



TOWNSHIP *of* CLEARVIEW

Comprehensive Zoning By-law 2025-XX

Of the Corporation of the Township of Clearview

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HOW TO USE THIS BY-LAW

What is Zoning?

Zoning provides regulations for *Lot* size, *Setbacks*, coverage and *Building Height*, so that new *Development* will fit within the context of its location.

Using the Zoning By-law:

For each *Zone*, there is a list of permitted *Uses* and a number of standards or regulations such as *Lot* size, frontage, *Required Yards*, *Building Height*, etc.

The location of each of these *Zones* is shown on Schedule 'A' (Zoning Maps 1 to 84). The specific *Uses* and regulations applicable to each *Zone* are found in the relevant section(s) of the By-Law which bears the same *Zone* name(s). In order to determine the provisions of the By-Law that affect your property, it is suggested that you use the following technique:

- 1) Locate your property on a Zoning Schedule, which are the zoning maps immediately following the last page of Section 13.
- 2) Identify the *Zone* that has been applied to your land (e.g., R1 for Single Detached Residential or A for Agricultural).
- 3) Once you have identified the *Zone*, turn to the appropriate *Zone* which outlines permitted *Uses* and regulations. For example, if your property is Zoned AG, you would turn to the appropriate *Zone* section to determine the specific permitted *Uses* and regulations affecting your property. The Table of Contents will assist you in locating the appropriate page number. Appendix 'A' is also provided to assist with understanding the terminology of the By-law.
- 4) If a *Zone* symbol is followed by reference to Section 13 (e.g. 13.20) then special provisions apply to the lands. The details of the special provisions are found in the referenced provision in Section 13.
- 5) Please note that most of the general provisions contained under Section 5 also affect your property. Care should be taken to review these general provisions as well as the applicable definitions outlined in Section 4.

The Zoning By-Law is only one of many planning tools *Used* to implement the Official Plan. If it is intended to *Alter* the *Use* of a property, *Alter* or *Erect* a *Building* or *Structure*, or *Alter* a *Lot*,

you should be aware that it may be necessary to consult the Official Plan and other additional legislation or Township By-Laws or other agencies.

The following applications, legislation or processes are outlined simply to assist in understanding the scope of potential requirements:

- 1) *Building Permit (Building Code and Zoning By-Law compliance);*
- 2) *Site Plan Control Approval (detailed plans showing the Building envelope and illustrating Building massing, height, floor space, Yard Setbacks, parking, loading, Landscaping, etc., which may be implemented through a Site Plan Control Agreement);*
- 3) *Consent Approval (Alteration of a Lot configuration, Easement, Right-of-Way, creation of a single Lot, etc.);*
- 4) *Subdivision or Condominium Approval (to create multiple Lots, to establish new roads or to divide a Building into multiple ownerships);*
- 5) *Minor Variance (to vary a Zone regulation, a general provision or to extend or change a Non-Conforming Use);*
- 6) *Zoning Amendment (to amend sections of the Zoning By-Law as it relates to a specific property);*
- 7) *Official Plan Amendment (to amend the Official Plan as it relates to a specific property or a general policy consideration);*
- 8) *Heritage Permission (required if Alterations are contemplated for a property designated under Part IV or Part V of the Ontario Heritage Act);*
- 9) *Other Township Permits or Licenses; and,*
- 10) *Permits, licenses of other agencies.*

The Zoning By-Law should be considered in conjunction with all other relevant legislative and Township By-Laws.

For further information, the Township of Clearview Planning Department and/or Building Department should be consulted.

It is the landowner's responsibility to ensure that their actions are in compliance with all federal, provincial, and Township legislation and by-laws as well as other agency requirements.

In addition to the requirements of this Zoning By-law certain lands within the Township of Clearview are regulated by the Nottawasaga Valley Conservation Authority and Grey Sauble Conservation Authority. If a permit is required from the Conservation Authority for any work within a 'regulated area' it must be obtained prior to obtaining a *building* permit from the Township.

There are certain lands within the Township of Clearview that are located within the Niagara Escarpment *Development* Control Area. Any land, *Building* or *Structure* identified within the Niagara Escarpment *Development* Control Area are subject to the Niagara Escarpment Plan and any *development* permit requirements of the Niagara Escarpment Commission.

Where lands in the Township of Clearview are utilized for *Airport* operations, these lands fall under federal jurisdiction and nothing in this by-law shall be construed as applying to any matter regulated by Transport Canada. Permission may be required from Transport Canada.

THE CORPORATION OF THE TOWNSHIP OF CLEARVIEW

ZONING BY-LAW 2025-XX

INTRODUCTORY STATEMENT

This document is the Township of Clearview Comprehensive Zoning By-Law No. 2025-XX. The By-Law amends all previous Zoning By-Laws of the Township insofar as they applied to the entire *Municipality* identified on Schedules 'A' ('A-1' through to 'A-84') to this By-Law unless otherwise specified.

The Township of Clearview new Zoning By-Law is a legal document *Used* by the Township to regulate the *Use* of land. It states exactly what land *Uses* will be permitted in the Township and provides other detailed information such as:

- i) Where *Buildings* or *Structures* may be located in the Township;
- ii) Types of land *Uses* within the Township; and,
- iii) Standards for *Lot* sizes, location requirements, parking requirements, *Building Heights* and *Required Yard Setbacks*.

The Township of Clearview Zoning By-Law is needed to assist the Township to implement the objectives and policies of the Official Plan and provincial policy. The Zoning By-Law functions as a legal document under the Ontario Planning Act, as amended, for managing the area of land and guiding future *Development* in the Township of Clearview. The Zoning By-Law is also intended to protect property owners from the *Development* of conflicting land *Uses*. Any *Use* of land or the construction or *Use* of any *Building* or *Structure* not specifically authorized by the By-Law is prohibited.

The complete text and mapping for the comprehensive Zoning By-Law are presented in this document. The following is a brief summary of the contents of the Township of Clearview Zoning By-Law:

SECTION 1: Explains the title given to the entire document and outlines its general scope.

SECTION 2: Provides guidelines on the administration and enforcement of this Zoning By-Law.

SECTION 3: Outlines the *Zones*, maps and purpose of regulations of this By-law.

SECTION 4: Defines many of the words and terms used in this By-Law.

SECTION 5: Describes and explains the general provisions which apply to more than one of the *Zones* in this Zoning By-Law. The general provisions cover such matters as: building *Accessory*

Buildings and Structures, parking requirements, *Home Business*, *Outdoor Patio Restaurants*, etc.

SECTIONS 6 to 13:

Details specific zoning districts and sets out the permitted *Uses* and regulations for the specific land *Use Zones* and site specific *Zone* categories within each zoning district.

SCHEDULE A: The Index Map indicates the boundaries of the 2025-(XX) Zoning Maps. The Zoning Maps show the location of all *Zones* outlined in Sections 6 - 13.

APPENDIX A: Diagrams to assist in the understanding of various regulatory by-law definitions such as *Building Height*, *Lot Frontage*, *Lot* types, *Yards*, *Dwelling Unit* types and *Building Storeys*. These diagrams do not form part of the by-law and are provided for information purposes only. They may be amended by the Township of Clearview from time to time without amendment to the by-law.

IMPLEMENTING BY-LAW

DRAFT

SECTION 1

TITLE & INTERPRETATION

1.1 Title

This By-law shall be known as the "ZONING BY-LAW" of the *Corporation* of the Township of Clearview.

1.2 Effect and Repeal

No *Person* shall *Use* any land, or *Erect, Alter, enlarge, or Use any Building, Structure* or part thereof, or permit or cause any *Person* to *Use* any land, or *Erect, Alter, enlarge or Use any Building, Structure* or part thereof for any purpose or in any manner otherwise than is expressly permitted in this By-law and in accordance with the provisions of this By-law.

The provisions of this By-law shall apply to all those lands lying within the *Corporation* of the Township of Clearview.

All previously enacted By-Laws passed pursuant to Section 34 of the Ontario Planning Act, as amended, or a predecessor thereof, are hereby repealed insofar as they apply to the areas included within the boundaries of the Township of Clearview shown on Schedules 'A1' to 'A84', which forms part of this By-Law, unless otherwise specified in the text of this By-Law.

There are lands within the Township of Clearview that are within the Niagara Escarpment Plan Area. In these areas, the Niagara Escarpment *development* control regulations shall be used to determine the *Development* provisions and land *Use* restrictions. These regulations shall be adhered to prior to the commencement of any *Development*.

1.3 Effective Date

This By-Law shall come into force and take effect on its passing, provided that no Notice of Appeal is filed to this By-Law, all in accordance with the provisions of Section 34, Subsections 19 and 30 of the Ontario **Planning Act**, as amended, and where one or more appeals have been filed within the time period specified, at the conclusion of which, the provisions of Section 34, Subsections 19 and 30 of the Ontario Planning Act, as amended, apply the By-Law shall be deemed to have come into force and take effect on the day it was passed.

1.4 Validity

If, for any reason, any section, clause or provision of this By-law, including anything contained in any schedules attached hereto is declared by a court or tribunal of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the section, clause or provision so declared to be invalid, and it is hereby declared to be the intention that all the remaining sections, clauses, and provisions of this By-law shall remain in full force and effect until repealed.

1.5 Responsibility and Inspection

This By-law shall be administered and enforced by any official of the *Corporation* of the Township of Clearview as *Council* designates from time to time.

In accordance with the **Planning Act**, as amended, where any official acting under the direction of *Council* believes on reasonable grounds that this By-law is being or has been contravened, any official acting under the direction of *Council* may, at all reasonable times and upon producing proper identification, enter and inspect any property on or in respect of which he believes the contravention is occurring or has occurred.

1.6 Interpretation of the By-law

For the purpose of this By-Law, the definitions and interpretations given *Herein* shall govern. The provisions of this By-Law shall be held to be the minimum requirements, except when expressly stated otherwise, adopted for the promotion of public health, safety, convenience or general welfare. The presence of definitions of various *Uses* contained in this By-law does not necessarily mean the *Use* is permitted within the Township unless specifically listed as a permitted *Use* in a specific *Zone* or *Zones*.

Every *Use* of land, *Building* and *Structure* in the defined area shall conform to the relevant *Zone* provisions and any other relevant applicable provision or requirement contained *Herein*.

Whenever two or more provisions or requirements of this By-Law are at variance, one to the other, the more restrictive shall apply except where specifically stated otherwise.

For the purposes of this By-law:

- a) The word “shall” is mandatory
- b) Words used in the present tense include the future tense, and the converse.

- c) Words used in the plural number include the singular number, and the converse.
- d) Unless the text requires otherwise the word “*used*” shall include “designed to be *used*”, “arranged to be *used*” and “intended to be *used*”.
- e) Unless the text requires otherwise the word “occupied” shall include “designed to be occupied”, “arranged to be occupied” and “intended to be occupied”.
- f) The use of masculine gender shall include females as well as males and the converse.

Any reference to any statute within the body of this By-law shall be deemed to refer to the statutes contained in the Revised Statutes of Ontario, 1990, as amended from time to time and shall be deemed to include any successor Statute thereof. Any reference to an agency by name shall be deemed to include any successor thereof.

1.7 System of Measurement

Regulations in this By-law are expressed in System International (SI) units and shall be used for purposes of determining compliance with the By-law and which may be expressed in short form. The SI unit and its corresponding short form are as follows:

Metre: m

Square metre: m²

Hectare: ha

Kilogram: kg

SECTION 2

ADMINISTRATION

2.1 Relationship with Other By-laws

- a) No permit, licence or permission shall be given by the *Corporation* of The Township of Clearview where the said permit, licence or permission is for a proposed *Use* of land or proposed *erection, Alteration*, enlargement or *Use* of any *Building* or *Structure* that is in violation of any provision of this By-law.
- b) Nothing in this By-law shall relieve any *Person* from complying with the requirements or other municipal by-laws, as amended from time to time, of the *Corporation* or the obligation to obtain any other license, permit, authority or approval lawfully required by a government authority having jurisdiction to make such restrictions.

In the event of conflict between this By-law, as amended from time to time, and any other by-law, the more restrictive or the by-law imposing the higher standards shall govern and apply unless the contents clearly requires otherwise.

2.2 Violations, Penalties and Remedies

In accordance with Section 67 of the Planning Act, R.S.O., 1990, as amended, the following penalties shall apply:

- a) Every *Person* who contravenes this By-Law and if the *Person* is a *Corporation*, every director or officer of the *Corporation* who knowingly concurs in the contravention, is guilty of an offence and on conviction is liable to a fine in accordance with Section 67 of the ***Planning Act***.

In addition to any other remedy or any penalty provided by law, the court in which a conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of an offence.

Where any matter or thing is required to be done by a *Person* or *Corporation* under the provisions of this By-Law, *Council* may direct that in default of it being done by said *Person* or *Corporation*, such matter or thing may be done by the Township at the sole expense of the

Person or Corporation and the expenses thereof with interest may be recovered by the Township in accordance with the provisions of the **Municipal Act** given appropriate notice.

2.3 Illegal Uses

No *Building* or *Structure* illegally erected, no *Use* illegally established and no *Lot* illegally created prior to the date of passing of this By-Law shall become legal solely by reason of the passing of this By-Law. Where such *Building*, *Structure*, *Use* or *Lot* is in conflict with one or more provisions of this By-Law, such activity will remain illegal and shall not be deemed to be legal in this By-Law, except where specifically provided for.

2.4 Minor Variances

The Committee of Adjustment for the Township of Clearview, upon application to the Committee, may authorize a minor variance in accordance with Section 45 of the **Planning Act** from the provisions of this By-law, in respect of any land, *Building* or *Structure* or the *Use* thereof, as in the opinion of the Committee, is desirable for the appropriate *Development* or *Use* of the land, *Building* or *Structure*, if in the opinion of the Committee the general intent and purpose of this By-law and the Township of Clearview Official Plan are maintained.

2.5 Niagara Escarpment Development Control Area

Any land, *Building* or *Structure* identified within the Niagara Escarpment *Development* Control Area are subject to the Niagara Escarpment Plan and any development permit requirements of the Niagara Escarpment Commission.

SECTION 3

ZONES & ZONE MAPS

3.1 Zones

For the purposes of this By-law, *Zones* have been established, which may be referred to by their full name or by their symbol, as listed below:

Symbol	Zones
Rural and Agricultural Zones	
AG	Agricultural
RU	Rural
AC	Agricultural Crossroads
RC	Rural Crossroads
Residential Zones	
R1	Community Low Density Residential
R2	Urban Low Density Residential
R3	Medium Density Residential
R4	High Density Residential
R5	Estate Residential
Future Development Zone	
FD	Future Development
Commercial Zones	
C1	Community Hub Commercial
C2	Transition Corridor Commercial
C3	Commercial
Institutional Zones	

IN	Institutional
RI	Rural Institutional
Employment Zones	
EMP1	Light Employment
EMP2	General Employment
EMP3	Heavy Employment
WMI	Waste Management Industrial
AP	Airport Related Employment
MAR	Mineral Aggregate Resource
EX	Extractive Industrial
Environmental Protection and Open Space Zones	
EP1	Environmental Protection – Natural Heritage
EP2	Environmental Protection - Hazard
EP3	Environmental Protection – Wetland
OS1	Rural Open Space
OS2	Settlement Open Space

3.2 Zoning Maps

For the purpose of this By-Law, the location and boundaries of the *Zones* established by this By-law are shown on the maps hereto attached as Schedules 'A', 'Map 1' through 'Map 84' and shall be referred to as the "Zoning Maps" for the Township of Clearview, which together with everything shown thereon are hereby incorporated in and are declared to form part of this By-law to the same extent as if fully described *Herein*.

3.3 Zone Boundaries

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

- a) Except for EP1, EP2 or EP3 *Zone* boundaries, where *Zone* boundaries approximately follow property or *Lot Lines* as they *Existed* on the date of the passing of this By-law, such property or *Lot Lines* shall be deemed to be the said boundary.
- b) Except for EP1, EP2 or EP3 *Zone* boundaries, where any *Zone* boundary is indicated as following a highway, a *Street, Lane, Watercourse* or railway *Right-of-Way*, such *Zone* boundary shall be construed to follow the centre line of the *Street, Lane, Watercourse* or railway *Right-of-Way*.
- c) Where zoning boundaries follow the corporate limits of the Township, the corporate limits are the boundary.
- d) Except for EP1, EP2 or EP3 *Zone* boundaries, where zoning boundaries follow a shoreline, the boundary is the shoreline.
- e) The Niagara Escarpment Commission shall be consulted where a boundary interpretation is required for lands within the Niagara Escarpment Plan Area.

Where a *Zone* boundary, other than the Environmental Protection - Hazard (EP2) *Zone*, is left uncertain after the applications of the provisions of paragraphs a), b), c), d) and e) noted above, then the boundary line shall be determined according to the scale of the Zoning Maps attached to the original copy of this By-law filed in the *office* of the Clerk of the Township of Clearview.

Where a Environmental Protection - Natural Heritage (EP1), Environmental Protection - Hazard (EP2) or Environmental Protection - Wetland (EP3) *Zone* boundary is left uncertain following a review of the Zoning Maps, the Township may request confirmation of the boundary from the *County* of Simcoe, the Nottawasaga Valley Conservation Authority, Grey Sauble Conservation Authority or any other approval authority, as appropriate. Should further detail be required, the Township may request the owner have a survey or *Environmental Impact Study* (EIS) prepared by an Ontario Land Surveyor.

Zone boundaries, other than Environmental Protection - Natural Heritage (EP1), Environmental Protection - Hazard (EP2), or Environmental Protection - Wetland (EP3) *Zones*, shall be measured in accordance with the scale on the Zoning Maps unless dimensions shown on the Zoning Maps provide greater accuracy.

3.4 Zone Regulations

Where the *Zone* symbol applying to certain lands as shown on Schedule A Zoning Maps is followed by reference to Section 13 of this By-law then special provisions apply to such lands

and such special provisions shall be found by reference to that Section of the By-law specified.

Lands denoted in this manner shall be subject to all the restrictions of this By-law except as otherwise provided for by the special provisions.

Where the *Zone* symbol applying to certain lands as shown on Schedule A Zoning Maps is followed by the letter 'H' in brackets (i.e. (H)) the lands have been placed in a 'Holding *Zone*' pursuant to Section 36 of the Planning Act, as amended. The Holding Symbol (H) shall be removed at such time in the future when plans to develop the lands have been submitted and approved by the Township or such other conditions as deemed appropriate by the Township have been met. When the Holding Symbol has been removed, the lands shall be developed according to the requirements of the *Zone Used* in conjunction with the Holding Symbol.

Notwithstanding, the above, *Existing Uses*, open space and *Accessory Uses* thereof, shall be permitted as interim *Uses* until the Holding Symbol (H) is removed.

3.5 Overlay Zones

The overlay *Zones* as shown on Schedule A Zoning Maps provide reference to environmental *Development* constraints as mapped by the Nottawasaga Valley Conservation Authority and Grey Sauble Conservation Authority. The purpose of this overlay is to identify lands that are subject to the flooding and the Two-zone Floodplain Management Concept within Stayner and Creemore, as identified in the Official Plan. The overlay identifies lands that are susceptible to flooding hazards and is intended to prevent injury or the loss of life, minimize property damage and social disruption, and the aggravation of *Existing* hazards and the creation of new ones. Regulations associated with the Overlay *Zones* are found in Section 5.34, Overlay *Zones*.

Where an Overlay *Zone* boundary is left uncertain following a review of the Zoning Maps, the Township may request confirmation of the boundary from the Nottawasaga Valley Conservation Authority or Grey Sauble Conservation Authority, or should further detail be required may request the owner have a survey prepared by an Ontario Land Surveyor.

Zone boundaries, other than the Overlay *Zone*, shall be measured in accordance with the scale on the Zoning Maps unless dimensions shown on the Zoning Maps provide greater accuracy.

SECTION 4

DEFINITIONS

4.1 List of Defined Terms

A

‘Accessible Aisle’
‘Accessible Parking Space’
‘Accessory’
‘Accessory Building/Structure’
‘Accessory Temporary Accommodation
Associated with a Flight School’
‘Additional Residential Unit’
‘Adverse Effect’
‘Adult Entertainment Business’
‘Aerodrome’
‘Aggregate’
‘Agri-Tourism’
‘Agricultural Research and Training Centre’
‘Agricultural Use’
‘Agriculture-Related Use’
‘Agro-forestry’
‘Air Treatment Control’
‘Aircraft Sales and Service’
‘Airport’
‘Airport Interface Safety Plan’

‘Alter’

‘Amenity Area’

‘Ancillary’

‘Animal Shelter’

‘Asphalt Plant’

‘Attached’

‘Available Municipal Servicing’

B

‘Balcony’

‘Banquet Hall’

‘Basement’

‘Bed & Breakfast’

‘Boarding or Lodging House’

‘Boarding or Riding Stables’

‘Building’

‘Building Area’

‘Building Height’

‘Building Setback’

‘Bulk Storage’

C

‘Campground’
‘Cannabis Cultivation Facility’
‘Cannabis Processing Facility’
‘Carport’
‘Catering Service’
‘Cellar’
‘Cemetery’
‘Clinic, Medical’
‘Clinic, Veterinary (Large Animal)’
‘Clinic, Veterinary (Small Animal)’
‘Cluster Development’
‘Commercial Greenhouse’
‘Commercial School’
‘Commercial Self-Storage Facility’
‘Commercial Use’
‘Community Centre’
‘Community Lifestyle Facility’
‘Concrete Plant’
‘Condominium’
‘Conference Centre’
‘Congregate Housing’
‘Conservation Use’
‘Container, Moving’
‘Container, Shipping’
‘Contractors Yard’
‘Convenience Store’
‘Corporation’

‘Council’
‘County’
‘Crisis Residence’

D

‘Data Processing Centre’
‘Day Care Facility’
‘Deck’
‘Development’
‘Driveway’
‘Driveway Triangle’
‘Dry Industrial Use’
‘Dwelling’
‘Dwelling Unit’
‘Dwelling, Accessory Apartment’
‘Dwelling, Condominium’
‘Dwelling, Converted’
‘Dwelling, Apartment’
‘Dwelling, Mobile Home’
‘Dwelling, Semi Detached’
‘Dwelling, Single Detached’
‘Dwelling, Surplus’
‘Dwelling, Townhouse (Street-fronting)’
‘Dwelling, Townhouse (Cluster)’
‘Dwelling, Townhouse’

E

‘Easement’
‘Environmental Impact Study’

‘Equestrian Facility’

‘Equipment Sales and Rental
Establishment’

‘Erect’

‘Erosion Control’

‘Event Venue’

‘Existing or Existed’

F

‘Fairground’

‘Farm Brewery, Distillery, Winery, Cidery or
Meadery’

‘Farm Building Cluster’

‘Farm Help Accommodation’

‘Farm Implement Dealer’

‘Fence’

‘Financial Institution’

‘Finished Grade’

‘Firewood Processing Operation’

‘Flood Control’

‘Flood Fringe’

‘Flood Plain’

‘Floodway’

‘Floor Area, Gross’

‘Floor Area, Gross Leasable’

‘Floor Space Index (FSI)’

‘Food/Beverage Production’

‘Funeral Home’

G

‘Garage’

‘Garage, Attached’

‘Garden Centre’

‘Garden Suite’

‘Golf Course’

‘Gravel Pit’

‘Gross Vehicle Weight’

‘Group Home’

‘Group Residence’

H

‘Hard Surface’

‘Hazard Land’

‘Herein’

‘Home Business’

‘Hospital’

‘Hotel’

I

‘Indirect Sales’

‘Industrial Mall’

‘Industrial Use, Light’

‘Indoor Baseball Practice Facility’

J

K

‘Kennel’

‘Kitchen’

L

‘Laboratory’
‘Landscaping’
‘Landfilling’
‘Landscaped Open Space’
‘Lane’
‘Laundromat’
‘Livestock’
‘Live-work Unit’
‘Loading Space’
‘Lot’
‘Lot Area’
‘Lot Coverage’
‘Lot Depth’
‘Lot Frontage’
‘Lot Line’
‘Lot Line, Exterior Side’
‘Lot Line, Front’
‘Lot Line, Interior Side’
‘Lot Line, Rear’
‘Lot Line, Side’
‘Lot, Corner’
‘Lot, Interior’
‘Lot, Surplus Dwelling’
‘Lot, Through’
‘Lot or Record’

M

‘Main’

‘Manufacturing Use’
‘Minimum Distance Separation’
‘Mobile Home’
‘Mobile Home Lot’
‘Mobile Home Park’
‘Model Home’
‘Motor Home’
‘Motor Vehicle’
‘Motor Vehicles, Commercial’
‘Municipality’
‘Municipal Services’
‘Museum’

N

‘Natural Heritage Feature, Primary’
‘Natural Heritage Feature, Secondary’
‘Non-Complying’
‘Non-Conforming’
‘Non Landfilling’
‘Normal Farm Practices’
‘Noxious Use’

O

‘Office’
‘One Hundred Year Flood’
‘On-farm Diversified Use’
‘Outdoor Furnace’
‘Outdoor Sales and Display Area’
‘Outdoor Patio’

P

‘Park, Private’
‘Park, Public’
‘Parking, Extended’
‘Parking Aisle’
‘Parking Area’
‘Parking Space’
‘Parking Structure’
‘Partial Services’
‘Partnered Sewage Collection System’
‘Person’
‘Personal Service Use’
‘Place of Entertainment’
‘Place of Worship’
‘Porch’
‘Portable Asphalt Plant’
‘Premises’
‘Principal Use’
‘Printing and Publishing Establishment’
‘Private Services’
‘Private Home Daycare’
‘Public Use’
‘Pump House’

Q

R

‘Recreation, Active’
‘Recreation, Passive’

‘Recreational Vehicle’
‘Regulatory Flood’
‘Renovation’
‘Rental Stores, General’
‘Rental Stores, Media’
‘Repair Stores’
‘Reserve’
‘Residential Use’
‘Restaurant’
‘Restaurant, Drive-thru’
‘Retail Store’
‘Retail Warehouse’
‘Right-of-Way’
‘Roof’

S

‘School’
‘School, Commercial’
‘Self Serve Use’
‘Sensitive Land Use’
‘Service Use’
‘Setback’
‘Settlement Area’
‘Shopping Centre’
‘Short Term Rental’
‘Sight Triangle’
‘Sign’
‘Site Alteration’

‘Ski Facility’

‘Ski Lift’

‘Stairs’

‘Stacking Lane’

‘Stacking Space’

‘Storage, Indoor’

‘Storage, Outdoor’

‘Storey’

‘Storey, First’

‘Street’

‘Street Line’

‘Street, Private’

‘Structure’

‘Student Residence’

‘Studio’

‘Studio, Instruction’

‘Suite’

‘Swimming Pool’

T

‘Temporary Building’

‘Transfer Storage Lagoon’

‘Transportation Depot’

‘Travel Trailer’

‘Truck Terminal’

U

‘Use or Used’

V

‘Value-Retaining Facility’

‘Vehicle Body/Repair Shop’

‘Vehicle-for-Hire Service’

‘Vehicle Sales and Rental Establishment’

‘Vehicle Service Station’

‘Vehicle, Motor’

‘Vehicle, Recreational’

‘Vehicles, Commercial’

W

‘Warehouse’

‘Warehouse, Retail’

‘Warehouse, Storage’

‘Waste’

‘Waste Management Site’

‘Watercourse’

‘Wayside Pit/Quarry’

‘Wetland’

‘Wholesale Establishment’

X

Y

‘Yard’

‘Yard, Front’

‘Yard, Rear’

‘Yard, Required’

‘Yard, Side’

‘Yard Depth, Front’

‘Yard Depth, Rear’

'Yard Width, Side'

'Yard, Exterior Side'

'Yard, Interior Side'

Z

'Zone'

DRAFT

4.2 Definitions

A

Accessible Aisle

Means the space between *Parking Spaces* that allows *Persons* with disabilities to get in and out of their vehicles, must be provided for all *Parking Spaces* for the *Use of Persons* with disabilities in off-*Street* parking facilities.

Accessible Parking Space

means a designated *Parking Space* identified by prescribed pavement markings and signage, which is reserved for the exclusive *Use of Persons* with disabilities.

Accessory

A land *Use* that is supportive of and secondary to the primary *Use* assigned to a given designated property.

Accessory Building/Structure

Means a detached *Building* or *Structure*, the *Use* of which is naturally and normally incidental to, subordinate to, and exclusively devoted to, the *Principal Use* or *Main Building* on the same *Lot*. For additional clarification, see definition of *Accessory Use*. Unless otherwise specifically permitted, an *Accessory Building* or *Structure* shall not be *Used* for human habitation.

Accessory Temporary Accommodation Associated with a Flight School

Means accommodation for short duration stay only that is associated with a permitted *Flight School*. Such accommodation may take the form of dormitories or small *Suites*. Cooking facilities may be permitted in each *Suite*. Communal cooking facilities or full facility cooking and dining facilities are also permitted.

Additional Residential Unit (ARU)

Means a *Dwelling Unit* that is *Accessory* or in addition to a primary *Dwelling*, being a *Single Detached Dwelling*, *Semi-detached Dwelling*, or *Townhouse Dwelling (Street-fronting)*. An *Attached ARU* is *Attached* to or integrated with the primary *Dwelling*. A detached ARU is separate from the primary *Dwelling* and may be *Attached* to or integrated within a permitted *Accessory Building*. An ARU is not a *farm-help accommodation* or a *Garden Suite*.

Adult Entertainment Business

Means *Premises* in which goods or services are provided where a principal feature or characteristic of which is the nudity or partial nudity of any *Person*, a sexual act, or in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy” or any other word or any picture, symbol or representation having like meaning or implication is *Used* in any advertisement, *Sign*, or display and includes a body-rub parlor which provides non-medical massages legally permitted in the Province of Ontario.

Adverse Effect

Means one or more of:

- a) Impairment of the quality of the natural environment for any *Use* that can be made of it;
- b) Injury or damage to property or to plant or animal life;
- c) Harm or material discomfort to any *Person*;
- d) An *Adverse Effect* on the health of any *Person*;
- e) Impairment of the safety of any *Person*;
- f) Rendering any property or plant or animal life unfit for human *Use*;
- g) Loss of enjoyment of normal *Use* of property; and,
- h) Interference with the normal conduct of business.

Aerodrome

Means any area of land, water (including the frozen surface thereof) or other supporting surface *Used*, prepared, equipped, or set apart for *Use* either in whole or in part for the arrival, departure, movement, or servicing of aircraft, and includes any *Buildings*, installations, and equipment situated thereon or associated therewith.

Aggregate

Means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other prescribed material.

Agri-Tourism

Means a *Use* of land, *Buildings* or *Structures* for farm-related tourism *Uses*, including limited accommodation, that promote the enjoyment, education or activities related to the primary *Agricultural Use* on the subject lands. Example of *Agri-Tourism* include, but are

not limited to: *bed and breakfast*, playgrounds, hayrides, corn mazes, haunted barns, farm vacation *Suite*, petting zoo and horse trail rides.

Agricultural Research and Training Centre

Means a *Use* of land, *Buildings* or *Structures* for the purposes of providing educational services and courses directly related to *Agricultural Uses*, for the purpose of educating farmers as defined in the Farming and Food production Act, or students of a college or university. An *Agricultural Research and Training Centre* shall not include on-site accommodation and shall not exceed 30 pupils at one time.

Agricultural Use

Means a *Use* of land, *Buildings* or *Structures* for the growing of crops, including nursery, biomass, and horticultural crops; raising of *Livestock*; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; *Agro-forestry*; pick-your-own operations; and associated on-farm *Buildings* and *Structures* (including *Livestock* facilities, manure storage, *value-retaining facilities*, machine repair shop for machinery used on-site, buggy barn, *Accessory* sawmill, or power room), but does not include an abattoir, a *Kennel*, or a rendering plant.

Agriculture-Related Use

Means a *Use* of land, *Buildings* or *Structures* which support agriculture and are directly related to farm operations in the area; provide direct products or services to farm operations as a primary activity; and benefit from being located close to farm operations. *Agriculture-Related Use* may include greenhouses; farmers' markets or stalls that primarily sell products grown in the area; *Livestock* assembly *Yards* and stock *Yards* that primarily support *Livestock* operations in the area; value-retaining facilities for agricultural products grown in the area; and suppliers of farm inputs (such as seeds, feed or fertilizer).

Agro-forestry

Means an area of land *Used* for the cultivating and harvesting of trees for the purpose of producing commercial and non-commercial wood products in accordance with the *County* of Simcoe's Forest Conservation By-law or with any other such by-law passed under Section 135 of the Municipal Act, 2001. *Agro-forestry* shall include the cutting of wood harvested from the *Lot* on which it is located, but does not include a saw and/or wood planing mill or a wood chipping establishment.

Air Treatment Control

Means the functional Use of industrial grade multistage carbon filtration system, or similar technology, to reduce and/or treat the emission of pollen, dust and odours expelled from a facility and sized accordingly in comparison to the facility it serves as designed by a qualified *Person*. For a *Food/Beverage Production Facility* all emissions and vapours created shall be wholly contained within the unit or discharged to the municipal sewer.

Aircraft Sales and Service

Means a *Building* and/or *Lot* Used for the display and sale of new and used aircraft, and may include renting or leasing of aircraft and/or the sale of aircraft accessories and related products and/or maintenance or mechanical repair.

Airport

Means the Use of land, or *Building* or *Structure* for facilitating the arrival, departure, movement or servicing of aircraft and their passengers and freight and without limiting the generality of the foregoing, *Accessory Uses* may include ticket sales *Offices*, general *Offices*, aircraft hangar, aircraft *Museum*, flying *School*, dormitory *Accessory* to a flying *School*, *Restaurants*, convenience retail, luggage checking facilities, and parcel and freight shipping facilities.

Airport Interface Safety Plan

Means a safety plan detailing the proposed safety measures for the movement of airplanes internal to the proposed *Development*; for the movement of airplanes onto the adjacent *Airport* site; and for pedestrian and vehicular access to the adjacent *Airport* site.

Alter

Shall mean, when *Used* in reference to a *Building* or part thereof, means to change any one or more of the internal or external dimensions of such *Building* or to change the type of construction of the exterior walls or *Roof* thereof. When *Used* in reference to a *Lot*, the word '*Alter*' means:

- a) to change the area, frontage or depth thereof, or
- b) to change the width, depth, or area of any *Required Yard Setback*, *Landscaped Open Space* or *Parking Area*, or
- c) to change the location of any boundary of such *Lot* with respect to a *Street* or land, whether such *Alteration* is made by conveyance or alienation of any portion of said *Lot*, or otherwise. The word '*Altered*' and '*Alteration*' shall have a corresponding meaning.

Amenity Area

Means indoor or outdoor space on a *Lot* that is:

- a) *Ancillary* to the *Main Use*; and
- b) communal and available for *Use* by the occupants of a *Building* on the *Lot*, or the general public, or both, for recreational or social activities.

Ancillary

A land *Use* that is supportive of and secondary to the primary *Use* assigned to a given designated property.

Animal Shelter

Means a *Lot* and/or *Building* or part thereof *Used* as a *Public Use* for the care of lost, stray, abandoned or neglected animals, where animals kept for care are housed entirely within enclosed *Buildings*.

Asphalt Plant

Means a *Building*, *Structure*, or lands *Used* to produce asphalt.

Attached

When *Used* in reference to a *Building*, means a *Building* otherwise complete in itself which depends for structural support or complete enclosure upon a division wall or division walls shared in common with adjacent *Building* or *Buildings*.

Available Municipal Servicing

Means that municipal water and wastewater servicing infrastructure have been or will be extended to a *Lot*, and that sufficient source water and wastewater treatment capacity exists to service the *Development* of the *Lot*.

B

Balcony

Means a partially enclosed platform *Attached* to or extended horizontally from one or more *Main* walls of a *Building*.

Banquet Hall

Means *Premises Used* for the purpose of catering to banquets, weddings, receptions or similar functions for which food and beverages may also be prepared and served.

Basement

Shall mean that portion of a *Building* between two floor levels, which is partly underground, but which has at least one-half of its height, from finished floor to finished ceiling above the adjacent *Finished Grade* level for at least 75% of the *Building* perimeter.

Bed & Breakfast

Means a *Dwelling* in which guest rooms, accessed from inside the *Dwelling*, are offered by the permanent residential occupants of the *Dwelling*, to the travelling public to facilitate the temporary occupancy for a period of less than 30 consecutive days throughout any part of the calendar year, with or without meals. The permanent residential occupants must prepare and provide food as part of the service or rental fee.

Boarding or Lodging House

Means a *Lot* or *Building* or part thereof in which accommodation for the public is supplied in guest rooms, where means may or may not be provided, and where located in a R1, R2, R3 and R4 *Zone*, means a private *Dwelling* in which no more than four guest rooms are available to the public for accommodation, but does not include any other *Use* otherwise defined in this By-law.

Boarding or Riding Stables

Means a *Building* or *Structure* in which horses are boarded and may also include facilities for riding and showing of horses.

Building

Shall mean any *Structure* other than a *Fence* being a permanent edifice fixed to, or supported by the soil, and *Used* or intended to be *Used* for the shelter, accommodation or enclosure of *Persons*, animals or *Personal* possessions. Please also refer to the Ontario Building Code Act.

Building Area

Means the greatest horizontal area of a *Storey* above grade within the outside surface of exterior walls or within the outside surface of exterior walls and the centreline of firewalls.

Building Height

Means the vertical distance measured from the average *Finished Grade* around the *Structure*, and:

- a) in the case of a flat *Roof*, the highest point of the *Roof* surface or exterior wall (other than a required fire wall);
- b) in the case of a mansard *Roof*, the ridge;
- c) in the case of a gabled, hip, gambrel or one-slope *Roof*, the average level between eaves and ridge, except that a one-slope *Roof* having a slope of less than 20 degrees from the horizontal shall be considered a flat *Roof* for the purposes of this By-law.
- d) in the case of a *Structure* not having a *Roof*, the uppermost part of such *Structure*.

Building Height shall be exclusive of any *Accessory Roof* construction not *Used* for human occupancy but necessary to house required mechanical equipment.

Building Setback

Means the minimum horizontal distance between a *Lot Line* and the nearest part of any *Building* or *Structure* on the *Lot*.

Bulk Storage

Means a place where land, *Building*, or *Structure* is *Used* for the storage of goods, materials, machinery, and/or equipment.

C

Campground

Means a *Lot Used* for the parking and *Use of Motor Homes, Travel Trailers*, tent-trailers, tents or similar transportable accommodation together with all *Yards* and open space defined in this By-law and may include a *Swimming Pool, Convenience Store, Laundromat*, miniature *Golf Course*, playground, athletic fields, tennis or badminton courts and an administrative *Building* for the *Campground*. The *Use of Mobile Home(s)*, park model trailer(s), or other transportable accommodation on a permanent year-round basis shall not be permitted. Off-season storage of *Travel Trailers*, tent trailers, *Motor Homes* or similar transportable accommodation shall be permitted.

Cannabis Cultivation Facility

Means *Buildings* or *Structures Used* for the growing, farming, production or shipping of cannabis, but shall not include a *Cannabis Processing Facility*. Cannabis Cultivation activities must take place within fully enclosed *Buildings* or *Structures* and are required to

be licensed or authorized by Health Canada and/or another government agency responsible for the regulation of the proposed activities. Cannabis cultivation may be permitted in the “Agricultural” through a site-specific amendment to the Zoning By-law.

Cannabis Processing Facility

Means *Buildings or Structures Used* for processing, testing, destroying, packaging and/or shipping of cannabis, including edibles. Cannabis processing activities are required to be licensed or authorized by Health Canada and/or another government agency responsible for the regulation of the proposed activities. *Cannabis Processing Facility* may include a *Cannabis Cultivation Facility*.

Carport

Means a *Roof* covered *Structure Accessory* to the *Main Dwelling* and *Used* for the storage of privately owned *Motor Vehicles*. Only piers or columns shall support the *Roof* of said *Structure* so that at least 40% of its wall area is unenclosed.

Catering Service

Means a *Use, Building* or part thereof *Used* for the preparation of food or drink in full or in part for consumption at a location other than the *Premises* in which the food or drink is prepared.

Cellar

Means any enclosed portion of a *Building* that is not a *Basement*, located below adjacent average *Finished Grade*.

Cemetery

Means a *Cemetery* or columbarium within the meaning of The *Cemetery Act* of Ontario, as amended.

Clinic, Medical

Means a *Building* or part thereof *Used* by duly qualified, licensed or registered medical practitioners and their associated staff and patients or clients and offers services which may include consultation, diagnosis and treatments for medical, dental, chiropractic, therapy, optic, massage or other human health concerns. A clinic may include *Ancillary Offices*, waiting and treatment rooms, laboratories, pharmacies and dispensaries directly associated with the clinic, but shall not include a *Hospital* or other facilities for in-patient care or major surgical procedures. A clinic shall not include any *Premises* or part thereof where the massage is associated with an *Adult Entertainment Business*.

Clinic, Veterinary (Large Animal)

Means a *Building* or *Structure* dedicated to the medical care and treatment of 'Livestock', domestic or other animals and includes provision for their overnight accommodation but does not include *Kennels*, outdoor pens, runs or outdoor enclosures. A 'Veterinary Clinic' may also include administrative *Offices*, waiting rooms, treatment rooms, laboratories, pharmacies and dispensaries directly associated with the clinic.

Clinic, Veterinary (Small Animal)

Means a *Building* or *Structure* dedicated to the medical care and treatment of household pets/animals and includes provision for their overnight accommodation but does not include *Kennels*, outdoor pens, runs or outdoor enclosures. A *Veterinary Clinic (Small Animal)* may also include administrative *Offices*, waiting rooms, treatment rooms, laboratories, pharmacies and dispensaries directly associated with the clinic.

Cluster Development

Means any *Development* which includes multiple *Single Detached Dwellings*, *Semi-detached Dwellings*, or *Townhouse (Cluster) Dwellings* on a *Lot* to allow the remaining land to be *Used* for common element purposes.

Commercial Greenhouse

Means a *Premises Used* for the growing of flowers, fruits, vegetables, plants, shrubs, trees, and similar vegetation which are sold directly from the *Lot* either by wholesale or retail.

Commercial School

Means a *Premises Used* as a *School* conducted for profit, including a *Studio* of a dance teacher or a music teacher, an art *School*, a golf *School*, and any other similar specialized *School*, and may include a trade *School* which means a *Premises Used* as a *School* where students are taught a trade or profession including business *Schools*, hair dressing *Schools*, and specific trade training.

Commercial Self-Storage Facility

Means a *premises Used* for the temporary storage of household items within *Buildings* that are divided by a common wall and floor which are generally accessible by means of individual loading doors or lockers. For the purpose of this by-law, a *Commercial Self-Storage Facility* shall be considered *Indoor Storage*.

Commercial Use

Means the *Use* of any *Lot, Building or Structure*, or portion thereof, for the purpose of buying and/or selling of commodities, the rental of goods and materials, and the supplying of services to the general public, separate from *Uses* associated with the manufacturing, assembly or warehousing of goods.

Community Centre

Means a publicly owned or operated *Building or Structure Used* for community recreation, social, cultural, educational, gathering or leisure activities which may include *Offices* for the administration of such activities and *Accessory* retail and other concession operations.

Community Lifestyle Facility

Means a *Lot, Building* or part thereof *Used* for gatherings, meetings and activities of a civic, educational, political, religious, social, cultural, athletic, amusement or recreational nature but does not include any other *Commercial Use* otherwise defined in this By-law

Concrete Plant

Means a *Building, Structure*, or lands *Used* to produce concrete.

Condominium

Means an individual *Dwelling Unit* under separate ownership or intended for separate ownership with common elements. For the purposes of the determination of an acceptable location for an associated sales *Office* or *Model Home*, the sales *Office* or *Model Home* shall be located within a *Condominium* unit or on common lands incorporated within the plan of *Condominium*.

Conference Centre

Means a formal meeting area comprised of meeting rooms and/or associated lodging and meal facilities for the holding of meetings, conferences, trade shows, professional education seminars, or similar assembly purposes.

Congregate Housing

Means any form of housing that addresses the needs of a specific group or segment of the population, such as that provided by nursing homes, assisted living and long-term care facilities, student housing, emergency shelters, *Group Homes*, public and social housing, and housing for people with special needs. *Congregate Housing* shall include a long-term care home as defined in the Fixing Long-Term Care Act. A *Group Home* must be licensed or approved under an Act of the Parliament of Canada or the Province of Ontario. *Congregate Housing* also includes “age-friendly” housing, meaning forms of residential *Development*

more Suited to meet the needs of older residents, perhaps by requiring less maintenance or by being more conveniently located with respect to public service facilities and support services.

Conservation Use

Means an area of land which is *Used* to preserve, protect, and/or improve components of the natural environment, along with any of its significant biophysical features and ecological functions. Conservation may include *Uses* such as reforestation, forest management, fish and wildlife management, *Erosion Control*, *Flood Control* and *Passive Recreation*.

Container, Moving

Means a portable container other than a *Shipping Container*, that is not made of corrugated metal, loaded on and off a semi-trailer truck, *Used* by moving companies for the purpose of *Persons* moving from one address to another.

Container, Shipping

Means a pre-fabricated metal container that is conventionally *Used* for the purposes of shipping goods usually on container ships, rail transport and semi-trailer trucks without being opened, but does not include a truck body, trailer or transport trailer.

Contractors Yard

Means a *Lot*, *Building* or *Structure* where a 'Trades Person' conducts business and may include *Office* space and the *Outdoor Storage* of heavy equipment and *Building* materials and may include the retail sale of supplies *Used* in their trade.

Convenience Store

Shall mean a retail establishment in which articles for sale are restricted to a limited range of primarily food items such as milk, bread, soft drinks, ice cream, canned and bottled goods, snacks and candy, frozen meat, and to complement such items may include the limited sale of magazines, toiletries, and tobacco products.

Corporation

Shall mean The *Corporation* of The Township of Clearview.

Council

Shall mean The Municipal *Council* of The *Corporation* of The *Municipality* of Clearview.

County

Means The *Corporation* of The *County* of Simcoe.

Crisis Residence

Means a *Lot* and / or *Building* or part thereof established as a single housekeeping unit *Used* for the short term accommodation of three or more *Persons* exclusive of staff living under supervision, who normally would have a permanent residence elsewhere, who by reasons of their emotional, mental, social, or physical condition or legal status require a temporary living arrangement for their well being. For purposes of this definition, short term shall mean averaging one month or less in time.

D

Data Processing Centre

Means *Premises Used* for information storage and retrieval through the *Use* of electronic computers, the production of computer programs, word processing, and the maintenance of records including corporate accounts and cheque processing.

Day Care Facility

Means a provincially licensed and regulated premise regulated under the Child Care and Early Years Act where children are provided with temporary care and/or guidance for a continuous period, not exceeding twenty-four hours and may include a nursery *School* and a day nursery. A *Day Care Facility* includes a *Private Home Daycare*.

Deck

Means a *Structure* abutting a *Dwelling* with no *Roof* or walls except for visual partitions and railings which is constructed on piers or a foundation above-grade for *Use* as an outdoor living area.

Development

Means the creation of a new *Lot*, a change in land *Use*, or the construction of *Buildings* and *Structures*, requiring approval under the Planning Act. *Development* does not include:

- a) activities that create or maintain infrastructure authorized under an environmental assessment process; or
- b) works subject to the Drainage Act.

Driveway

Means a vehicle access provided between a *Street* or *Lane* and a *Parking Area* or a *Loading Space*, or between two *Parking Areas*, but shall not include a *Parking Aisle*.

Driveway Triangle

Means the triangular space formed by the intersection of a *Driveway* with a *Street Line* and a line drawn from a point in one *Street Line* to a point in the *Driveway* edge.

Dry Industrial Use

Means an industrial *Use* which does not require the *Use* of water in the manufacturing, processing, fabricating, or assembling of any good, substance, article, or thing.

Dwelling

Means one (1) or more habitable rooms, occupied or capable of being occupied as one housekeeping unit, in which one (1) *Kitchen* and sanitary facilities are provided for the exclusive *Use* of such household, with a private entrance from outside the *Building* or from a common hallway or stairway inside the *Building*, but does not include a *Travel Trailer*, *Recreational Vehicle* or *Mobile Home*, or housekeeping units in a *Hotel* or motel or a *Boarding or Lodging House*, *Group Homes*, *Group Residences*, *Crisis Residences*, or other institutions licensed or approved under any Act of the Province of Ontario or the Dominion of Canada.

Dwelling Unit

Means a place of residence containing one or more habitable rooms with separate *Kitchen* and bathroom facilities for the private *Residential Use* as a single housekeeping unit, designed for year-round occupancy, and shall not include a guest room, *Hotel* or motel, *boarding house*, *Mobile Home*, *Recreational Vehicle*, tent or *Travel Trailer*.

Dwelling, Accessory Apartment

Means a *Dwelling Unit* which is *Accessory* to a permitted non-residential principle *Use*.

Dwelling, Apartment

Means a *Dwelling Unit* contained within a multi-unit residential *Building* having four or more *Dwelling Units* and not otherwise defined *Herein*.

Dwelling, Condominium

Means a *Development* in which individual ownership of *Dwelling Units* are permitted under the provisions of the *Condominium Act*, as amended.

Dwelling, Converted

Means: a detached or *Attached Dwelling* originally designed to contain one *Dwelling Unit*, the interior of which has been *Altered* to provide one or more additional *Dwelling Units*; or provided however that no *Dwelling* or *Building* shall be converted unless the *Gross Floor Area* within the said *Dwelling* or *Building* which is to be *Used* to calculate density has been *Used* for a minimum period of 10 years in the manner for which the said *Dwelling* or *Building* was originally constructed.

Dwelling, Mobile Home

Means a *Dwelling Unit* that is to be mobile, and constructed or manufactured to provide a permanent residence that is certified in accordance with CSA Standards and meets the requirements for a permanent *Dwelling* under the *Building Code*, but does not include a trailer, *Travel Trailer* or truck camper.

Dwelling, Semi-detached

Shall mean one of a pair of two *Attached* single *Dwelling Units* divided vertically by a fire separation wall, each of which has an independent entrance either directly from the outside or through a common vestibule.

Dwelling, Single Detached

Means a single residential *Building* containing one *Dwelling Unit* and does not include a *Mobile Home* or a recreational trailer.

Dwelling, Surplus

Means a *Lot* approved by the Committee of Adjustment for the purposes of severing a *Dwelling* surplus to a farm operation. This definition shall not apply to undersized *Lots* created under archaic policies, not pertaining to a surplus farm *Dwelling*.

Dwelling, Townhouse (Street-fronting)

Means the whole of a *Building* that is divided vertically into three or more *Dwelling Units*, each of which has independent entrances to a front and *Rear Yard* immediately abutting the front and rear walls of each *Dwelling Unit*. Each *Dwelling Unit* shall be on a separate *Lot*, and shall have frontage on a public *Street*.

Dwelling, Townhouse (Cluster)

Means the whole of a *Building* that is divided vertically into three or more *Dwelling Units*, each of which has an independent entrance to the outside through the front face of the *Building* and a direct access to a *private Amenity Area* through the rear face of the *Building*. A *Townhouse (Cluster) Dwelling* shall not include a *Townhouse (Street-fronting) Dwelling*.

E

Easement

Means an area of land over which a right of entry has been granted for the purpose of constructing and maintaining a right or service which has been legally described in a registered deed.

Environmental Impact Study

Means a study prepared in accordance with established procedures to identify and/or refine the boundaries of elements of the Natural System, identify the potential impacts of proposed *Development* or *Site Alteration* on such elements, and recommend a means of preventing or minimizing these impacts through avoidance or mitigation and a means to enhance or restore the Natural System.

Equestrian Facility

Means the *Use* of lands, *Buildings* and/or *Structures* for the boarding of horses, the training of horses and riders, and the staging of equestrian events, but does not include the racing of horses.

Equipment Sales and Rental Establishment

Means a *Premises* in which machinery and equipment are offered for sale or kept for rent, lease, or hire.

Erect

Shall mean to build, construct, reconstruct and relocate, in compliance with the Ontario *Building Code*, and, without limiting the generality of the foregoing, shall also include:

- a) Any preliminary physical operation such as excavating, filling or draining.
- b) Altering any *Existing Building* or *Structure* by an addition, enlargement, extension or any other material or structural change.
- c) Any work necessitating a *Building* permit as required under the Ontario *Building Code*.

Erosion Control

Means land *Use* practices or *Structures* deemed necessary by the applicable Conservation Authority for the reduction or prevention of erosion.

Event Venue

Means the *Use* of lands, *Buildings* or *Structures* for the purposes of gathering more than ten (10) *Persons* for civic, social, recreational, religious, educational or other purposes. For the purpose of this by-law an *Event Venue* shall not include an *Agricultural Research and Training Centre*.

Existing or Existed

Means in existence on the date of passing of this Bylaw.

F

Fairground

Means an agricultural *Fairground* operated by an Agricultural Society established under the authority of the Agricultural and Horticultural Organizations Act, R.S.O. 1990, as amended.

Farm Brewery, Distillery, Winery, Cidery or Meadery

Means *Buildings* or *Structures* *Used* for the processing of hops, fruits, vegetables, grains or honey in the production of beers, wines, distilled spirits, ciders or meads and may include a tasting area. The scale of a *Farm Brewery, Distillery, Winery, Cidery or Meadery* shall remain small, meaning that the water and/or wastewater servicing needs do not require approval from the Ministry of Environment, Conservation and Parks (MOE), for example a water-taking permit.

Farm Building Cluster

Means the close grouping of the *Main Buildings* and *Structures* on a farm contained within a limited area so that the land is *Used* for agriculture. *Buildings* and *Structures* within the cluster shall share a common *Driveway*.

Farm Help Accommodation

Means a *Building* or *Structure* on an agricultural parcel that is *Used* to accommodate workers employed full-time or seasonally in the day-to-day operations of the agricultural operation as defined in the *Farming and Food Production Act, 1998*.

Farm Implement Dealer

Shall mean the *Use* of land *Buildings* or *Structures* for the display, sale, lease, rental, storage, servicing, and repair of new or *Used* agricultural equipment and machinery

directly associated with the operation of a farm and may include as an *Accessory Use* the display, sale, lease, rental, storage, servicing, and repair of snowmobiles, ATV's, small engines, and lawn care equipment and related products but does not include any other *Use(s)* defined *Herein*.

Fence

Means a construction which forms a barrier for enclosing, bounding, delineating, or protecting land. For the purposes of this By-law, a *Fence* is a *Structure*.

Financial Institution

Means a commercial establishment, which is *Used* primarily for financial business, which may include the receiving, lending, exchanging, investing and/or safeguarding currency, credit and investments such as banks, trust companies, credit unions, finance companies and stockbroker establishments.

Finished Grade

Means, when *Used* in reference to a *Building* or *Structure*, the average elevation of the finished surface of the ground measured from a point 0.305 m (1 ft) out from the base of an exterior wall, support of a *Building* or *Structure*, but exclusive of any artificial embankment.

Firewood Processing Operation

Means the processing of wood, which may or may not have been harvested from the subject lands, for home heating purposes, which may be stored for sale to the General Public on and/or off the subject lands. The processing of firewood shall include the cutting, splitting, seasoning and storage of raw wood products and the finished material.

Flood Control

Means land *Use* practices or *Structures* deemed necessary by the applicable Conservation Authority for the reduction or prevention of flooding.

Flood Fringe

For *Watercourses* and small inland lake systems, means the outer portion of the *Flood Plain* between the *floodway* and the *Flood Plain* limit. Depths and velocities of flooding are generally less severe in the *Flood Fringe* than those experienced in the *floodway*.

Flood Plain

For *Watercourses* and small inland lake systems, the area, usually lowlands adjoining a *Watercourse*, which has been or may be subject to flooding hazards.

Floodway

Means for *Watercourses* and small inland lake systems, the portion of the *Flood Plain* where *Development* and *Site Alteration* would cause a danger to public health and safety or property damage. Where the One Zone concept is applied, the *floodway* is the entire contiguous *Flood Plain*. Where the Two Zone concept is applied, the *floodway* is the contiguous inner portion of the *Flood Plain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the Two Zone concept applies, the outer portion of the *Flood Plain* is the *Flood Fringe*. In all cases, the *floodway* includes areas of inundation that contain high points of land not subject to flooding.

Floor Area, Gross

Means the sum total of the gross horizontal areas of all floors of all *Buildings* or *Structures* on a *Lot*, measured from the interior faces of the exterior walls or from the centre line of the common wall separating two *Buildings*. The “*Floor Area, Gross*” of a *Building* or *Structure* shall also include:

- a) *Basement* or *Cellar* floor area where the ceiling height is 2.1 m (7 ft) or more, unless otherwise specified;
- b) Attic space having headroom of 2.1 m (7 ft) or more for at least half the attic floor area, unless otherwise specified;
- c) Interior balconies and mezzanines; and
- d) Enclosed *Porches* and enclosed verandas.
- e) In the case of a *Building* that contains floor area devoted to non *Residential Uses* the “*Floor Area, Gross*” shall not include:
 - a. Elevator shafts and stairwells at each floor;
 - b. Floor area *Used* for mechanical equipment;
 - c. *Parking Structures* and enclosed *Parking Areas*; and
 - d. Outdoor *Garden Centres*.

Floor area contained within a private *Garage*, breezeway, unenclosed *Porches* or unenclosed verandas *Decks* shall not be included in any '*Floor Area, Gross*' calculation.

Floor Area, Gross Leasable

Means the total area of a *Building* for which tenants pay rent and have exclusive occupancy, measured from the centreline of partition walls and exterior face of outside walls, but does not include:

- a) Any floor area *Used* in common by the tenants of the *Building* such as a mall, aisle or hallway, elevator shaft or lobby, stairwell, any lunchroom or staff room, washroom, boiler room, maintenance room, mechanical, electrical or utility room, and any automobile parking facilities provided within the *Building*; and
- b) Storage area to which the public cannot or does not have access or which is capable of being *Used* for no other purpose than the storage of goods, fixtures and equipment related to an on-site *Use*.

Floor Space Index (FSI)

Means an index that, when multiplied by the total land area of a *Lot*, indicates the maximum permissible *Gross Floor Area* for all *Buildings* on the *Lot*, excluding underground or covered *Parking Structures* and floor space located in the *Cellar*.

Food/Beverage Production Facility

Means lands, *Buildings* or *Structures Used* for the industrial manufacture, processing, packaging, storage and shipping of food and/or beverages for human consumption. This may include, but not be limited to breweries, wineries and distilleries, but shall not include non-human food production, edible cannabis production, or *Uses* otherwise defined or prohibited in this By-law.

Funeral Home

Means a *Building* or part thereof established or maintained for the purpose of providing funeral services limited to the disposition of human remains and includes the care and preparation of human remains and a crematorium.

G

Garage

Means an *Accessory Building* or that part of a *Main Building* intended for the storage of a *Motor Vehicle(s)* of the owner, tenant or occupant of the *Lot* upon which such *Garage* is located.

Garden Centre

Means a *Building* or *Structure* or lands for the display and retail sale of goods related to gardening and *Landscaping*. For the purpose of this by-law, a *Garden Centre* shall constitute a *Retail Store*.

Garden Suite

Means a detached *Dwelling Unit* containing bathroom and *Kitchen* facilities that is *Accessory* to an *Existing Single Detached Dwelling* and is designed to be portable and temporary. A *Mobile Home* as defined *Herein* may be *Used* as a *Garden Suite* in the *Agricultural* or *Rural Zones*.

Golf Course

Means a public or private area operated for the purpose of playing golf and may include a miniature *Golf Course*, *Restaurant*, maintenance *Buildings* and administration *Buildings* if located on the same property and are considered *Accessory Uses*.

Gravel Pit

Means any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral to supply such material for construction, industrial or manufacturing purposes and approved under the *Aggregate Resources Act*. This definition shall include recycling of used concrete and asphalt, and storage, crushing, screening and washing of mineral *Aggregate* resources in association with a licenced mineral *Aggregate* operation. This definition shall not include:

- a) any excavation incidental to the construction of a *Building* or *Structure* for which a *Building* permit has been issued; or
- b) any *Asphalt Plant*, ready-mix *Concrete Plants*, *Aggregate* transfer stations; or other mineral *Aggregate* processing operations.

Gross Vehicle Weight

Means the combined weight of vehicle and load.

Group Home

Means a single housekeeping unit in which three to ten people (excluding supervisory staff or the receiving family) live under supervision and who by reasons of their emotional, mental, social, or physical condition or legal status, require a group living arrangement for their well-being. The *Group Home* must be licensed or approved under an Act of the Parliament of Canada or the Province of Ontario.

Group Residence

Means a *Group Home* in which greater than ten people live under supervision.

H

Hard Surface

Means a ground surfacing material such as asphalt, concrete, paving stone, or like material which creates a contiguous hard, immovable surface.

Hazard Land

Means property or lands that could be unsafe for *Development* due to naturally occurring processes. Along the shorelines of the Great Lakes - St. Lawrence River System, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits.

Herein

Means “in this By-law” and shall not be limited to any particular section of this By-law.

Home Business

Means a business, occupation, trade or craft conducted for gain or profit within a *Dwelling Unit* or an *Accessory Building or Structure*, which is an *Accessory Use* to the principle *Residential Use* by members of the household on a *Lot*.

Hospital

Means a *Hospital* as defined under The Public *Hospitals* Act, R.S.O. 1990, as amended, or under The Private *Hospitals* Act, R.S.O. 1980, as amended.

Hotel

Means a *Building* or *Structure* Used mainly for the purposes of catering to the needs of the travelling public by furnishing sleeping accommodation and may include meeting rooms, recreational facilities and a 'Restaurant' and permanent staff quarters but does not include any other establishment otherwise defined or classified in this By-law.

I

Indirect Sales

Means the sale of goods exclusively via mail order, telephone, fax, internet, digital platform or website, but shall not include a *Retail Store*.

Indoor Baseball Practice Facility

Means a *Building* or *Structure* and equipped primarily for the practicing or teaching of baseball skills and may include an *Accessory* gymnasium; viewing area; change rooms; *Offices*; board room; parent lounge; or therapy rooms.

Industrial Mall

Means a *Building* or group of *Buildings* which are planned, developed, managed and operated as a unit, and in which each *Building* contains two or more units or spaces for lease or occupancy for industrial *Uses* permitted in the applicable *Zone* and may include a limited floor area for *Accessory Office*.

Industrial Use, Light

Means a *Manufacturing Use* which is wholly enclosed within the *Building* except for parking and loading facilities, and which in its operation does not ordinarily result in emission from the *Building* of odours, fumes, noise, cinder, vibrations, heat, glare or electrical interference.

J

K

Kennel

Means a duly licensed and privately operated establishment where a minimum of three dogs, or four cats or other similar domestic animals are housed and may be groomed, bred, boarded, trained, or sold subject to restrictions in the general provisions of this By-law, but does not include a *Veterinary Clinic*.

Kitchen

Means a room or part of a room where food is stored, prepared, or cooked, and which has cooking appliances and one (1) or more sinks.

L

Laboratory

Means a *Building* or *Structure* or portion thereof wherein scientific experiments, tests or investigations are conducted and may include the taking and processing of x-rays, or where drugs, chemicals or other substance or article pertinent to such experiments, tests or investigations are manufactured or otherwise prepared for *Use* on the *Premises*.

Landfilling

Means the disposal of *Waste* by deposit, under controlled conditions, on land or on land covered by water, including compaction of the *Waste* into a cell and covering the *Waste* with cover materials at regular intervals

Landscaped Open Space

Shall mean open unobstructed space at grade on a *Lot* which is suitable for the growth and maintenance of grass, flowers, bushes and other *Landscaping* and includes any patio or similar area but does not include any *Driveway*, ramp, or sidewalk whether surfaced or not, any curb, *Parking Area* or any open space beneath or within any *Building* or *Structure*.

Landscaping

Means trees, shrubs, flowers, grass, or other horticultural elements, decorative stonework, screening or other architectural elements, all of which are to enhance the visual amenity of a property and shall not include *Parking Areas*, walkways, *Driveways* or ramps.

Lane

Shall mean a public or private roadway that is not more than 9 metres in width and which affords a secondary means of vehicular access to abutting *Lots*.

Laundromat

Shall mean a *Building* or *Structure* where the service of coin or card operated laundry machines, using only water, detergents and additives are made available to the public for the purpose of laundry cleaning.

Livestock

Means fur or fibre bearing animals or any other domestic animal *Used* for consumption, propagation, or for intended profit or gain, and without limiting the generality of the foregoing includes dairy and beef cattle, lamas, alpacas, horses, swine, sheep, laying hens, chicken and turkey broilers, turkeys, goats, geese, mink and rabbits.

Live-work Unit

Means a *Building* which operates as a *Dwelling Unit* and a small scale business operated by the *Dwelling's* occupant and whereby all or part of the ground floor is devoted to the small business and the upper floors are devoted to the *Dwelling Unit*. A *Live-work Unit* shall not include any *Outdoor Storage*.

Loading Space

Means an off-*Street* space or berth located on the same *Lot* as a permitted *Use* and *Used* for the parking of a vehicle for the purpose of loading or unloading merchandise or materials pertinent to a permitted *Use*, and which has unobstructed access to a road or *Lane*.

Lot

Shall mean a parcel of land described in a deed or other document legally capable of conveying title to or interest in land, or shown as a *Lot* or block on a Registered Plan of Subdivision.

Lot Area

Shall mean the total horizontal area within the *Lot Lines* of a *Lot*, excluding the horizontal area of such *Lot* covered by water. In the case of *Corner Lots* having a *Street Line* rounding of a radius 6 metres or less, the *Lot Area* of such *Lot* shall be calculated as if the *Lot Lines* were produced to their point of intersection.

Lot, Corner

Shall mean a *Lot* having two intersecting *Lot Lines*, or their extensions in the case of a curve, both of which divide the *Lot* from a *Street*, *Streets* or a *Lane* and which intersect at an angle not exceeding 135 degrees.

Lot Coverage

Shall mean the percentage of the total *Lot Area* covered by principal *Buildings* or *Structures* (as measured from the *Building* footprint), above *Finished Grade* level; but shall not include all *Swimming Pools*, hot tubs, spas, flatworks, uncovered *Decks*/patios under 600mm in height or septic systems.

Lot Depth

Means the horizontal distance between the front and *Rear Lot Lines*. If the front and rear are not parallel, '*Lot Depth*' shall be measured as the length of a straight line joining the middle of the *Front Lot Line* with the middle of the *Rear Lot Line*. Where there is no *Rear Lot Line*, '*Lot Depth*' shall be measured as the length of a straight line joining the middle of the *Front Lot Line* with the apex of the triangle formed by the *Side Lot Lines*.

Lot Frontage

Shall mean the horizontal distance between the *Side Lot Lines*, such distance being measured perpendicularly to the line joining the middle of the *Front Lot Line* with either the middle of the *Rear Lot Line* or the apex of the triangle formed by the *Side Lot Lines* at the minimum distance from the *Front Lot Line* at which *Erection* of *Building* or other *Structure* is permitted by this By-law.

Lot, Interior

Shall mean a *Lot* other than a *Corner Lot* and having frontage on one *Street* or *Lane* only.

Lot Line

Shall mean any boundary of a *Lot* or the vertical projection thereof.

Lot Line, Exterior Side

Means any *Lot Line* other than a *Front Lot Line* or *Rear Lot Line* abutting a *Street* or *Lane*.

Lot Line, Front

Shall mean in the case of an *Interior Lot*, a line dividing the *Lot* from a *Street* or a *Lane*. In the case of a *Corner Lot*, the shorter *Lot Line* abutting the *Street* shall be named the *Front Lot Line* and the longer *Lot Line* abutting the *Street* shall be deemed an *Exterior Side Lot Line*. In the case of a *Through Lot*, the *Lot Line* where the principal access to the *Lot* is provided shall be deemed to be the *Front Lot Line*.

Lot Line, Interior Side

Means any *Lot Line* connecting the front and *Rear Lot Lines* which does not abut a *Street*.

Lot Line, Rear

Shall mean the *Lot Line* farthest from and opposite to the *Front Lot Line*.

Lot Line, Side

Shall mean a *Lot Line* other than the front or *Rear Lot Line*.

Lot of Record

Means a legally *Existing* parcel of land in one ownership that was created under the authority of the Planning Act or other legal means. A *Lot of Record* is capable of being developed by virtue of meeting the requirements of this By-law, as a legal nonconforming *Lot* or a conforming *Lot*, or by virtue of being located within a *Settlement Area*. No *Lot* in the following archaic plans shall be considered a *Lot of Record*: 51R-448, 51R545, 51R-552, 51R-599, 51R-708, 51R-727A, Plan 110, the unregistered Fisher Plan (33/34 Sd Rd and Conc 5), 51R-576, 51R-617, 51R-618, 51R-619, 51R-620, 51R-621, 51R-704, 51R-705, 51R-706, 51R-707, and Plan 72.

Lot, Surplus Dwelling

Means a *Lot* containing an *Existing Single Detached Dwelling* that is rendered surplus as a result of a farm consolidation. This definition shall not apply to undersized *Lots* created under archaic policies, not pertaining to a surplus farm *Dwelling*.

Lot, Through

Shall mean a *Lot* which has access on two opposite *Lot Lines* to a *Street*, *Lane* or navigable waterway.

M

Main

When *Used* to describe a *Use*, a *Building* or a *Structure*, means a *Use*, *Building* or a *Structure*, which constitutes or within which a *Principal Use* of the *Lot* is conducted.

Manufacturing Use

Means the *Use* of land, *Buildings* or *Structures* for the purpose of compounding, processing, packaging, crating, bottling, packing, manufacturing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, or adapting for sale any good, substance, or article, or any part thereof, as distinguished from the buying and selling of commodities [*Commercial Use*] and the supplying of personal services. Industrial *Use* includes transportation terminals.

Minimum Distance Separation

Means formulae and guidelines developed by the Province, as amended from time to time, to separate *Uses* so as to reduce incompatibility concerns about odour from facilities.

Mobile Home

Means any *Dwelling* that is designed to be made mobile and is constructed or manufactured to provide a permanent or seasonal residence; but does not include a *Travel Trailer* or tent trailer otherwise designed. A *Mobile Home* shall be distinguished from other forms of prefabricated transportable housing by a design which permits and features ready transportation from place to place, and not a design which intends to be moved only once to a final location.

Mobile Home Lot

Means a parcel of land within a *Mobile home park* intended for occupancy by one *Mobile Home*.

Mobile Home Park

Means a parcel of land containing two or more *Mobile Home Lots* together with potential *Accessory Uses* for the *Use* of *Mobile home park* residents.

Model Home

Means a single detached house, semi-detached house or townhouse *Used* temporarily for the purpose of an *Office* and/or show room and/or sale centre to promote the sale of residential units within a draft approved plan of subdivision under the Planning Act or a description under the *Condominium Act*, 1998 proposed for registration.

Motor Home

Means a self propelled mobile unit capable of providing human occupancy and which shall contain at a minimum a toilet and sink with a holding tank or similar receptacle capable of managing *Waste* water from the toilet and sink and all other appliances that produce *Waste* water, a food preparation area, and sleeping facilities but which does not include barbeques or other external elements normally associated with camping.

Motor Vehicle

Means an automobile, a motorcycle, a motor-assisted bicycled unless otherwise indicated in the Highway Traffic Act, any other vehicle propelled or driven otherwise than by muscular power, but does not include a *Street* car or other *Motor Vehicle* running only upon rails, a powerassisted bicycle, a motorized snow vehicle, a traction engine, a farm tractor, a self-propelled implement of husbandry or a road-*Building* machine.

Motor Vehicles, Commercial

Means a *Motor Vehicle* having permanently *Attached* thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses and tractors *Used* for hauling purposes on the *Street*.

Municipality

Means the *Corporation* of the Township of Clearview.

Municipal Services

Means sewage services and water services that are owned or operated by a *Municipality*.

Museum

Means an institution that is established for the purpose of acquiring, conserving, studying, interpreting, assembling and exhibiting to the public for its instruction and enjoyment, a collection of artifacts of historical interest.

N

Natural Heritage Feature, Primary

Means a significant woodland; significant valleylands; a provincially significant *Wetland*; a *Wetland* that has been identified as locally significant based on the criteria established in the Township Official Plan or measures 2 hectares or more in area; significant wildlife

habitat; the habitat of endangered species and threatened species; fish habitat; or a provincially or regionally significant ANSI (Life Science); or

Natural Heritage Feature, Secondary

Means a provincially or regionally significant ANSI (Earth Science); or a linkage area that is not a *Natural heritage Feature Major*.

Non-Complying

Land, *Buildings*, or *Structures* that do not meet the provisions of the *Zone* classification for which the land, *Building*, or *Structure* is located, or do not meet other applicable provisions of the Zoning By-law.

Non-Conforming

The *Use* of land, *Buildings*, or *Structures* for a purpose that is not identified as a permitted *Use* within the *Zone* classification in which the land, *Building*, or *Structure* is located.

Non-Landfilling

Means any permitted *Use* or activity taking place on a *Waste Management Site* that does not involve *Landfilling*, including activities and operations associated with recycling facilities, transfer stations, and processing sites.

Normal Farm Practices

Means a practice, as defined in the Farming and Food Production Protection Act, 1998, as may be amended from time to time, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes *Use* of innovative technology in a manner consistent with proper advanced farm management practices. *Normal Farm Practices* shall be consistent with the Nutrient Management Act, 2002 and regulations made under that Act.

Noxious Uses

Means a trade which is offensive, dangerous or would pose a hazard to the public by reason of emission of odour, smoke, dust, noise, fumes, gas, vibration or refuse matter.

O

Office

Means a *Building* in which one or more *Persons* are employed in the management, direction or conducting of a business, a government institution or non-government organization or where professionally qualified *Persons* and their staff serve clients who seek advice and consultation of a public or private agency, a business, a brokerage, or a labour or fraternal organization.

One Hundred Year Flood

For river, stream, and small inland lake systems, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

On-Farm Diversified Use

Means *Uses* that are located on a farm and are clearly secondary to the principal *Agricultural Use* of the property, and are limited in area and scale. *On-farm Diversified Uses* include, but are not limited to, accommodation for full-time farm labour, *bed and breakfast* establishments, greenhouses *Used* for growing or retailing of plants and non-plant items (such as gardening supplies), value-retaining facilities for agricultural products, *Uses* that produce value-added agricultural products, *Uses* that directly relate to the primary *Agricultural Use* of the property, small-scale woodworking, metalworking, or plastic fabrication operations, *Agri-Tourism Uses* or farm-related tourism *Uses*, and *Home Businesses* that does not take place entirely within an *Existing Dwelling*.

Outdoor Furnace

Means any appliance housed in a *structure* or free standing, that is primarily designed to convert solid fuel to heat and transfer the heat to another or adjacent *structure*, *swimming pool*, green house or for domestic water heating or other purposes any may include a boiler or pressure vessel.

Outdoor Sales and Display Area

Means an area devoted to the retail sale or display of produce, merchandise, or the supply of services.

Outdoor Patio

Means an outdoor area *Accessory* to a *Restaurant*, which is to be *Used* on a seasonal basis to provide an area for service and consumption.

P

Park, Private

Means the *Use* of land, *Buildings* or *Structures* for recreational and open space *Uses* operated on a commercial or private membership basis, such as *Golf Courses*, ski facilities, *Campgrounds*, *Swimming Pools*, and fitness clubs. *Private Park* does not include a *public park*.

Park, Public

Means a *Public Use* as defined *Herein* and established as a park, playground or playfield which may include therein one or more conservation areas, athletic fields, field houses, arenas, community centers, bleachers, stadiums, swimming or wading pools, beaches, picnic grounds and shelters, greenhouses, botanical gardens, children's farms, zoos, bandstands, skating rinks, golf and miniature *Golf Courses*, *Campgrounds*, race courses, pavilions, ski courses, ice rinks, tennis courts, bowling greens, marinas, washrooms, administrative *Offices*, curling rinks, *Accessory parking Lots*, refreshment and other concessions *Accessory* thereto, and similar *Uses*.

Parking, Extended

Means an area of a *Lot* upon which overnight parking of *Motor Homes* for a period of 24 hours or more may occur as an *Accessory Use*.

Parking Aisle

Means a portion of a *Parking Area* which abuts, on one or more sides, *Parking Spaces* to which it provides access and which is not to be *Used* for the parking of vehicles.

Parking Area

Means an area provided for the parking of *Motor Vehicles* and may include aisles, *Parking Spaces* and related ingress and egress *Lanes* or a private *Garage* but shall not include any part of a public *Street*.

Parking Space

Means an area exclusive of any aisles or ingress or egress *Lanes*, *Used* for the temporary parking or storage of *Motor Vehicles*, and may include a private *Garage*.

Parking Structure

Means a *Building or Structure Used* for the parking of vehicles and is available to residents, clients, customers or the public with or without a fee being charged and may be above or below *Finished Grade*.

Partial Services

Means:

- a) Municipal sewage services or private communal sewage services and individual on-site water services; or,
- b) Municipal water services or private communal water services and individual onsite sewage services.

Partnered Sewage Collection System

Means the entirety of the sewage collection system which collects and directs flows for sewage treatment to the Town of Wasaga Beach Sewage Treatment Plant.

Person

Means any human being, association, firm, partnership, incorporated company, *Corporation*, chartered organization, agent or trustee, and the heirs, executors or other legal representatives of a *Person* to whom the context of this By-law can apply according to law.

Personal Service Use

Means a *Building* or part of a *Building* in which *Persons* are employed in providing services and otherwise administering to the individual and personal needs of *Persons*, and shall include but not be limited to a barber, hairdresser, beautician, aesthetician, tailor, seamstress, tanning salon, photography *Studio*, body piercing establishment, tattoo parlour. This *Use* may include massage *Uses* performed or offered by a *Person* otherwise duly qualified, licensed or registered to do so, but does not include any *Premises* or part thereof where the massage is associated with an *Adult Entertainment Business*. The sale of merchandise shall be permitted only as *Accessory* to the personal service provided unless otherwise permitted.

Place of Entertainment

Means a *Premises* where entertainment is offered for profit and may include a motion picture or other theatre, arena, auditorium, public hall, casino, billiard, arcade or pool room, bowling alley, ice or roller skating rink, laser games, or other similar *Uses*, but does

not include adult entertainment or any other *Place of Entertainment* or amusement otherwise specified, defined, or classified in this By-law.

Place of Worship

Means a *Building* including churches, synagogues, mosques, and rectories, owned or occupied by a non-profit religious organization or congregation and which is dedicated exclusively to worship and related social and charitable activities. Related *Accessory Uses* may include a hall or auditorium, *Offices*, faith-based *School*, *Cemetery*, *Day Care Facility*, convent, monastery, or a *Dwelling Unit* for Use by the clergyperson(s) and their family.

Porch

Means a covered *Structure*, *Attached* to the exterior of a *Building* with or without steps, consisting of a platform.

Portable Asphalt Plant

Means equipment that is *Used* to produce asphalt and which is capable of being readily drawn by a *Motor Vehicle* and which is not permanently affixed to the ground.

Premises

Means an area of a *Building* occupied or *Used* by a *Person*, business, or enterprise.

Principal Use

Means the primary *Use* of the *Lot*.

Printing and Publishing Establishments

Means a *Building* or part thereof where the *Principal Use* is to provide *printing and publishing services* including lithographing or binding of periodicals or other written material.

Private Services

Means a sewage works or drinking water system within the meaning of Section 2 of the Safe Drinking Water Act, 2002, as amended from time to time, that serves a *Lot* or private residence and is not owned by a *Municipality*.

Private Home Daycare

Means the *Use* of a *Dwelling Unit*, as a permitted home occupation, regulated under the Child Care and Early Years Act for the temporary care of children for compensation for a continuous period not exceeding twenty-four hours.

Public Use

Means the *Use* of any *Lot, Building or Structure* or portion thereof by or for the Township of Clearview, by *County* of Simcoe, by the Province of Ontario, or by any public body or agency established under provincial statute.

Pump House

Means a *Building or Structure* in which a pump for drawing, storing, and/or pressurizing water is located.

Q

R

Recreation, Active

Means the *Use* of land for sports, physical play or exercise, and includes public or *Private Parks* and facilities.

Recreation, Passive

Means the *Use* of land and/or water for the purpose of passive leisure activity such as walking, hiking, cross-country skiing, cycling, picnic areas and shelters, and public interpretation or public information centres where *Buildings* and *Structures* are limited to those necessary to support the passive leisure activities. *Passive Recreation* may also include a woodlot, a wildlife sanctuary, and a *conservation* area.

Regulatory Flood

Means the flood resulting from the Timmins storm or the one hundred year return period storm, whichever is greater.

Renovation

Means the external or internal *Alteration* of a *Building or Structure*.

Rental Stores, General

Means a *Building* or part thereof where residential, industrial, and commercial equipment is kept for rental to the general public and includes such things as lawn and garden tools, bicycles, home furnishings, floor cleaning equipment, masonry tools, painting and decorating equipment, moving tools, plumbing tools, and power tools. Rental stores may

include as an *Accessory use* the sale of supplies necessary for the operation of said rental equipment.

Rental Stores, Media

Means a *Building* or part thereof where digital media including movies, music and other media forms are kept for rental to the general public. Rental stores may include as an *Accessory Use* the sale of supplies necessary for the operation of said rental equipment

Repair Stores

Means a *Building* or part thereof *Used* for the provision of maintenance or repair services for goods or equipment, excluding an Automotive Body/*Repair Shop* or any other automotive service/*repair Uses* otherwise defined in this by-law.

Reserve

Means a strip of land abutting a public *Street* and owned by the authority having jurisdiction over such a public *Street*. For the purposes of this By-law, a *Lot* separated from a public *Street* by a *Reserve* shall be deemed to abut such a public *Street* for the purposes of establishing a *Front Lot Line* but shall not have frontage on a public *Street* for the purposes of determining compliance with frontage requirements.

Residential Use

Means the *Use* of any land, *Building* or *Structure* or part thereof where the *Main Use* of the *Building* is to be occupied or capable of being occupied exclusively as a home or residence by one or more people and includes *Dwelling* types as defined in this By-law.

Restaurant

Means a *Building* or part thereof, either licensed or unlicensed for liquor sales, where food or refreshments are prepared and offered for retail sale to the public for immediate consumption, but shall not included a *drive-thru Restaurant*.

Restaurant, Drive-thru

Means a *Restaurant* where patrons order and purchase their food through an attendant, window or an automated machine from their vehicles in a designated *Stacking Lane*.

Retail Store

Means a *Building* or part thereof, in which goods, wares, merchandise, substances, or articles are offered or kept for sale at retail, and includes limited storage of such goods, wares, merchandise, substances, articles or things on the *Premises* to service such store

but does not include any establishment otherwise defined or classified *Herein*, except for a *Retail Warehouse*.

Retail Warehouse

Means a large *Building* operated as a single purpose retail facility serving a regional trade area and storing and displaying products in a *Warehouse* format for retail sale to the public.

Right-of-Way

Means an area of land that is legally described in a registered deed for the provision of private access on which there is usually a *Lane*. A *Right-of-Way* is not a *Street* and does not provide frontage.

Roof

Means a component of a *Building* or *Structure* that is supported by walls and/or columns and which provides overhead shelter from the rain and/or sun.

S

School

Means an establishment providing educational services and instructional courses for students under the jurisdiction of a Board as defined in The Education Act, a college or university and may include a *Day Care Facility*.

School, Commercial

Means a *School* where instruction is given for gain or profit, providing instruction in a specific trade, skill or service but does not include a *School* as defined in the Education Act or a post secondary institution or other *Use* otherwise defined *Herein*.

Self Serve Use

Means a *Service Use* where a business provides the required materials, ingredients, equipment or facility to allow members of the public to prepare an intended product for personal *Use*. A self-serve *Use* includes *Uses* such as brew your own beer or wine, scrapbooking, paint your own pottery and may include *Accessory* retail of materials, ingredients and equipment.

Sensitive Land Use

Means a *Lot* is that is *Zoned* for *Uses* within the Residential, Institutional, or Open Space categories. A *Sensitive Land Use* receptor is a *Building* or *Structure* that is being *Used* for a *Dwelling*, *School*, long-term care facility, *Hospital*, *Day Care Facility*, *Crisis Residence*, *Group Home* or *Group Residence*.

Service Use

Means a *Use* where the purpose of such enterprise is to provide non-personal service or, service to an industry or the public, where such a service is conducted and/or provided off-site at a location in need of such service, and may include maintenance, caretaking, cleaning, security and trades or contractors which provide an installation service and does not include *Outdoor Storage* or workshop.

Setback

Means the minimum horizontal distance, measured at a right angle, between a *Lot Line* and the nearest part of any *Building* or *Structure*.

Settlement Area

Means lands that have been identified in the Township's Official Plan as being within a *Settlement Area*.

Shopping Centre

Means a *Building* or group of *Buildings* containing a group of permitted *Commercial Uses* which is planned, designed, and developed as a unit.

Short-term Rental

Means a *Dwelling*, the whole or any part of which is operated or offered as a place of temporary residence, lodging, or occupancy by way of lease, license, rental agreement, permit, concession, or similar commercial arrangement for any period of time that is less than 28 consecutive calendar days, during which rental period the owner of the property or the operator of the rental accommodation *Use*, as the case may be, is absent from the site.

Sight Triangle

Means the triangular space formed by two intersecting *Street Lines* and a line drawn from a point in one *Street Line* to a point in the other *Street Line*.

Sign

Means a name, identification, description, device display, or illustration which is affixed to or represented directly or indirectly upon a *Building Structure* or *Lot*, which directs attention to an object, product, place, activity, *Person*, institute, organization, or business.

Site Alteration

Means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

Ski Facility

Means an area of land with trails and lifts *Used* by skiers and which may include, as *Accessory Uses*, a *Restaurant*, a club house, a *Retail Store* that sells ski equipment and accessories, and other *Buildings* or *Structures* devoted to the maintenance and operation of Nordic and Alpine ski facilities.

Ski Lift

Means a device *Used* to transport skiers from the base of a hill to the top of the hill, such as a T-bar, poma, or chair lift.

Stairs

Means any combination of risers and treads that provide access to a *Deck*, *Porch*, *Dwelling Unit*, or any other *Building* or *Structure* or combination thereof.

Stacking Lane

Means a portion of a *Parking Area* or a parking *Lot*, other than a *Parking Aisle* or a *Parking Space* that is physically separated from other traffic and pedestrian circulation on the site which provides standing room for vehicles in a queue for the transaction window and/or order board. The minimum width of a *Stacking Lane* shall be 2.5 metres, but shall be increased to accommodate turning radii.

Stacking Space

Means an area within a *Stacking Lane* for vehicles waiting to order and/or finish a drive-through transaction.

Storage, Indoor

Means the storage of goods, materials, merchandise and equipment inside a wholly enclosed *Building*.

Storage, Outdoor

Means the storage of goods, materials, merchandise and equipment or the display and sale of goods and materials, including vehicles for hire or sale, but does not include raw inputs or *Waste* associated with a *Food/Beverage Production Facility* or *Cannabis Production Facility*, outside a *Building* in the open air.

Storey

Means that portion of a *Building* or *Structure* other than a *Cellar* or attic which is situated between the surface of any floor and the surface of the floor next above it, or any portion thereof and, if there is no floor above it, that portion between the surface of any floor and the ceiling above it.

Storey, First

Means the lowest *Storey* of a *Building* completely above average *Finished Grade* level.

Street

Means the road allowance associated with a public *right-of-way*, other than a *Lane*, which is maintained by a public authority and which is open and passable during all seasons and provides principal access to abutting *Lots*.

Street Line

Means the limit of the road allowance and is the dividing line between a *Lot* and a *Street*.

Street, Private

Means a *Street* or *Lane* under the ownership of, and maintained by a private individual or *Corporation*.

Structure

Means anything that is temporarily or permanently erected, built or constructed of one or more parts joined together.

Student Residence

Means *Premises* owned or operated by or for any public or separate *School*, private *School*, post-secondary *School* or educational facility, consisting of *Dwelling Units* or rooms, *Used* for student accommodation.

Studio

Means *Building* or part thereof *Used* for the study or creation of media or art form including but not limited to music, acting, modeling, painting, sculpting, pottery, stained glass, jewelry, photography, television or radio, dance, marital arts, yoga or pilates, but shall not include the manufacturing or assembly of raw or semi-processed goods

Suite

Means a single room or series of rooms of complementary *Use*, operated under a single tenancy, and includes *Dwelling Units*, individual guest rooms in motels, *Hotels*, boarding houses, rooming houses and dormitories as well as individual stores and individual or complementary rooms for business and personal services occupancies.

Swimming Pool

Means an artificial body of water in which the container is constructed from man made materials, and is located outdoors on privately owned property in which the depth of the water at any point can exceed 0.8 metres or 2.6 feet and is primarily intended for bathing, swimming, and diving, and shall include any *Accessory Deck* or support *Structure*, but does not include a natural, dug, constructed, or damned pond that is *Used* for aesthetic, storm water management, or agricultural purposes.

T

Temporary Building

Means a *Building* or *Structure* incidental to and *Accessory* to lawful construction work, intended for removal or demolition within a prescribed time as set out in a *Building* permit.

Transfer Storage Lagoon

Means an area of land and/or *Building/Structure* *Used* to store seepage from septic tank systems and/or processed *Wastes* from water pollution control plants in lagoons.

Transportation Depot

Means a *Lot*, *Building*, *Structure*, or part thereof, *Used* for the dispatch, temporary storage, and maintenance of vehicles including ships, trucks, transports, taxis or buses.

Travel Trailer

Means a *Recreational Vehicle* designed to be *Used* exclusively for travel, recreation and vacation and which is capable of being drawn by a passenger vehicles, including tent trailers or similar transportable accommodation, but shall not include a mobile or *Motor Home*.

Truck Terminal

Means a *Building* and/or *Lot* *Used* for the parking or storage of trucks which are *Used* for the purposes of delivering or transporting goods and materials and may include facilities for the repair and servicing of those trucks along with associated administrative *Offices* and *Warehouses* for the temporary storage of materials transferred or transported by vehicles using the terminal.

U

Use or Used

Means the purpose for which a *Lot* or a *Building* or *Structure*, or any combination thereof, is designed, arranged, intended, occupied, or maintained and "*uses*" shall have a corresponding meaning. "*Use*" when *Used* as a verb, or "*to Use*", shall have a corresponding meaning.

V

Value-retaining Facility

Means a facility that serves to maintain the quality of raw commodities produced on a farm to ensure they remain saleable (such as refrigeration, controlled-atmosphere storage, cleaning, grading, and drying), including simple bulk packaging that helps maintain the quality of farm commodities and minimal processing operations that make a farm commodity saleable (such as grading eggs, evaporating maple syrup, or extracting honey)

Vehicle Body/Repair Shop

Means a *Lot* or *Building* or part thereof where motorized vehicle(s), including but not limited to, automobiles, *Recreational Vehicles*, *Travel Trailers* and/or boats may be subject to parts or systems replacement, body work or painting, and/or maintenance or mechanical repair. An Automotive Body/*Repair Shop* may include the *Accessory* sale of

automotive products, a gas bar, an automotive washing establishment, and/or an automotive rental establishment, but shall not include any other vehicle or automotive Use otherwise defined in this By-law.

Vehicle-for-Hire Service

Means the Use of a vehicle to provide a service for profit, including goods pick-up/delivery, ridesharing, and ride-hailing but shall not include a *Transportation Depot*.

Vehicle Sales and Rental Establishment

Means a *Building* and/or *Lot Used* for the display and sale of new and *Used Motor Vehicles*, *Recreational Vehicles*, *Travel Trailers* or boats and may include renting or leasing of motorized vehicles and/or the sale of automotive accessories and related products and/or maintenance or mechanical repair.

Vehicle Service Station

Means a *Building* or place which is *Used* for the sale of automotive fuels containing one or more fuel pumps together with the necessary pump islands, canopy, storage tanks and Kiosk. An Automotive Service Station may include a *Convenience Store* and a washing component which includes washing, cleaning, drying or polishing of *Motor Vehicles* by automatic, manual or self-serve washing equipment.

Vehicle, Motor

Means an automobile, truck, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other *Motor Vehicles* running only upon rails, or *Recreational Vehicle*, traction engine, farm tractor, self-propelled implement of husbandry or road *Building* machine within the meaning of The Highway Traffic Act.

Vehicle, Recreational

Means a *Motor Vehicle* intended for recreational Use, and includes but is not limited to a *Motor Home*, *Travel Trailer*, boat or personal utility trailer. For the purpose of this definition one or two (1 or 2) snowmobiles or one or two (1 or 2) ATVs shall be counted as one single *Recreational Vehicle*. A single *Recreational Vehicle* stored upon/within a personal utility trailer may be counted as one *Recreational Vehicle*.

Vehicles, Commercial

Means a *Motor Vehicle* licenced and/or intended for *Commercial Use*, and includes but is not limited to a transport truck and/or trailer, utility trailer, heavy machinery or coach/bus.

W

Warehouse

Shall mean lands, *Buildings* or part of a *Building Used* or intended to be *Used* for the *Bulk Storage* and distribution of goods, merchandise or materials and may include a *Transportation Depot*.

Waste

Means anything designated as *Waste* in Regulation 347 (R.R.O. 1990) under the Environmental Protection Act (R.S.O. 1990, c. E.19) or in another regulation under that Act, and including ashes, garbage, refuse, domestic *Waste*, industrial *Waste*, liquid *Waste* and municipal refuse.

Waste Management Site

Means an area of land where *Waste* is accommodated from one or more municipalities, irrespective of whether the site is *Used* for *Landfilling* or for *non-Landfilling*. *Waste Management Site* shall include any land upon, into, or through which, or a *Building* or *Structure* in which, *Waste* is deposited, disposed of, handled, stored, transferred, treated, or processed; any land, *Building*, or *Structure Used* for the capture and treatment of leachate; any operation carried out or machinery or equipment *Used* in connection with the depositing, disposal, handling, storage, transfer, treatment, processing, or capture referred to above; and the fill area and associated buffer area of any property that has been, or that is suspected to have been, *Used* for *Landfilling*, garbage, refuse and/or domestic *Waste*, exclusive of liquid industrial *Waste* or toxic *Waste*, is completely recycled with no *Waste* by-products. This includes a composting facility.

Watercourse

Means a defined channel, having a bed and banks or sides, in which a flow of water regularly or continuously occurs.

Wayside Pit/ Quarry

Means a temporary pit or *Quarry* opened and *Used* by a public authority for road construction purposes and which is not located within the *Right-of-Way* of a public *Street* and is approved under the *Aggregate Resources Act*.

Wetland

Means land that:

- a) is seasonally or permanently covered by shallow water or has a water table close to or at its surface,
- b) directly contributes to the hydrological function of a watershed through connection with a surface *Watercourse*,
- c) has hydric soils, the formation of which have been caused by the presence of abundant water, and
- d) has vegetation dominated by hydrophytic plants or water tolerant plants, the dominance of which have been favoured by the presence of abundant water.

The definition of *Wetland* does not include periodically soaked or wet land *Used* for agricultural purposes which no longer exhibits a *Wetland* characteristic referred to in clause c) or d) of that definition

Wholesale Establishment

Means a *Building* or part thereof *Used* for the storage and sale of quantities of goods, wares, merchandise and materials for resale or commercial / industrial *Use*.

X

Y

Yard

Shall mean a space, appurtenant to a *Building* located on the same *Lot* as the *Building*, and which space is open, uncovered and unoccupied from ground to sky except for such *Accessory Buildings, Structures* or *Uses* as are specifically permitted elsewhere in this By-law.

Yard, Front

Shall mean a *Yard* extending across the full width of the *Lot* between the *Front Lot Line* of the *Lot* and the nearest part of any *Building* on the *Lot*, but does not include any *Exterior Side Yard*.

Yard, Rear

Shall mean a *Yard* extending across the full width of the *Lot* between the *Rear Lot Line* of the *Lot* and the nearest part of any *Building* on the *Lot*, but does not include any *Exterior Side Yard*.

Yard, Required

Means any *Yard* defined in this By-law which must be provided so as to comply with a specified *Building Setback* requirement or a specified *Yard depth* / width requirement of this By-law.

Yard, Side

Shall mean a *Yard* extending from the *Front Yard* to the *Rear Yard* between the *Side Lot Line* and the nearest part of any *Building* on the *Lot*.

Yard Depth, Front

Means the minimum horizontal distance between the *Front Lot Line* and the nearest part of any *Main Building* or *Structure* on the *Lot*.

Yard Depth, Rear

Means the minimum horizontal distance between the *Rear Lot Line*, or where there is no *Rear Lot Line*, the apex of the triangle formed by the *Side Lot Lines*, and the nearest part of any *Main Building* or *Structure* on the *Lot*.

Yard Width, Side

Means the minimum horizontal distance between the *Side Lot Line* and the nearest part of any *Main Building* or *Structure* on the *Lot*.

Yard, Exterior Side

Means a *Side Yard* immediately adjoining a *Street*, unopened road allowance or *Lane*.

Yard, Interior Side

Means a *Side Yard* other than an *Exterior Side Yard*.

Z

Zone

Means a of land *Use* shown on the Zoning Maps of this By-law to which specific permitted *Uses*, regulations, and provisions apply. A *Zone* may also be referred to as a land *Use Zone* or *Zone* designation.

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SECTION 5

GENERAL PROVISIONS

5.1 Uses Permitted in all Zones

- a) Public works and *Public Uses* required for *Flood Control* or *Erosion Control*
- b) *Conservation Use*
- c) Stormwater management facilities, excluding the EP3 Zone where these facilities shall not be permitted

5.2 Uses Prohibited in All Zones

Unless expressly permitted in a given *Zone*, no *Person* shall *Use* any land, *Building* or *Structure* in any *Zone* for the following *Uses*:

- a) Stockpiling of soil, *Aggregate* or other material.
- b) Any *Use* that is not specifically defined and listed in the permitted *Uses* of a *Zone* or permitted by the General Provisions of this By-law shall not be permitted in that *Zone*.
- c) *Hotels*, inns, motels, and *Recreational Vehicles Used* as a permanent residence.
- d) The *Use* of any *Recreational Vehicle* for human habitation, except where such vehicle is located in a permitted camping establishment, trailer park, or *Mobile home park* where habitation is temporary or seasonal in nature.
- e) The *Use* of any *Structure*, vehicle, *shipping Moving Container*, or *Street* or rail car for storage or human habitation.
- f) The *Use* of any *Shipping Container* for storage or human habitation unless specifically permitted by this By-law.
- g) The *Use* of any *Accessory Building* for human habitation, except where specifically permitted.
- h) The *Use* of any *Shipping Container*, *Street* or rail car.

- i) The *Use* of any portable *Structure* or vehicle for vending of merchandise or food except in accordance with Vending By-law 21-62 or its successors.
- j) The *Outdoor Storage* of vehicles or parts of vehicles other than in a permitted wrecking or scrap *Yard*.
- k) Outdoor furnaces in a Residential *Zone* or within 30 metres of the *Lot Line* of a *Lot* containing a Residential *Zone* or *Residential Use*.
- l) *Noxious Uses*.
- m) Tracks, parks, or other areas developed for the racing, jumping or running of vehicles unless specifically permitted by this By-law. This is not intended to interfere with any lawful *Use* of a public road or highway, or enjoyment of private property by the owners or tenants of such property or the *Use* of an organized trail approved by the Township.
- n) The manufacturing, refining, rendering, *Bulk Storage* or distillation of fertilizers, oil, glue from organic sources, acids, ammonia, chlorine, coal, creosote, explosives, petroleum, tar, fireworks, ammunition, glue, petroleum, tar, or other hazardous materials unless specifically permitted as a *Use* in this By-law or stored for sale in direct association with a permitted *Use* in the *Zone* and on the property on which the permitted *Use* occurs.
- o) The *Bulk Storage* of industrial chemicals and the storage of radioactive, hazardous *Waste*, hazardous biological *Waste*, or liquid industrial *Waste* unless specifically permitted by this By-law or stored for sale in direct association with a permitted *Use* in the *Zone* and on the property on which the permitted *Use* occurs.
- p) The manufacturing or *Bulk Storage* of combustible, explosive, inflammable, or dangerous liquids, gases, or materials unless specifically permitted as a *Use* in this By-law or stored for sale in direct association with a permitted *Use* in the *Zone* and on the property on which the permitted *Use* occurs.
- q) Rendering of fats or animal products, a tannery, or an abattoir unless specifically permitted.

5.3 Non-conforming Uses

5.3.1 Continuation of Existing Uses

Nothing in this By-law shall apply to prevent the *Use* of any *Existing Lot, Building, or Structure* for any purpose prohibited by this By-law if such *Lot, Building, or Structure* was lawfully *Used* for such purpose on the date of passing of this By-law, so long as it continues to be *Used* for that purpose.

5.3.2 Existing Detached Dwellings

A detached *Dwelling* which legally *Existed* on the date of passing of this By-law, and is located in any 'C' – Commercial Zone, 'EP2' – Environmental Protection - Hazard Zone or 'EP3' *Environmental Protection - Wetland Zone* may be *Altered* or enlarged in accordance with the provisions of the 'R1' – Low Density Residential Zone provisions. Written approval from the Nottawasaga Valley Conservation Authority or Grey Sauble Conservation Authority is required for *Dwellings* in the EP2 Zone, EP3 Zone and NVCA or GSCA regulated areas.

5.3.3 Building Permit Issued

Nothing in this By-law shall apply to prevent the *Erection* or *Use* of any *Building* or *Structure* for a purpose prohibited by this By-law for which a permit was issued under the *Building Code Act* prior to the date of the passing of this By-law, provided that:

- a) when *Erected*, the *Building* or *Structure* is *Used* for the purpose for which it was *Erected*, and continues to be *Used* for the purpose for which it was *Erected*; and
- b) the permit has not been revoked under the *Building Code Act*; and
- c) the *Erection* of such *Building* or *Structure* is commenced within two years after the date of the passing of this By-law and such *Building* or *Structure* is completed within a reasonable time after the *Erection* thereof is commenced.

5.4 Changes to Non-conforming Uses

This By-law may be amended,

- a) Where any land, *Building* or *Structure*, on the day this By-law was passed, was lawfully *Used* for a purpose prohibited by this By-law, the Committee of Adjustment for the Township of Clearview, upon application to the Committee, may permit

- i. the enlargement or extension of the *Building* or *Structure*, provided that the *Use* that was made of the *Building* or *Structure* on the day this By-law was passed, or a *Use* permitted under Subclause (ii) of Section 5.4 (a) of this By-law continued until the date of the application to the Committee, but no permission may be given to enlarge or extend the *Building* or *Structure* beyond the limits of the land owned and *Used* in connection therewith on the day this By-law was passed; or
- ii. the *Use* of such land, *Building* or *Structure* for a purpose that, in the opinion of the Committee, is similar to the purpose for which it was *Used* on the day this By-law was passed or is more compatible with the *Uses* permitted by this By-law than the purpose for which it was *Used* on the day this By-law was passed, provided that the *Use* for a purpose prohibited by this By-law or another *Use* or a purpose previously permitted by the Committee of Adjustment continued until the date of the application to the Committee.

5.5 Restoration and Repair of Non-conforming Uses

Nothing in this By-law shall prevent the restoration and repair of a *Building* or *Structure* containing a nonconforming *Use(s)* where such *Building* or *Structure* is partially or totally destroyed by fire, explosion, collapse, act of God or other accidental cause, or where the *Building* or *Structure* is intentionally demolished and reconstructed, provided that:

- a) the *Building* or *Structure* is occupied by the same *Use* or a permitted *Use*;
- b) such restoration or repair is located on or within the limits of the foundation walls of the *Building* as they *Existed* prior to such destruction or in a location in closer conformity to the intent of the Bylaw; and
- c) the height and floor area of such replacement does not exceed the height and floor area of the *Building* as it *Existed* prior to such destruction.
- d) Nothing in this By-law shall apply to prevent the strengthening or restoration to a safe condition of a lawful *Non-Conforming Use, Building* or *Structure* or part thereof so long as the strengthening or restoration does not increase the height, size, *Gross Floor Area* or change the *Use*.

5.6 Non-Complying Buildings and Structures, and Uses & Lots with Lesser Area or Frontage

5.6.1 Non-Complying Buildings and Structures

In any *Zone*, any *Building* or *Structure Use* legally *Existing* on the effective date of this By-law which contains a permitted *Use* in the applicable *Zone* shall be deemed to be in conformity with the provisions of this By-law, notwithstanding that *Building Setbacks, Required Yards, Lot Coverage, Building Height, Lot Area* and/or *Lot Frontage*, floor area, density, any other applicable site and *Building* regulations and / or *Parking Space* requirement regulations under this By-law may not be met.

Notwithstanding any other provisions of this By-law, where the foregoing applies, a change of *Use* to any other *Use* permitted within the applicable *Zone* shall be permitted unless any of the site, *Building* or parking requirements for the new *Use* exceed the corresponding requirements for the former *Use*, to which the new *Use* shall comply prior to being permitted, unless otherwise permitted by this By-law.

Any addition to, expansion or re-*Development* of any *Non-Complying Use* shall conform to all applicable *Yard, Setback, Lot Coverage, Building Height*, floor area, density and *Parking Space* requirement regulations, unless otherwise permitted by this By-law.

5.6.2 Restoration and Repair of Non-complying Building or Structure

Nothing in this By-law shall prevent the restoration and repair of a *Non-Complying Building or Structure* where such *Building or Structure* is partially or totally destroyed by fire, explosion, collapse, act of God or other accidental cause, or where the *Building or Structure* is intentionally demolished and reconstructed, provided that:

- a) such restoration or repair is located on or within the limits of the foundation walls of the *Building* as they *Existed* prior to such destruction or in a location in closer conformity to the intent of the Bylaw; and
- b) the height and floor area of such replacement does not exceed the height and floor area of the *Building* as it *Existed* prior to such destruction.
- c) Nothing in this By-law shall apply to prevent the strengthening or restoration to a safe condition of a lawful *Non-Complying Building or Structure* or part thereof so long as the strengthening or restoration does not increase the height, size, *Gross Floor Area* or change the *Use*.

5.6.3 Non-Compliance as a Result of Expropriation

Notwithstanding any other provision of this By-law, where, as a result of an acquisition of land by a public authority, such acquisition results in a contravention of this By-law relating to minimum *Yards* and/or *Setbacks*, *Lot Coverage*, *Lot Area*, or *Lot Frontage*, then the lands shall be deemed to comply with this By-law regardless of any deficiencies created.

5.6.4 Existing Lots with lesser Area or Frontage

In any *Zone* where any *Existing Lot of Record* has lesser *Lot Area* and/or lesser *Lot Frontage* than is otherwise required by this By-law, such a *Lot* shall be deemed to conform to the requirements of this By-law with respect to the *Lot Area* and/or *Lot Frontage*, and the provisions of this By-law respecting *Lot Area* and *Lot Frontage* shall not apply to prevent a permitted *Use*, *Building* or *Structure* provided that:

- a) The *Lot* can be serviced to the satisfaction of the Township.
- b) The *Lot* provides a minimum *Lot Frontage* on a *Street*, which is year-round maintained, of:
 - i. 5 metres where the *Lot* is serviced by municipal water supply and sanitary sewage system within a *Settlement Area*
 - ii. 10 metres where *Municipal Services* do not exist
 - iii. 7.5 m for all Cluster Townhouse, *Apartment Dwelling*, *Congregate Housing* and *Day Care Facilities* in Residential *Zones* where the *Lot* is serviced by municipal water supply and sanitary sewage system;
 - iv. 7.5 m in the Commercial, Employment and Institutional *Zones* where the *Lot* is serviced by municipal water supply and sanitary sewage system;
 - v. 3.0 m in the EP1, EP2, EP3 or OS *Zones*.
- c) The *Lot* meets the definition of a *Lot of Record*.
- d) All other site and *Building* regulations and other provisions of this By-law are met.

5.7 Outdoor Display and Storage

In any Commercial or Employment *Zone*, the open and outdoor display of goods, *Accessory* to the *Main Use*, for sale or hire shall be permitted in accordance with the following provisions:

- a) Shall not cover more than 40% of the *Lot Area*.
- b) Shall not be located within a required *Front Yard*.
- c) Shall not obstruct or occupy any required *Parking Area*.
- d) Area to be constructed of a stable surface and treated to prevent erosion and the raising of dust and loose particles.
- e) Area to be graded and drained so as to prevent the pooling of surface water or the flow of surface water onto adjacent *Lots*.

In the Rural, Agricultural, Commercial and Employment *Zones*, the *Outdoor Storage* of goods, materials, and equipment, *Accessory* to the *Main Use*, shall be permitted in accordance with the following provisions:

- a) Located to the rear of the front wall of the *Main Building*, but not in a required *Side Yard* nor a required *Rear Yard*.
- b) Not cover more than 40% of the *Lot Area*.
- c) Shall be visually screened from the *Street* and any abutting land *Zoned* or *Used* for residential or institutional purposes by a buffer strip in accordance with Section 5.23

5.8 Permitted Yard Encroachments

Required Yards shall not be obstructed in any manner, except in accordance with Table 5.8.1. For purposes of Section 5.8 of this By-law, a *Required Yard* shall be deemed to include any *Yard Existing* on the effective date of this Bylaw which is less than the *Required Yard*.

Table 5.8.1 – Permitted Yard Projections

<i>Structure</i>	<i>Required Yard</i>	<i>Maximum Projection into the Required Yard</i>	<i>Minimum Setback from Lot Line</i>
Underground cold room/utility room	<i>Front Yard</i> and <i>Exterior Side Yard</i>	3m	No <i>Setback</i> requirement
Fire Escapes	<i>Front Yard</i> and <i>Exterior Side Yard</i>	Not permitted	Not permitted

Structure	Required Yard	Maximum Projection into the Required Yard	Minimum Setback from Lot Line
	<i>Interior Side Yard</i>	1.2m	0.8m
	<i>Rear Yard</i>	1.5m	No Setback requirement
Central residential air conditions, heat pumps, and other similar mechanical equipment	<i>Front Yard and Exterior Side Yard</i>	1.2m	No Setback requirement
	<i>Side Yard</i>	1.2m	
	<i>Rear Yard</i>	No maximum	
Architectural features (windowsills, bay windows, chimneys, cornices, eaves)	<i>All Yards</i>	1.0m	No Setback requirement
Canopies and awnings	<i>All Yards</i>	1.8m	0.5m
Railway lines	<i>All Yards of a Lot within the M1, M2, or MU Zone</i>	Not permitted	Not Permitted
Barrier free access ramp	<i>All Yards</i>	No maximum	No Setback requirement
<i>Porch or Deck greater than 0.75 m above Finished Grade</i>	<i>Front Yard</i>	3.0m	1.5m
	<i>Rear Yard</i>	3.0m	1.5m
	<i>Interior Side Yard</i>	1.0m	0.9m
	<i>Exterior Side Yard</i>	1.0m	1.5m
	<i>Front Yard</i>	3.0m	1.5m

Structure	Required Yard	Maximum Projection into the Required Yard	Minimum Setback from Lot Line
<i>Porch or Deck less than 0.75 m above Finished Grade</i>	<i>Rear Yard</i>	No maximum	0.9m
	<i>Interior Side Yard</i>	No maximum	0.9m
	<i>Exterior Side Yard</i>	1.0m	1.5m
<i>Stairs and Landings (maximum size of 1.2 m in width and depth)</i>	<i>Front Yard</i>	3.0m	1.5m
	<i>Rear Yard</i>	No maximum	0.9m
	<i>Interior Side Yard</i>	No Maximum	0.9m
	<i>Exterior Side Yard</i>	1.0m	1.5m

In addition to the provisions required by Table 5.8.1, the following regulations shall apply to permitted *Yard* encroachments:

- a) A *Porch or Deck Accessory* to a *Semi-detached Dwelling* or *Townhouse Dwelling* may be *Setback* 0.0 m from a *Side Yard Lot Line* where there is a common party wall provided that a common privacy *Fence* at least 1.5 m in height is provided along the common party wall from the *Dwelling* wall to the edge of the *Deck* or *Porch*.
- b) A canopy or awning located in the C1 *Zone* may be located within 0 m of a *Lot Line* but shall not cross over any *Lot Line*.

5.9 Accessory Buildings and Structures

Buildings and Structures Accessory to a permitted residential or non-Residential Use are permitted, subject to the following regulations:

- a) *Accessory Buildings or Structures* shall be located on the same *Lot* as the *Main Building* to which they are *Accessory*.
- b) Any *Building or Structure* that is *Attached* to the *Main Building* shall not be considered *Accessory* for the purposes of this By-law.

- c) *Accessory Buildings and Structures* shall be subject to the requirements of Table 5.9.
- d) Notwithstanding the requirements of Table 5.9, in an *Industrial Zone*, a gatehouse shall be permitted in a *Front Yard* provided the minimum *Front Yard Setback* as required by the applicable *Zone* is met.
- e) Notwithstanding the requirements of Table 5.9, in a *Rural or Agricultural Zone*, an *Accessory Building or Structure* shall be permitted in a *Front Yard* or *Exterior Side Yard* provided the minimum *Front Yard Setback* and *Exterior Side Yard Setback* as required by the applicable *Zone* is met.
- f) *Swimming Pools* and *Accessory Buildings and Structures* thereto shall be subject to the requirements of Table 5.9 except that *Lot Coverage* regulations shall not apply to all outdoor *Swimming Pools*.
- g) A *Porch or Deck* that is 0.75 m or less above grade shall not be subject to *Lot Coverage* regulations.

Table 5.9 – Requirements for Accessory Buildings and Structures

	<i>Residential Uses within Settlement Areas</i>	<i>Non-Residential Uses, and Residential Uses outside Settlement Areas</i>
Maximum <i>Lot Coverage</i> of <i>Accessory Building(s)</i> or <i>Structures</i>	12%	12%
Maximum Overall <i>Lot Coverage</i>	As required by applicable <i>Zone</i> .	As required by applicable <i>Zone</i> .
Minimum <i>Front Yard Setback</i>	No <i>Accessory Building or Structure</i> shall be located in a <i>Front Yard</i> except in accordance with Sec. 5.9 d) and 5.9 e).	
Minimum <i>Rear Yard Setback</i>	1.2m	As required by the applicable <i>Zone</i> .
Minimum <i>Interior Side Yard Setback</i>	1.2m	As required by the applicable <i>Zone</i> .

Minimum <i>Exterior Side Yard Setback</i>	As required by the applicable <i>Zone</i> .	As required by the applicable <i>Zone</i> .
Maximum Height	5.0m	As required by the applicable <i>Zone</i> .

5.10 Outdoor Patios

No *Person* shall establish an *Outdoor Patio* as defined in Section 4 of this Bylaw *Accessory* to a dining establishment except in accordance with the following requirements:

- a) Where the *Zone* boundary between any residential *Zone* and lands intended to contain an *Outdoor Patio* is within a public *Street*, an *Outdoor Patio* shall be permitted to the rear of the *Main Building* a minimum of 10.0 metres from the said residential *Zone* boundary subject to the following provisions:
 - i. no live music shall be permitted on the *Outdoor Patio* between the hours of 11:00 pm and 9:00 am
 - ii. where there is a *Apartment Dwelling* or *Congregate Housing* within a *Commercial Zone* the minimum *Setback* from an *Outdoor Patio* shall be 10.0 metres minimum from the *Lot Line* containing the said *Use*;
 - iii. no *Outdoor Patio* shall be located above the *First Storey* of the *Main Building*;
 - iv. no *Outdoor Patio* shall exceed 25% maximum of the *Gross Floor Area* of the associated *Main Use*;
 - v. an *Outdoor Patio* permitted under this By-law, other than one subject of an agreement under Section 5.10(b)(ii), shall be bounded by a *Fence* a minimum of 1.2 metres in height;
 - vi. no *Outdoor Patio* is permitted *Accessory* to an *Adult Entertainment Business*.
- b) Where the *Zone* boundary between any residential *Zone* and lands intended to contain an *Outdoor Patio* is to the rear of the *Main Building*, an *Outdoor Patio* shall be permitted in front of the *Main Building* a minimum of 10.0 metres from the said residential *Zone* boundary subject to the following provisions:

- i. The provisions of Section 5.10 shall apply to the location of an *Outdoor Patio*;
- ii. An agreement has been executed with the Township permitting the *Use* of any part of the municipal road allowance for an *Outdoor Patio*.

5.11 Street Widening, Frontage, Sight Triangle and Special Yard Requirements

5.11.1 Street Widening

Where any *Lot* is legally *Used*, or where any *Lot* and /or *Building* or *Structure* is proposed to be *Used* for any *Use* permitted in the applicable *Zone* and would meet this By-law's requirements for such *Use*, and where the Township obtains or has obtained a road widening which places the *Lot* or *Building* or *Structure* in conflict with the requirements of this By-law, such *Lot* and / or *Building* or *Structure* shall be deemed to meet the provisions of, and be in conformity with this By-law, notwithstanding that certain By-law regulations may not be met.

5.11.2 Street Frontage

- a) No *Person* shall *Erect* any *Building* or *Structure* or establish a *Use* on any *Lot* in any *Zone* for which a minimum *Lot Frontage* is required unless the *Lot* abuts a *Street*, which is year-round *Maintained*; this provision shall not apply to individual units in *Condominium Developments*.
- b) Where this By-law does not require a minimum *Lot Frontage* within the applicable *Zone*, no *Person* shall *Use* any *Lot*, which does not have a minimum of 3.0 m frontage on an improved *Street*.

5.11.3 Sight Triangle

On a *Corner Lot* in any *Zone*, no *Person* shall *Erect* or permit any *Building* or *Structure*, *Parking Area* or parked vehicles, *Fence* or hedge in excess of 0.6 m in height, *Sign* or other obstruction which may have the effect of impeding visibility of a motorist, closer to the *Front Lot Line* and *Exterior Side Lot Lines* so that any portion of the said obstruction extends beyond a line connecting two points equidistant along each *Lot Line* from the point of intersection of the said *Lot Lines*, such triangular area to be called a *Sight Triangle*. For local *Streets* the *Sight Triangle* shall be measured as 5 metres equidistant along each *Lot Line* and for all other *Streets* the *Sight Triangle* shall be measured as 7.5 metres equidistant along each *Lot Line*.

Where the point of intersection of the said *Streets* constitutes an arc, the point of intersection shall be determined in accordance with the definition of *Corner Lot*. The provisions of this section shall also apply to land which abuts one or more unopened public *Streets*.

5.11.4 Driveway Triangle

On an *Interior Lot* in any *Zone*, no *Person* shall *Erect* or permit any *Building* or *Structure*, *Fence* or hedge in excess of 0.6 m in height, *Sign* or other obstruction which may have the effect of impeding visibility of a motorist, closer to the *Street Line* and *Driveway* so that any portion of the said obstruction extends beyond a line connecting two points equidistant 3.0 metres along the *Street Line* and *Driveway*, edge from the point of intersection of the said *Street Line* and *Driveway*, such triangular area to be called a *Driveway Triangle*.

5.11.4 Special Yard Requirements

Where any *Interior Lot* is proposed to be *Used* for a *Single Detached Dwelling* or *Semi-detached dwelling* and such *Lot* is located between two *Lots* which have thereon *Dwellings* which are located less than the minimum *Front Yard* depth as is required by this By-law for the applicable *Zone*, such proposed *Dwelling Unit* may be located with a *Front Yard* depth the same as or greater than the *Dwelling* on one of the abutting *Lots* having the greater *Front Yard* depth, but in no case shall a *Dwelling* be located closer than 3.0 m to a *Front Lot Line*, and in no case shall this section be applied to require a *Front Yard* depth greater than that otherwise required by this By-law.

5.12 Municipal Services Required

No *Person* shall *Erect* for human *Use* or habitation a *Main Building* in any *Zone* unless such *Lot of Record* is served by a municipal water supply and sanitary sewage system or is specifically permitted by the Township. Private water supply and sanitary sewage systems, where permitted by the Township shall be in accordance with the requirements of the Environmental Protection Act and any other Acts having jurisdiction.

Any legally *Existing Uses* that are not on full *Municipal Services* may be permitted to continue; however, new *Development* on the site shall require a connection to *Municipal Services* where *Municipal Services* exist within 50 metres of a *Lot*.

Where *Municipal Services* do not exist within 50 metres of a *Lot*, *Development* is permitted in the following *Zones* on full *Private Services* or *Partial Services* where the Township is fully satisfied with the proposed servicing and site conditions:

- a) AG
- b) RU
- c) AC
- d) RC
- e) R1
- f) R5
- g) C3
- h) IN
- i) RI
- j) EMP2
- k) EMP3
- l) AR
- m) MAR
- n) EX

5.12.1 Discharge Control Regulations for Clearview and Connections to Wasaga Beach Sewers

- a) All *Buildings, Structure, or Uses* connected to municipal sewage collection systems shall be required to comply with the *Municipality's* sewer *Use* by-law, By-law 00-13, A By-law to Control Discharges to the Municipal Sewage Works, as may be amended from time to time.
- b) All *Buildings, Structures, or Uses* connected to *Partnered Sewage Collection System* shall also be required to comply with the Town of Wasaga Beach sewer *Use* by-law, By-law 2010-62, as may be amended from time to time.
- c) In areas which are serviced by the portion of the sewage collection system through which effluent is directed to the Wasaga Beach Sewage Treatment Plant, the following *Uses* shall be prohibited on any land or in any *Building* or *Structure* notwithstanding the permitted *Uses* of the *Zone* applying to such lands:

- i. The manufacturing, processing, fabricating of, assembly of raw materials or goods, warehousing or *Bulk Storage* of goods and related *Accessory Uses*, where such a *Use* would result in any discharge or non-residential quality *Waste* to the sewage collection system;
- ii. The breaking up, dismantling and separating into parts of any article, machinery or vehicle where such *Use* would result in any discharge of non-residential quality *Waste* to the sewage collection system;
- iii. The storage or treatment of *Waste* materials as a non-incidental activity;
- iv. The extraction or processing of sand, gravel, clay, turf, soil, rock, stone or similar substances;
- v. The repair of any vehicle, equipment or machinery unless such *Use* is equipped with facilities to pre-treat any discharge so that such discharge meets the requirement of By-law 00-13 A By-law to Control Discharges to the Municipal Sewage Works, as may be amended from time to time;
- vi. Any *Use* which results in a discharge of fuel, hazardous industrial *Waste*, hazardous *Waste* chemicals, ignitable substances, pathological *Wastes*, pesticides, *Waste* disposal leachate, *Waste* radioactive prescribed substances, or reactive substances, each as defined in By-law 00-13 A By-law to Control Discharges to the Municipal Sewage Works, as may be amended from time to time; and
- vii. Any other industrial or *Commercial Use* where such *Use* would result in any discharge of non-residential quality *Waste* to the sewage collection system.

5.13 One or more permitted uses

Unless otherwise provided in this By-law, where more than one *Use* is permitted on a *Lot* in a *Zone*, the *Lot* may be *Used* and *Buildings* and *Structures* Erected and *Used* thereon for one or more of the *Uses* permitted in the said *Zone*, provided the requirements of this By-law are satisfied for each such *Use*.

With the exception of *Apartment Dwellings* and *Townhouse Dwellings* as defined in this By-law, and where otherwise specified in this By-law, not more than one residential *Building* shall be Erected on any *Lot*.

5.14 Through Lots

Whether a *Through Lot* is a *Corner Lot* or an *Interior Lot*, notwithstanding that one *Street Line* (except the *Exterior Side Lot Line* on a *Corner Lot*) is considered a *Rear Lot Line*, the minimum *Front Yard* depth or minimum *Building Setback* from a *Front Lot Line* applicable to the *Zone* in which the *Lot* is situated for the permitted *Use* shall apply on each *Street* or road allowance.

5.15 Lots Affected by EP1, EP2 and EP3 Zone

Where any *Lot* is *Zoned* in part in a Environmental Protection - Natural Heritage 'EP1' *Zone*, Environmental Protection - Hazard 'EP2' *Zone* or *Environmental Protection - Wetland* 'EP3' *Zone*, no *Person* shall *Erect* any *Building* or *Structure* within the area which is *Zoned* EP1 *Zone*, EP2 *Zone* or EP3 *Zone*, except as otherwise permitted in the EP1 *Zone*, EP2 *Zone* or EP3 *Zone*, but the lands *Zoned* EP1, EP2 or EP3 may be *Used* in the calculation of *Lot Area*, *Lot Frontage*, *Required Yards*, *Setbacks*, density, and *Lot Coverage* as is necessary for the *Development* occurring on the portion of the *Lot* not *Zoned* EP1, EP2 or EP3.

Where *Development* is permitted in the EP1 *Zone*, EP2 *Zone* or EP3 *Zone*, the following additional provisions shall apply:

- a) *Building Setbacks* are to be established on the basis of a detailed natural hazard assessment OR detailed flooding, erosion and slope stability reports, prepared to the satisfaction of the applicable Conservation Authority and the Township.
- b) Where *Development* activity is proposed on hazardous land regulated by a Conservation Authority, a permit from the Conservation Authority having jurisdiction shall be obtained pursuant to the provisions of the Conservation Authorities Act, R.S.O. 1990, as amended from time to time.

5.16 Use Specific Regulations

5.16.1 Kennel

Where permitted by this By-law, a *Kennel* shall be subject to the provisions of the applicable *Zone* in addition to the following additional provisions:

- a) An outdoor run, pen or similar holding area for dogs, cats or other domestic animals must be fully enclosed by fencing;

- b) Shall be located a minimum of 200 metres from any *Lot Line*; and
- c) Shall be located a minimum of 500 metres from an *Existing Kennel*.

5.16.2 Home Businesses

One or more *Home Businesses* are permitted anywhere a *Residential Use* is permitted in this By-law, subject to the following provisions:

General Regulations:

- a) No *Home Business* shall result in a change to the residential character of the *Building* in which it is located.
- b) Only one (1) non-resident employee, partner, or associate of a *Home Business* is permitted per *Dwelling Unit*, regardless of the number of *Home Businesses* in the *Dwelling Unit*.
- c) The *Home Business* shall not create or become a nuisance in regard to odours, vibrations, traffic generated or parking or by producing at the property line or noise that disturbs the inhabitants in contravention of the Township's Noise Control By-law.
- d) The *Home Business* shall not create or become a fire, health or *Building* hazard.
- e) There shall be no outdoor display, sales or *Outdoor Storage* area in conjunction with a *Home Business*.
- f) There shall be no external display or advertising of the *Home Business* except in accordance with the Township *Sign* By-law.

Site, Building & Operational Regulations:

- g) There shall be no more than one (1) vehicle permitted on the *Premises*, which is either commercially licensed or otherwise *Used* in conjunction with the *Home Business*. Sec. 5.18.7 of this By-law respecting *Commercial Motor Vehicle*, Tractor Trailers and Buses in Residential Zones shall continue to apply.
- h) The *Home Business* shall not, other than on lands Zoned Agricultural or Rural, involve the shipping or receiving of goods or materials by *Commercial Vehicles* other than automobiles or delivery vans *Used* by courier services.

- i) The *Gross Floor Area* (GFA) occupied by one or more *Home Businesses* including any *Accessory Buildings and Structures*, shall not occupy exclusively more than 25% of the *Dwelling Unit* to a maximum of 40 m², whichever is the greater.
- j) There shall be no more than 4 cubic metres of storage of materials of a non-toxic or non-hazardous nature and such storage shall be wholly within the portion of the *Building* containing the *Home Business*, and contributes to the maximum GFA of the *Home Business*.
- k) Regardless of the number of *Home Businesses*, a maximum of three (3) clients/patrons/students may be present on the property at any given time.
- l) An additional *Parking Space* is provided for the *Home Business* in addition to those required by the By-law for other permitted *Uses* on the property. Notwithstanding, if there is no parking requirement for the *Main Use* as determined Section 5.18.3 of this By-law then no additional parking is required.
- m) In the *Agricultural Zone*, a *Home Business* must be entirely within an *Existing Dwelling*. A *Home Business* which does not take place entirely within an *Existing Dwelling* in the *Agricultural Zone* is classified as an *On-farm Diversified Use*.

5.16.3 Regulations for Bed & Breakfast Establishments

The following regulations apply to *Bed and Breakfast* Establishments, which are permitted as a *Home Business*, and shall apply in addition to the general provisions outlined in Sec. 5.17.1.

- a) In addition to the *Home Business* regulations in Section 5.17.1, every *Bed & Breakfast* Establishment shall be developed in accordance with the regulations for the *Zone* in which the *Bed and Breakfast* Establishment is located.
- b) Despite Section 5.17.1 (i), a *Bed & Breakfast* Establishment is not limited to a *Gross Floor Area* of 25% of the *Dwelling Unit*, to a maximum of 40 m².
- c) Despite Section 5.17.1 (k) a *Bed & Breakfast* Establishment is not limited to 3 clients at one time.
- d) Despite Section 5.17.1 (g), parking for the *Bed and Breakfast* Establishment shall be provided in accordance with Section 5.18 of this By-law.
- e) A *Bed & Breakfast* shall not be permitted unless water and wastewater services are provided in an acceptable manner in accordance with the standards established by the *Township*.

5.16.4 Short Term Rental Accommodation (STRA)

Where this by-law identifies a *Dwelling* as a permitted *Use*, a *Short Term Rental Accommodation* (STRA) is permitted, provided:

1. there is a by-law in force and effect in the Township that establishes a system of licences with respect to the *Use* of a *Dwelling* as an STRA, such as that authorized under Part IV of the Municipal Act, 2001; and
2. the owner of the *Dwelling* has obtained a licence issued under the by-law referred to in Clause 4.2.1.12(b) above.

5.16.5 Temporary Flight School Accommodation Regulations:

- a) Where temporary accommodations are provided in the AR *Zone*, they must be associated with a commercial flight *School*;
- b) Shall be provided for any period of time that is less than 28 consecutive calendar days;
- c) Shall be provided with water and wastewater services to the satisfaction of the Township;
- d) May be provided in the form of dormitories or of small *Suites*; and
- e) May include:
 - i. facilities for meal preparation in each *Suite*; or,
 - ii. communal facilities for meal preparation and dining.

5.16.6 Airport Interface Safety Plans

- a) Where pedestrian or vehicular connections are proposed between *Development* in the AP *Zone* and adjacent sites, including the adjacent *Airport Use*, an *Airport Interface Safety Plan* shall be completed, to the satisfaction of the *Township*. Pedestrian or vehicular connections between *Development* in the AP *Zone* and adjacent sites shall only be permitted if all landowners impacted by the proposal have confirmed their willingness to establish such connections.

5.16.7 Live-Work Units

- a) *Live-work Units* must be located on a *Street* which is *Maintained* year round
- b) *Live-work Units* must have access to full *Municipal Services*

- c) The residential and commercial component of the *Live-work Unit* must be integrated in the same *Building*
- d) The commercial component of the *Live-work Unit* must be operated by at least one of the primary residents of the *Building*
- e) The following *Commercial Uses* are permitted in a *Live-work Unit*:
 - i. *Medical Clinic* (maximum two practitioners including the primary resident)
 - ii. *Office*
 - iii. *Personal Service Use* (maximum two practitioners including the primary resident)
 - iv. *Repair store* (maximum two practitioners including the primary resident)
 - v. *Restaurant*
 - vi. *Retail Store*
 - vii. *Studio*
- f) Only one (1) *Commercial Use* is permitted per *Live-work Unit*.
- g) The *Live-work Unit* shall be located on the *First Storey* of the *Building*.
- h) The *Gross Floor Area* (GFA) occupied by the commercial component of the *Live-work Unit* shall occupy a maximum of 50% of the *Building*.

5.17 Additional Residential Units

Where listed as a permitted *Use* in this by-law, an *Additional Residential Unit* (ARU) is permitted subject to the provisions of the applicable *Zone* in addition to the following regulations:

5.17.1 ARU General Regulations:

- a) Within the Flood Hazard Overlay, *Additional Residential Units* shall not be permitted;
- b) A maximum of two (2) *Additional Residential Units* is permitted per *Lot*, except where municipal water and municipal wastewater services are not available a maximum of one (1) *additional residential Dwelling Unit* is permitted;

- c) All regulations of the *Zone* must be complied with;
- d) A maximum of one (1) *Additional Residential Unit* is permitted to be located in an *Accessory Building* per *Lot*, provided the *Additional Residential Unit* has direct access from the *Street* or dedicated *Parking Space*, the *Accessory Building* is *Setback* a minimum of 4 metres from any other *Building* which contains a *Residential Use*, and the *Accessory Building* must comply with the provisions of section 5.9;
- e) For the purpose of this By-law, a *Garden Suite* shall constitute an *Additional Residential Unit* located in an *Accessory Building*.
- f) Any *Additional Residential Unit* will be provided with municipal water services and municipal wastewater services, except where the subject lands are outside of an *Urban Settlement Area*.
- g) A maximum of one (1) *Additional Residential Unit* is permitted without municipal water services and municipal wastewater services only where:
 - i. The proposed method of providing the *Additional Residential Unit* or *Garden Suite* with water and wastewater services is acceptable to, and approved by, the Township; and
 - ii. The Township is satisfied that sufficient capacity in *Existing* water and wastewater systems is capable of accommodating the *Additional Residential Unit* or *Garden Suite*.
- h) Notwithstanding section 5.17.g), municipal water services and municipal wastewater services are the only method of servicing permitted for lands Zoned R2, R3 or R4.
- i) *Additional Residential Units* in the *Agricultural and Rural Zone* must comply with section 5.32, *Minimum Distance Separation*.

5.17.2 ARU Site & Building Regulations:

- a) Unless otherwise specified, an ARU may be *Attached* or detached.
- b) Required parking for an ARU may be provided as a tandem *Parking Space*, or within a *Garage* or *Carport*;
- c) Unless otherwise specified, a detached ARU shall meet the site and *Building* regulations of a residential *Accessory Building* applicable in the pertinent *Zone*.

- i. For the purpose of this By-law, a *Garden Suite* shall constitute an *Additional Residential Unit* located in an *Accessory Building*.
- d) *Additional Residential Units* in the Agricultural and Rural Zone must be located in the *Existing Single Detached Dwelling*, or in a non-agricultural *Accessory Structure* in the same *farm Building cluster* as the principle *Dwelling* on the property;
- e) *Additional Residential Units* are exempt from the provisions that establish maximum density as a measure of *Dwelling Units* per square metre of total *Development* parcel area.

5.18 General Parking Regulations

5.18.1 Provision of Parking Spaces

No Person shall *Erect* or enlarge any *Building* or *Structure* or establish or change a *Use* unless *Parking Spaces* required by this By-law are provided, unless the requirement to provide such parking is reduced or eliminated through an agreement between the Township and the owner of any *Lot* as provided for in the Planning Act.

5.18.2 Residential Parking Configuration

Parking Spaces required for a *Single Detached Dwelling*, *Semi-detached dwelling*, *Townhouse Dwelling*, or *Additional Residential Unit* may be provided in tandem or within a private *Garage* or *Carport*.

5.18.3 Off-Street Parking Requirements

Except as may otherwise be provided for, the minimum number of *Parking Spaces* for *Motor Vehicles* must be provided as set out in the following table:

Use	Required Parking Ratio
Residential Uses	
<i>Single Detached Dwelling, Semi-detached dwelling, Converted Dwelling, and Street fronting Townhouse Dwelling</i>	Minimum <i>Parking Spaces</i> : 2
	Minimum visitor <i>Parking Spaces</i> : n/a

<i>Apartment Dwelling and cluster Townhouse Dwelling</i>	Minimum <i>Parking Spaces</i> : 1
	Minimum visitor <i>Parking Spaces</i> : 0.25
<i>Bed and breakfast house and Boarding or Lodging House</i>	Minimum <i>Parking Spaces</i> : 1 space plus 1 space per Suite
	Minimum visitor <i>Parking Spaces</i> : n/a
<i>Additional Residential Unit and Accessory Apartment Unit</i>	Minimum <i>Parking Spaces</i> : 1 per ARU
	Minimum visitor <i>Parking Spaces</i> : n/a
Commercial Uses	
<i>Commercial school,</i>	1 space per 25 m ² of <i>Gross Floor Area</i> or 4 spaces, whichever total is greater
<i>Drive-thru Restaurant</i>	1 space per 9 m ² of <i>Gross Floor Area</i> , plus 1 space for each 7.5 m ² of patio or <i>Deck</i> area <i>Used</i> for dining or drinking
<i>Financial institution</i>	1 space per 25 m ² of <i>Gross Floor Area</i> or 4 spaces, whichever total is greater
<i>Funeral Home</i>	1 space for each 15 m ² of <i>Gross Floor Area</i>
<i>Hotel</i>	1.2 spaces per guest room
<i>Laundromat</i>	1 space per 25 m ² of <i>Gross Floor Area</i> or 4 spaces, whichever total is greater
<i>Personal service use</i>	1 space per 25 m ² of <i>Gross Floor Area</i> or 4 spaces, whichever total is greater
<i>Restaurant</i>	1 space per 9 m ² of <i>Gross Floor Area</i> , plus 1 space for each 7.5 m ² of patio or <i>Deck</i> area <i>use Used</i> for dining or drinking
<i>Retail store</i>	1 space per 25 m ² of <i>Gross Floor Area</i> or 4 spaces, whichever total is greater
<i>Service shop</i>	1 space per 25 m ² of <i>Gross Floor Area</i> or 4 spaces, whichever total is greater

<i>Shopping Centre (Neighbourhood or otherwise)</i>	1 space for each 15.0 m ² of <i>Gross Floor Area</i> up to 300. 0 m ² , and 1 space for each 20.0 m ² of <i>Gross Floor Area</i> thereafter; or 10 spaces, whichever is greater.
<i>Studio</i>	1 space per 25 m ² of <i>Gross Floor Area</i> or 4 spaces, whichever total is greater
<i>Vehicle Body/Repair Shop</i>	1 space per 45 m ² of <i>Gross Floor Area</i>
<i>Vehicle Sales and Rental Establishment</i>	4 spaces plus 1 space per 28.0 m ² <i>Gross Floor Area</i>
<i>Vehicle Service Station</i>	1 space per 45 m ² of <i>Gross Floor Area</i>
<i>Wholesale establishment</i>	1 space per 28.0 m ² of <i>Gross Floor Area</i>
<i>Other Commercial Uses</i>	1 space per 28 m ² of <i>Gross Floor Area</i>
Office Uses	
Business or professional <i>Office</i>	1 space per 28 m ² of <i>Gross Floor Area</i>
Government administrative <i>Offices</i>	1 space per 28 m ² of <i>Gross Floor Area</i>
Industrial Uses	
<i>Animal Kennel</i>	Minimum of 4 spaces or 6.0 spaces per 100 m ² <i>Gross Floor Area</i> , whichever is greater
<i>Medical centre</i>	Minimum of 4 spaces or 6.0 spaces per 100 m ² <i>Gross Floor Area</i> , whichever is greater
Truck transport terminal	1 space per 100 m ² <i>Gross Floor Area</i> for the first 5,000 m ² and 1 <i>Parking Space</i> per 200 m ² of <i>Gross Floor Area</i> for any remaining <i>Gross Floor Area</i>
<i>Veterinary clinic</i>	Minimum of 4 spaces or 6.0 spaces per 100 m ² <i>Gross Floor Area</i> , whichever is greater
<i>Warehouse</i>	1 space per 100 m ² <i>Gross Floor Area</i> for the first 5,000 m ² and 1 <i>Parking Space</i> per 200 m ² of <i>Gross Floor Area</i> for any remaining <i>Gross Floor Area</i>

All other industrial <i>Uses</i>	5 plus 1 space per 90 m ² of <i>Gross Floor Area</i>
Institutional Uses	
<i>Congregate Housing</i>	1 space per 70 m ² of <i>Gross Floor Area</i> ; or 2 spaces, whichever is greater.
<i>Day Care Facility</i>	1 space per 30 m ² of <i>Gross Floor Area</i> .
<i>Elementary School</i>	1 space per 75 m ² of <i>Gross Floor Area</i> .
<i>Hospital</i>	1 space per 54 m ² of <i>Gross Floor Area</i> .
<i>Place of Worship</i>	1 space per 25 m ² of <i>Gross Floor Area</i> .
<i>Secondary School</i>	1 space per 60 m ² of <i>Gross Floor Area</i> .
Recreational Uses	
Bowling Alley	3 spaces per alley plus 1 space for each 15.0 m ² of <i>Gross Floor Area</i> .
<i>Community Lifestyle Facility</i>	1 space per 20 m ² of <i>Gross Floor Area</i> .
Curling Club	3 spaces per sheet of ice, plus 1 space for each 15.0 m ² of <i>Gross Floor Area</i> .
Galleries	1 space per 20 m ² of <i>Gross Floor Area</i> . Playing areas are to be excluded for the purpose of calculating parking.
<i>Golf Course</i>	3 spaces per alley, tee, or sheet of ice, plus 1 space for each 15.0 m ² of <i>Gross Floor Area</i> .
Golf Driving Range	3 spaces per tee plus 1 space for each 15.0 m ² of <i>Gross Floor Area</i> .
Library	1 space per 20 m ² of <i>Gross Floor Area</i> . Playing areas are to be excluded for the purpose of calculating parking.
<i>Museum</i>	1 space per 20 m ² of <i>Gross Floor Area</i> . Playing areas are to be excluded for the purpose of calculating parking.

Recreational or athletic facility	1 space per 20 m ² of <i>Gross Floor Area</i> . Playing areas are to be excluded for the purpose of calculating parking.
Other Uses	
All other <i>Uses</i> permitted by this By-law other than those listed in this table	1 per 40 m ² of <i>Gross Floor Area</i>
Temporary <i>Uses</i> , <i>Outdoor Patios</i>	No additional parking for up to 25% of the <i>Gross Floor Area</i> of the associated <i>Main Use</i> .

5.18.4 Use of Parking Areas and Spaces

No *Parking Area* or space required under this By-law shall be *Used* for any other purpose than the parking of licensed vehicles *Used* in conjunction with the permitted *Uses* on the *Lot*.

5.18.5 Calculation of Off-Street Parking Spaces

Where the calculation of off-Street parking requirements results in a fraction, the number of *Parking Spaces* to be provided will be rounded to the next highest whole number.

5.18.6 Parking for More than One Use in a Building

When a *Lot*, *Building* or *Structure* accommodates more than one *Use* as set out in this By-law, the *Parking Space* requirement shall be the sum of the requirements for the separate *Uses*, unless otherwise provided for in this Bylaw.

5.18.7 Commercial Motor Vehicles, Tractor Trailers and Buses in Residential Zones

No *Person* shall *Use* any *Lot*, *Building* or *Structure* in a Residential *Zone* for the parking or storage of any *Commercial Motor Vehicles* unless he is the owner or occupant of such *Lot*, *Building* or *Structure*, and provided that said vehicles shall not exceed 2,721.6 kilograms *Gross Vehicle Weight* and provided that not more than one *Commercial Motor Vehicle* is stored in accordance with this Section.

No *Person* shall *Use* any *Lot*, *Building* or *Structure* in a Residential *Zone* for the parking or storage of any tractor trailer or part thereof. This provision shall not include *Commercial*

Motor Vehicles, and tractor trailers which attend a residential premise for the purposes of delivery and service.

5.18.8 Parking and Storage of Unlicensed and Inoperable Motor Vehicles

Unless specifically provided for by this By-law, no *Person* shall provide *Outdoor Storage* for any *Motor Vehicle* which is unlicensed or inoperable.

5.18.9 Size of Standard Parking Spaces

Required *Parking Spaces* shall comply with the standards set out in Table 5.18.10.

Table 5.18.9 – Required Parking Space Dimensions

Maximum Angle of <i>Parking Space</i> to Maneuvering Aisle	Required Width	Required Length
0 degrees (parallel)	2.75m	6.00m
30 degrees up to and including 90 degrees	3.0m	6.0m

5.18.10 Location of required Off-Street Parking Spaces

Unless otherwise provided in this By-law, required off-*Street* parking spaces shall be located on the same *Lot* as the principle or *Main Building*.

5.18.11 Parking Surfaces and Drainage

Within a *Settlement Area*, all off-*Street Parking Spaces*, areas and *Driveways* shall be constructed of a non-migrating *Hard Surface* material and treated to prevent erosion and the raising of dust and loose particles. Surface cover shall consist of asphalt, paving brick, concrete or similar hard-surfaced materials. All off-*Street Parking Spaces*, areas, and *Driveways* shall be graded and drained so as to prevent the pooling of surface water or the flow of surface water onto adjacent *Lots*.

5.18.12 Tandem Parking

Where parking is provided at the *Dwelling Unit* in an individual *Driveway*, the required parking for that *Dwelling* may be provided by a tandem *Parking Space*.

5.18.13 Parking Facilities

In *Zones* where a parking facility is a permitted *Use*, and the parking is to be provided within a *Structure*, such a *Structure* shall be subject to all requirements of the *Zone* except for parking provisions.

5.18.14 Underground Parking Provisions

A *Parking Structure*, whether *Attached* or detached to the *Main Building*, that is located entirely below grade (with the exception of entrances thereto), may be *Erected* to within 0.5 m of any *Lot Line* and shall not be subject to *Lot Coverage* regulations. For clarity, covered *Parking Structures* and entrances thereto located above grade shall be subject to the applicable *Zone* provisions.

5.18.15 Parking Area Location

Notwithstanding the *Required Yard* and *Setback* provisions of this By-law to the contrary, uncovered surface *Parking Areas* shall be permitted in the *Required Yards* or in the area between the *Street Line* and the required *Setback* provided that no part of any *Parking Area*, other than a *Driveway*, is located closer than 1.5 m to any *Street Line*, unless otherwise specified below:

- a) All *Driveways* must be *Setback* a minimum of 1.0 m from any *Lot Line*, except for the *Street Line* which shall have no minimum *Setback*. Notwithstanding the above, where a shared *Driveway* is provided there shall be no minimum *Driveway Setback* on one side.
- b) A *Parking Space* for individual residential *Dwelling Units* with individual private *Driveways* may be located in the *Front Yard* provided that not more than 50% of the *Front Yard* area is *Used* for *Driveways* and *Parking Areas*. Notwithstanding the above a private drive shall be no less than 3.0 m wide and no more than 9.0 m wide.
- c) For Extractive Industrial/Disposal Industrial *Uses*, parking shall be permitted in the *Rear Yard* and *Interior Side Yard*, and where such *Uses* about a *Residential Use*, *Commercial Use*, *Institutional Use* or *Agricultural Use*, the *Parking Area* shall be set back 9.0 m from the abutting *Lot Line*.

- d) For the conversion of a *Building*, as legally *Existing* on the effective date of this By-law, to permit a *Residential Use* containing three (3) or more *Dwelling Units* a *Parking Area* may be permitted within a *front, rear* or *Side Yard*.

5.18.16 Width of Parking Aisles

The minimum width of a *Parking Aisle* providing access to a *Parking Space* within a *Parking Area* shall be 7 metres.

5.18.17 Community Hub Commercial (C1) Zone Parking & Loading Exceptions

Notwithstanding the *Parking Space*, *Loading Space*, and snow storage requirements of this By-law, in the Community Hub Commercial (C1) Zone, the amount of *Parking Spaces*, *Loading Spaces*, and snow storage required for any *Commercial Use* of the *Existing* commercial *Gross Floor Area* shall be equivalent to the amount of *Parking Spaces* and *Loading Spaces* provided, or available, on the *Lot* at the time of adoption of this By-law.

The parking requirement for any additional *Dwelling Units* or *Accessory Apartment Dwelling Existing* at the time of this By-law shall be equivalent to that provided, or available, on the *Lot* at the time of adoption of this By-law. Any new *Residential Use Accessory* to a *Commercial Use* shall be required to provide parking in accordance with the general parking regulations of this By-law.

Existing Commercial Uses and commercial reconstructions may expand the total *Gross Floor Area* devoted to *Commercial Uses* by up to thirty percent (30%) without a requirement to provide additional parking or *Loading Spaces*. Any increase exceeding this threshold shall require the provision of additional parking and *Loading Spaces* in accordance with the general parking regulations of this By-law. Where this is not feasible, the owner may pay cash in-lieu to the Township in accordance with the procedures and fees in effect at the time of expansion.

5.19 Accessible Parking Regulations

5.19.1 Number of Required Accessible Parking Spaces

Accessible Parking Spaces shall be provided in accordance with the requirements set out in Table 5.19.1.

Table 5.19.1 – Number of Required Accessible Spaces

Total Required <i>Parking Spaces</i>	Minimum Number of Accessible Spaces
1 to 12	1
13 to 100	4% of the total required
101-200	1, plus 3% of the total required
201 to 1,000	2, plus 2% of the total required
Greater than 1,000	11, plus 1% of the total required

- a) *Accessible Parking Spaces* shall be counted towards and included within the minimum number of off-*Street Parking Spaces* required by Section 5.18 of this By-law.
- b) Notwithstanding Table 5.19.1, where a *Lot* contains a *Single Detached Dwelling*, *Semi-detached dwelling*, *Additional Residential Units*, or *Townhouse (Street-fronting) Dwelling* where *Parking Spaces* are accessed from a *Driveway*, no accessible spaces are required.

5.19.2 Type A and Type B Accessible Space Calculations

The calculation of the required number of Type A and Type B accessible spaces shall comply with the following provisions:

- a) Where an even number of accessible spaces is required by Section 5.19.1, an equal number of Type A and Type B accessible spaces must be provided;
- b) Where an odd number of accessible spaces are required by Section 5.19.1, an equal number of Type A and Type B accessible spaces must be provided, but the additional accessible space, the odd-numbered space, shall be a Type A accessible space;
- c) Despite Section 5.19.2 (b), where only one accessible space is required, it shall be a Type A accessible space.

5.19.3 Accessible Parking Design Standards

The following provisions shall apply to the design of *Accessible Parking Spaces*.

- a) *Accessible Parking Space* dimensions shall comply with Table 5.19.3

Table 5.19.3 – Accessible parking space dimensions

Type	Minimum Width	Minimum Length
Type A accessible space	3.4 m	6.0 m
Type B accessible space	2.4 m	6.0 m

- b) Accessible spaces must comply with the following minimum vertical clearances:
- the minimum vertical clearance of an accessible space located in a *Parking Structure* is 2.1 m; and,
 - the minimum vertical clearance of all other accessible space is 2.9 m.
- c) An *accessible aisle* must be provided for each accessible space and may be shared by a maximum of two accessible spaces. *Accessible aisles* must:
- have a minimum width of 1.5 m;
 - extend the full length of the accessible space; and,
 - Be marked with high-tonal contrast diagonal lines where the surface is asphalt, concrete, or other *Hard Surface*.
- d) All accessible spaces shall:
- Have an accessible permit parking *Sign* that satisfies the requirements of the Highway Traffic Act,
 - Have a maximum gradient of 5%; and,
 - Type A accessible spaces must have signage that identifies the space as “van accessible”.

5.20 Bicycle Parking Regulations

5.20.1 Bicycle Space Requirements

Except as may otherwise be provided for, the Bicycle Parking Regulations shall apply in the following *Zones*:

- a) R2
- b) R3
- c) R4
- d) C1
- e) C2
- f) I
- g) EMP1
- h) OS2

Except as may otherwise be provided for, where bicycle parking regulations apply, the minimum number of *Parking Spaces* for bicycles, in addition to the required vehicle parking, must be provided as set out in the following table:

Use	Number of Bicycle Spaces Required
<i>Townhouse (Cluster) Dwelling or Apartment Dwelling</i>	10% of required vehicle parking
<i>Schools</i>	1 space per 20 m ² classroom, plus 1 space per 800 m ² of <i>Office</i> area
<i>Offices</i>	4% of required vehicle parking, or 4 spaces, whichever is greater
<i>Commercial Uses including Restaurants (excluding take-out only)</i>	5% of required vehicle parking, or 4 spaces, whichever is greater
<i>Community Lifestyle Facility or Community Centre</i>	10% of required vehicle parking, or 4 spaces, whichever is greater

<i>Hotel</i>	1 space per 20 guest rooms
<i>Employment Use</i>	4% of required vehicle parking

5.20.2 Bicycle Parking Space Design Standards

Bicycle parking shall be provided in an area having a minimum of 1.8 m in length. The minimum number of bicycle *Parking Spaces* shall be accommodated by a rack, which will determine the width of the bicycle *Parking Area*.

5.20.3 Motorcycle Parking Space Design Standards

- The minimum dimensions for each space intended for motorcycles or similar vehicles must be 1.0 m in width and 2.1m in length;
- Motorcycle parking can be located in areas which may be unsuitable for vehicle parking due to size or shape and not intended for pedestrian traffic, however the parking must be clearly delineated by markings and barriers.

5.21 Queuing Regulations

5.21.1 Queue Space Requirements

Where any of the *Uses* permitted by this by-law offer drive-through service, off-*Street* vehicle queue spaces leading to and from the drive-through service must be provided in accordance with the following table:

Land Use	Required Number of Queuing Spaces
Automated Bank Machine	3.0 before each Automated Bank Machine
Automotive Service Station/Repair <i>Garage</i>	3.0 before each service bay 1.0 at service bay exit if a through-bay
Automotive Washing Establishment	3.0 before each wash bay 1.0 after each wash bay

<i>Restaurant</i>	12.0 total including 11 before the service/pick up window and 1 at the service/pick up window
Convenience Retail or Service establishment	2.0 before service window

5.21.2 Queue Space Design Standards

All required queue spaces must be provided in accordance with the following design standards:

- a) The minimum dimensions for each queue space must be 2.75 m in width and 5.75 m in length;
- b) Queue spaces must be arranged in a single waiting line in advance and behind the drive through service window.
- c) Queue spaces may be arranged in a double waiting line in advance of the menu board/order station.
- d) A minimum inside turning radius for queue spaces forming a waiting line is 7.0 m.
- e) Queue spaces forming a waiting line must be unobstructed by *Parking Spaces* or *Loading Spaces* and must be clearly delineated by markings and barriers; and
- f) Queuing spaces forming a waiting line or storage space from the service offered cannot form part of a *Parking Aisle* providing access to *Parking Space*.

5.22 Loading Space Regulations

5.22.1 Loading Space Requirements

No *Person* shall *Erect* or enlarge a *Building* or establish or change a *Use* unless permanently maintained off-*Street Loading Spaces* accessible from an improved *Street* or *Lane* are provided in accordance with the following requirements:

Use	Required Number of Loading Spaces
<i>Apartment Dwelling</i> over 25 units	1 space

All <i>Uses</i> involving shipping and/or receiving of goods (See Section 5.22.4)	0 spaces for 0 to 300 m2 <i>Gross Floor Area</i>
	1 space for over 300 m2 to 3000 m2 <i>Gross Floor Area</i>
	2 spaces for over 3000 m2 <i>Gross Floor Area</i>
<i>Uses</i> in the Commercial C1 (C-1) <i>Zone</i>	N/A

5.22.2 Loading Space Access

Each *Loading Space* shall be provided with one or more unobstructed *Driveways* of not less than 3.5 m in width and 10 metres in depth. Such *Driveway* shall be contained within the *Lot* on which the spaces are located and are accessible from a *Street* or *Lane*. No part of such *Driveway* shall be *Used* for the parking or temporary storage of vehicles.

5.22.3 Loading Space Surface

The *Driveways*, loading and unloading spaces shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles and with provisions for drainage facilities.

5.23 Lighting & Landscaping of Parking and Loading Areas

5.23.1 Lighting

- Where lighting facilities are provided in conjunction with any off-*Street* parking or loading area, no *Person* shall arrange such lighting such that excessive light and glare is deflected onto adjoining properties.
- Lighting facilities are to meet minimum illumination standards of 6.2 lux, a maximum to minimum uniformity ratio of 3:1 and be dark sky ZBA [15] ZBA [15] 5 - 27 Section 5 – General Provisions Updated: December 2023 compliant. Luminaires are to have a correlated colour temperature (CCT) of 3000o +/- and be LED type.

5.23.2 Parking Area Abutting another Use or Lot Line

- Where a *Parking Area* containing four (4) or more *Parking Spaces* or a *Loading Space(s)* abuts any *Use* or undeveloped land in any *Zone*, a minimum of 1.5

metres of land abutting the *Lot Line*, shall be *Used* for no other purpose than a planting strip in accordance with the provisions of this subsection.

- b) A planting strip required for Sec. 5.23.2 (a) shall be *Used* for no other purpose than for a row of trees, a continuous hedgerow of evergreens or shrubs, a berm, a wall, or a privacy *Fence*, not less than 1.5 m high, immediately adjacent to the *Lot Line* or portion thereof along which such planting strip is required hereunder, arranged in such a way as to form a dense or opaque screen; with the remainder of the strip *Used* for shrubs, flower beds or grass, ground cover or a combination thereof.

5.23.3 Parking Area Abutting a Street

- a) Where a *Parking Area* consisting of four (4) or more *Parking Spaces* or a *Loading Space(s)* abuts a portion of a *Street*, a minimum width of 1.5 metres of land adjacent to the *Street* shall be *Used* for no other purpose than a planting strip in accordance with the provisions of this subsection.
- b) A planting strip required for Sec. 5.23.3 (a) shall be *Used* for no other purpose than for a planting strip arranged in such a way as to form a landscape strip predominated by trees and with shrubs, flower beds, or grass, or ground cover. Notwithstanding, a berm, a wall, or a privacy *Fence* may be permitted where it is required for noise attenuation purposes.

5.23.5 Snow Storage

An area equal to twenty percent (20%) of a *Parking Area* for four (4) or more vehicles shall be identified on site and *Used* for snow storage. The snow storage area cannot be located on required *Parking Spaces* or a required planting strip.

Notwithstanding this requirement, where sufficient *Lot Area* cannot be allocated on site for snow storage, a *Development* agreement can be *Used* to account for a snow storage area deficiency of up to fifty percent (50%) by establishing the requirement that surplus snow be trucked off-site, without the need to amend this By-law. A *Development* agreement alone cannot be *Used* to account for a snow storage area deficiency of greater than fifty percent (50%).

5.24 Outdoor Waste Receptacles/Storage Areas

Where a *Waste* receptacle is proposed to be located on a *Lot*, the following provisions shall apply:

- a) No *Waste* receptacle shall be stored on any *Lot* in any *Zone* except within a *Building* or *Structure* on such *Lot* or in a container in an *Interior Side Yard* or *Rear Yard* of such *Lot*.
- b) Every *Waste* storage area required by this by-law or as a result of Site Plan Control, which is visible from an adjoining site, shall be visually screened by solid fencing/enclosure.
 - i. Despite Sec 5.24(b) an enclosed in-ground *Waste* container is not required to have visual screening.
- c) A *Waste* receptacle or storage area enclosure shall be regulated in the same manner as *Accessory Buildings* or *Structures* except that such *Structure* shall not be subject to *Lot Coverage* regulations.
- d) Standard residential *Waste* containers and stationary individual *Waste* cans that are less than 1 cubic metre in size are exempt from the provisions of Section 5.24.

5.25 Designated Heritage Buildings

Alternative *Building* design or *Building* materials for properties designated under the Ontario Heritage Act that were approved through the issuance of a Heritage Permit shall be deemed to comply with the provisions of this By-law.

5.26 Model Homes

Where a *Model Home* agreement or a subdivision agreement permitting the construction of *Model Homes* has been executed by the owner and the Township, more than one single detached, semi-detached or *Townhouse Dwelling* may be constructed on a *Lot* prior to registration of the plan of subdivision under the Planning Act or a description under the *Condominium Act*, subject to the following provisions:

- a) The *Use* must be permitted in the underlying *Zone* in which the *Dwelling* is to be located;

- b) Notwithstanding Sec. 5.26 (a), a *Model Home* may be *Used* as a temporary sales *Office* for the *Development* within which the *Dwelling* is located;
- c) The *Model Home* must not be occupied as a *Dwelling Unit* prior to the date of registration of the subdivision plan or *Condominium* plan;
- d) The maximum number of *Model Homes* within one plan of subdivision under the Planning Act or a description under the *Condominium* Act proposed for registration is equal to ten percent (10%) of the total number of *Lots* intended for single detached, semi-detached, or *Townhouse Dwelling* purposes within the plan or description for registration, to a maximum of 10 *Model Homes*;
- e) A minimum of four (4) *Parking Spaces* shall be provided for each *Model Home*;
- f) The *Model Home* must comply with all other provisions of this by-law, as though constructed on the *Lot* within the registered plan of subdivision under the Planning Act or the description under the *Condominium* Act; and,
- g) The *Model Home* must comply with all applicable terms and conditions of the *Model Home* agreement or subdivision agreement.

5.27 Temporary Uses

- a) Nothing in this By-law shall prevent temporary *Structures* requiring *Building* permits, such as tents, *Erected* for special occasions and holidays by individual landowners for their own *Use* (which shall include *Use* by social guests) provided no such *Use* remains in place more than ten (10) consecutive days, and on no more than three (3) separate occasions per year. All temporary *Structures* must comply with the provisions of the *Zone* other than coverage which may be temporarily exceeded.
- b) Notwithstanding the provisions for *On-farm Diversified Uses*, Temporary Special Events requiring a Special Events Permit, as defined by the Special Events By-law or successors, may be permitted in any *Zone*. Special Events Permits shall only be issued if the proposed temporary *Use*:
 - i. Does not occur for a duration of more than three (3) consecutive days, not including setup and cleanup of the event,
 - ii. Does not occur more than twice annually,
 - iii. Does not create any lasting or permanent impact on the lands.

- c) Notwithstanding 5.27.a):
- i. Temporary/short-term parking may be laid out in an area to the satisfaction of the *Municipality* at a ratio of 0.5 *Parking Spaces* per visitor. No temporary/short-term *Parking Area* may be laid out with permanent components or within an area *Zoned* EP1, EP2 or EP3.
 - ii. *Temporary Buildings* and *Structures* may be *Erected* outside of an area *Zoned* EP1, EP2 or EP3 provided all site and *Building* regulations of the pertinent *Zone* are met and that all *Temporary Buildings* and *Structures* are removed within 24 hours of the end of the event.
- d) Nothing in this by-law shall prevent the occupation of an *Existing Dwelling* or *Travel Trailer/Motor Home* on a property while a second *Dwelling* is being constructed, provided the owner has entered into an agreement with the *Municipality* through the approval of a *Temporary Use* by-law.
- e) Nothing in this by-law shall prevent household sales (e.g., *Garage* sale or auction) where a *Lot* has a *Dwelling Unit*. There shall be no more than four (4) such household sales per annum at one location and no such sale shall exceed seventy-two (72) hours in duration.
- f) Nothing in this by-law shall prevent the temporary storage of a *Moving Container Accessory* to a *Residential Use* for the purpose of moving services for a period not exceeding fourteen (14) days.

5.28 Setback from Slopes

No *Building* or *Structure* shall be located closer than 15 m from the top or toe of a slope having a grade of 3:1 or steeper.

5.29 Setback from watercourses

No *Building* or *Structure* shall be located closer than 30 m from the top-of bank and the high-watermark of any *Watercourse*.

5.30 Setback from a Railway

No *dwelling* shall be located closer than 30 m from a railway corridor, whether inactive or active.

5.31 Setback from a County Road or Provincial Highway

5.31.1 County Roads

In addition to those *Setbacks* required under this Zoning By-law, where a *Lot* abuts a road under the jurisdiction of the *County* of Simcoe, the *Setbacks* required by the *County* of Simcoe shall also apply.

5.31.2 Provincial Highways

In addition to those *Setbacks* required under this Zoning By-law, where a *Lot* abuts a provincial highway, the *Setbacks* required by the Ministry of Transportation shall also apply.

5.32 Minimum Distance Separation

3.32.1 Applicability

Notwithstanding any other provisions of this By-law to the contrary, all new land *Uses*, including the creation of *Lots*, lands to be rezoned to permit a residential, institutional, commercial, employment, recreational or non-farm *Dwelling Use* will comply with the Provincial *Minimum Distance Separation I* (MDS I) Guidelines (as amended from time to time). The application of MDS I does not apply to *Dwellings* on *Lots* that *Existed* prior to March 1, 2017 and are 4 ha or less in area as provided in “The *Minimum Distance Separation* Document” – Publication 853 as amended.

3.32.2 Minimum Distance Separation I

Notwithstanding any provisions of this By-law to the contrary, a residential, institutional, commercial, industrial or recreational *Use*, or non-farm *Dwelling Use* to be located upon a vacant and *Existing Lot of Record*, or a new *Lot* created by a Land Division Committee, must comply with the *Minimum Distance Separation I* (MDS I) Guidelines (as amended from time to time).

3.32.3 Minimum Distance Separation II

Notwithstanding any other *Yard* or *Setback* provisions of this By-law to the contrary, no ‘*Livestock* facility’ or ‘manure storage *Structure*’ shall be *Erected*, permitted, and/or expanded/enlarged unless it complies with the *Minimum Distance Separation II* (MDS II) Guidelines (as amended from time to time).

3.33 Permitted Height Projections

The maximum *Building Height* and maximum number of *Storeys* shall not apply to architectural features or spires; cupolas; flag poles; elevator penthouses; *Roof* access stairways; railings; and heating, ventilation, and air conditioning equipment.

5.34 Overlay Zones

- a) Where the Two-zone Floodplain Management Concept exists, the following provisions shall apply:
 - i. Despite anything else in this By-law, the permitted *Uses* in the Floodway shall be limited to the following:
 - 1. *Existing Agricultural Use*;
 - 2. *Conservation Use* including *Buildings* or *Structures* for the purpose of *Flood Control* or *Erosion Control*; and
 - 3. *Recreation, Passive*
 - ii. Despite anything else in this By-law, the permitted *Uses* in the *Flood Fringe* shall be limited to the following:
 - 1. *Existing Uses* on *Existing Lots* of record; and
 - 2. Within the delineated built-up area, permitted *Uses* of the underlying *Zone*
- b) Despite anything else in this By-law, the following *Uses* shall not be permitted to locate within lands shown as affected by the Flood Hazard Overlay:
 - i. *Uses* permitted in the Institutional (IN) *Zone*; and
 - ii. Any *Use* associated with the disposal, manufacture, treatment, or storage of hazardous substances.

5.35 Cluster Development

For *Cluster Developments*, *buildings* shall comply with the regulations of the *zone* applied to the *lot* and the following:

- a) Unless otherwise stated in the *zone* which applies to the *lot*, a minimum of 5 metres square of *amenity area* shall be provided per *dwelling unit*.

- b) a walkway that is a minimum 1.5 metres wide shall be provided from a *street* or sidewalk to the principle entrance of each *dwelling unit* or to the common entrance providing access to each *dwelling unit*.
- c) If any *residential dwelling units* are accessed via a *private street*, the *private street* shall be considered a *street* for the purpose of establishing minimum *building setbacks*. The *private street* must provide access to a public *street*.
- d) Where *development* proceeds as a plan of *condominium* with individual parcels of tied land (POTL), all zoning standards shall be confirmed against the *residential zoned* area, not each individual POTL.

SECTION 6

RURAL AND AGRICULTURAL ZONES

Within any Rural or Agricultural Zone, no Person shall Use any Lot or Erect, Alter or Use any Building or Structure for any purpose except in accordance with the regulations in this section. A number(s) following the permitted Use symbol, Zone standard or Zone heading indicates that additional regulations apply. Additional regulations are listed below Tables 6.1 to 6.5.

Symbol	Zones
AG	Agricultural
RU	Rural
AC	Agricultural Crossroads
RC	Rural Crossroads

6.1 Uses Permitted in Rural and Agricultural Zones

Within any Rural or Agricultural Zone, no Person shall Use any Lot or Erect, Alter or Use any Building or Structure for any purpose except one or more of the following Uses as identified by a dot:

Table 6.1

Permitted Uses		AG	RU	AC	RC
.1	<i>Agricultural Use</i>	●	●	●	●
.2	<i>Agriculture-Related Use (6.8)</i>	●	●	● (a)	●
.3	<i>Bed & Breakfast</i>		●		
.4	<i>Dwelling, Single Detached</i>	●	●		
.5	<i>Farm Help Accommodation (Section 6.6)</i>	●	●		

Permitted Uses		AG	RU	AC	RC
.6	<i>Additional Residential Unit (ARU)</i>	●	●		
.7	<i>Home Business (Section 5.16.2)</i>	● (b)	●		
.8	<i>On-farm Diversified Use (Section 6.7)</i>	●	● (c)		
.9	<i>Equestrian Centre</i>		●		●
.10	<i>Garden Centre</i>				●
.11	<i>Veterinary Clinic (Large Animal)</i>				●
.12	<i>Farm Implement Dealer</i>				●
.13	<i>Kennels</i>				●
.14	<i>Public Use</i>		●		●

Additional Regulations for Table 6.1:

- (a) Including *Uses* identified in Section 6.8.d)
- (b) Must be located entirely within an *Existing Dwelling*.
- (c) Permitted as stand-alone *Agriculture-Related Use*

6.2 Agricultural (AG) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 6.1 permitted in the AG Zone.

Table 6.2

AG Zone Regulations		Agricultural Use	All Other Uses	Surplus Dwelling Lot
.1	Minimum <i>Lot Frontage</i>	120 m	120 m	30 m
.2	Minimum <i>Lot Area</i>	40 ha	40 ha	0.3 ha
.3	Maximum <i>Lot Coverage</i>	20%	10%	20%
.4	Minimum <i>Front Yard Setback</i>	12.5 m	10 m	10 m
.5	Minimum <i>Rear Yard Setback</i>	7.5 m	10 m	10 m
.6	Minimum <i>Interior Side Yard Setback</i>	7.5 m	5.0 m	5 m
.7	Minimum <i>Exterior Side Yard Setback</i>	12.5 m	5.0 m	5 m
.8	Maximum <i>Building Height</i>	20 m	10 m	10 m
.9	Maximum <i>Structure Height</i>	30 m	10 m	10 m

6.3 Rural (RU) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 6.1 permitted in the RU Zone.

Table 6.3

RU Zone Regulations		All RU Uses
.1	Minimum <i>Lot Frontage</i>	45 m
.2	Minimum <i>Lot Area</i>	0.4 ha
.3	Maximum <i>Lot Coverage</i>	20%
.4	Minimum <i>Front Yard Setback</i>	10 m
.5	Minimum <i>Rear Yard Setback</i>	7.5 m
.6	Minimum <i>Interior Side Yard Setback</i>	4.5 m
.7	Minimum <i>Exterior Side Yard Setback</i>	10 m
.8	Maximum <i>Building Height</i>	20m for <i>Agricultural Uses</i> and 10 m for all other <i>Uses</i>

6.4 Agricultural Crossroads (AC) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 6.1 permitted in the AC Zone.

Table 6.4

AC Zone Regulations		All AC Uses
.1	Minimum <i>Lot Frontage</i>	120 m
.2	Minimum <i>Lot Area</i>	40 ha
.3	Maximum <i>Lot Coverage</i>	10%
.4	Minimum <i>Front Yard Setback</i>	10 m
.5	Minimum <i>Rear Yard Setback</i>	10 m
.6	Minimum <i>Interior Side Yard Setback</i>	5.0 m
.7	Minimum <i>Exterior Side Yard Setback</i>	5.0 m
.8	Maximum <i>Building Height</i>	12 m

6.5 Rural Crossroads (RC) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 6.1 permitted in the RC Zone.

Table 6.5

RC Zone Regulations		All RC Uses
.9	Minimum <i>Lot Frontage</i>	45 m
.10	Minimum <i>Lot Area</i>	0.4 ha
.11	Maximum <i>Lot Coverage</i>	20%
.12	Minimum <i>Front Yard Setback</i>	10 m
.13	Minimum <i>Rear Yard Setback</i>	7.5 m
.14	Minimum <i>Interior Side Yard Setback</i>	4.5 m
.15	Minimum <i>Exterior Side Yard Setback</i>	10 m
.16	Maximum <i>Building Height</i>	12 m

6.6 Farm Help Accommodation

Where permitted by this By-law, a *Farm Help Accommodation* shall be subject to the provisions of the applicable *Zone* in addition to the following regulations:

- a) Accommodation for full-time farm labour shall only be considered a permitted *Agricultural Use* in the *Agricultural Zone* in circumstances where the accommodation is provided to house workers employed full-time in the day-to-day operations of an active agricultural operation on the subject lands.
- b) Accommodation for full-time farm labour employed by an active agricultural operation on a neighbouring property shall only be permitted in the *Agricultural Zone* as an *On-farm Diversified Use* and where the accommodation is secondary to an active agricultural operations on the subject lands.
- c) Accommodation for full-time farm labour shall only be considered a permitted *Agricultural Use* in the *Rural Zone* in circumstances where:
 - i. the accommodation is provided to house workers employed full-time in the day-to-day operations of an active agricultural operation that is located within 5 kilometers of the *Lot* on which the accommodation is located; or
 - ii. the accommodation is provided to house workers employed temporarily for a limited period of time during the year on an active agricultural operation that is located within 5 kilometers of the *Lot* on which the accommodation is located and the accommodation is not located in a new permanent *Structure*.
- d) Before constructing new, separate, permanent *Dwellings* as accommodation for on-farm workers in the *Agricultural Zone*, the owner or operator of an *Agricultural Use* should consider possible alternatives, such as an *Additional Residential Unit* within an *Existing Building* or a temporary *Structure*.
- e) Agricultural operations in the *Agricultural Zone* that require temporary on-farm workers for a limited period of time during the year shall provide accommodation in a form of housing that:
 - i. Is not a new permanent *Dwelling Structure*; and
 - ii. satisfies the requirements and conditions set out in the Seasonal Farm Worker Housing Guidelines published by Foreign Agriculture Resource Management Services or similar guidelines published by the Simcoe Muskoka District Health Unit.

6.7 On-farm Diversified Use

Where permitted by this By-law, *On-farm Diversified Use* shall be subject to the provisions of the applicable *Zone* in addition to the following regulations:

- a) the primary *Use* of the property must be and shall remain for *Agricultural Use*;
- b) the *On-farm Diversified Use* shall not occupy more than 2% of the total *Lot Area*;
- c) more than one *On-farm Diversified Use* may be permitted on a single property, provided that those *Uses* comply with the maximum area of 2% for all *On-farm Diversified Uses* combined;
- d) *Existing* laneways will not be included as part of the *On-farm Diversified Use* area for calculation purposes;
- e) a *Home Business* that takes place entirely within an *Existing Dwelling* shall not be considered an *On-farm Diversified Use*;
- f) a *Home Business* that does not take place entirely within an *Existing Dwelling* shall be considered an *On-farm Diversified Use*;
- g) Notwithstanding the definition of an *On-farm Diversified Use*, in the *Rural Zone*, the following additional *Uses* are permitted as an *On-farm Diversified Use*:
 - i. a *Veterinary Clinic (Large Animal)*;
 - ii. an equestrian centre;
 - iii. a *Kennel*, at least 500 metres from an *Existing Kennel*
 - iv. a machine repair shop;
 - v. a small-scale *Landscaping* business;
 - vi. a small-scale woodworking, metalworking, or plastic fabrication operation that does not take place entirely within fully enclosed *Buildings* and *Structures*;
 - vii. *Farm brewery, distillery, winery, cidery, or meadery*
 - viii. an *Agricultural Research and Training Centre*, but only if the *Use* does not provide on-site accommodations;
 - ix. *Event Venues*, in compliance with *Minimum Distance Separation* | *Setback* requirements for a “Type B” land *Use*
- h) the *On-farm Diversified Use* must comply with the *Minimum Distance Separation*; and,

- i) a small-scale woodworking, metalworking, or plastic fabrication operation must take place entirely within fully enclosed *Buildings* or *Structures*.

6.8 Agriculture-Related Use

Where permitted by this By-law, *Agriculture-Related Use* shall be subject to the provisions of the applicable *Zone* in addition to the following regulations:

- a) The *Use* must support agriculture and directly relate to farm operations in the area.
- b) The *Use* must provide direct products and services to farm operations as a primary activity.
- c) The *Use* must benefit from being located close to farm operations.
- d) Notwithstanding the definition of an *Agriculture-Related Use*, in the *Rural Zone*, the following additional *Uses* are permitted as an *Agriculture-Related Use*:
 - i. auction sites for products grown in the area;
 - ii. facilities for processing agricultural products grown in the area;
 - iii. grain-drying operations;
 - iv. flour mills; and
 - v. farm equipment repair shops.
- e) The *Agriculture-Related Use* must comply with *Minimum Distance Separation*.

SECTION 7

RESIDENTIAL ZONES

In any Residential Zone, no Person shall Use any Lot or Erect, Alter or Use any Building or Structure for any purpose except in accordance with the regulations in this section. A number(s) following the permitted Use symbol, Zone standard or Zone heading indicates that additional regulations apply. Additional regulations are listed below Tables 7.1 to 7.6.

Symbol	Zones
R1	Community Low Density Residential
R2	Urban Low Density Residential
R3	Medium Density Residential
R4	High Density Residential
R5	Estate Residential

7.1 Uses Permitted in Residential Zones

Within any Residential Zone, no Person shall Use any Lot or Erect, Alter or Use any Building or Structure for any purpose except one or more of the following Uses as identified by a dot.

Table 7.1

Permitted Uses		R1	R2	R3	R4	R5
.1	<i>Dwelling, Single Detached</i>	●	●	●		●
.2	<i>Dwelling, semi-detached</i>	●	●	●		
.3	<i>Dwelling, Townhouse (Street-fronting)</i>		●	●	●	
.4	<i>Dwelling, Townhouse (Cluster)</i>			●	●	
.5	<i>Dwelling, Apartment</i>				●	

Permitted Uses		R1	R2	R3	R4	R5
.6	<i>Additional Residential Unit</i> (Section 5.17.3)	● (a)	●	●	●	● (a)
.7	<i>Home Business</i>	● (b)	● (b)	● (b)	● (b)	● (b)
.8	<i>Live-work Units</i> (Section 5.16.7)			● (c)	● (c)	
.9	<i>Congregate Housing</i>	●	●	●	●	
.10	<i>Bed and Breakfast</i> (5.16.3)	● (b)	● (b)	● (b)		
.11	<i>Day Care Facilities</i>		● (d)	● (d)	●	
.12	<i>Schools</i>		●	●	●	

Additional Regulations for Table 7.1

- (a) Following the creation of the ARU, there shall be no more than two *Dwelling Units* on a *Lot*.
- (b) *Bed & Breakfast* Establishment and *Home Business* shall be subject to the *Single Detached Dwelling* provisions.
- (c) *Live-work Units* shall be subject to the *Townhouse (Street-fronting) Dwelling* provisions.
- (d) Located in a *School*.

7.2 Community Low Density Residential (R1) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 7.1 permitted in the R1 Zone.

Table 7.2

R1 Zone Regulations		Dwelling, Single Detached	Dwelling, semi-detached (Per Unit)
.1	Minimum <i>Lot Frontage</i> (Per Unit)	25m	22m
.2	Minimum <i>Lot Area</i>	0.2 ha	1,400 m ²
.3	Maximum <i>Lot Coverage</i>	25%	25%
.4	Minimum <i>Front Yard Setback</i>	7.5 m	7.5 m
.5	Minimum <i>Rear Yard Setback</i>	10 m	10 m
.6	Minimum <i>Interior Side Yard Setback</i>	2.5 m	2.5 m (0.0 m at a common fire separation wall)
.7	Minimum <i>Exterior Side Yard Setback</i>	7.5 m	7.5 m
.8	Maximum <i>Building Height</i>	11 m	11 m

7.3 Urban Low Density Residential (R2) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 7.1 permitted in the R2 Zone.

Table 7.3

R2 Zone Regulations		Dwelling, Single Detached	Dwelling, semi- detached	Dwelling, Townhouse (Street- fronting)	School and Day Care Facilities
.1	Minimum <i>Lot Frontage</i>	11 m	7.5 m/unit	6.0 m/unit	(a)
.2	Minimum <i>Lot Area</i>	330 m ²	225 m ² /unit	165 m ² /unit	(a)
.3	Maximum <i>Lot Coverage</i>	50%	50%	50%	(a)
.4	Minimum <i>Front Yard Setback</i>	6.0 m	6.0 m	6.0 m	(a)
.5	Minimum <i>Rear Yard Setback</i>	6.0 m	6.0 m	6.0 m	(a)
.6	Minimum <i>Interior Side Yard Setback</i>	1.2 m	1.2 m (0.0 m where there is a common wall between units)	1.2 m on one side and 3.0 m on the other side (0.0 m where there is a common wall between units)	(a)
.7	Minimum <i>Exterior Side Yard Setback</i>	4.5 m	4.5 m	4.5 m	(a)
.8	Maximum <i>Building Height</i> (a)	10 m	10 m	10 m	(a)

Additional Regulations for Table 7.3

- (a) *School and Day Care Facility* shall be subject to the Institutional Zone provisions of Section 10.2.

7.4 Medium Density Residential (R3) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 7.1 permitted in the R3 Zone.

Table 7.4

R3 Zone Regulations		Dwelling, Single Detached	Dwelling, semi-detached	Dwelling, Townhouse (Street-fronting)	Dwelling, Townhouse (Cluster)	School and Day Care Facility
.1	Minimum <i>Lot Frontage</i>	9 m	7.5 m/unit	5.5 m/unit	25 m	(b)
.2	Minimum <i>Lot Area</i>	270 m ²	225 m ² /unit	165 m ² /unit	900 m ²	(b)
.3	Maximum <i>Lot Coverage</i>	50%	50%	60%	60%	(b)
.4	Minimum <i>Front Yard Setback</i>	6.0 m	6.0 m	6.0 m	6.0 m (a)	(b)
.5	Minimum <i>Rear Yard Setback</i>	6.0 m	6.0 m	6.0 m	6.0 m (a)	(b)
.6	Minimum <i>Interior Side Yard Setback</i>	1.2 m	1.2 m (0.0 m where there is a common wall)	1.2 m on one side and 3.0 m on the other side (0.0 m where there is a common	1.5 m to a shared <i>Lot Line</i> and 3.0 between <i>Buildings</i> on the same <i>Lot</i> (a) (0.0 m where there	(b)

			between units)	wall between units)	is a common wall between units)	
.7	Minimum <i>Exterior Side Yard Setback</i>	4.5 m	4.5 m	4.5 m	4.5 m (a)	(b)
.8	Maximum <i>Building Height</i> (a)	10 m	10 m	10 m	10 m	(b)
.9	Minimum Private <i>Amenity Area</i>	N/A	N/A	N/A	25 m ² /unit	(b)

Additional Regulations for Table 7.4

- (a) All *Setbacks* shall be measured from the applicable *Lot Line*. Where a plan of *Condominium* delineates boundaries for an individual parcel of tied land (POTL), the POTL boundaries will not constitute a *Lot Line* for the purpose of zoning.
- (b) *School and Day Care Facility* shall be subject to the Institutional Zone provisions of Section 10.2

7.5 High Density Residential (R4) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 7.1 permitted in the R4 Zone.

Table 7.5

R4 Zone Regulations		Dwelling, Townhouse (Street-fronting)	Dwelling, Townhouse (Cluster)	Dwelling, Apartment	School, Day Care Facility and Congregate Housing
.1	Minimum <i>Lot Frontage</i>	5.5 m/unit	25 m	30 m	(b)
.2	Minimum <i>Lot Area</i>	165 m ² /unit	900 m ²	1,000 m ²	(b)
.3	Maximum <i>Lot Coverage</i>	60%	60%	55%	(b)
.4	Minimum <i>Front Yard</i>	6.0 m	6.0 m (a)	6.0 m	(b)
.5	Minimum <i>Rear Yard Setback</i>	6.0 m	6.0 m (a)	7.5 m	(b)
.6	Minimum <i>Interior Side Yard Setback</i>	1.2 m on one side and 3.0 m on the other side (0.0 m where there is a common wall between units)	1.5 m to a shared <i>Lot Line</i> and 3.0 between <i>Buildings</i> on the same <i>Lot</i> (a) (0.0 m where there is a common wall between units)	6.0 m	(b)

.7	Minimum <i>Exterior Side Yard Setback</i>	4.5 m	4.5 m (a)	6.0 m	(b)
.8	Maximum <i>Building Height</i> (a)	10 m	10 m	15 m	(b)
.9	Minimum <i>Private Amenity Area</i>	N/A	25 m ² /unit	5 m ²	(b)
.10	Minimum <i>Common Amenity Area</i>	N/A	N/A	5 m ²	(b)
.11	Minimum <i>Landscape Open Space</i>	N/A	N/A	10%	(b)

Additional Regulations for Table 7.5

- (a) All *Setbacks* shall be measured from the applicable *Lot Line*. Where a plan of *Condominium* delineates boundaries for an individual parcel of tied land (POTL), the POTL boundaries will not constitute a *Lot Line* for the purpose of zoning.
- (b) *Schools, Day Care Facility and Congregate Housing* shall be subject to the Institutional Zone provisions of Section 10.2.

7.6 Estate Residential (R5) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 7.1 permitted in the R5 Zone.

Table 7.6

R5 Zone Regulations		Dwelling, Single Detached
.1	Minimum <i>Lot Frontage</i>	<i>Existing</i> on the effective date of this by-law
.2	Minimum <i>Lot Area</i>	<i>Existing</i> on the effective date of this by-law
.3	Maximum <i>Lot Coverage</i>	20%
.4	Minimum <i>Front Yard Setback</i>	15 m
.5	Minimum <i>Rear Yard Setback</i>	15 m
.6	Minimum <i>Interior Side Yard Setback</i>	6 m
.7	Minimum <i>Exterior Side Yard Setback</i>	15 m
.8	Maximum <i>Building Height</i>	11 m

SECTION 8

FUTURE DEVELOPMENT

In any *Future Development Zone* no *Person* shall *Use* any *Lot* or *Erect, Alter* or *Use* any *Building* or *Structure* for any purpose except in accordance with the regulations in this section. A number(s) following the permitted *Use* symbol, *Zone* standard or *Zone* heading indicates that additional regulations apply. Additional regulations are listed below Tables 8.1 to 8.2.

Symbol	
FD	Future Development

8.1 Uses Permitted in Future Development Zone

Within any *Future Development Zone*, no *Person* shall *Use* any *Lot* or *Erect, Alter* or *Use* any *Building* or *Structure* for any purpose except one or more of the following *Uses* as identified by a dot:

Table 8.1

	Permitted Uses	FD
.1	Any <i>Use</i> that legally <i>Existed</i> on the <i>Lot</i> on the effective date of this by-law.	●

8.2 Future Development (FD) Zone Regulations

The following site and *Building* regulations apply to the *Uses* listed in Sec. 11.1 permitted in the *FD Zone*.

Table 8.2

	FD Zone Regulations	Permitted <u>Use</u>
.2	Minimum <i>Lot Frontage</i>	<i>Existing</i> on the effective date of this by-law

.3	Minimum <i>Lot Area</i>	<i>Existing</i> on the effective date of this by-law
.4	Maximum <i>Lot Coverage</i>	<i>Existing</i> on the effective date of this by-law
.5	Minimum <i>Front Yard Setback</i>	<i>Existing</i> on the effective date of this by-law
.6	Minimum <i>Rear Yard Setback</i>	<i>Existing</i> on the effective date of this by-law
.7	Minimum <i>Interior Side Yard Setback</i>	<i>Existing</i> on the effective date of this by-law
.8	Minimum <i>Exterior Side Yard Setback</i>	<i>Existing</i> on the effective date of this by-law
.9	Maximum <i>Building Height</i>	<i>Existing</i> on the effective date of this by-law

SECTION 9

COMMERCIAL ZONES

In any Commercial Zone no Person shall Use any Lot or Erect, Alter or Use any Building or Structure for any purpose except in accordance with the regulations in this section. A number(s) following the permitted Use symbol, Zone standard or Zone heading indicates that additional regulations apply. Additional regulations are listed below Tables 9.1 to 9.4.

Symbol	Zones
C1	Community Hub Commercial
C2	Transition Corridor Commercial
C3	Commercial

9.1 Permitted Uses in Commercial Zones

Within any Commercial Zone, no Person shall Use any Lot or Erect, Alter or Use any Building or Structure for any purpose except one or more of the following Uses as identified by a dot:

Table 9.1.1

Permitted Uses (Commercial)		C1	C2	C3
.1	Catering Services	●		●
.2	Medical Clinics	●	●	●
.3	Commercial Schools	●		●
.4	Commercial Use	●	● (a)	●
.5	Community Lifestyle Facilities	●		●
.6	Convenience Stores	●		●
.7	Day Care Facility	●	●	●
.8	Farmer's Market	●		

Permitted Uses (Commercial)		C1	C2	C3
.9	<i>Financial Institutions</i>	●	●	●
.10	<i>Funeral Homes</i>	●		●
.11	<i>Vehicle Service Station</i>			●
.12	<i>Hotels</i>	●		●
.13	<i>Laundromat</i>	●		●
.14	<i>Libraries</i>	●	●	●
.15	<i>Museums/ Galleries</i>	●		
.16	<i>Offices</i>	●	●	●
.17	<i>Parking Area or Structure</i>			●
.18	<i>Personal Service Use</i>	●	●	●
.19	<i>Place of Worship</i>	●	●	●
.20	<i>Public Uses</i>	●	● (a)	●
.21	<i>Repair Stores</i>	●	●	●
.22	<i>Restaurants</i>	●	● (a)	●
.23	<i>Restaurants, Drive-Thru</i>			●
.24	<i>Retail Stores</i>	●	● (a)	●
.25	<i>Schools</i>	●	●	●
.26	<i>Self Serve Use</i>	●		●
.27	<i>Service Uses</i>	●	●	●
.28	<i>Shopping Centres</i>			●
.29	<i>Storage, Indoor</i>			●
.30	<i>Studios</i>		●	●
.31	<i>Vehicle Sales and Rental Establishments</i>			●
.32	<i>Veterinarian Clinics (Small Animal)</i>	●	●	●
.33	<i>Wholesale Establishments</i>			●

Permitted Uses (Commercial)		C1	C2	C3
.34	<i>Existing Institutional Use</i>	● (b)		

Additional Regulations for Table 9.1.1

(a) Maximum *Gross Floor Area* of 465 m²

(b) *Existing Institutional Uses* shall be subject to the *Institutional Zone* regulations of Section 10.2

Table 9.1.2

Permitted Uses (Residential)		C1	C2	C3
.1	<i>Dwelling, Accessory Apartment</i>	● (a)(b)	● (a)(b)	● (a)(b)
.2	<i>Dwelling, Single Detached (Existing)</i>		●	
.3	<i>Dwelling, semi-detached (Existing)</i>		●	
.4	<i>Dwelling, Townhouse (Street-fronting)</i>		●	
.5	<i>Dwelling, Townhouse (Cluster)</i>		●	
.6	<i>Additional Residential Unit</i> (Section 5.17)		●	
.7	<i>Live-work Units</i> (Section 5.16.7)	●	● (d)	
.8	<i>Congregate Housing</i>	●	● (b)	● (b)
.9	<i>Bed and Breakfast</i> (Section 5.16.3)		● (c)	
.10	<i>Home Business</i>		● (c)	
.11	<i>Existing Dwellings</i>	● (e)		

Additional Regulations for Table 9.1.2

(a) Permitted on the upper floors only of a commercial *Building*, except for the access area.

(b) Subject to the applicable commercial *Building* provisions.

- (c) *Bed & Breakfast Establishment and Home Business* shall be subject to the *Single Detached Dwelling* provisions.
- (d) *Live-work Units* shall be subject to the *Townhouse (Street-fronting) Dwelling* provisions.
- (e) *Existing Dwellings* shall be subject to the regulations of Section 7.3

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9.2 Community Hub Commercial (C1) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 9.1 permitted in the C1 Zone.

Table 9.2

C1 Zone Regulations		Permitted Uses
.1	Minimum <i>Lot Frontage</i>	5 m
.2	Minimum <i>Lot Area</i>	200 m ²
.3	Maximum <i>Lot Coverage</i>	65%
.4	Minimum <i>Front Yard Setback</i>	0 m
.5	Maximum <i>Front Yard</i>	2 m
.6	Minimum <i>Rear Yard Setback</i>	0 m (a)
.7	Minimum <i>Interior Side Yard Setback</i>	0 m (a)
.8	Minimum <i>Exterior Side Yard Setback</i>	0 m
.9	Minimum <i>Building Height</i>	6.0 m
.10	Maximum <i>Building Height</i>	14 m
.11	Minimum <i>Private Amenity Area</i>	5 m ² /unit (b)

Additional Regulations for Table 9.2

- (a) Where the *Setback* is measured from a shared *Lot Line* with a residential Zone, the minimum *Setback* shall be 5 m.
- (b) Minimum *Private Amenity Area* only applies to *Dwelling, Accessory Apartment*, not a stand-alone *Commercial Use*.

9.3 Transition Corridor Commercial (C2) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 9.1 permitted in the C2 Zone.

Table 9.3

C2 Zone Regulations		Commercial Uses (including Dwelling, Accessory Apartment Units)	Residential Uses (excluding Dwelling, Accessory Apartment Units)
.1	Minimum <i>Lot Frontage</i>	12 m	As required by Section 7.4 Medium Density Residential (R3) Zone
.2	Minimum <i>Lot Area</i>	400 m ²	
.3	Maximum <i>Lot Coverage</i>	45%	
.4	Minimum <i>Front Yard Setback</i>	4 m	
.5	Maximum <i>Front Yard</i>	6 m	
.6	Minimum <i>Rear Yard Setback</i>	4 m (a)	
.7	Minimum <i>Interior Side Yard Setback</i>	1.2 m (a)	
.8	Minimum <i>Exterior Side Yard Setback</i>	4 m	
.9	Maximum <i>Building Height</i>	12 m	
.10	Minimum <i>Private Amenity Area</i>	5 m ² /unit (b)	

Additional Regulations for Table 9.3

- (a) Where the *Setback* is measured from a shared *Lot Line* with a residential *Zone* or *Use*, the minimum *Setback* shall be 5 m.
- (b) Minimum *Private Amenity Area* only applies to *Dwelling, Accessory Apartment Units*, not a stand-alone *Commercial Use*.

9.4 Commercial (C3) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 9.1 permitted in the C3 Zone.

Table 9.4

C3 Zone Regulations		Commercial Uses (including Dwelling, Accessory Apartment Units and Congregate Housing)
.1	Minimum <i>Lot Frontage</i>	25 m
.2	Minimum <i>Lot Area</i>	0.2 ha
.3	Maximum <i>Lot Coverage</i>	40%
.4	Minimum <i>Front Yard Setback</i>	7.5 m
.5	Minimum <i>Rear Yard Setback</i>	6 m
.6	Minimum <i>Interior Side Yard Setback</i>	6 m
.7	Minimum <i>Exterior Side Yard Setback</i>	6 m
.8	Maximum <i>Building Height</i>	14 m
.9	Minimum <i>Private Amenity Area</i>	5 m ² /unit (a)

Additional Regulations for Table 9.4

- (a) Minimum *Private Amenity Area* only applies to *Dwelling, Accessory Apartment Units*, not a standalone *Commercial Use*.

SECTION 10

INSTITUTIONAL ZONES

In any Institutional Zone, no *Person* shall *Use* any *Lot* or *Erect, Alter* or *Use* any *Building* or *Structure* for any purpose except in accordance with the regulations in this section. A number(s) following the permitted *Use* symbol, *Zone* standard or *Zone* heading indicates that additional regulations apply. Additional regulations are listed below Tables 10.1 to 10.3.

Symbol	Zones
IN	Institutional
RI	Rural Institutional

10.1 Uses Permitted in Institutional Zones

Within any Institutional Zone, no *Person* shall *Use* any *Lot* or *Erect, Alter* or *Use* any *Building* or *Structure* for any purpose except one or more of the following *Uses* as identified by a dot:

Table 10.1.1

Permitted Uses		IN	RI
.1	<i>Congregate Housing</i>	● (a)	
.2	<i>Community Lifestyle Facility</i>	●	●
.3	<i>Hospital</i>	●	
.4	<i>Public Use</i>	●	●
.5	<i>Schools</i>	●	●
.6	<i>Library</i>	●	●
.7	<i>Place of Worship</i>	●	●

Additional Regulations for Table 10.1.1

(a) Minimum 100 beds or more

Table 10.1.2

Accessory Uses (a)		IN	RI
.8	<i>Congregate Housing</i>	●	●
.9	<i>Medical Clinic</i>	●	
.10	<i>Day Care Facility</i>	●	●
.11	<i>Museums/ Galleries</i>	●	
.12	<i>Personal Service Use</i>	●	
.13	<i>Cemetery</i>	●	●
.14	<i>Convenience Store</i>	●	
.15	<i>Public Park</i>	●	●
.16	<i>Student Residence</i>	●	
.17	<i>Restaurant</i>	●	
.18	<i>Retail Store</i>	●	

Additional Regulations for Table 10.1.2

- (a) *Accessory Uses* are only permitted where they are *Ancillary* to a permitted institutional Use

10.2 Institutional (IN) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 10.1 permitted in the IN Zone.

Table 10.2

IN Zone Regulations		Permitted Uses
.1	Minimum <i>Lot Frontage</i>	18 m
.2	Minimum <i>Lot Area</i>	750 m ²
.3	Maximum <i>Lot Coverage</i>	50%
.4	Minimum <i>Front Yard Setback</i>	6 m
.5	Minimum <i>Rear Yard Setback</i>	6 m
.6	Minimum <i>Interior Side Yard Setback</i>	1.5 m
.7	Minimum <i>Exterior Side Yard Setback</i>	6 m
.8	Maximum <i>Building Height</i>	14 m

10.3 Rural Institutional (RI) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 10.1 permitted in the RI Zone.

Table 10.3

RI Zone Regulations		Permitted Uses
.1	Minimum <i>Lot Frontage</i>	30 m
.2	Minimum <i>Lot Area</i>	0.4 ha
.3	Maximum <i>Lot Coverage</i>	35%
.4	Minimum <i>Front Yard Setback</i>	7.5 m
.5	Minimum <i>Rear Yard Setback</i>	10 m
.6	Minimum <i>Interior Side Yard Setback</i>	5 m
.7	Minimum <i>Exterior Side Yard Setback</i>	7.5 m
.8	Maximum <i>Building Height</i>	14 m

SECTION 11

EMPLOYMENT ZONES

In any Employment Zone no Person shall Use any Lot or Erect, Alter or Use any Building or Structure for any purpose except in accordance with the regulations in this section. A number(s) following the permitted Use symbol, Zone standard or Zone heading indicates that additional regulations apply. Additional regulations are listed below Tables 11.1 to 11.8.

Symbol	Zones
EMP1	Light Employment
EMP2	General Employment
EMP3	Heavy Employment
WMI	Waste Management Industrial
AR	Airport Related Employment
MAR	Mineral Aggregate Resource
EX	Extractive Industrial

11.1 Uses Permitted in Employment Zones

Within any Employment Zone, no Person shall Use any Lot or Erect, Alter or Use any Building or Structure for any purpose except one or more of the following Uses as identified by a dot:

Table 11.1.1

Permitted Uses		EMP 1	EMP 2	EMP 3	WMI	AR	MAR	EX
.1	Agricultural Use					● (a) (b)	● (c)	
.2	Airport (Section 5.16.5 and Section 5.16.6)					● (a)		

Permitted Uses		EMP 1	EMP 2	EMP 3	WMI	AR	MAR	EX
.3	<i>Aircraft Sales and Service</i>					● (a)		
.4	<i>Animal Shelter</i>	●	●					
.5	<i>Asphalt Plant</i>		●					
.6	<i>Vehicle Body/Repair Shop</i>	●	●					
.7	<i>Bulk Storage</i>		●					
.8	<i>Cannabis Cultivation Facility</i>		●					
.9	<i>Catering Services</i>	●						
.10	<i>Commercial School</i>	●						
.11	<i>Community Lifestyle Facilities</i>	●						
.12	<i>Concrete Plant</i>		●					
.13	<i>Contractors Yard</i>		●					
.14	<i>Equipment Sales and Rental</i>	●	●					
.15	<i>Farm Implement Dealer</i>		●					
.16	<i>Food/ Beverage Production Facility</i>	●	●					
.17	<i>Gravel Pit</i>							●
.18	<i>Industrial Mall</i>	●	●					
.19	<i>Industrial Use, Light</i>	●	●	●				
.20	<i>Kennels</i>		●					
.21	<i>Manufacturing Use</i>		●	●				

Permitted Uses		EMP 1	EMP 2	EMP 3	WMI	AR	MAR	EX
.22	Office	●				● (a)		
.23	Public Use	●						
.24	Research Laboratory	●	●			● (a)		
.25	Self Serve Use	●						
.26	Service Use	●	●					
.27	Storage, Indoor	●	●					
.28	Storage, Outdoor		●					
.29	Studio	●	●					
.30	Transportation Depot	●	●	●				
.31	Utility Service and Buildings	●	●					
.32	Vehicle Sales and Rental Establishment	●	●					
.33	Existing Waste Management Site				●			
.34	Warehouse	●	●	●		● (a)		
.35	Wholesale Establishment	●	●					

Additional Regulations to Table 11.1.1

(a) Prior to *Development* approval in the AR Zone the Township shall be satisfied that:

- i. appropriate arrangements for water and wastewater services, as described in a servicing plan completed to the satisfaction of the Township, have been made and agreed upon by all parties involved;
- ii. appropriate stormwater management facilities will be provided for the site;

- iii. the proposed *Development* will have no negative impacts on *natural heritage features* or their functions;
- iv. the *Development* will provide sufficient parking facilities for employees and visitors and adequate on-site loading facilities;
- v. adequate *Setbacks*, buffering, and screening will be provided between *Airport-related Uses* and adjacent *Residential Uses*, roadways, and the Barri-Collingwood Railway *Right-of-Way*; and
- vi. all necessary approvals from provincial ministries, federal agencies, and any other relevant public body have been obtained.

(b) Only *Existing Agricultural Operations* are permitted.

(c) *Accessory farm Buildings and Structures* and single detached farm *Dwellings* are permitted where an *Agricultural Use* exists.

Table 11.1.2

Accessory Uses*		EMP 1	EMP 2	EMP 3	WM	AR	MAR	EX
.1	Community Lifestyle Facilities					● (a)		
.2	Day Care Facility	●						
.3	Financial Institution	●						
.4	Office		●	●				
.5	Outdoor Storage			●		● (a)		
.6	Repair Store	●	●					
.7	Restaurant	● (b)				● (a)		
.8	Retail Store	● (c)	●	●				
.9	Research Laboratory			●				
.10	Vehicle Service Station	●	●					

*Accessory Uses are only permitted where they are *Ancillary* to a permitted Employment Use.

Additional Regulations for Table 11.1.2:

(a) Prior to *Development* approval in the AR Zone the Township shall be satisfied that:

- i. appropriate arrangements for water and wastewater services, as described in a servicing plan completed to the satisfaction of the Township, have been made and agreed upon by all parties involved;
- ii. appropriate stormwater management facilities will be provided for the site;
- iii. the proposed *Development* will have no negative impacts on *natural heritage features* or their functions;
- iv. the *Development* will provide sufficient parking facilities for employees and visitors and adequate on-site loading facilities;
- v. adequate *Setbacks*, buffering, and screening will be provided between *Airport-related Uses* and adjacent *Residential Uses*, roadways, and the Barri-Collingwood Railway *Right-of-Way*; and
- vi. all necessary approvals from provincial ministries, federal agencies, and any other relevant public body have been obtained.

(b) Maximum *Gross Floor Area* of 465 m²

(c) Shall be located within the same *Building* or *Structure* in which the primary *Use* is located. The maximum *Gross Floor Area* of the retail *Use* shall be 10% of the area devoted to the primary *Use*.

11.2 Light Employment (EMP1) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 11.1 permitted in the EMP1 Zone.

Table 11.2

EMP1 Zone Regulations		Permitted Uses
.1	Minimum <i>Lot Frontage</i>	20 m
.2	Minimum <i>Lot Area</i>	750 m ²
.3	Maximum <i>Lot Coverage</i>	60%
.4	Minimum <i>Front Yard Setback</i>	7.5 m
.5	Minimum <i>Rear Yard Setback</i>	2.0 m
.6	Minimum <i>Interior Side Yard Setback</i>	2.0 m
.7	Minimum <i>Exterior Side Yard Setback</i>	2.0 m
.8	Minimum <i>Setback</i> from a Residential Zone or Use	5.0 m
.9	Maximum <i>Building Height</i>	14 m
.10	Minimum Landscape Open Space	25%

11.3 General Employment (EMP2) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 11.1 permitted in the EMP2 Zone.

Table 11.3

EMP2 Zone Regulations		Permitted Uses
.1	Minimum <i>Lot Frontage</i>	30 m
.2	Minimum <i>Lot Area</i>	0.4 ha
.3	Maximum <i>Lot Coverage</i>	50%
.4	Minimum <i>Front Yard Setback</i>	10 m
.5	Minimum <i>Rear Yard Setback</i>	5 m
.6	Minimum <i>Interior Side Yard Setback</i>	2 m
.7	Minimum <i>Exterior Side Yard Setback</i>	10 m
.8	Minimum <i>Setback</i> from a Residential Zone or Use	10 m
.9	Maximum <i>Building Height</i>	18 m
.10	Minimum Landscaper Open Space	25%

11.4 Heavy Employment (EMP3) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 11.1 permitted in the EMP3 Zone.

Table 11.4

EMP2 Zone Regulations		Permitted Uses
.1	Minimum <i>Lot Frontage</i>	30 m
.2	Minimum <i>Lot Area</i>	0.4 ha
.3	Maximum <i>Lot Coverage</i>	50%
.4	Minimum <i>Front Yard Setback</i>	10 m
.5	Minimum <i>Rear Yard Setback</i>	5 m
.6	Minimum <i>Interior Side Yard Setback</i>	2 m
.7	Minimum <i>Exterior Side Yard Setback</i>	10 m
.8	Minimum <i>Setback</i> from a Residential Zone or Use	10 m
.9	Maximum <i>Building Height</i>	18 m
.10	Minimum <i>Landscaper Open Space</i>	25%

11.5 Waste Management Industrial (WMI) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 11.1 permitted in the WM Zone.

Table 11.5

WM Zone Regulations		Permitted Use
.1	Minimum <i>Lot Frontage</i>	<i>Existing</i> on the effective date of this by-law
.2	Minimum <i>Lot Area</i>	<i>Existing</i> on the effective date of this by-law
.3	Maximum <i>Lot Coverage</i>	<i>Existing</i> on the effective date of this by-law
.4	Minimum <i>Front Yard Setback</i>	<i>Existing</i> on the effective date of this by-law
.5	Minimum <i>Rear Yard Setback</i>	<i>Existing</i> on the effective date of this by-law
.6	Minimum <i>Interior Side Yard Setback</i>	<i>Existing</i> on the effective date of this by-law
.7	Minimum <i>Exterior Side Yard Setback</i>	<i>Existing</i> on the effective date of this by-law
.8	Maximum <i>Building Height</i>	<i>Existing</i> on the effective date of this by-law

11.6 Airport Related Employment (AR) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 11.1 permitted in the AR Zone.

Table 10.6

AR Zone Regulations		Permitted Uses
.1	Minimum <i>Lot Frontage</i>	40 m
.2	Minimum <i>Lot Area</i>	0.4 ha (a)
.3	Maximum <i>Lot Coverage</i>	40%
.4	Minimum <i>Front Yard Setback</i>	15 m
.5	Minimum <i>Rear Yard Setback</i>	5 m
.6	Minimum <i>Interior Side Yard Setback</i>	2 m
.7	Minimum <i>Exterior Side Yard Setback</i>	15 m
.8	Minimum <i>Setback</i> from a Residential Zone or Use	15 m
.9	Maximum <i>Building Height</i>	18 m
.10	Minimum Landscaper Open Space	25%

Additional Regulations to Table 11.6

- (a) The creation of a new *Lot* in the AR Zone shall only be permitted through the approval of a plan of subdivision or description of *Condominium*, unless a consent is required under the following circumstances:
- for the purpose of correcting a conveyance or for other legal and technical reasons, provided that the consent does not result in the creation of a new *Lot* or the re-creation of a merged *Lot*;
 - as part of, or following, the acquisition of lands by a public body; or
 - as part of, or following, the acquisition of lands by a conservation organization for the purpose of establishing a nature preserve.

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11.7 Mineral Aggregate Resource (MAR) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 11.1 permitted in the MAR Zone.

Table 11.7

MAR Zone Regulations		Permitted Use
.1	Minimum <i>Lot Frontage</i>	<i>Existing</i> on the effective date of this by-law
.2	Minimum <i>Lot Area</i>	<i>Existing</i> on the effective date of this by-law
.3	Maximum <i>Lot Coverage</i>	<i>Existing</i> on the effective date of this by-law
.4	Minimum <i>Front Yard Setback</i>	<i>Existing</i> on the effective date of this by-law
.5	Minimum <i>Rear Yard Setback</i>	<i>Existing</i> on the effective date of this by-law
.6	Minimum <i>Interior Side Yard Setback</i>	<i>Existing</i> on the effective date of this by-law
.7	Minimum <i>Exterior Side Yard Setback</i>	<i>Existing</i> on the effective date of this by-law
.8	Maximum <i>Building Height</i>	<i>Existing</i> on the effective date of this by-law

11.8 Extractive Industrial (EX) Zone

The following site and *Building* regulations apply to the *Uses* listed in Sec. 11.1 permitted in the EX Zone.

Table 11.8

EX Zone Regulations		Permitted Use
.1	Minimum <i>Lot Frontage</i>	<i>Existing</i> on the effective date of this by-law
.2	Minimum <i>Lot Area</i>	<i>Existing</i> on the effective date of this by-law
.3	Maximum <i>Lot Coverage</i>	<i>Existing</i> on the effective date of this by-law
.4	Minimum <i>Front Yard Setback</i>	15 m
.5	Minimum <i>Rear Yard Setback</i>	15 m
.6	Minimum <i>Interior Side Yard Setback</i>	15 m
.7	Minimum <i>Exterior Side Yard Setback</i>	15 m
.8	Minimum <i>Setback</i> from an EX Zone	0 m

SECTION 12

ENVIRONMENTAL PROTECTION & OPEN SPACE ZONES

In any Environmental Protection or Open Space Zone, no *Person* shall *Use* any *Lot* or *Erect*, *Alter* or *Use* any *Building* or *Structure* for any purpose except in accordance with the regulations in this section. A number(s) following the permitted *Use* symbol, *Zone* standard or *Zone* heading indicates that additional regulations apply. Additional regulations are listed below Tables 12.1 to 12.6.

Symbol	Zones
EP1	Environmental Protection - Natural Heritage
EP2	Environmental Protection - Hazard
EP3	<i>Environmental Protection - Wetland</i>
OS1	Rural Open Space
OS2	Settlement Open Space

12.1 Uses Permitted in Environmental Protection & Open Space Zones

Within any Environmental Protection or Open Space Zone, no *Person* shall *Use* any *Lot* or *Erect*, *Alter* or *Use* any *Building* or *Structure* for any purpose except one or more of the following *Uses* as identified by a dot:

Table 12.1

Permitted Uses		EP1	EP2	EP3	OS1	OS2
.1	<i>Agro-forestry</i>	● (a)				

.2	<i>Existing Agricultural Use</i>	●	●		●	
.3	<i>Dwelling, Single Detached</i>	● (b)				
.4	<i>Conservation Use</i>	●	● (c)	● (c)	●	●
.5	<i>Cemetery</i>				●	
.6	<i>Existing Park, Private</i>				●	
.7	<i>Existing Gravel Pit</i>	●				
.8	<i>Recreation, Passive</i>	● (d)	●	●	●	●
.9	<i>Public Use</i>				●	●
.10	<i>Park, Public</i>	● (d)				●
.11	<i>Recreation, Active</i>					●
.12	<i>Home Business</i>	● (e)				
.13	<i>Fairground</i>				●	

Additional Regulations to Table 12.1

(a) In accordance with the following:

- i. On public lands or in *County* forests, in accordance with an approved management plan and with sustainable forest practices;
- ii. On private lands as permitted by Simcoe *County*'s Forest Conservation By-law or by a tree by-law passed by the Township of Clearview under Section 135 of the Municipal Act, 2001; and

(b) Permitted on any *Lot* that actually and legally *Existed* on May 9, 2016 and only where the following is demonstrated to the satisfaction of the *Township*:

- i. The subject lands are not in a prime agricultural area;
- ii. The subject lands have *frontage* on a *public road*; and
- iii. The subject lands are of sufficient size to accommodate the proposed *Dwelling* without having negative impact on natural features or on their ecological functions.

- (c) *Buildings or Structures* are only permitted for the purpose of *Flood Control* or *Erosion Control*.
- (d) Shall be permitted only where identified in an approved *Environmental Impact Study*.
- (e) In a *Dwelling* that actually and legally *Existed* on the effective date of this by-law.

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12.2 Environmental Protection - Natural Heritage (EP1) Zone Regulations

The following site and *Building* regulations apply to the *Uses* listed in Sec. 12.1 permitted in the EP1 Zone.

Table 12.2

EP1 Zone Regulations		All Permitted Uses
.1	Minimum <i>Lot Frontage</i>	No Minimum
.2	Minimum <i>Lot Area</i> (Section 5.15)	No Minimum
.3	Maximum <i>Lot Coverage</i>	As required by Section 6.2 Agricultural (AG) Zone and 120 m from a <i>Primary Natural Heritage Feature</i> or 50 m from a <i>Secondary Natural Heritage Feature</i> , or a reduced <i>Setback</i> if supported by the findings of an <i>Environmental Impact Study</i> .
.4	Minimum <i>Front Yard Setback</i>	
.5	Minimum <i>Rear Yard Setback</i>	
.6	Minimum <i>Interior Side Yard Setback</i>	
.7	Minimum <i>Exterior Side Yard Setback</i>	
.8	Maximum <i>Building Height</i>	

12.3 Environmental Protection - Hazard (EP2) Zone Regulations

The following site and *Building* regulations apply to the *Uses* listed in Sec. 12.1 permitted in the EP2 Zone.

Table 12.3

EP2 Zone Regulations		All Permitted Uses
.9	Minimum <i>Lot Frontage</i>	No Minimum
.10	Minimum <i>Lot Area</i> (Section 5.15)	No Minimum
.11	Maximum <i>Lot Coverage</i>	As required by Section 6.2 Agricultural (AG) Zone and 30 m from the high-water mark or top-of-bank of a <i>Watercourse</i> , whichever is greater, or greater than 30 m if a larger <i>Setback</i> is warranted because of an on-site evaluation.
.12	Minimum <i>Front Yard Setback</i>	
.13	Minimum <i>Rear Yard Setback</i>	
.14	Minimum <i>Interior Side Yard Setback</i>	
.15	Minimum <i>Exterior Side Yard Setback</i>	
.16	Maximum <i>Building Height</i>	

12.4 Environmental Protection - Wetland (EP3) Zone Regulations

The following site and *Building* regulations apply to the *Uses* listed in Sec. 12.1 permitted in the EP3 Zone.

Table 12.4

EP3 Zone Regulations		All Permitted Uses
.17	Minimum <i>Lot Frontage</i>	No Minimum
.18	Minimum <i>Lot Area</i> (Section 5.15)	No Minimum
.19	Maximum <i>Lot Coverage</i>	As required by Section 6.2 Agricultural (AG) Zone and 120 m from a <i>Primary Natural Heritage Feature</i> or 50 m from a <i>Secondary Natural Heritage Feature</i> , or a reduced <i>Setback</i> if supported by the findings of an <i>Environmental Impact Study</i> .
.20	Minimum <i>Front Yard Setback</i>	
.21	Minimum <i>Rear Yard Setback</i>	
.22	Minimum <i>Interior Side Yard Setback</i>	
.23	Minimum <i>Exterior Side Yard Setback</i>	
.24	Maximum <i>Building Height</i>	

12.5 Rural Open Space (OS1) Zone Regulations

The following site and *Building* regulations apply to the *Uses* listed in Sec. 12.1 permitted in the OS1 Zone.

Table 12.5

OS1 Zone Regulations		All Permitted Uses
.1	Maximum <i>Lot Coverage</i>	20%
.2	Minimum <i>Front Yard Setback</i>	10 m
.3	Minimum <i>Rear Yard Setback</i>	7.5 m
.4	Minimum <i>Interior Side Yard Setback</i>	4.5 m
.5	Minimum <i>Exterior Side Yard Setback</i>	10 m
.6	Maximum <i>Building Height</i>	10 m

12.6 Settlement Open Space (OS2) Zone Regulations

The following site and *Building* regulations apply to the *Uses* listed in Sec. 12.1 permitted in the OS2 Zone.

Table 12.6

OS2 Zone Regulations		All Permitted Uses
.1	Maximum <i>Lot Coverage</i>	25%
.2	Minimum <i>Front Yard Setback</i>	7.5 m
.3	Minimum <i>Rear Yard Setback</i>	7.5 m
.4	Minimum <i>Interior Side Yard Setback</i>	3 m
.5	Minimum <i>Exterior Side Yard Setback</i>	7.5 m
.6	Maximum <i>Building Height</i>	15 m

SECTION 13

SITE SPECIFIC PROVISIONS

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SCHEDULE A

ZONE MAPS

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APPENDIX A

EXPLANATORY INFORMATION

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