildings are not permitted other than those for a permitted use.

3.34.3 ENVIRONMENTAL PROTECTION ZONE EXCEPTIONS

EP-6

East Part of Lot 11, Concession 5, Formerly Sunnidale
(16 Whitetail Drive, 040-002-23200)

Additional or Altered Provision:

- A driveway from Whitetail Drive may be established and maintained through the EP-6 Zone to serve the residential use in the adjacent RU-11 Zone

EP-7

North Part of Lot 20, Concession 1, Formerly Nottawasaga
(1426 Centre Line Road, 010-002-02000)

Permitted Uses Restricted To:

- Conservation Use
- Wildlife Management
- Passive Recreation Uses
- Flood and Erosion Control Works

EP-08

Part Lot 2 & Part Lot 3 Concession 4
(6372 County Road 10, 040-002-01000)

Additional Permitted Uses:

- Water supply
- Settling pond

3.35 STORMWATER MANAGEMENT FACILITIES (SM)

3.35.1 PERMITTED USES

PRIMARY USES

- Conservation use;
- Existing agricultural uses;
- Flood and erosion control works;
- Forestry (including the harvesting, collection and processing of maple syrup) conducted in accordance with good forestry practices;
- Passive recreation uses;
- Stormwater treatment facilities;
- Wildlife management area;

3.35.2 ZONE PROVISIONS

- a) Minimum Lot Area: No Minimum
- b) Minimum Lot Frontage: No Minimum
- c) Minimum Front Yard: No Minimum
- d) Minimum Rear Yard: No Minimum
- e) Minimum Interior Side Yard: No Minimum
- f) Minimum Exterior Side Yard: No Minimum
- g) Maximum Lot Coverage: Not Applicable
- h) Maximum Height of Principle Buildings and Structures: Not Applicable
- i) Maximum Height of Accessory Buildings and Structures: Not Applicable
- j) Maximum Number of Accessory Buildings: Not Applicable
- k) Maximum Gross Floor Area of All Accessory Buildings: Not Applicable
- l) Structures and buildings are not permitted other than those for a permitted use.

3.35.3 STORMWATER MANAGEMENT FACILITIES ZONE EXCEPTIONS

3.36 HAZARD LAND (OVERLAY) (FP)

3.36.1 PERMITTED USES

Uses permitted by the underlying zoning category with the following exceptions:

No new buildings or structures and no alterations to existing buildings or structures or site alteration shall be permitted unless approved in a permit by the Nottawasaga Valley Conservation Authority under the Conservation Authorities Act or the development or site alteration is identified as being exempt from permit requirements in writing to the Township by the Conservation Authority; and,

Any use which requires the alteration of the existing grade or removal of natural vegetation, other than normal farm practices, shall not be permitted unless the alteration of grade and clearing of lands associated with the use has been approved by the Nottawasaga Valley Conservation Authority through the issuance of a permit under the Conservation Authorities Act, or, where applicable, through the issuance of a fill or grading permit by the Township, or if the use is permitted by an exemption to the requirements for a permit from either the Nottawasaga Valley Conservation Authority or the Township of Clearview.

Development and site alteration shall not be permitted in the floodway (the floodplain).

3.36.2 ZONE PROVISIONS

The zone provisions of the underlying zone shall apply where consistent with the requirements and provisions of the Hazard Land Zone.

3.36.3 HAZARD LAND (FP) IN NEC ZONE

The Hazard Land (FP) Overlay Zone shown on the schedules to this By-law, located within the NEC Zone are shown for reference and information only as municipal by-laws do not apply. However, the Hazard Land (FP) Zone boundary illustrates an area regulated by the Nottawasaga Valley Conservation Authority and those regulations do apply within the NEC area.

3.37 HAZARD LAND SPECIAL POLICY (OVERLAY) (FPSP)

3.37.1 PERMITTED USES

Only uses permitted by the underlying zoning category with the following exceptions:

- Hospitals, retirement homes, nursing homes, pre-school, school nurseries, day care facilities, schools, essential emergency services, and uses associated with the disposal, manufacture, treatment or storage of hazardous substances, including gas stations, shall not be permitted;
- Buildings or structures in the flood fringe are not permitted unless they are shown to have been legally existing on the date of adoption of this Zoning By-law, or are a permitted use of the underlying Zone, are within an approved two-zone floodplain management area (although agricultural buildings may be located in the flood fringe outside two zone management areas), and have been approved by the Township in accordance with having met the provisions set out below for Township approval and are authorized in a permit issued by the Nottawasaga Valley Conservation Authority under the Conservation Authorities Act on or following the date of adoption of this Zoning By-law;
- Any use which requires the alteration of the existing grade or removal of natural vegetation, other than normal farm practices, shall not be permitted unless the alteration of grade and clearing of lands associated with the use has been approved by the Nottawasaga Valley Conservation Authority through the issuance of a permit under the Conservation Authorities Act, or, where applicable, through the issuance of a fill or grading permit by the Township, or if the use is permitted by an exemption to the Township By-law; and,
- Dwelling units, or portions of dwelling units, are not permitted the regional flood elevation unless flood proofed using dry flood proofing measures.
- Development and site alteration are not permitted within the floodway although development may be permitted in the flood fringe;

3.37.2 ZONE PROVISIONS

The zone provisions of the underlying zone shall apply where not inconsistent with the requirements and provisions of the Hazard Land Special Policy Zone.

Any activity involving grading, filling, construction of ponds or alteration of existing grades in any manner shall be required to conform to, and comply with, the requirements of any applicable by-law of the Township controlling grading or filling

activity and/or the regulations pursuant to the Conservation Authorities Act of the Nottawasaga Valley Conservation Authority as may be applicable.

For the purposes of Section 3.41, the terms “development”, “site alteration”, “floodplain”, “floodway”, and “flood fringe”, are defined in accordance with the Provincial Policy Statement (2005) and those definitions shall prevail over any other definition in this By-law for the purposes of Section 3.41 of this By-law.

3.38 NIAGARA ESCARPMENT (NEC)

Lands zoned Niagara Escarpment fall under the land use jurisdiction of the Niagara Escarpment Commission.

The Niagara Escarpment Commission has the authority to control land use in this area and municipal land use zoning by-laws do not apply.

3.39 ARCHAEOLOGICAL ASSESSMENT OVERLAY (AR)

3.39.1 PERMITTED USES

Uses permitted by the underlying zoning category with the following exceptions:

- No new buildings or structures or additions to the footprint of existing buildings or structures shall not be permitted unless a clearance letter has been provided by the Ministry of Culture which may require submission of an archaeological assessment by a licensed archaeologist to be submitted by the owner;
- Any use which requires the alteration of the existing grade, other than that of normal farm practices, shall not be permitted unless a clearance letter has been provided by the Ministry of Culture which may require submission of an archaeological assessment by a licensed archaeologist to be submitted by the owner.

3.40 EXTRACTION INDUSTRIAL – ABOVE THE WATER TABLE (EX1)

3.40.1 PERMITTED USES

- Extraction of aggregate above the water table;
- Portable processing and associated equipment but not including asphalt or concrete plants;
- Produce farm or livestock farm;
- Temporary stockpiles of aggregate extracted on the premises;
- Temporary stockpiles of topsoil from the extracted site.

3.40.2 ZONE PROVISIONS

Minimum Lot Area:	No Minimum
Minimum Lot Frontage:	No Minimum
	Access must be secured by a registered easement where no frontage is available
Minimum Front Yard:	15 m
Minimum Rear Yard:	15 m
Minimum Interior Side Yard:	15 m
Minimum Exterior Side Yard:	15 m
Extraction of Aggregate will not occur below the elevation level of:	250.5 m
Extraction of Aggregate will occur above the water table:	1.5 m

Yard requirements shall apply to all aggregate extraction and processing activities.

No buildings or structures are permitted other than extraction equipment and portable processing equipment utilized in on-site operations. No on-site operations servicing or refueling of portable extraction or processing equipment is permitted in the area zoned for extraction uses. Such uses may occur only in the area zoned as the processing area.

All extraction and portable processing areas shall be screened and buffered from visibility from public roads and residential, commercial, recreational and institutional uses.

No fuel storage is permitted.

In addition, the applicant will be required to undertake a water monitoring program to the satisfaction of the Township of Clearview and the Nottawasaga Valley Conservation Authority.

3.40.3 EXTRACTION INDUSTRIAL ABOVE THE WATER TABLE ZONE EXCEPTIONS

3.41 DOWNTOWN COMMERCIAL/INDUSTRIAL (CM)

3.41.1 PERMITTED USES

PRIMARY USES

- All permitted uses of Section 3.23.1 General Commercial (C1); and
- Brewery (only permitted in primary building)

ACCESSORY USES

- Accessory Buildings limited to permitted uses of Section 3.23.1 General Commercial (C1) Zone;
- Accessory outdoor display and sales;
- Staff or public amenity area; and
- Staff or public parking area.

3.41.2 ZONE PROVISIONS

Minimum Lot Area:	9000 m ²
Minimum Lot Frontage:	80 m
Minimum Front Yard:	0 m
Maximum Front Yard:	2 m (applies to buildings not structures)
Minimum Rear Yard:	0 m unless adjoining a Residential Zone where the minimum setback shall be 5 m
Minimum Interior Side Yard:	0 m unless adjoining a Residential Zone where the minimum setback shall be 4 m
Minimum Exterior Side Yard:	0 m
Maximum Lot Coverage:	65%
Maximum Height of Principal Buildings:	14 m
Maximum Height of Accessory Buildings:	10 m
Maximum Limit of Accessory Buildings:	No Limit
Maximum Height of Exhaust Stacks:	15 m
Total Number of Parking Spaces:	60
Parking Stall Minimum Widths:	2.7 m
Minimum landscaping screen between parking spaces on subject property and residential or commercial zoned property: 4 m	
Minimum landscaping screen between parking area and Edward Street: 4 m	

No snow storage will be provided on site

Total number of barrier free parking spaces: 4

Minimum loading space separation from a lot line of a residential use: 24 m

Landscaping for parking and loading may be provided outside of the interior parking area on the same lot

Notwithstanding any other requirements of 1.8 metre solid wood fence shall be provided along eastern property line, terminating 4 m back from Edward Street, terminating 2.4 m back from Elizabeth Street.

3.42 MINIMUM DISTANCE SEPARATION RESTRICTION OVERLAY (MDS)

Where lands are impacted by an MDS overlay, the underlying zone provisions shall apply in addition to the following provisions.

3.42.1 MDS-A

MDS-Type A Land Use Restricted Area

No type A or B land uses, as defined by the MDS Implementation Guideline (or its successor) shall be permitted within the MDS Type A overlay, as long as the livestock facility continues to exist.

3.42.2 MDS-B

No type B land uses, as defined by the MDS Implementation Guideline (or its successor) shall be permitted within the MDS Type B overlay, as long as the livestock facility continues to exist.

3.43 EXTRACTIVE INDUSTRIAL (EX)

3.43.1 PERMITTED USES

- a) All the permitted uses of Subsection 3.1 "Agricultural (AG)" Zone;
- b) Extraction of aggregate;
- c) Processing and associated equipment, including concrete plants but not including asphalt plants;
- d) Temporary stockpiles of aggregate extracted on the premises;
- e) Temporary stockpiles of topsoil from the extracted site;
- f) Aggregate recycling associated with the Extraction Industrial operation;
- g) Open storage areas accessory to the Extraction Industrial operation;
- h) Accessory single detached dwelling to a mineral aggregate operation.

3.43.2 ZONE PROVISIONS

Minimum Lot Area: No Minimum

Minimum Lot Frontage: No Minimum

Minimum Front Yard: 15 m

Minimum Rear Yard: 15 m

Minimum Interior Side Yard: 15 m

Minimum Exterior Side Yard: 15 m

Minimum Interior Side and Rear Yard for abutting lots zoned Extractive Industrial: 0m

All extraction, open storage areas and processing areas shall be screened and buffered to minimize visibility from public roads and residential, commercial, recreational and institutional uses. Screening and buffering shall be completed within the yard setback adjacent to these uses and shall incorporate existing tree screens where feasible and, where required, berming and additional tree planting or a combination of all.

The provisions of Subsection 3.1.2 apply to the permitted uses of the "Agricultural (AG)" Zone.

3.43.3 EXTRACTION INDUSTRIAL ZONE EXCEPTIONS