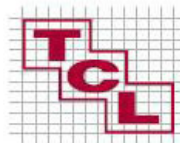




## **Zoning By-law #10 - 12**

### **As amended**

Consolidated November 21, 2012



**Tunnock Consulting Ltd.**

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**File P-2200**



**THE CORPORATION OF THE TOWN OF LAURENTIAN HILLS**

**BY-LAW No. 10 - 12**

**BEING** a By-Law to regulate the use of land, buildings and structures within the corporate limits of the Town of Laurentian Hills.

**WHEREAS** section 34 of the Planning Act, c. P.13 R.S.O.1990 as amended does authorize the Councils of Municipalities to enact By-Laws regarding the use and the erection and use of building or structures within the municipality

**NOW THEREFOR** the Council of the Corporation of the Town of Laurentian Hills does enact as follows that:

- 1 the attached text and maps (schedules), contained herein, shall be and are hereby adopted as the new comprehensive Zoning By-Law for the Town of Laurentian Hills
- 2 the Table of Contents, forward and explanatory notes do not form part of this By-Law, they are meant for explanatory purposes only
- 3 all previous Zoning By-Laws for the Town of Laurentian Hills are hereby repealed and rescinded

**READ** a first and second time this 20<sup>th</sup> day of June, 2012

**READ** a third and final time and passed this 20<sup>th</sup> day of June, 2012

  
\_\_\_\_\_  
**MAYOR**

  
\_\_\_\_\_  
**CLERK**

# TOWN OF LAURENTIAN HILLS ZONING BY-LAW



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# The Corporation of the Town of Laurentian Hills Comprehensive Zoning By-law

## Foreword

*This Zoning By-law affects all lands within the Town of Laurentian Hills. To use this By-law, locate the subject property on the map schedules provided and determine the zone(s) which affects the land. Then review the specific regulations relating to the zone(s) in **Section 5: Zones**. It is also important to review **Section 4: General Provisions** and any applicable definitions in **Section 3: Definitions**.*

*This By-law is a consolidation of the former Zoning By-laws, as amended of the Village of Chalk River (By-law No. 88-05) and the Township of Rolph, Buchanan, Wylie & McKay (By-law No. 35-92).*

*Changes to the requirements contained in this By-law may be made with prior approval by the Town as provided for under the Planning Act. Significant changes may be made through the zoning by-law amendment process. Minor variations may be granted by the Town Committee of Adjustment. Both processes require formal applications to be submitted to the Municipality and both involve mandatory public notification.*

*Should you have any questions about the interpretation of the wording of this by-law or the process involved to obtain relief from its provisions, please contact the Town Office.*

**THE CORPORATION OF THE TOWN OF LAURENTIAN HILLS  
ZONING BY-LAW 10-12 EXPLANATORY NOTE**

*Note: This section does not form part of this Zoning By-law but is meant for explanatory purposes only.*

By-law No. 10-12 is a new Comprehensive Zoning By-law which applies to all lands within the Town of Laurentian Hills.

The Comprehensive Zoning By-law regulates the use of all land, buildings and structures including residential, commercial, industrial, agricultural, community facility and natural resources. It permits certain uses set out in the text of the By-law and prohibits any use of land or the construction or use of building not specifically authorized.

A Zoning By-law protects the rights of property owners against incompatible lands uses. This is often referred to as the quiet use and enjoyment of property. Zoning also provides for the public health and safety of residents (e.g., by avoiding construction on flood plains or on contaminated soils).

The Official Plan, which was adopted on September 22, 2010, is the overall guide for development in the Town. The new Zoning By-law implements the Official Plan by establishing land use regulations and standards to which the use of land and development must adhere. The authority for the provisions of the Zoning By-law is contained in Section 34 of the Planning Act.

Unless specifically stated otherwise, it has been the intent of the Zoning By-law to place each land use into a zone category that recognizes the existing use of the property. The Zoning By-law does not have a retroactive effect that would require existing property and structures to meet the requirements. If new development is proposed to deviate from the requirements, it cannot be permitted unless Council amends the Zoning By-law or relief is granted by the Committee of Adjustment.

The following is a brief summary of the contents of the Comprehensive Zoning By-law.

**Section 1**

This Section identifies the administrative controls and requirements of the By-law. It names the By-law, states its relationship with other by-laws, defines the area to which it applies, how it is to be enforced, etc. In essence, it identifies the legal parameters within which the By-law functions.

**Section 2**

This short section establishes the authority and legitimacy of the By-law. It is composed of two statements which require all land uses, buildings and structures to comply with the zoning by-law.

### Section 3

For the purpose of this By-law, the definitions and interpretations given in this Section shall govern. In this By-law, the word "shall" is mandatory and not directory; words in the singular include the plural, words in the plural include the singular; the word "used" includes "arranged", "designed" or "intended to be used". The word "occupied" shall include "designed to be occupied" and "arranged to be occupied".

### Section 4

The General Provisions section of the By-law states the regulations which apply regardless of the specific zoning (Section 5). Whereas the zones provide site specific controls corresponding to such items as permitted uses and locational restrictions, the General Provisions provide regulations more general in nature, applying to a variety of uses regardless of zoning.

### Section 5

This section sets out the specific uses and setbacks for each zone, which may be summarized as follows:

- R1 To recognize and regulate low to average density residential uses: converted, duplex, semi-detached, and single detached dwellings as well as bed and breakfast establishments group homes, home industries/occupations, marine facilities, and day nurseries.
- R2 To recognize and regulate multiple residential uses: boarding house, apartment, quadruplex, row, single detached, triplex, as well as a nursing home/home for the aged/long term care facility, park, parking area, and a retirement home.
- MHP To recognize and regulate mobile home park uses/development.
- LSR To recognize and regulate land which does not have access to at least 30 m [98.4 ft] frontage on an opened and maintained public highway and means that municipal services which may normally be provided on an opened public highway will not be provided including, but not limited to, snow ploughing, road upgrading, school bussing, garbage pick-up, access by emergency vehicles, sanitary sewers or piped water supply.
- GC To recognize and regulate a wide range of commercial uses beneficial to the residents of the Town.
- HC To recognize and regulate a wide range of commercial uses which cater to the travelling public and residents of the Town.
- LC To recognize and regulate commercial development that is generally



	lower in intensity and more compatible with residential development, particularly in hamlets.
RC	To recognize and regulate commercial uses oriented to outdoor recreation and which cater to tourists.
NC	To recognize and regulate local commercial uses which are small scale and serve the local needs of residents.
GM	To recognize and regulate general industrial uses that may be larger scale, less compatible with other uses and are well suited to the lands designated industrial under the Official Plan i.e. Class I, II, and III Industries, Log Haul Operation, Sawmill, etc.
EMP	To recognize and regulate the extraction of sand and gravel and the associated extractive industrial manufacturing and processing uses.
EMQ	To recognize and regulate quarries and the associated extractive industrial manufacturing and processing uses.
EMR	To restrict the use of lands associated with mineral aggregate resource deposits and reserves until such time as specific development proposals are accepted for rezoning to the EM Zone or another zone category.
DMW	To recognize and regulate disposal uses i.e. Waste Disposal Sites.
DMS	To recognize and regulate disposal uses i.e. Salvage Yards.
CF	to recognize public uses that are provided to the community in various facilities: clinics, churches, schools, community centres, etc.
OS	To recognize and regulate open space uses, and/or conserve areas for passive outdoor recreation.
RU	To recognize and regulate a mixture of land uses that are appropriate in rural areas including low density residential, farms, and forestry.
EP	To regulate development in areas that are subject to natural hazards and/or that have environments sensitive to development i.e. floodplains, steep slopes, slippery slopes, wetlands.
H	To recognize sites of historical and archaeological significance to the Town.

The Holding provisions of the Planning Act have been used together with an Environmental Protection Zone in the vicinity of Burke's Bluff to implement the geotechnical study by Golder Associates Ltd.

## **Section 1 ADMINISTRATION**

### ***Explanatory Note***

*Section 1 identifies the administrative controls and requirements of the By-law. It names the By-law, states its relationship with other by-laws, defines the area to which it applies, how it is to be enforced, etc. In essence, it identifies the legal parameters within which the By-law functions.*

### **1.1 Title**

This By-law shall be known as the Zoning By-law or By-law No.10-12 as amended of the Corporation of the Town of Laurentian Hills.

### **1.2 Applications and Plans**

In addition to the requirements of any Building By-law, every application for a building permit shall be accompanied by a plan, drawn to scale and showing the following:

- (a) The true dimensions and/or legal description of the lot to be built upon or otherwise used; and
- (b) The proposed location, height and dimensions of any building, structure or use proposed for such lot; and
- (c) The proposed location, height and dimensions of yards, landscaping, parking areas and loading spaces required by this By-law; and
- (d) The location of all existing buildings or structures on the lot, including the lot area, lot coverage of existing and proposed structures; and
- (e) A statement, signed by the owner disclosing the exact use of all existing and proposed uses of land, buildings or structures and such other information as may be required to determine whether the uses conform with the requirements of this by-law; and
- (f) The location of sewage disposal systems and water wells on the property.

### **1.3 Defined Area and Application of this By-law**

The provisions of this By-law shall apply to all lands within the municipal boundaries of the Corporation of the Town of Laurentian Hills save and except Crown land as shown on the schedules to this By-law.

## **1.4 Enforcement**

This By-law shall be administered by the Zoning Administrator or such other person as may from time to time be designated by Council, and no permit for the use of land or for the erection or use of any building or structure or approval of application for any municipal license within the jurisdiction of the Council shall be issued or given where the proposed building, structure or use would be a violation of any provision of this By-law.

## **1.5 Inspection of Land, Buildings and Structures**

- (a)** Subject to Section 49 of the Planning Act, 1990, where an officer believes on reasonable grounds that a by-law passed under Section 34 or 38 (of the *Planning Act*) is being contravened, the officer or any person acting under his or her instructions, may at all reasonable times, and upon producing proper identification, enter and inspect any property on or in respect of which he or she believes the contravention is occurring.
- (b)** Except under the authority of a search warrant issued under Section 49.1 (of the *Planning Act*), an officer or any person acting under his or her instructions shall not enter any room or place actually used as a dwelling unit without requesting and obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused and entry made only under the authority of a search warrant.
- (c)** No person shall obstruct or attempt to obstruct an officer or person acting under the officer's instructions in the exercise of a power under this Section.

## **1.6 Penalty**

- (a)** Every person who violates any of the provisions of this By-law is guilty of an offense and upon conviction thereof shall forfeit and pay a penalty not exceeding Twenty-Five Thousand Dollars (\$25,000.00), on a first conviction, and Ten Thousand Dollars (\$10,000.00) on a subsequent conviction for each day or part thereof upon which the contravention has continued after the day of the first conviction.
- (b)** Where a corporation is convicted under subsection (a), the maximum penalty that may be imposed is Fifty Thousand Dollars (\$50,000.00) on a first conviction and Twenty Five Thousand Dollars (\$25,000.00) on a subsequent conviction for each day or part thereof upon which the contravention has continued after the day of the first conviction.
- (c)** In the case where any building or structure is erected or altered, or any part thereof is used, or any lot is used, in contravention of any of the requirements of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation pursuant to the provisions of the *Municipal Act* or the *Planning Act* in that behalf.

## **1.7 Validity**

Should any Section or part of a Section of this By-law or Schedule hereto be declared by a court of competent jurisdiction to be invalid, the same shall not affect the provisions of this By-law as a whole or any part thereof other than the part declared to be invalid.

## **1.8 Other By-laws, Licenses, Permits and Regulations**

Nothing in this By-law shall exempt any person from complying with the requirements of any other By-law in force within the area affected by this By-law, or from applying for and obtaining any permit, license, permission, authority or approval required by this or any other By-law or regulation of the Corporation or by any other law in force from time to time.

## **1.9 Conflict**

In the event of conflict between this By-law and amendments thereto, and any general or special By-law, the most restrictive By-law shall prevail.

## **1.10 Interpretation**

### **(a) Legislation Act**

The *Legislation Act*, R.S.O. 1990 applies to this By-law.

### **(b) Definitions**

Definitions are given in this By-law to aid in the understanding and implementation of the true spirit, intent and meaning of the By-law. They are not to be used to avoid an obligation imposed by the By-law or any requirement enacted in a substantive provision of the By-law.

### **(c) Citation**

This By-law may be cited by its long title (“A By-law to Regulate the Use of Land, Buildings and Structures within the Town of Laurentian Hills”), its short title (“Town of Laurentian Hills Zoning By-law”) or its by-law number, and any such citation is to be taken as meaning the By-law as amended.

### **(d) Gender Neutrality**

This By-law is gender neutral and, accordingly, any reference to one gender includes the other.

### **(e) Plural and Singular**

In this By-law, words in the singular include the plural, and words in the plural include the singular.

**(f) References**

Appendices, footnotes, glossaries, headings, indices, marginal notes and references to former enactments or enabling legislation after a section or other division of the By-law, do not form part of the By-law and are inserted for convenience of reference only.

**(g) Measurement Units**

This By-law utilizes the metric system to establish measurements when such measurements form part of a regulation or a requirement. (*Approximate imperial equivalent measurements are provided for the convenience of the reader.*)

**1.11 Effective Date**

This By-law shall take effect from the date of its passage by Council, subject to the provisions of the *Planning Act*.

**1.12 Unlawful Uses**

Any use established in violation of a predecessor of this By-law shall be deemed to have been established unlawfully and shall be in violation of this By-law.

## **Section 2 CONFORMITY REQUIREMENTS**

### ***Explanatory Note***

*This short section establishes the authority and legitimacy of the By-law. It is composed of two statements which require all land uses, buildings and structures to conform with the zoning by-law.*

- 2.1** No land, building or structure shall be used and no building or structure shall be used, erected or enlarged, altered or placed for any purpose within the area defined by this By-law, except as specifically, or by necessary implication, authorized by this By-law and in conformity with all the applicable provisions of this By-law.
- 2.2** Subject to the granting of such minor variances as may be necessary, no lands shall be severed from any existing lot if the effect of such action is to cause the original, adjoining, remaining or new building, structure, lot or use of land to be in contravention of any provision of this By-law.

## Section 3 DEFINITIONS

### *Explanatory Note*

*For the purpose of this By-law, the definitions and interpretations given in this Section shall govern. In this By-law, the word "shall" is mandatory and not directory; words in the singular include the plural, words in the plural include the singular; the word "used" includes "arranged", "designed" or "intended to be used". The word "occupied" shall include "designed to be occupied" and "arranged to be occupied".*

### 3.A

#### **Abattoir**

Means a commercial use, building, structure or lot or part thereof used for the slaughter of livestock or other animals for the purpose of processing or rendering and as regulated by the *Food Safety and Quality Act*.

#### **Accessory**

When used to describe a use, building or structure, means a use, building or structure naturally or normally incidental, subordinate and exclusively devoted to a main use, building or structure and located on the same lot therewith (see Figure 3.1).



#### **Adventure Game**

Means an outdoor sport or recreation operated commercially in which participants attempt to capture a flag or some other object and return it to their home base, and may carry one or more of the following equipment: paint pellet pistols, paint pellets, safety goggles to prevent pellets from striking participants' eyes, and armbands to identify team participants.

### **Adult Entertainment Parlour**

Means any building or part thereof in which are provided, in pursuance of a trade, calling, business or occupation, any goods or services appealing or designed to appeal to erotic or sexual appetites or inclinations.

### **Adverse Effects**

In accordance with the *Environmental Protection Act*, adverse effect shall mean:

- (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 plant and animal life;
- (c) harm or material discomfort to any person;
- (d) An adverse affect 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 use by humans;
- (g) Loss of enjoyment of normal use of property; and
- (h) Interference with normal conduct of business.

### **Aggregate**

Means gravel, sand, clay, earth, shale, limestone, dolostone, sandstone, marble, granite, rock other than metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

### **Agriculturally Related Commercial/Industrial Uses**

Means the use of land, buildings or structures related to agriculture and necessary in close proximity to farm operations, such as animal husbandry services, produce or grain storage facilities, farm machinery outlets, a fertilizer depot, but does not include any manufacturing, assembling, processing, warehousing or construction uses.

### **Agricultural Use**

Means the use of land, building(s) or structure(s) for:

- (a) The growing of crops, including all related activities such as soil preparation, manure or fertilizer storage and application, planting, spraying, grain drying, irrigating, harvesting and also including the storage and sale of the crops;



and

- (b) Animal husbandry including the raising, boarding, and keeping of all forms of livestock and fish, and all related activities such as breeding, training, feeding, manure storage and grazing and in compliance with the Minimum Distance Separation (MDS) Formulae I and II ; and
- (c) The production of animal products such as milk, eggs, wool, fur, or honey, including related activities such as the collection, storage and sale of the products; and
- (d) The use and storage of all forms of equipment or machinery needed to accomplish the foregoing activities; and
- (e) Shall be deemed to include activities which are normal farm practices as may be determined under the *Farming and Food Production Protection Act*.

An agricultural use shall not be construed to include commercial activities related to agriculture such as abattoirs, tanneries, retail sales outlets (e.g., butcher shop, farm implement sales), or manufacturing and processing activities involving farm crops or animal products such as cheese factories, grain mills or retail seed sales, but may include the production and incidental sale of maple syrup.

#### **Agriculturally Related Commercial/Industrial Use**

Means the use of land, buildings or structures related to agriculture and necessary in close proximity to farm operations, such as animal husbandry services, produce or grain storage facilities, farm machinery outlets, a fertilizer depot, but does not include any manufacturing, assembling, processing, warehousing or construction uses.

#### **Airfield, Private**

Means land used for the purpose of landing, storing, taxiing or taking-off of private aircraft and uses, buildings or structures accessory thereto, but shall not include a commercial airport or airport governed by the *Aeronautics Act*.

#### **Airport**

Means the use of land licensed under the *Aeronautics Act* for the landing and take-off of commercial and/or private aircraft and shall include any accessory buildings or structures.

#### **Alter**

- (a) When used in reference to a building, structure or part thereof, means:
  - i) To change any one or more of the external dimensions of such building or structure; or

- ii) To change the type of construction of the exterior walls or roof of such building or structures; or
  - iii) To change the use of such building or structure or the number or types of uses or dwelling units contained therein; or
  - iv) Including building systems such as plumbing, heating and electrical.
- (b) When used in reference to a lot means:
- i) To change the boundary of such lot with respect to a street or lane; or
  - ii) To change any dimension or area, relating to such lot; or
  - iii) To change the use of such lot or the number of uses located thereon.
- (c) When used in reference to a shoreline:
- i) Means to change, straighten, divert or interfere in any way with the channel of any watercourse.

**Ambulance Facility**

Means a building or part thereof where professional paramedics and personnel are stationed and their vehicles and equipment are kept or stored and may also include an area for temporary sleeping quarters, kitchen and sanitary facilities for ambulance workers on duty.

**Amusement Arcade - see Place of Amusement**

**Areas of Archaeological Potential**

Means areas with the potential to contain archaeological resources. Criteria for determining archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

**Area of Natural and Scientific Interest (ANSI)**

Means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

**Artisan Shop or Studio - see Studio**

**Asphalt Manufacturing Plant**

Means an industrial facility used for the production of asphalt for immediate use in

the paving of roads and driveways and the damp-proofing of buildings or structures (see also **Portable Asphalt/Concrete Plant**).

**Assembly Hall - see Place of Assembly**

**Attached**

Means a building or structure otherwise complete in itself which is connected to, and which depends for structural support upon a division wall or walls shared in common with an adjacent building or buildings.

**Automotive Body Shop**

Means a building with a service bay, where painting, refinishing, restoration or repairs to the coachwork of motor vehicles are performed for gain or profit.

**Automotive Car Wash - see Car Washing Establishment**

**Automotive Commercial Garage - see Automotive Repair Garage**

**Automotive Gasoline Bar - see Gasoline Bar or Gasoline Card Lock Facility**

**Automotive Repair Garage**

Means a building used for the storage repair and servicing of motor vehicles, having at least one (1) service bay where repairs essential to the operation of a motor vehicle are performed.

**Automotive Service Station**

Means a building and/or lot used for the sale of fuels for vehicles and may include the renting, servicing, repairing, lubrication, cleaning and polishing of vehicles and the sale of automotive accessories and related products, but shall not include any other automotive use defined in this by-law.

**Automotive Sales Establishment**

Means a building and/or lot used principally for the display and sale of new and/or used motor vehicles and may include the servicing, repair, cleaning, body repair and repainting of motor vehicles, the sale of automotive accessories and related products and the leasing or renting of motor vehicles, but shall not include any other defined automotive uses.

**Automotive Store**

Means an establishment primarily engaged in the retail sale of vehicle parts, accessories and tools. Accessory uses may include service bays for performing maintenance repair operations on motor vehicles.

**3.B**

**Back Country Camp - see Camp**

**Bake Shop**

Means an establishment where the producing, mixing, compounding or baking of bread, biscuits, cakes or other bakery products is undertaken and may include the retail sale on the premises of the finished products.

**Bakery**

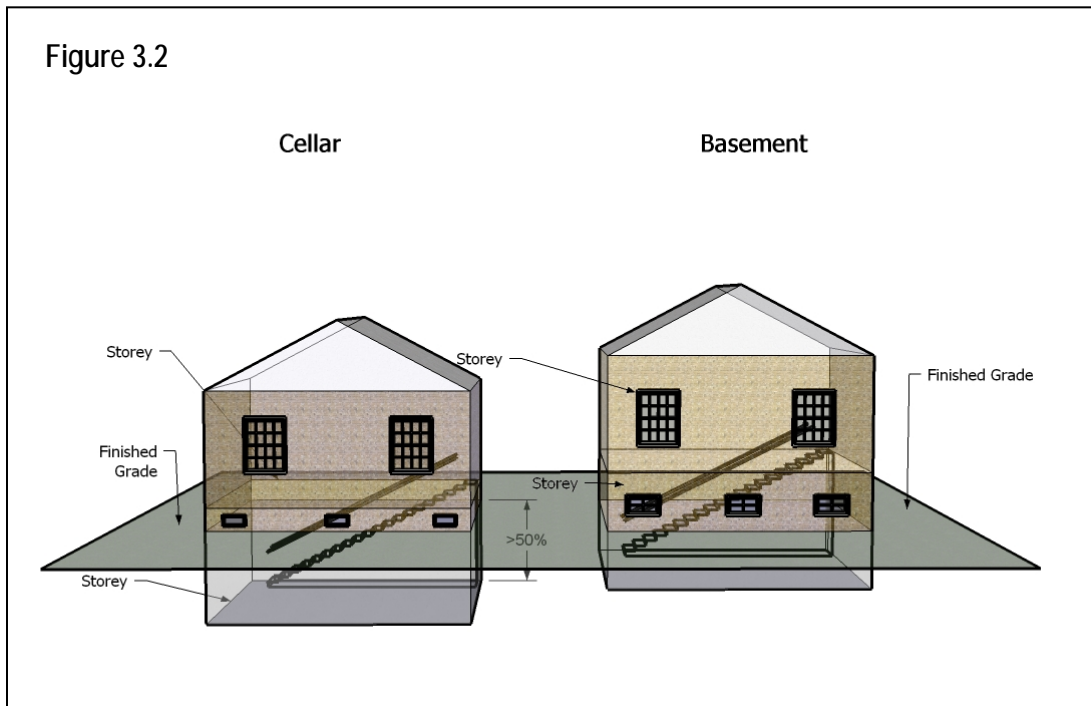
Means a building, part of a building, or structure where the baking of baked goods occurs for on or off-site consumption. A bakery may include an incidental retail establishment where baked goods made on-site are offered for retail sale.

**Bank or Financial Institution**

Means a building, part of a building, or structure used as a bank, credit union, trust company, finance company, loan or mortgage company, investment firm or financial consultants.

**Basement**

Means that portion of a building between two floors which is partly underground but which has at least one-half of its height from floor to ceiling above the adjacent finished grade (see Figure 3.2) (see also **Cellar**).



**Bed and Breakfast Establishment**

Means a private dwelling designed to be used in part for the short-term accommodation of the travelling or vacationing public, containing therein four (4) or fewer suites or guest rooms.

**Berm**

Means a landscaped mound of earth (see also **Landscaped Open Space**).

**Bingo Hall**

Means a building or premise or part thereof used for bingo or a bingo event and is duly registered under the *Gaming Control Act* and is in compliance with municipal by-laws and approvals (see also **Place of Amusement**).

**Boarding House or Rooming House**

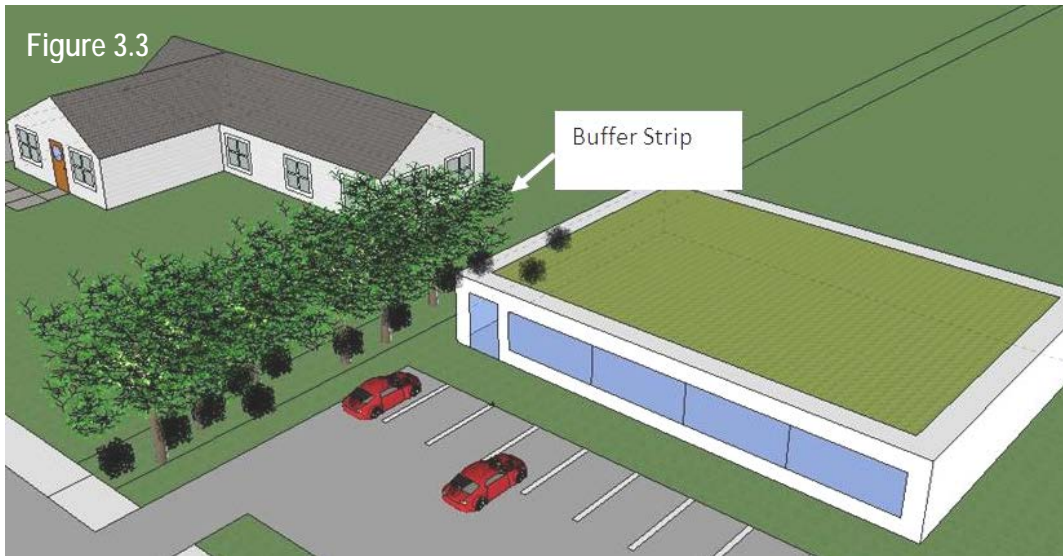
Means a dwelling in which the proprietor resides and supplies for commercial gain, more than three bedrooms for boarders and may include the provision of meals.

**Boat House**

Means a building or structure or part thereof not over 5 m [16.4 ft] in height, used for the storage of private boats and equipment accessory to their use, as an accessory use to a residential use, no part of which shall be used for any residential or commercial purpose. Despite anything in the foregoing to the contrary, saunas, rooftop decks or patios and screened enclosures (i.e. gazebos) shall be allowed provided that the total aggregate height of all boat house structures does not exceed the maximum height limit by more than 1.2 m [4.0 ft].

**Buffer Strip**

Means an area to be used for the purpose of screening land, buildings, land uses or other structures by the planting and maintenance of trees or shrubs or by the construction and maintenance of a berm or fence, or a compatible intervening use that serves the foregoing purpose (see Figure 3.3).



**Building**

Means any structure used or intended for sheltering any use or occupancy. The word "building" shall include the whole of such structure or part thereof and shall include any building types as regulated by the *Ontario Building Code*.

**Building, Residential** - see **Residential Building**

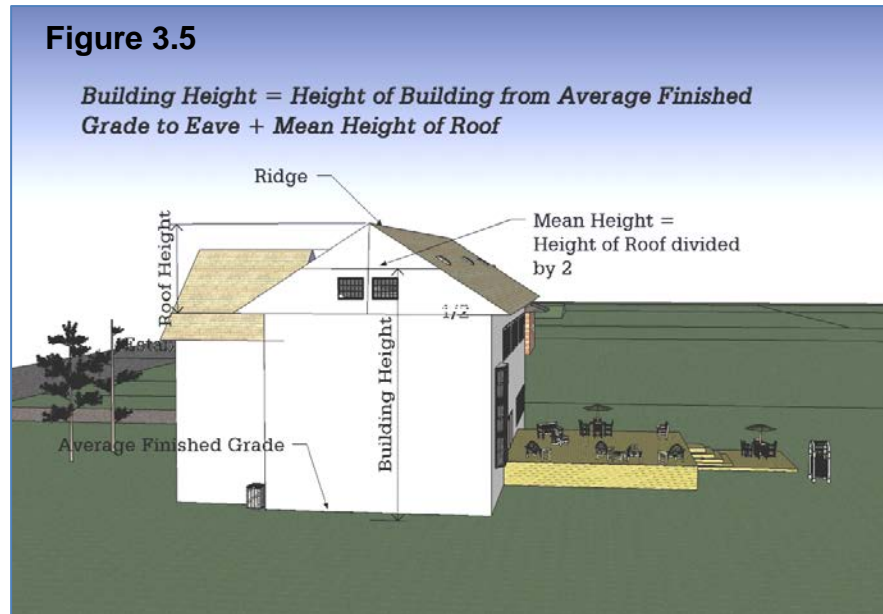
**Building Envelope**

Means the buildable area on a lot, defined by all of the required yards and setbacks and the maximum height provisions, within which a building can be erected (see Figure 3.4).



## Building Height

Means the vertical distance between the average finished grade at the base of the building and in the case of a flat roof, the highest point of the roof surface or parapet wall, whichever is the highest, or in the case of all other types of roofs, the mean height level between the base of the roof and highest point of the roof (see Figure 3.5).



**Building Line** - see **Established Building Line**

## Building, Main

Means a building in which is conducted the principle uses of the lot on which it is situated (see Figure 3.1).

## Building, Temporary

Means a building or structure intended for removal or demolition within a prescribed time not exceeding two years or as set out in a building permit.

## Built Heritage Resources

Means one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the Ontario Heritage Act, or listed by local, provincial or federal jurisdictions.

## Building Supply Store

Means a building where building supplies such as lumber, millwork, siding, roofing,

plumbing, electrical, heating, air conditioning, home improvement and similar goods are stored, displayed, or kept for retail sale. This definition shall not include a lumber yard nor a salvage yard.

**Business Office - see Office**

### 3.C

#### **Camp (Hunt Camp, Fishing Camp, Back Country Camp)**

Means a building or structure in a remote area intended to provide basic shelter and accommodation on a temporary basis for persons engaged in such activities as hunting, fishing, snowmobiling, hiking or other similar forms of recreation (see also Section 4.4).

#### **Campground**

Means an area of land providing short term accommodation for tents, tent trailers, recreational vehicles or campers but shall not include mobile homes or a mobile home park. and may include accessory uses such as a Laundromat, convenience store, sale of propane fuels and recreational uses for persons using the campground where a fee is charged or paid for such accommodation.

#### **Campground, Private**

Means an area of land providing short term accommodation for tents, trailers, recreation vehicles or campers where no fee is charged or paid for such accommodation.

#### **Campground, Recreational**

Means an area of land containing sleeping accommodations and facilities which are used to provide short term accommodation for persons engaged in passive or active recreation or leisure, which without limiting the generality of the foregoing, shall include, but shall not be limited to the following: children's camp or establishment, religious camp, institutional camp, or other like or similar camp or establishment where fees may be charged, but shall not include a tourist establishment.

#### **Car Port**

Means a structure open on at least two sides and intended to be used for the sheltering of one or more motor vehicles.

#### **Car Washing Establishment**

Means a building or portion thereof used for washing or cleaning of motor vehicles for gain, and may include the sale of gas and oil to its customers.



**Cellar**

Means the portion of a building between two floors, which is partly underground and which has more than one-half of its height from floor to ceiling below the finished grade (see Figure 3.2).

**Cemetery**

Means a cemetery within the meaning and as regulated by the *Cemeteries Act* and includes a columbarium or other structure intended for the interment of human remains.

**Chief Building Official**

Means an officer or employee of the Corporation of the Town of Laurentian Hills appointed by by-law to enforce the provisions of the *Building Code Act*.

**Church - see Place of Worship**

**Clinic**

Means a building or part thereof used solely for the purpose of consultations, diagnosis and treatment of patients, by two (2) or more legally qualified physicians, dentists, optometrists, chiropodists, chiropractors or drugless practitioners, together with their qualified assistants and without limiting the generality of the foregoing, the building may include administrative offices, waiting rooms, laboratories, pharmacies or dispensaries directly associated with the clinic, but shall not include accommodation for in-patient care or operating rooms for major surgery.

**Club - see Private Club (see also Recreational Commercial Establishment)  
Commercial Greenhouse**

Means a building used for the growing of flowers, vegetables, shrubs, trees, and similar vegetation for wholesale or retail sale. This definition shall not include any premises for the growing of mushrooms.

**Commercial Vehicle**

Means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, fire apparatus, police patrols, motor buses and tractors used for hauling purposes on the highway.

**Communications Facility**

Means a structure which transmits, receives and/or relays communications such as a microwave relay tower, significant antenna, telephone line, cellular telephone or wireless internet tower, radio or television broadcast tower or similar structure.

**Community Centre**

Means any parcel of land or building(s) used for community activities whether used for commercial purposes or not, and the control of which is vested in the municipality, a local board or agent thereof (see also **Place of Assembly**).

**Concrete Manufacturing Plant**

Means an industrial facility used for the production of concrete for immediate use in the construction of buildings, structures, roads or driveways. The definition also means the manufacturing of finished concrete products and may include the retail sale of such products.

**Conservation Use**

Shall mean the use of lands which are intended to remain open in character with the priority use given to preservation of their ecological uniqueness, wildlife production and their natural features and may include non-commercial recreational uses only if conservation of the resource is not jeopardized.

**Construction Yard or Contractor's Yard**

Means the yard of a building contractor or company used as a depot for the storage and maintenance of equipment used by the contractor or company, and may include facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business, but does not include the crushing of virgin or recyclable aggregates or materials and the wholesale or retail sale of building supplies or home improvement supplies.

**Continuum-of-Care-Facility**

Means a building or a group of buildings which may include a senior citizens apartments building, a nursing home, a long-term care facility, home for the aged and facilities associated with, and designed specifically to serve the senior or disabled population such as clinics, retirement homes, recreation centres, cafeterias and personal service establishments, and may also include independent senior's accommodation in separate structures/living units that share in services such as meals.

**Convenience Store**

Means a building or part of a building used primarily for the sale of grocery and confectionary items and incidentally for the sale of such other merchandise as is required to fulfill the day-to-day needs of a surrounding community.

**Corporation**

Means the Corporation of the Town of Laurentian Hills.

**Cottage Establishment - see Tourist Establishment**

**Council**

Means the Council of the Corporation of the Town of Laurentian Hills.

**Crisis Care Facility**

Means a building or part thereof which is used to provide for the supervised residency of persons requiring immediate emergency shelter and aid for a short to interim period of time and, without limiting the generality of the foregoing, includes a facility for battered or abused adults and/or children and/or elderly persons.

**3.D**

**Day Nursery, Licensed**

Means an establishment governed by the Day Nurseries Act that receives more than five (5) children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours, where the children are,

- (a) Under eighteen years of age in the case of a day nursery for children with a developmental disability; and
- (b) Under ten yeras of age in all other cases.

**Deck**

Means a structure abutting a dwelling or building 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.

**Detached**

When used in reference to a building, means a building which is not dependent on any other building for structural support or enclosure.

**Development**

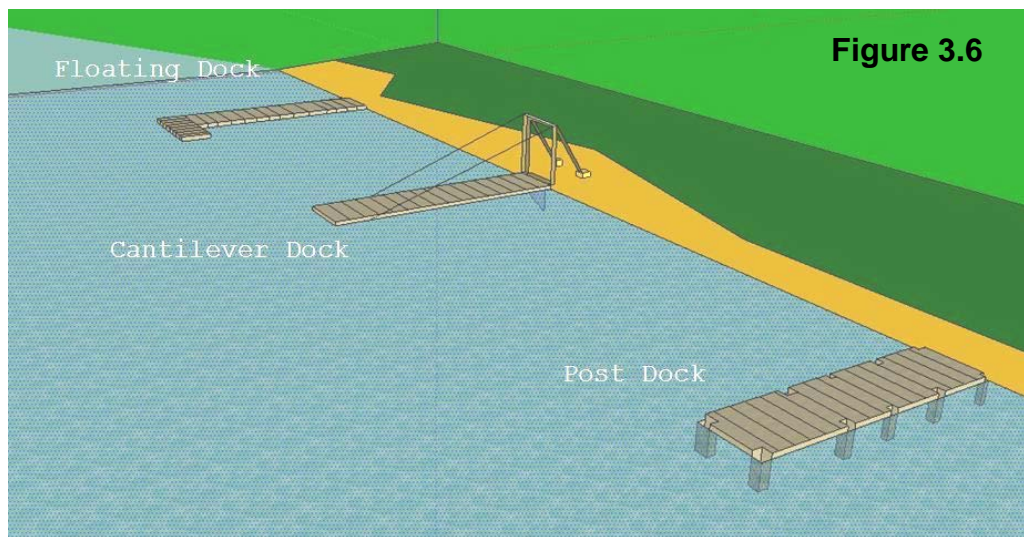
Means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act and shall be taken to include redevelopment, but does not include activities that create or maintain infrastructure authorized under an environmental assessment process, works subject to the Drainage Act, or underground or surface mining of minerals or advanced exploration on mining lands.

### **Dock, Floating**

Means an accessory structure used for the mooring of marine vessels which is designed to float freely on the surface of the water body and which may be secured to the shoreline (see Figure 3.6).

### **Dock, Permanent**

Means an accessory structure used for the mooring of marine vessels which is secured to the shoreline and/or the bottom of the water body by concrete, metal or wood pillars or such other foundation, the design of which facilitates the construction of a more or less permanent structure (see Figure 3.6).



### **Drive-Through Facility**

Means a premise used to provide or dispense products or services through an attendant or a window or an automated machine, to persons remaining in vehicles that are in a designated queuing space, and may be in combination with other land uses. Kiosks within a parking structure necessary for the operation of the parking facility or kiosks associated with a surface parking area are not considered drive through facilities.

### **Driveway**

Means a vehicular access connected to a public street or private road or thoroughfare, which provides ingress to and/or egress from a lot and may include a shared driveway, but shall not include a lane as defined herein.

### **Dry Cleaning Establishment**

Means a building used for the purpose of dry cleaning, dry dyeing, cleaning, minor repairs or pressing articles of clothing or goods of fabric and may include the receiving and distribution of such articles of clothing or goods of fabric.

**Dwelling, Accessory**

Means a dwelling which is incidental, subordinate and exclusively devoted to and detached from a main non-residential use and which is located on the same lot therewith.

**Dwelling Unit, Accessory**

Means a dwelling unit which is part of and accessory to a permitted non-residential building.

**Dwelling Unit Area**

Means the aggregate of the floor area of all habitable rooms, hallways and lobbies within a dwelling unit, excluding the thickness of any exterior walls.

**Dwelling, Apartment**

Means the whole of a building not otherwise defined herein, which contains three (3) or more dwelling units served by a common entrance or by a common entrance or by an independent entrance directly from the outside in which the occupants have the right to use in common any corridors, stairs, or elevators contained therein, and the yards appurtenant thereto.

**Dwelling, Boarding House - see Boarding House**

**Dwelling, Converted**

Means a dwelling altered to contain a greater number of dwelling units.

**Dwelling , Duplex**

Means a building divided horizontally into two (2) dwelling units (see Figure 3.7)

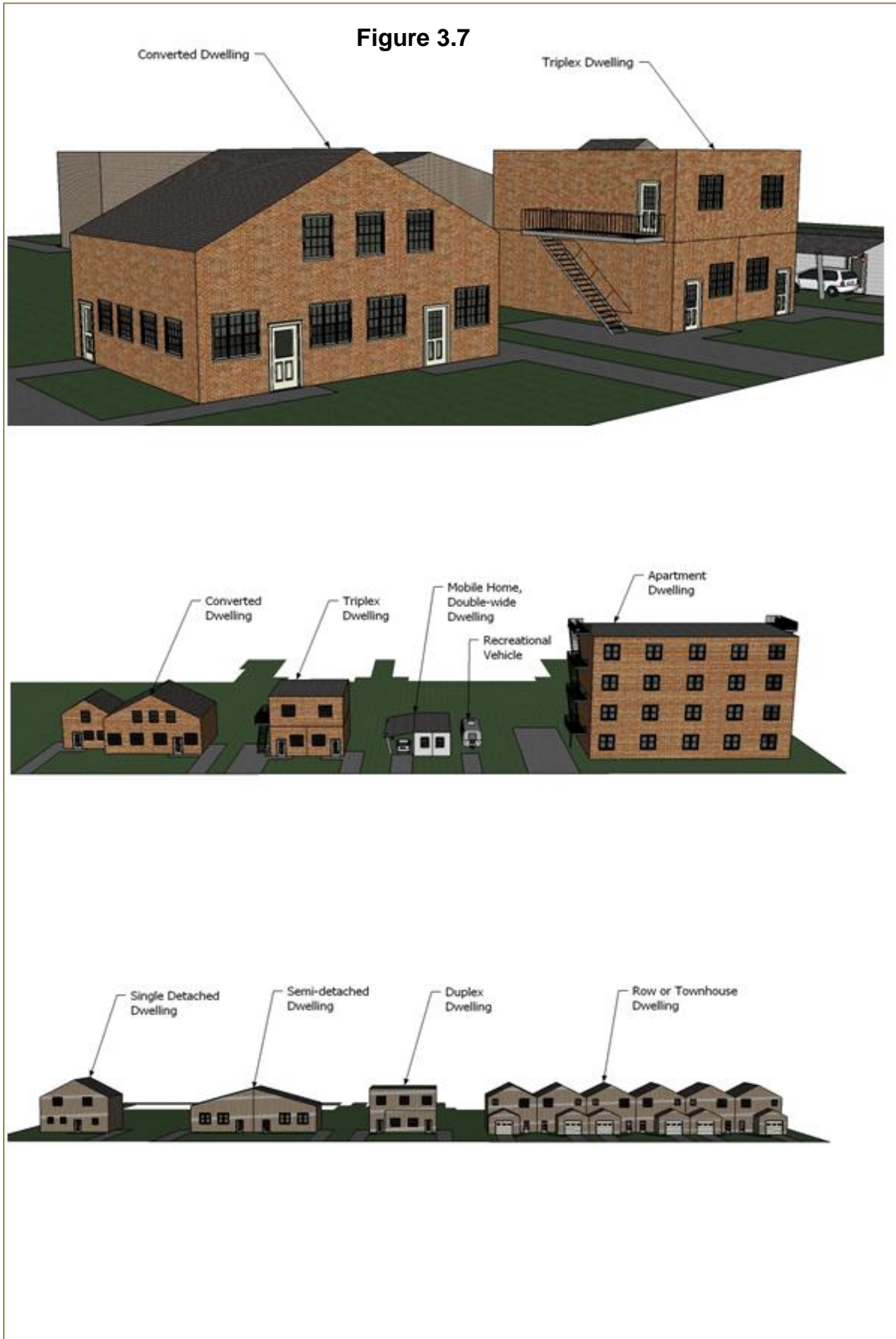
**Dwelling, Limited Service**

Means a single detached or seasonal dwelling that has no frontage on or direct access to a municipally maintained street, does not receive municipal services (i.e. snow clearing, road maintenance, garbage pick-up).

**Dwelling, Mobile Home - See Mobile Home**

**Dwelling, Park Model Trailer**

Means a manufactured building designed and constructed in conformance with CAN/CSA-Z241 Series M "Park Model Trailer, as set out in the *Building Code*, and is used or intended to be used for seasonal accommodation.



**Dwelling, Quadraplex**

Means a dwelling that is divided vertically by common masonry walls into four (4) separate dwelling units, each of which has two (2) masonry walls.

**Dwelling, Row or Townhouse**

Means a building consisting of a series of three (3) or more dwelling units but not more than eight (8) units in a continuous row divided vertically into separate units by a common wall above grade (see Figure 3.7).

**Dwelling - Semi-detached**

Means a building on a single foundation divided vertically into two (2) separate dwelling units by a common wall. (See Figure 3.7)

**Dwelling, Single-detached**

Means a detached building containing one (1) dwelling unit, and shall include a modular home.(See Figure 3.7)

**Dwelling, Triplex**

Means a dwelling that is divided horizontally into three (3) separate dwelling units, each of which has an independent entrance either directly from the outside, or through a common vestibule. (See Figure 3.7)

**Dwelling Unit**

Means a building occupied or capable of being occupied as the home or residence of one or more persons, where food preparation and sanitary facilities are provided, but shall not include a boarding house, hotel, motel, rental cottage or cabin or similar commercial use of a private or semi-private institution and sleeping accommodation which meets the minimum net floor area for the applicable zones.

**3.E**

**Easement**

Means the legal right acquired by contract to pass over, along, upon or under the lands of another.

**Eating Establishment - see Restaurant**

**Equestrian Establishment**

Means an establishment engaged in the operation of a horse riding academy or horse riding stables.

### **Equipment Rental Establishment**

Means a building or part of a building wherein the primary use is the rental of machinery, equipment, furniture and fixtures and other goods.

### **Equipment and Vehicle Storage Yard, Industrial**

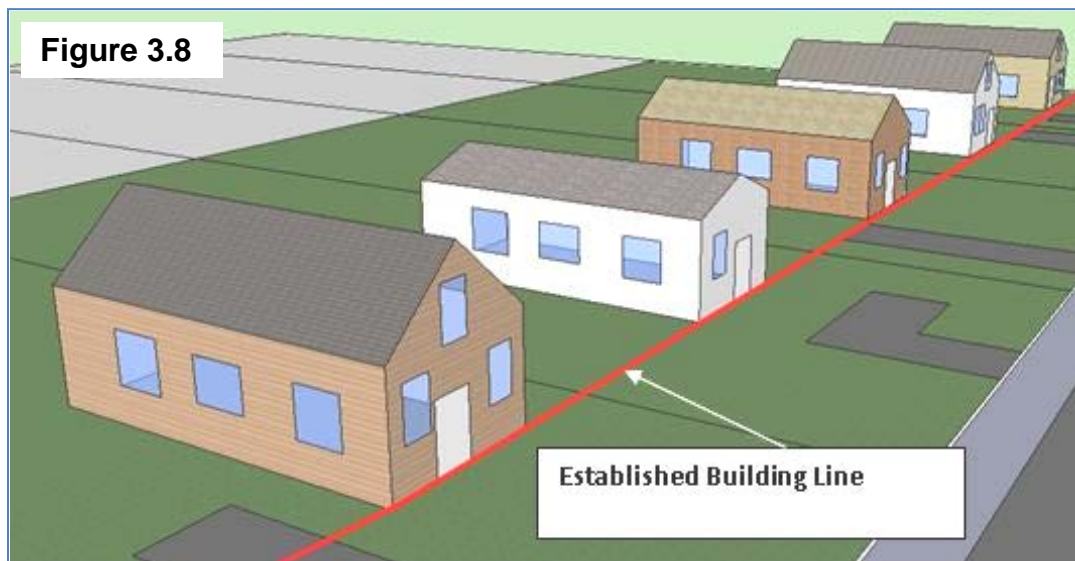
Means an uncovered area which is used for the storage and machinery and equipment for use in industrial and major construction undertakings, commercial vehicles, and other similar goods requiring large areas for outside storage. Limited repair of such machinery, equipment, vehicles and goods may be permitted in a building provided such repair is clearly incidental and secondary to the storage use.

### **Erect**

Means to build, construct, reconstruct, alter or relocate and without limiting the generality of the foregoing shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

### **Established Building Line**

Means the average setback from the street line of existing buildings on one side of a continuous 150 m [492.1 ft] strip of land where 3 or more of the lots having street frontage upon the said side of the street have been built upon (see Figure 3.8).



### **Established Grade**

Means the average elevation of the finished level of the ground adjoining all of the walls of the building exclusive of any artificial embankments or berms.



**Existing**

Means existing as of the date of the passing of this By-law.

**Extractive Industrial Facility**

Means a building, structure or facility used for processing aggregate and includes the screening, sorting, washing, crushing, storing and other similar operations allied to an extractive operation.

**3.F**

**Factory Outlet - see Retail Outlet**

**Farm - see Agricultural Use**

**Farm Produce Outlet**

Means a use accessory to a farm which consists of the retail sale of agricultural products produced on the farm where such outlet is located.

**Farmer's Market**

Means an establishment or premises where the farm products of a local farming community are sold at retail from covered or uncovered areas designed for individual retailers.

**Fence**

Means any barrier or structure constructed of chain link metal, wood, stone, metal, brick or other similar materials or combinations of such materials which is erected for the purpose of screening, safeguarding, retaining or enclosing property or delineating property lines.

**Fish Habitat**

Means the spawning grounds and nursery, rearing, food supply, and migration areas which fish depend directly or indirectly in order to carry out their life processes.

**Flea Market**

Means a street market composed of a series of individual retailer's booths or tables where sundry, new or secondhand articles, fresh produce or preserves are offered for sale.

**Flood Elevation or Floodline**

Means a line established by a one in one hundred year storm as established by flood plain mapping or by the appropriate Public Authority (see illustration of one

and two zone concepts p. 25 (see Figure 3.9 and 3.10).

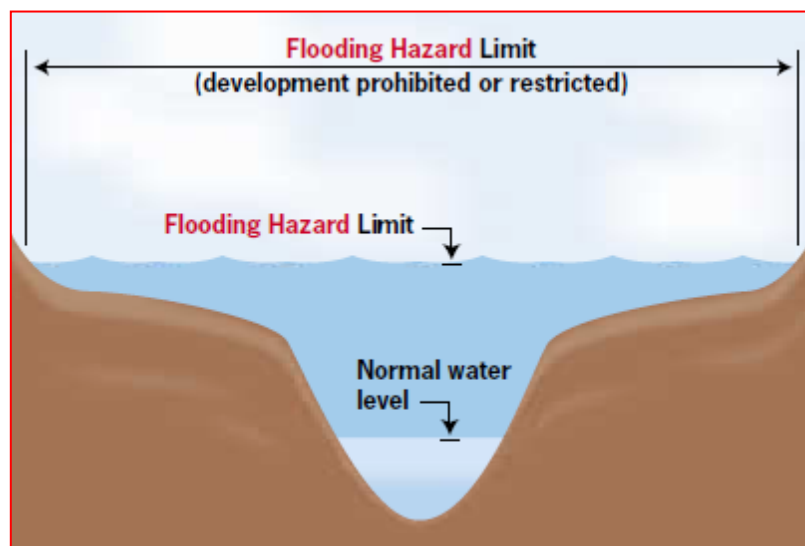
### Flood Fringe

Means the outer portion of the flood plain between the floodway and the flooding hazard limit of floodline. (see Figure 3.9 and 3.10)

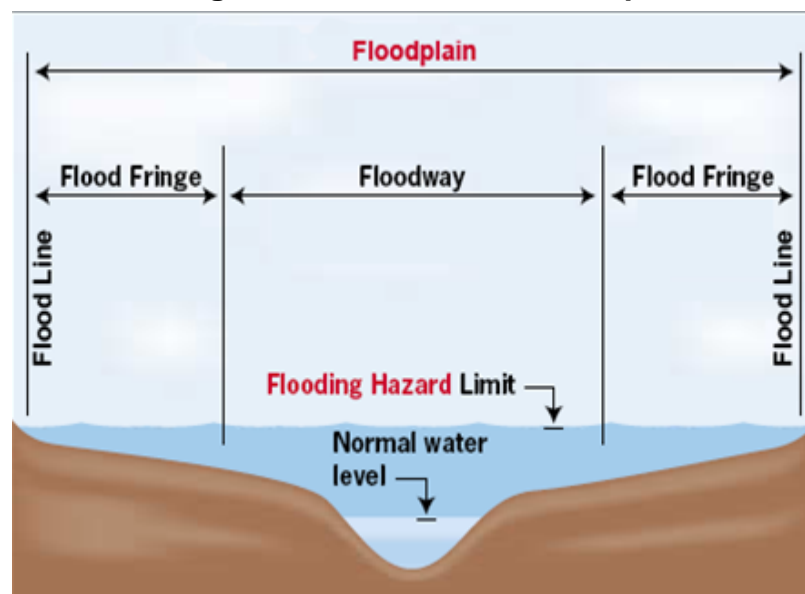
### Flood Plain

Means the area, usually low lands, adjoining a watercourse which has been, or may be covered by flood water. (see Figure 3.9 and 3.10).

**Figure 3.9: One Zone Concept**



**Figure 3.10: Two Zone Concept**



### **Flood Proofing**

Means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate flooding hazards, wave uprush and other water-related hazards along the shorelines of river, stream and small inland lake systems.

### **Flooding Hazard**

Means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water.

Along river, stream and small inland lake systems, the flooding hazard limit is the greater of:

- (a)** The flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
- (b)** The one hundred year flood; and
- (c)** A flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources;

except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard) (see Figure 3.9 and 3.10).

### **Floodway**

Means the entire flood plain in the case of the one-zone concept or the inner portion of the flood plain in the case of the two-zone concept. The floodway in the two-zone concept is that area which accommodates the 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 called the flood fringe. (See Figure 3.9 and Figure 3.10)

Means, for a river, stream 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. The floodway refers to the entire contiguous flood plain.

**Floor Area, Gross**

Means the total area of each floor measured between the exterior faces of the exterior walls of the building and where there are no walls the total area of a floor within the outer perimeter of the floor.

**Floor Area, Gross Leasable**

Means the total floor area of a building including basements and upper floors, less common areas including public walkways, malls, public toilets, truck and service facilities, joint service facilities, elevator shafts and lobbies, boiler rooms, maintenance rooms, mechanical or electrical or utility rooms and parking for autos within the building.

**Floor Area, Net**

Means usable or habitable space above or below grade, measured from the interior face of the exterior walls of the building or structure including a dwelling but shall not include:

- (a) Any private garage, porch, veranda, and unfinished basement, cellar or attic; or
- (b) Any part of the building or structure below grade which is used for building services, storage or laundry facilities; or
- (c) Any part of the building or structure used for the storage or parking of motor vehicles.

**Forestry Use**

Means the general raising, management and harvesting of wood and shall include the raising and cutting of fuel wood, pulpwood, lumber, Christmas trees, other forestry products and silva culture practices.

**Fuel Depot**

Means land, building or structures used for the bulk storage, distribution and sale of gasoline, propane, heating oil, motor oil, diesel fuel, aviation fuel, ethylene, methanol or other fuels.

**Funeral Parlour**

Means a building or part of a building wherein undertaking services are offered and may include subsidiary activities such as the sale of caskets and funeral accessories, a chapel or parlour provided such activities are clearly secondary and incidental to the main undertaking service.

**Furniture Showroom and Workshop - see Retail Store**

**3.G**

**Garage, Private**

Means an accessory building or portion of a main building including a carport which is designed or used for parking or storage of motor vehicles of the occupants of the premises and in which there are no facilities for repairing or servicing of such vehicles for remuneration or commercial use.

**Garage, Public - see Automotive Repair Garage**

**Garden Centre**

Means an outdoor area primarily used for the retail of gardening equipment, products and planting materials.

**Garden Suite (Granny Flat)**

Means a one-unit detached residential structure containing sanitary and kitchen facilities that is accessory to an existing permanent residential structure and that is designed to be portable, but does not include a *mobile home, a park model trailer* or any type of *a recreational vehicle* [also known as a granny flat].

**Gasoline Bar**

Means one or more pump islands, each consisting of one or more gasoline pumps, and a shelter or pavilion and which may include accessory uses such as the incidental sale of convenience store items and accessories required for the operation of motor vehicles.

**Gasoline Card Lock Facility**

Means one or more pump islands designed for the retail sale of gasoline or diesel fuel using pumps which are operated automatically by credit or debit cards.

**Golf Course**

Means a public or private area operated for the purpose of playing golf and includes a par 3 golf course, a driving range but does not include a miniature course and similar use operated for commercial purposes.

**Granny Flat - see Garden Suite**

**Group Home**

Means a single housekeeping unit in a residential dwelling, which is registered with the Municipality, in which three (3) to ten (10) persons (excluding supervisory or operating staff) live together under responsible supervision

consistent with the requirements of its residents for a group living arrangement and which is licensed and/or approved under Provincial Statutes and in compliance with municipal by-laws.

### **3.H**

#### **Habitable Room**

Means a room in a dwelling used or intended to be used primarily for human occupancy.

#### **Hazardous Sites**

Means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

#### **Helipad**

Means a landing area or pad used for the landing and take-off of helicopters as further governed under the Canadian Aviation Regulation 325 under the Aeronautics Act.

#### **Heliport**

Means a landing area or pad used for the landing and take-off of helicopters and shall include all necessary and incidental emergency services facilities, fuelling facilities and passenger and cargo facilities and as further set out under the Canadian Aviation Regulation 325 under the *Aeronautics Act*.

#### **Height - see Building Height**

#### **Hereafter**

Means after the date of the passing of this By-law.

#### **Herein**

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

#### **High Water Mark**

Means the mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.

### **Historical Vehicle**

Means a vehicle which bears a valid historic vehicle license plate or is a vehicle bearing a valid license plate, that is at least twenty years old.

### **Hobby Farm**

Means lands on a lot which has a minimum lot area of 2 ha [5 ac] and upon which an agricultural use building may be erected to house not more than four (4) nutrient units (as defined in the Minimum Distance Separation (MDS) Formulae Guidelines as amended) which are kept for recreational purposes or for home consumption by the occupants of the dwelling on the same lot, and which are clearly secondary and accessory to the permitted residential use.

### **Home Industry**

Means a legal and gainful occupation including a bicycle repair shop, a day nursery, carpentry, electrical, furniture refinishing, woodworking, window framing, welding, plumbing, machine or automotive repair, a small engine repair, appliance repair, a service shop, a blacksmith, or a storage building for school buses, boats or snowmobiles and conducted in whole or in part in an accessory building to a single detached dwelling or a permitted agricultural use.

### **Home Display and Sales Outlet**

Means an establishment or premises where prefabricated dwellings including cottages and mobile homes are erected or located for display purposes only and from which orders can be placed for the purchase and delivery of such dwellings or parts and accessories therewith.

### **Home Occupation**

Means any legal occupation for gain or support which is carried on as an accessory use either within a dwelling or dwelling unit. Such home occupation uses may include a service or repair shop, a personal service shop, the office or consulting room of a doctor, dentist, chiropractor, drug-less practitioner, gunsmith, locksmith, lawyer, real estate agent, planner, accountant, architect, photographer, teacher, seamstress, hair care service, music or dance instructor, engineer, information technology services, but does not include a clinic, hospital, nursing home, a tea room, kennel or small internal combustion engine repair shop.

### **Hospital**

Means a hospital as defined in the *Public Hospitals Act* or the *Private Hospitals Act*.

### **Hotel**

Means a building designed or used for the accommodation of the travelling or vacationing public, containing therein (5) or more guest rooms served by a

common building entrance. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms, or similar uses.

### **3.I**

#### **Industry, Class I (light industry)**

Means a place of business for a small scale, self contained plant or building which produces, manufactures, assembles or stores a product which is contained in a package and has a low probability of fugitive emissions e.g. noise, odour, dust and vibration. Such industries operate in the daytime only with infrequent movement of products and /or heavy trucks and no outside storage. Examples include: electronics manufacturing and repair, high technology industries, furniture repair and refinishing, beverage bottling, package and crafting services, small scale assembly, automotive parts supply.

#### **Industry, Class II (medium industry)**

Means a place of business for medium scale process and manufacturing with outdoor storage of wastes or materials (e.g. it has an open process) and where there are periodic or occasional outputs of fugitive emissions e.g. noise, odour, dust and/or vibration. Shift operations occur and there is frequent movement of products and /or heavy trucks during daytime hours. Examples include dry cleaning services, printing establishments, paint spray booths, welding shops, courier and transport services, heavy vehicle repairs, bulk fuel storage, raw product storage (aggregates, logs/lumber), warehousing, contractors yard.

#### **Industry, Class III (heavy industry)**

Means a place of business for uses characterized as having emissions such as noise, smoke, odour, fumes or vibrations or extensive outside storage as part of their normal operations. Such uses include sawmills, pulp and paper mills, refineries, smelting operations and similar uses which are intended to be secluded from residential or other sensitive land uses in order to limit and potential adverse effects on the environment or the surrounding areas and public health.

### **3.K**

#### **Kennel**

Means a building or structure where four (4) or more dogs are kept, bred or raised for any reason

### **3.L**

#### **Landscaped Open Space**

Means:

- (a)** A combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity



of a property and/or to provide a screen to mitigate any objectionable adjacent land use; but,

- (b) Does not include parking areas, traffic aisles or driveways or ramps for vehicles.

**Lane**

Means:

- (a) A subsidiary thoroughfare providing access from within a lot, principally from parking or loading spaces or from a lot to a public street; or
- (b) A subsidiary public thoroughfare for the sole use of pedestrians and connecting public streets, open spaces or buildings.

**Laundromat**

Means a building or structure where coin-operated laundry machines are made available to the public for the purpose of laundry cleaning.

**Livestock**

Means domestic animals associated with an agricultural use such as but not limited to cattle, horses, goats, poultry, sheep, swine or the young thereof, raised for personal use or for commercial purposes.

**Livestock Facility**

Means livestock barns where animals or poultry are housed, including beef feedlots, and the associated storage of manure.

**Livestock Sales Outlet**

Means a building or structure where livestock such as cattle, goats, sheep, or the young thereof are bought and sold.

**Loading Space**

Means a space or bay located on a lot or within a building which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise, or materials in connection with the use of the lot or any building thereon, and which has unobstructed access not necessarily in a straight line to a street.

**Log Hauling Operation**

Means an area of land and/or building of a logging contractor where equipment and materials are stored and may include repairs to logging equipment belonging

to the logging operator or contractor.

**Lot**

Means a parcel of land which is capable of being legally conveyed in accordance with Section 49 of the *Planning Act*.

**Lot Area**

Means the total horizontal area measured within the limits of the lot lines of the lot.

**Lot, Corner**

Means a lot situated at an intersection of two or more streets, or at the intersection of two parts of the same street which have an interior angle or intersection of not more than one hundred and thirty-five (135) degrees.

Where such street lines are curved, the angle of intersection of the street lines shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the side lot lines. In the latter case, the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents. (See illustration p. 33)

**Lot Coverage**

Means the percentage of the lot area covered by the ground floor area of all buildings located on the lot.

**Lot Depth**

Means the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, "lot depth" means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line. If there is no rear lot line, "lot depth" means 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 (see Figure 3.10).

**Lot Frontage**

Means the horizontal distance between the side lot lines. Where such side lot lines are not parallel, it shall be the width of a lot measured between the intersections of the side lot lines with a line 7.5 m [24.6 ft] back from and parallel or concentric to the front lot line. Arc distances shall apply on curved lines (see Figure 3.10).

**Lot Interior**

Means a lot other than a corner or a through lot which has frontage on a public street (see Figure 3.11).

**Lot Line**

Means a boundary line of a lot.

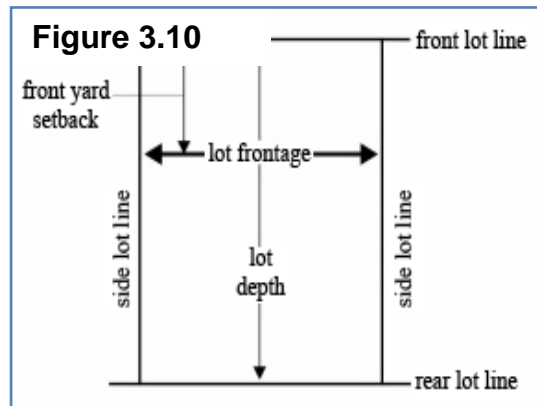
**Lot Line - Exterior Side**

Means a lot line located between the front and rear lot lines and dividing the lot from a street (see Figure 3.11).

**Lot Line, Front**

Means:

- (a) In the case of an interior lot, the line dividing the lot from the street line or street allowance or private road (see Figure 3.10)
- (b) In the case of a corner lot, the shorter lot line abutting a street shall be deemed to be the front lot line and the longer lot line that abuts the street shall be deemed to be a side lot line.
- (c) In the case of a corner lot with two street lines of equal lengths, the lot line that abuts the wider street, or abuts a Provincial highway shall be deemed to be in the front line, and in the case of both streets being under the same jurisdiction and of the same width, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.
- (d) In the case of a lot with water access only, the front lot line shall be on the water side. In the case of a through waterfront lot with water access only, the longer shoreline shall be deemed to be the front lot line.
- (e) In case of a lot with frontage on a public street or private road and on a water body, the front lot line shall be measured both on the street line and on the water side.
- (f) In the case of a corner lot abutting a 0.3 m (0.98 ft.) reserve or other reserve, the lot line so abutting the reserve shall be deemed an exterior lot line and the other lot line abutting the street shall be deemed to be the rear lot line.
- (g) In the case of a private road, the lot line adjacent to the private road shall be deemed to be the front lot line.
- (h) In all other cases not described above, the front lot line shall be deemed to be where the principal access to the lot is approved.



**Lot Line, Rear**

Means the lot line furthest from, and opposite to, the front lot line (see Figures 3.10 and 3.11).

**Lot Line, Side Interior**

Means a lot line other than a front, rear or side exterior lot line (see Figure 3.11).

**Lot, Through**

Means a lot having a frontage on two parallel or approximately parallel streets. (See Figure 3.11)

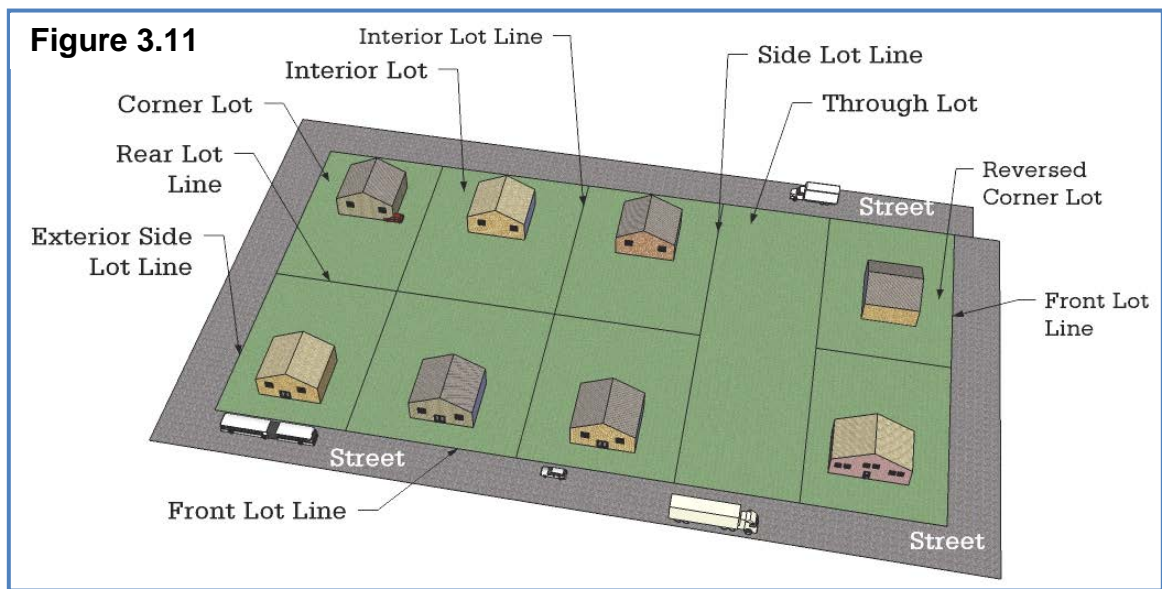
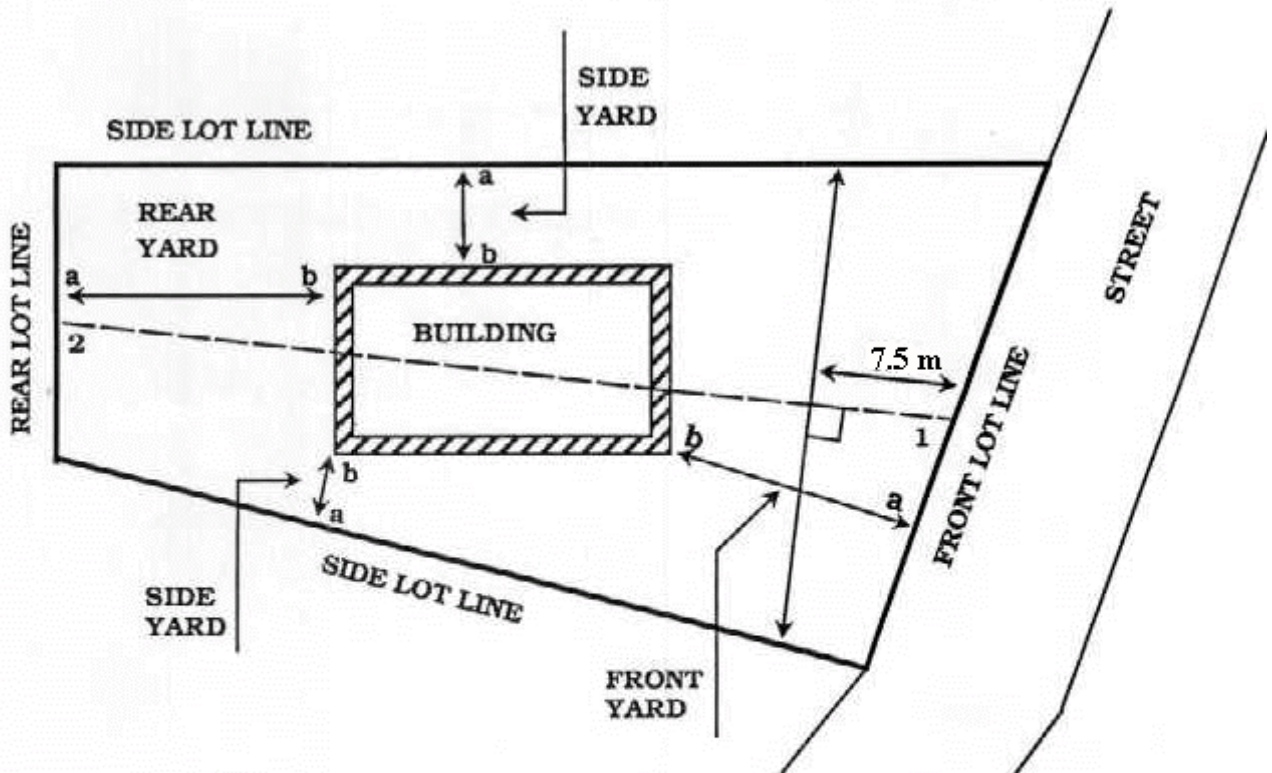


Figure 3.12

**IRREGULAR LOT  
NO PARALLEL LOT LINES  
YARD DEFINITIONS**



**LOT FRONTAGE**

1. MID POINT OF FRONT LOT LINE.
2. MID POINT OF REAR LOT LINE.

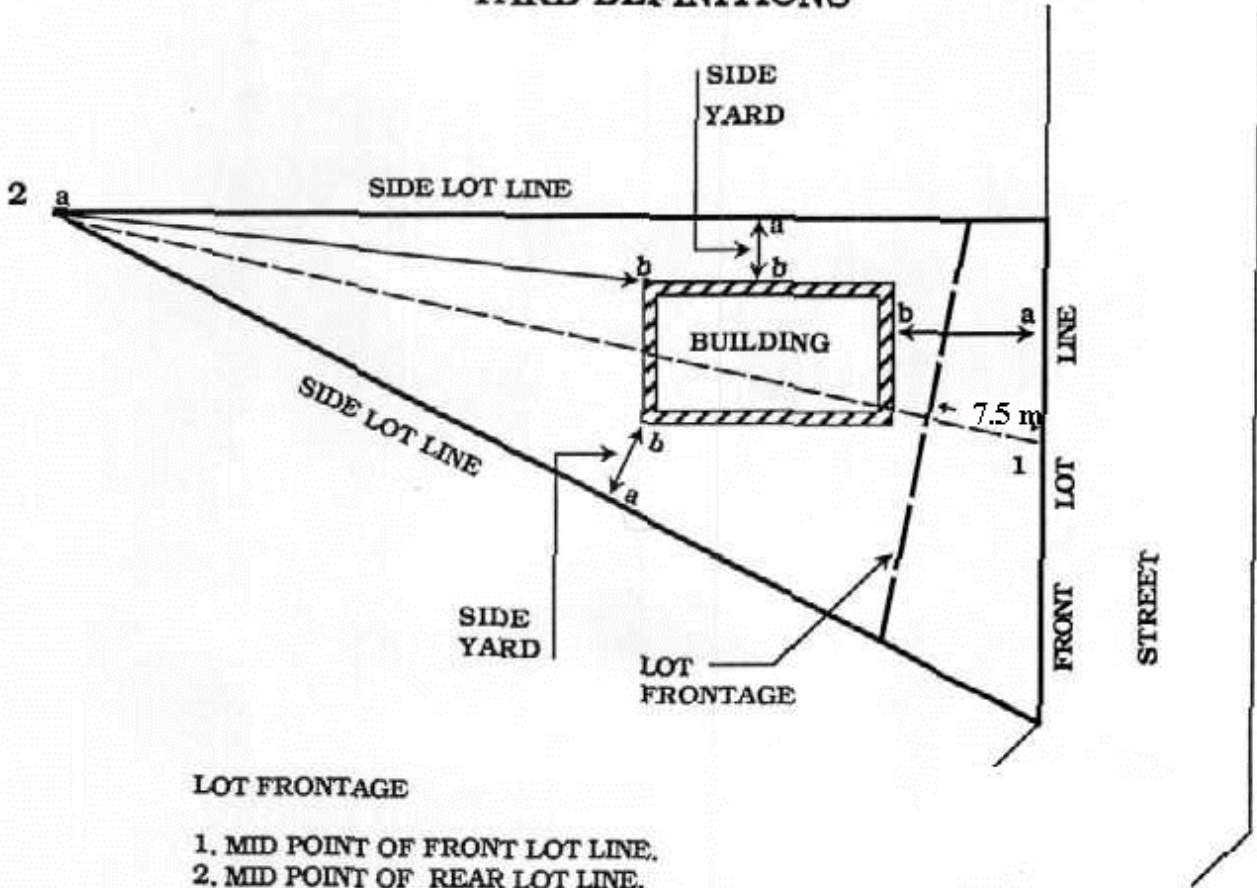
LOT FRONTAGE MEASURED AT RIGHT ANGLES TO THE LINE JOINING POINTS 1 AND 2 AT A DISTANCE OF 7.5 m FROM THE FRONT LOT LINE.

DISTANCE ab REPRESENTS THE SHORTEST DISTANCE MEASURED BETWEEN THE LOT LINE AND NEAREST PART OF THE MAIN BUILDING. DISTANCE ab MUST BE A MINIMUM DISTANCE SPECIFIED IN BY-LAW.



Figure 3.13

### IRREGULAR LOT NO REAR LOT LINE YARD DEFINITIONS



#### LOT FRONTAGE

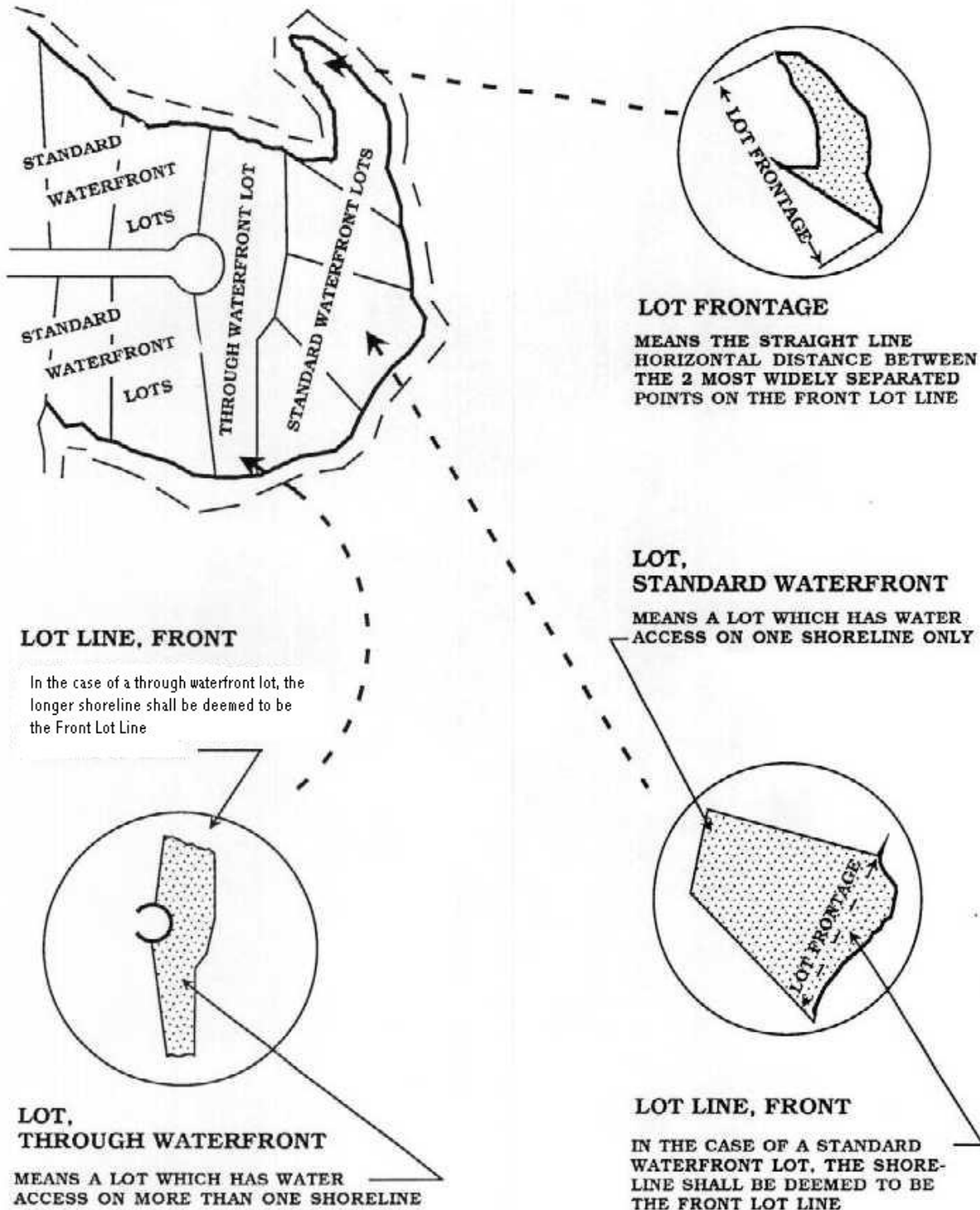
1. MID POINT OF FRONT LOT LINE.
2. MID POINT OF REAR LOT LINE.

LOT FRONTAGE MEASURED AT RIGHT ANGLES TO THE LINE JOINING POINTS 1 AND 2 AT A DISTANCE OF 7.5 m FROM THE FRONT LOT LINE.

DISTANCE *ab* REPRESENTS THE SHORTEST DISTANCE MEASURED BETWEEN THE LOT LINE AND NEAREST PART OF THE MAIN BUILDING. DISTANCE *ab* MUST BE THE MINIMUM DISTANCE SPECIFIED IN THE BY-LAW.

Figure 3.14

### ILLUSTRATION OF DEFINITIONS RELATED TO WATERFRONT LOTS



**Lot, Water Front**

Means a lot abutting a navigable water way or abutting a shore road allowance (see Figure 3.14).

**Lot, Width**

Means the shortest horizontal distance between the side lot lines measured through a point 7.5 m [24.6 ft] back from the mid-point of the front lot line.

**Lumber Yard**

Means a lot and accessory buildings where the primary use is the storage of construction grade wood and building supplies for sale at retail or wholesale.

**3.M**

**Main Building**

Means the building designed or used for the principal use on the lot (see Figure 3.1).

**Main Wall**

Means any exterior wall of a building and all structural members essential to the support of a fully enclosed space of roof exclusive of permitted projections.

**Maple Syrup Processing Establishment**

Means land, buildings and/or structures used to collect, manufacture, and/or store maple syrup products produced on the property where such use is established. This shall also include the retail sales of maple syrup products as part of a Home Based Business as defined in this by-law.

**Marina**

Means a lot, building, structure on a waterfront with or without docking facilities where boats and boat accessories are berthed, constructed, stored, serviced, repaired or kept for sale or rent and where the facilities for the sale of marine fuels, marine equipment, lubricants, bait as well as the sale of foods, provisions or supplies as an accessory use may be provided.

**Marine Facility**

Means a non-commercial building or structure which is used to moor, berth, or store a boat. This definition may include a boat launching ramp, a boat lift, marine railway, dock or boathouse, but does not include any building used for human habitation or a marina. A marine facility shall also include a water intake facility and any flood or erosion control structure.



**Mine**

Means a mine as defined in the *Mining Act*. Mining shall have a similar meaning.

**Mine Hazard**

Means any feature of a mine as defined under the *Mining Act* or any related disturbance of the ground that has not been rehabilitated.

**Mineral Deposits**

Means a concentration of minerals identified within a small part of the Earth's crust.

**Mini Warehouse and Public Storage**

Means a commercial building or part of a building wherein general merchandise, vehicles, furniture and household goods are all stored in separate, secured storage areas or lockers which are generally accessible by means of individual loading doors.

**Minimum Distance Separation**

Means the "Minimum Distance Separation I and II" of the Ontario Ministry of The Environment and the Ontario Ministry of Agriculture, Food and Rural Affairs (March 1995 and any subsequent amendments thereto).

**Mobile Home**

Means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer or trailer otherwise designed (see also **Dwelling, Park Model Trailer, Recreational Vehicle**).

**Mobile Home Park**

Means land which has been provided and designed for the location thereon of two (2) or more occupied mobile homes.

**Mobile Home Lot or Site**

Means an area, similar to a lot, located in a mobile home park, intended to be or occupied by a mobile home or a permitted accessory use.

**Mobile Home Lot Line or Site Line**

Means a line similar to a front lot line, rear lot line, interior or exterior side lot line as if it were applied to a Mobile Lot or Site.

**Modular Home**

Means a single detached dwelling consisting of two or more modules which has been prefabricated or manufactured in a factory remote from the site where it is intended to be used and transported to the site for installation on a permanent foundation, but does not include a Mobile Home or Park Model Trailer as otherwise defined.

**Motel**

Means a building or buildings designed or used for the accommodation of the travelling or vacationing public, containing therein three (3) or more guest rooms, each guest room having a separate entrance directly from outside and may include an accessory eating establishment. (See also **Hotel, Tourist Establishment**)

**Municipality**

Means the Municipality of the Town of Laurentian Hills.

**Mutual Driveway - see Driveway**

**3.N**

**Natural Heritage Features and Areas**

Means features and areas, including significant wetlands, fish habitat, habitat of endangered and threatened species, significant wildlife habitat and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

**Navigable Waterway**

Means a navigable body of water or stream as deemed under the *Navigable Waters Protection Act*.

**Negative Impacts**

Means:

- (a) In regard to fish habitat, the harmful alteration, disruption or destruction of fish habitat, except where it has been authorized under the *Fisheries Act*, using the guiding principle of no net loss of productive capacity;
- (b) In regard to water, degradation to the quality and quantity of water, sensitive surface water features and sensitive groundwater features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities; and
- (c) In regard to other natural heritage features and areas, the loss of the natural features or ecological functions for which an area is identified.

### **Non-Complying**

Means any existing use, building, structure or lot existing prior to the passing of this By-law which does not comply with one or more zone requirements and standards of this By-law (see also **Non-Conforming**).

### **Non-Conforming**

Means any use of a building, structure or lot existing prior to the passing of this By-law, which does not conform with the permitted use provisions of any Zone in the By-law in which the use, building, structure or lot is located (see also **Non-Complying**).

### **Nursery**

Means land and structures used for the growing of sod, flowers, bushes, trees, or other gardening, landscaping, or orchard stock for wholesale or retail sale (see also **Commercial Greenhouse**).

**Nursing Home, Home for the Aged, or Long Term Care Facility** – see **Continuum-of-Care Facility**

## **3.0**

### **Obnoxious Uses**

Means any use which is a nuisance to the occupant or owner of any neighbouring land, buildings or premises by reason of the emission from the land or building or any part thereof, or the creation thereon, of odours, gases, dirt, radiation, smoke, noise, vibration, fumes, cinders, soot, waste or water carried waste, or depositing or leaving unsightly objects or chattels thereon.

### **Occupancy Permit**

Means a permit issued under the authority of the *Planning Act* by the Chief Building Official which indicates that the proposed use of land or any building or structure on any such land is in conformity with this By-law.

### **Office**

Means a building, structure or part thereof used for the purpose of providing accommodation for the performance and transaction of business including administrative, clerical and professional activities.

### **Open Space**

Means the open, unobstructed space on a lot including landscaped areas, pedestrian walkways, patios, pools or similar areas but not including any driveway, ramp, parking spaces or aisles, loading spaces or manoeuvring areas and similar areas.

### **Open Storage**

Means storage or display of goods, merchandise or equipment outside of a building or structure on a lot or portion thereof. This definition shall not include the open storage of goods or equipment incidental to a residential occupancy of a lot, a parking area or parking space or the outdoor display of a limited number of samples of goods, merchandise or equipment for the purpose of sales and advertisement.

### **Outdoor Recreational Use**

Means the use of lands for recreational uses such as hiking, cross-country skiing, snow shoeing, snowmobiling, all-terrain vehicle riding, trail riding, mountain biking, picnicking, swimming, nature appreciation and similar activities that do not involve the use of buildings.

### **Outfitter's Centre - see Tourist Outfitters Establishment**

## **3.P**

### **Park**

Means an area of land, whether enclosed or not, maintained by the Municipality or other public authority for the enjoyment, health and well-being of people and open to the public with or without charge and, for the purposes of this definition, includes a Provincial Park or Conservation Area with campground facilities.

### **Park, Private -see Recreational Commercial Establishment**

### **Parking Area**

Means a lot or portion thereof required in accordance with the provisions of this By-law for the temporary storage or parking of motor vehicles accessory or incidental to uses in all zones, and shall not include the storage or parking of four (4) or more motor vehicles for hire and gain, display or for sale.

### **Parking Lot, Commercial**

Means a lot or portion thereof used for the temporary storage or parking of four (4) or more vehicles for hire and gain but does not include the sale of new or used vehicles or the storing of impounded or wrecked vehicles.

### **Parking Space**

Means an area used for the temporary parking of one motor vehicle and includes spaces for the handicapped.

### **Patio**

Means a surfaced, open space of land at grade adjacent to a residential dwelling which is used as an extension to the interior of the home for private entertainment

or leisure activities. In a commercial setting a patio means a surfaced open space area at grade used in conjunction with a restaurant or fast food establishment where seating accommodation is provided and where meals and beverages may be served and consumed.

**Person**

Shall include an individual, an association, a chartered organization, a firm, a partnership, a corporation, an agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

**Personal Service Establishment**

Means an establishment wherein a personal service is performed. This definition may include a barber shop, beauty salon, shoe repair, photographic store, laundromat or a dry cleaning distribution station or a similar use.

**Pit**

Means land or land under water from which aggregate as defined herein is being or has been excavated in order to supply material for construction, manufacturing or industrial purposes, but shall not include rehabilitated land or an excavation incidental to the erection of a building or a structure for which a building permit has been granted by the Corporation, or an excavation incidental to the construction of any public works.

**Place of Amusement**

Means an establishment operated for commercial gain or profit wherein amusement facilities are provided such as a video arcade or arcade, billiard or pool room, pinball machines and video games but does not include an adult entertainment parlour, casino or bingo hall (see also **Bingo Hall**).

**Place of Assembly**

Means a building specifically set aside for and primarily engaged in the operation of arts and craft shows, trade fairs, fashion show, public meetings, banquets, conference meetings and similar activities.

**Place of Entertainment - see Recreational Commercial Establishment**

**Place of Worship**

Means a building or an open area dedicated to religious worship.

**Playground**

Means a park or part thereof which is equipped with active recreational facilities oriented to children.

### **Portable Asphalt/Concrete Plant**

Means a facility with equipment designed to mix or heat and dry aggregate and to mix aggregate with bituminous asphalt to produce concrete or asphalt paving materials and includes stockpiling and storage of bulk materials used in the process, which is not of permanent construction but is designed to be dismantled and moved to another location as required. Portable asphalt plants must comply with the Ministry of the Environment's separation distances and must obtain a certificate of approval from the Ministry of the Environment (see also **Asphalt Manufacturing Plant**).

### **Printing and Publishing Establishment**

Means a building or part thereof used primarily for printing, regardless of the method, and publishing of newspapers, periodicals, books, maps and similar publications and also includes the sale and servicing of printing and duplicating equipment.

### **Private Club**

Means a building or part of a building used as a meeting place by an association of persons who are bona fide members, which owns, hires or leases the building or part thereof, the use of such premises being restricted to members and their guests for social, cultural, recreational, business or athletic purposes.

### **Private Road**

Means a private right-of-way over private property which affords access to at least two (2) abutting lots and which is not maintained by a Public Authority.

### **Public Access Point**

Means public land designated by the appropriate authority and developed and maintained by the authority as a public access to a navigable water body (see also **Marine Facility**).

### **Public Authority**

Means the Town of Laurentian Hills and any Boards or Commissions thereof and any Ministry or Department of the Governments of Ontario or Canada, or the County of Renfrew or other similarly recognized public utility or agencies established or exercising any power or authority under any special or general statute and includes any committee or local authority established by By-law of Council.

### **Public Garage - see Automotive Repair Garage**

### **Public House - see Tavern**

### **Public Service Use**

Means a building, structure or lot used for public services by the Town of Laurentian Hills or the County of Renfrew and any Boards or Commissions thereof, and any Ministry or Commission of the Governments of Ontario and Canada, any telephone, telegraph or railway company, any company supplying natural gas, Hydro One, Conservation Authority, Public Utilities Company or similarly recognized agencies.

### **Public Street**

Means a public or common highway affording the principal means of access to abutting properties which has been dedicated to and or assumed by a public authority. This may include an unassumed or unmaintained public street as governed by **Section 4.15**.

### **Public Storage - see Mini Warehouse and Public Storage**

### **Public Utility**

Means a water works or water supply system, sewage works, electrical power or energy generating transmission or distribution system, street lighting system, natural or artificial gas works or supply system, a transportation system or a telephone system, scientific research system, and includes any lands, buildings or equipment required for the administration or operation of any such system and which is operated by a public authority or a publicly governed company.

## **3.Q**

### **Quarry**

Means any open excavation made for the removal of any consolidated rock or mineral including limestone, sandstone or shale, in order to supply material for construction, industrial or manufacturing purposes, but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation, or an excavation incidental to the construction of any public works.

## **3.R**

### **Recreational Commercial Establishment**

Means an establishment, premises, or building where any recreational, social or cultural uses are operated commercially for profit on lands in private ownership, such as health clubs, golf courses, open or enclosed skating or curling rinks, open or enclosed pools, open or enclosed badminton or tennis courts, squash courts, bowling alleys, gymnasias, band shell or open theatre, and other similar uses but does not include a casino or bingo hall.

### **Recreational Vehicle**

Means any vehicle so constructed that is suitable for being attached to a motor

vehicle for the purpose of being drawn or is self-propelled, and is capable of being used on a short term or seasonal basis for living, sleeping, eating or accommodation of persons. The term recreational vehicle includes the following: motor homes, travel trailers, tent trailers, campers, a converted bus, a park model trailer, but does not include recreational equipment such as, a boat or vehicle trailer, snowmobiles, personal water craft, all terrain vehicles or other equipment used for recreational purposes.

**Recreational Vehicle Campground - see Campground**

**Recreational Vehicle Sales and Storage**

Means a building and/or lot which is used for the display, storage and/or sale of boats, trailers, campers and other recreational vehicles or recreational equipment.

**Recycling Depot or Transfer Station**

Means a special waste management facility which serves as a temporary storage site for clean materials such as glass, paper, cardboard, plastic, metal and other similar products which will be transferred to another location for reuse. This definition does not include any other type of waste management system (see also **Waste Management Facility**).

**Redevelopment**

Means the removal or rehabilitation of buildings or structures and the construction, reconstruction or erection of other buildings or structures in their place.

**Religious Education Facility - see Place of Worship or Campground, Recreational**

**Residence - see Dwelling**

**Residential Building**

Means a building which is used, occupied or capable of being occupied as a permanent year-round home or residence of one or more persons, where food preparation and sanitary facilities are provided, but shall not include a boarding house, hotel, motel, rental cottage or cabin or similar commercial use of a private or semi-private institution and sleeping accommodation.

**Resort - see Tourist Establishment**

**Restaurant**

Means a building or structure where food is prepared and offered for sale to the public for consumption within or outside the building or structure or off the premises.



### **Retail Store**

Means a building wherein goods, wares, merchandise, substances or articles are offered for sale to the general public, and may include the limited storage and display of goods, wares, merchandise, substances or articles, and shall not include any other use defined herein.

### **Retail Outlet**

Means a building or part of a building accessory to a permitted use, in which goods, wares, merchandise, substances, articles or things are offered or kept for retail sale to the public

### **Retirement Home**

Means a residence providing accommodation primarily for retired persons or couples where each private living unit (bedroom or suite) has a separate private bathroom and a separate entrance from a common hall, but where common facilities for the preparation and consumption of food are provided and common lounges, recreation facilities, medical services and social and recreational facilities for use by the inhabitants may be provided. (See also **Nursing Home, Home for the Aged, or Long Term Care Facility**)

### **Riding Stables - see Equestrian Establishment**

### **Rifle Club - see Shooting Range**

### **Road House - see Tavern**

### **Road -See Public Street**

### **Room, Habitable**

Means a room which:

- (a) Is located within a dwelling unit;
- (b) Is designed for living, sleeping or eating or for sanitary purpose;
- (c) Can be used at all times throughout the year; and
- (d) Is not located within a cellar.

### **Room, Non-Habitable**

Means any room located within a dwelling that is not a habitable room, including but so as not to limit the foregoing, a laundry room, a pantry, a lobby, a stairway, a closet, a verandah, a recreation room, a porch, a balcony, a private garage, an unfinished attic, a cellar, a boiler room and any space used for the service and

maintenance of such dwelling or for vertical travel between storeys.

**Rooming House - see Boarding House**

**Row House - see Dwelling, Row or Townhouse**

### **3.S**

**Salvage Yard**

Means a lot and/or building or portion thereof where used goods, wares, merchandise, articles, motor vehicles, machinery or parts thereof are processed or sold for further use, dismantled or abandoned. This definition may include a junk yard, a scrap metal yard, a recycling depot and an automotive wrecking yard on the premises.

**Sawmill or Planing Mill**

Means a building, structure or area where timber is cut or sawed, either to finished lumber or as an intermediary step.

**Sauna**

Means an accessory building or structure not exceeding 10 m<sup>2</sup> (107.6 ft.<sup>2</sup>) wherein facilities are provided for the purpose of a steam bath and may include a change room and shower and may be constructed as part of a boat house.

**School**

Shall mean a public educational establishment operated by a School Board.

**School, Private**

Means an educational establishment, other than a School, wherein teaching or instruction is offered for gain in such fields as academics, dancing, music, art, sports, business or trade, and any other such specialized school conducted for gain, and also includes such fields as a studio for photography and arts and crafts (see **Studio**).

**Scientific Research Establishment**

Means a building or part of a building used for scientific testing, experimentation and/or research, but does not include a clinic or animal hospital.

**Seating Capacity**

Means the number of persons which can be accommodated in a building or structure or part thereof in a seated position on chairs, benches, forms or pews.

**Sensitive Land Use**

Means buildings, amenity areas or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by nearby facilities and includes a dwelling, day care centre, an educational or health care facility.

**Separation Distance**

Means the horizontal distance between buildings or structures or physical features measured from the closest point of the exterior wall of such building or structure, or of such physical structure.

**Septage**

Means untreated sanitary waste from a septic tank, privy or holding tank.

**Service Outlet**

Means a building whether in conjunction with a retail store or not, used for the repair or servicing of goods, commodities, articles or materials, but not the manufacturing thereof. Automotive repairs and services are not permitted under this definition.

**Setback**

Means:

- (a) With reference to a road or street, the least horizontal distance between the front lot line and the nearest building line.
- (b) With reference to a water body, the least horizontal distance between the high water mark of the water body and the nearest building line.

**Sewage and Water Systems**

- (a) Full Municipal Sewage and Water Services or Piped Services:

Means piped sewage and water services that are connected to a centralized water and waste water treatment facility.

- (b) Communal Services

Means sewage works and sewage systems and water works that provide for the distribution, collection or treatment of sewage or water but which:

- i) Are not connected to full municipal sewage and water services;
- ii) Are for the common use of more than five residential units/lots;

- iii) Are owned, operated, and managed by a municipality or, another public body, or a condominium corporation or single owner which has entered into an agreement with the municipality or public body, pursuant to Section 51 of the Planning Act, providing for municipal/public body assumption of the communal services in the event of default by the owner.

**(c) Individual On-Site Systems**

Means individual on-site water supply and sewage disposal systems, that are owned, operated and managed by the owner of the property upon which the system is located and which do not serve more than five residential units/lots.

**(d) Partial Services**

Means connection to one communal service or full municipal service where the other connection will be to an individual on-site system.

**Shopping Centre**

Means a group of commercial and service establishments or retail stores which are designed, developed and managed as a unit, usually in a single building, having the off-street parking provided on the site.

**Shooting Range or Rifle Club**

Means land, buildings, structures or premises used for recreational target practice, skeet shooting, gun or hunter safety instruction and is operated by a club or organization.

**Shoreline**

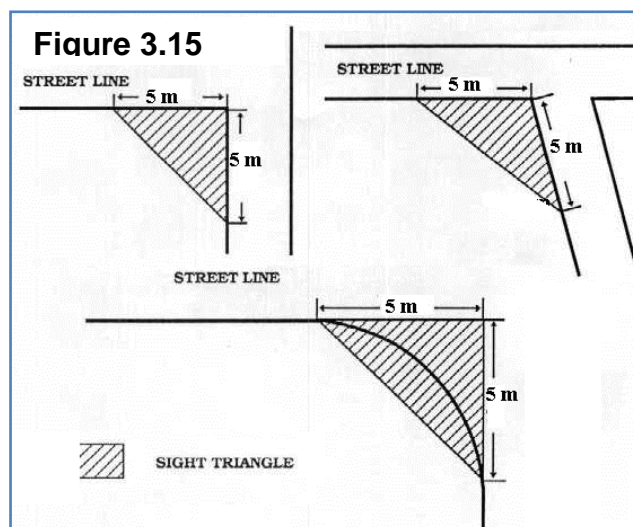
Means those lands extending from the average annual water level which have potential and direct significant impact on near shore waters and the shore ecosystem through run-off, and where land use activity is primarily water oriented.

**Shoreline Structure**

Means a boat house (wet or dry), a boat port, a float plane hangar, a sauna or steam bath, a dock or wharf, a gazebo, a utility or storage shed or a viewing deck.

### Sight Triangle

Means a triangular space, free of buildings, structures and obstructions, formed by the street lines abutting a corner lot and a third line drawn from a point on a street line to another point on a street line, each such point being the required sight distance from the point of intersection of the street lines as specified in this by-law (see Figure 3.15).



### Sign

Means any writing, letter work or numeral, any pictorial representation, illustration, drawing, image or decoration, any emblem, logo, symbol or trademark or any device with similar characteristics which:

- (a) Is a structure, or part of a structure, or which is attached thereto or mounted thereon; and
- (b) Which is used to advertise, inform, announce, claim, give publicity or attract attention.

### Ski Hill

Means a commercial establishment where snow skiing facilities including cross country trails, tows and lifts are provided. A ski hill may include four season facilities such as mountain biking.

### Sleep Cabin

Means an accessory building or structure, not exceeding 40 m<sup>2</sup> (430.5 ft.<sup>2</sup>) in gross floor area, located on the same lot as the principal building or structure, the accessory use being for sleeping accommodation in which cooking facilities shall not be provided but may contain sanitary facilities.

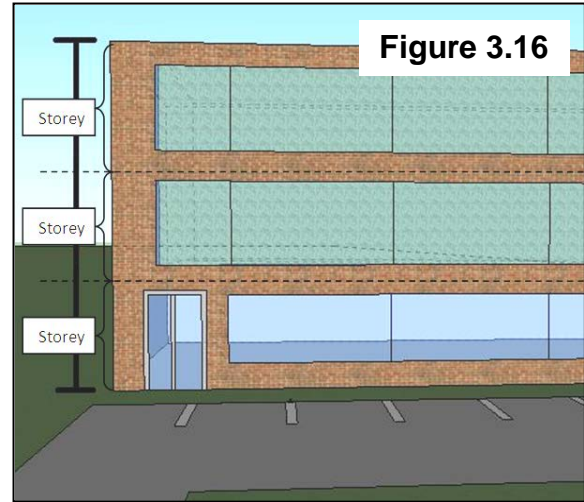
### Solid Waste Disposal Site - see Waste Management Facility

### Stacking Lane

Means an on-site lane for motorized vehicles which accommodates vehicles using a *drive-through facility* that is separated from other vehicular traffic and pedestrian circulation. Stacking lanes may be separated by any combination of barriers, markings or signage.

### Storey

Means that portion of a building other than a cellar or basement included between the surface of any floor and the surface of the floor, roof deck, ceiling or roof immediately above it (see Figure 3.16).



### Street - see Public Street

### Street Allowance

Shall have a corresponding meaning to that of Public Street or Private Road.

### Street Line

Means the limit of the road or street allowance and is the dividing line between a lot and a Public Street or Private Road.

### Structure

Means anything constructed or erected, the use of which requires location on the ground or attached to something having location on the ground and, without limiting the generality of the foregoing, includes a recreational vehicle and a sewage disposal system but does not include a fence.

### Studio

Means a building or structure or part thereof used:

- (a) As the workplace of a cabinetmaker, ornamental welder, photographer, artist, or artisan or any similar artist or craftsman, where unique articles are made or fabricated and offered for sale: and/or
- (b) For the instruction of art, music, languages or similar disciplines.

(See also **School, Private**)

### Swimming Pool

Means an open or covered in-ground or above ground outdoor pool used for swimming, wading, diving or recreational bathing which is at least 50 cm [19.6 inches] in depth, and may include a hot tub or whirlpool.

### 3.T

#### **Tavern or Public House or Road House**

Means a tavern or public house as defined in the *Liquor License Act*, but does not include a hotel or restaurant.

#### **Telecommunications Establishment - see Communications Facility**

#### **Tire Repair Shop**

Means a building, structure or part thereof where tires are patched, plugged, inflated, mounted on rims, and installed.

#### **Tourist Establishment**

Means premises or buildings to be used for the purpose of sleeping accommodation on a temporary basis by tourists or vacationers, including a hotel, motel, lodge or bed and breakfast, and rental cottage or cabin where more than 3 such rental units occupy the same property, including accessory uses such as dining, meeting and beverage rooms and similar uses.

#### **Tourist Outfitters Establishment**

Means an establishment which operates throughout all or part of a year which may or may not furnish overnight accommodation and facilities for serving meals and furnishes equipment, supplies or services to persons in connection with angling, hunting, camping or other similar recreational purposes.

#### **Town**

Means the Corporation of the Town of Laurentian Hills.

#### **Trailer - see Recreational Vehicle**

#### **Trailer Park - see Campground**

#### **Transfer Station - see Recycling Station**

#### **Transportation Depot**

Means land, or a structure or a building where commercial vehicles are kept for hire, rental and/or lease, or stored and/or parked for remuneration and/or from which such vehicles are dispatched for hire as common carriers and where such land, structure or building may be used for the storage and/or distribution of goods, wares, and merchandise.

#### **Truck Terminal - see Transportation Depot**

### **3.U**

#### **Use**

Means the purpose for which a lot or a building or a structure is designed, arranged, occupied or maintained.

### **3.V**

#### **Vehicle**

Means a motor vehicle, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or a street car.

#### **Veterinary Establishment**

Means a building or part of a building used by a veterinary surgeon where animals, birds or other livestock are treated and where domestic animals and/or birds may be kept for treatment.

#### **Video Rental Outlet**

Means a building or part of a building wherein the primary use is the rental of recorded video materials and may include the rental of video recorders, DVD's, video cameras and video games or similar uses or devices.

### **3.W**

#### **Warehouse**

Means a building or structure or portion thereof used or intended to be used for the bulk storage of goods, merchandise, or material.

#### **Waste Management Facility**

Means a site which is licensed or approved by the Ministry of the Environment and/or its agents where garbage, refuse, domestic or industrial waste, excluding radioactive or toxic chemical wastes is disposed of or dumped. This definition shall include waste transfer stations, recycling depots and household hazardous waste. (See also **Recycling Depot**)

#### **Water Frontage**

Means a lot which has one or more lot lines abutting a navigable watercourse, shoreline or shoreline road allowance, bay or lake.

#### **Water Body**

Means any bay, lake, pond, river, natural watercourse or canal but excluding a drainage or irrigation channel.



### **Wayside Pit**

Means land from which unconsolidated aggregate is removed by means of open excavation on a temporary basis for use by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

### **Wayside Quarry**

Means land from which consolidated aggregate is removed by means of open excavation on a temporary basis for use by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

### **Welding Shop**

Means a building or structure or part thereof where metal products are joined, repaired or shaped by welding but no mass productions shall be involved.

### **Wetland (Classified)**

Means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

Lands being used for agricultural purposes, that are periodically "soaked" or "wet", or which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

### **Wetland, Unclassified**

Means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The edge of a unclassified wetland shall be defined as being where greater than 50% of the plant community consists of hydrophytic or water tolerant species. For the purpose of this by-law, such areas have not been classified as being of Provincial significance under the Provincial Policy Statement. Lands being used for agricultural purposes, that are periodically "soaked" or "wet", are not considered to be unclassified wetlands in this definition.

### **Wildlife Habitat**

Means areas where plants, animals and other organisms live, and find adequate amounts of food, water shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at

a vulnerable point in their annual life cycle; and areas which are important to migratory or non-migratory species.

**Workshop or Custom Workshop**

Means a building, structure or part thereof where manufacturing is performed by a tradesman, requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a commercial welder's shop or similar uses.

**Wrecking Yard - see Salvage Yard**

**3.Y**

**Yard**

Means an open space on the same lot with a building or structure or excavation, unoccupied and unobstructed except for such accessory buildings, structures or uses specifically permitted in this By-law.

**Yard, Front**

Means a yard extending across the full width of the lot between the front lot line and a line drawn parallel or concentric thereto and through the point of the main wall of a main building closest to the front lot line (see Figure 3.17).

**Yard, Rear**

Means a yard extending across the full width of the lot between the rear lot line and a line drawn parallel or concentric thereto and through the point of the main wall of the main building closest to the rear lot line. Where there is no rear lot line, the rear yard shall be measured from the intersection of the side lot lines to the closest point of the main wall of the main building (see Figure 3.17).

**Yard, Side**

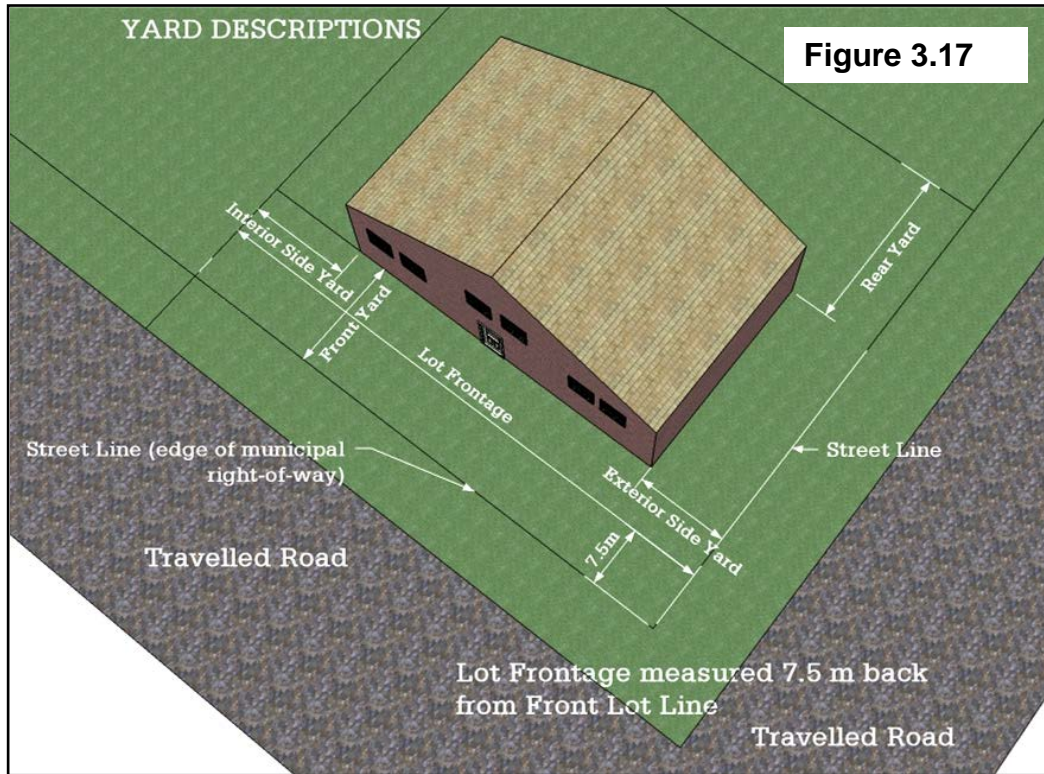
Means a yard extending from the front yard to the rear yard between the side lot line and a line drawn parallel or concentric thereto and through the point of the main wall of a building closest to the side lot line (see Figure 3.17).

**Yard, Side Exterior**

Means a side yard immediately adjoining a street or abutting a reserve on the opposite side of which is located a street (see Figure 3.17).

**Yard, Side - Interior**

Means a side yard other than an exterior side yard (see Figure 3.17).



**3.Z**

**Zone**

Means a designated area of land use demarcated on the Schedules attached hereto.

## Section 4 GENERAL PROVISIONS

### Explanatory Note

*The General Provisions section of the By-law states the regulations which apply regardless of the specific zoning (Section 5). Whereas the zones provide site specific controls corresponding to such items as permitted uses and locational restrictions, the General Provisions provide regulations more general in nature, applying to a variety of uses regardless of zoning.*

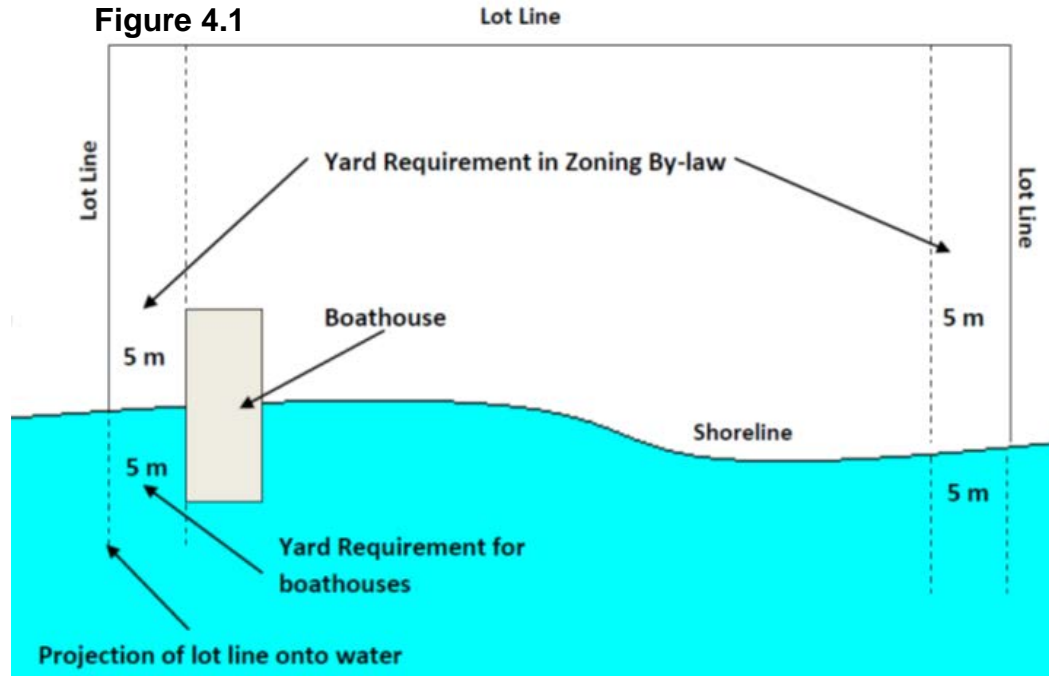
### 4.1 Accessory Buildings, Structures and Uses

**4.1.1** Where a lot is devoted to a permitted use, customary accessory uses, buildings and structures are authorized provided that:

- (a)** All accessory uses, buildings and structures to a permitted principal use shall be located on the same lot and in the same zone as the principal use;
- (b)** The use of any accessory building for human habitation is not permitted except where specifically listed as a permitted use;
- (c)** No accessory use shall be erected closer to the front lot line or the exterior side lot line than the minimum front yard and external side yard setbacks required for the main building. This provision shall be exempted:
  - i)** For lots with water frontage under **Section 4.1.1 (j)**;
  - ii)** For a partially enclosed shelter for use by children waiting for a school bus, if such use is located in a Rural Zone (RU);
  - iii)** For any farm produce outlet having a gross floor area of less than 9.5 m<sup>2</sup> [102.2 ft<sup>2</sup>], if such use is located in a Rural Zone (RU);
  - iv)** For a lot in a rural zone to the extent that accessory uses, buildings and structures may be located in the front yard provided that the minimum front yard depth shall be double the front yard depth otherwise required for the zone, provided that the accessory uses, buildings or structures shall be in compliance with the interior and exterior side lot requirements for the main buildings or structures in the zone and provided that all other relevant provisions of this By-law are complied with.

- (d) Any building or structure which is attached to the main building shall not be considered an accessory building or structure (*example: garage, carport, balcony, deck*);
- (e) Except where specified otherwise, no accessory building shall be erected closer than 1 m [3.28 ft] to any interior side lot line, rear lot line or the main building;
- (f) Common semi-detached garages or carports may be centred on the mutual side lot line;
- (g) Buildings and structures shall not be considered accessory if attached to the main building in any way;
- (h) A freestanding satellite dish or similar device (which does not include an **communications facility**, as defined) designed to receive communications shall only be located in a rear yard of a Residential Zone and shall have a minimum setback of 2 m [6.56 ft] and a maximum height not exceeding 2 m [6.56 ft] greater than the height of the main building. In any other zone, the minimum setback from any lot line shall not exceed 2 m [6.56 ft] and no maximum height shall apply;
- (i) Subject to re-zoning, a boat house, boat port or float plane hangar may be located in the front yard, side yard or rear yard where a lot abuts a navigable waterway, provided that the approval of any governmental authority having jurisdiction has been obtained and provided that the boat house, boat port, or float plane hangar is located not closer than 5 m [16.4 ft] to the nearest adjacent lot line and does not encroach on adjacent frontage when the lot boundaries are extended into the water (see Figure 4.1).
- (j) Despite **Section 4.1.1 (c)**, a shoreline structure other than a boat house, boat port, float plane hangar, dock or wharf shall be set back a minimum of 20 m [65.6 ft] from any high water mark or shoreline in any yard adjacent to a water body.

*(Note: See individual zones for the maximum height, lot coverage, and setbacks of accessory buildings.)*



**4.1.2** Private swimming pools, both above-ground and in-ground both open and covered, shall be permitted subject to any By-law of the Town regarding swimming pools and the following requirements:

**(a) Open Pools**

- i)** Open pool areas shall be totally enclosed by a fence constructed of suitable materials, having a minimum height of 1.5 m [5 ft] to prevent unauthorized entry and a self-locking gate; and
- ii)** Where a pool is an above-ground pool, any combination of the pool wall, surrounding fence or structure totalling a minimum of 1.5 m [5 ft] in height shall be deemed to meet the fencing requirements and provided that there is a self-locking gate or equivalent arrangement to prevent unauthorized entry;
- iii)** The maximum height of an above-ground pool shall not be more than 2 m [6.56 ft] above grade;
- iv)** Any building or structure, other than a dwelling, required for changing clothing or pumping, filtering or storage or any similar purposes shall comply with the provisions respecting accessory uses and structures; and
- v)** No part of an open pool including an associated apron or platform which is in a front or side yard shall be constructed closer to a street line than the requirements for a main building in the zone within

which it is located nor closer to the lot line in a rear yard than the minimum distance required for an accessory use or structure.

**(b) Covered Pools**

Covered pools shall conform with the accessory building requirements contained in **subsection 4.1.1.**

**(c) Pools in the Flood Plain**

The establishment of any swimming pool in an identified flood plain area shall be subject to the approval of the appropriate agency.

**4.2 Automotive Service Station, Gasoline Bar, Car Washing Establishment**

Despite any other provisions contained in this By-law, for all zones within which an automotive service station, gasoline bar, and/or car washing establishment is permitted the following shall apply:

**(a)** The minimum frontage for an interior lot on any street shall be 35 m [114.8 ft] and 40 m [131.2 ft] for a corner lot, and the minimum depth of any lot shall be 30 m [98.4 ft];

**(b)** the minimum yard requirements for the main building shall be as follows:

**i)** Adjacent to a residential use:

Front yard depth.....	15 m [49.2 ft]
Exterior side yard width.....	15 m [49.2 ft]
Interior side yard width.....	6 m [19.7 ft]
rear yard depth.....	6 m [19.7 ft]

**ii)** Adjacent to all other land uses:

Front yard depth.....	15 m [49.2 ft]
Exterior side yard width.....	15 m [49.2 ft]
Interior side yard width.....	3 m [9.8 ft]
Rear yard depth.....	3 m [9.8 ft]

**(c)** The minimum distance between any portion of the pump island and related overhead canopies and any lot line shall be 6 m [19.6 ft];

**(d)** The width of any entrance or exit or combined entrance or exit measured at the front lot line or side lot line shall not be less than 7.5 m [24.6 ft] nor greater than 10 m [32.8 ft]. The minimum interior angle of a ramp to a street line shall be 45° and the maximum angle shall be 90°. The widths and locations of entrances from Highway 17 may vary provided that they are in accordance with the requirements of the Ministry of Transportation;

- (e) The minimum distance between entrances at the street line shall be 9 m [29.5 ft];
- (f) The minimum distance between any side lot line of the property at the street line and the nearest entrance or exit shall be 3 m [9.84 ft];
- (g) A landscaped open space of 1 m [3.28 ft] shall be provided along all of the property lines; and
- (h) Separation of Propane Tanks

No person shall erect or use a tank for the storage of propane for sale at an automotive service station or gasoline bar or on any other property where vehicle fuel may be dispensed unless a license has been obtained from the Ministry of Consumer and Business Services and the location is in compliance with the requirements under the *Ontario Propane Code*.

#### **4.3 Buildings to be Moved**

No building or structure shall be moved within the limits of the Town or shall be moved from outside the Town into the Town unless the building or structure is a permitted use and satisfies all the requirements of the zone in which it is to be located and then only after a permit has been obtained, if required, from the Chief Building Official.

#### **4.4 Camp**

A permitted camp may be located on any lot of record provided in a remote area such building is set back a minimum of 500 m [1,640.4 ft] from any existing residential dwelling unit. No minimum lot area or frontage requirements shall apply to a permitted camp.

#### **4.5 Change of Use**

A use of lot, building or structure which, under the provisions hereof is not permissible within the zone in which such lot, building or structure is located, shall not be changed except to a use which is permissible within such zone or as otherwise authorized by the Committee of Adjustment under *Section 45 (2)* of the *Planning Act*.

#### **4.6 Corry Lake**

Despite any provision of this By-law to the contrary, all development within 150 m [492.1 ft] of the high water mark of Corry Lake shall be subject to the following provisions:



- (a) New residential development, buildings and structures, including sewage disposal systems, shall be prohibited within 30 m [98.4 ft] of the high water mark;
- (b) Saw mills, log hauler operations, livestock facilities and other industrial-related uses shall be prohibited;
- (c) The minimum lot area shall be 4,000 m<sup>2</sup> [43,057 ft<sup>2</sup>];
- (d) The minimum lot frontage shall be 35 m [114.8 ft];
- (e) No land use, accessory land use, or other structure or building including but not limited to a float plane hangar, float plane dock or facility for the fueling or repair or maintenance of float planes shall be permitted anywhere on Corry Lake or the shoreline thereto; and
- (f) The provisions of **Section 4.25(f)** shall not apply

#### 4.7 Crown Lands

Regardless of anything else in this By-law, including the Zoning Schedules, Crown Lands are not subject to the provisions herein.

#### 4.8 Cumulative Standards

Despite anything contained in this By-law, where any land, building or structure is used for more than one purpose, all provisions of this By-law relating to each use shall be complied with. (*Example: where a lot is to be developed for a commercial use and an accessory dwelling, the number of parking spaces required would include the combined total of those for the commercial use plus those for the dwelling.*)

#### 4.9 Day Nurseries

Private home day nurseries are permitted in all zones where residential uses are permitted as a principal use. Such day nurseries shall comply with the provisions of the *Day Nurseries Act*.

#### 4.10 Drive-Through Facilities

Notwithstanding any other provision of this By-law, where a building or structure incorporates a *drive-through facility*, the following provisions shall apply:

- (a) *Drive-Through Facilities* are a permitted use in the General Commercial (GC), Highway Commercial (HC), Limited Commercial (LC), and Recreational Commercial (RC) zones;
- (b) A *drive-through* facility is a principal use in combination with another use,

neither of which may be construed as being accessory to the other, and all regulations pertaining to each use shall apply

- (c) The minimum dimensions of a vehicle space in a *stacking lane* shall be 2.7 m x 6 m;
- (d) No part of an order board shall be located closer than 10 m from the property boundary of any other property occupied by or zoned for a residential use;
- (e) No part of any *stacking lane* shall be permitted to be located in a front yard; and
- (f) All drive-through facilities shall conform to the requirements for parking areas set out in **Section 4.30(g)**.

#### **4.11 Established Building Line in Built-up Area**

Despite the yard and setback provisions of this By-law to the contrary, where a permitted building or structure is to be erected on a lot in a built-up area, where there is an established building line extending on both sides of the lot, such permitted building or structure may be erected closer to the street line, or the centre line of the street as the case may be, than required by this By-law provided such permitted building or structure is not erected closer to the street line or the centre line of the street, as the case may be, than the established building line. All other provisions of this by-law shall apply (see Figure 3.8).

#### **4.12 Farm Use**

Nothing contained in this By-law shall prevent the continued use of any land, building or structure for a livestock facility as defined, or any extension or addition of such use provided that any additions or extensions of such use shall comply with the requirements of the Ministry of Agriculture, Food and Rural Affairs Minimum Distance Formula II and the applicable requirements of the Zone in which the use is located. Conversely, the Ministry of Agriculture, Food and Rural Affairs Minimum Distance Formula I shall apply when locating development (e.g. new dwelling) in proximity to an existing livestock facility on an existing or proposed separate parcel of land.

#### **4.13 Fences**

Any fence erected hereafter within the municipality shall conform to the provisions of any Fence By-Law as may from time-to-time be enacted under the *Municipal Act* or the provisions of the *Line Fences Act*.

#### **4.14 Flood Plain**

The following provisions shall apply to areas located below the engineered or photo interpreted floodline as determined by the Ministry of Natural Resources.

**4.14.1** No person shall use any land or erect, alter or use any building or structure in the Flood Plain except in accordance with the following provisions:

**4.14.2 Permitted Uses**

- (a) Buildings or Structures Intended for Flood or Erosion Control or Slope Stabilization;
- (b) All Buildings and Structures in Existence on the Day of the Passing of this By-law;
- (c) A swimming pool subject to **Section 4.1.2 (c)**;
- (d) Conservation Uses;
- (e) Forestry Uses;
- (f) Parks without Buildings or Structures;
- (g) Hydro-electric generating facilities;
- (h) Marine Facilities; and/or
- (i) Infrastructure incidental to a water supply or waste water treatment facility such as a water intake or sewer outfall but not including the main building of a water filtration plant or waste water treatment facility.

**4.14.3 Prohibited Uses**

The following are considered prohibited land uses within a flood plain:

- (a) Any use, building or structure which involves the storage or use of hazardous or toxic materials, (e.g., ignitable, corrosive, reactive, radioactive or pathological materials) or any institutional use shall be permitted to be constructed in a flood plain;
- (b) Any use, building or structure associated with an institutional use such as a hospital, a continuum-of-care facility, a day nursery, a pre-school or school nursery, or a school; and
- (c) Any use, building, or structure which is considered an essential services, such as that provided by fire, police and ambulance stations, or electrical substations.

**4.14.4 Zone Requirements**

As set out in the applicable zone in which the use, building or structure is located.

#### 4.14.5 Additional Provisions

- a) Any new building or structure or any expansion of or addition to any buildings or structures permitted in the Flood Plain after the day of the passing of this By-law shall incorporate appropriate engineered construction techniques which reduce or eliminate the risks of flood damage or damage from erosion or unstable slopes. The specific approval of the Ministry of Natural Resources shall be obtained prior to the issuance of a building permit; and
- b) Modification of the flood plain through the dumping, filling, excavation or site grading of land or the diversion or alteration of any water course or the obstruction of the flood capacity or flood way by any means is prohibited unless otherwise permitted by the appropriate Conservation Authority as set out by regulation under the *Conservation Authorities Act* and/or the approval of the Ministry of Natural Resources.

#### 4.14.6 Ottawa River Flood Plain

- a) The Ministry of Natural Resources has identified the elevation of 115.2 m [377.9 ft] Geodetic Survey Canada (GSC) datum as a conservative estimate for the one in one hundred year flood plain down stream from Lot 45 Range B, Township of Rolph;
- b) For lands along the narrow section of the Ottawa River between Des Joachim Dam and Point Stewart, a one-zone concept flood plain applies because of currents and fast water. No development is permitted in this flood plain with the exception of the uses listed in **subsection 4.14.2 (a), (b), (e-j)**;
- c) For the remainder of the lands along the Ottawa River, downstream of Point Stewart, a two-zone concept flood plain applies as follows:
  - i) for those lands within the floodway defined by the elevation 114.2 m [374.6 ft] no buildings alterations or structures with the exception of the uses listed in **subsection 4.14.2 and 4.4.1(j)**; and
  - ii) For those lands within the flood fringe, between the elevations 114.2 m [374.6 ft] and 115.2 m [377.9 ft] GSC, datum, development is permitted provided buildings and structures are floodproofed to the design elevation of 115.2 m [377.9 ft] GSC datum with dry basements. All floodproofing methods shall be consistent with accepted engineering techniques and resource management practices.
- d) These flood plain provisions shall be implemented through site plan control. The site plan shall include an elevation prepared and/or certified by an Ontario Land Surveyor.

***NOTE: See Minimum Distance Separation (Special Setbacks), Section 4.25 for setback requirements from water bodies.***

## **4.15 Frontage on a Public Street**

### **4.15.1 General**

No person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected has frontage onto and direct access to a public street or private road as per the requirements of the respective zone within which the lot is situated except:

- (a)** For any permitted use on an island or other water access only lot provided a public access point and parking is available on the main land;
- (b)** For an authorized water access only lot;
- (c)** A camp;
- (d)** A communications facility;
- (e)** A public utility;
- (f)** A wayside pit or quarry; or
- (f)** Any passive outdoor recreational use or activity such as skiing, snowmobiling, hiking, mountain biking or similar activities.

See also the requirements of the LSR Zone

### **4.15.2 Exception for Existing Agreements**

- (a)** Despite **Section 4.15.1**, where a maintenance or subdivision agreement exists between the municipality and a land owner and is registered on title, frontage on an unassumed, unopened or unmaintained public right-of-way shall be deemed to conform to the provisions of this section, provided that such frontage is in conformity with the standards set out in the corresponding zone or any exception thereto; and
- (b)** Despite **Section 4.15.1**, where an access agreement registered on title between or amongst landowners that provides for a right-of-way to an existing lot which is developed for a single detached dwelling or seasonal dwelling, such uses shall be deemed to conform with the provisions for access of this By-Law.

### 4.15.3 Ministry of Transportation Access Requirements

In addition to all the requirements of the Corporation, all development adjacent to any Provincial Highway is also subject to the requirements and permits of the Ministry of Transportation.

### 4.16 Garden Suites

Subject to the, passing of a Site Specific Temporary Use By-law under Section 39 of the *Planning Act*, a Garden Suite shall be permitted as a separate dwelling unit to a permitted main residential use provided that the minimum lot area conforms with the zone in which the garden suite is to be located, that the maximum net floor area is 50 m<sup>2</sup> [538 ft<sup>2</sup>], that the maximum height of the Garden Suite is 6 m [19.7 ft] or the average height of the main buildings on the subject and abutting lots, whichever is the lesser, that the Garden Suite is located in a rear or interior side yard and meets the minimum yard and lot coverage requirements set out in the corresponding zone and is set back a minimum of 3 m [9.8 ft] from any rear or side lot line and that the provisions for servicing under **Section 4.41** can be met.

### 4.17 Group Homes

Group Homes shall be permitted in all zones that allow residential uses provided.:

- (a) No other group home or similar facility is located within 100 m [328 ft]; and,  
and
- (b) That the minimum rear yard area is 18 m<sup>2</sup> [193.7 ft<sup>2</sup>] per resident

### 4.18 Hobby Farm

A hobby farm shall comply with the Minimum Distance Separation (MDS) Formulae as amended from time to time.

### 4.19 Home Industry

A Home Industry shall be permitted in the Rural Zone (RU) and in any other zone allowing such accessory use where the zone abuts Highway 17. A home Industry shall conform with the following provisions:

- (a) No more than two persons, other than a member of the household residing on the premises, shall be employed in the Home Industry;
- (b) There shall be no external display or advertising other than a non-illuminated sign having a sign face of not more than 1 m<sup>2</sup> [10.7 ft<sup>2</sup>] in area;

- (c) Such Home Industry shall not be a hazardous or obnoxious trade, manufacturing business and shall not create or become a public nuisance in regard to noise, traffic, parking or health safety;
- (d) Such Home Industry is clearly secondary to the main use and does not change the residential character of any farm unit;
- (e) The parking requirements of this By-law shall apply to a Home Industry;
- (f) No goods, wares or merchandise shall be offered or exposed for sale or rent on the premises unless such goods, wares and merchandise are either:
  - i) Incidental to the Home Industry;
  - ii) Arts and crafts produced on the premises; or
  - iii) Farm produce grown or produced on the property.
- (g) Accessory buildings may be erected, altered or used for the purpose of the Home Industry provided that the use does not occupy more than 50% of the gross floor area of the accessory building to a maximum of 140 m<sup>2</sup> [1,506.9 ft<sup>2</sup>]; and
- (h) Where the Home Industry occupies a residential dwelling not more than 50% of the gross floor area of the dwelling shall be used to a maximum of 50 m<sup>2</sup> [538.2 ft<sup>2</sup>].

#### **4.20 Home Occupations**

A Home Occupation shall be permitted in any Zone that permits a dwelling provided it conforms with the following provisions:

- (a) The use shall be conducted entirely within the dwelling and is carried on by members of the household residing in the dwelling. No more than one person, other than a member of the household residing on the premises, shall be employed in the Home Occupation;
- (b) There shall be no external display or advertising other than a non-illuminated sign having a sign face of not more than 0.3 m<sup>2</sup> [3.2 ft<sup>2</sup>] in area;
- (c) Such Home Occupation shall not be a hazardous or obnoxious trade, manufacturing business and shall not create or become a public nuisance in regard to noise, traffic, parking or health safety;
- (d) Such Home Occupation shall be clearly secondary to the main residential use and there shall be no change to the outside appearance of the dwelling or premises or any visible evidence of the conduct of the Home Occupation

other than a sign. There shall be no external storage of equipment or supplies associated with the Home Occupation other than one (1) commercial vehicle;

- (e) The parking requirements of this By-law shall apply to a Home Occupation; and
- (f) The Home Occupation shall not occupy more than 25% of the gross floor area of the dwelling to a maximum of 50 m<sup>2</sup> [538.2 ft<sup>2</sup>].

#### **4.21 Illumination**

Illumination of buildings and grounds shall be permitted provided that:

- (a) Illumination shall not cause direct or indirect glare on a street that may interfere with traffic or pedestrian safety;
- (b) Illumination shall not consist of a colour or be so designed or located that it may be confused with traffic signals; and
- (c) Illumination shall not cause direct or indirect glare on land or buildings in any zone in which residential uses are permitted.

#### **4.22 Land Suitability for Use and Organic Soils**

Despite any other provision of this By-Law, no habitable building or structure shall be constructed, erected, altered or used on land which, by reason of its rocky, low lying, marshy, unstable character or which is located or may be located on organic soil. unless the proponent or applicant for development can demonstrate through professionally acceptable engineering techniques that the physical constraint can be mitigated or overcome and that the requirements of the *Ontario Building Code* with respect to construction and the requirements of the *Ontario Water Resources Act* or *Building Code Act* with respect to the installation of an individual on-site sewage and water system can be met. Loading Requirements

#### **4.23 Loading Requirements**

For every building or structure hereafter erected for a commercial, institutional or industrial use, involving the shipping, loading or unloading of persons, animals, wares, merchandise or other goods, there shall be provided and maintained loading facilities or spaces in accordance with the following requirements:

- (a) Each loading space shall have a minimum height clearance of 4 m [13.1 ft] and shall be at least 3.5 m [11.4 ft] wide by 7.50 m [24.6 ft] long if situated inside of or at right angles to a building or structure or 3.5 m [11.4 ft] wide by 9.0 m [29.5 ft] long if situated parallel to the wall of a building or structure;



- (b) Loading spaces shall be located in a building or structure, an open rear yard, or an open side yard, on the same lot on which the main use is located, provided such a space shall be in an area whose distance from lot line to building or structure is not less than 16 m [52.4 ft] and shall have unobstructed ingress and egress to and from a public street by means of a driveway, land or aisle of a minimum width of 6 m [19.7 ft];
- (c) The number of required loading spaces shall be based on net floor area of the building or structure as follows:

<u>Net Floor Area</u>	<u>Spaces Required</u>
0 - 300 m <sup>2</sup> [3,229.2 ft <sup>2</sup> ]	0
300 m <sup>2</sup> and over [3,229.2 ft <sup>2</sup> and over]	1 per 1,500 m <sup>2</sup> [16,146.3 ft <sup>2</sup> ] or part thereof

- (d) The loading space requirements stated in **Section 4.23 (c)** shall not apply to buildings or structures in existence as of the date of passing of this By-law but shall apply to areas of any expansion or enlargement to such buildings or structures for which building permits have been issued after the date of passing of this By-law; and
- (e) The loading space and approaches thereto shall be surfaced with concrete, asphalt, crushed stone or gravel.

**4.24 Mine Hazards**

No person shall use any lands identified as having a known mine hazard shall be used unless the mine hazard has been rehabilitated or measures taken to mitigate known or suspected hazards or it is demonstrated that no hazard exists. Any required remediation or rehabilitation or mitigation measures shall be undertaken using acceptable engineering practices.

**4.25 Minimum Distance Separation and Special Setbacks**

No person shall use any land, building or structure for a sensitive land use unless it complies with the following minimum distance separations or special setbacks. Separation distances or setbacks shall be measured as set out for the respective requirement.

**(a) Setback from Highway 17**

The setback shall be 18 m [59 ft].

**(b) Waste Management Facility**

- i) No development or land use shall be permitted within 30 m [98.4 ft] of the boundary or perimeter of the (licensed) fill area of an active or closed waste management facility;
- ii) No waste management facility shall be permitted within 30 m (98.4 ft.) from any water body, drainage or irrigation channel; and
- iii) No waste management facility shall be permitted on land covered by water or in any area subject to flooding (see **Section 4.14.2**).

**(c) Pits and Quarries**

- i) The minimum separation distance between a sensitive land use (e.g., residential use, daycare centre, educational or health facility, etc.) and the boundary of a pit shall be 70 m [230 ft] and shall be measured from the lot line of the sensitive land use to the licensed area of the pit; and
- ii) The minimum separation distance between a sensitive land use and a quarry shall be 300 m [984.25 ft] and shall be measured from the lot line of the sensitive land use to the licensed area of the quarry.

**(d) Industrial Uses**

- i) Class I Industry (light industry): The minimum separation distance from a sensitive land use and a Class I Industrial use shall be 20 m [65.6 ft] and shall be measured as the shortest horizontal distance from the closest building face of any industrial building or the closest limit of any exterior storage area or processing area, whichever is the lesser and the closest property line of any lot occupied by an existing sensitive land use or a lot zoned R1, R2, MHP, LSR or CF; ;
- ii) Class II Industry (medium industry): The minimum separation distance from a sensitive land use and a Class II Industrial use shall be 70 m [230 ft] and shall be measured as the shortest horizontal distance from the closest building face of any industrial building or the closest limit of any exterior storage area or processing area, whichever is the lesser and the closest property line of any lot occupied by an existing sensitive land use or a lot zoned R1, R2, MHP, LSR or CF; ; and
- iii) Class III Industry (heavy industry): The minimum separation distance from a sensitive land use and a Class III Industrial use shall be 300 m [984 ft] and shall be measured as the shortest horizontal distance from the closest building face of any industrial building or the closest limit of any exterior storage area or processing area, whichever is the lesser and the closest property line of any lot occupied by an existing sensitive land use or a lot zoned R1, R2, MHP, LSR or CF;

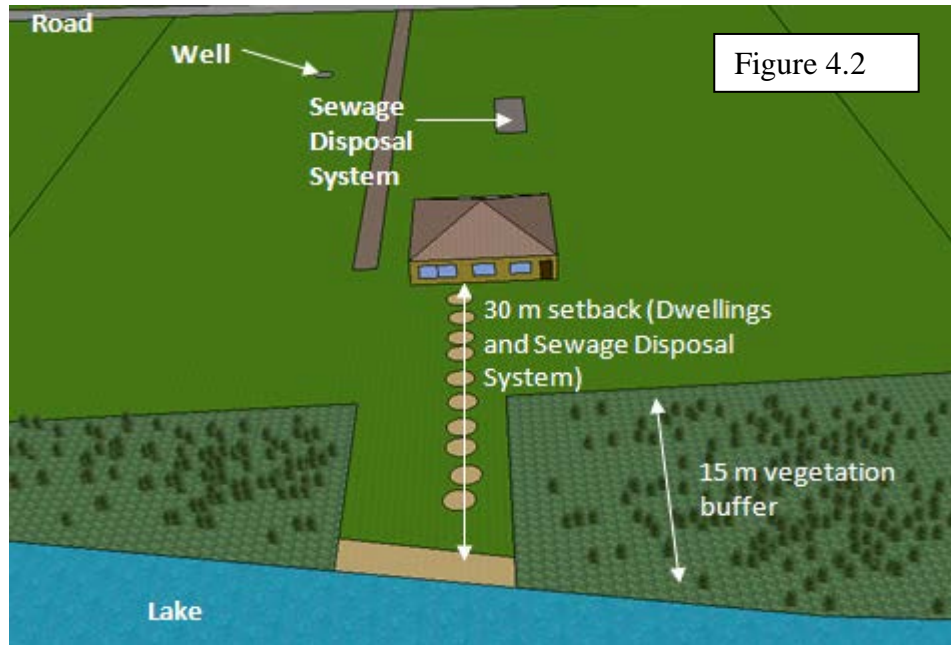
**(e) Agricultural Use**

Any livestock facility or dwelling shall comply with the Ministry of Agriculture, Food and Rural Affairs Minimum Distance Separation Formulae I and II, where applicable.

**(f) Water Bodies**

Water body setbacks shall be according to the provisions of the following table (Table 1).

Table 1: Water Body Setbacks	
Structure	Setback
Main Building	30 m [98.4 ft]
Main Building where there is an established building line of adjacent buildings	20 m [65.6 ft]
Pressurized water system for sauna or steam bath	No pressurized water system within 30 m [98.4 ft]
Sewage disposal system	30 m [98.4 ft]
Secondary or Accessory Building	15 m [49.2 ft]



**(g) Veterinary Establishment or Kennel**

No dwelling on an adjacent lot shall be located within 100 m [328 ft] of any veterinary establishment or kennel if such has more than four outdoor runs or more than 30 m<sup>2</sup> [3,22.9 ft<sup>2</sup>]. This shall apply reciprocally to the establishment of a veterinary establishment or kennel.

**(h) Septage or Communal Sewage Disposal System**

No dwelling or associated well shall be erected within 200 m [656.1 ft] of the boundary of any land zoned or proposed for septage disposal, a waste stabilization pond or wastewater treatment plant.

No new commercial, industrial or institutional development requiring a well shall be located within 75 m [246 ft] of any land zoned or proposed for septage disposal, a waste stabilization pond or wastewater treatment plant.

No septage disposal, a waste stabilization pond or wastewater treatment plant shall be located:

- i)** Within 200 m [656.1 ft] of a dwelling or associated domestic well;
- ii)** Within 150 m [492.1 ft] of any uncased well or abandoned well or within 75 m [246 ft] of any well with a minimum casing depth of 6 m (19.6 ft.) associated with any non-residential use;
- iii)** Within 75 m [246 ft] of any land proposed for non-residential development requiring the installation of a well;
- iv)** Within 750 m [2,460 ft] of any existing or proposed subdivision;
- v)** Within 180 m [590.5 ft] of the high water mark of any surficial water body;
- vi)** Within 30 m [98.4 ft] of the right-of-way limit of a street or road allowance; and
- vii)** Within 60 m [196.8 ft] of any land used for livestock pasturing.

**(i) Hydro Electric Power Transmission Corridor**

No dwelling shall be erected within 30 m [98.4 ft] of the right-of-way limit of a power transmission corridor carrying a 250 KV line or greater.

**(j) TransCanada Pipeline**

No dwelling shall be erected within 30 m [98.4 ft] of the TransCanada Pipeline right-of-way limit. All other setbacks shall be a minimum of 10 m [32.8 ft].

**(k) Rail Line**

No dwelling shall be erected within 15 m [49.2 ft] of the limit of the railway right-of way.

## **4.26 Mobile Homes**

No person shall construct or install a Mobile Home on an individual lot within the Town unless it is located in a Mobile Home Park.

## **4.27 Non-Conforming and Non-Complying Uses**

### **(a) Continuance of Existing Uses**

Nothing in this By-law shall apply to prevent the use of any land, building or structure for any purpose prohibited by the By-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the By-law so long as it continues to be used for that purpose. The non-conforming use of any land, building or structure shall not be changed except to a use which is in conformity with the provisions of the zone in which the land, building or structure is located, without permission from the Committee of Adjustment pursuant to the *Planning Act*.

### **(b) Prior Building Permits**

Nothing in this By-law shall prevent the erection or use of any building or structure for which a building permit has been issued under the *Building Code Act* prior to the passing of this By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under the *Building Code Act*.

### **(c) Accessory Buildings**

Nothing in this By-law shall prevent the use of any land, building or structure accessory to an existing legal non-conforming use provided that such accessory building or structure complies with all other relevant provisions of this By-law.

### **(d) Road Widenings**

Nothing in this By-law shall prevent the use of any land, building or structure or the erection of any building or structure on a lot which does not comply to the minimum lot frontage and/or lot area and/or front yard setback and in the case of a corner lot, the side yard setback, as a result of a road widening taken by the Town Laurentian Hills, County of Renfrew or the Ministry of Transportation of Ontario, provided all other requirements of this By-law are complied with.

**(e) Reconstruction of Existing Use**

- i) If a non-conforming building or structure should be damaged or destroyed, nothing in this By-Law shall prevent such a building or structure from being restored and strengthened to a safe condition provided the height, size and volume are not increased; and
- ii) If a non-complying building or structure should be damaged or destroyed, nothing in this By-Law shall prevent such a building or structure from being restored and strengthened to a safe condition provided the extent of non-compliance is not increased.

**(f) Addition to Existing Building or Structure**

Nothing in this By-law shall prevent the renovation, extension or addition to a building, structure or individual on-site sanitary sewage disposal system which is used for a purpose specifically permitted within the zone in which such building or structure is located and which building or structure existed at the date of passing of this By-law but which building or structure does not comply with one or more of the zone requirements of this By-law, provided such renovation, extension or addition does not further reduce the requirements of this By-law and does not contravene any other requirements of this By-law or any requirements of Ministries and agencies.

**(g) Existing Undersized Lots**

Despite anything else contained in this By-law, where a vacant lot having a lesser lot frontage and/or lot area than is required by this By-law is held under distinct and separate ownership from adjoining lots, according to the register for land in the Land Titles, or Registry Office, on the date of the passing of this By-law, it may be used for a purpose permitted in the zone in which the said lot is located, provided it can be adequately serviced with water and sewage services, has a suitable building envelope and provided that all other applicable provisions in this By-law are complied with.

**(h) Less Than Required Floor Area**

Nothing in this By-law shall prevent an extension or addition being made to a permitted dwelling which existed at the time of passing of this By-law but which has a floor area or dwelling unit area of less than that required by this By-law, provided such extension or addition does not contravene any other provisions of this By-law or the required room sizes listed in the Building Code.

#### **4.28 Occupancy Restrictions**

Human habitation shall not be permitted in any of the following buildings, structures, or parts thereof unless the building, structure, or parts thereof meet all applicable requirements of the *Fire Code*, the *Ontario Building Code* and any other applicable regulations, policies, or Acts:

- (a) Any private garage or other building which is accessory to a residential use;
- (b) Any truck, bus, recreational vehicle, coach or streetcar body whether or not the same is mounted on wheels; and
- (c) Any dwelling before an occupancy permit has been issued.

Despite the above, seasonal or temporary accommodation shall be permitted in a recreational vehicle.

For the purpose of this section, human habitation shall mean any human occupancy cumulatively more than 60 days in any calendar year.

#### **4.29 Outside Storage, Sales and Display**

No person shall use any lot or part thereof for outside storage, sales or display except as permitted by this By-law and as an area which has been specifically designed and set aside for such purpose, is fully integrated with the main use of the lot and is in accordance with the following:

- (a) Outside storage may be accessory to a permitted or existing non-residential use on the same lot;
- (b) No open storage shall be permitted in any required front yard or required exterior side yard, except in the case of an agricultural use, nor within any minimum required minimum side or rear yard where the side or rear lot lines abut any Residential Zone or Community Facility Zone;
- (c) There shall be no uninterrupted view of an open storage area from any street, or from any adjacent lot where such lot is in a Zone other than a Commercial or and Industrial Zone. Wherever it is necessary, visual screening such as a landscaped open space area, opaque fence or other barrier shall be installed to a minimum height of 1.5 m [4.92 ft]. Exceptions to this provision are permitted for open space storage accessory to an agricultural use or for outdoor display use in conjunction with a permitted commercial use;
- (d) A strip of landscaped open space with a minimum width of 3 m [9.84 ft] shall be maintained around all open space storage areas;

- (e) Any areas used for outside storage shall be in addition to any minimum off-street parking or loading areas required by this By-law;
- (f) Any open storage area shall be maintained as landscaped open space or surfaced and maintained with stable materials to prevent the raising of dust and particles, and properly drained. This shall be exempted where the main use is an agricultural use; and
- (g) An outdoor display or sales area shall be permitted in association with any permitted commercial, industrial or public service use, provided that the display or sales area does not occupy any required parking or loading area, does not constitute a traffic safety hazard and is setback a minimum of 3 m [9.84 ft] from any front lot line. Despite the above, seasonal sales of Christmas trees or a temporary truck load sale (i.e. weekend) or a yard sale shall be permitted to occupy a designated parking area.

#### **4.30 Parking and Storage of Vehicles**

- (a) Except as provided herein, no vehicles shall be parked or stored in a zone in which residential uses are permitted unless the vehicle is located within a garage, carport, driveway, designated parking area or on a street;
- (b) No parking space in a zone in which residential uses are permitted shall be used for the outdoor parking or storage of a motor vehicle unless such vehicle is used in operations incidental to the main permitted use of the lot on which it is parked or stored and bears a motor vehicle license plate or sticker which is currently valid (historical vehicles exempted);
- (c) Each standard parking space shall have a minimum width of 2.7 m [8.9 ft] and a minimum length of 5.5 m [18 ft]. Each barrier-free parking space shall have a minimum width of 3.7 m [12.1 ft] and a minimum length of 6 m [19.7 ft];
- (d) Unless permitted elsewhere in this By-law, where two (2) or more uses are permitted in any one (1) building or on any one (1) lot, then the off-street parking requirements for each use shall be calculated as if each use is a separate use, and the total number of off-street parking spaces so calculated shall be provided;
- (e) The parking space requirements shall not apply to any building in existence at the date of passing of this By-law so long as the gross floor area, as it existed at such date, is not increased and no change in use occurs. If an addition is made to the building or structure which increases the gross floor area, or a change in use occurs then parking spaces for the addition or area changed in use shall be provided;
- (f) Parking spaces for single-detached, family, semi-detached, duplex and converted dwellings, supplementary regulations:



- i) The driveway and parking space shall be constructed of crushed stone, asphalt paving, concrete, paver stones or similar materials and shall be maintained and treated so as to reduce dust, scattering of stones and similar potentially undesirable effects on adjoining properties;
  - ii) No more than fifty percent (50%) of the area of any required front yard shall be used or constructed as a driveway or parking space;
  - iii) No more than fifty percent (50%) of the lot frontage as defined by this by-law shall be used or constructed as a driveway or parking space; and
  - iv) Parking shall be permitted in any required yard provided that no part of any parking area, other than a driveway is located closer than 1 m (3.28 ft.) to any street line in a Residential or Rural Zone and provided further that a parking area for a residential use containing three or more dwelling units is located in the rear yard only.
- (g) The following supplementary regulations shall apply to parking areas for more than four (4) vehicles:
  - i) The parking area shall be constructed of crushed stone, asphalt paving, concrete, paver stones, or similar materials and shall be maintained and treated so as to reduce dust scattering of stones and similar undesirable effects on adjoining properties and shall incorporate drainage facilities that comply with the requirements of the Corporation;
  - ii) Ingress and egress directly to and from every parking space shall be by means of a driveway, lane or aisle having a width of at least 6 m [19.7 ft] for two-way traffic and 3.5 m [11.5 ft] for one-way traffic where parking is angled;
  - iii) A driveway or lane which does not provide ingress and egress directly to a parking space, shall have a minimum width of 3.5 m [11.5 ft] where designed for one-way vehicular circulation or 6 m [19.7 ft] where designed for two-way vehicular circulation;
  - iv) **Barrier-Free Parking**

Wherever barrier-free access to a building is required under the *Building Code*, one (1) barrier-free parking space shall be provided for every 20 standard parking spaces or part thereof and shall be included in the total number of parking spaces required under the Schedule for Parking;

- v) Parking shall be permitted in an interior side or rear yard only except for visitor parking provided that no part of any parking area, other than a driveway is located closer than 1 m [3.28 ft] to any street line and further provided that where an Industrial or Commercial Zone abuts a Residential Zone, the parking area shall be set back 3 m [9.84 ft] from the lot line; and
- vi) Parking for a Waste Management Facility or Extractive Industrial Zone may be permitted in any yard.
- (h) Except where permitted elsewhere in this By-law, the required parking for residential uses of land shall be provided on the same lot as the dwelling unit. In all other zones, parking shall be provided within 150 m [492.1 ft] of the building or lot it is intended to serve, subject to an agreement, deed or renewable lease which provides for same. Parking for a water access only lot or an island shall be provided at a secure access point.
- (i) Despite **Section 4.31**, if the calculation of the minimum parking space requirement results in a fraction, the minimum requirement shall be the next higher whole number (*e.g. 7.23 spaces shall be deemed to require 8 parking spaces*).

**4.31 Schedule for Parking Requirements**

In any zone, the owner or occupant of any building or structure erected, enlarged or changed in use after the date of passing of this By-law shall provide off-street parking in accordance with the following provisions:

**Schedule for Parking Requirements:**

USE	MINIMUM NUMBER OF REQUIRED PARKING SPACES
Residential: <ul style="list-style-type: none"> <li>• single-detached      • semi-detached</li> <li>• duplex                      • converted dwelling</li> <li>• accessory dwelling</li> <li>• mobile home              • row housing</li> <li>• park model trailer      • group home</li> </ul>	1 space per dwelling unit
Residential: <ul style="list-style-type: none"> <li>• apartment dwellings</li> </ul>	1.5 units per dwelling unit, 15% of which shall be reserved as visitor parking
Residential <ul style="list-style-type: none"> <li>• boarding house</li> </ul>	1 space plus 1 space for every three beds

Automotive body shop, automotive repair shop, automotive service station, gas bar	3 spaces per service bay plus 1 space per employee
Assembly hall, auditorium, dance hall, stadium, theatre and similar places of public assembly	1 space for every 4 seats, fixed or otherwise and where there are no seats, 1 space for every 10 m <sup>2</sup> [107.6 ft <sup>2</sup> ] assembly space
Bank or trust company	5.9 spaces per 100 m <sup>2</sup> [1076 ft <sup>2</sup> ] of Gross Leasable Floor Area
Building supply store, lumber yard, garden centre, nursery	1 space for each 20 m <sup>2</sup> [215.2 ft <sup>2</sup> ] of gross floor area and 1 space for each 35 m <sup>2</sup> [376.2 ft <sup>2</sup> ] of open storage
Car Washing Establishment	3 spaces minimum plus two stacking spaces per bay for a manual wash or 10 stacking spaces for an automated car wash
Clinic	6 spaces per practitioner for the first 5 practitioners, 4 spaces per practitioner thereafter
Day nursery - licensed	1 space per employee and 1 space per 5 children
Drive-through facility	Stacking lanes shall accommodate a minimum of 12 vehicles
General business, retail store, convenience store, grocery store, commercial and personal service establishment, funeral parlour	1 space per 20 m <sup>2</sup> [215.2 ft <sup>2</sup> ] of Gross Floor Area, minimum 3 spaces
Home Based Business	2 spaces plus 1 space for each employee
Hotel, motel, tourist outfitters (with road access), tourist establishment, bed and breakfast establishment	1 space per guest unit, plus 1 space for each 6 persons of designated seating capacity of any accessory eating establishment (restaurant). The latter does not apply to a bed and breakfast establishment.
Manufacturing, industrial storage or wholesale, warehouse	1 space per 95 m <sup>2</sup> [1022.6 ft <sup>2</sup> ] of Gross Floor Area plus 1 space per every 3 employees per shift
Nursing home, home for the aged, long-term care facility, retirement home, hospital	1 space for every 6 patient beds plus 1 space for every 4 employees

Office, professional office, meeting rooms	3.5 spaces per 100 m <sup>2</sup> [1076 ft <sup>2</sup> ] of Gross Leasable Floor Area
Place of worship	1 space for every 5 seats, fixed or otherwise
Restaurant, beverage establishment, tavern, road house	1 parking space per 10m <sup>2</sup> [107.64 ft <sup>2</sup> ]
Recreational Vehicle Park, campground (all types)	1 space per site plus required spaces for accessory uses based on type of use listed in this table
School	2 spaces per classroom
School - Private	4 spaces per classroom
All other uses not listed above. No parking shall be required for the uses listed in <b>Section 4.14.1</b> , an agricultural use, forestry use or conservation use.	1 space per 30 m <sup>2</sup> [322.9 ft <sup>2</sup> ] of Gross Floor Area

#### 4.32 Parts of Buildings or Structures Permitted Above Height Level

(a) The height regulations herein set forth shall not apply to any of the following:

- Air conditioning system
- Chimney
- Church spire or belfry
- Communications Facility
- Drying tower
- Elevator or stairway enclosure
- Enclosed mechanical and electrical equipment
- Farm buildings and structures such as a barn, silo or windmill
- Flag pole
- Hydro electric transmission tower
- Receiving and transmitting antenna
- Receiving stations
- Satellite dish of not more than 0.6 m [2 ft] in diameter
- Solar panels
- Ventilating fan or skylight
- Water tower or tank

(b) **Communications Facility**

The minimum setbacks in all directions for a communications facility shall be equivalent to the height of the tower except where such facility is authorized and/or approved by Industry Canada in accordance with the *Radiocommunication Act* and the *Canadian Environmental Assessment Act*. A communications facility associated with a residential dwelling utilized for

personal or household purposes shall comply with the setback provisions of the zone in which the dwelling is located.

### 4.33 Permitted Projections

Every part of any yard required by this By-law shall be open and unobstructed by any structure from the ground to the sky except that those structures listed in the following table shall be permitted to project into the minimum yards required by this By-law for the following specified distances:

STRUCTURE	MAXIMUM PROJECTION INTO REQUIRED YARD
Chimney breasts, cornices, sills, bay windows, pilasters, eaves or gutters, chimneys, bay windows, solar collectors, heat pumps, ventilators, shutters, cornices, parapets, pilasters or other ornamental structures	0.5 m [1.64 ft] into any required front, rear or side yard
Canopies which are at least 2.13 m [7 ft] in vertical clearance above the established grade, with or without supporting posts	2.0 m [6.5 ft] into any required yard
Canopies for entrances to apartment buildings and commercial buildings	Notwithstanding any other provisions in this By-law, a canopy or portico over a major entrance to an apartment building or commercial building may project into the required yard a distance equal to one-half (½) the setback of the building from the street line
Window awnings	1.2 m [3.9 ft] into any required yard
Steps, ramps for use by handicapped, and walkways	No maximum into any required yard
Porch, uncovered platform landing, patio or deck, balconies or steps, attached solarium	2 m [6.56 ft] into any required front or rear yard only
Uncovered paved patios	2.5 m [8.2 ft] into any front yard. No limit on other yards.
Fire Escapes, exterior stair cases	1.5 m [4.92 ft] into a side or rear yard only.
Gate House in any Industrial Zone	Unlimited into any front or side yard only

Fences, hedges, shrubs, trees, freestanding walls, flagpoles, light standards, garden trellises, clothes lines and similar structures or features	Unlimited in any yard
Accessory building	As permitted by and as specified in this By-law

**4.34 Prohibited Uses**

Except as specifically permitted in this By-law, the following uses are prohibited:

- (a) No use shall be permitted within the Town which from its nature or the materials used therein is declared to be a noxious trade, business or manufacture.
- (b) Except as otherwise specifically permitted in this By-law, no land shall be used and no building or structure shall be erected, altered or used for any purpose that creates or is likely to become a nuisance or offensive, or both, to an adjacent property holder or to the general public.

**4.35 Sight Triangles**

On a corner lot no obstruction higher than 0.75 m [2.5 ft] (except a chain link fence for a school or park or an agricultural use) shall be permitted on that part of a lot at the street corner composed of a triangle having sides 6 m [19.6 ft] in length along each street line in a rural zone or 3 m [9.84 ft] in an urban zone measured from the street corner formed by the lot lines, or by the straight line projection of lot lines when lot lines are connected by a curved line (see Figure 3.15).

**4.36 Signs**

Unless otherwise stated in this By-law, signs shall be permitted only in accordance with the applicable by-law(s) of the Town.

**4.37 Sleep Cabin**

A maximum of one sleep cabin per lot shall be permitted as an accessory use to a main permitted seasonal residential dwelling or waterfront residential dwelling. Sleeping cabins shall not exceed 40 m<sup>2</sup> [403.5 ft<sup>2</sup>] in gross floor area. The regulations under **Section 4.1 - Accessory Buildings, Structures and Uses** shall also apply to the establishment of sleep cabins.

**4.38 Streets and Parks**

In any zone established by this By-law, streets, walkways, bike paths and parks are permitted.

#### **4.39 Temporary Buildings or Structures During Construction**

Nothing in this By-law shall prevent the use of land or the use or erection of a temporary building or structure or a scaffold or other equipment essential to the construction in progress for which a building permit has been granted, but only until such time as the work has been finished or abandoned or at such time as in the opinion of the Corporation that such equipment is no longer required.

In addition, temporary accommodation for a business or other use which is intended to occupy a building which is under construction with the work in progress on such building, may be temporarily permitted on the same lot in the form of a mobile, relocatable, portable or transportable building provided:

- (a) Approval is obtained pursuant to the matters contained herein; and
- (b) Such temporary accommodation is removed from the lot immediately upon completion of construction, abandonment of construction or at such time as in the opinion of the Corporation it is no longer required.

#### **4.40 Use by Public Authority or Public Utility (Public Service Use)**

The provisions of this By-law shall not apply to the use of any land or to the erection or use of any utility installation or communications facility for the purpose of public service by the Town of Laurentian Hills and/or any public authority, any department of the Government of Ontario or Canada, including any Hydro One facilities pursuant to the Planning Act, provided that where such land, building or structure is located in or abutting a zone in which residential uses of land are permitted:

- (a) No goods, materials or equipment shall be stored in the open;
- (b) The lot coverage and setback regulations of the zone in which such land, building or above ground structure is located shall be complied with;
- (c) Any building erected under the authority of this section shall not be used for the purpose of an office; and
- (d) Parking and loading requirements as contained in this By-law shall be complied with.

A communications facility shall be permitted in any zone save and except the Environmental Protection Zone. Despite the above, a communications facility may be installed for private or personal use.

#### **4.41 Water and Sewage Disposal Systems**

No person shall hereafter erect or use in whole or in part, any building or structure unless the use, building or structure is properly connected to an approved water supply and sewage disposal system under either the *Ontario Water Resources Act* or the *Building Code Act* unless the use is exempted under the *Building Code Act*.

#### **4.42 Zones Applying to More than One Property**

Where a lot is divided into more than one zone, each such portion of the lot shall be used in accordance with the provisions of this By-Law for the zone where such portion of the lot is located. Each such portion of the lot shall be considered as a separate lot for the purposes of determining zone provisions.



## Section 5 ZONES

*Explanatory Note: Zone standards are prescriptive. Any uses listed within the particular zones in this By-law are permitted. However, if a use is not listed as a permitted use, it is prohibited.*

### 5.1 ZONE CLASSIFICATION

For the purposes of this By-law, the Town of Laurentian Hills is divided into the following zones as named and described in the following sections, the boundaries of which are shown on the **Zoning Schedules** which are attached and form part of this By-law.

### 5.2 LIST OF ZONES

#### Zone Symbol Page

#### **RESIDENTIAL ZONES**

- (a) Residential One Zone .....R1 [Section 5.4: p. 90]
- (b) Residential Two Zone .....R2 [Section 5.5: p. 96]
- (c) Mobile Home Park Residential Zone .....MHP [Section 5.6: p. 100]
- (d) Limited Service Residential Zone.....LSR [Section 5.7: p. 103]

#### **COMMERCIAL ZONES**

- (e) General Commercial Zone..... GC [Section 5.8: p. 107]
- (f) Highway Commercial Zone .....HC [Section 5.9: p. 110]
- (g) Limited Commercial Zone.....LC [Section 5.10: p. 116]
- (h) Recreational Commercial Zone ..... RC [Section 5.11: p. 121]
- (i) Neighbourhood Commercial Zone..... NC [Section 5.12: p. 124]

#### **INDUSTRIAL ZONES**

- (j) General Industrial Zone ..... GM [Section 5.13: p. 126]
- (k) Mineral Aggregate Resource Zone... (EMP, EMQ and EMR) [Section 5.14: p. 129]
- (l) Waste Disposal Zone ..... DMW [Section 5.15: p. 131]
- (m) Salvage Yard Zone ..... DMS [Section 5.16: p. 132]

#### **INSTITUTIONAL AND OPEN SPACE ZONES**

- (n) Community Facility Zone .....CF [Section 5.17: p. 133]
- (o) Open Space Zone ..... OS [Section 5.18: p. 135]

#### **OTHER**

- (p) Rural Zone .....RU [Section 5.19: p. 136]

- (q) Environmental Protection Zone .....EP [Section 5.20: p. 145]
- (r) Heritage Zone.....H [Section 5.21 : p. 146]

### **5.3 INTERPRETATION OF ZONE BOUNDARIES**

**5.3.1** When determining the boundary of any zone as shown on any Schedule forming part of this By-law, the following provisions shall apply:

- (a) A boundary indicated as following a highway, street or lane shall be the centre line of such highway, street or lane;
- (b) A boundary indicated as following a watercourse, creek, stream or the right-of-way of a railway or an electrical, gas or oil transmission line shall be the centre line of such watercourse, creek, stream or right-of-way;
- (c) A boundary indicated as following the shoreline shall follow such shoreline, and in the event of a change in the shoreline, the boundary shall be construed as moving with the actual shoreline;
- (d) A boundary indicated as approximately following lot lines shown on a Registered Plan of Subdivision, or Reference Plan, or Township or Town lot lines shall follow such lot lines;
- (e) Where a boundary is indicated as approximately parallel to a street line or other feature, indicated in clause (a), (b), and (c) above, and the distance from such street line or other feature is not indicated, and clause (d) above is not applicable, such boundary shall be construed as being parallel to such street line or other feature, and the distance therefrom shall be determined according to the scale shown on the appropriate Schedule;
- (f) A boundary indicated as following the limits of the Municipality shall follow such limits; and
- (g) In the event a dedicated street, lane or right-of-way shown on any Schedule forming part of this By-law is closed, the property formerly in such street, lane or right-of-way shall be included within the zone of the adjoining property on either side of such closed street, lane or right-of-way. If a closed street, lane or right-of-way is the boundary between two or more different zones the new zone boundaries shall be the former centre line of the closed street, lane or right-of-way.

## **5.4 RESIDENTIAL ONE ZONE - R1**

No person shall use any land or erect, alter or use any building or structure in the Residential One zone (R1) except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **5.4.1 Permitted Uses**

- Bed and Breakfast Establishment
- Day Nursery
- Dwelling - Converted
- Dwelling - Duplex
- Dwelling - Semi-detached
- Dwelling - Single Detached
- Group Home (see **Section 4.17**)
- Marine Facility
- Public Service Use (see **Section 4.40**)
- Public Utility (see **Section 4.40**)

#### **Accessory Uses, Buildings and Structures (see Section 4.1)**

- Home Occupation (see **Section 4.19**)
- Home Industry (see **Section 4.20**)

**5.4.2 Zone Requirements - Residential One (R1) Zone**

Zone Standard	Urban Settlement Area (Chalk River)			Rural Settlement Area		
	-Single Detached -Group Home	-Duplex -Converted -Day Nursery	-Semi-detached	-Single Detached -Group Home	-Duplex -Converted -Day Nursery	-Semi-detached
Minimum Lot Area/Dwelling a) piped services b) piped water or sewer c) on-site services	a) 550 m <sup>2</sup> (5,920 ft. <sup>2</sup> ) b) n/a c) n/a	a) 650 m <sup>2</sup> [6,997 ft <sup>2</sup> ] b) n/a c) n/a	a) 720 m <sup>2</sup> [7,750 ft <sup>2</sup> ] b) n/a c) n/a	a) n/a b) 1,397 m <sup>2</sup> [15,038 ft <sup>2</sup> ] c) 2,025 m <sup>2</sup> [21,798 ft <sup>2</sup> ]	a) n/a b) 2,115 m <sup>2</sup> [22,776 ft <sup>2</sup> ] c) 3,065 m <sup>2</sup> [32,992 ft <sup>2</sup> ]	a) n/a b) 2,115 m <sup>2</sup> [22,776 ft <sup>2</sup> ] c) 3,065 m <sup>2</sup> [32,992 ft <sup>2</sup> ]
Minimum Lot Frontage a) piped services b) piped water or sewer c) on-site services	18 m [59 ft]	21 m [68.8 ft]	23 m [75.4 ft]	a) n/a b) 23 m [75.4 ft] c) 30 m [98.4 ft]	a) n/a b) 25 m [82 ft] c) 35 m [114.8 ft]	a) n/a b) 30 m [98.4 ft] c) 40 m [131.2 ft]
Minimum Yard Requirements - Main Building a) Front Yard b) Exterior Side Yard c) Interior Side Yard d) Rear Yard	a) 7.5 m [24.6 ft] b) 3.5 m [11.4 ft] c) 1.5 m [4.92 ft] d) 7.5 m [24.6 ft]	a) 7.5 m [24.6 ft] b) 3.5 m [11.4 ft] c) 2 m [6.56 ft] d) 7.5 m [24.6 ft]	a) 7.5 m [24.6 ft] b) 3.5 m [11.4 ft] c) 2 m [6.56 ft] d) 7.5 m [24.6 ft]	a) 7.5 m [24.6 ft] b) 7.5 m [24.6 ft] c) 3 m [9.84 ft] d) 7.5 m [24.6 ft]	a) 7.5 m [24.6 ft] b) 7.5 m [24.6 ft] c) 3 m [9.84 ft] d) 7.5 m [24.6 ft]	a) 7.5 m [24.6 ft] b) 7.5 m [24.6 ft] c) 3 m [9.84 ft] d) 7.5 m [24.6 ft]
Minimum Yard Requirements - Accessory Building* a) Front Yard b) Exterior Side Yard c) Interior Side Yard d) Rear Yard	a) 7.5 m [24.6 ft] b) 3.5 m [11.4 ft] c) 1 m [3.28 ft] d) 1 m [3.28 ft]	a) 7.5 m [24.6 ft] b) 3.5 m [11.4 ft] c) 1 m [3.28 ft] d) 1 m [3.28 ft]	a) 7.5 m [24.6 ft] b) 3.5 m [11.4 ft] c) 1 m [3.28 ft] d) 1 m [3.28 ft]	a) 7.5 m [24.6 ft] b) 7.5 m [24.6 ft] c) 1 m [3.28 ft] d) 1 m [3.28 ft]	a) 7.5 m [24.6 ft] b) 7.5 m [24.6 ft] c) 1 m [3.28 ft] d) 1 m [3.28 ft]	a) 7.5 m [24.6 ft] b) 7.5 m [24.6 ft] c) 1 m [3.28 ft] d) 1 m [3.28 ft]
Maximum Building Height a) Main Building b) Accessory Building	a) 10.5 m [34.4 ft] b) 5 m [16.4 ft]	a) 10.5 m [34.4 ft] b) 5 m [16.4 ft]	a) 10.5 m [34.4 ft] b) 5 m [16.4 ft]	a) 10.5 m [34.4 ft] b) 5 m [16.4 ft]	a) 10.5 m [34.4 ft] b) 5 m [16.4 ft]	a) 10.5 m [34.4 ft] b) 5 m [16.4 ft]
Maximum Lot Coverage	33%	33%	33%	33%	33 <sup>^</sup> %	33%
Maximum Number of Dwelling Units per Lot (excluding a garden suite)	1	3	2	1	3	2
Minimum Dwelling Unit Area	75 m <sup>2</sup> [807.3 ft <sup>2</sup> ]	75 m <sup>2</sup> [807.3 ft <sup>2</sup> ]	75 m <sup>2</sup> [807.3 ft <sup>2</sup> ]	75 m <sup>2</sup> [807.3 ft <sup>2</sup> ]	75 m <sup>2</sup> [807.3 ft <sup>2</sup> ]	75 m <sup>2</sup> [807.3 ft <sup>2</sup> ]

\* See also Section 4.1.1 for other requirements for accessory uses, buildings and structures.

### 5.4.3 Additional Provisions

- (a) A Day Nursery shall be subject to the requirements of the *Day Nurseries Act*. (See also **Section 4.9**)
- (b) The minimum interior side yard shall not apply to the party wall of a semi-detached dwelling.
- (c) The minimum dwelling unit area shall be as follows:
  - i) Bachelor.....40 m<sup>2</sup> [430.5 ft<sup>2</sup>]
  - ii) One bedroom .....50 m<sup>2</sup> [538.2 ft<sup>2</sup>]
  - iii) More than one bedroom.....  
50 m<sup>2</sup> [538.2 ft<sup>2</sup>] + 9 m<sup>2</sup> [96.8 ft<sup>2</sup>] for each additional bedroom unit.
- (d) Semi-detached dwellings may be separated to give distinct ownership to each dwelling unit provided that each unit has a minimum lot frontage of 15 m [49.2 ft].
- (e) One recreational vehicle may be stored as an accessory use and may be used for recreation purposes subject to any occupancy or licensing requirements of the municipality.
- (f) Building, signs and access onto Highway 17 shall be subject to any approvals or controls of the Ministry of Transportation.

### 5.4.4 Exception Zones

- (a) Residential One - Exception One Zone **(R1-E1)**:

On part of Lots 2 and 3, Concession 15, Township of Buchanan, the following provisions apply to the R1-E1 Zone:

#### Lot Requirements

Minimum Lot Area.....	1.5 ha [3.7 ac]
Minimum Lot Frontage .....	95 m [311.6 ft]
Minimum Front Yard.....	30.5 m [103.3 ft]
Minimum Interior Side Yard.....	7.5 m [24.6 ft]
Minimum Rear Yard .....	15 m [49.2 ft]

- (b) Residential One - Exception Two Zone **(R1-E2)**:

On part of Lots 2 and 3, Concession 15, Township of Buchanan, the following provisions apply to the R1-E2 Zone:

**Zone Requirements**

Minimum Lot Area.....	3 ha [7.4 ac]
Minimum Lot Frontage .....	100 m [328 ft]
Minimum Front Yard.....	30 m [98.4 ft]
Minimum Interior Side Yard.....	7.5 m [24.6 ft]
Minimum Rear Yard .....	15 m [49.2 ft]

**(c) Residential One - Exception Three Zone (R1-E3):**

On part of Lots 2 and 3, Concession 15, Township of Buchanan, the following provisions apply to the R1-E3 Zone:

**Zone Requirements**

Minimum Lot Area.....	10 ha [24.7 ac]
Minimum Lot Frontage .....	26 m [85.3 ft]
Minimum Front Yard.....	30 m [98.4 ft]
Minimum Interior Side Yard.....	7.5 m [24.6 ft]
Minimum Rear Yard .....	15 m [49.2 ft]

**(d) Residential One - Exception Four Zone (R1-E4):**

On part of Block A, Plan 344, Township of Buchanan, the following provisions apply to the R1-E4 Zone:

**Zone Requirements**

Minimum Lot Frontage .....	7.62 m [25 ft]
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**(e) Residential One - Exception Five Zone (R1-E5):**

On lands within the R1-E5 Zone, the following provisions shall apply:

**Zone Requirements**

Minimum Exterior Side Yard.....	2.85 m [9.3 ft]
---------------------------------	-----------------

**(f) Residential One - Exception Six Zone (R1-E6):**

On lands within the R1-E6 Zone, the following provisions shall apply:

**Permitted Uses**

The operation of any automotive and/or recreation vehicle repair shop.

**(g) Residential One - Exception Seven Zone (R1-E7):**

On lands within the R1-E7 Zone, (Lot 3, Concession 9 - Chalk River the following provisions shall apply:

**Permitted Uses**

Single Detached Dwelling

**Zone Requirements**

Minimum Lot Area.....3.5 ha [8.6 ac]

Minimum Lot Frontage: as required by By-law 35-92 of the Townships of Rolph, Buchanan, Wylie and McKay

Lot frontage means the horizontal distance between the two lot lines that intersect Spruce Street, measured at the street line. The Front lot line shall be the line dividing the street allowance for Blimkie Street.

## **5.5 RESIDENTIAL TWO ZONE - R2**

No person shall use any land or erect, alter or use any building or structure in the Residential Two zone (R2) except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **5.5.1 Permitted Uses**

- Boarding House
- Continuum-of-Care Facility
- Dwelling - Apartment
- Dwelling - Quadraplex
- Dwelling - Row (urban area only)
- Dwelling - Single Detached (Zone Standards of the R1 Zone apply)
- Dwelling -Triplex
- Home Occupation (see **Section 4.20**)
- Marine Facility
- Park
- Parking Area
- Public Service Use (see **Section 4.40**)
- Public Utility (see **Section 4.40**)
- Retirement Home

**Accessory Uses, Buildings and Structures (see Section 4.1)**

### **5.5.2 Zone Requirements**



5.5.2 Zone Requirements - Residential Two (R2) Zone					
Zone Standard	Urban Settlement Area (Chalk River)			Rural Settlement Area	
	-Apartment -Quadraplex -Continuum-of-Care Facility	-Row	-Triplex -Boarding House	-Apartment -Quadraplex -Continuum-of-Care Facility	-Triplex -Boarding House
Minimum Lot Area/Dwelling a) piped services b) piped water or sewer c) on-site services	a) 2000 m <sup>2</sup> [21,529 ft <sup>2</sup> ] b) n/a c) n/a	a) 800 m <sup>2</sup> [8,611 ft <sup>2</sup> ] b) n/a c) n/a	a) 720 m <sup>2</sup> [7,750 ft <sup>2</sup> ] b) n/a c) n/a	a) n/a b) 2,750 m <sup>2</sup> [29,602 ft <sup>2</sup> ] c) apt. 1,275 m <sup>2</sup> [21,798 ft <sup>2</sup> ]/unit; other uses - 4,000 m <sup>2</sup> [43,057 ft <sup>2</sup> ]	a) n/a b) boarding house 1,397 m <sup>2</sup> [15,038 ft. <sup>2</sup> ]; [2,300 m <sup>2</sup> [24,758 ft <sup>2</sup> ] c) boarding house and triplex 2,025 m <sup>2</sup> [21,798 ft <sup>2</sup> ]; triplex 1,275 m <sup>2</sup> [13,724 ft <sup>2</sup> ]/unit
Minimum Lot Frontage a) piped services b) piped water or sewer c) on-site services	24 m [78.7 ft]	6 m [19.6 ft]/dwelling unit	21 m [68.8 ft]	a) n/a b) 40 m [131.2 ft] c) 50 m [164 ft]	a) n/a b) boarding house 23 m [75.4 ft]; triplex 40 m [131.2 ft] c) boarding house 30 m [98.4 ft]; triplex 50 m [164 ft]
Minimum Yard Requirements - Main Building a) Front Yard b) Exterior Side Yard c) Interior Side Yard d) Rear Yard	a) 7.5 m [24.6 ft] b) 7.5 m [24.6 ft] c) 4.5 m [14.6 ft] <sup>1</sup> d) 10.5 m [34.4 ft] <sup>2</sup>	a) 6 m [19.6 ft] b) 7.5 m [24.6 ft] c) 2 m [6.56 ft] d) 7.5 m [24.6 ft]	a) 7.5 m [24.6 ft] b) 7.5 m [24.6 ft] c) 2 m [6.56 ft] d) 10.5 m [34.4 ft] <sup>2</sup>	a) 7.5 m [24.6 ft] b) 7.5 m [24.6 ft] c) 3 m [9.84 ft] <sup>1</sup> d) 10 m [32.8 ft]	a) 7.5 m [24.6 ft] b) 7.5 m [24.6 ft] c) 3 m [9.84 ft] <sup>1</sup> d) boarding house 7.5 m [24.6 ft]; triplex 10 m [32.8 ft]
Minimum Yard Requirements - Accessory Building * a) Front Yard b) Exterior Side Yard c) Interior Side Yard d) Rear Yard	a) 7.5 m [24.6 ft] b) 6 m [19.6 ft] c) 1 m [3.28 ft] d) 1 m [3.28 ft]	a) 6 m [19.6 ft] b) 6 m [19.6 ft] c) 1 m [3.28 ft] d) 1 m [3.28 ft]	a) 7.5 m [24.6 ft] b) 6 m [19.6 ft] c) 1 m [3.28 ft] d) 1 m [3.28 ft]	a) 7.5 m [24.6 ft] b) 7.5 m [24.6 ft] c) 1 m [3.28 ft] d) 1 m [3.28 ft]	a) 7.5 m [24.6 ft] b) 7.5 m [24.6 ft] c) 1 m [3.28 ft] d) 1 m [3.28 ft]
Maximum Building Height a) Main Building b) Accessory Building	a) 15 m [49.2 ft] b) 5 m [16.4 ft]	a) 15 m [49.2 ft] b) 5 m [16.4 ft]	a) 15 m [49.2 ft] b) 5 m [16.4 ft]	a) 15 m [49.2 ft] b) 5 m [16.4 ft]	a) 15 m [49.2 ft] b) 5 m [16.4 ft]
Minimum Dwelling Unit Area	Apartment Dwelling - 50 m <sup>2</sup> [538.2 ft <sup>2</sup> ]		a) Boarding house - 75 m <sup>2</sup> [807.3 ft <sup>2</sup> ] b) Triplex - 50 m <sup>2</sup> [538.2 ft <sup>2</sup> ]	Apartment Dwelling - 50 m <sup>2</sup> [538.2 ft <sup>2</sup> ] b) Triplex - 50 m <sup>2</sup> [538.2 ft <sup>2</sup> ]	a) Boarding house - 75 m <sup>2</sup> [807.3 ft <sup>2</sup> ]
Maximum Lot Coverage	40%	40%	33%	40%	40 %
Maximum Density	75 units per ha [185/ac]	40 units/net ha	75 units per ha [185/ac]	n/a	n/a

1. 4.5 m [14.6 ft] or ½ the height of the building whichever is greater.  
 2. 10.5 m [34.4 ft] or the height of the building whichever is greater.  
 3. Plus 200 m<sup>2</sup> [2,153 ft<sup>2</sup>] per dwelling unit over 4 units.  
 \* See also Section 4.1.1 for other requirements for accessory uses, buildings and structures.

### 5.5.3 Additional Provisions

- (a) A park or parking area shall not be subject to minimum lot area or lot frontage requirements but shall comply with the setback requirements of Section 5.5.2.
- (b) The minimum dwelling unit area shall be as follows:
  - i) Bachelor ..... 40 m<sup>2</sup> [430.5 ft<sup>2</sup>]
  - ii) One bedroom .....50 m<sup>2</sup> [538.2 ft<sup>2</sup>]
  - iii) More than one bedroom.....  
50 m<sup>2</sup> [538.2 ft<sup>2</sup>] + 9 m<sup>2</sup> [96.8 ft<sup>2</sup>] for each additional bedroom unit
- (c) Minimum landscaped open space for an apartment dwelling, Nursing Home, Home for the Aged, or a Long Term Care Facility or Retirement Home shall be 10% of the lot area; and
- (d) Building, signs and access onto Highway 17 shall be subject to any approvals or controls of the Ministry of Transportation.

### 5.5.4 Exception Zones

#### **Residential Two - Exception One Zone (R2-E1):**

On lands within the R2-E1 Zone, Lot 3, Concession 9 - Chalk River the following provisions shall apply:

#### **Permitted Uses**

Accessory use (See **Section 4.1**)  
Apartment Dwelling (senior citizens)  
Nursing Home  
Retirement Home

#### **Zone Requirements**

Minimum Lot Frontage: 33 m [108.2 ft] or as required to meet a total setback of 56 m [183.7 ft] from the centreline of Highway 17.

## **5.6 MOBILE HOME PARK RESIDENTIAL ZONE - MHP**

No person shall use any land or erect, alter or use any building or structure in the Mobile Home Park Residential zone (MHP) except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **5.6.1 Permitted Uses**

- Accessory Use (see **Section 4.1**) including an administrative office, rental office, general storage compound, laundromat, community centre
- Marine Facility
- Mobile Home
- Park
- Parking Area
- Public Service Use (see **Section 4.40**)
- Public Utility (see **Section 4.40**)

#### **Accessory Uses, Buildings and Structures (see Section 4.1)**

- Accessory Dwelling
- Home Occupation (see **Section 4.20**)

### **5.6.2 Zone Requirements**

<b>5.6.2 Zone Requirements - Mobile Home Park (MHP) Zone</b>			
<b>Zone Standard</b>	<b>Urban Settlement Area</b>	<b>Rural Settlement Area</b>	
Minimum Lot Area	2.4 ha [5.93 ac]	1.2 ha [2.9 ac]	
Minimum Site or Lot Area for Mobile Home	450 m <sup>2</sup> [4,844 ft <sup>2</sup> ] on piped services	-1,400 m <sup>2</sup> [15,070 ft <sup>2</sup> ] on communal services -2,025 m <sup>2</sup> [21, 798 ft <sup>2</sup> ] on individual on-site systems	
Minimum Lot Frontage - Mobile Home Park	20 m [65.6 ft]	90 m [295.2 ft]	
Minimum Lot Frontage - Mobile Home Site or Lot	15 m [49.2 ft]	-23 m [75.4 ft] on communal services -30 m [98.4 ft] on individual on-site systems	
Minimum Yard Requirements - Mobile Home Park: All Yards	15 m [49.2 ft]	15 m [49.2 ft]	
Minimum Yard Requirements - Mobile Home Site or Lot:  a) Front Yard b) Interior Side Yard c) Exterior Side Yard d) Rear Yard	Piped or Communal Services:  a) 6 m [19.6 ft] b) 3 m [9.8 ft] c) 6 m [19.6 ft] d) 5 m [16.4 ft]	Communal Services  a) 6 m [19.6 ft] b) 3 m [9.8 ft] c) 6 m [19.6 ft] d) 5 m [16.4 ft]	Individual On-site Systems  a) 7.5 m [24.6 ft] b) 5 m [16.4 ft] c) 7.5 m [24.6 ft] d) 10.5 m [34.4 ft]
Minimum Yard Requirements - Accessory Building a) Front Yard (from internal road) b) Interior Side Yard c) (Exterior Side Yard d) Rear Yard	a) 9 m [29.5 ft]  b) 1 m [3.28 ft] c) 1 m [3.28 ft] d) 6 m [19.6 ft]		
Maximum Building Height a) Main Building b) Accessory Building	a) 10.5 m [34.4 ft] b) 5 m [16.4 ft]		
Maximum Dwelling Unit Area a) Mobile Home b) Accessory Dwelling	a) 55 m <sup>2</sup> [592 ft <sup>2</sup> ] b) 75 m <sup>2</sup> [807.3 ft <sup>2</sup> ]		
Maximum No. of dwelling Units per Mobile Home Site	a) 1 mobile home b) 1 accessory dwelling per mobile home park		
Maximum Gross Density	22 units per ha [17.29/ac]		

### **5.6.3 Additional Provisions**

- (a) A park or parking area shall not be subject to minimum lot area or lot frontage requirements but shall comply with the setback requirements of Section 5.6.2.
- (b) Each mobile home lot and accessory use shall be accessible by means of an internal road in the mobile home park whether the road is a public street or a private road.
- (c) The installation of a mobile home shall be in conformance with the *Ontario Building Code*.
- (d) Minimum width of landscaped open space (buffer) on all boundaries of a mobile home park shall be 7.5 m [24.6 ft].
- (e) All running gear and/or wheels shall be appropriately screened or obscured from public view.
- (f) Building, signs and access onto Highway 17 shall be subject to any approvals or controls of the Ministry of Transportation.

### **5.6.4 Exception Zones**

**5.7 LIMITED SERVICE RESIDENTIAL ZONE - LSR**

*(This explanatory note does not form part of the By-law. The limited service zone identifies land which does not have access to at least 30 m (98.4) frontage on an opened and maintained public highway and means that municipal services which may normally be provided on an opened public highway will not be provided including, but not limited to, snow ploughing, road upgrading, school bussing, garbage pick-up, access by emergency vehicles, sanitary sewers or piped water supply.)*

No person shall use any land or erect, alter or use any building or structure in the Limited Service Residential - LSR zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

**5.7.1 Permitted Uses**

- Camp
- Conservation Use
- Dwelling - Single Detached
- Home Industry (see **Section 4.19**)
- Home Occupation (see **Section 4.20**)
- Marine Facility
- Park
- Parking Area
- Public Service Use (see **Section 4.40**)
- Public Utility (see **Section 4.40**)
- Studio

**Accessory Uses, Buildings and Structures (see Section 4.1)**

- Bed and Breakfast
- Sleep Cabin (see **Section 4.37**)

**5.7.2 Zone Requirements**

<b>5.7.2 Zone Requirements - Limited Service Residential (LSR) Zone</b>	
Minimum Lot Area	2,025 m <sup>2</sup> [21,798 ft <sup>2</sup> ]
Minimum Lot Frontage	30 m [98.4 ft]
Minimum Yard Requirements - Main Building:	
a) Front Yard	a) 7.5 m [24.6 ft]
b) Interior Side Yard	b) 3 m [9.84 ft]

<b>5.7.2 Zone Requirements - Limited Service Residential (LSR) Zone</b>	
c) Exterior Side Yard d) Rear Yard	c) 7.5 m [24.6 ft] d) 7.5 m [24.6 ft]
Minimum Yard Requirements - Accessory Building: a) Front Yard b) Interior Side Yard c) Exterior Side Yard d) Rear Yard	a) 7.5 m [24.6 ft] b) 1 m [3.28 ft] c) 1 m [3.28 ft] d) 7.5 m [24.6 ft]
Maximum Building Height: a) Main Building b) Accessory Building	a) 10.5 m [34.4 ft] b) 5 m [16.4 ft]
Minimum Dwelling unit Area	75 m <sup>2</sup> [807.3 ft <sup>2</sup> ]
Maximum No. of Dwelling Units per Lot	1

**5.7.3 Additional Provisions**

A park or parking area shall not be subject to minimum lot area or lot frontage requirements but shall comply with the setback requirements of Section 5.7.2.

**5.7.4 Exception Zones**

**(a) Limited Service Residential - Exception One Zone (LSR-E1):**

On part of Lot 17, Range “B” Township of Rolph, the following provisions apply to the LSR-E1 Zone:

**Zone Requirements**

Minimum Lot Area.....3,100 m<sup>2</sup> [33,369 ft<sup>2</sup>]

Minimum Rear Yard: in accordance with the adjacent EP Zone, the minimum setbacks shall be as set out in the 1990 report of Golder Associates Ltd.

**(b) Limited Service Residential - Exception Two Zone (LSR-E2):**

On part of Lots 16 and 17, Range “B” Township of Rolph, the following provisions apply to the LSR-E2 Zone:

**Zone Requirements**

Minimum Rear Yard: in accordance with the adjacent EP Zone, the minimum setbacks shall be as set out in the 1990 report of Golder Associates Ltd.

**(c) Limited Service Residential - Exception Three Zone (LSR-E3):**

On part of Lot 36, Range “B” Township of Rolph, the following provisions apply to the LSR-E3 Zone:

**Zone Requirements**

Minimum Lot Area.....4,000 m<sup>2</sup> [43,057 ft<sup>2</sup>]  
Minimum Lot Frontage .....10.5 m [34.4 ft]

**(d) Limited Service Residential - Exception Five Zone (LSR-E5):**

On part of Lot 11, Concession 14, Township of Wylie, the following provisions apply to the LSR-E5 Zone:

**Zone Requirements**

For the purposes of the LSR-E5 Zone, the definition of a private road shall be deemed to include a road owned by the Province of Ontario but not dedicated and accepted as, or otherwise deemed at law to be a public highway that serves as a motor vehicle access route to the lands zoned LSR-E5.

**(e) Limited Service Residential - Exception Six Zone (LSR-E6):**

On part of Lot 19, Range ‘B’, Township of Rolph, the following provisions apply to the LSR-E6 Zone:

**Permitted Uses**

- An existing log-sided addition to a building, together with a raised deck and steps

**Zone Requirements**

The permitted uses shall be permitted within the required 20 m [65.6 ft] water setback. In the event of the destruction of these structures, the setback shall revert to the required water setback for a building or structure as set out in **Section 4.25 (f)**.



## 5.8 GENERAL COMMERCIAL ZONE - GC

No person shall use any land or erect, alter or use any building or structure in the General Commercial zone (GC) except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.8.1 Permitted Uses

- Bakery
  - Bank or Financial Institution
  - Clinic
  - Convenience Store
  - Drive-Through Facility (see **Section 4.10**)
  - Dry Cleaning Establishment
  - Dwelling - Apartment
  - Dwelling - Duplex
  - Dwelling - Semi-Detached
  - Dwelling - Single Detached
  - Funeral Parlour
  - Hotel
  - Laundromat
  - Motel
  - Office
  - Parking Lot - Commercial
  - Personal Service Establishment
  - Place of Amusement
  - Place of Assembly
  - Private Club
  - Public Service Use (see **Section 4.40**)
  - Public Utility (see **Section 4.40**)
  - Recreational Commercial Establishment
  - Restaurant
  - Retail Store
  - Service Outlet
  - Shopping Centre
  - Studio
  - Tourist Establishment
  - Workshop or Custom Workshop
- Accessory Uses, Buildings and Structures (see Section 4.1)**
- Accessory Dwelling Unit
  - Home Occupation (see **Section 4.20**)

### 5.8.2 Zone Requirements

5.8.2 Zone Requirements – General Commercial (GC) Zone				
Zone Standard	All Dwelling Types	Non-Residential Uses Urban Settlement Area Chalk River	Tourist Establishment Rural Settlement Area	Other Uses
Minimum Lot Area	As set out in R1 or R2 Zones	nil	2,750 m <sup>2</sup> [29,602 ft <sup>2</sup> ]	2,025 m <sup>2</sup> [21,798 ft <sup>2</sup> ]
Minimum Lot Frontage	As set out in R1 or R2 Zones	6 m [19.6 ft]	45 m [147.6 ft]	30 m [98.4 ft]
Minimum Yard Requirements -Main Building: a) Front Yard b) Rear Yard c) Interior Side Yard d) Exterior Side yard	a) - d) As set out in R1 or R2 Zones	a) 3 m [9.84 ft] b) 6 m [19.6 ft] c) Nil d) 3 m [9.84 ft]	a) 12 m [39.3 ft] b) 6 m [19.6 ft] c) 6 m [19.6 ft] d) 12 m [39.3 ft]	a) 7.5 m [24.6 ft] b) 7.5 m [24.6 ft] or 10.5 m [34.4 ft] abutting a residential use c) 6 m [19.6 ft] or 9 m [29.5 ft] if abutting a residential use. d) 7.5 m [24.6 ft]
Minimum Yard Requirements Accessory Building: a) Front Yard b) Rear Yard c) Interior Side Yard d) Exterior Side Yard	a) Same as main building b) 2 m [6.56 ft] c) 2 m [6.56 ft] d) Same as main building			
Maximum Building Height a) Main Building b) Accessory Building	a) - b) Same as R1 or R2 Zones	a) 12 m [39.3 ft] b) 5 m [16.4 ft]	a) 15 m [49.2 ft] b) 5 m [16.4 ft]	a) 15 m [49.2 ft] b) 5 m [16.4 ft]
Maximum Lot Coverage	Same as R1 or R2 Zones	70%	33%	25%
Minimum Dwelling Unit Area a) Single Detached Dwelling: 75 m <sup>2</sup> [807.3 ft <sup>2</sup> ]. b) Accessory Dwelling Unit: 51 m <sup>2</sup> [548.9 ft <sup>2</sup> ]				
Maximum No. of Dwelling Units per Lot	Same as R1 or R2 Zones	1 Accessory Dwelling	1 Accessory Dwelling	1 Accessory Dwelling

### **5.8.3 Additional Provisions**

- (a)** Building, signs and access onto Highway 17 shall be subject to any approvals or controls of the Ministry of Transportation.
- (b)** The minimum separation distance between the main wall of a detached dwelling and a commercial use shall be 6 m (19.6 ft.).

### **5.8.4 Exception Zones**

- (a)** General Commercial - Exception One Zone (GC-E1):

On Lot 10, Registered Plan # 76, Chalk River, the following provisions apply to the GC-E1 Zone:

#### **Permitted Uses**

- An apartment dwelling having four (4) or more dwelling units.

## 5.9 HIGHWAY COMMERCIAL ZONE - HC

No person shall use any land or erect, alter or use any building or structure in the Highway Commercial zone (HC) except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.9.1 Permitted Uses

- Automotive Body Shop\*
  - Automotive Service Station\* (see **Section 4.2**)
  - Automotive Repair Garage\*
  - Automotive Sales Establishment\*
  - Building Supply Store
  - Car Rental Establishment\*
  - Car Washing Establishment\* (see **Section 4.2**)
  - Clinic
  - Commercial Greenhouse
  - Construction Yard or Contractor's Yard
  - Convenience Store
  - Day Nursery (see **Section 4.9**)
  - Drive-Through Facility (see **Section 4.10**)
  - Equipment Rental Establishment
  - Flea Market
  - Funeral Parlour
  - Furniture Showroom and Workshop
  - Garden Centre
  - Gasoline Bar\* (see **Section 4.2**)
  - Gasoline Card Lock Facility\*
  - Home Display and Sales Outlet
  - Hotel
  - Kennel
  - Mini Warehouse and Public Storage
  - Motel
  - Office
  - Park
  - Parking Lot - Commercial
  - Personal Service Establishment
  - Place of Amusement
  - Printing and Publishing Establishment
  - Private Club
  - Public Service Use (see **Section 4.40**)
  - Public Utility (see **Section 4.40**)
  - Recreational Commercial Establishment
  - Recreational Vehicle Sales and Storage\*
  - Restaurant
  - Retail Outlet
  - Service Outlet
  - Studio
  - Tavern or Road House
  - Tourist Establishment
  - Transportation Depot\*
  - Veterinary Establishment [see **Section 4.25 (g)**]
  - Warehouse
  - Workshop or Custom Workshop
- Accessory Uses, Buildings and Structures** (see **Section 4.1**)
- Accessory Dwelling
  - Accessory Dwelling Unit
  - Home Industry (see **Section 4.19**)
  - Home Occupation (see **Section 4.20**)

## **5.9.2 Zone Requirement**

(See table on following page)

5.9.2 Zone Requirements - Highway Commercial (HC) Zone					
Zone Standard	Urban Settlement Area -Chalk River	Rural Settlement Area			
		Accessory Dwelling or Accessory Dwelling Unit	Automotive Uses (indicated by *)	Tourist Establishment	Other Uses
Minimum Lot Area	-non-residential use - 700 m <sup>2</sup> [7,535 ft <sup>2</sup> ] <sup>1</sup> -Accessory dwelling or Accessory Dwelling Unit - 840 m <sup>2</sup> [9,042 ft <sup>2</sup> ]	0.4 ha [0.98 ac.] + minimum lot area for non-residential use	3,035 m <sup>2</sup> [32,670 ft <sup>2</sup> ]	2,750 m <sup>2</sup> [29,602 ft <sup>2</sup> ] <sup>2</sup>	2,025 m <sup>2</sup> [21,798 ft <sup>2</sup> ]
Minimum Lot Frontage	24 m [78.7 ft]	30 m [98.4 ft]	35 m [114.8 ft]	46 m [150.9 ft]	30 m [98.4 ft]
Minimum Lot Depth	n/a	n/a	40 m (131.2 ft.)	n/a	n/a
Minimum Yard Requirements - Main Building: a) Front Yard b) Rear Yard c) Interior Side Yard d) Exterior Side Yard	a) 7.5 m [24.6 ft] b) 7.5 m [24.6 ft] c) 3 m [9.84 ft] or 9 m [29.5 ft] if abutting a residential use d) 4.5 m [14.7 ft]	a) -d). As set out in R1 Zone	a) 15 m [49.2 ft] b)- c) 3. - 7.5 m [24.6 ft] or 10.5 m [34.4 ft] if abutting a residential use. d) 15 m [49.2 ft]	a) 12 m [39.3 ft] b) 7.5 m [24.6 ft] or 10.5 m [34.4 ft] if abutting a residential use. 3. 6 m [19.6 ft] or 9 m [29.5 ft] if abutting a residential use c) 12 m [39.3 ft]	a) 7.5 m [24.6 ft] b) 7.5 m [24.6 ft] or 10.5 m [34.4 ft] if abutting a residential use c) 6 m [19.6 ft] or 9 m [29.5 ft] if abutting a residential use d) 7.5 m [24.6 ft]
Minimum Requirements - Accessory Building	1. Front Yard - same as main building 3. Interior Side Yard - 2 m [6.56 ft] 2. Rear Yard - 2 m [6.56 ft] 4. Exterior Side Yard - same as main building				
Maximum Building Height: a) Main Building b) Accessory Building	a) 10.5 m [34.4 ft] b) 5 m [16.4 ft]	a) 15 m [49.2 ft] b) 5 m [16.4 ft]	a) 15 m [49.2 ft] b) 5 m [16.4 ft]	a) 15 m [49.2 ft] b) 5 m [16.4 ft]	a) 15 m [49.2 ft] b) 5 m [16.4 ft]
Maximum Lot Coverage	33%	n/a	25%	25%	25%
Minimum Dwelling Unit Area: a) Single Detached Dwelling: 75 m <sup>2</sup> [807.3 ft <sup>2</sup> ]. b) Accessory Dwelling Unit -bachelor 40 m <sup>2</sup> [430.5 ft <sup>2</sup> ]; 1bedroom -50 m <sup>2</sup> [538.2 ft <sup>2</sup> ]; more than 1 bedroom - 9 m <sup>2</sup> [96.8 ft. <sup>2</sup> ] for each additional bedroom					
Maximum No. of dwelling units per lot	1	1	1 (see 5.9.3 -b)	1	1
1. Plus 70 m <sup>2</sup> [753.4 ft <sup>2</sup> ] for additional guest room in excess of 4 guest rooms. 2. Plus 185 m <sup>2</sup> [1,991 ft <sup>2</sup> ] for additional guest room in excess of 4 guest rooms.					

### 5.9.3 Additional Provisions

- (a) An accessory dwelling may be located within a building occupied by any commercial use except an automotive use (as indicated by an \*) or may be detached.
- (b) Building, signs and access onto Highway 17 shall be subject to any approvals or controls of the Ministry of Transportation.
- (c) A Day Nursery shall comply with the requirements of the *Day Nurseries Act*. (See **Section 4.9**)
- (d) The minimum separation distance between the main wall of a detached dwelling and a commercial use shall be 6 m [19.6 ft].

### 5.9.4 Exception Zones

- (a) Highway Commercial - Exception One Zone (HC-E1):

On part of Lot 3, Concession 9, Chalk River, the following provisions apply to the HC-E1 Zone:

#### Permitted Uses

- An existing dwelling may continue as a non-conforming use on a new lot resulting from a consent

- (b) Highway Commercial – Exception Two Zone (HC-E2)

On part of Lot 15, Range A, Rolph Township, the following provisions apply to the HC-E2 Zone

#### Permitted Uses

- Automotive Body Shop\*
- Automotive Service Station (see **Section 4.2**)
- Automotive Repair Garage\*
- Automotive Sales Establishment\*
- Building Supply Store
- Car Rental Establishment\*
- Car Washing Establishment\* (see **Section 4.2**)
- Clinic
- Commercial Greenhouse
- Convenience Store
- Day Nursery (see **Section 4.9**)
- Equipment Rental Establishment
- Flea Market
- Funeral Parlour
- Furniture Showroom and Workshop
- Garden Centre
- Gasoline Bar\* (see **Section 4.2**)

- Gasoline Card Lock Facility\*
- Home Display and Sales Outlet
- Hotel
- Mini Warehouse and Public Storage
- Motel
- Office
- Park
- Parking Lot - Commercial
- Personal Service Establishment
- Printing and Publishing Establishment
- Private Club
- Public Service Use (see **Section 4.40**)
- Public Utility (see **Section 4.40**)
- Recreational Commercial Establishment
- Recreational Vehicle Sales and Storage\*
- Restaurant
- Retail Outlet
- Service Outlet
- Studio
- Tourist Establishment
- Transportation Depot\*
- Veterinary Establishment (see **Section 4.25(g)**)
- Warehouse
- Workshop or Custom Workshop
- Home Display and Sales Outlet
- Hotel

**Accessory Uses, Buildings and Structures (see Section 4.1)**

- Accessory Dwelling Unit
- Home Industry (see **Section 4.19**)
- Home Occupation (see **Section 4.20**)



## **5.10 LIMITED COMMERCIAL ZONE - LC**

No person shall use any land or erect, alter or use any building or structure in the Limited Commercial zone (LC) except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **5.10.1 Permitted Uses**

- Automotive Sales Establishment
- Clinic
- Convenience Store
- Day Nursery ( see **Section 4.9**)
- Drive-Through Facility (see **Section 4.10**)
- Furniture Showroom and Workshop
- Office
- Park
- Personal Service Establishment
- Place of Amusement
- Public Service Use (see **Section 4.40**)
- Public Utility (see **Section 4.40**)
- Recreational Commercial Establishment
- Restaurant
- Service Outlet
- Studio
- Workshop or Custom Workshop

#### **Accessory Uses, Buildings and Structures (see Section 4.1)**

- Accessory Dwelling Unit
- Home Industry (see **Section 4.19**)
- Home Occupation (see **Section 4.20**)

### **5.10.2 Zone Requirements**

5.10.2 - Zone Requirements - Limited Commercial (C) Zone	
Minimum Lot Area	2,025 m <sup>2</sup> [21,798 ft <sup>2</sup> ]
Minimum Lot Frontage	30 m [98.4 ft]
Minimum Yard Requirements - Main Building a) Front Yard b) Rear Yard c) Interior Side Yard d) Exterior Side Yard	a) 7.5 m [24.6 ft] b) 7.5 m [24.6 ft] or 9 m [29.5 ft] if abutting a residential use c) 6 m [19.6 ft] or 9 m [29.5 ft] if abutting a residential use d) 7.5 m [24.6 ft]
Minimum Yard Requirements - Accessory Building a) Front Yard b) Rear Yard c) Interior Side Yard d) Exterior Side Yard	a) same as main building b) 2 m [6.56 ft] c) 2 m [6.56 ft] d) same as main building
Maximum Building Height a) Main Building b) Accessory Building	a) 10.5 m [34.4 ft] b) 5 m [16.4 ft]
Maximum Lot Coverage	33%
Minimum separation distance between main wall of a detached dwelling and a commercial use	6 m [19.7 ft]
Minimum Dwelling Unit Area	75 m <sup>2</sup> [807.3 ft <sup>2</sup> ]

**5.10.3 Additional Provisions**

- (a) Building, signs and access onto Highway 17 shall be subject to any approvals or controls of the Ministry of Transportation.
- (b) A Day Nursery shall comply with the requirements of the *Day Nurseries Act*. (See **Section 4.9**)

**5.10.4 Exception Zones**

**(a) Limited Commercial - Exception One Zone (LC-E1):**

On part of Lot 4, Concession 15, Township of Buchanan, the following provisions apply to the LC-E1 Zone:

**Permitted Uses**

- Automotive Repair Garage
- Single Detached Dwelling

5.10.4 (a) - Limited Commercial - Exception One (LC-E1) Zone	
Minimum Lot Area	4,000 m <sup>2</sup> [43,057 ft <sup>2</sup> ]
Minimum Lot Frontage	77 m [252.6 ft]
Minimum Lot Depth	40 m [131.2 ft]
Minimum Yard Requirements: a) Front Yard b) Rear Yard (i) automotive repair garage (ii) dwelling c) Interior Side Yard (i) automotive repair garage (ii) dwelling	a) 15 m [49.2 ft] b) (i) 10.5 m [34.4 ft] (ii) 7.5 m [24.6 ft] c) (i) 9 m [29.5 ft] (ii) 5 m [16.4 ft]
Maximum Building Height a) Main Building b) Accessory Building	a) 10.5 m [34.4 ft] b) 5 m [16.4 ft]
Maximum Lot Coverage	20%
Minimum Dwelling Unit Area	75 m <sup>2</sup> [807.3 ft <sup>2</sup> ]

**(b) Limited Commercial - Exception One Zone (LC-E2)**

On Part of Lot 5, Concession IX, Township of Buchanan, the following provisions apply to the LC-E2 Zone:

**i) Permitted Uses**

- The existing dwelling structure
- Office
- Clinic
- Day Nursery

- Park
- Professional Office

**ii) Zone Provisions**

Lot area .....	2025 m <sup>2</sup> [21798 ft <sup>2</sup> ]
Lot frontage (minimum).....	30 m [98.4 ft]
Lot depth (minimum) .....	60 m [196.85 ft]
Front Yard Depth (minimum).....	7.5 m [24.6 ft]
Side Yard Depth .....	9 m [29.5 ft]
Rear Yard Depth .....	9 m [29.5 ft]
Lot Coverage.....	33%
Building Height Maximum.....	10 m [32.8 ft]
Dwelling Unit Area .....	75 m <sup>2</sup> [807 ft <sup>2</sup> ]

**iii) Accessory Uses, Buildings and Structures**

One frame shed as shown on Applicant's Sketch to the rear of existing dwelling provided all other provisions of the By-law are complied with.

**iv) Signage**

Two (2) signs may be permitted:

One (1) may be free-standing in the front yard with the following provisions:

- Maximum size shall be no greater than 0.74 m<sup>2</sup> [8 ft<sup>2</sup>];
- Height at the top of the sign shall not be greater than 2 m [6.5 ft] above the surrounding level ground;
- The support structure shall not protrude greater than 15 cm [6 in] above the top of the sign;
- A sign may not be neon nor shall it be back-lighted;
- A sign shall be kept in good repair at all times;
- A sign may be lighted by a single maximum 150W flood light on each side

One (1) may be attached to the building with the following provisions:

- The maximum size shall be no greater than 0.2 m<sup>2</sup> [2.1 ft<sup>2</sup>]
- The sign shall be affixed to the structure
- The sign shall not be lighted in any manner

**v) Parking**

- No on-street parking shall be permitted;

Off-street parking shall be provided as follows:

- Part 1 of the property: Not Permitted
- Part 2 of the property: Not closer to the Front Lot Line than 18 m [59.06 ft] to a maximum of 9 spaces;
- Part 3 of the property: Not closer to the Front Lot Line than 18 m [59.06 ft] to a maximum of 20 spaces.

**vi) Other**

All legal non-conforming structures on the property as of the date of passage of By-law 27-04 shall remain legal non-conforming.

## **5.11 RECREATIONAL COMMERCIAL ZONE -RC**

No person shall use any land or erect, alter or use any building or structure in the Recreational Commercial zone (RC) except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **5.11.1 Permitted Uses**

- Camp
- Campground - Tourist
- Convenience Store
- Drive-Through Facility (see **Section 4.10**)
- Equestrian Establishment
- Golf Course
- Marina
- Marine Facility
- Outdoor recreation uses (active and passive)
- Park
- Parking Area
- Public Service Use (see **Section 4.40**)
- Public Utility (see **Section 4.40**)
- Recreational Commercial Establishment
- Recreational Vehicle Park
- Restaurant
- Shoreline Structure (see **Section 5.11.3**)
- Tourist Establishment
- Tourist Outfitters Establishment

#### **Accessory Uses, Buildings and Structures (see Section 4.1)**

- Accessory Dwelling Unit
- Home Industry (see **Section 4.19**)
- Home Occupation (see **Section 4.20**)

### **5.11.2 Zone Requirements**

5.11.2 - Zone Requirements - Recreational Commercial (RC) Zone		
Zone Standard	Accessory Dwelling Unit	Other Uses
Minimum Lot Area	0.4 ha [0.98 ac] (in addition to main use)	2,750 m <sup>2</sup> [29,601.7 ft <sup>2</sup> ] + 185 m <sup>2</sup> [1,991 ft <sup>2</sup> ] for each camp site or guest rooms in excess of 4 sites or suites for a campground, RV park or tourist establishment respectively
Minimum Lot Frontage	46 m [150.9 ft]	
Minimum Yard Requirements - Main Building a) Front Yard b) Rear Yard c) Interior Side Yard d) Exterior Side Yard	a) 12 m [39.3 ft] b) 7.5 m [24.6 ft] abutting a commercial use of community facility or 10.5 m [34.4 ft] for any other zone c) 6 m [19.6 ft] or 9 m [29.5 ft] in abutting a residential use or zone d) 7.5 m [24.6 ft]	
Minimum Yard Requirements - Accessory Building a) Front Yard b) Rear Yard c) Interior Side Yard d) Exterior Side Yard	a) 12 m [39.3 ft] b) 2 m [6.56 ft] c) 2 m [6.56 ft] d) 12 m [39.3 ft]	
Maximum Building Height a) Main Building b) Accessory Building	a) 10.5 m [34.3 ft] b) 5 m [16.4 ft]	
Maximum Lot Coverage	35%	
Minimum Dwelling Unit Area	65 m <sup>2</sup> [699.6 ft <sup>2</sup> ]	

### 5.11.3 Additional Provisions

- (a) No shoreline structure shall be permitted within a depth of 15 m [49.2 ft] from the shoreline except a boat house, boat port, float plane hangar, dock or wharf;

- (b) With the exception of a boat house (wet), boat port, float plane hangar, dock or wharf, all shoreline structures shall be constructed within the confines of the property boundaries of a lot;
- (c) No shoreline structure which will destroy fish habitat shall be permitted;
- (d) Where a commercial zone abuts a residential zone or a residential use or a sensitive land use on an adjacent lot, a planting strip shall be provided along the abutting lot line(s).
- (e) A recreational vehicle park shall be subject to any licensing or occupancy provisions of the municipality; and
- (f) Building, signs and access onto Highway 17 shall be subject to any approvals or controls of the Ministry of Transportation.

#### **5.11.4 Exception Zones**

**(a) Recreational Commercial - Exception One Zone (RC-E1):**

On part of Lot 34, Range 'B', Township of Rolph, the following provisions apply to the RC-E1 Zone:

**Permitted Uses**

- All uses in the RC Zone

**Additional Provisions**

- i) For the purposes of this by-law, on lands identified by roll number 015-154 or lands thereof, said lands are hereby deemed to have frontage on a public road.



**5.12 NEIGHBOURHOOD COMMERCIAL ZONE - NC**

No person shall use any land or erect, alter or use any building or structure in the Neighbourhood Commercial zone (NC) except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

**5.12.1 Permitted Uses**

- Convenience Store
- Home Occupation (see **Section 4.19**)

**Accessory Uses, Buildings and Structures (see Section 4.1)**

- Accessory Dwelling Unit

**5.12.2 Zone Requirements**

5.12.2 - Zone Requirements - Neighbourhood Commercial (NC) Zone	
Minimum Lot Area	650 m <sup>2</sup> [6,997 ft <sup>2</sup> ]
Minimum Lot Frontage	21 m [68.8 ft]
Minimum Yard Requirements - Main Building a) Front Yard b) Rear Yard c) Interior Side Yard d) Exterior Side Yard	a) 7.5 m [24.6 ft] b) 7.5 m [24.6 ft] c) 3 m [9.85 ft] d) 4.5 m [14.7 ft]
Minimum Yard Requirements - Accessory Building a) Front Yard b) Rear Yard c) Interior Side Yard d) Exterior Side Yard	a) 7.5 m [24.6 ft] b) 1 m [3.28 ft] c) 1 m [3.28 ft] d) 4.5 m [14.7 ft]
Maximum Building Height a) Main Building b) Accessory Building	a) 10.5 ft. [34.4 ft] b) 5 m [16.4 ft]
Maximum Lot Coverage	33%
Maximum No. of dwelling units per lot	1
Minimum Dwelling Unit Area	65 m <sup>2</sup> [699.6 ft <sup>2</sup> ]

### **5.12.3 Additional Provisions**

- (a)** Building, signs and access onto Highway 17 shall be subject to any approvals or controls of the Ministry of Transportation.

**5.13 GENERAL INDUSTRIAL ZONE - GM**

No person shall use any land or erect, alter or use any building or structure in the General Industrial zone (GM) except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

**5.13.1 Permitted Uses**

- Accessory Uses, Buildings and Structures (see **Section 4.1**)
- Agriculturally Related Commercial/Industrial Uses
- Automotive Body Shop
- Automotive Repair Garage
- Class I, and II Industries
- Construction Yard or Contractor’s Yard
- Fuel Depot
- Log Hauling Operation
- Office
- Printing and Publishing Establishment
- Public Utility (see **Section 4.40**)
- Retail Outlet
- Sawmill
- Scientific Research Establishment
- Transportation Depot
- Warehouse
- Welding Shop

*Note: A class III use can be placed in a new zone if needed*

**5.13.2 Zone Requirements**

5.13.2 - Zone Requirements - General Industrial (GM) Zone				
Zone Standard	Piped Water and/or Sewer Services		Individual On-site Systems	
Minimum Lot Area	700 m <sup>2</sup> [7,735 ft <sup>2</sup> ]		0.4 ha [0.98 ac]	
Minimum Lot Frontage a) Chalk River (Urban Settlement Area) b) Rural Settlement Area	a) 15 m [49.2 ft] b) 24 m [78.7 ft]		30 m [98.4 ft]	
	Urban Settlement Area - Chalk River		Rural Settlement Area	
Minimum Yard Requirements - Main Building a) Front Yard b) Rear Yard	Abutting industrial use/zone a) 7.5 m [24.6 ft] b) 7.5 m [24.6	Abutting any other use/zone a) - b) 15 m [49.2 ft]	Abutting industrial use/zone a) 15 m [49.2 ft] b) 9 m [29.5	Abutting any other use/zone a) -b) 22 m [72.1 ft]

5.13.2 - Zone Requirements - General Industrial (GM) Zone				
c) Interior Side Yard d) Exterior Side Yard	ft] c) 3 m [9.8 ft] d) 7.5 m [24.6 ft]		ft] c) 3 m [9.8 ft] d) 15 m [49.2 ft]	
Minimum Yard Requirements - Accessory Building a) Front Yard b) Rear Yard c) Interior Side Yard d) Exterior Side Yard	a) 7.5 m [24.6 ft] b) 2 m [6.56 ft] c) 2 m [6.56 ft] d) 7.5 m [24.6 ft]		a) 15 m [49.2 ft] b) 2 m [6.56 ft] c) 2 m [6.56 ft] d) 15 m [49.2 ft]	
Maximum Building Height a) Main Building b) Accessory Building	a) 15 m [49.2 ft] b) 7.5 m [24.6 ft]			
Maximum Lot Coverage	50%			

### 5.13.3 Additional Provisions

- (a) See also requirements of **Section 4.25** of this By-law for separation distances for industries.
- (b) Building, signs and access onto Highway 17 shall be subject to any approvals or controls of the Ministry of Transportation.
- (c) The yard requirements may be reduced to a zero lot line adjacent to a railway line right-of-way.

### 5.13.4 Exception Zones

## 5.14 MINERAL AGGREGATE RESOURCE ZONE

1. **Mineral Aggregate Resources Pit (EMP)**
2. **Mineral Aggregate Resources Quarry (EMQ)**
3. **Mineral Aggregate Resources Reserve (EMR)**

No person shall use any land or erect, alter or use any building or structure in the Mineral Aggregate Resource zones (EMP, EMQ or EMR) except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.14.1 Permitted Uses

- Accessory Uses, Buildings or Structures (see **Section 4.1**) (e.g. crushing and screening facilities, stock piles, asphalt and concrete plants, administration facilities, weigh stations, security kiosk etc.) .....All Zones
- Agriculture Use (not including buildings and structures) .....All Zones
- Camp EMR Zone
- Conservation Use .....All Zones
- Existing Residential Building and accessory uses.....All Zones
- Farm Produce Outlet.....All Zones
- Forestry Use (not including buildings and structures) .....All Zones
- Outdoor recreation uses (not including buildings and structures).....All Zones
- Pit EMP Zone
- Portable Asphalt/Concrete Plant ..... EMP, EMQ Zones
- Any activities associated with the progressive rehabilitation of the lands.....
  - EMP, EMQ Zones
- Public Utility (see **Section 4.40**).....All Zones
- Quarry .....EMQ Zone
- Wayside Pit .....All Zones
- Wayside Quarry .....All Zones

### 5.14.2 Zone Requirements

Minimum Yard Requirements:

- All Yards ..... 15 m [49.2 ft]
- Maximum Building Height
- Main Building..... 15 m [49.2 ft]
- Accessory Building..... 8 m [26.2 ft]

### 5.14.3 Additional Provisions

- (a) Despite the yard requirements stated above, a minimum of 30 m [98.4 ft] setback will be required from lot lines adjacent to public roads;

- (b)** See also requirements of **Section 4.25 (c)** of this By-law for separation distances for Mineral Aggregate Resources;
- (c)** Where lands zoned as (EMP, EMQ or EMR) are occupied by an existing dwelling, this By-law shall not be deemed to prevent the erection or extension of an accessory building or the extension or expansion of an existing dwelling; and
- (d)** Building, signs and access onto Highway 17 shall be subject to any approvals or controls of the Ministry of Transportation.

#### **5.14.4 Exception Zones**

## 5.15 WASTE DISPOSAL ZONE - DMW

No person shall use any land or erect, alter or use any building or structure in the Waste Disposal zone (DMW) except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.15.1 Permitted Uses

- Agricultural Use (not including buildings and structures)
- Forestry Use (not including buildings and structures)
- Public Utility (see **Section 4.40**)
- Waste Management Facility
- Recycling Depot or Transfer Station

### 5.15.2 Zone Requirements

Minimum Yard Requirements

- All Yards ..... 30 m [98.4 ft]
- All Yards abutting and industrial zone/use ..... 15 m [49.2 ft]

### 5.15.3 Additional Provisions

- (a) See also requirements of **Section 4.25** of this By-law for separation distances for a Waste Management Facility;
- (b) No waste management facility shall be permitted or operated except in compliance with a valid Certificate of Approval issued under the *Environmental Protection Act*; and
- (c) Building, signs and access onto Highway 17 shall be subject to any approvals or controls of the Ministry of Transportation.

### 5.15.4 Exception Zones

- (a) Waste Disposal - Exception One Zone (DMW-E1):

On part of Lot 19, Concession 19, Range 'B', Township of Rolph, the following provisions apply to the DMW-E1 Zone:

#### Permitted Uses

- Storage facility for road salt and sand

**5.16 SALVAGE YARD ZONE - DMS**

No person shall use any land or erect, alter or use any building or structure in the Salvage Yard zone (DMS) except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

**5.16.1 Permitted Uses**

- Accessory Uses, Buildings and Structure (see **Section 4.1**)
- Salvage Yard
- Public Utility (see **Section 4.40**)

**5.16.2 Zone Requirements**

Minimum Yard Requirements

- All Yards ..... 30 m [98.4 ft]
- All Yards abutting and industrial zone/use ..... 15 m [49.2 ft]

**5.16.3 Additional Provisions**

- (a) See also requirements of **Section 4.25** of this By-law for separation distances for a Class III Industrial Use;
- (b) The storage compound for vehicles or other materials shall be completely obscured from any public road or adjacent use by an opaque fence, screen or berm of not less than 1.8 m [6 ft] in height;
- (c) Building, signs and access onto Highway 17 shall be subject to any approvals or controls of the Ministry of Transportation.

**5.16.4 Exception Zones**



## **5.17 COMMUNITY FACILITY ZONE - CF**

No person shall use any land or erect, alter or use any building or structure in the Community Facility zone (CF) except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **5.17.1 Permitted Uses**

- Cemetery
- Clinic
- Community Centre
- Home Occupation (see **Section 4.20**)
- Hospital
- Outdoor Recreational uses (active and passive)
- Park
- Place of Assembly
- Place of Worship
- Private Club
- Public Service Use (see **Section 4.40**)
- Public Utility (see **Section 4.40**)
- Religious Education Facility
- Campground - Recreational
- School

#### **Accessory Uses, Buildings and Structures (see Section 4.1)**

- Accessory Dwelling Unit

### **5.17.2 Zone Requirements**

5.17.2 - Zone Requirements - Community Facility (CF) Zone		
Zone Standard	Urban Settlement Area - Chalk River	Rural Settlement Area
Minimum Lot Area	700 m <sup>2</sup> [7,735 ft <sup>2</sup> ]	2,025 m <sup>2</sup> [21,798 ft <sup>2</sup> ]
Minimum Lot Frontage	25 m (82 ft.)	30 m [98.4 ft]
Minimum Yard Requirements - Main Building		
a) Front Yard	a) 7.5 m [24.6 ft]	a) 10.5 m [34.4 ft]
b) Rear Yard	b) 7.5 m [24.6 ft]	b) 7 m [24.6 ft.]
c) Interior Side Yard	c) Greater of 3 m [9.8 ft] or ½ the height of the building	c) Greater of 5 m [16.4 ft] or ½ the height of the building
d) Exterior Side Yard	d) Greater of 4.5 m [14.7 ft] or ½ the height of the building	d) 15 m [49.2 ft]
Minimum Yard Requirements - Accessory Building		
a) Front Yard	a) Same as main building	a) Same as main building
b) Rear Yard	b) 3 m [9.8 ft]	b) 3 m [9.8 ft]
c) Interior Side Yard	c) 3 m [9.8 ft]	c) 3 m [9.8 ft]
d) Exterior Side Yard	d) Same as main building	d) Same as main building
Maximum Lot Coverage	33%	40%

### 5.17.3 Additional Provisions

- (a) Building, signs and access onto Highway 17 shall be subject to any approvals or controls of the Ministry of Transportation.

### 5.17.4 Exception Zones

## **5.18 OPEN SPACE ZONE - OS**

No person shall use any land or erect, alter or use any building or structure in the Open Space zone (OS) except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **5.18.1 Permitted Uses**

- Accessory Uses, buildings or structures (see **Section 4.1**)
- Conservation Use
- Landscaped Open Space
- Natural Heritage Feature
- Outdoor Recreational uses (passive uses)
- Park, playground, tot-lot
- Public Utility (see **Section 4.39**)

### **5.18.2 Zone Requirements**

Minimum Lot Area.....nil  
Minimum Yard Requirements - all yards.....nil  
Maximum Building Height..... 5 m [16.4 ft]

### **5.18.3 Additional Provisions**

- (a) See also requirements of **Section 4.25** of this By-Law for separation distances for various land uses.

### **5.18.4 Exception Zones**

## 5.19 RURAL ZONE - RU

No person shall use any land or erect, alter or use any building or structure in the Rural zone (RU) except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.19.1 Permitted Uses

- Agricultural Use (farm) [see **Section 4.25 (e)**]
- Camp
- 
- Cemetery
- Commercial Greenhouse
- Dwelling - Duplex
- Dwelling - Seasonal
- Dwelling - Semi-detached
- Dwelling - Single Detached
- Equestrian Establishment (Minimum Lot Area 2 ha [5 ac])
- Farm Produce Outlet
- Forestry Uses
- Group Home (see **Section 4.17**)
- Log Hauling Operation
- Marine Facility
- Park
- Parking Area
- Portable Asphalt/Concrete Plant
- Private Club
- Public Service Use (see **Section 4.40**)
- Public Utility (see **Section 4.40**)
- Wayside Quarry
- Wayside Pit

#### **Accessory Uses, Buildings and Structures** (see **Section 4.1**)

- Accessory Dwelling
- Bed and Breakfast
- Home Industry (see **Section 4.19**)
- Home Occupation (see **Section 4.20**)
- Sleep Cabin (see **Section 4.37**)

### 5.19.2 Zone Requirements

5.19.2 - Zone Requirements - Rural (RU) Zone					
Zone Standard		Residential Uses		Other Uses	
		-Single detached -Group Home	-Duplex -Semi-detached	-Agricultural use -Log Haul Operation	All Other Uses
Minimum Area	Lot	2,025 m <sup>2</sup> [21,798 ft <sup>2</sup> ]	3,065 m <sup>2</sup> [32,992 ft <sup>2</sup> ]	2 ha [4.94 ac]	2 ha [4.94 ac]
Minimum Frontage	Lot	30 m [98.4 ft]	-duplex: 35 m [114.8 ft] -semi: 40 m [131.2 ft]	60 m [196.8 ft]	30 m [98.5 ft]
Minimum Yard Requirements - Main Building					
a) Front Yard		a) 7.5 m [24.6 ft]		a) 12 m [39.3 ft]	a) 7.5 m [24.6 ft]
b) Rear Yard		b) 7.5 m [24.6 ft]		b) 15 m [49.2 ft]	b) 3 m [9.84 ft]
c) Interior Side Yard		c) 2 m [6.56 ft]		c) 5 m [16.5 ft]	c) 3 m [9.84 ft]
d) Exterior Side Yard see also 4.1.1(c)		d) 7.5 m [24.6 ft]		d) 7.5 m [24.6 ft.]	d) 7.5 m [24.6 ft]
Maximum Height					
a) Main Building		a) 10.5 m [34.4 ft]			
b) Accessory Building		b) 5 m [16.4 ft]			
Maximum Coverage	Lot	33%		20%	33%
Minimum Dwelling Unit Area: 75 m <sup>2</sup> [807.3 ft <sup>2</sup> ]					

### 5.19.3 Additional Provisions

- (a) A park or parking area shall not be subject to minimum lot area or lot frontage requirements but shall comply with the setback requirements of **Section 5.19.2**.
- (b) Cemeteries shall not be governed by the above standards but shall conform with the *Cemeteries Act*.
- (c) Despite anything in **Section 5.19.2** to the contrary, Wayside Pits and Wayside Quarries shall be subject only to a minimum yard requirement of 15 m [49.2 ft] while for communications facilities, the minimum yard requirement shall be equivalent to the height of the tower.
- (d) Development on lands within the Rural Zone (RU) shall only be on lots with frontage on a public street.
- (e) The minimum interior side yard shall not apply to the party wall of a semi-detached dwelling.
- (f) Building, signs and access onto Highway 17 shall be subject to any approvals or controls of the Ministry of Transportation.

### 5.19.4 Exception Zones

- (a) Urban Reserve Area - Chalk River

Despite the provisions of the Rural (RU) Zone, in Chalk River the following provisions shall apply:

#### Permitted Uses

- An existing single detached dwelling
- Forestry Use
- Outdoor (non-intensive) Recreational Use
- An existing Agricultural Use [see **Section 4.25 (e)**]
- An accessory use, building or structure (see **Section 4.1**)

#### Zone Requirements

Minimum Front Yard.....	10.5 m [34.4 ft]
Minimum Interior Side Yard.....	5 m [16.4 ft]
Minimum Rear Yard .....	15 m [49.2 ft]
Maximum Building Height.....	5 m [16.4 ft]

- (b) Rural - Exception One Zone (RU-E1):

On part of Lot 8, Concession 1, Township of Rolph, the following provisions apply to the RU-E1 Zone:

**Permitted Uses**

- Construction Yard or Contractor’s Yard
- Accessory Uses, Buildings or Structures not permitted in any yard

**Zone Requirements**

The following standards shall apply to a Construction Yard or Contractor’s Yard:

Minimum Required Yard - All Yards ..... 22 m [72.1 ft]  
Open Storage .....not permitted in any yard

**(c) Rural - Exception Two Zone (RU-E2):**

On part of Lot 3, Concession 10, Township of Buchanan, the following provisions apply to the RU-E2 Zone:

**Permitted Uses**

- an existing 3 unit apartment building
- an existing 4 unit apartment building
- a semi-detached dwelling

**Zone Requirements**

Minimum Lot Area with piped services.....0.2 ha [0.49 ac]  
Minimum Lot Frontage with piped services .....45 m [147.6 ft]  
Minimum Interior Side Yard..... 3 m [9.84 ft]  
Minimum Rear Yard..... 4 m [13.1 ft]  
Minimum No. of Parking Services ..... 18 spaces

**(d) Rural - Exception Three Zone (RU-E3):**

On part of Lot 1, Concession 11, Township of Buchanan, the following provisions apply to the RU-E3 Zone:

**Permitted Uses**

- Shall include the selling of bait

**(e) Rural - Exception Four Zone (RU-E4):**

On lands zoned as RU-E4 Zone, the following provisions shall apply:

**Permitted Uses**

- Private airfield

- Accessory Uses, Buildings and Structures for the purpose of storing, parking and maintaining aircraft, not to exceed accommodation for 15 aircraft.

**Zone Requirements**

Minimum Lot Area..... 10 ha [24.7 ac]  
Minimum Lot Frontage.....60 m [196.8 ft] or  
20 m [65.6 ft] for an existing private airfield

Minimum Separation Distance

- i) 160 m [524.9 ft] from any existing dwelling on another lot
- ii) 30 m [98.4 ft] from any existing non-residential building used for a purpose other than a private airfield
- iii) 60 m [196.8 ft] from any existing dwelling unit on the same lot

**(f) Rural - Exception Five Zone (RU-E5):**

On lands zoned as RU-E5 Zone, the following provisions shall apply:

**Permitted Uses**

- Automotive Body Shop

**(g) Rural - Exception Six Zone (RU-E6):**

On part of Lot 5, Concession 9, Township of Buchanan, the following provisions apply to the RU-E6 Zone:

**Zone Requirements**

Minimum Lot Frontage 18.288 m [60 ft]

**(h) Rural - Exception Seven Zone (RU-E7):**

On part of Lot 5 Concession 5, Township of Buchanan, the following provisions apply to the RU-E7 Zone:

**Permitted Uses**

- A pet food and supply store

**(i) Rural - Exception Eight Zone (RU-E8):**

On part of Lot 25, Range A, Township of Rolph, the following provisions apply to the RU-E8 Zone:



**Permitted Uses**

- Welding Shop
- Tire Repair Shop
- A single detached dwelling if occupied by a caretaker, watchman or other similar person employed full-time on the lot on which the dwelling is located

**Zone Requirements**

Minimum Lot Area.....	2,025 m <sup>2</sup> [21,797.6 ft <sup>2</sup> ]
Minimum Lot Frontage.....	30 m [98.4 ft]
Minimum Front Yard.....	22 m [72.1 ft]
Minimum Interior Side yard.....	22 m [72.1 ft]
Minimum Rear Yard.....	22 m [72.1 ft]
Maximum Lot Coverage.....	35%
Maximum Building Height.....	10.5 m [34.4 ft]
Minimum Net Floor Area - Dwelling Unit.....	65 m <sup>2</sup> [699.6 ft <sup>2</sup> ]

**Additional Provisions**

- i)** No open storage of goods and materials shall be permitted except in accordance with the following provisions:
    - a. An open storage use shall be permitted in a rear yard;
    - b. Any open storage shall be concealed from view from any street by a fence, wall or similar method.
  - ii)** Parking and loading shall be provided in accordance with **Sections 4.23, 4.30 and 4.31**, respectively, of this By-law.
  - iii)** Despite any other provisions, uncovered parking shall be permitted in interior and rear yards and vehicle maneuvering areas shall be permitted in all yards provided that no part of such area or areas other than a driveway is located closer than 1 m [3.28 ft] to any street line.
- (j)** Rural - Exception Nine Zone (RU-E9):

On part of Lot 34, Range 'B', Township of Rolph, the following provisions apply to the RC-E1 Zone:

**Permitted Uses**

- All uses in the RU Zone

**Additional Provisions**

i) For the purposes of this by-law, on lands identified by roll number 015-152-05, 015-153, 015-158, and 015-159 or lands thereof, said lands are hereby deemed to have frontage on a public road.

(k) Rural – Exception Ten Zone (RU-E10)

On Part of Lot 25, Range A, Township of Rolph, the following provisions apply in the RU-E10 Zone:

**Permitted Uses**

- Automotive Garage

**5.19.5 Holding Zones**

(a) Part of Lot 15, Range ‘B’, Township of Rolph

Until such time that the holding symbol is removed from any of lands zoned RU-h in accordance with the conditions prescribed in the Township’s Official Plan, no person shall use land or erect or use a building or structure except in accordance with the following:

**Permitted Uses**

- Existing uses in existing locations
- an erosion control structure
- a natural area
- open space

**Zone Requirements**

Minimum Lot Area.....	existing lot area
Minimum Lot Frontage.....	existing lot frontage
Maximum Gross Floor Area	
• Main Building.....	existing gross floor area
• Accessory Building.....	10 m <sup>2</sup> [107.6 ft <sup>2</sup> ]
Maximum Lot Coverage.....	existing lot coverage

**Additional Provisions**

The conditions for removal of the holding symbols for the RU-h are as follows:

i) The implementation of an approved geotechnical study by installing adequate erosion control works at the toe of the slope, and

- ii)** The acquisition of a work permit from the Ministry of Natural Resources under the *Public Lands Act* for such works.

## 5.20 ENVIRONMENTAL PROTECTION ZONE - EP

No person shall use any land or erect, alter or use any building or structure in the Environmental Protection zone (EP) except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.20.1 Permitted Uses

- Accessory Uses, buildings or structures (see **Section 4.1**)
- Conservation Use
- Forestry Use
- An existing dwelling
- An existing Agricultural Use [see **Section 4.25 (e)**]
- Outdoor Recreational uses (active and passive uses)
- Structures for flood or erosion control or slope stabilization

### 5.20.2 Zone Requirements

Minimum Front Yard.....	10.5 m [34,4 ft]
Minimum Interior Side Yard.....	5 m [16.4 ft]
Minimum Rear Yard .....	15 m [49.2 ft]
Maximum Lot Coverage .....	1 %
Maximum Building Height.....	5 m [16.4 ft]

### 5.20.3 Additional Provisions

- (a) Alterations, fill and construction activities are subject to the requirements of **Section 4.14.5** of this By-law.
- (b) All land under water is within the Environmental Protection (EP) Zone and uses of such land shall be limited to only those specifically approved by the Ministry of Natural Resources.
- (c) See also requirements of **Section 4.25** of this By-Law for separation distances for various land uses.

### 5.20.4 Exception Zones

## 5.21 HERITAGE - H

No person shall use any land or erect, alter or use any building or structure in the Heritage - H zone except in accordance with the following provisions.

### 5.21.1 Permitted Uses

- Areas of archaeological potential
- Built heritage resources
- Cultural heritage landscape
- Historically established cemetery or burial site

### 5.21.2 Zone Requirements

- Minimum Lot Area N/A
- Minimum Lot Frontage .....N/A
- Minimum Yard Requirements - new buildings or structures or extensions thereto:

#### (a) Main Building

- Front yard - Main building..... 7.5 m [24.6 ft]  
- Accessory building..... 7.5 m [24.6 ft]
- Rear yard - Main building.....8.0 m [26.25 ft]  
- Accessory building ..... 3.0 m [9.84 ft]
- Interior Side Yard - Main building..... 3.0 m [9.84 ft]

#### (b) Accessory Uses and Building

- Existing Buildings or structures..... existing setbacks

Note: Accessory uses include buildings that are complimentary to the primary use (see **Section 4.1** for restrictions).

### 5.21.3 Additional Provisions

- (a) All *development* in this Zone shall also comply with the relevant provisions of **Section 4** (General Provisions) of this By-law;

### 5.21.4 Exception Zones

**APPENDIX 1**

**METRIC CONVERSION TABLE**

### METRIC CONVERSION TABLE

<i>metres</i>	<i>x by 3.2808</i>	<i>= feet</i>
0.5 m	→	1.64 ft.
1 m	→	3.28 ft.
1.5 m	→	4.92 ft.
2 m	→	6.56 ft.
3 m	→	9.84 ft.
3.5 m	→	11.48 ft.
4.5 m	→	14.76 ft.
6 m	→	19.68 ft.
7.5 m	→	24.61 ft.
8 m	→	26.25 ft.
9 m	→	29.53 ft.
10 m	→	32.81 ft.
10.5 m	→	34.45 ft.
12 m	→	39.37 ft.
15 m	→	49.21 ft.
18 m	→	59.05 ft.
20 m	→	65.62 ft.
21 m	→	68.90 ft.
23 m	→	75.46 ft.
24 m	→	78.74 ft.
25 m	→	82.02 ft.
30 m	→	98.42 ft.
30.5 m	→	100.06 ft.
35 m	→	114.83 ft.
40 m	→	131.23 ft.
46 m	→	150.92 ft.
50 m	→	164.04 ft.
60 m	→	196.85 ft.
75 m	→	246.06 ft.
77 m	→	252.62 ft.
90 m	→	295.27 ft.
100 m	→	328.08 ft.
120 m	→	393.70 ft.
150 m	→	492.12 ft.
180 m	→	590.54 ft.
200 m	→	656.16 ft.
250 m	→	820.20 ft.
300 m	→	984.24 ft.
500 m	→	1,640.40 ft.
750 m	→	2,460.60 ft.

<i>square metres</i>	<i>÷ by 0.0929</i>	<i>= square feet</i>
1 m <sup>2</sup>	→	10.76 ft <sup>2</sup>
1.5 m <sup>2</sup>	→	16.15 ft <sup>2</sup>
18 m <sup>2</sup>	→	193.76 ft <sup>2</sup>
20 m <sup>2</sup>	→	215.29 ft <sup>2</sup>
30 m <sup>2</sup>	→	322.93 ft <sup>2</sup>
40 m <sup>2</sup>	→	430.57 ft <sup>2</sup>
50 m <sup>2</sup>	→	538.21 ft <sup>2</sup>
55 m <sup>2</sup>	→	592.03 ft <sup>2</sup>
65 m <sup>2</sup>	→	699.68 ft <sup>2</sup>
75 m <sup>2</sup>	→	807.32 ft <sup>2</sup>
100 m <sup>2</sup>	→	1,076.43 ft <sup>2</sup>
140 m <sup>2</sup>	→	1,507.00 ft <sup>2</sup>
300 m <sup>2</sup>	→	3,229.28 ft <sup>2</sup>
550 m <sup>2</sup>	→	5,920.34 ft <sup>2</sup>
650 m <sup>2</sup>	→	6,996.77 ft <sup>2</sup>
700 m <sup>2</sup>	→	7,534.98 ft <sup>2</sup>
720 m <sup>2</sup>	→	7,750.27 ft <sup>2</sup>
800 m <sup>2</sup>	→	8,611.41 ft <sup>2</sup>
840 m <sup>2</sup>	→	9,041.98 ft <sup>2</sup>
1275 m <sup>2</sup>	→	13,724.43 ft <sup>2</sup>
1397 m <sup>2</sup>	→	15,037.67 ft <sup>2</sup>
1400 m <sup>2</sup>	→	15,069.97 ft <sup>2</sup>
1500 m <sup>2</sup>	→	16,146.39 ft <sup>2</sup>
2000 m <sup>2</sup>	→	21,528.53 ft <sup>2</sup>
2025 m <sup>2</sup>	→	21,797.63 ft <sup>2</sup>
2115 m <sup>2</sup>	→	22,766.42 ft <sup>2</sup>
2750 m <sup>2</sup>	→	29,601.72 ft <sup>2</sup>
3035 m <sup>2</sup>	→	32,669.54 ft <sup>2</sup>
3065 m <sup>2</sup>	→	32,992.47 ft <sup>2</sup>
4000 m <sup>2</sup>	→	43,057.05 ft <sup>2</sup>

<i>hectares</i>	<i>x by 2.471</i>	<i>= acres</i>
0.4 ha	→	0.99 ac
1 ha	→	2.47 ac
1.5 ha	→	3.71 ac
2 ha	→	4.94 ac
10 ha	→	24.71 ac
20 ha	→	49.42 ac
24 ha	→	59.30 ac
40 ha	→	98.84 ac
80 ha	→	197.68 ac