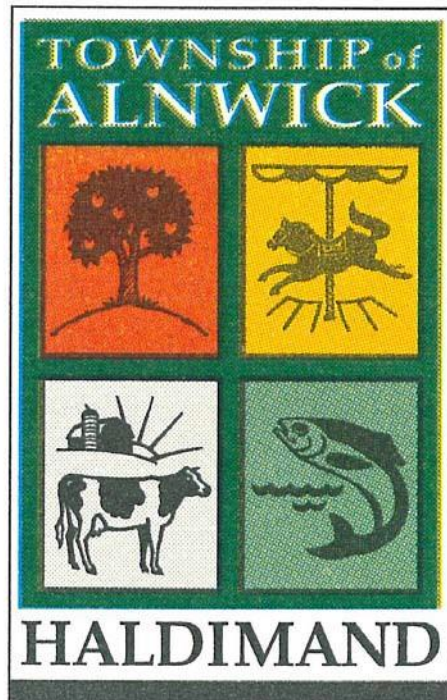
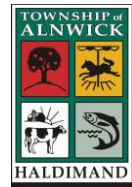


**ALNWICK/HALDIMAND**  
**ZONING BY-LAW NO. 19-2019**



**November 28, 2019**

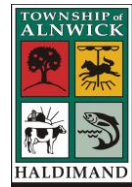
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**The Corporation of the  
Township of  
Alnwick/Haldimand**

**By-law No. 19-2019**

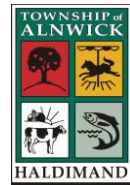
**Being a By-law** to regulate the use of land and the character, location and use of buildings and structures in the Township of Alnwick/Haldimand.

**Whereas** authority is granted under the *Planning Act*, R.S.O. 1990, c. P.13, as amended to pass this By-law;

**And Whereas** the Council of the Corporation of the Township of Alnwick/Haldimand considers it desirable to repeal By-law No. 100-2010 of the of the Township of Alnwick/Haldimand;

**And Whereas** the Council of the Corporation of the Township of Alnwick/Haldimand further deems it necessary in the public interest to regulate the use of land in the Township;

**Now Therefore** the Council of the Corporation of the Township of Alnwick/Haldimand enacts as follows:



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## Section 1 - By-Law Interpretation and Administration

### 1.1 Title of the By-law

This By-law may be cited as “The Township of Alnwick/Haldimand Comprehensive Zoning By-law”.

### 1.2 Compliance with Zoning By-law

No land, building, structure, excavation, lot or premises shall be used or occupied and no building, structure or excavation shall be erected, altered or made, in whole or in part, for any purpose EXCEPT in conformity with the provisions of this By-law.

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 or lot to be in contravention of this By-law.

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

### 1.3 Minor Variances to Former By-laws

Where the Committee of Adjustment of the Township of Alnwick/Haldimand or the former Township of Alnwick or the former Township of Haldimand or the Ontario Municipal Board has authorized a minor variance from the provisions of By-laws 100-2010, 619 and 1001-73 as amended, in respect of any land, building or structure and the decision of the said Committee of Adjustment or the Ontario Municipal board authorizing such minor variance has become final and binding prior to the effective date of this By-law, the provisions of this By-law, as they apply to such land, building or structure, shall be deemed to be modified but only to the extent necessary to give effect to the provisions of that previous minor variance.

### 1.4 Site Plan Agreement and Site Plan Approvals

Where a Site Plan Agreement has been entered into prior to the effective date of this Bylaw or where Site Plan Approval has been granted by the Municipality but a Building Permit for the development in either circumstance has not been issued, the provisions of this Bylaw, as they apply to such land, building or structure, shall be deemed to be modified to the extent necessary to give effect to such Site Plan Agreement or Site Plan Approval, provided that the Building Permit is issued within one (1) year of the effective date of this By-law. If a Building Permit is not issued within one (1) year of the effective date of this By-law a new Site Plan Agreement will be required.



### **1.5 Validity**

If any section, clause or provision of this By-law, including anything contained in the Schedules attached hereto, is for any reason declared by a court of competent jurisdiction invalid, such declaration does not affect the validity of this By-law as a whole and all the remaining sections, clauses, provisions or Schedules of this By-law remain in full force and effect until repealed.

**Declarations** Schedules A1, A2, A3, A4, A5, A6, A7, A8 attached hereto form an integral part of this By-law.

### **1.6 Application**

This By-law shall apply to and be enforceable within the municipal boundaries of the Township of Alnwick/Haldimand.

### **1.7 Interpretation**

Unless the contrary intention appears in this By-law, words importing the singular number or the masculine gender only, include more persons, parties or things of the same kind than one, and females as well as males, and the converse. Words used in the present tense include the future, and the word "shall" is mandatory and not directory.

"Illustrations" and "Notes" contained in this By-law are provided for information and convenience, and do not form part of this By-law.

### **1.8 Zone Symbols**

The Zone symbols used on the Schedules to this By-law refer to the use of land, buildings and structures and excavations permitted by this By-law in the zone categories. In this By-law whenever the word "Zone" is used, preceded by any of the symbols, such Zone shall mean any area within the Township of Alnwick/Haldimand delineated on the Schedules to this By-law and designated thereon by the symbol.

### **1.9 Zoning Administration**

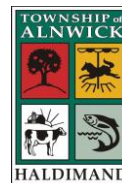
This By-law shall be administered and enforced by the By-law Enforcement Officer.

### **1.10 Application of Other Statues and By-laws**

Nothing in this By-law shall relieve any person from the obligation to comply with the requirements of any applicable statue or regulation or of any applicable by-law of the Township of Alnwick/Haldimand or the obligation to obtain any license, permit, authority or approval required under any by-law of the Township of Alnwick/Haldimand.

### **1.11 Occupancy Permit**

No change may be made in the type or use or activity of any lot covered by this



By-law, or of any building or structure until an Occupancy Certificate has been issued by the Chief Building Official.

### **1.12 Occupancy of Uncompleted Dwellings**

No dwelling house shall be used for human habitation until the Building Code Act R.S.O., 1990, as amended and the Regulations passed thereunder have been complied with and an Occupancy Permit has been obtained.

### **1.13 Building or Structures to be Moved**

In all Zones, no buildings or structures, residential or otherwise, normally requiring a building permit for construction shall be moved within the area affected by this By-law without a Building Permit

### **1.14 Committee of Adjustment**

Where the uses of land, buildings or structures permitted in the By-law are defined in general terms, the Committee of Adjustment may permit the use of any land, buildings or structures for any purpose that, in the opinion of the Committee, conforms to the uses permitted in this By-law.

### **1.15 Building Permits**

Notwithstanding the provisions of the Ontario Building Code or the Corporation's Building By-law or any other By-law of the Corporation, no building permit shall be issued where the proposed building, structure, or use would be in violation of any of the provisions of this By-law.

### **1.16 Inspection**

(a) Conditions of Entry:

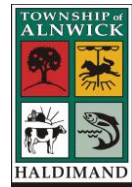
Subject to clause (b) of this subsection, the By-law Enforcement Officer, Chief Building Official, or any other authorized officer or employee of the Corporation, is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purpose of carrying out his duties under this By-law;

(b) Restrictions for Entry of Dwelling:

Notwithstanding any provision of clause (a) of this subsection to the contrary, no officer or employee of the Corporation shall enter any room or place being used as a dwelling or part thereof without the consent of the occupant except under the authority of a search warrant issued pursuant to the *Provincial Offences Act*.

### **1.17 Litigation**

This By-law does not affect the rights of any party in any action, litigation or other proceeding pending on the date of the final passage thereof, except to the extent to be determined in the final adjudication of such action, litigation or



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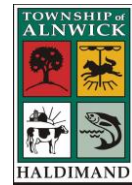
other proceedings.

### **1.18 Application for Building Permits**

In addition to the requirements of the Building By-law, every application for a building permit shall be in accordance with the Township's "Home Builders Guide" as amended from time to time.

### **1.19 Metric Values and Imperial Conversions**

This By-law has been prepared in metric with imperial conversion (rounded) provided for information only. The metric value shall be utilized for any specific provision or regulation contained in this By-law or as it may relate to another provision or regulation contained in this By-law.



## Section 2 - Zone Classification

### 2.1 Zones

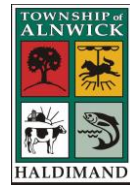
For the purposes of this By-law, the whole of the Township of Alnwick/Haldimand is divided into various zones as named and described in the following sections, the boundaries of which are shown on Schedules A1, A2, A3, A4, A5, A6, A7, A8, which are attached to and form part of this By-law.

### 2.2 Zone Classification

For the purposes of this By-law, reference may be made to individual zones or categories of zones as set out below:

<b>Rural/Agricultural Zones</b>	<b>Zone Symbol</b>
Rural Zone	RU
Agricultural Zone	A
<b>Residential Zones</b>	
Rural Residential Zone	RR
Hamlet Residential Zone	HR
Shoreline Residential Zone	SR
Limited Service Residential Zone	LSR
<b>Commercial Zones</b>	
General Commercial Zone	GC
Hamlet Commercial Zone	HC
Recreation Commercial Zone	RC
<b>Industrial Zones</b>	
General Industrial Zone	MG
Extractive Industrial Zone	ME
Waste Disposal Industrial Zone	MD
<b>Community/Open Space Zones</b>	
Community Facility Zone	CF
Open Space Zone	OS
Development Zone	D
<b>Environmental Zones</b>	
Environmental Protection Zone	EP
Provincially Significant Wetland Zone	PSW
Environmentally Sensitive Areas Overlay Zone	ESA





### **Oak Ridges Moraine Zones**

Oak Ridges Moraine Environmental Zone	ORME
Oak Ridges Moraine Environmental Plan Review Zone	ORMEPR
Oak Ridges Moraine Core Zone	ORMC
Oak Ridges Moraine Linkage Zone	ORML
Oak Ridges Moraine Countryside Zone	ORMCO
Oak Ridges Moraine Mineral Extractive Zone	ORMME

## **2.3 Zone Symbols**

The Symbols listed in Section 2.2 may be used to refer to buildings and structures, the use of lots, buildings and structures permitted by this By-law in the said zones, and whenever in this By-law the word “zone” is used, preceded by any of the said symbols, such reference shall mean any area within the Corporation within the scope of this By-law, delineated on a Schedule and designated thereon by the said symbol.

## **2.4 Interpretation of Zone Boundaries**

For the purpose of this By-law all land within the Township of Alnwick/Haldimand is hereby divided into use zones as set out in Section 2.2 and Schedules A, B, B1, B2, B3, C and D and the zone boundaries are:

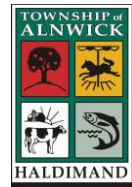
- (a) The centreline of any road, right-of-way or watercourse or a part of any water body; or
- (b) The lot line as indicated on a registered plan of subdivision, or a Township survey plan; except that,
- (c) In the absence of either of the above, the zone boundary is the distance as scaled from the Zoning Schedule.
- (d) Notwithstanding the above, the boundary of the Oak Ridges Moraine Conservation Plan Area shall be scaled from the attached Schedules.

## **2.5 Road Allowances and Rights-of-Way**

A road allowance, utility transmission right-of-way or watercourse is, unless otherwise indicated, included within the zone of the adjoining property on either side thereof, and where such road allowance, right-of-way or watercourse serves as a boundary between two or more different zones, a line midway in such road allowance, right-of-way or watercourse and extending in the general direction of the long division thereof is considered the boundary between zones, unless specifically indicated otherwise.

## **2.6 Road and Right-of-Way Closings**

In the event a dedicated road or right-of-way shown on the map is closed, the

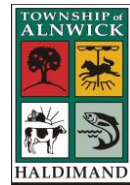


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property formerly in said road or right-of-way shall be included within the zone of the adjoining property on either side of the said closed road or right-of-way and the zone boundary shall be the former centre line of said road or right-of-way.

## **2.7 Special Zones and Provisions**

Where the zone symbol shown on certain lands on a Schedule is followed by a dash and a number, for example, "RU-1", then special provisions apply to such lands. Lands zoned in this manner shall be subject to all of the provisions of the By-law except as otherwise provided by the special provisions of the special zone.



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## Section 3 - Definitions

PART 3A of this Section contains terms and definitions which shall apply throughout the defined area of this By-law. PART 3B of this Section contains additional terms and definitions which shall also apply within the area designated “Oak Ridges Moraine Conservation Plan Area” on the Maps comprising Schedules B, B1, B2, B3, C and D. Where there is any conflict between the definitions in Part 3B and those in Part 3A, as they apply to the area designated “Oak Ridges Moraine Conservation Plan Area” on the Maps comprising a part of this By-law, the definitions in Part 3B shall prevail.

### Part 3A - General

For the purpose of this By-law, the definitions and interpretations provided in this section shall govern unless the context indicates otherwise.

#### **Abattoir**

Means a slaughter-house designed for the purpose of killing animals. skinning, dressing and cutting up of carcasses, wrapping for sale for human consumption with cooler and freezer storage, and may include indoor confinement of animals while awaiting slaughter, but shall not include the manufacturing of meat by-products or any process related to rendering plants such as the manufacture of tallow, grease, glue, fertilizer, or any other inedible product. An abattoir may include the retail and wholesale sale of products processed on the site.

#### **Accessory Building or Structure**

Means a detached building or structure the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith.

#### **Accessory Use**

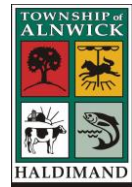
Means a use customarily incidental and subordinate to, and exclusively devoted to the main use of the lot, building or structure and located on the same lot as such main use.

#### **Aggregate**

Means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act*.

#### **Aggregate Processing Plant**

Means equipment for the crushing, screening or washing of aggregate, but does not include a concrete batching plant or an asphalt plant.



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### **Agriculture/Agricultural Use**

Means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fiber, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures. Cannabis production shall not be considered an agricultural use.

### **Alter**

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

### **Amusement Machine**

Means any mechanical or electronic machine or device intended for use as a game, entertainment or amusement offered for use by the public for profit or gain, and shall include a pinball machine, billiard table, video game, shooting gallery, or other similar device, but shall not include any device used only for the purpose of vending merchandise or services or playing music.

### **Arena**

Means a building, or part of a building, in which the principal facilities provided are for such recreational activities as curling, skating, hockey, lacrosse, broomball, or similar athletic activity, which facilities may include dressing rooms, concession booths, bleachers, plant equipment for the making of artificial ice and such other facilities as are normally considered incidental and subordinate hereto.

### **Asphalt Plant**

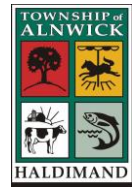
Means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process.

### **Assembly Hall**

Means a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social purposes and shall include a banquet hall, private club, auditorium, arena, gymnasium or other similar facility or use.

### **Attached**

Means a building otherwise complete in itself, which depends for structural support or complete enclosure, upon a division wall or walls shared in common with an



adjacent building or buildings.

**Attic**

Means the portion of a building situated between the roof and the ceiling of the top storey, which is not a one-half storey.

**Auction Barn**

Means any premises used predominantly as a livestock auction facility and may include the auction of agriculturally related chattels on an incidental or accessory basis only.

**Auditorium**

Means a tourist establishment designed to accommodate one group travelling together in a detached building or in one of 2 such buildings which have a common wall, in accordance with all regulations set out in this By-law means a building, structure or premises where facilities are provided for athletic, civic, educational, political, religious or social events. This definition may include an arena, community centre, gymnasium, stadium, theatre or similar use.

**Bakery, Small-Scale**

Means a building or structure used as a bakery which does not exceed 3,500 square feet gross floor area for producing, mixing, compounding or baking bread, biscuits, ice cream cones, cookies, cakes, pies, buns, or any other bakery product of which flour or meal is the principal ingredient and does include a bake shop where any such product is made for consumption on the premises.

**Bake Shop**

Means a shop where products of a bakery are sold or offered for sale by retail as well as the consumption of such products on the premises is permitted.

**Banquet Hall**

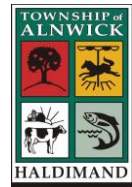
Means a building or part thereof used for the gathering of groups of people for a special function including the consumption of food and drink, and shall include full kitchen facilities. A Banquet Hall shall not include a motel, a resort, or any other form of tourist establishment.

**Basement**

Means one or more storeys of a building located below the first storey.

**Basement, Walkout**

Means that portion of a building which is partly underground, but which has more than fifty percent of the finished floor area not greater than 0.6 metres (1.97 ft.) below the adjacent finished grade level adjacent to the exterior walls of the building



and which has a door, at or above the adjacent finished grade, for entrance and exit directly to the outside.

### **Bed and Breakfast Establishment**

Means a private dwelling in which a maximum of three (3) guest rooms are made available for rent to the travelling or vacationing public, whether rented regularly, seasonally or occasionally. Such establishment may offer meals to those persons patronizing the establishment. A bed and breakfast establishment shall not include an eating establishment, hotel, motel or any other form of tourist establishment.

### **Boarding, Lodging or Rooming House**

Means a single detached dwelling house, containing not more than four guest rooms, in which the proprietor supplies lodging, with or without meals, in return for monetary compensation. For the purposes of this By-law a boarding or rooming house shall not include a motel, motor hotel, hotel, bed and breakfast establishment, group home, hospital or any other similar use defined or classified herein. A Boarding, Lodging or Rooming House shall be permitted only by amendment to this By-law.

### **Boat Docking and Launching Facility**

Means a structure used to take a boat into or out of a waterbody or watercourse or to moor a boat. This definition shall include a boat launching ramp, boat lift or dock but shall not include a boat house nor any building used for human habitation or any boat servicing, repair or sales facility.

### **Boat House, Private**

Means a detached accessory building, or structure which is designed or used for the sheltering of a boat or other form of water transportation and may include storage of household equipment incidental to the residential use permitted on the lot but shall not include any areas for human habitation.

### **Building**

Means a structure having a roof, supported by columns or walls or supported directly on the foundation and used for the shelter or accommodation of persons, animals or goods.

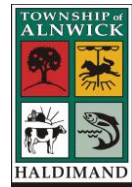
### **Building Area**

Means the greatest horizontal area of a building above grade,

- (a) within the outside surface of exterior walls, or
- (b) within the outside surface of exterior walls and the centre line of firewalls.

### **Building By-law**

Means a By-law passed by the Corporation pursuant to the *Ontario Building Code Act*, and Regulations passed thereunder, as amended.



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### **Building Envelope**

Means an area of a lot within which permitted buildings may be established as determined by the required minimum yards and setbacks.

### **Building Permit**

Means a building permit issued by the Chief Building Official of the Corporation of the Township of Alnwick/Haldimand under the Building By-law.

### **Building Supply Outlet**

Means a building or structure in which building or construction and home improvement materials are offered or kept for sale at retail or wholesale and may include the fabrication of certain related to home improvements and also includes a lumber yard.

### **Bulk Fuel Storage Tank**

Means a tank for the bulk storage of petroleum, gasoline, diesel or other fuels, oil, gas, propane or flammable liquid or fluid but does not include a container for flammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.

### **Bunkhouse**

Means a building or structure that is used for the temporary housing five (5) or more seasonal farm employees and is accessory to a farm operation, but shall not include a dwelling. "Temporary" means that a bunkhouse shall not be used for permanent, year round residential occupation.

### **Business, Professional or Administrative Office**

Means a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatment and for the purposes of this By-law may include the administrative offices of a non-profit or charitable organization.

### **By-law**

Means the Corporation of the Township of Alnwick/Haldimand Comprehensive Zoning By-law.

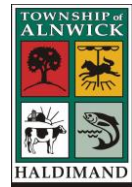
### **By-law Enforcement Officer**

Means an officer or employee of the Corporation of the Township of Alnwick/Haldimand for the time being charged with the duty of enforcing the provisions of this By-law of the Corporation.

### **Cabin, Private**

Means a detached accessory building or structure, located on the same lot as the





principal building or structure, the accessory use being for sleeping accommodation in which sanitary facilities may be provided, but shall not contain cooking facilities. A private cabin does not include a bunkhouse.

### **Camping Park**

Means a tourist trailer park owned and operated by the Corporation or the County, any local board of either the Corporation or the County, any Conservation Authority established by the Government of Ontario, or any Ministry or Commission of the Government of Ontario or Canada.

### **Camping Site**

Means that part of a trailer park or camp which is intended to be occupied by a single trailer, motor home, park model trailer, truck camper, camper or tent.

### **Cannabis Production Facility**

Means a *building* or portion thereof used for growing, producing, packaging, testing, destroying, storing or distribution on a wholesale basis of Cannabis or Marijuana and authorized by a license issued by the federal Minister of Health. This use does not include retail sales from a Provincially license cannabis/marijuana retail facility.

### **Carport**

Means a portion of a dwelling house which is a roofed enclosure designed for the storage or parking of a motor vehicle with at least 40 percent of the total perimeter, which shall include the main wall of the dwelling house to which such carport is attached, open and unobstructed.

### **Cartage or Transport Depot**

Means a building, structure or place where trucks or tractor trailers are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers, and which may include a bonded warehouse.

### **Cemetery**

Means land that is set apart or used as a place for the interment of the dead within the meaning of the *Cemeteries Act*, as amended. A cemetery may include such accessory uses as mausoleums, crematoriums and columbariums.

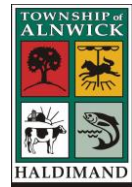
### **Certificate of Occupancy**

Means a certificate issued by the Chief Building Official for the occupancy of any land, building, excavation or structure to the effect that the proposed use or activity complies with this By-law.

### **Chief Building Official**

Means the officer employed by the Corporation of the Township of Alnwick/Haldimand as is appointed under the Building By-law and shall include any





inspector likewise appointed.

### **Commercial Club**

Means a building or part of a building where a club is operated for gain or profit and may include facilities for physical fitness and recreation.

### **Commercial Kennel**

Means a building or structure where more than three (3) dogs are kept or bred on a commercial basis, but shall exclude the boarding of dogs.

### **Community Centre**

Means any tract of land, or building or buildings or any part of any building used for community recreational and/or social activities whether used for commercial purposes or not, the control of which is vested in the Township, a local board or agent thereof, including any building, structure or facility established as a Community Recreation Centre within the meaning of the *Community Recreation Centres Act*. Ancillary uses may include meeting rooms and a banquet hall and related kitchen facilities.

### **Concrete Batching Plant**

Means a building or structure designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process, and which is of permanent construction.

### **Portable Concrete Batching Plant**

Means a concrete batching plant which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

### **Condominium**

Means the ownership of individual units in a multiple-unit building or multiple-unit development, with common elements or the ownership of vacant land with common elements, established under the provisions of the *Condominium Act*.

### **Conservation**

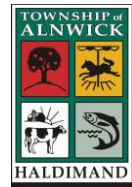
Means the preservation, protection and improvement of the components of the natural environment through comprehensive management and maintenance for both the individual or public uses both in the present and in the future.

### **Conservation Authority**

Means the Lower Trent Region Conservation Authority or the Ganaraska Region Conservation Authority, corporate bodies established under the *Conservation Authorities Act*, R.S.O. 1990.

### **Contractor or Tradesman's Yard**

Means a yard of any building trade or contractor where equipment and material are



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stored or where a contractor performs shop or assembly work, but does not include any other yard or establishment otherwise defined or classified herein. This definition includes any building or shop situated on the same property.

**Convenience Store**

Means a retail commercial establishment supplying groceries and other daily household conveniences to the immediate surrounding area.

**Corporation**

Means the Corporation of the Township of Alnwick/Haldimand.

**Cottage, Housekeeping**

Means one of a group of buildings in a tourist establishment designed for human habitation and equipped with a kitchen, which has a common private piped water supply with other such buildings in the group.

**Cottage, Tourist**

Means a building to accommodate one or more guests, which contains at least two rooms, that is at least partially furnished and in which the guest is permitted to prepare and cook food, but shall not include a seasonal dwelling as herein defined.

**Council**

Means the Municipal Council of the Corporation of the Township of Alnwick/Haldimand.

**County**

Means the Corporation of the County of Northumberland.

**County Road**

Means a street or road under the jurisdiction of the Corporation of the County of Northumberland.

**Craft Shop**

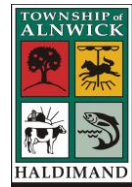
Means a building or part of a building where crafts, souvenirs and other similar items are offered or kept for sale at retail to the general public.

**Custom Workshop**

Means a building or part of a building used by a trade, craft or guild for the manufacture in small quantities of made to measure clothing or articles including the sale of such products at retail, and, for the purpose of this By-law shall include upholstering but does not include metal spinning, woodworking or furniture manufacture.

**Day Nursery**

Means a facility operated for pre-school age children within the meaning of the



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*Day Nurseries Act*, as amended.

**Development**

Means the construction, erection or placing of one or more buildings or structures of any kind on land or the making of an addition or alteration to a building or structure which has the effect of increasing the size or usability thereof, and includes related activities such as site alteration. For the purposes of this definition “site alteration” means activities such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site and includes the laying out and establishment of a commercial parking lot. For the purposes of this definition, “fill” means earth, sand, gravel, building materials, rubble, rubbish, garbage, or any other material whether similar to or different from any of the aforementioned materials, whether originating on the site or elsewhere, used or capable of being used to raise, lower, or in any way affect or alter the contours of the ground.

**Drive-Through Facility**

Means premises 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 stacking aisle. A drive-through facility may be in combination with other uses, such as a financial institution, eating establishment, or take-out eating establishment. A drive-through facility does not include a vehicle washing establishment or vehicle fuel station.

**Dry Cleaning Establishment**

Means a building or portion thereof where dry cleaning, dying, cleaning or pressing of articles or goods of fabric is carried on.

**Dry Cleaning or Laundry Outlet**

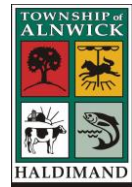
Means a building or portion thereof used for the purpose of receiving and distributing articles or goods or fabric to be subjected to the process of dry cleaning or cleaning elsewhere, and shall not include a Dry Cleaning Establishment as defined in this By-law.

**Dwelling**

Means a building or part thereof containing one or more dwelling units but does not include a tent, tourist trailer, park model trailer, camper, mobile home, houseboat, bunkhouse or a room or suite of rooms in a rooming house, hotel, motel, tourist home or institution.

**Dwelling, Accessory**

Means a single detached dwelling where such dwelling is ancillary to a permitted non-residential use and is occupied by the owner, operator, manager, caretaker, or other similar person, and family, as are employed on the lot on which such dwelling is located.



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**Dwelling, Coach House**

Means one (1) additional dwelling unit on a lot that is located within an accessory building or structure.

**Dwelling, Converted**

Means a dwelling originally constructed as a single detached dwelling which has been subsequently altered, converted or enlarged so as to provide therein a maximum of two dwelling units.

**Dwelling, Duplex**

Means the whole of a dwelling that is divided horizontally into two separate dwelling units, each of which has a separate independent entrance either directly from the outside or through a common vestibule.

**Dwelling, Modular**

Means a single detached dwelling that is constructed by assembling manufactured modular units each of which comprises at least one room or living area, and has been manufactured to comply with CSA Standard A277, or equivalent standard in accordance with the Ontario Building Code.

**Dwelling, Multi-Unit**

Means the whole of a dwelling that contains three or more dwelling units and each dwelling unit has an independent entrance either from the outside or through a common corridor.

**Dwelling, Row**

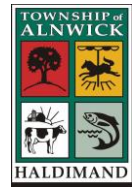
Means a series of three (3) to six (6) attached dwelling units under a common roof, which may be staggered, with each dwelling unit being attached above and below finished grade to another dwelling unit or units by a continuous fully attached unpierced vertical party wall without openings from basement or cellar to roof, with each dwelling unit having a separate, independent entrance directly from the outside.

**Dwelling, Secondary**

Means a self-contained dwelling unit located within a single detached dwelling; or dwelling unit located in a semi-detached, duplex, or townhouse dwelling; or dwelling unit within a detached building or structure ancillary to a single detached, semi-detached, duplex, or townhouse dwelling located on the same lot.

**Dwelling, Seasonal**

Means a single detached dwelling used for recreation purposes but not occupied continuously or as a principal or permanent residence.



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**Dwelling, Semi-Detached**

Means two vertically attached dwelling units having a continuous, fully-attached common masonry wall where the units overlay, above and below finished grade connecting the two dwellings, each of which has a separate independent entrance directly from outside.

**Dwelling, Single Detached**

Means a detached dwelling containing not more than one dwelling unit.

**Dwelling Unit**

Means a suite operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities. The word "suite" in this definition means "a single room or series of rooms of complementary use, and operated under a single tenancy."

**Dwelling Unit, Accessory**

Means a dwelling unit located in a portion of a non-residential building, except as noted herein, which is ancillary to a permitted non-residential use located on the same property, and is occupied by the owner, operator, manager, caretaker, or other similar person, as are employed in an activity permitted on the property. An accessory dwelling unit for farm-related use may be located as a second-dwelling unit within a farm-related dwelling.

**Dwelling Unit, Apartment**

Means a dwelling unit consisting of one (1) bathroom and three (3) or more habitable rooms.

**Dwelling Unit, Bachelor**

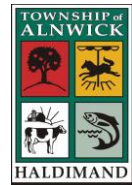
Means a dwelling unit consisting of one bathroom and not more than two (2) habitable rooms providing therein living, dining, sleeping and kitchen accommodation in appropriate individual or combination room or rooms.

**Dwelling Unit, Condominium**

Means a dwelling unit in a building designated or described as a separate unit on a Registered Condominium Plan registered pursuant to the *Condominium Act* and intended for human habitation, and includes any interest in land pertaining to ownership of a unit.

**A Dwelling Unit Area**

Means the habitable area contained within the inside walls, excluding the thickness of the outside walls, of a dwelling unit, excluding any private garage, carport, porch, veranda, cellar, the unfinished portion of any attic or basement or sunroom (unless such sunroom is habitable in all seasons of the year); and, excluding public or



common hall areas or stairways in dwelling houses containing more than one dwelling unit.

### **Eating Establishment**

Means a building or part of a building where food is offered for sale or sold to the public for immediate consumption and includes a restaurant, dining room, café, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar or refreshment room or stand; but does not include a bed and breakfast establishment.

### **Eating Establishment, Take-Out**

Means a building or part of a building designed, intended or used for the sale of food and refreshments to the general public but which does not include any provision for consumption of the food by the customer while in his vehicle, within the building or elsewhere on the site.

### **Eave**

Means a roof overhang, free of enclosing walls, without supporting columns.

### **Elderly Persons Centre**

Means any facility intended primarily for the use of elderly persons for purposes which include social, cultural, athletic or recreational activities, and shall include any centre established under the *Elderly Persons Centres Act*.

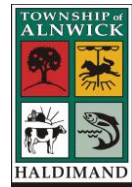
### **Equipment Sales, Rental and Repair Establishment**

Means a building or part of a building, structure or yard in which articles, machinery and equipment, including heavy machinery and equipment, are serviced or repaired and may be offered or kept for rent, lease or hire under agreement for compensation.

### **Erect**

Means setting up, building, constructing, reconstructing and relocating and, without limiting the generality of the work, also includes:

- (a) any preliminary physical operation, such as excavating, filling or drainage;
- (b) altering any existing building or structure by an addition, enlargement, extension, relocation or other structural change;
- (c) any work for the undertaking of which a building permit is required under the Building By-law or the *Building Code Act* and Regulations, as amended; and
- (d) erect, erected and erection shall have a corresponding meaning.



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### **Established Building Line**

Means the average setback from the street line of existing buildings located on one side of the street where three (3) or more of the lots having street access, and located within 300 metres (984.25 ft.) of each other, have been built upon.

### **Existing**

Means existing on the date of passing of this By-law. Where a Special Zone provision refers to buildings or structures existing as of a specific date, then the word "existing" in that Special Provision shall be deemed to mean that date.

### **Factory Outlet**

Means a building or part of a building accessory to a permitted industrial use where the products manufactured by that industry are kept for wholesale or retail sale.

### **Fairground**

Means an outdoor area where a fair or other public events take place, which may include amusement rides (carousel), games and other entertainment attractions, craft sales, food vendors and farm gate sales.

### **Farm**

Means land used for agriculture and includes a single detached dwelling and buildings and structures, such as barns and silos, which are incidental to the operation of the farm.

### **Farm Implement and Equipment Sales and Service Establishment**

Means a building, structure or area where farm implements, equipment and farm supplies are kept for sale at retail and may include facilities for the servicing of such implements or equipment but shall not include any other establishment otherwise defined or classified herein.

### **Farm Produce Retail Outlet**

Means a building, or part of a building, in which farm produce, exclusive of meat or poultry, is offered for sale at retail, but shall not include the sale of farm produce which has been reprocessed nor shall it include a slaughter house.

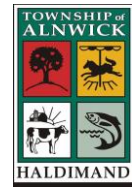
### **Feed Mill**

Means a full farm service centre including a feed manufacturing/processing plant, grain elevators, grain or feed storage silos or bins, a retail farm supply store including the sale of farm chemicals and storage tanks and equipment for handling liquid nitrogen and fertilizers, gasoline and diesel fuel tanks to service the vehicles and equipment of the operator.

### **Flea Market, Commercial**

Means a building or open area in which stalls or sales areas are set aside for use by various unrelated individuals to sell articles that are homemade, home-grown,





handcrafted, old, obsolete, or antique and may include the selling of goods at retail by businesses or individuals who are generally engaged in retail trade.

**Flood Plain**

Means the area, usually low land adjoining a watercourse, including Rice Lake and Lake Ontario, which has been or may be covered by flood waters, as determined in conjunction with the Conservation Authority.

**Flood, Regulatory**

Means the magnitude and intensity of the Hurricane Hazel storm for lands within the jurisdiction of the Ganaraska Region Conservation Authority, and the Timmins Regional Storm for lands within the jurisdiction of the Lower Trent Region Conservation Authority.

**Floor Area**

Means the space on any storey of a building between exterior walls and required firewalls, including the space occupied by interior walls and partitions, but not including exits, vertical service spaces (i.e., spaces to facilitate the installation of building services, including mechanical, electrical and plumbing installations, elevators, etc.) and their enclosing assemblies, and in the case of a dwelling, also excluding any private garage, carport, veranda, and a sunroom (unless such sunroom is habitable all year).

**Floor Area, Gross**

Means the total area of all floors above grade measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of firewalls, except that, in any other occupancy that a residential occupancy, where an access or a building service penetrates a firewall, measurements shall not be taken to the centre line of such firewall.

**Food Supermarket**

Means a building or part of a building wherein food and other household items are kept for sale at retail to the general public and which operates on a self-service, cash and carry basis.

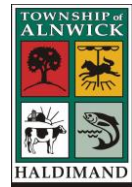
**Forestry**

Means the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection and production of water supplies, and preservation of the recreation resource.

**Fraternal Lodge**

Means a building or part of a building used for the purposes of a club, society or association organized and operated on a non-profit basis exclusively for social





welfare, civic improvement, pleasure or recreation or for any other similar purposes.

**Funeral Home**

Means a building or structure designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation.

**Garage, Private**

Means a detached accessory building or portion of a dwelling which is designed or used for the sheltering of a private motor vehicle and storage of household equipment incidental to the residential occupancy and which is fully enclosed and roofed. For the purposes of this By-law a private garage excludes a carport or other open shelter.

**Garden Nursery Sales and Supply Establishment**

Means a building or part of a building and land adjacent thereto for growing or displaying of flowers, fruits, vegetables, plants, shrubs, trees, or similar vegetation which is sold to the public at retail and shall also include the sale of such goods, products and equipment as are normally associated with gardening or landscaping.

**Golf Course**

Means a public or private area operated for the purpose of playing golf, inclusive of club house facilities, but does not include driving ranges, miniature courses and similar uses.

**Grade, Finished**

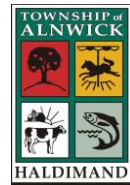
When referenced to a building or structure means the average elevation of the ground immediately surrounding such building or structure but excluding any artificial embankment or entrenchment and when used with reference to a street, road or highway means the elevation of the street, road or highway.

**Greenhouse, Commercial**

Means a building or structure for the growing of flowers, fruits, vegetables, plants, shrubs, trees and similar vegetation, which are not necessarily planted outdoors on the same lot containing such greenhouse, and, which are sold directly from such lot at wholesale or retail but shall not include a cannabis production facility.

**Group Home**

Means a single detached dwelling for the accommodation of three (3) to ten (10) persons, exclusive of staff, living under supervision in a single housekeeping unit, and who by reason of their emotional, mental, social or physical condition or legal status, require a group living environment. A Group Home shall be licensed and/or approved under Provincial or Federal statutes, and in compliance with municipal by-laws. A Group Home shall not include a foster home.



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### **Guest**

Means a person, other than a boarder, who contracts for accommodation and includes all the members of the person's party.

### **Guest Room**

Means a room or suite of rooms used or maintained for the accommodation of an individual or individuals to whom hospitality is extended for compensation.

### **Habitable Room**

Means a room designed for living, sleeping, eating or food preparation, including a den, library, sewing-room or enclosed sunrooms but not including any space in a dwelling used as a lobby, hallway, closet, or bathroom or any room having floor space of less than 4.6 m<sup>2</sup> (49.52 ft.<sup>2</sup>).

### **Hazardous Lands**

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

Definitions of terms used in Section 3.99 shall be as outlined in the Provincial Policy Statement (2005) issued under Section 3 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

### **Height and Height of Building**

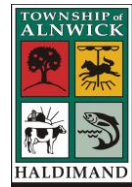
Means the vertical distance, measured between the average finished grade around the perimeter of the building, and:

- (a) in the case of a flat roof, the highest point of the roof surface;
- (b) in the case of a mansard roof, the deck roof line; and
- (c) in the case of a gable, hip or gambrel roof, the average height between the eaves and ridge.

Accessory roof fixtures and facilities, such as chimneys, towers, steeples or television antennas, shall be disregarded in calculating the height of a building.

### **Highway**

Means a highway within the meaning of the *Municipal Act*, as amended,



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and the *Highway Traffic Act*, as amended.

### **Hobby Farm**

Means an agricultural use as defined in this By-law which is carried out on a parcel of land which is 4.9 ha or less in size.

### **Home For The Aged**

Means a home for the aged within the meaning of the *Homes for the Aged and Rest Homes Act*, as amended.

### **Home Industry**

Means a small-scale commercial or industrial establishment that operates entirely within a separate accessory building on the same lot as the home of the proprietor. Home industries include uses such as a carpentry/woodworking shop, a craft shop, a metal/welding shop, an electrical shop, a plumbing shop, small engine repair, a landscaping or landscape contracting business, a nursery greenhouse, a siding/roof installer, a sign-making shop, a taxidermy shop, an appliance repair outlet, a tack shop, a brick layer/masonry operation, a firewood cutting yard, a boat/trailer/R.V. storage facility, and a bus-truck parking and maintenance facility.

### **Home Occupation**

Means an occupation or business conducted for gain or profit entirely within a dwelling or dwelling unit by a person residing therein. Home occupations include uses such as an office for a professional or trades person, an art or photographic studio, a craft shop, a work room for a dressmaker or seamstress, a hairstylist, an art or music teacher, or a similar activity. A home occupation shall include a private-home day care operation in a dwelling or dwelling unit that does not require a license under the *Day Nurseries Act*.

### **Hospice Care Centre**

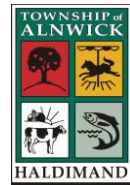
Means a building or part thereof used to provide a combination of active and compassionate programs intended to provide support and enhance the comfort, dignity and quality of life of individuals and their families who are living with or dying from advanced illness or are bereaved.

### **Hospital**

Means any institution, building or other premises established for the treatment of persons afflicted with or suffering from sickness, disease or injury, for the treatment of convalescent or chronically ill persons that is approved under the *Public Hospitals Act* as a public hospital.

### **Hotel**

Means a tourist establishment containing five or more guest rooms served by a common building entrance. Accessory uses may include accommodation for



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permanent staff, dining rooms, beverage rooms, meeting rooms or similar uses.

**Industrial Facility**

Means a facility or activity relating to: the assemblage and/or storage of substances/goods, raw materials; their processing and/or manufacturing; and/or the packaging and shipping of finished products. Industrial facilities are further defined as being either Class I, II or III.

**Class I Industrial Facility**

Means a place of business for a small scale, self-contained plant or building which produces/stores a product that is contained in a package and has low probability of fugitive emissions. Outputs are infrequent, and could be point source or fugitive emissions for noise, odour, dust and/or vibration. There are daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage.

**Class II Industrial Facility**

Means a place of business for medium scale processing and manufacturing with outdoor storage of wastes or materials (i.e., it has an open process) and/or there are periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for noise, odour, dust and/or vibration, and low probability of fugitive emissions. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours.

**Class III Industrial Facility**

Means a place of business for large scale manufacturing or processing, characterized by large physical size, outside storage of raw and finished products, large production volumes and continuous movement of products and employees during daily shift operations. It has frequent outputs of major annoyance and there is high probability of fugitive emissions.

**Landscaped Open Space**

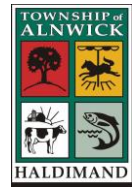
Means the open unobstructed space from ground to sky at finished grade on a lot accessible by walking from the street on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, shrubs and other landscaping and includes any surfaced walk, patio or similar area but does not include any driveway or ramp, whether surfaced or not, any curb retaining wall, parking area of any open space beneath or within any building or structure.

**Lane**

Means a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.

**Laundromat**

Means a building or structure or part thereof where self-service or coin-operated laundry machines, using only water, detergents and additives, are made available to



the public for the purpose of laundry cleaning. This definition does not include dry-cleaning, dyeing or pressing.

**Laundry Establishment**

Means a building or structure used for the purpose of collection, distribution and cleaning of articles or goods of fabric in which only water and detergents can be used.

**Library**

Means a public library within the meaning of the *Public Libraries Act*, as amended.

**Liquor Licenced Premises**

Means any building, structure or premises licensed under the Liquor License Board of Ontario.

**Livestock**

Means beef, dairy, swine, poultry, horses, goats, sheep, ratites, fur-bearing animals, deer and elk, game animals, birds, and other animals identified in Table 1 of the Minimum Distance Separation – Implementation Guidelines (contained in Schedule “C” of this By-law).

**Livestock Facility**

Means one or more barns or permanent structures with livestock-occupied portions, intended for keeping or housing livestock. A livestock facility also includes all manure or material storages and anaerobic digesters.

**Loading Space**

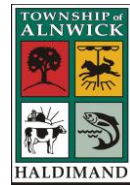
Means an off-street space on the same lot as the building or contiguous to a group of buildings for the temporary parking of a commercial vehicle, while loading or unloading merchandise or materials, which space abuts a street, lane, road, highway or other appropriate means of access.

**Lodge**

Means a tourist establishment containing five or more guest rooms served by a common building entrance or with separate entrances directly from outside the building. Accessory uses may include rental cabins or rental cottages, accommodations for permanent staff, dining rooms, beverage rooms, meeting rooms, recreational facilities and similar uses.

**Lot**

Means a parcel or tract of land that is registered as a legally conveyable parcel of land in the applicable Land Registry Office.



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### **Lot Area**

Means the total horizontal area bounded by the lot lines of a lot, excluding the horizontal area of such lot covered by water or marsh. In the case of corner lots having a road line rounding at the corner of a radius of 6.1 metres (20 ft.) or less the lot area of such lot shall be calculated as if the lot lines were produced to their point of intersection.

### **Lot, Corner**

Means a lot situated at the intersection of two streets, of which two adjacent sides, that abut the intersecting streets, contain an angle of not more than one hundred and thirty-five (135) degrees; where such adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the interior lot lines, provided that 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.

### **Lot Coverage**

Means that percentage of the lot area covered by buildings and structures above ground level and excludes that portion of such lot area which is occupied by a building or portion thereof which is completely below ground level. Lot coverage shall not include balconies, canopies and overhanging eaves, provided none of the foregoing is less than 2.5 metres (8.2 feet) above the finished grade.

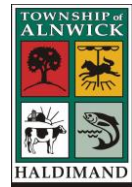
### **Lot Depth**

Means the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, "lot depth" shall mean the length of a straight line joining the middle of the front lot line with the middle of the rear lot line. When there is no rear lot line, "lot depth" shall mean the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

### **Lot Frontage**

Means the horizontal distance between parallel side lot lines measured along a straight front lot line. Where the front lot line is not a straight line or where the side lot lines are not parallel, the lot frontage shall be measured perpendicular to a line joining the mid-points of the front and rear lot lines measured back from the front lot line a distance equivalent to the minimum front yard depth as specified in this By-law. In the case where there is no rear lot line, the lot frontage shall be measured by a line perpendicular to the line joining the mid-point of the front lot line to the apex of the triangle formed by the side lot lines. In the case of a standard waterfront lot, the lot frontage shall be the horizontal distance between the two most widely separated points on any one shoreline of a lot unless the standard waterfront lot abuts a public street in which case the lot frontage shall be deemed to be along the public street. In the case of a through waterfront lot the lot frontage shall be measured in the same way as a standard waterfront lot unless the through waterfront lot abuts a public





street in which case the lot frontage shall be deemed to be along the public street.

**Shoreline Frontage**

Means the horizontal distance between the two most widely separated points on any one shoreline of a lot.

**Lot, Interior**

Means a lot other than a corner lot.

**Lot Line**

Means any boundary of a lot or the vertical projection thereof.

**Lot Line, Front**

Means in the case of an interior lot, the line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting a street or private right-of-way shall be deemed the front lot line and the longer lot line abutting a street shall be deemed an exterior side lot line. In the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line. In the case of a lot fronting on a navigable waterway, the shorter lot line directly adjacent to the navigable waterway.

**Lot Line, Rear**

Means, in the case of a lot having four or more lot lines, the lot line farthest from and opposite to the front lot line. If a lot has less than four lot lines, there shall be deemed to be no rear lot line.

**Lot Line, Side**

Means a lot line other than a front or rear lot line.

**Lot, Standard Waterfront**

Means a lot that may or may not have street access, but has water access on one shoreline only on a navigable waterway.

**Lot, Through**

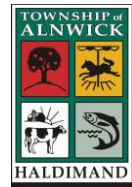
Means a lot bounded on two opposite sides by streets.

**Lot, Through Waterfront**

Means a lot that may or may not have street access, but has water access on one or more shoreline of a navigable waterway.

**Maintenance Depot, Municipal, District or Provincial**

Means any land, building or structure owned by the Corporation of the Township of Alnwick/Haldimand, the County of Northumberland or the Province of Ontario used for the storage, maintenance or repair of equipment, machinery or motor vehicles used in connection with civic works and shall include a public works yard.



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**Manufacturing, Processing, Assembling or Fabricating Plant**

Means a plant in which the process of producing any product, by hand or mechanical power and machinery, is carried on systematically with division of labour.

**Marina**

Means a building, structure or place, containing docking facilities and located on a navigable waterway, where boats and boat accessories are stored, serviced, repaired or kept for sale and where facilities for the sale of marine fuels and lubricants may be provided.

**Marine Dealer**

Means any building, lot or structure where boats and marine equipment is kept for sale at retail and may include the servicing of boats and marine equipment.

**Marine Facility**

Means an accessory building or structure which is used to take a boat into or out of a water body, to moor, to berth or to store a boat. This definition may include a boat launching ramp, boat lift, dock or boathouse, but shall not include any building used for human habitation or any boat service, repair or sales facility.

**Medical or Dental Clinic**

Means a building where members of the medical profession, dentists, chiropractors, osteopaths, optometrists, physicians or occupational therapists, either singularly or in union, provide diagnosis and treatment to the general public without overnight accommodation and shall include such uses as reception areas, offices for consultation, x-ray and minor operating rooms, a pharmaceutical dispensary and a coffee shop, provided that all such uses have access only from the interior of the building.

**Mobile Canteen**

Means any vehicle, whether mechanically propelled, or otherwise, from which food refreshments or merchandise is sold, or offered for sale to the public.

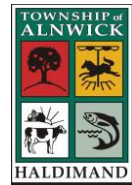
**Mobile Home**

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.

**Mobile Home Park**

Means the land on which one or more occupied mobile homes are located, and includes the rental units and the land, structures, services and facilities of which the landlord retains possession and that are intended for the common use and





enjoyment of the tenants of the landlord.

**Motel**

Means an establishment which consists of one or more than one building containing more than one rental unit for the purpose of catering to the travelling public, to whom the motor vehicle is the principal means of transportation, by furnishing sleeping accommodation with or without meals, may include permanent staff accommodation and may or may not be licensed under the *Liquor License Act*.

**Motor Home**

Means a self-propelled vehicle designed for the temporary living, sleeping or eating accommodation of persons including a truck camper.

**Motor Vehicle**

Means a motor vehicle within the meaning of the *Highway Traffic Act*, as amended.

**Motor Vehicle, Commercial**

Means a commercial motor vehicle within the meaning of the *Highway Traffic Act*, as amended.

**Motor Vehicle, Derelict**

Means a motor vehicle within the meaning of the *Highway Traffic Act*, as amended, whether or not same is intended for use as a private passenger motor vehicle or not, which is inoperable and has no market value as a means of transportation or has a market value as a means of transportation that is less than the cost of repairs required to render the said motor vehicle operable.

**Motor Vehicle, Snow**

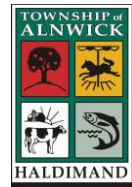
Means a motorized snow vehicle within the meaning of the *Motorized Snow Vehicle Act*, as amended.

**Motor Vehicle Body Shop**

Means a building or structure used for the painting or repairing of motor vehicle bodies, exterior and undercarriage, and in conjunction with which there may be a towing service and motor vehicle rentals for customers while the motor vehicle is under repair, but shall not include a salvage yard operation or any other establishment otherwise defined or classified in this By-law.

**Motor Vehicle Dealership**

Means a building or structure where a licensed dealer displays new or used motor vehicles for sale or rent in conjunction with which there may be a motor vehicle repair garage, a motor vehicle service station, a motor vehicle gasoline bar or a motor vehicle body shop.



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### **Motor Vehicle Fuel Establishment**

Means one or more pump islands, each consisting of one or more fuel pumps, and a shelter having a floor area of not more than 9 m<sup>2</sup>, and may include facilities for the refilling of propane tanks and the changing of oil, greasing and lubricating of motor vehicles, including the sale of accessories, antifreeze and additives.

### **Motor Vehicle Rental Establishment**

Means a building or structure where motor vehicles are kept for rent, lease or hire under agreement for compensation.

### **Motor Vehicle Repair Garage**

Means a building or structure where the services performed or executed on motor vehicles for completion shall include the installation of exhaust systems, repair of the electrical systems, transmission repair, brake repair, radiator repair, tire repair and installation, rust-proofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar uses and in conjunction with which there may be a towing service, a motor vehicle service station and motor vehicle rentals for the convenience of the customer while the motor vehicle is being repaired.

### **Motor Vehicle Service Centre**

Means a building or structure to accommodate the travelling public by providing an eating establishment and supplying fuel, grease and oil and in conjunction may include a motor vehicle fuel establishment, motor vehicle service station and a motor vehicle repair garage.

### **Motor Vehicle Service Station**

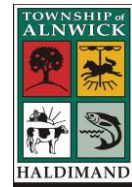
Means a building where gasoline, propane, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, spark plugs, batteries and automotive accessories for motor vehicles, or similar automotive products are stored or kept for sale to the general public, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, or where only minor mechanical or running repairs essential to the actual operation of motor vehicles are executed or performed.

### **Motor Vehicle Wash**

Means a building or structure containing facilities for washing motor vehicles for profit or gain either using production line methods and mechanical devices or by a self-service operation, and for the purpose of this By-law may include a motor vehicle fuel establishment.

### **Museum**

Means a depository, open to the public, which acquires, conserves, researches, communicates and exhibits, for purposes of study, education, enjoyment, objects having scientific, cultural, historical or artistic value.



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### **Natural Heritage Features and Areas**

Means features and areas, including significant wetlands, significant coastal wetlands, fish habitat, significant woodlands south and east of the Canadian Shield, significant valley lands south and east of the Canadian Shield, significant habitat of endangered species 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.

Definitions of terms used in Section 3.157 shall be as outlined in the Provincial Policy Statement (2005) issued under Section 3 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

### **Non-Complying Use**

Means an existing use which is a permitted use in the zone in which the said use is situated, but which does not meet the standards set for some other provision or regulation required by this By-law such as minimum frontage, depth, area, setbacks, etc.

### **Non-Conforming Use**

Means an existing use which is not a permitted use in the zone in which the said use is situated.

### **Noxious**

Means, when used with reference to any use or activity in respect of any land, building or structure or a use or activity which, from its nature or from the manner of carrying on same, creates or is liable to create, by reason of destructive gas or fumes, dust, objectionable odour, noise or vibration or unsightly storage of goods, wares, merchandise, salvage, machinery parts, junk waste or other materials, a condition which may become hazardous or injurious in regards to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use or activity in respect of any land, building or structure.

### **Nursing Home**

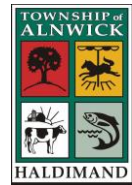
Means any premises maintained and operated for persons requiring nursing care, which is licensed under the *Nursing Homes Act*, as amended.

### **Outside Display and Sale**

Means the outdoors display and sale of goods or merchandise as an accessory activity to a permitted use that is carried out within a building on the same lot, and which shall not extend onto any adjoining lot.

### **Outside Storage**

Means an accessory storage area outside of the principal or main building on the lot.



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### **Park, Private**

Means any open space area other than a public park which is owned, operated and maintained in whole or in part for profit on a commercial or private member basis and which may include therein one or more of the following facilities and activities: swimming, wading, boating facilities, picnic areas, cross country and downhill ski areas, facilities for the serving of meals and the retail sale of sports equipment or provision of accessory health and fitness facilities, but for the purpose of this by-law shall not include trailer park or camp.

### **Park, Public**

Means any open space area, owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario or Government of Canada and may include therein neighborhood, community, regional and special parks or areas and may include one or more athletic fields, field houses, bleachers, swimming pools, greenhouses, botanical gardens, zoological gardens, bandstands, skating rinks, tennis courts, bowling greens, refreshment rooms, fair grounds, golf courses, or similar uses including accessory buildings, but for the purpose of this By-law shall not include a trailer park or camp.

### **Park Model Trailer**

Means a recreational unit which is built on a single chassis mounted on wheels, designed to facilitate relocation from time to time, is designed as living quarters for seasonal camping and may be connected to those utilities necessary for operation of installed fixtures and appliances, and it has a gross floor area, including lofts not exceeding 50 m<sup>2</sup> (538.21 ft.<sup>2</sup>) when in the set up mode, and having a width no greater than 2.6 metres (8.5 ft.) in the transit mode.

### **Parking Angle**

Means the angle which is equal to or less than a right angle, formed by the intersection of the side of the parking space and line parallel to the aisle.

### **Parking Area**

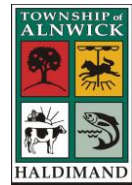
Means an area provided for the parking of motor vehicles and may include aisles, parking spaces, pedestrian walkways, and related ingress and egress lanes, but shall not include any part of a public street.

### **Parking Lot**

Means any parking area other than a parking area accessory to a permitted use.

### **Parking Space**

Means an area, exclusive of any aisles, ingress or egress lanes, for the parking or storage of motor vehicles and may include a private garage.



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### **Person**

Means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

### **Pit**

Means land or land under water from which unconsolidated aggregate including gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock, or other material prescribed under the *Aggregate Resources Act*, is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or structure on the excavation site. A pit does not include a wayside pit as defined in this By-law.

### **Pit or Quarry, Wayside**

Means a temporary pit or quarry opened under the authority of a wayside permit issued under the *Aggregate Resources Act* and used by or for a public authority solely for the purposes of a particular project or contract of road construction, and not located on the road right-of-way.

### **Place of Entertainment**

Means a motion picture or other theatre, public hall, billiard or pool room, a bowling alley, ice or roller skating rink, dance hall or music hall or any similar use intended for entertainment functions.

### **Place of Worship**

Means a building dedicated to religious worship and includes a church, synagogue or assembly hall and may include such accessory uses as a nursery school, a school of religious education, convent, monastery or parish hall.

### **Planting Screen**

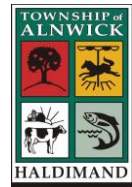
Means a continuous hedgerow of evergreen trees or shrubs, not less than 1.5 metres (4.92 ft.) in height, immediately adjacent to the lot line or portion thereof along which such planting screen is required herein.

### **Portable Asphalt Plant**

Means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process and which is not of permanent construction, but is designed to be dismantled and moved to another location as required.

### **Portable Concrete Batching Plant**

See "Concrete Batching Plant"



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**Portable Processing Plant**

Means equipment for the crushing, screening or washing of sand and gravel aggregate materials, but does not include a concrete batching plant or an asphalt plant, which equipment is capable of being readily drawn or readily propelled by a motor vehicle and which equipment is not considered permanently affixed to the site.

**Post Office**

Means a building or structure or part thereof, used for the sale of postal products and/or the distribution, collection and sorting of mail.

**Postal Outlet**

Means a building or structure or part thereof authorized by Canada Post to provide over-the-counter postal services and agency services to the public.

**Principal or Main Building**

Means the building in which is carried on the principal purpose for which the lot is used.

**Private Club**

Means a building or part of a building used for the purposes of a non-profit, non-commercial organization which includes social, cultural, athletic or recreational activities.

**Private Home Daycare**

Means the temporary care for compensation of five (5) children or less who are under ten (10) years of age, where such care is provided in a private residence, other than the home of a parent or guardian of any such child, for a continuous period not exceeding twenty-four (24) hours. Private home day care shall not include a Day Nursery as defined in the By-law.

**Provincial Highway**

Means a street or road under the jurisdiction of the Province of Ontario.

**Public Authority**

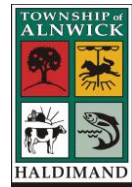
Means Federal, Provincial, County or Municipal agencies, and includes any commission, board, authority or department established by such agency.

**Public Works Yard**

See "Maintenance Depot"

**Quarry**

Means land or land under water from which consolidated aggregate is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or structure on the excavation site. A quarry



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does not include a wayside quarry as defined in this By-law.

**Recreational Use, Active**

Means a recreational use or activity with buildings or which requires alterations of soil or topography and includes such activities as golf courses, playing fields, trailer parks, campgrounds and conservation areas involving built structures.

**Recreational Use, Passive**

Means an activity or use of land carried out for recreational purposes which does not require the construction of buildings or the alteration of soil or topography and includes open space and environmental areas.

**Recreational Establishment**

Means a billiard or pool hall, bowling alley, curling or skating rink or similar use.

**Recreational Vehicle Dealership**

Means a building or structure where a licensed dealer displays new recreational vehicles, including motorcycles, all-terrain vehicles and snowmobiles, for sale or rent in conjunction with which there may be a recreational vehicle repair garage and gasoline bar.

**Recycling Facility**

Means enclosed or unenclosed premises for the collection, composting, sorting, processing, or temporary storage of recyclable materials such as glass, tins, paper, plastic and other non-hazardous recyclable materials but does not include unlicensed motor vehicles, trees, tires, metal, salvage, liquids or hazardous wastes.

**Rental Cabin or Rental Cottage Establishment**

Means a tourist establishment designed to accommodate one group travelling together in a detached building or in one of 2 such buildings which have a common wall, in accordance with all regulations set out in this By-law.

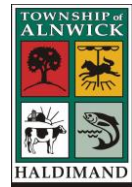
**Repair**

Means the provision of such facilities and the making of additions or alterations or the taking of such actions as may be required so that the property shall be in good condition. "Repair" shall be synonymous with the terms "reconstruct" and "renovate".

**Resort**

Means a tourist establishment that operates throughout all or part of the year and that has facilities for serving meals and furnishing equipment, supplies or services to persons in connection with recreational purposes.





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**Retail Commercial Establishment**

Means a building, or part of a building, in which goods, wares, merchandise, substances, articles or services are offered or kept for sale at retail or on a rental basis.

**Riding School or Boarding Stable**

Means an area of land or buildings which is/are used as an education centre for horse training, handling, care or for the lodging of horses. It may include accessory buildings for human habitation.

**Right-of-Way, Private**

Means a private road which affords access to abutting lots and does not include a lane, street, road or highway as herein defined.

**Salvage Yard**

Means a place where goods, wares, merchandise, articles or things are processed for further use and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open. This definition may include a junk yard, a scrap metal yard and a motor vehicle wrecking yard or premises. A Salvage Yard shall not include an establishment where the principal or main use of a lot is the storage and/or recycling of use vehicle tires.

**Sanitary Landfill Site**

See "Waste Disposal Area"

**Sanitary Sewer**

Means an adequate system of underground conduits, operated either by the Corporation or by the Ministry of the Environment Conservation and Parks (MOECP), which carries sewage to an adequate place of treatment which meets with the approval of the Ministry of the Environment Conservation and Parks (MOECP).

**Satellite Dish**

Means a device designed to receive communication signals from a satellite.

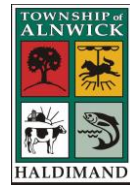
**Saw and/or Planing Mill**

Means a building, structure or area where timber is cut, sawed or planed, either to finished lumber, or as an intermediary step and may include facilities for the kiln drying of lumber and may or may not include the distribution of such products on a wholesale or retail basis.

**School, Public**

Means a school under the jurisdiction of a Board as defined by the Ministry of Education.





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### **Seasonal Camp**

Means an establishment that is owned and operated by a private club or organization for the boarding and lodging of children during the summer months only, and may include such activities as boating, riding and archery.

### **Sensitive Land Use**

Means a building, amenity area or outdoor space where routine or normal activities occurring at reasonably expected times would experience one or more adverse effect(s) such as noise, vibration, odours and other air emissions, litter, dust and other particulates, and other contaminants, generated by a nearby industrial facility or land use. The sensitive land use may be a part of the natural or built environment. Depending upon the particular facility or land use involved, a sensitive land use and associated activities may include, but are not limited to, one or a combination of:

- (a) residences, uses or facilities where people sleep, for example, dwellings, nursing homes, hospitals, trailer parks, camp grounds, mobile home parks, etc. These uses are considered to be sensitive 24 hours/day;
- (b) permanent institutional uses such as schools, churches, municipal offices, libraries, community centres, and day care centres); and
- (c) community and neighborhood parks and playgrounds.

### **Service Shop**

Means a building or part of a building for the servicing or repairing of articles, goods or materials other than heavy machinery or equipment, or motor vehicles.

### **Service Shop, Personal**

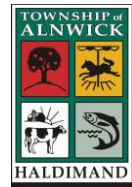
Means a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, such as a barber's shop, hairdressing establishment or other similar services.

### **Setback**

Means the horizontal distance from the property line, measured at right angles to such property line, to the nearest part of any building or structure on the lot; not withstanding setback requirements to street centreline shall be as discussed in Section 4.28 of this By-law.

### **Sewage Treatment Facility**

Means a building or structure approved by the Ministry of Environment and Climate Change (MOECC), where domestic and/or industrial waste is treated.



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### **Shipping Container**

Means any container that was used for the transport of goods by means of rail, truck or by sea that is strong enough to be suitable for the repeated use and includes but is not limited to inter-modal Shipping Containers, the body of a transport trailer or a straight truck box.

### **Shopping Centre**

Means a group of commercial uses, which has been designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants, as distinguished from a business area comprising unrelated individual uses.

### **Sight Triangle**

Means the triangular space formed on a corner lot by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being 9 metres (29.53 ft.) measured along the street line from the point of intersection of the street lines. Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines. This definition shall also include the sight triangle formed on a corner lot at the intersection of a rail line and a street.

### **Sign**

Means any identification, description, illustration or device illuminated or non-illuminated including any supporting structure that is visible from any public place or located on private property and exposed to the public which directs attention to a product, service, place, activity, person, institution, business or solicitation. Without limiting the generality of the foregoing, a sign includes any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, placard or temporary sign designed to advertise, identify or convey information, but sign does not include window displays and flags or emblems of patriotic, civic, educational, religious organizations or private clubs.

### **Storey**

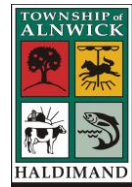
Means the portion of a building that is situated between the top of any floor and the top of the next floor above it, or that is situated between the top of the floor and the ceiling above the floor, if there is no floor above it.

### **Storey, First**

Means the lowest storey of a building closest to finished grade having its ceiling 1.8 metres (5.9 ft.) or more above average finished grade.

### **Storey, One-Half**

Means that portion of a building situated wholly or in part within the roof and having its floor level not lower than 1.2 metres (3.94 ft.) below the line where roof and outer wall meet and in which there is sufficient space to provide a distance between



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finished floor and finished ceiling of at least 2.0 metres (6.56 ft.) over a floor area equal to at least 50 percent of the area of the floor next below.

**Storm Sewer**

Means a sewer which carries storm sewage or surface runoff but excludes any sanitary sewer or any combination of sanitary sewers and storm sewers.

**Street or Road**

Means a public highway as defined by the *Municipal Act*, as amended, and the Highway Traffic Act, as amended, which affords the principal means of access to abutting lots and does not include a lane or private right-of-way as defined in this By-law.

**Street or Road, Improved Public**

Means a public street, road or highway under the jurisdiction of the Province of Ontario, the County, or the Corporation, which is constructed to current design standards of the Province, County or Corporation, and which is maintained so as to allow normal vehicular access to adjacent properties throughout all seasons of the year.

**Street Line**

Means the limit of the street or road allowance and is the dividing line between a lot or block and street or road.

**Structure**

Means anything that is erected, built or constructed or parts joined together, the use of which requires location on the ground, or attached to something having location on the ground but does not include a sign, tourist trailer, or mobile home.

**Tillable Hectares**

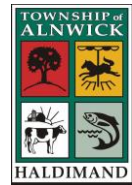
Means the total area of land, including pasture that can be worked or cultivated to grow crops.

**Tourist Establishment**

Means a building, area or facilities designed or used for the accommodation of the travelling or vacationing public, and shall include a lodge, resort, hotel, motel, and a rental cabin or rental cottage establishment, but shall not include a trailer park or camp.

**Tourist Trailer**

Means any portable living unit having no permanent foundation and supported by wheels, jacks or similar supports, used or so constructed as to permit its being used as a conveyance upon public streets or highways and duly licensable as such, and designed and constructed to permit occupancy for temporary living, eating and sleeping accommodation of persons therein, and shall be deemed to



include a tent and shall not be occupied continuously or as a principle residence. This definition does not include appurtenances to a trailer or park model trailer or land-based vehicles originally designed, used or intended for water use.

**Tourist Vehicle**

Means any self-propelled vehicle including a bus, motor home, truck or van, which is equipped for the temporary living, sleeping or eating accommodation of persons. For the purposes of this By-law, "Tourist Vehicle" shall include a Tourist Trailer.

**Township Street or Road**

Means a street or road under the jurisdiction of the Corporation of the Township of Alnwick/Haldimand.

**Trailer**

Means a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn, and, for the purposes of this By-law does not include a mobile home dwelling as defined herein.

**Semi-Trailer**

Means a trailer designed to be operated with the forward part of its body resting upon the body or chassis of a towing vehicle.

**Trailer Converter Dolly**

Means a device consisting of one or more axles, a fifth wheel lower-half and a tow bar.

**Trailer Park or Camp**

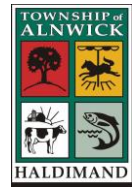
Means a tourist establishment consisting of at least five (5) camping sites and comprising land used or maintained as grounds for the camping or temporary parking of tourist trailers, motor homes, park model trailers, truck campers, campers or tents, but does not include parks or camping grounds maintained by any department of the Government of Ontario or of Canada; or any crown corporation, commission or board.

**Use**

Means, when used as a noun, the purpose for which a lot or building or structure, or any combination thereof, is design, arranged, occupied or maintained and when used as a verb, "USED" shall have a corresponding meaning.

**Vehicle**

Means an automobile, all-terrain vehicle, snowmobile, motorcycle, motor assisted



bicycle, traction engine, farm tractor, road-building machine, self-propelled implement of husbandry, and any other vehicle propelled or driven other than by muscular power, but not including a railroad car or other motor vehicle running only upon rails.

**Veterinarian**

Means a person registered under the provisions of the *Veterinarians Act*, as amended.

**Veterinary Clinic**

Means a building or part of a building in which facilities are provided for the prevention, cure and alleviation of disease and injury to animals, and in conjunction with which there may be temporary sheltering of animals during the treatment period. A Veterinary Clinic shall not include a Commercial Kennel.

**Warehouse**

Means a building or part of a building used for the storage and distribution of goods, wares, merchandise, substances, articles or things, and may include facilities for a wholesale or retail commercial outlet, but shall not include a cartage or transport depot.

**Waste Disposal Area**

Means a place where garbage, refuse or domestic or industrial waste, exclusive of liquid industrial waste, is disposed of or dumped, and, for the purposes of this by-law, may include a sanitary landfill site.

**Waste Transfer Station**

Means premises for the temporary storage of garbage and waste materials awaiting transfer to a permanent solid waste disposal area and may include a recycling depot.

**Watercourse**

Means an identifiable depression in the ground in which a flow of water regularly or continuously occurs.

**Water Supply System, Public**

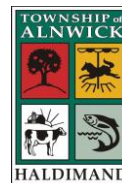
Means an adequate distribution system of underground piping and related storage, including pumping and purification appurtenances operated by a municipal corporation and/or the Ministry of the Environment Conservation and Parks (MOECP) and/or any public utilities commission for public use.

**Water Supply Plant**

Means a building or structure, approved by the Ministry of the Environment Conservation and Parks (MOECP) where water is treated for human consumption.

**Well**

Means an underground source of water which has been rendered accessible by the drilling or digging of a hole from ground level to the water table and may include a



private piped system from a surface water source.

### **Wetlands**

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 plants or other water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purpose of this definition.

### **Workshop**

Means a building or part of a building where fabrication or manufacturing is performed by tradesmen 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 welders shop, or similar uses.

### **Yard**

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

### **Yard, Front**

Means a yard extending across the full width of the lot between the front lot line of the lot and the nearest part of any building or structure on the lot, the nearest outside storage use on the lot, or edge or rim of an excavation on the lot.

### **Yard, Front Depth**

Means the least horizontal dimension between the front lot line of the lot and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge or rim of an excavation on the lot.

### **Yard, Rear**

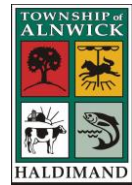
Means a yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge or rim of an excavation on the lot.

### **Yard, Rear Depth**

Means the least horizontal dimension between the rear lot line of the lot and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge or rim of an excavation on the lot.

### **Yard, Required**

Means the minimum yard required by the provision of this By-law.



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**Yard, Side**

Means a yard extending from the required front yard to the required rear yard and from the side lot line of the lot to the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge or rim of an excavation on the lot.

**Yard, Side Exterior**

Means a side yard immediately adjoining a public street.

**Yard, Side Interior**

Means a side yard other than an exterior side yard.

**Yard, Side Width**

Means the least horizontal dimensions between the side lot line of the lot and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or edge or rim of an excavation on the lot.

**Yard, Water**

Means the yard extending from the high water mark on any body of water to the nearest wall of any building or structure on the lot.

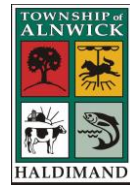
**Zone**

Means a designated area of land shown on Schedule "A" hereto and includes any special zone used in this By-law.

**Zone Provisions**

Means the permissible uses or activities, the minimum area and dimensions of lots, the minimum dimensions of yards, the maximum lot coverage, the minimum setback, the minimum gross floor area, the minimum landscaped open space, the maximum height of buildings, minimum parking area requirements, and all other standards and regulations of the respective Zones as are set out within the By-law.





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## **PART 3B – OAK RIDGES MORaine CONSERVATION PLAN**

### **AREA 3B - DEFINITIONS**

#### **Accessory Use**

Means a use of land, buildings or structures that is normally incidental or subordinate to the principal use, building or structure located on the same lot.

#### **Adverse Effect**

Means any impairment, disruption, destruction or harmful alteration.

#### **Adversely Affect**

Means to have an adverse effect on.

#### **Agricultural Uses**

Means:

- (a) growing crops, including nursery and horticultural crops;
- (b) raising livestock and other animals, including poultry and fish, for food and fur;
- (c) aquaculture; and
- (d) agro-forestry and maple syrup production.

#### **Agriculture-Related Uses**

Means commercial and industrial uses that are:

- (a) small-scale;
- (b) directly related to a farm operation; and
- (c) required in close proximity to the farm operation.

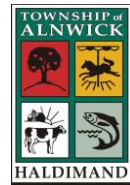
#### **Animal Agriculture**

Means growing, producing and raising farm animals including, without limitation:

- (a) livestock, including equines, poultry and ratites;
- (b) fur-bearing animals;
- (c) bees;
- (d) cultured fish;
- (e) deer and elk; and
- (f) game animals and birds.

#### **Aquifer Vulnerability**

Means an aquifer's intrinsic susceptibility, as a function of the thickness and permeability of overlying layers, to contamination from both human and natural impact on water quality.



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**Area of Natural and Scientific Interest (Earth Science)**

Means an area that has been:

- (a) identified as having earth science values related to protection, scientific study or education; and
- (b) further identified by the Ministry of Natural Resources using evaluation procedures established by that Ministry, as amended from time to time.

**Area of Natural and Scientific Interest (Life Science)**

Means an area that has been:

- (a) identified as having life science values related to protection, scientific study or education; and
- (b) further identified by the Ministry of Natural Resources using evaluation procedures established by that Ministry, as amended from time to time.

**Bed and Breakfast Establishment**

Means an establishment that provides sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive use of guests) for the traveling or vacationing public in up to three guest rooms within a single dwelling that is the principal residence of the proprietor of the establishment.

**Connectivity**

Means the degree to which key natural heritage features are connected to one another by links such as plant and animal movement corridors, hydrological and nutrient cycling, genetic transfer, and energy flows through food webs.

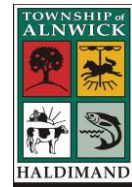
**Development**

Means the creation of a new lot, a change in land use, or the construction of buildings and structures, any of which require approval under the *Planning Act*, the *Environmental Assessment Act*, or the *Drainage Act*, but does not include:

- (a) the construction of facilities for transportation, infrastructure and utilities uses, as described in Section 41 of the Oak Ridges Moraine Conservation Plan by a public body; or
- (b) for greater certainty:
  - (i) the reconstruction, repair or maintenance of a drain approved under the *Drainage Act* and in existence on November 15, 2001; or
  - (ii) the carrying out of agricultural practices on land that was being used for agricultural uses on November 15, 2001.

**Dwelling Unit**

Means one or more habitable rooms, occupied or capable of being occupied as an



independent and separate housekeeping establishment, in which separate kitchen and sanitary facilities are provided for the exclusive use of the occupants.

### **Earth Science Values**

Means values that relate to the geological, soil and landform features of the environment.

### **Ecological Features**

Means naturally occurring land, water and biotic features that contribute to ecological integrity.

### **Ecological Functions**

Means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes, including hydrological functions and biological, physical, chemical and socio-economic interactions.

### **Ecological Integrity**

Which includes hydrological integrity, means the condition of ecosystems in which:

- (a) the structure, composition and function of the ecosystems are unimpaired by stresses from human activity;
- (b) natural ecological processes are intact and self-sustaining; and
- (c) the ecosystems evolve naturally.

### **Endangered Species**

Means any native species, as listed in the regulations under the *Endangered Species Act* that is at risk of extinction throughout all or part of its Ontario range if the limiting factors are not reversed.

### **Farm Vacation Home**

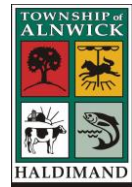
Means an establishment that provides sleeping accommodation (including participation in farm activities, meals, services, facilities and amenities for the exclusive use of guests) for the traveling or vacationing public in up to three guest rooms within a single dwelling that is located on a farm and is the principal residence of the proprietor of the establishment.

### **Fish Habitat**

Means the spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out the life processes, as further identified by the Department of Fisheries and Oceans (Canada).

### **Forest Access Road**

Means a one or two-lane unpaved road that is designed to provide access to and



within a woodland for wildlife, fish and forest management purposes.

### **Forest Management**

Means the management of woodlands, including accessory uses such as the construction and maintenance of forest access roads and maple syrup production facilities:

- (a) for the production of wood and wood products, including maple syrup;
- (b) to provide outdoor recreation opportunities;
- (c) to maintain, and where possible, improve or restore conditions for wildlife; and
- (d) to protect water supplies.

### **Groundwater Recharge**

Means the replenishment of subsurface water:

- (a) resulting from natural processes, such as the infiltration of rainfall and snowmelt and the seepage of surface water from lakes, streams and wetlands; and
- (b) resulting from human intervention, such as the use of stormwater management systems.

### **Habitat of Endangered, Rare and Threatened Species**

Means land that:

- (a) is an area where individuals of an endangered species, a rare species or a threatened species live or have the potential to live and find adequate amounts of food, water, shelter, and space needed to sustain their population, including an area where a species concentrates at a vulnerable point in its annual or life cycle and an area that is important to a migratory or non-migratory species; and
- (b) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

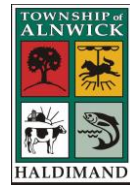
### **Hazardous Waste**

Has the same meaning as in Regulation 347 of the Revised Regulations of Ontario, 1990.

### **Home Business**

Means an occupation that:

- (a) involves providing personal or professional services or producing custom or artisanal products;
- (b) is carried on as a small-scale accessory use within a single dwelling by one or



- more of its residents; and
- (c) does not include uses such as an auto repair or paint shop or furniture stripping.

### **Home Industry**

Means a business that:

- (a) is carried on as a small-scale use that is accessory to a single dwelling or agricultural operation;
- (b) provides a service such as carpentry, metalworking, welding, electrical work or blacksmithing, primarily to the farming community;
- (c) may be carried on in whole or in part in an accessory building; and
- (d) does not include uses such as an auto repair or paint shop or furniture stripping.

### **Hydrological Cycle**

Means the circulation of water from the atmosphere to the earth and back through precipitation, runoff, infiltration, groundwater flow and evapotranspiration, including the occurrence, circulation, distribution, and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

### **Hydrological Features**

Means:

- (a) permanent and intermittent streams;
- (b) wetlands;
- (c) kettle lakes and their surface catchment areas;
- (d) seepage areas and springs; and
- (e) aquifers and recharge areas.

### **Hydrological Functions**

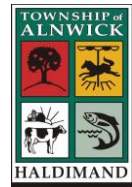
Means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

### **Hydrological Integrity**

Means the condition of ecosystems in which hydrological features and hydrological functions are unimpaired by stresses from human activity.

### **Hydrologically Sensitive Feature**

Means a hydrologically sensitive feature as described in Section 26 of the Oak Ridges Moraine Conservation Plan.



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**Impervious Surface**

Means a surface that does not permit the infiltration of water, such as a rooftop, sidewalk, paved roadway, driveway or parking lot.

**Kame**

Means a mound, hummock or conical hill of glacial origin.

**Kettle Lake**

Means a depression formed by glacial action and permanently filled with water;

**Key Natural Heritage Feature**

Means a key natural heritage feature as described in Section 22 of the Oak Ridges Moraine Conservation Plan.

**Landform Features**

Means distinctive physical attributes of land such as slope, shape, elevation and relief.

**Landform Conservation Area**

Means a landform conservation area as described in Section 30 of the Oak Ridges Moraine Conservation Plan.

**Life Science Values**

Means values that relate to the living component of the environment.

**Liquid Industrial Waste**

Has the same meaning as in Regulation 347 of the Revised Regulations of Ontario, 1990.

**Lot**

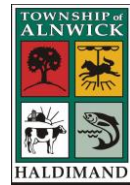
Means a parcel of land that is:

- (a) described in a deed or other document legally capable of conveying an interest in the land; or
- (b) shown as a lot or block on a registered plan of subdivision.

**Low Intensity Recreational Uses**

Means recreational uses that have minimal impact on the natural environment, and require very little terrain or vegetation modification and few, if any, buildings or structures, including but not limited to the following:

- (a) non-motorized trail uses;
- (b) natural heritage appreciation;



- (c) unserviced camping on public and institutional land; and
- (d) accessory uses.

### **Major Development**

Means development consisting of:

- (a) the creation of four or more lots;
- (b) the construction of a building or buildings with a ground floor area of 500 m<sup>2</sup> or more; or
- (c) the establishment of a major recreational use as described in Section 38 of the Oak Ridges Moraine Conservation Plan.

### **Major Recreational Uses**

Are recreational uses that require large-scale modification of terrain, vegetation or both and usually also require large-scale buildings or structures, including but not limited to the following:

- (a) golf courses;
- (b) serviced playing fields;
- (c) serviced campgrounds;
- (d) ski hills.

### **Meander Belt**

Means the land across which a stream shifts its channel from time to time.

### **Mineral Aggregate**

Means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act*, but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, talc, wollastonite, or other material prescribed under that Act.

### **Mineral Aggregate Operation**

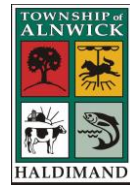
Means:

- (a) an operation, other than a wayside pit, conducted under a license or permit under the *Aggregate Resources Act*; and
- (b) associated facilities used in the extraction, transportation, beneficiation, processing or recycling of mineral aggregate or the production of related by-products.

### **Natural Self-Sustaining Vegetation**

Means self-sustaining vegetation dominated by native plant species.





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**Net Developable Area**

Means the area of a lot or site, less any area that is within a key natural heritage feature or a hydrologically sensitive feature.

**Oak Ridges Moraine Conservation Plan Area and “Plan Area”**

Mean the areas described in Section 1.12(d) of this By-law and as defined in the Oak Ridges Moraine Conservation Plan Regulation 140/02.

**Partial Service**

Means connections linking a building to:

- (a) a communal sewage or water service or a full municipal sewage or water service; and
- (b) an individual on-site sewage or water system.

**Portable Asphalt Plant**

Means a temporary facility, to be dismantled at the completion of a construction project, where:

- (a) equipment is used to heat and dry mineral aggregate and to mix it with bituminous asphalt to produce asphalt paving material; and
- (b) bulk materials used in the process described in Clause (a) are kept.

**Prime Agricultural Area**

Means an area that is:

- (a) designated as prime agricultural land in the relevant official plan; or
- (b) identified through an alternative agricultural land evaluation system approved by the Government of Ontario.

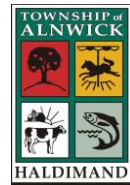
**Prime Agricultural Land**

Means:

- (a) land where fruit and vegetable crops and greenhouse crops are grown;
- (b) agriculturally developed organic soil land; or
- (c) land with Class 1, 2 or 3 soils according to the Canada Land Inventory.

**Rapid Infiltration Basin**

Means a basin or system of basins at or below surface grade that is constructed in porous soil and punctures through a relatively impermeable layer to gain access to a more permeable sand or gravel layer, so as to rapidly infiltrate into the ground, at a single point or area of concentration, surface runoff collected from impervious surfaces.



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### **Rapid Infiltration Column**

Means a column or system of columns at or below surface grade that is constructed in porous soil and punctures through a relatively impermeable layer to gain access to a more permeable sand or gravel layer, so as to rapidly infiltrate into the ground, at a single point or area of concentration, surface runoff collected from impervious surfaces.

### **Rare Species**

Means a native species that is not currently at risk of becoming threatened but, because of its limited distribution, small population or specialized habitat needs, could be put at risk of becoming threatened through all or part of its Ontario range by changes in land use or increases in certain types of human activity.

### **Retirement Home**

Means a building in which:

- (a) accommodation is provided, mainly for retired persons;
- (b) common kitchen and dining facilities are provided for the residents; and
- (c) common lounges, recreation rooms and health care facilities may also be provided for the residents.

### **Sand Barrens**

Means land (not including land that is being used for agricultural purposes and no longer exhibits sand barrens characteristics) that:

- (a) has sparse or patchy vegetation that is dominated by plants that are:
  - (i) adapted to severe drought and low nutrient levels; and
  - (ii) maintained by severe environmental limitations such as drought, low nutrient levels and periodic disturbances such as fire.
- (b) has less than 25 percent tree cover;
- (c) has sandy soils (other than shorelines) exposed by natural erosion; depositional process or both; and
- (d) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

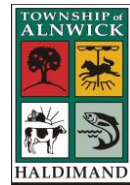
### **Saturated Zone**

Means the zone below the water table where the spaces between soil grains are filled with water.

### **Savannah**

Means land (not including land that is being used for agricultural purposes and no longer exhibits savannah characteristics) that:

- (a) has vegetation with a significant component of non-woody plants, including



tallgrass prairie species that are maintained by seasonal drought, periodic disturbances such as fire, or both;

- (b) has from 25 percent to 60 percent tree cover;
- (c) has mineral soils; and
- (d) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

### **Self-Sustaining Vegetation**

Means vegetation dominated by plants that can grow and persist without direct human management, protection, or tending.

### **Significant**

Means identified as significant by the Ministry of Natural Resources, using evaluation procedures established by that Ministry, as amended from time to time.

### **Single Dwelling**

Means a building containing only one dwelling unit;

### **Site**

Means the land subject to an application.

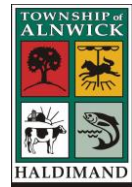
### **Site Alteration**

Means activities such as filling, grading and excavation that would change the landform and natural vegetative characteristics of land, but does not include:

- (a) the construction of facilities for transportation, infrastructure and utilities uses, as described in Section 41 of the Oak Ridges Moraine Conservation Plan, by a public body, or
- (b) for greater certainty:
  - (i) the reconstruction, repair or maintenance of a drain approved under the *Drainage Act* and in existence on November 15, 2001; or
  - (ii) the carrying out of agricultural practices on land that was being used for agricultural uses on November 15, 2001.

### **Small-Scale Commercial, Industrial and Institutional Uses:**

- (a) are supportive of, complimentary to or essential to uses that are permitted in Countryside area of the Oak Ridges Moraine Conservation Plan;
- (b) do not require large-scale modification of terrain, vegetation or both or large-scale buildings and structures; and
- (c) include, but are not limited to:
  - (i) farm implement stores, feed stores and country markets;
  - (ii) portable mineral aggregate crushing plants, portable asphalt plants and composting plants; and



- (iii) schools, places of worship, community halls, retirement homes and cemeteries, intended mainly to serve nearby Rural Settlements within the Plan Area.

**Subwatershed**

Means an area that is drained by a tributary or some defined portion of a stream.

**Surface Catchment Area**

Means the area including and surrounding a kettle lake or wetland, from which surface runoff drains directly into the kettle lake or wetland.

**Sustainable**

When used with respect to a natural resource, means that the natural resource is able to support a particular use or activity without being adversely affected.

**Tallgrass Prairie**

Means land (not including land that is being used for agricultural purposes and no longer exhibits tallgrass prairie characteristics) that:

- (a) has vegetation dominated by non-woody plants, including tallgrass prairie species that are maintained by seasonal drought, periodic disturbances such as fire, or both;
- (b) has less than 25 percent tree cover;
- (c) has mineral soils; and
- (d) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

**Threatened Species**

Means any native species that is at risk of becoming endangered throughout all or part of its Ontario range if the limiting factors are not reversed.

**Time of Travel**

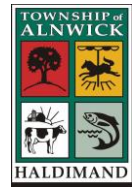
Means the time that is needed for groundwater to travel a specified horizontal distance in the saturated zone.

**Unserviced Park**

Means a park that provides recreational opportunities and facilities, including playing fields, but without outdoor lighting, accessory commercial facilities, paved parking lots or permanent water or sewer facilities;

**Valleyland**

Means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.



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**Watershed**

Means an area that is drained by a river and its tributaries.

**Wayside Pit**

Means a temporary pit opened or used by or for a public body solely for the purpose of a particular project of road construction and not located on the road right-of-way.

**Wellhead Protection Area**

Means the surface and subsurface area surrounding a water well or well field that supplies a public water system and through which contaminants are reasonably likely to move so as eventually to reach the water well or well field.

**Wetland**

Means land such as a swamp, marsh, bog or fen (not including land that is being used for agricultural purposes and no longer exhibits wetland characteristics) that:

- (a) is seasonally or permanently covered by shallow water or has the water table close to or at the surface;
- (b) has hydric soils and vegetation dominated by hydrophytic or water-tolerant plants; and
- (c) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

**Wildlife Habitat**

Means land that:

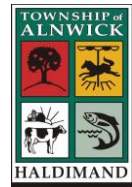
- (a) is an area where plants, animals and other organisms live or have the potential to live and find adequate amounts of food, water, shelter and space to sustain their population, including an area where a species concentrates at a vulnerable point in its annual or life cycle and an area that is important to a migratory or non-migratory species; and
- (b) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

**Woodland**

Means a treed area, woodlot or forested area, other than a cultivated fruit or nut orchard or a plantation established for the purpose of producing Christmas trees.

**Zone of Contribution**

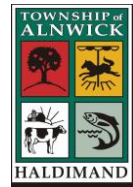
When used in reference to a period of time, means the area within which the water pumped from a well originates during that time.



## Section 4 - General Zone Provisions

The contents of this Section are as follows:

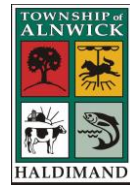
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#### **4.1. Abandoned Equipment and Motor Vehicles Without a Current Validation Sticker**

Notwithstanding the provisions of Section 4.26.8 to the contrary, no person may use any lot in any zone for the parking, storage, or locating of unused or discarded equipment or motor vehicles without a current validation sticker except that:

- 4.1.1 Commercial vehicles normally licensed for only part of the year may be stored on the same lot from which the business they are used in conjunction with is operated, provided that in any Residential Zone such commercial vehicle shall not exceed 1.0 tonne capacity.
- 4.1.2 Such vehicles or equipment may be stored in a completely screened space that is not visible from any road or adjacent dwelling

#### **4.2 Accessory Buildings, Structures and Uses**

##### **4.2.1 Permitted Uses**

Where this By-law provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building or structure or accessory use, but shall not include the following:

- a) any occupation for gain or profit conducted within or accessory to a dwelling unit or on such lot associated therewith, except as is specifically permitted in accordance with this By-law; or
- b) any building used for human habitation except in accordance with this By-law, as is specifically permitted.

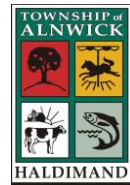
##### **4.2.2 Relation to Street**

###### **4.2.2.1 Residential Zones**

In any residential zone category other than the Rural Residential (RR) Zone, an accessory building or structure, which is not part of the principal or main building on the lot, shall not be erected closer to the street line than the principal or main building on the lot, and shall further be erected in conformity with the yard and setback requirements of the respective Residential Zone except as may otherwise be provided for herein.

###### **4.2.2.2 Non-Residential Zones**

No accessory building or structure shall be erected closer to the street line than the minimum required yard and setback requirements of the respective non-residential zone and, further,



shall not be erected closer than 3.0 metres (9.84 ft.) to an interior side or rear lot line except as may otherwise be provided for herein. Notwithstanding the foregoing, a gatehouse or information kiosk or other similar accessory structure shall be permitted within a required front or side yard or within the area between the street line and the required setback.

#### **4.2.3 Relation to Principal or Main Building**

Except as may otherwise be provided herein, any accessory building or structure, which is not part of the principal or main building, shall not be erected closer than 3.0 metres (9.84 ft.) to the principal or main building. When an accessory building is erected prior to the construction of a principle building, the principle building shall not be erected closer than 3.0 metres (9.84 ft.) to the accessory building.

#### **4.2.4 Lot Coverage and Height**

Except as otherwise provided herein, the total lot coverage of all accessory buildings and structures of a lot shall not exceed five percent (5%) of the lot area and shall be considered in addition to any other lot coverage regulations as specified in this By-law.

Notwithstanding the foregoing, within the General Industrial (MG) Zone, the total lot coverage of all accessory buildings or structures shall not exceed ten percent (10%) of the lot area.

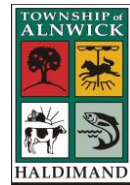
Except as otherwise provided herein, the height of any accessory building or structure shall not exceed 7.5 metres (24.60 ft.) in the Rural Residential (RR) Zone, the Rural (RU) Zone, or Agricultural (A) Zone and 5.0 metres (16.40 ft.) in any other zone, except in the case of the Rural Residential (RR) Zone, the height of the accessory building or structure shall not be higher than the principal or main building on the lot.

Notwithstanding the above, buildings for agricultural/agriculture use in the Rural (RU) and Agricultural (A) Zones shall not exceed 12 m.

Notwithstanding any of the above, the provisions of Section 4.2.16 shall also apply to the height of accessory buildings or structures.

#### **4.2.5 Accessory Structure Encroachments**

Notwithstanding the yard and setback provisions of this By-law to the contrary, drop awnings, clothes poles, flag poles, garden trellises, retaining walls, fences, signs or similar uses which comply with the licensing and/or regulatory By-laws of the Corporation, shall be permitted in any required yard or in the area between the street line and the required setback.



#### **4.2.6 Fire Escapes**

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed fire escapes may project into any required yard a maximum distance of 1.2 metres (3.94 ft.).

#### **4.2.7 Location**

Except as otherwise provided herein, in any Residential zone category any accessory building or structure which is not part of the main building shall be erected:

- (a) to the rear of any required front yard, except as may be permitted by Section 4.2.2.1;
- (b) with a minimum rear yard of 1.2 metres (3.94 ft.);
- (c) with a minimum side yard of 1.2 metres (3.94 ft.); and
- (d) with a minimum separation distance of 1.5 metres (4.92 ft.), from any building, structure, or part thereof, and not to be intruded upon by any awning, canopy, roof, wall or similar structure.

#### **4.2.8 Boat House, Pump House or Dock**

Notwithstanding any other provision of this By-law to the contrary, a boat house, pump house or a dock may be erected and used in the front yard of a lot fronting on a navigable waterway, provided, such accessory buildings or structures are located no closer than 1.2 metres (3.94 ft.) to the side lot line.

#### **4.2.9 Railway Spur in Industrial Zone**

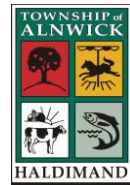
Notwithstanding the yard and setback provisions of this By-law to the contrary, in an Industrial zone, a railway spur shall be permitted within any required side or rear yard, but not within a required planting strip area except for ingress and egress.

#### **4.2.10 Ornamental Structures**

Notwithstanding the yard and setback provisions of this By-law to the contrary, sills, chimneys, cornices, eaves, gutters, parapets, pilasters, or other ornamental structures may project into any required yard or the area between the street line and the required setback a maximum distance of 0.6 metres (1.97 ft.).

#### **4.2.11 Swimming Pools**

Notwithstanding the yard provisions of this By-law to the contrary, an outdoor swimming pool shall only be permitted in an interior side yard or a rear yard of a lot. Such outdoor swimming pool shall not be located within



1.2 metres (3.94 ft.) of the rear or interior side lot lines, and shall not be closer than 3.0 metres (9.84 ft.) to that portion of a rear lot line that adjoins a side lot line of an adjoining lot.

Notwithstanding the above, an outdoor swimming pool shall be permitted in an exterior side yard of a corner lot provided that such outdoor pool shall not be located closer than 3.0 metres (9.84 feet) from an exterior side lot line.

Where an outdoor swimming pool is located in an exterior side yard or a rear yard of a corner lot, the pool shall be within a pool enclosure. A “pool enclosure” shall mean a fence, wall or other structure, including doors or gates, surrounding an outdoor swimming pool designed to restrict access thereto and to visually screen the pool from the street, as regulated by the Township of Alnwick/Haldimand’s swimming pool By-Law.

No water circulating or water treatment equipment such as pumps, filters or heaters shall be located closer than 3.0 metres (9.84 feet) to any side lot line or rear lot line.

#### **4.2.12 Unenclosed Porches, Steps, Patios, Decks and Balconies**

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed porches, steps, patios, decks and balconies, covered or uncovered, may project into any required yard a maximum distance of 1.5 metres (4.92 ft.) but not closer than 1.2 metres (3.94 ft.) to any lot line, provided that in the case of porches, steps or patios such uses are not more than 1.8 metres (5.9 ft.) above grade (measured at the floor surface elevation).

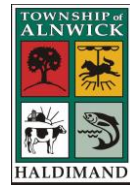
Balconies and decks that are greater than 1.8 metres (5.9 ft.) above grade (measured at the floor surface elevation) shall comply with the applicable minimum required yard of this By-law.

#### **4.2.13 Signs**

The provisions of this by-law shall not apply to prevent the erection, alteration or use of any sign provided such sign complies with any Sign By-law of the Corporation regulating signs.

#### **4.2.14 Temporary Buildings and Structures for Construction Uses**

A tool shed, construction trailer, scaffold or other building or structure incidental to construction is permitted in all Zones within the Corporation on the lot where construction is being undertaken and only for so long as it is necessary for the work in progress and until the work is completed or abandoned. For the purpose of this By-law, “abandoned” shall mean the



failure to proceed expeditiously with the construction work.

#### **4.2.15 Outside Storage as an Accessory Use**

The outside display and storage of goods and materials is permitted only where such a use is accessory to a permitted use, unless specifically stated otherwise in this By-law.

#### **4.2.16 Height Exceptions for Accessory Building and Structures**

Notwithstanding the height provisions herein contained, nothing in this By-law shall apply to prevent the erection, alteration, or use of the following accessory buildings or structures provided the principal use is a use permitted within the Zone in which it is located, namely:

- a church spire,
- a belfry,
- a flag pole,
- a clock tower,
- a chimney,
- a water tank,
- a windmill,
- a communications tower or antenna less than 30 metres (98.43 ft.) in height above average ground level,
- air conditioner duct,
- grain elevator,
- a barn or silo,
- incidental equipment required for processing, and
- external equipment associated with internal building equipment.

#### **4.2.17 Satellite Signal Broadcast or Receiving Dishes**

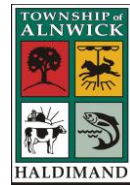
Notwithstanding any other provisions for accessory uses or structures set forth in this By-law, satellite signal broadcast or receiving dishes and their supporting towers shall be permitted in all zones.

A free-standing satellite dish with supporting tower shall comply with the requirements of Section 4.2.7 of this By-law. Notwithstanding this provision, a satellite dish may be mounted on a building.

These requirements shall not apply to satellite signal broadcast or receiving dishes associated with communication towers, as set forth in Section 4.28 "Public Uses".

#### **4.2.18 Bunkhouses**

A Bunkhouse as defined in this By-law shall only be permitted in the Rural (RU) Zone and the Agricultural (A) Zone, and shall only be permitted by an



amendment to this By-law.

### **4.3 Accessory Residential Uses**

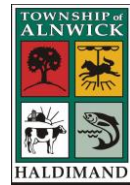
- 4.3.1** A maximum of either one (1) accessory dwelling or one (1) accessory dwelling unit shall be permitted on a lot in Zones where an accessory residential use is permitted.
- 4.3.2** An accessory dwelling shall not be erected, altered or used for residential purposes within 3.0 metres (9.84 ft.) of a permitted non-residential use, and in no case shall a dwelling be erected, altered or used within 7.5 metres (24.60 ft.) of a motor vehicle service station, a motor vehicle repair garage or a motor vehicle dealership.
- 4.3.3** An accessory dwelling unit shall be permitted in a non-residential building other than in a motor vehicle facility or any other non-residential building where the sale, handling or storage of gasoline or other fuels or similar flammable substances is undertaken.

### **4.4 Backyard Hens**

- 4.4.1** The keeping of hens shall be restricted to properties that are zoned to permit a single detached dwelling.
- 4.4.2** The keeping of hens shall be restricted to properties that have a minimum of 0.4 hectares (one acre).
- 4.4.3** A maximum of 6 hens shall be permitted.
- 4.4.4** An enclosure for keeping one or more hens:
  - (a) Shall be located at least 3.0 metres from the side lot line and at least 1.2 metres from the rear lot line of the lot on which the hen coop is located.
  - (b) Shall be located at least 3.0 metres from abutting dwellings.
  - (c) Must be at least 7.5 metres from any church or school.
  - (d) Shall contain an enclosed roof structure and shall be not greater than 3.0 metres by 3.0 metres and no greater than 4.5 metres in height.
  - (e) Shall only be located in the rear yard.

### **4.5 Bed and Breakfast Establishments**

- 4.5.1** A Bed and Breakfast establishment shall be permitted in a single detached dwelling only and shall have a maximum of three (3) guest rooms per



establishment.

- 4.5.2** Bed and Breakfast establishments shall be deemed a Residential use and shall be permitted only in zones where specifically provided for as a permitted use.
- 4.5.3** Bed and Breakfast establishments shall conform to all regulations and requirements of the zone where permitted.
- 4.5.4** Parking shall be in accordance with Section 4.26 of this By-law.
- 4.5.5** Signs for Bed & Breakfast establishments shall comply with the Township's Sign By-law
- 4.5.6** Bed and Breakfast establishments are only permitted in the Limited Service Residential (LSR) Zone by amendment to this By-law.

#### **4.6 Building Spacing**

Except where specifically provided by this by-law, building spacing shall be in accordance with the applicable provisions of the Ontario Building Code.

#### **4.7 Buffer Strip Regulations**

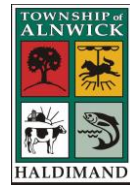
##### **4.7.1 Contents**

A buffer strip shall consist of a visual screen having a minimum height of 1.5 metres (4.92 ft.) above the surrounding ground level and which is uninterrupted for the length of the buffer strip except as described in 4.6.3. A buffer strip shall include a planting screen as defined in this By-law, a fence which provides a visual screen, an earth berm, or any combination of these features. The minimum width of a buffer strip shall be 3 metres (9.84 ft.). However, where an earth berm is to be constructed, the minimum width of the buffer strip shall be the width required to construct a stable earth berm having slopes no greater than a 3:1 horizontal to vertical ratio. The portion of the buffer strip not required for placement of the visual screen shall be used for no other purpose than the planting of shrubs, flower beds, grass or a combination thereof.

##### **4.7.2 Location**

Where the interior side or rear lot line in an Industrial Zone abuts a Residential Zone or a Community and Open Space Zone category, a buffer strip adjoining such abutting lot line, or portion thereof, shall be provided on the lot within the Industrial Zone where a new industrial building, structure or





use is to be established. A buffer strip shall not be required for Industrial buildings, structures or uses in existence prior to the date of passing of this By-law or for vacant land within an Industrial Zone, unless the land is used for vehicle parking or storage purposes. Notwithstanding the foregoing, a buffer strip is required for the redevelopment of an existing Industrial property when there is a change in use.

#### **4.7.3 Interruption for Driveways or Pedestrian Walks**

In all cases where ingress and egress driveways or walks extend through a buffer strip, it shall be permissible to interrupt the strip within 3 metres (9.84 ft.) of the edge of such driveway or within 1.5 metres (4.92 ft.) of the edge of such walk.

#### **4.7.4 Maintenance**

Where a buffer strip is required it shall be constructed and maintained by the owner or owners of the lot on which the strip is located.

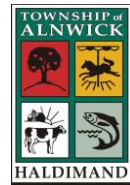
#### **4.7.5 Landscaped Open Space Supplement**

A buffer strip may form part of any landscaped open space required by this By-law.

### **4.8 Cannabis Production Facility**

Within the Township of Alnwick/Haldimand, the growth, cultivation or processing of cannabis shall be classified as an industrial use and shall be subject to the following provisions:

- a) Such use or uses shall only be permitted within the General Industrial (MG) Zone.
- b) No building or structure for a cannabis production facility shall be located less than:
  - I. 30 metres from a property line
  - II. 70 metres from any property within a Residential Zone, Open Space or Community Facility
  - III. 70 metres from a residential use on an abutting property.
- c) Other than a municipal civic address sign, no sign identifying or advertising the cannabis production facility is permitted.
- d) Outside storage, for any purpose is not permitted in association with a cannabis production facility.
- e) The establishment of a cannabis production facility shall be subject to site plan control pursuant to Section 41 of the *Planning Act*.
- f) Where a cannabis production facility abuts a Residential, Open Space or



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Community Facility Zone, a buffer strip is required in accordance with the provisions of Section 4.7 of this By-law.

#### **4.9 Dwelling Unit Under Construction**

Notwithstanding any other provisions of this By-law to the contrary, where a building permit has been issued for a residential dwelling, a mobile home or tourist trailer may be used for temporary human habitation.

Under no circumstances shall a mobile home or tourist trailer be occupied for temporary habitation for more than twelve (12) months from the date of issuance of the building permit, or until such time as the construction is completed and the building is occupied or the building permit has either expired or been revoked, whichever is the lesser period of time.

Such mobile home or trailer shall be situated in conformity with the minimum yard requirements of this By-law, and a permit shall be obtained from the County of Northumberland for an approved temporary sanitary waste disposal system.

#### **4.10 Established Building Line**

Notwithstanding the yard and setback provisions of the 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, as defined in Section 3, such permitted building or structure may be erected closer to the street line or the centreline of the street or navigable waterway, 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 centreline of the street or navigable waterway, as the case may be, than the established building line existing on the date of passing of the By-law.

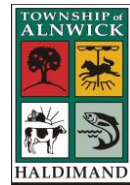
#### **4.11 Existing Buildings, Structures and Uses**

##### **4.11.1 Continuation of Existing Uses**

The provisions of this By-law shall not apply to prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this By-law, so long as it continues to be used for that purpose. Any uses which were illegal prior to the passing of this By-law shall remain illegal after the passing of this By-law.

##### **4.11.2 Non-Conforming Buildings or Structures**

The exterior of any building or structure, which at the date of passing of this



By-law was lawfully used for a purpose not permissible within the Zone in which it is located, shall not be enlarged, extended, reconstructed or otherwise structurally altered, unless such building or structure is thereafter to be used for the purposes permitted within such zone, and complies with all requirements of this By-law for such Zone.

#### **4.11.3 Permitted Interior Alteration**

The interior of any building or structure, which at the date of passing of this By-law was lawfully used for a purpose not permitted within the Zone in which such building or structure is located, may be reconstructed or structurally altered in order to render the same more convenient or commodious for the same purpose for which, at the date of passing of this By-law, such building or structure was lawfully used.

#### **4.11.4 Restoration to a Safe Condition**

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any building or structure or part thereof, lawfully used on the date of passing of this By-law, provided that the strengthening or restoration does not increase the building height, size or volume or change the use of such building or structure in such a manner as to contravene any provisions of this By-law.

#### **4.11.5 Reconstruction of Damaged Existing Buildings or Structures**

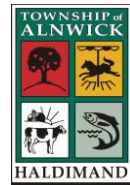
Nothing in this By-law shall apply to prevent the reconstruction of any lawful non-conforming building or structure which is damaged by causes beyond the control of the owner, provided such reconstruction does not increase the building height, size or volume or change the use of such building or structure.

#### **4.11.6 Non-Complying Buildings or Structures**

Nothing in this By-law shall prevent the enlargement, extension, reconstruction, renovation, repair or alteration of a building or structure, which existed at the date of passing of this By-law, which is used for a purpose specifically permitted within the Zone in which such building or structure is located, where such building or structure does not comply with the setback or one or more yards that is or are less than required under the provisions of this By-law provided that the setback or yard or yards that is or are less than required are not further reduced and that all other provisions of this By-law are complied with.

#### **4.11.7 Building Permit Issued**

The provisions of this By-law shall not apply to prevent the erection or use of any building or structure, for a purpose prohibited by this By-law, for which a permit has been issued pursuant to the *Building Code Act* prior to



the date of 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, provided further that the permit has not been revoked pursuant to the *Building Code Act*.

#### **4.11.8 Change of Use**

The use of a lot, building or structure which under the provisions hereof is not permissible within the Zone in which such lot, building or structure is located, shall not be changed, except to a conforming use.

### **4.12 Existing Undersized Lots**

**4.12.1** Where a lot having a lesser lot area and/or lot frontage than required by this By-law is held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry of Land Title Office, at the date of passing of this By-law, or where such a lot is created as a result of an expropriation, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot provided that the proposed use is permitted in the zone which applies to the property and complies with all other requirements of this By-law.

In addition to the above, the use of any existing undersized lot shall be permitted only if the lot can be provided with an adequate supply of potable water, all relevant sewage disposal requirements under the Ontario Building Code are complied with, and an entrance permit is available from the applicable road authority.

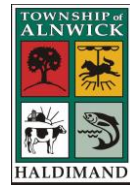
**4.12.2** Notwithstanding the provisions of Section 4.12.1 hereof to the contrary, lots within Reference Deposit (R.D.) Plans shall only be used for a single detached dwelling in accordance with the following:

- (a) the lot shall provide a minimum building area of 1,400 square metres (15,069.97 square feet) outside of any lands zoned Environmental Protection (EP) on the lot;
- (b) the lot shall front upon an improved public street or road; and
- (c) two or more R.D. lots may be merged into a single lot to achieve the above requirements as necessary.

### **4.13 Frontage Requirements**

#### **4.13.1 Public Street**

No person shall erect any building or structure in any Zone unless the lot upon which such building or structure is to be erected fronts upon an improved public street, maintained year round, and further, that such building or structure complies with the setback provisions of this By-law,



except non-residential agricultural buildings such as barns and storage buildings.

#### **4.13.2 Unassumed Road**

Notwithstanding the provisions of 4.13.1 hereof to the contrary, the provisions of this By-law shall not apply to prevent the erection of a permitted building or structure on a lot in a Registered Plan of Subdivision where a properly executed subdivision agreement has been entered into with the Corporation where under the street or streets will not be assumed by the Township until such time as specified in the said agreement.

#### **4.13.3 Navigable Waterway**

Where access to any Residential Zone category is by navigable waterway, no person shall erect any building or structure on a lot unless the lot has water frontage upon the navigable waterway.

#### **4.13.4 Private Right-Of-Way**

4.13.4.1 Notwithstanding the provisions of 4.13.1 hereof, where a building has been erected prior to the date of passage of this By-law on a lot which fronts on a private right-of-way registered on title and provides legal ingress and egress to an improved public street, the provisions of this By-law shall not apply to prevent the enlargement, alteration, extension, renovation or reconstruction of such a building or structure, provided the use of such building or structure is permissible in the zone in which it is located and that all other applicable Zone Provisions of this By-law are complied with.

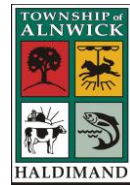
4.13.4.2 If an existing lot is located in a Limited Service Residential (LSR) Zone and if such lot does not abut a public road but does abut a private right-of-way providing access thereto, then the lot shall be exempt from the provisions of Section 4.13.1 hereof, subject to all other applicable provisions of this By-law.

### **4.14 Garden Suites**

#### **4.14.1 Definition and Requirement for Temporary Zoning By-law**

For the purposes of Section 4.14, a “garden suite” means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing dwelling and is designed to be portable.

A garden suite is only permitted where a site-specific, temporary zoning By-law has been passed under the provisions of Sections 39 (10 year term)



and 39.1 (of the *Planning Act* to allow such use).

As a condition to passing a by-law authorizing the temporary use of a garden suite under subsection 39 (1) (of the *Planning Act* to allow such use), the council may require the owner of the suite or any other person to enter into an agreement with the Township dealing with such matters related to the temporary use of the garden suite as the council considers necessary or advisable, including,

- (a) the installation, maintenance and removal of the garden suite;
- (b) the period of occupancy of the garden suite by any of the persons named in the agreement; and
- (c) the monetary or other form of security that council may require for actual or potential costs to the Township related to the garden suite.

#### **4.14.2 Special Provisions for Garden Suites**

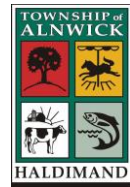
Where a garden suite is permitted by a temporary zoning in accordance with Section 4.14.1, the following special provisions shall apply:

- (a) a garden suite is permitted only in the Rural Residential (RR), Rural (RU) and Agricultural (A) Zones;
- (b) the garden suite must be on the same lot as the principal residential building;
- (c) the principal residential building may only be a single detached dwelling as defined in Section 3 of this By-law;
- (d) the principal single detached dwelling must be a permitted use on the lot; and
- (e) a garden suite shall comply with the regulations of Section 4.14.3, except as specifically amended on a site-specific basis through a temporary zoning by-law.

#### **4.14.3 Regulations for Garden Suites**

- (a) a maximum of one garden suite is permitted on a lot;
- (b) the maximum height of a garden suite shall be 5.0 metres and one (1) storey, but shall not exceed the height of the principal single detached dwelling on the lot;
- (c) a garden suite shall be permitted in a rear yard or interior side yard only;
- (d) the minimum side yard setback shall be the same as required for the principal single detached dwelling, and the minimum rear yard setback shall be 3.0 metres;
- (e) the maximum floor area of a garden suite shall be 80m<sup>2</sup> (825 ft<sup>2</sup>).
- (f) A garden suite shall not be included in the calculation of total lot





- coverage as required in the Rural Residential (RR), Rural (RU) and Agricultural (A) Zones;
- (g) ) one parking space shall be required for the garden suite, in addition to the parking required for a single detached dwelling in accordance with Section 4.26 of this By-law.

#### 4.15 Greater Restrictions

This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a government authority having jurisdiction to make such restrictions.

#### 4.16 Hobby Farms

The number of livestock permitted on a Hobby Farm shall be in accordance with the following or the Minimum Distance Separation MDS I and MDS II formulae, whichever is more restrictive:

Minimum Lot Area	Nutrient Units Permitted As defined in the MDS
0-1.2 ha	Not permitted
1.2-1.6 ha	1
1.6-2.0 ha	2

#### 4.17 Holding Zone Provisions

##### 4.17.1 Permitted Uses

Where a zone symbol on “Schedule A” is followed by the Holding zone symbol “H” the permitted uses and relevant zone provisions applicable to that zone do not apply until such time as the Holding zone symbol “H” is removed in accordance with the requirements of the *Planning Act*.

Prior to the removal of the Holding zone symbol “H” only uses that existed as of the date of the adoption of the Holding zone provisions shall be permitted.

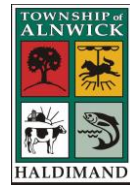
##### 4.17.2 Regulations for Permitted Uses

All regulations and provisions which apply in a zone category where there are no Holding zone provisions in effect shall also apply where a Holding zone has been established.

##### 4.17.3 Removal of the Holding Symbols

A Holding zone symbol shall only be removed in accordance with Section





36 of the *Planning Act*, 1990, as amended, and only when Council is satisfied that the criteria for the removal of the Holding zone symbol that are specified in the By-law that established the Holding zone symbol for the area have been met in a manner and form acceptable to Council.

Where a Holding zone symbol has been applied in relation to an existing or former Waste Disposal Site and/or the lands within the related Waste Disposal Assessment Area as shown on Schedules "A" and "B", the Holding provision shall only be removed upon the completion of the following:

- (a) Studies have been carried out to the satisfaction of the Corporation and/or the Ministry of the Environment Conservation and Parks (MOECP) that show that the development is compatible and can safely take place;
- (b) The Corporation shall require the construction and phasing of all development to coincide with the control of any problems identified by the engineering studies;
- (c) A qualified engineer shall carry out studies of gas, leachate, and hydrogeology; and
- (d) The Corporation shall be satisfied with the required studies with respect to any matter regarding structural stability, safety, and integrity of any structure.

#### **4.18 Home Industries**

A home industry as defined in this By-law shall be subject to the following provisions:

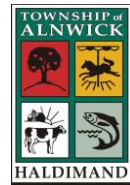
##### **4.18.1 Uses Permitted**

Permitted uses shall include those uses in accordance with the definition of "Home Industry" in this By-law.

##### **4.18.2 Relationship to Principal Use**

The home industry may be operated or located in any part of an accessory building or on any part of a lot subject to the applicable provisions of this By-law. A home industry shall not be permitted to operate or locate in any part of a dwelling on a lot.

The total number of home industries permitted shall be limited to one per lot. Where a home industry is conducted on a lot, a separate home occupation shall not be permitted on the same lot.



#### **4.18.3 Occupancy**

A home industry shall only be operated by the occupant of a dwelling which is located on the same lot.

Not more than two (2) persons, other than the occupants of the premises shall be employed in the home industry.

#### **4.18.4 Size**

Not more than 100 square metres (1,076.43 ft.<sup>2</sup>) of floor area of all accessory buildings or structures on any lot shall be devoted to a home industry use.

#### **4.18.5 Yard Requirements**

The home industry shall only be permitted on a lot with the following minimum yard and setback provisions:

- (a) A home industry shall not be permitted to locate in any front yard.
- (b) Minimum yard requirement for accessory, home, industry building or activity (all other yards) 20.0 m (65.62 ft.)
- (c) Minimum Separation Distance from any Residential, Commercial, or Community/Open Space Zone 60.0 m (196.85 ft.)
- (d) Minimum Separation from a dwelling located on another lot 30.0 m (98.42 ft.).

#### **4.18.6 Advertising**

Signs shall be in accordance with the Township's Sign By-law.

#### **4.18.7 Buffering**

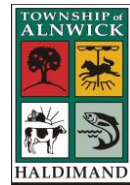
Any area used for outdoor storage/activity or parking associated with the home industry shall be screened in such a manner as to render the materials, items or activity as not being visible from a public street or road or from adjacent properties.

#### **4.18.8 Parking**

Any vehicles associated with a home industry shall be parked in an area other than a public street or a required front yard. A minimum of two (2) parking spaces shall be provided in addition to those parking requirements of Section 4.26.

### **4.19 Home Occupations**

A home occupation as defined in this By-law shall be permitted in any Zone where a dwelling or dwelling unit is a permitted use, provided the home occupation complies with the following provisions:



#### **4.19.1 Relationship to Principle Use**

The home occupation shall be clearly secondary to the main use on the lot and shall not change the residential character of a dwelling unit or the lot upon which it is located.

#### **4.19.2 Occupancy**

Any dwelling unit containing a home occupation shall be occupied as a residence by the operator of such home occupation.

No person other than a resident of the dwelling unit shall be engaged in such home occupation.

#### **4.19.3 Size**

A home occupation may be operated or located in any part of a dwelling or accessory building provided that the area devoted to such use shall not occupy more than a floor area equivalent to 25 percent of the gross floor area of the dwelling or 50.0 square metres (538.21 ft.<sup>2</sup>) of floor area, whichever is the lesser.

#### **4.19.4 Advertising**

Signs shall be in accordance with the Township's Sign By-law.

#### **4.19.5 Display of Goods and Outside Storage**

There shall be no outside storage or outside display of materials, supplies, equipment, tools, products or goods which are used for, or result from, the home occupation.

#### **4.19.6 Sales or Rentals**

Only those goods, wares, merchandise or services that are directly related to the permitted home occupation may be offered for sale or rent.

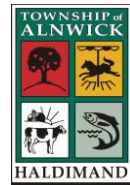
#### **4.19.7 Public Nuisance**

The operation of a home occupation shall not create nor become a public nuisance, in particular in regard to noise, traffic or parking.

There shall be no equipment or process used which creates noise, vibration, glare, fumes, odors, or electrical interference in excess of that normally experienced in a residential neighborhood.

#### **4.19.8 Parking**

All parking spaces shall be provided on the same lot as the home occupation, and shall be provided in accordance with the requirements of



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Section 4.26.

#### **4.20 Hospice Care Centre**

A hospice care centre as defined in this By-law shall be subject to the following provisions:

- a) Minimum lot area of 0.4 hectares;
- b) Lot frontage on and access from an improved public road;
- c) A maximum of six (6) bedsitting rooms may be used for hospice purposes;
- d) A minimum of 0.5 parking space is provided per bedsitting room plus 1 space per staff/volunteer;
- e) The sewage disposal system is appropriately sized and approved by the County of Northumberland to support the establishment of the hospice care centre.

#### **4.21 Commercial Kennels**

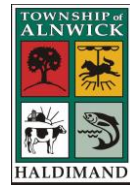
Commercial Kennels shall only be permitted in accordance with the following provisions:

- a) A commercial kennel shall be setback a minimum of 100 metres from any residential zone.
- b) No commercial kennel shall be erected within 45 metres of the lot line of adjacent lands held in separate and distinct ownership.
- c) No more than 12 dogs over the age of 4 months shall be kept in the commercial kennel.
- d) Enclosed exercise areas or runs shall be provided.
- e) A minimum of 9.3 square metres of space outside of the dwelling unit shall be provided for each animal.
- f) Where a commercial kennel existed as of the date of passing of this By-Law which does not comply with the foregoing setback or yard requirements, such kennel shall not be extended, enlarged, reconstructed or altered if the effect of such extension, enlargement, reconstruction or alteration thereof is to further reduce or encroach on the setback, yard or yards that is or are less than required.

#### **4.22 Loading Space Regulations**

##### **4.22.1 Loading Space**

Loading or unloading spaces are required under this By-law, in accordance with the Loading Space Requirement Table and the owner of every building or structure erected or used for any purpose involving the receiving, shipping, loading or unloading of goods, wares, merchandise or raw materials shall provide and maintain on the lot loading and unloading



spaces accordingly. Each loading or unloading space shall be at least 9.0 metres (29.53 ft.) long, 3.5 metres (11.48 ft.) wide and have a vertical clearance of at least 5.0 metres (16.40 ft.). In addition, adequate space shall be provided for the parking of vehicles awaiting access to the loading or unloading spaces.

**LOADING SPACE REQUIREMENT TABLE**

Area of Building	Loading Space
280 m <sup>2</sup> (3,013.99ft. <sup>2</sup> ) or less	1 space
Exceeding 280 m <sup>2</sup> (3,013.99 ft. <sup>2</sup> ) but not 2,300 m <sup>2</sup> (24,757.80 ft. <sup>2</sup> )	2 spaces
Exceeding 2,300 m <sup>2</sup> (24,757.80 ft. <sup>2</sup> ) but not 7,500 m <sup>2</sup> (80,731.97 ft. <sup>2</sup> )	3 spaces
Exceeding 7,500 m <sup>2</sup> (80,731.97 ft. <sup>2</sup> )	3 spaces, plus 1 additional space for each additional 9,300 m <sup>2</sup> (100,107.64 ft. <sup>2</sup> ) or fractional part thereof in excess of 7,500 m <sup>2</sup> (80,731.97 ft. <sup>2</sup> )

**4.22.2 Access**

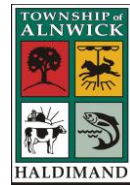
Access to loading spaces shall be by means of a driveway at least 6.0 metres (19.69 ft.) in width contained on the lot on which the spaces are located and leading to an improved public street as defined herein.

**4.22.3 Loading Space Surface**

Driveways, loading spaces, and related aisles and turning areas shall be maintained with a stable surface which is treated so as to prevent the raising of dust.

**4.22.4 Location**

The loading space or spaces required herein shall be located on the lot occupied by the building, structure or use for which the loading spaces are required, and shall be located in a side or rear yard unless such space or spaces are removed from the street line a minimum distance of 15 metres (49.21 ft.) as measured from the street line to the nearest part of the loading space. No loading space shall be located closer than 7.5 metres (24.6 feet) to any other lot line.



#### **4.22.5 Additions to or Changes in Use of Existing Buildings**

The loading space requirements referred to herein shall not apply to any existing building so long as the gross floor area, as it exists, is not increased. If an addition is made to the building or structure which increases the gross floor area, then additional loading spaces shall be provided in accordance with 4.19.1 hereof and in accordance with the provisions of the Loading Space Requirement Table for such addition.

#### **4.23 Lots Containing More Than One Use**

Where a lot contains more than one use which is not an accessory use as defined herein except for an accessory dwelling or dwelling unit, the lot area requirement shall be the sum of the requirements for the separate uses thereof; however, the lot frontage requirement shall be the greatest of the lot frontage requirements for each individual use in the zone where such lot is located.

#### **4.24 Lots Divided Into More Than One Zone**

Where an existing lot is divided into more than one zone the provisions of the applicable zone, save and except lot area and lot frontage, shall apply to each zoned portion of such lot. In such instances, the zone boundary shall be considered a lot line for the purposes of interpreting and applying the provisions and regulations of this By-law.

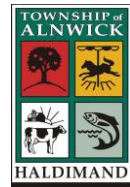
Notwithstanding any other provision of this By-law to the contrary, where a portion of an existing lot is situated on the Oak Ridges Moraine and is zoned one or more of the Oak Ridge Moraine Zones, that portion of the lot on the Oak Ridges Moraine may be used to calculate the minimum lot area and/or frontage requirements of the zone category that applies to the portion of the lot not on the Oak Ridges Moraine.

Notwithstanding any other provision of this By-law to the contrary, where a portion of a lot is zoned Environmental Protection (EP), those lands zoned Environmental Protection (EP) may be used in calculating the minimum lot area and minimum lot frontage requirements.

Notwithstanding the foregoing, no lot shall be created within any zone unless the lot created and the remnant lot comply with the minimum lot area and lot frontage requirements of the applicable zone.

#### **4.25 Minimum Distance Separation**

Notwithstanding any other yard or setback provisions in this By-law to the



contrary no residential, institutional, commercial, industrial or recreational use located on a separate lot and otherwise permitted by this By-law shall be erected or altered unless it complies with the Minimum Distance Separation (MDS I) Formula as developed by the Ontario Ministry of Agriculture and Rural Affairs.

Notwithstanding any other yard or setback provision in this By-law to the contrary, no building housing livestock or manure handling facility shall be erected or expanded unless it complies with the Minimum Distance Separation (MDS II) Formula as developed by the Ontario Ministry of Agriculture and Rural Affairs.

Notwithstanding the above, the Minimum Distance Separation I (MDS I) shall not apply to vacant lots existing at the date of passing of this By-law which are less than 4.0 hectares (9.88 acres) in area. The MDS II provisions shall not apply to circumstances where a dwelling is built on a vacant lot in accordance with this exemption. MDS II continues to apply to other dwellings in the vicinity.

**4.26 Mobile Vendors**

Mobile vendors operations shall be located and operated in accordance with the applicable Municipal by-law.

**4.27 Parking Area Regulations**

**4.27.1 Parking Space Requirements**

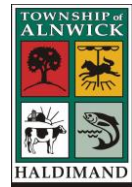
The owner of every building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupant or other persons entering upon or making use of the said premises, from time to time, one or more parking spaces in accordance with the following Parking Space Requirements Table.

The minimum number of off-street parking spaces required shall be calculated to the nearest whole number.

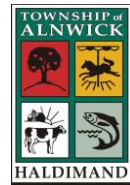
**PARKING SPACE REQUIREMENTS TABLE**

Type or Nature of Use	Minimum Off-Street Parking Requirements
Single Detached and Semi-Detached Dwellings	2.0 parking spaces per dwelling unit





Type or Nature of Use	Minimum Off-Street Parking Requirements
Duplex, Triplex, Fourplex, and Row Dwellings	1.5 parking spaces per dwelling unit
Multi-Unit Dwellings	1.25 parking spaces per dwelling unit
Assembly Hall, Auditorium, Arena, Banquet Hall, Community Centre, Place of Entertainment, Place of Worship, Private Club or other similar places of assembly not otherwise specified herein, an Eating Establishment, including premises licensed in accordance with the Liquor License Act, as amended.	The greater of: <ul style="list-style-type: none"> <li>a) one (1) parking space per six (6) fixed seats</li> <li>b) one (1) parking space per 9 m<sup>2</sup> (96.88 ft.<sup>2</sup>)</li> <li>c) one (1) parking space for each four (4) persons that may be legally accommodated at any one time</li> </ul>
Bank, Business and/or Professional Office, Retail Commercial Establishment, Service Shop, Personal Service Shop	One (1) parking space for each 18 m <sup>2</sup> (193.76 ft. <sup>2</sup> ) of gross floor area of building directly related to the specified permitted use
Hospital, Home for the Aged, Nursing Home	One (1) parking space for each four (4) dwelling units, or four (4) beds, or fraction thereof
Hotel, Motel, Tourist Establishment, Trailer Camp or Park, Camping Park	1.2 parking spaces for each guest room, cottage or cabin, plus such parking facilities as are required for an eating establishment or entertainment lounge licensed in accordance with the Liquor License Act, as amended
Manufacturing, Processing, Assembly/ Fabricating Plant, Wholesale Establishment, or Workshop	One (1) parking space per 37 m <sup>2</sup> (398.28 ft. <sup>2</sup> ) of gross floor area or portion thereof
Medical or Dental Clinic	Six (6) parking spaces per doctor, plus one parking space for each examination room exceeding five (5) such rooms per office



Type or Nature of Use	Minimum Off-Street Parking Requirements
Bed and Breakfast Establishments and Boarding and/or Lodging House	Two (2) parking spaces per dwelling unit, plus one (1) parking space per guest room
Elementary and Secondary Schools	The greater of: a) one and one-half (1½) parking spaces per classroom; or b) one (1) parking space per 9 m <sup>2</sup> (96.88 ft. <sup>2</sup> ) of floor area in the gymnasium; or c) one (1) parking space per 9 m <sup>2</sup> (96.88 ft. <sup>2</sup> ) of floor area in the auditorium
Mobile Home in a Mobile Home Park	Two (2) parking spaces per mobile home
Warehouse	One (1) parking space per 225 m <sup>2</sup> (2,421.96 ft. <sup>2</sup> ) warehousing floor area or portion thereof
Any Other Uses Permitted by this By-law	One (1) parking space per 37 m <sup>2</sup> (398.28 ft. <sup>2</sup> ) of gross floor area

#### 4.27.2 Accessible Parking Spaces

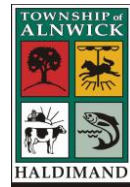
Accessible parking spaces for the exclusive use of persons with disabilities shall be provided in accordance with the following requirements:

##### 4.26.2.1 Types of Accessible Parking Spaces

- (a) Type A, a wider parking space which has a minimum width of 3.4 m and signage that identifies the space as “van accessible”
- (b) Type B, a standard parking space which has a minimum width of 2.7 m.

##### 4.26.2.2 Access Aisles

Access aisles, the space between parking spaces that allows persons with disabilities to get in and out of their vehicles, must be provided for all parking spaces for the use of persons with disabilities in off-street parking facilities.



Access aisles may be shared by two parking spaces for the use of persons with disabilities in an off-street parking facility and must have a minimum width of 1.5 m with a minimum length of 6 m and must be marked with high tonal contrast diagonal lines where the surface is asphalt, concrete or some other hard surface.

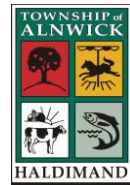
4.26.2.3 Number of Accessible Parking Spaces Required

Accessible parking spaces shall be provided in accordance with the following Table:

Total Parking Requirement	Number of Accessible Parking Spaces Required
Total parking requirement – 12 spaces or less	One Type A parking space
Total parking requirement 13-100 spaces	Four percent of the total number of parking spaces. The distribution of Type A and Type B parking spaces shall be in accordance with Section 4.26.2.4
88 Total parking requirement 101-200 spaces	Three percent of the total number of parking spaces plus one additional space. The distribution of Type A and Type B parking spaces shall be in accordance with Section 4.26.2.4
Total Parking Requirement – 201-1,000 spaces	Two percent of the total number of parking spaces plus an additional two spaces. The distribution of Type A and Type B parking spaces shall be in accordance with Section 4.26.2.4
Total Parking Requirement – greater than 1,000	One percent of the total number of parking spaces plus an addition 11 spaces. The distribution of Type A and Type B parking spaces shall be in accordance with Section 4.26.2.4

4.26.2.4 Distribution of Type A and Type B Accessible Parking Spaces

Where an even number of accessible parking spaces are required an equal number of Type A and Type B spaces must be provided. Where an odd number of accessible parking spaces are required the number of parking spaces required will be divided equally between Type A and Type B spaces but the additional parking space, the odd numbered space, may be a Type B parking space.



#### 4.26.2.5 Multiple Off-Street Parking Facilities Provided

Where more than one off-street parking facility is provided at a site, the number and type of parking spaces for the use of persons with disabilities shall be calculated according to the number and type of parking spaces required for each off-street parking facility. The location of accessible parking spaces where there is more than one off street parking facility at a site the required accessible parking spaces may be distributed among the off-street parking facilities in a manner that provides substantially equivalent or greater accessibility regarding distance from an accessible entrance or user convenience.

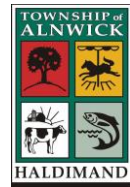
#### 4.27.3 Parking Area Surface

Parking spaces, areas and driveways connecting the parking space or area with a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

#### 4.27.4 Parking Space Size and Access

Parking spaces and areas shall be designed and constructed in accordance with the following:

- (a) Each required parking space shall have a minimum width of 3.0 metres (9.84 ft.) and a minimum length of 6.0 metres (19.68 feet).
- (b) Access to the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways at least 3 metres (9.84 ft.), but not more than 9 metres (29.53 ft.) in perpendicular width.
- (c) The aisles between parking spaces within a parking area shall have a minimum width of 5.5 metres (18.04 ft.).
- (d) The maximum width of any combined ingress and egress driveway ramp measured along the street line shall be 9 metres (29.53 ft.).
- (e) The minimum distance between any two driveways on one lot, or, between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 7.5 metres (24.60 ft.).
- (f) The minimum angle of intersection between a driveway and a street line shall be 60 degrees.
- (g) Every lot shall be limited to the following number of driveways, namely:
  - (i) up to the first 30 metres (98.42 ft.) of lot frontage, not more than



- two driveways with a combined width not exceeding thirty percent of the lot frontage; and
- (ii) for each additional 30 metres (98.42 ft.) of frontage, not more than one additional driveway.

#### **4.27.5 More Than One Use on a Lot**

When a building or structure accommodates more than one type of use, the parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate types of use, unless otherwise specified herein.

#### **4.27.6 Yards Where Permitted**

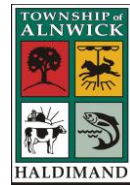
Notwithstanding the yard provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted in all yards provided that no part of any parking area, other than a driveway, is located closer than 1.0 metre (3.28 ft.) to any street or lot line, or, for parking areas located within Non-Residential Zones or Oak Ridges Moraine Zones, closer than 7.5 metres (24.60 ft.) to any Residential Zone or Oak Ridges Moraine Zones.

#### **4.27.7 Additions to or Change in Use of Buildings**

The parking space requirements referred to herein shall not apply to any building or structure in existence at the date of passing of this By-law so long as the floor area, as it existed at such date, is not increased. If an addition is made to the building or structure which increases the floor area, then parking spaces for the addition shall be provided as required by the Parking Space Requirement Table. Where a change in use of the building or structure occurs, parking spaces shall be provided in accordance with the requirements of the Parking Space Requirement Table.

#### **4.27.8 Use of Parking Spaces and Areas**

- (a) Parking areas and parking spaces required by this By-law shall be used for the parking of operative, currently licensed vehicles only, and for vehicles used in operations incidental to the permitted uses in respect of which such parking areas and spaces are required or permitted.
- (b) The parking or storage of a commercial motor vehicle with a maximum of one (1.0) tonne capacity, shall be permitted on a lot in a Residential Zone or a lot used for a residential use in an ORM Zone category, where such lot is 0.4 hectares or smaller.
- (c) The parking or storage of a commercial motor vehicle with a maximum of two (2.0) tonne capacity, shall be permitted on a lot in a Residential



Zone or a lot used for a residential use in an ORM Zone category, where such lot is larger than 0.4 hectares.

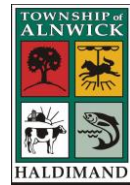
- (d) Commercial vehicles parked or stored on a lot in a Residential Zone or lot used for a residential use in an ORM Zone category, other than those vehicles on a delivery or similar service call, shall be owned and/or operated by an occupant of the dwelling situated on the lot.
- (e) Notwithstanding Subsections 4.27.7 (b), (c) and (d), a maximum of one (1) school bus or vehicle for school purposes may be parked or stored on a lot in a Residential Zone or lot used for a residential use in an ORM Zone category provided such lot has a minimum lot area of 0.4 hectares and that the school bus or vehicle for school purposes shall be owned, operated or driven by an occupant of the dwelling situated on the lot.
- (f) The outside parking or storage of not more than one boat (whether on a trailer or not), one trailer, one truck camper, one tourist trailer or tourist vehicle may be permitted on any lot in a Residential Zone or lot used for a residential use in an ORM Zone category, provided that:
  - (i) such boat, trailer, truck camper, tourist trailer or tourist vehicle is owned by an occupant of the dwelling situated on the lot; and
  - (ii) the maximum length of the boat, trailer, truck camper, tourist trailer or tourist trailer is not greater than 9.0 metres.
- (g) Notwithstanding any provision of this By-law to the contrary, a semi-trailer as defined in this By-law, or trailer with a trailer converter dolly as defined in this By-law, shall not be parked or stored on any lot in a Residential Zone or lot used for a residential use in an ORM Zone category.

#### **4.27.9 Parking Space Location on Other Lots for Non-Residential Uses**

Except as permitted in Section 4.26.1, a required parking area shall not form part of a street or lane. The required parking area shall be provided on the lot occupied by the building, structure or use for which said parking area is required, except in the case of a non-residential use, the required parking area may be provided on another lot if such parking area is not more than 150 metres (492.13 feet) from the lot requiring the parking area.

#### **4.28 Prohibited Uses**

The following uses are prohibited in any Zone:



- (a) Blood boiling, bone boiling, extracting oil from fish or animal matter, manufacture or storage of fertilizers from dead animals or animal waste.
- (b) A track for the racing of motor vehicles, motorcycles, snowmobiles or recreational vehicles on a commercial basis, except for special events as approved by Council.
- (c) Except as specifically provided herein, any mobile home or any rented site for a mobile home, or any mobile home park.
- (d) Except as specifically provided herein, the use of tents and trailers for permanent human habitation or for business or other purposes.
- (e) Waste disposal areas and sewage treatment facilities, including sewage lagoons are prohibited except where specifically permitted by this By-law.
- (f) Incinerators for the disposal of waste materials, with the exception of agricultural operations in accordance with normal farm practices as defined in the *Farming and Food Production Protection Act*.
- (g) No use shall be permitted which, from its nature or the materials used therein, is declared by the Ministry of the Environment Conservation and Parks (MOECP), the local Health Unit or the Council of the Corporation of the Township of Alnwick/Haldimand to be a noxious use.

## 4.29 Public Uses

### 4.29.1 General

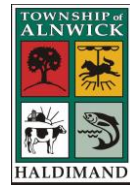
Except as provided for in Section 4.28.2 hereof, the provisions of this By-law shall not apply to prohibit the use of any lot or the erection or use of any building or structure for the purposes of public services provided by the Corporation of the Township of Alnwick/Haldimand or any Public Authority including any department of the County of Northumberland or any Department or Ministry of the Government of Canada or Ontario, or any Conservation Authority, and for the purposes of this section shall include Hydro One; any telephone or telecommunication, cable television or telegraph company; and, any natural gas distribution system operated by a company which possesses all the necessary powers, rights, licenses and franchises.

Solid waste landfill sites, sewage treatment facilities and municipal composting facilities shall not be considered to be public uses for the purposes of this section.

### 4.29.2 Location Restrictions

Notwithstanding the provisions of Section 4.28.1 hereof to the contrary, where a particular use is specifically authorized in a zone category or





categories, such use shall not be permitted in any other zone category for which it is not specifically authorized regardless of whether such use is to be carried on by a public authority.

#### **4.29.3 Streets and Installations**

Nothing in this By-law shall prevent land to be used as a street or prevent the installation of a water main, sanitary sewer main, storm sewer main, gas main, pipe line or overhead or underground hydro, telephone or other supply and/or communication line, provided that the location of such main or line has been approved by the Corporation of the Township of Alnwick/Haldimand. Such approval should not be required for any electric power facility authorized under the *Environmental Assessment Act*.

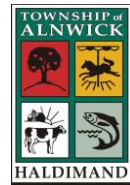
#### **4.30 Secondary Dwellings**

A secondary dwelling unit as defined in this By-law shall be subject to the following provisions:

##### **4.30.1 Secondary Dwellings in a Residential Zone**

Where permitted, a secondary dwelling unit is subject to the following provisions:

- a) A maximum of two secondary dwelling units per lot may be permitted. One (1) additional dwelling unit may be permitted within an existing or new single detached, semi-detached or row dwelling. One (1) additional dwelling unit may also be permitted within a building or structure accessory to single detached, semi-detached or row dwelling.
- b) Secondary dwelling units shall be clearly subordinate to the main use on the same lot;
- c) The maximum floor area used for a second dwelling unit within a primary dwelling shall not exceed 50% of the gross floor area of the entire building in which it is located.
- d) A secondary dwelling unit is not permitted on a property where there is a garden suite also situated;
- e) One (1) parking space is required for each secondary dwelling unit, in addition to the parking required for the single detached, semi-detached or townhouse dwelling. Tandem parking to accommodate secondary dwelling units is permitted;
- f) Secondary dwelling units shall be serviced by municipal water where available;
- g) A minimum lot area of 0.4 hectares;
- h) Secondary dwelling units are only permitted on lots with direct frontage on a year round maintained road;
- i) The sewage disposal system is appropriately sized and approved by the County of Northumberland to support the establishment of the

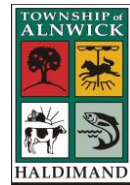


- secondary dwelling unit(s);
- j) A secondary dwelling unit is not permitted in the following areas:
- a floodplain or an area rendered inaccessible to people and vehicles during times of flooding;
  - a lot on a private road or unmaintained municipal road allowance;
- k) Where a secondary dwelling unit is located within a detached ancillary building, the following provisions apply:
- A secondary dwelling unit must be located in the interior side yard or rear yard of the primary dwelling. Notwithstanding the foregoing, on lands within the Rural Residential (RR) Zone, the Rural (RU) Zone, the Agricultural (A) Zone, or on waterfront lots, second dwelling units located in ancillary buildings are permitted in the front yard subject to the minimum front yard requirement of the zone;
  - A maximum coverage of 40% of the yard in which the secondary dwelling unit is located.
  - A maximum gross floor area of 50% of the primary dwelling, or 50 square metres where the principal dwelling has a footprint of 100 square metres or less.
  - A minimum interior side yard and a minimum rear yard of 1.2 metres; or in the case of lands within the Rural Residential (RR) Zone, the Rural (RU) Zone, or the Agricultural (A) Zone, the minimum interior side yard and rear yard requirements of the zone apply;
  - A maximum height of 4.5 metres. The height may exceed 4.5 metres to a maximum height of 7 metres subject to the minimum yard requirements of the zone, and
  - A minimum setback of 1.5 metres from the primary dwelling located on the same lot.

#### **4.30.2 Secondary Dwellings within the Oak Ridges Moraine Conservation Plan Area**

Within areas subject to the Oak Ridges Moraine Conservation Plan, a maximum of one secondary dwelling is permitted, provided that:

- a) Within areas subject to the Oak Ridges Moraine Conservation Plan, a maximum of one secondary dwelling is permitted within a single dwelling as defined in the Oak Ridges Moraine Conservation Plan, provided that:
- b) The single dwelling is not within a Natural Core or Natural Linkage Area as set out in Oak Ridges Moraine Conservation Plan;
- c) A secondary dwelling is not permitted on a property where a converted dwelling, duplex, garden suite or coach house dwelling is also situated;
- d) A minimum of 1 parking space is provided for the secondary dwelling, in addition to parking required for the single detached dwelling;



- e) The sewage disposal system is appropriately sized and approved by the County of Northumberland to support the establishment of the secondary dwelling;
- f) The lot has frontage on and access from an improved public road;
- g) A Secondary Dwelling is not permitted in a semi-detached or townhouse dwelling, within the Oak Ridges Moraine Conservation Plan Area; and
- h) Notwithstanding Section 4.29.1 a) a secondary dwelling unit within an accessory structure is not permitted within the Oak Ridges Moraine Conservation Plan Area.

#### **4.31 Setbacks From Water Bodies and Watercourses and Special Provisions For Lake Ontario**

##### **4.31.1 General Setback for Buildings**

New development shall be set back a minimum of 30.0 metres (98.42 ft.) from the normal high water mark of all water bodies and watercourses, including the boundaries of wetlands within the Environmental Protection (EP) Zone. Greater setbacks may be required by the Conservation Authority having jurisdiction.

##### **4.31.2 Setbacks from Lake Ontario**

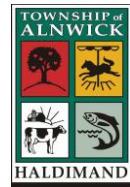
Property owners should consult with the Lower Trent Conservation Authority, under Ontario Regulation 163/06 and/or the Ganaraska Region Conservation Authority, under Ontario Regulation 168/06 regarding the required setbacks pursuant to the applicable regulation.

##### **4.31.3 Special Provisions for Lake Ontario Shoreline**

Certain lots having existing development and zoned Shoreline Residential (SR) and Limited Service Residential (LSR) adjacent to the Lake Ontario shoreline have a suffix denoted "HL", for example, "SR- HL" and "LSR- HL". The "HL" suffix recognizes that those lots may be subject to natural hazards related to Lake Ontario including flooding, erosion, wave uprush, and dynamic beach hazards. New development on lots with an "HL" suffix shall be subject to the provisions of Section 4.30.2, and shall require the approval of the Conservation Authority.

##### **4.31.4 Special Provisions for Rice Lake Shoreline**

Section 4.30.1 also applies to lots adjacent to the shoreline of Rice Lake including lots on islands in Rice Lake, and further, no new development shall be permitted below an elevation of 187.9 metres Geodetic Survey of Canada (GSC), which is the regulatory flood elevation of Rice Lake, without the written approval of the local Conservation Authority.



#### **4.31.5 Regulated Flood Plains**

Notwithstanding any other provision of this By-law to the contrary, no development, as defined in this By-law, shall be permitted in a regulatory flood plain without prior written approval from the Conservation Authority having jurisdiction. For clarity, this shall include lands both on and off the Oak Ridges Moraine. Schedules "A" and "B" of this By-law identify known regulatory flood plains.

#### **4.32 Setbacks on County Roads and Provincial Highways**

The minimum setback from the centreline of a County road or Provincial highway shall be in accordance with the requirements of the County of Northumberland and/or the Ministry of Transportation. In the event that there is a conflict between a County road setback and a lot setback identified in this zoning by-law, the more restrictive setback requirement takes precedence.

#### **4.33 Special Separation Distances – Pipeline Right-Of-Way**

Notwithstanding the minimum yard provisions of this By-law to the contrary, the minimum setback from a pipeline right-of-way for any building or structure shall be 10 metres (32.81 ft.) or such greater distance as required by the pipeline authority.

Pits and quarries are subject to a 30-metre excavation setback to be maintained on both sides of the pipeline right-of-way.

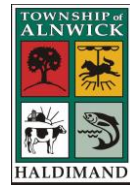
#### **4.34 Special Separation Distances – Pits and Quarries and Sensitive Land Uses**

Notwithstanding the minimum yard provisions of this By-law to the contrary, the following separation distances shall apply for Extractive Industrial and sensitive land uses:

- 4.34.1** The minimum separation distance between a sensitive land use and the boundary of an Extractive Industrial (ME) Zone or Oak Ridges Moraine Mineral Extractive (ORMME) Zone of a pit operating above the ground water table shall be 150 metres (492.13 feet).

The minimum separation distance between a sensitive land use and the boundary of an Extractive Industrial (ME) Zone or Oak Ridges Moraine Mineral Extractive (ORMME) Zone of a pit operating below the ground water table shall be 300 metres (984.25 feet).

The minimum separation distance between a sensitive land use and the boundary of an Extractive Industrial (ME) Zone or Oak Ridges Moraine



Mineral Extractive (ORMME) Zone of a quarry shall be 500 metres (1,640.42 feet).

**4.34.2** No sensitive land use shall be permitted within the separation distances set out in Section 4.35.1, and no pit or quarry shall be permitted within the separation distances set out in Section 4.35.1, unless appropriate measures have been undertaken to mitigate adverse or potential adverse impacts from the pit or quarry use such as visual impacts, noise, dust, traffic, or groundwater quality or quantity. Adverse impacts may be addressed by means that are acceptable to the Corporation in consultation with the appropriate authority such as the Ministry of Natural Resources and the Ministry of Environment. An amendment to this By-law shall be required to reduce the separation distances of Section 4.35.1.

#### **4.35 Special Separation Distances – Railway Corridors**

Notwithstanding the minimum yard provisions of this By-law to the contrary the minimum setback for residential and institutional uses or an assembly hall or office building from a railway corridor is 120 metres (393.70 ft.).

Notwithstanding the foregoing, the minimum setback shall be 30 metres (98.42 ft.) where a 2.5 metre (8.20 ft.) high safety berm and a 1.83 metre (6.0 ft.) high chain link security fence is installed.

#### **4.36 Special Separation Distances – Waste Disposal Areas**

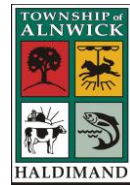
Notwithstanding the minimum yard provisions or other separation distances of this By-law to the contrary, the minimum separation distance between a sensitive land use shall be:

- (a) 500 metres (1,640.41 feet) to a Waste Disposal Industrial (MD) Zone waste disposal area or sanitary landfill site; or
- (b) 120 metres (393.7 feet) to a Waste Disposal Industrial (MD) Zone waste transfer station, recycling facility, sewage treatment facility, or salvage yard; except where the provisions of Section 4.33 would require a greater minimum setback.

#### **4.37 Shipping Containers**

Shipping containers may be used as an accessory structure for storage purposes in the Agricultural, Rural, Commercial Rural and Industrial Zones provided the following provisions are met:

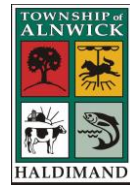
**4.37.1** Shipping containers are required to meet the regulations for a permitted



use;

- 4.37.2** Shipping containers are not permitted in a Residential Zone except on a temporary basis for moving purposes for a period not to exceed 7 days in which case the shipping container must be located on the driveway. A shipping container is also permitted in a Residential Zone for the storage of materials during construction and must be removed from the property upon the completion of construction which will be deemed to be the date of the issuance of an occupancy permit. A shipping container used for temporary storage in a Residential Zone shall not exceed a maximum height of 3 metres and a maximum length of 6 metres;
- 4.37.3** The use of shipping containers shall be accessory to the main permitted use of the property;
- 4.37.4** Shipping containers shall only be permitted in a rear yard and shall not be permitted in a required parking area;
- 4.37.5** Shipping containers shall be screened from the road frontage and adjacent buildings;
- 4.37.6** Shipping containers are not permitted on properties adjacent to residential uses or lands zoned for residential use or a Community Facility or Open Space Zone;
- 4.37.7** Shipping Containers may be placed in an Industrial Zone as an accessory storage structure subject to the following provisions:
- (a) Minimum lot area .4 ha
  - (b) A maximum of one (1) shipping container is permitted per .4 ha lot area to a maximum of four (4) containers.
  - (c) Maximum Shipping Container Area 51 m<sup>2</sup>
- 4.37.8** Shipping containers are permitted in the Rural, General Commercial, and Agricultural Zones as an accessory storage structure subject to the following provisions:
- (a) Minimum Lot Area .4 ha
  - (b) A maximum of one (1) shipping container is permitted
  - (c) Maximum Shipping Container Area 51 m<sup>2</sup>
- 4.37.9** Shipping containers shall not be used for human habitation, display, advertising, screening or fencing.





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#### **4.38 Sight Triangles**

Notwithstanding any other provisions of this By-law to the contrary, no person shall, within a sight triangle park a motor vehicle, as defined in the *Highway Traffic Act*, or erect any building or structure which would obstruct the vision of drivers of motor vehicles or use any land for the purposes of growing shrubs or trees in excess of 1.0 metre (3.28 ft.) in height.

#### **4.39 Through Lots**

Where a lot, which is not a corner lot, has lot frontage on more than one street, the setback and front yard requirements contained herein shall apply on each street in accordance with the provisions of the Zone or Zones in which such lot is located.

#### **4.40 Wayside Pits and Quarries**

Notwithstanding the minimum yard provisions of this By-law to the contrary the following provisions shall apply for a wayside pit or quarry use:

**4.40.1** No wayside pit or wayside quarry use may be established or made within 100 metres (328.08 ft.) of any lands zoned for residential, commercial or institutional uses, or lands zoned Environmental Protection (EP).

**4.40.2** No new residential, commercial or institutional development shall be permitted within 100 metres (328.08 ft.) of an existing wayside pit or wayside quarry for the length of time that such wayside pit or quarry is in operation.

**4.40.3** No wayside pit or wayside quarry use may be established or made within 100 metres (328.08 ft.) of any waterbody or watercourse.

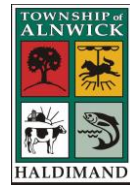
**4.40.4** A portable asphalt plant and/or portable processing plant may be permitted within the area of such pit or quarry as an accessory use thereto.

**4.40.5** Notwithstanding the above, the establishment of wayside pits and quarries on the Oak Ridges Moraine shall be in accordance with the applicable provisions of the Oak Ridges Moraine Conservation Plan.

#### **4.41 Alternative Energy Systems and Renewable Energy Systems**

Alternative energy systems and renewable energy systems, including wind facilities, solar facilities, bio-energy facilities and waterpower facilities, shall be regulated in accordance with the provisions of applicable Provincial and Federal





requirements.

#### **4.42 Oak Ridges Moraine Provisions**

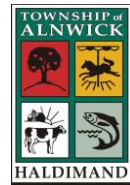
##### **4.42.1 Single Detached Dwelling Permitted**

- (a) Notwithstanding any provision of this By-law, within the Oak Ridges Moraine Conservation Plan Area, a single detached dwelling is a permitted use, if a single detached dwelling was a permitted principal use or accessory use in the former Township of Haldimand Comprehensive Zoning By-law No. 619 or in the former Township of Alnwick Comprehensive Zoning By-law No. 1001-73, as of November 15, 2001, provided the single detached dwelling complies with all other provisions of the applicable zone, and the applicable provisions of Section 4 of this By-law, and further, the applicant submits information at the time of building permit application that the use, erection and location will not, to the extent possible, adversely affect the ecological integrity of the Oak Ridges Moraine. This information may include a natural heritage evaluation and/or hydrological evaluation completed in accordance with the Oak Ridges Moraine Conservation Plan and will be approved by the Township in consultation with the local Conservation Authority. Approval of the development is subject to site plan approval by the Township. For the purposes of this zone provision, the term "single detached dwelling" as defined in Section 3A of this By-law shall mean the same as a "single dwelling" as defined in Section 3B.

Notwithstanding any other provision of this By-law to the contrary, where a single detached dwelling is permitted under the above provisions, the applicable regulations of Section 7.2 (Regulations for Rural Residential (RR) Zone) of this By-law shall apply.

##### **4.42.2 Expansion of Existing Buildings and Structures, and Accessory Uses**

- (a) The expansion of legally existing non-agriculture-related buildings and structures in any zone is permitted to a maximum of 100 percent of the ground floor area of the building or structure as of November 15, 2001. Provided all other regulations of this By-law are met, there is no restriction on the size of the expansion of legally existing agriculture-related buildings and structures in any zone.
- (b) New accessory uses, buildings and structures, including swimming pools, related to the existing uses are permitted in any zone provided that:



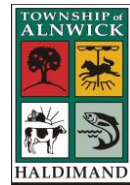
- i) the accessory use, building or structure complies with all provisions of the applicable zone and the applicable provisions of Section 4 of this By-law;
  - ii) such expansion complies with all provisions of the applicable zone and the applicable provisions of Section 4 of this By-law; and
  - iii) such expansion will not adversely affect the ecological integrity of the Oak Ridges Moraine. A natural heritage evaluation and/or hydrological evaluation may be required and will be approved by the Township in consultation with the local Conservation Authority. Approval of the development is subject to site plan approval by the Township.
- (c) Where the expansion of an existing building or structure or the establishment of an accessory use, building or structure intrudes on areas within the Oak Ridges Moraine Environmental Zone or the Oak Ridges Moraine Environmental Plan Review Zone areas as shown on Schedules "B", the applicant may be required to submit a natural heritage evaluation and/or a hydrological evaluation completed in accordance with the Oak Ridges Moraine Conservation Plan and will be approved in conjunction with the local Conservation Authority. Approval of the development is subject to site plan approval by the Township.

#### **4.42.3 Mineral Aggregate Operation**

- (a) Notwithstanding the provisions of this by-law, existing mineral aggregate operations or existing wayside pits within the Oak Ridges Moraine Core (ORMC) Zone may not be expanded beyond the boundary of the area under license or permit.
- (b) The establishment or expansion of a mineral aggregate operation in accordance with the policies of the Official Plan shall comply with the provisions of Section 4.34 of this By-law, with respect to the zoning on surrounding properties.

#### **4.42.4 Areas of High Aquifer Vulnerability**

- (a) Notwithstanding any other provisions of this By-law to the contrary, the following uses are prohibited within an Area of High Aquifer Vulnerability as indicated by the zone shown on Schedule "C", attached hereto and forming part of this By-law:
  - i) generation or storage of hazardous waste or liquid industrial



waste;

- ii) waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities;
- ii) underground and above-ground storage tanks that are not equipped with an approved secondary containment device; and
- iii) the use, creation, handling or storage of aflatoxin, tetrachlorodibenzo-p-dioxin, pentachlorodibenzo-p-dioxin, hexachlorodibenzo-p-dioxin, or tetrachlorodibenzo furan, or other contaminants listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.

#### **4.42.5 Landform Conservation Area**

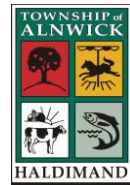
- (a) Notwithstanding any other provisions of this By-law to the contrary, the following provisions shall apply within a Landform Conservation Area (Category 1) as indicated on Schedule D attached hereto and forming part of this By-law.
  - i) the net developable area of the site that is disturbed shall not exceed 25 percent of the total site area; and
  - ii) the net developable area of the site that has impervious surfaces shall not exceed 15 percent of the total site area.
- (b) Notwithstanding any other provisions of this By-law to the contrary, the following provisions shall apply within a Landform Conservation Area (Category 2) as indicated on Schedule D attached hereto and forming part of this By-law.
  - i) the net developable area of the site that is disturbed shall not exceed 50 percent of the total site area; and
  - ii) the net developable area of the site that has impervious surfaces shall not exceed 20 percent of the total site area.

#### **4.42.6 Rapid Infiltration Basins and Columns**

Notwithstanding any other provisions of this By-law to the contrary, new rapid infiltration basins and new rapid infiltration columns as defined in Section 3B of this By-law are prohibited on lands within the Oak Ridges Moraine Conservation Plan Area, as shown on Schedules B of this By-law.

#### **4.42.7 Transportation, Infrastructure and Utilities**

- (a) Notwithstanding any other provisions of this By-law to the contrary, all new transportation, infrastructure and utilities uses listed below, and all upgrading or extension of existing transportation, infrastructure and utilities uses, including the opening of a road within an unopened road allowance, are prohibited on lands within an Oak



Ridges Moraine Environmental Zone as shown on Schedule B of this By-law:

- i) public highways;
  - ii) transit lines, railways and related facilities;
  - iii) gas and oil pipelines;
  - iv) sewage and water service systems and lines and stormwater management facilities;
  - v) power transmission lines;
  - vi) telecommunications lines and facilities, including broadcasting towers;
  - vii) bridges, interchanges, stations, and other structures, above and below ground, that are required for the construction, operation or use of the facilities listed in Clauses i) to vi) above; and
  - viii) rights-of-way required for the facilities listed in Clauses i) to vii) above.
- (b) Notwithstanding Section 4.41.7(a) of this By-law to the contrary, transportation, infrastructure, and utilities uses may be permitted to cross an Oak Ridges Moraine Environmental Zone, as shown on Schedule B of this By-law, in accordance with all applicable policies of the Official Plan.

#### **4.42.8 Calculation of Zone Provisions – ORME Zone**

Notwithstanding any other provisions of this By-law to the contrary, lands zoned Oak Ridges Moraine Environmental (ORME) Zone on Schedules B may be included in the calculation of any zone provisions for adjoining lands, provided that such lands used in the calculation are part of the same lot.

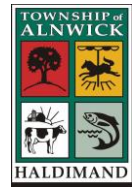
#### **4.42.9 Waste Disposal Industrial and Assessment Area**

Lands Zoned MD-1 on Schedule B shall be subject to the provisions of Section 16.5.1 of this By-law.

Where a holding symbol “(H)” has been applied in relation to the “Waste Disposal Industrial Assessment Area” shown on Schedule B, the provisions of Section 4.17 of this By-law shall apply, and the holding symbol “(H)” shall only be removed upon the completion of corresponding criteria as outlined in Section 4.17.3 of this By-law.

#### **4.42.10 Compliance with Township of Alnwick/Haldimand Official Plan and Oak Ridges Moraine Conservation Act and Plan**

Notwithstanding any provision of this By-law to the contrary, all development shall comply with all applicable policies of the Official Plan of the Township of Alnwick/Haldimand related to the Oak Ridges Moraine



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Conservation Plan Area.

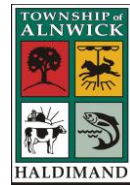
Where there is a conflict between this By-law and the *Oak Ridges Moraine Conservation Act*, or the Oak Ridges Moraine Conservation Plan, the more restrictive provisions shall prevail.

**4.42.11 Existing Uses (Legal Non-Conforming Uses)**

Notwithstanding any other provisions of this By-law to the contrary, uses that existed legally as of November 15, 2001, may continue until the use(s) cease to exist.

**4.43 Accommodation in The Vicinity Of A Resort**

Notwithstanding any other provision of this By-law to the contrary, within 2 km of lands shown as Recreation Commercial Exception No. 4 (RC-4) in part of Lots 22 and 23, Concession 2, in the former Township of Haldimand, an existing dwelling unit may be converted to no more than three (3) guest rooms.



## Section 5 – Rural (RU) Zone

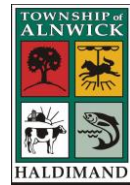
No person shall within any Rural (RU) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

### 5.1 Permitted Uses

- 5.1.1 a single detached dwelling
- 5.1.2 a converted dwelling containing a maximum of two dwelling units
- 5.1.3 a secondary dwelling unit
- 5.1.4 an abattoir
- 5.1.5 an agricultural or farm use
- 5.1.6 an agriculture-related WEGS accessory to a farm use in accordance with section 4.37 of this By-law
- 5.1.7 a bed and breakfast establishment
- 5.1.8 a cemetery
- 5.1.9 a commercial kennel
- 5.1.10 a commercial greenhouse
- 5.1.11 a conservation area including recreation activities, nature study and wildlife areas, or other similar use as provides for the preservation of the natural environment
- 5.1.12 a farm produce outlet
- 5.1.13 a feed mill
- 5.1.14 forestry and reforestation
- 5.1.15 a garden nursery sales and supply establishment
- 5.1.16 a grain cleaning plant
- 5.1.17 a grain drying and storage facility
- 5.1.18 a group home
- 5.1.19 a home industry
- 5.1.20 a home occupation
- 5.1.21 a livestock sales barn
- 5.1.22 a portable asphalt plant
- 5.1.23 a public use in accordance with section 4.28.1 of this By-law
- 5.1.24 a riding or boarding stable
- 5.1.25 a veterinary clinic
- 5.1.26 a wayside pit or quarry

### 5.2 Regulations For Uses Permitted in Section 5.1

- 5.2.1 Minimum Lot Area: 5 ha (12.36 ac.)
- 5.2.2 Minimum Lot Frontage: 60 m (196.85 ft.)
- 5.2.3 Minimum Front Yard Depth 12 m (39.37 ft.)



5.2.4	Minimum Exterior Side Yard Width	12 m (39.37 ft.)
5.2.5	Minimum Interior Side Yard Width	6 m (19.68 ft.)
5.2.6	Minimum Rear Yard Depth	12.0 m (39.37 ft.)
5.2.7	Maximum Building Height	11.0 m (36.09 ft.)
5.2.8	Maximum Lot coverage of All Buildings	15%
5.2.9	Maximum Number of Dwellings Per Lot	1
5.2.10	Maximum Number of Dwelling Units Per Lot	2 (for a converted dwelling only)

### 5.3 General Zone Provisions

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Rural (RU) Zone shall apply.

### 5.4 Special Rural (RU) Zones

Notwithstanding the provisions outlined in the above sections for the Rural (RU) Zone to the contrary, the following sections outline site specific Rural (RU) exception zone categories. All other provisions of the Rural (RU) Zone shall apply and be complied with.

5.4.1 **RU-1 Part Lots 5 and 6 Concession 3 and 4 (Geographic - Alnwick)**

On lands zoned Rural Exception No. 1 (RU-1) the minimum lot area requirement shall be 28 hectares.

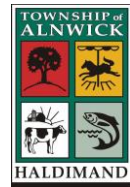
5.4.2 **RU-2 Part Lots 22 and 23, Concession 5 (Geographic – Alnwick)**

On lands zoned Rural Exception No. 2 (RU-2) the minimum lot area requirement shall be 19.9 hectares and the minimum lot frontage requirement shall be 39 metres.

5.4.3 **RU-3 Part Lot 21, Concession 6 (Geographic - Alnwick)**

On lands zoned as Rural Exception No. 3 (RU-3) the minimum lot area requirement shall be 3.6 hectares.





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5.4.4     **RU-4     Part Lot 15, Concession 1 (Geographic - Alnwick)**

On lands zoned Rural Exception No. 4 (RU-4) the minimum lot area requirement shall be 2.9 hectares and the minimum lot frontage requirement shall be 150 metres.

5.4.5     **RU-5     Part Lot 21, Concession 6 (Geographic - Alnwick)**

On lands zoned Rural Exception No. 5 (RU-5) a motor vehicle and farm equipment repair garage, with a total floor area of not more than 930 square metres shall be the only permitted use.

For the purposes of this section, a motor vehicle and farm equipment repair garage shall not include any outdoor storage of tires, either new or used and shall not include a wrecking yard where derelict motor vehicles are stored or dismantled for parts.

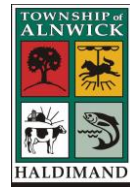
5.4.6     **RU-6     Part Lot 9, Concession 4 (Geographic - Alnwick)**

On lands zoned Rural Exception No. 6 (RU-6) the minimum lot area requirement shall be 4.86 hectares.

5.4.7     **RU-7     Part of Lots 22, 23 and 24, Concession 2 and Part of the Original Road Allowance Between Lots 22 and 23 Concession 2 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 7 (RU-7), commercial wells and a water packaging and bottling operation shall also be permitted uses. The minimum lot area requirement shall be 37 hectares.

In addition to the uses permitted on lands zoned Rural Exception No. 7 (RU-21) Zone, uses accessory and incidental to the main uses permitted in the Recreation Commercial Exception No. 4 (RC-4) Zone shall be permitted on lands zoned RU-7, provided any structures comply with the Rural Exception No. 7 (RU-7) Zone Provisions.



**5.4.8 RU-8 Part Lot 6, Concession A (Geographic - Haldimand)**

On lands zoned Rural Exception No. 8 (RU-8) the following provisions shall apply and be complied with:

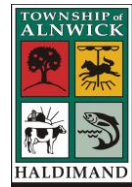
- a) Permitted Uses
  - i. A golf driving range with ancillary uses not to exceed 50 square metres in floor area
- b) Zone Provisions
  - i. Minimum Lot Area - 5.5 hectares
  - ii. Minimum Front Yard - Existing house: The front yard of the residential structure existing on the lands as of September 1, 1998 is hereby deemed to be the minimum front yard for this structure. Any enlargement of this building must be located in such a way that it does not further reduce the existing front yard and does not extend laterally to create any additional encroachment on the minimum front yard of 22.86 metres.

In addition, on lands zoned the Rural Exception No. 8 (RU-8) the minimum lot area requirement shall range from 5.50 hectares to 4.65 hectares. All other provisions of the Rural Exception 8 (RU-8) shall apply in all other respects.

**5.4.9 RU-9 Part Lot 26, Concession 1 (Geographic - Haldimand)**

The Rural Exception No. 9 (RU-9) the following provisions shall apply and be complied with:

- a) Permitted Uses
  - i. Commercial Nursery and Greenhouse
- b) Zone Provisions
  - i. Minimum Lot Area - 3.9 hectares
  - ii. Minimum Lot Frontage - 100 metres
  - iii. Minimum Front Yard Depth - 12 metres
  - iv. Minimum Setback from Street Centreline - 22 metres
  - v. Minimum Parking Space Requirements - 12 spaces



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5.4.10 **RU-10 Part Lot 14, Concession 5 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 10 (RU-10) the minimum lot area requirement shall be 1.75 hectares and the minimum lot frontage requirement shall be 135 metres.

5.4.11 **RU-11 Part Lot 14, Concession 5 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 11 (RU-11) the minimum lot area requirement shall be 2.50 hectares.

5.4.12 **RU-12 Part Lot 35, Concession 2 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 12 (RU-12) the minimum lot area requirement shall be 3.50 hectares and the minimum lot frontage requirement shall be 76 meters.

5.4.13 **RU-13 Part Lot 13, Concession 3 (Geographic - Haldimand)**

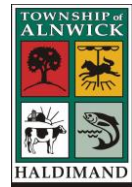
On lands zoned Rural Exception No. 13 (RU-13) the minimum lot area shall be 2.13 hectares and the minimum lot frontage requirement shall be 70 metres.

5.4.14 **RU-14 Part Lot 16, Concession 9 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 14 (RU-14) the minimum lot area requirement shall be 2 hectares and the minimum lot frontage requirement shall be 98 metres.

5.4.15 **RU-15 Part Lot 1, Concession 4 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 15 (RU-15) a golf driving range with ancillary uses not exceeding 50 square meters in floor area shall be permitted. The minimum lot area requirement shall be 32.40 hectares and the minimum lot frontage shall be 114.30 metres. The provisions of the Rural (RU) Zone shall apply in all other respects.



**5.4.16 RU-16 Part Lot 16, Concession 9 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 16 (RU-16) the minimum lot area requirement shall be 2.5 hectares and the minimum lot frontage requirement shall be 150 metres.

**5.4.17 RU-17 Part Lot 11, Concession 4 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 17 (RU-17) the minimum lot area requirement shall be 1.22 hectares and the minimum lot frontage requirement shall be 61 meters.

For the purposes of this section the front line shall be the lot line abutting the road allowance between Concessions 3 and 4 and the lot frontage shall be determined along the road allowance publicly named Boeve Lane. The Rural Exception No. 17 (RU-17) acknowledges the existing storage shed at the present location.

**5.4.18 RU-18 Part Lot 11, Concession 4 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 18 (RU-18) the minimum lot area requirement shall be 8.1 hectares and the minimum lot frontage requirement shall be 45.72 metres.

**5.4.19 RU-19 Part Lots 18, Concession 1 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 19 (RU-19) the minimum lot area requirement shall be 24.3 hectares and the minimum lot frontage requirement shall be 15.24 metres.

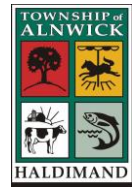
**5.4.20 RU-20 Part Lot 17, Concession 9 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 20 (RU-20) the minimum lot area requirement shall be 1.94 hectares and the minimum lot frontage requirement shall be 97.54 metres.

For the purposes of this section, lot frontage shall be calculated along George Road.

**5.4.21 RU-21 Part Lot 17, Concession 9 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 21 (RU-21) the minimum lot area requirement shall be 3.65 hectares and the minimum lot frontage requirement shall be 121.92 metres.



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5.4.22    **RU-22**    **Part Lot 4, Concession A (Geographic - Haldimand)**

On lands zoned Rural Exception No. 22 (RU-22) the minimum lot area requirement shall be 1.42 hectares and the minimum lot frontage requirement shall be 76.20 metres.

For the purposes of this section, lot frontage shall be calculated along Dudley Road.

5.4.23    **RU-23**    **Part Lot 13, Concession 5 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 23 (RU-23) the minimum lot area requirement shall be 1.62 hectares and the minimum lot frontage requirement shall be 83.82 metres. For the purposes of this section, the lot frontage shall be calculated along Eddystone Road.

5.4.25    **RU-25**    **Part Lot 20, Concession A (Geographic - Haldimand)**

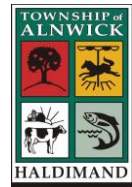
Notwithstanding any other provision of this By-law to the contrary, within the Rural Exception No. 25 (RU-25) Zone, all residential uses are prohibited. All other provisions of the Rural (RU) Zone shall apply.

5.4.26    **RU-26**    **Part Lots 11 and 12, Concession 4 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 27 (RU-27) the minimum lot area requirement shall be 4.05 hectares and the minimum lot frontage requirement shall be 121.92 metres.

5.4.27    **RU-27**    **Part Lots 11 and 12, Concession 4 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 27 (RU-27) the minimum lot area requirement shall be 2.84 hectares and the minimum lot frontage requirement shall be 68.58 metres.



**5.4.28 RU-28 Part Lots 11 and 12, Concession 4 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 28 (RU-28) the minimum lot area requirement shall be 16.2 hectares and the minimum lot frontage requirement shall be 45.72 metres

**5.4.29 RU-29 Part Lot 23, Concession 1 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 29 (RU-29) the minimum lot area requirement shall be 10.13 hectares.

**5.4.30 RU-30 Part Lots 5 & 6, Concession 30 (Geographic - Haldimand)**

On lands zone Rural Exception No. 30 (RU-30) no buildings or structures or excavations shall be established within 10 metres from the limits of the TransCanada Pipeline right-of-way.

**5.4.31 RU-31 Part Lots 18 and 19, Concession 2 (Geographic- Haldimand)**

On lands zoned Rural Exception No. 31 (RU-31) the following shall apply:

- a. Zone Provisions
  - i. Minimum Lot Area – 2.43 hectares.
  - ii. Minimum Lot Frontage – 106.68 metres
  - iii. Minimum Interior Side Yard (North Lot Line) – 30.48 metres
  - iv. Minimum Rear Yard – 31.48 metres

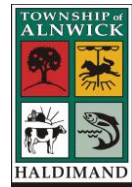
**5.4.32 RU-32 Part Lots 5 and 6, Concession 1 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 32 (RU-32) the following shall apply:

- a. Zone Provisions
  - i. Minimum Lot Area - 4.05 metres
  - ii. Minimum Front Yard Depth - 100 metres
  - iii. For the purposes of this section, lot frontage shall be calculated along Dudley Road.

**5.4.33 RU-33 Part Lots 5 and 6, Concession 1 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 33 (RU-33) the minimum lot area requirement shall be 2.03 hectares.



**5.4.34 RU-34 Part Lot 27, Concession 1 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 34 (RU-34) the minimum lot area requirement shall be 11.34 hectares. The building setbacks shall be as existing on April 9<sup>th</sup>, 2003.

**5.4.35 RU-35 Part Lot 22, Concession A (Geographic - Haldimand)**

On lands zoned Rural Exception No. 35 (RU-35) the minimum lot area requirement shall be 2.03 hectares and the minimum lot frontage requirement shall be 60.96 metres.

**5.4.36 RU-36 Part Lots 19 and 20, Concession 2 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 36 (RU-36) the minimum lot area requirement shall be 2 hectares.

**5.4.37 RU-37 Part Lot 20, Concession 2 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 37 (RU-37) the minimum lot area requirement shall be 2.02 hectares and the minimum lot frontage requirement shall be 91.44 metres.

**5.4.38 RU-38 Part Lot 12, Concession 2 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 38 (RU-38) the minimum lot area requirement shall be 6.88 hectares and the minimum lot frontage requirement shall be 51.81 metres.

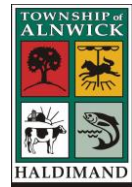
**5.4.39 RU-39 Part Lot 12, Concession 3 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 39 (RU-39) the minimum lot area requirement shall be 8.10 hectares and the minimum lot frontage requirement shall be 48.76 metres.

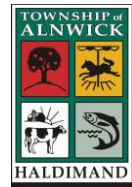
**5.4.40 RU-40 Part Lot 18, Concession 2 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 40 (RU-40) the minimum lot area requirement shall be 2.02 hectares and the minimum lot frontage requirement shall be 106.68 metres. The building setbacks shall be as existing on April 14<sup>th</sup>, 2004.





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- 5.4.41    **RU-41**    **Part Lots 7, 8 and 9, Concession 1 (Geographic - Haldimand)**
- On lands zoned Rural Exception No. 41 (RU-41) the minimum lot area requirement shall be 5.67 hectares and the minimum lot frontage requirement shall be 45.72 metres.
- 5.4.42    **RU-42**    **Part Lot 4, Concession A (Geographic - Haldimand)**
- On lands zoned Rural Exception No. 42 (RU-42) the minimum lot area requirement shall be 1.62 hectares and the minimum lot frontage requirement shall be 91.44 metres.
- 5.4.43    **RU-43**    **Part Lot 4, Concession A (Geographic - Haldimand)**
- On lands zoned Rural Exception No. 43 (RU-43) the minimum lot area requirement shall be 1.62 hectares and the minimum lot frontage requirement shall be 68.58 metres. The buildings shall be as existing on April 26<sup>th</sup>, 2006.
- 5.4.44    **RU-44**    **Part Lot 35, Concession 2 (Geographic - Haldimand)**
- On lands zoned Rural Exception No. 44 (RU-44) the minimum lot area requirement shall be 4.05 hectares and the minimum lot frontage requirement shall be 152.40 metres.
- 5.4.45    **RU-45**    **Part Lot 35, Concession 2 (Geographic - Haldimand)**
- On lands zoned Rural Exception No. 45 (RU-45) the minimum lot area requirement shall be 2.83 hectares and the minimum lot frontage requirement shall be 121.92 metres.
- 5.4.46    **RU-46**    **Part Lot 35, Concession 2 (Geographic - Haldimand)**
- On lands zoned Rural Exception No. 46 (RU-46) the minimum lot area requirement shall be 2.02 hectares and the minimum lot frontage requirement shall be 106.68 metres.



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5.4.47 **RU-47 Part Lot 25, Concession 2 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 47 (RU-47) the minimum lot area requirement shall be 2.83 hectares and the minimum lot frontage requirement shall be 48.76 metres.

5.4.48 **RU-48 Part Lot 13, Concession 3 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 48 (RU-48), the minimum lot area requirement shall be 1.82 hectares.

5.4.49 **RU-49 Part Lot 16, Concession 3 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 49 (RU-49) the minimum lot area requirement shall be 4.05 hectares and the minimum lot frontage requirement shall be 45.72 metres.

5.4.50 **RU-50 Part of Lot 31, Concession 1 (Geographic Haldimand)**

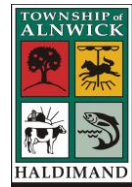
On lands zoned Rural Exception No. 50 (RU-50), the minimum lot area shall be 1.8 ha and the minimum lot area shall be 71.

5.4.51 **RU-51 Part Lot 35, Concession 2 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 51 (RU-51 ) the minimum lot area and the minimum lot area shall be 12.55 hectares and the minimum lot frontage shall be 56 metres.

5.4.52 **RU-52 Part Lot 6, Concession A (Geographic - Haldimand)**

On lands zoned Rural Exception No. 52 (RU-52) the following provisions shall apply and be complied with:



a) Zone Provisions

- i. Minimum Lot Area – 4.05 hectares
- ii. Minimum Front Yard- Residential Uses Only - 109.72 metres In the Rural Exception No. 51 (RU-51) Zone the front yard shall be deemed to be the frontage on Herron Road.
- iii. Minimum Exterior Side Yard- Residential Uses Only – 198.12 metres
- iv. Driveway Location- the Residential driveway shall only access Herron Road within the northerly 40 feet of frontage on Herron Road.

5.4.53 **RU-53 Part Lot 19, Concession 2 (Geographic - Alnwick)**

On lands zoned Rural Exception No. 53 (RU-53) the minimum lot area requirement shall be 2 hectares.

5.4.54 **RU-54 Part Lot 14, Concession A (Geographic - Haldimand)**

On lands zoned Rural Exception No. 54 (RU-54) the minimum lot area requirement shall be .9 hectares and the minimum lot frontage requirement shall be 40 metres.

5.4.55 **RU-55 Part Lot 14, Concession 2 (Geographic - Haldimand)**

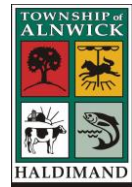
On lands zoned Rural Exception No. 55 (RU-55) the minimum lot area requirement shall be 4.5 hectares.

5.4.56 **RU-56 Part Lot 13, Concession 3 (Geographic - Haldimand)**

On lands zone Rural Exception No. 56 (RU-56) one (1) mobile home only, used for the accommodation of persons employed on such farm, is permitted, in addition to a permitted single detached dwelling. The minimum lot area for the property shall be existing lot area as of February 20, 1987.

5.4.57 **RU-57 Part Lot 29, Concession 1 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 57 (RU-57) the minimum lot area requirement shall be 1.21 hectares and the minimum lot frontage requirement shall be 58 metres.



**5.4.58 RU-58 Part Lots 3, Concession 1 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 58 (RU-58) the minimum lot area requirement shall be 12.0 hectares.

**5.4.59 RU-59 Part Lot 14; Concession 10 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 59 (RU-59) the minimum lot area requirement shall be 4 hectares and the minimum lot frontage requirement shall be 120 metres.

**5.4.60 RU-60 Part Lot 11, Concession 3 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 60 (RU-60) the minimum lot area requirement shall be 8 hectares and the minimum lot frontage requirement shall be 150 metres.

In addition, the provisions of Sections 4.31 Special Separation Distances- Pits and Quarries and Sensitive Uses and Section 4.22 Minimum Distance Separation Requirements- Agricultural Uses and Section 4.33 Special Separation Distances – Waste Disposal Areas shall not apply.

**5.4.61 RU-61 Part Lot 11, Concession 3 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 61 (RU-61) the minimum lot area requirement shall be 15 hectares.

In addition, the provisions of Section 4.31 Special Separation Distances- Pits and Quarries and Sensitive Uses and Section 4.22 Minimum Distance Separation Requirements- Agricultural Uses and Section 4.33 Special Separation Distances – Waste Disposals Areas shall not apply.

**5.4.62 RU-62 Part Lot 10, Concession 3 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 62 (RU-62) the minimum lot area requirement shall be 30 hectares. No building or structure may be erected within 10 metres of the TransCanada Pipeline right of way.



In addition, the provisions of Section 4.31, Special Separation Distances- Pits and Quarries and Sensitive Uses, Section 4.22 Minimum Distance Separation Requirements- Agricultural Uses, as well as Section 4.33, Special Separation Distances-Waste Disposal Areas, shall not apply.

**5.4.63 RU-63 Part Lot 9, Concession 4 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 63 (RU-63) the minimum lot frontage requirement shall be 45.6 metres.

**5.4.64 RU-64 Part Lot 19, Concession A (Geographic - Haldimand)**

On lands zoned Rural Exception No. 64 (RU-64) the minimum lot area requirement shall be 4 hectares and the minimum lot frontage requirement shall be 45.6 metres.

**5.4.65 RU-65 Part Lot 7, Concession 4 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 65 (RU-65) the minimum lot area requirement shall be 10 hectares and the minimum lot frontage requirement shall be 15 metres.

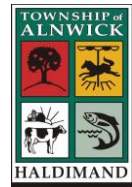
**5.4.66 RU-66 Part Lot 7, Concession 4 (Geographic - Haldimand)**

Notwithstanding the requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 66 (RU-66) the following shall apply:

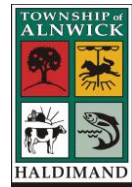
- a) The minimum lot area requirement shall be 12.14 hectares.
- b) Delete the provision of a minimum lot frontage requirement shall be 300 metres.
- c) Delete the provision that the maximum number of dwellings and dwelling units shall be two (2).
- d) The provisions of the Rural (RU) Zone shall apply in all other respects.

**5.4.67 RU-67 Part Lot 24, Concession 8 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 67 (RU-67) the minimum lot area requirement shall be 4 hectares and the minimum lot frontage requirement shall be 100 metres.

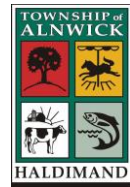


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- 5.4.68    **RU-68**    **Part Lot 29, Concession 1 (Geographic - Haldimand)**
- On lands zoned Rural Exception No. 68 (RU-68) the minimum lot area requirement shall be 3 hectares and the minimum lot frontage requirement shall be 100 metres.
- 5.4.69    **RU-69**    **Part Lot 26, Concession 1 (Geographic - Haldimand)**
- On lands zoned Rural Exception No. 69 (RU-69) the minimum lot area requirement shall be 20 hectares and the minimum lot frontage requirement shall be 45 metres. In addition, no building or structure may be located within 15 metres of a watercourse.
- 5.4.70    **RU-70**    **Part Lot 13, Concession 4 (Geographic - Haldimand)**
- On lands zoned Rural Exception No. 70 (RU-70) the minimum lot area requirement shall be 3 hectares.
- 5.4.71    **RU-71**    **Part Lot 8, Concession 4 (Geographic - Haldimand)**
- On lands zoned Rural Exception No. 71 (RU-70) the minimum lot area requirement shall be 3 hectares.
- 5.4.72    **RU-72**    **Part Lot 3, Concession 4 (Geographic - Haldimand)**
- On lands zoned Rural Exception No. 72 (RU-72) the minimum lot area requirement shall be 19 hectares and the minimum lot frontage requirement shall be 165 metres.
- In addition, no residential dwelling shall be permitted within 168 metres of the existing feedlot or within 215 metres of the existing barn both of which are located on Lot 3, Concession 4.
- 5.4.73    **RU-73**    **Part Lot 35, Concession 5 (Geographic - Haldimand)**
- On lands zoned Rural Exception No. 73 (RU-73) the minimum lot area requirement shall be 3.25 hectares and the minimum lot frontage requirement shall be 143 metres.



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- 5.4.74    **RU-74**    **Part Lot 35, Concession A (Geographic – Haldimand)**  
On lands zoned Rural Exception No. 74 (RU-74) no residential dwellings shall be permitted. The minimum lot area shall be 15 hectares and the minimum lot frontage shall be 60 metres.
- 5.4.75    **RU-75**    **Part of Lot 19, Concession 3 (Geographic – Alnwick)**  
On lands zones Rural Exception No. 75 (RU-75) only one (1) converted dwelling, containing a maximum of two (2) dwelling units shall be permitted. One dwelling unit contained therein shall only be occupied by the owner and his/her family of the property upon which such converted dwelling is located and the other unit contained therein shall only be occupied by a farm worker and his/her family, who is employed year-round, on a full time basis, on the property upon which the converted dwelling is located.
- 5.4.76    **RU-76**    **Part Lot 6, Concession 4 (Geographic - Haldimand)**  
On lands zoned Rural Exception No. 76 (RU-76) the minimum lot area requirement shall be 1.22 hectares and the minimum lot frontage requirement shall be 76.20 metres.
- 5.4.77    **RU-77**    **Part Lot 6, Concession 4 (Geographic – Haldimand)**  
On lands zoned Rural Exception 77 (RU-77) the minimum lot area requirement shall be 18.23 hectares and the minimum lot frontage requirement shall be 54. 86 metres.
- 5.4.78    **RU-78**    **Part Lot 14, Concession 5 (Geographic - Haldimand)**  
On lands zoned Rural Exception No. 78 (RU-78) lot frontage shall be calculated along County Road #22. The provisions of the Rural (RU) Zone will apply in all other respects.
- 5.4.79    **RU-79**    **Part Lots 5 and 6, Concession 3 (Geographic - Haldimand)**  
On lands zoned Rural Exception No. 79 (RU-79) neither a single detached dwelling nor a seasonal dwelling shall be permitted. The minimum lot area requirement shall be 1.21 hectares.





**5.4.80 RU-80 Part of Lots 5 and 6, Concession 3, Geographic - Haldimand**

Notwithstanding the permitted uses in the Rural (RU) Zone, within the Rural Exception No. 80 (RU-80) Zone, all of the provisions of the Rural (RU) Zone shall apply save and except as specifically noted below, in which case the following provisions shall apply and be complied with:

(a) Permitted Uses:

1. Residential uses shall be prohibited.
2. Non-residential uses shall be limited to conservation, a farm, forestry, and a public use.

(b) Zone Regulations:

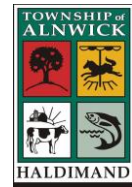
1. The minimum area to which the RU-80 Zone applies shall be as existing on the date of passing of this By-law.
2. The minimum lot area provision shall not apply.
3. Where a lot with an RU-80 Zone fronts on an improved public street, the minimum lot frontage shall be 49.0 metres. Where a portion of a property zoned RU-80 does not front on an improved public street, the minimum lot frontage provision shall not apply to that portion of the lot.
4. The minimum front yard, interior side yard and rear yard shall be 30.0 metres.

**5.4.81 RU-81 Part Lot 34, Concession A (Geographic - Haldimand)**

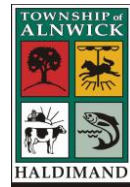
On lands zoned Rural Exception No. 81 (RU-81) the minimum lot area shall be 1.0 hectares and the minimum lot frontage shall be 146 metres.

**5.4.82 RU-82 Part Lot 9, Concession 1 (Geographic - Haldimand)**

On lands zoned Rural Exception No. 82 (RU-82) the minimum lot area requirement shall be 2.0 hectares and the minimum lot frontage requirement shall be 50 metres.



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- 5.4.83     **RU-83**     **Part Lots 22, 23, 24 and 25, Concession 2 (Geographic - Haldimand)**
- In addition to the uses permitted in the Rural (RU) zone, on lands zoned Rural Exception No. 83 (RU-83) uses accessory and incidental to the main permitted uses in the Recreation Commercial Exception No. 4 (RC-4) zone in part of Lots 22 and 23, Concession 2 (Haldimand) shall be permitted, provided that these structures comply with the Rural (RU) zone provisions.
- 5.4.84     **RU-84**     **Part Lot 19 and 20, Concession 4 (Geographic - Haldimand)**
- On lands zone Rural Exception No. 84 (RU-84) the minimum lot area requirement shall be 4 hectares and the minimum lot frontage requirement shall be 50 metres.
- 5.4.85     **RU-85**     **Part Lot 13, Concession 4 (Geographic - Alnwick)**
- On the lands zoned Rural Exception No. 85 (RU-85) "Commercial Riding Stables" shall be added as a permitted use.
- 5.4.86     **RU-86**     **Part Lot 30, Concession A (Geographic – Haldimand)**
- On the lands zoned Rural Exception No. 86 (RU-86) all residential uses shall be prohibited. The minimum lot area and minimum lot frontage requirements shall be 15 hectares and 100 metres respectively.
- 5.4.87     **RU-87**     **Part Lot 21, Concession 6 (Geographic - Alnwick)**
- On the lands zoned Rural Exception No. 87 (RU-8) the minimum lot area requirement shall be 4 hectares.
- 5.4.88     **RU-88**     **Part Lot 22, Concession 5 (Geographic - Alnwick)**
- Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 88 (RU-88) the following shall apply:



- i) The minimum lot area requirement shall be 6.08 hectares
- ii) For the purposes of this Section, lot frontage shall be calculated along Clark Road.
- iii) The buildings and structures shall be as existing on August 22, 2007.
- iv) The provisions of the Rural (RU) Zone shall apply in all other respects.

**5.4.89 RU-89 Part Lot 11, Concession 3 (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 89 (RU-89) the minimum lot area requirement shall be 3.24 hectares. For the purposes of this section, lot frontage shall be calculated along Boeve Lane. The provisions of the Rural (RU) Zone shall apply in all other respects.

**5.4.90 RU-90 Part Lot 22, Concession 5 (Geographic - Alnwick)**

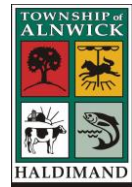
Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 90 (RU-90) the minimum lot area requirement shall be 10.12 hectares. For the purposes of this section, lot frontage shall be calculated along Clark Road. The buildings and structures shall be as existing on February 27, 2008.

**5.4.91 RU-91 Part Lot 11, Concession 4 (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 91 (RU-91) the minimum lot area requirement shall be 2.02 hectares. For the purposes of this section, lot frontage shall be calculated along Boeve Lane.

**5.4.92 RU-92 Part Lot 11, Concession 4 (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 92 (RU-92) the minimum lot area requirement shall be 4.86 hectares. The provision of the Rural (RU) Zone shall apply in all other respects.



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5.4.93 **RU-93 Part Lot 14, Concession 3 (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 93 (RU-93) the minimum lot area requirement shall be 2.22 hectares. The minimum lot frontage requirement shall be 79.24 metres. The provision of the Rural (RU) Zone shall apply in all other respects.

5.4.94 **RU-94 Part Lot 14, Concession 3 (Geographic - Haldimand)**

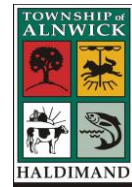
Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 94 (RU-94) the minimum lot area requirement shall be 5.26 hectares. The minimum lot frontage requirement shall be 45.72 metres. The provision of the Rural (RU) Zone shall apply in all other respects.

5.4.95 **RU-95 Part Lot 24, Concession A (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 95 (RU-95) the minimum lot area requirement shall be 1.82 hectares. The minimum lot frontage requirement shall be 114.30 metres. The provision of the Rural (RU) Zone shall apply in all other respects.

5.4.96 **RU-96 Part Lots 33 and 34, Concessions 2 and 3 (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 96 (RU-96) the minimum lot area requirement shall be 2.02 hectares. The minimum lot frontage requirement shall be 51.81 metres. The provision of the Rural (RU) Zone shall apply in all other respects.



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5.4.97    **RU-97**    **Part Lot 18, Concession 1 (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 97 (RU-97) the minimum lot area requirement shall be 2.83 hectares. The minimum lot frontage requirement shall be 57.91 metres. The provision of the Rural (RU) Zone shall apply in all other respects.

5.4.98    **RU-98**    **Part Lots 21 and 22, Concession 2 (Geographic - Haldimand)**

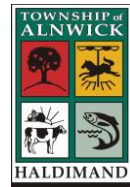
Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 98 (RU-98) the minimum lot area requirement shall be 3.64 hectares. The minimum lot frontage requirement shall be 45.72 metres. For the purposes of this Section, lot frontage shall be calculated along Academy Hill Road. The provision of the Rural (RU) Zone shall apply in all other respects.

5.4.99    **RU-99**    **Part Lots 21 and 22, Concession 2 (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 99 (RU-99) the minimum lot area requirement shall be 30.37 hectares. The building setbacks shall be as existing on May 27<sup>th</sup>, 2009. For the purposes of this Section, lot frontage shall be calculated along Academy Hill Road. The provision of the Rural (RU) Zone shall apply in all other respects.

5.4.100    **RU-100**    **Part Lot 14, Concession 2 (Geographic - Alnwick)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 100 (RU-100) the minimum lot area requirement shall be 6.07 hectares. The minimum lot frontage requirement shall be 45.72 metres. For the purposes of this section, lot frontage shall be calculated along County Road #45. The buildings and structures shall be as existing on July 15, 2009. The provision of the Rural (RU) Zone shall apply in all other respects.



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5.4.10 **RU-101-H Part Lots 3 and 4, Concession A (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 101-Holding (RU-101-H) the minimum lot area requirement shall be 4.05 hectares. The provision of the Rural (RU) Zone shall apply in all other respects.

Where Zone symbol on Schedule "A" followed by a Holding (H) Symbol, holding provisions provided under Section 36 of the *Planning Act* on in effect.

The permitted uses and relevant zone provisions do not apply until such time that the Holding symbol (H) is removed according to the provisions of Section 36 of the *Planning Act* and this By-Law.

The Holding symbol (H) which applies to the RU-101-H Zone shall only be removed after the following matters are secured to the satisfaction of the Lower Trent Conservation Authority and the Council of the Township of Alnwick/Haldimand, that being:

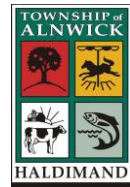
- a) The completion of an engineered lot grading and drainage plan to the satisfaction of the Lower Trent Conservation Authority; and
- b) Submission of a detailed site plan to the satisfaction of the Lower Trent Conservation Authority and the Township of Alnwick/Haldimand to be registered on tile.

5.4.102 **RU-102 Part Lots 3 and 4, Concession A (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary, on lands zoned Rural Exception No. 102 (RU-102) the minimum lot area requirement shall be 4.05 hectares. The minimum lot frontage requirement shall be 91.44 metres. The building setbacks shall be as existing on September 23<sup>rd</sup>, 2009. The provision of the Rural (RU) Zone shall apply in all other respects.

5.4.100 **RU-103-H Part Lots 3 and 4, Concession A (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception



No. 103-Holding (RU-103-H) the minimum lot area requirement shall be 4.05 hectares. The minimum lot frontage requirement shall be 121.92 metres. The provision of the Rural (RU) Zone shall apply in all other respects.

Where Zone symbol on Schedule "A" followed by a Holding (H) Symbol, holding provisions provided under Section 36 of the *Planning Act* are in effect.

The permitted uses and relevant zone provisions do not apply until such time that the Holding symbol (H) is removed according to the provisions of Section 36 of the *Planning Act* and this By-Law.

The Holding symbol (H) which applies to the RU-103-H Zone shall only be removed after the following matters are secured to the satisfaction of the Lower Trent Conservation Authority and the Council of the Township of Alnwick/Haldimand, that being:

- i. The completion of an engineered lot grading and drainage plan to the satisfaction of the Lower Trent Conservation Authority; and
- ii. Submission of a detailed site plan to the satisfaction of the Lower Trent Conservation Authority and the Township of Alnwick/Haldimand to be registered on tile.

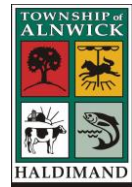
**5.4.104 RU-104 Part Lot 32, Concession A (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary, on lands zoned Rural Exception No. 104 (RU-104) the minimum lot area requirement shall be 2.0 hectares. The provisions of the Rural (RU) Zone shall apply in all other respects.

**5.4.105 RU-105 Part of Lot 23, Concession A (Geographic – Haldimand)**

Notwithstanding the lot area and lot frontage requirements of the Rural (RU) Zone as otherwise amended to the contrary, on lands zoned Rural Exception 105 (RU-105), the minimum lot area shall be 3.0 hectares and the minimum lot frontage shall be 150 metres.





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5.4.105 **RU-106 Part Lots 11 and 12, Concession 3, (Geographic - Haldimand)**

Notwithstanding the lot area and lot frontage requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 106 (RU-106) the minimum lot area requirement shall be 1.62 hectares and the minimum lot frontage requirement shall be 100 metres. For the purposes of this section, lot frontage shall be calculated along Pipeline Road. The provisions of the Rural (RU) Zone shall apply in all other respects.

5.4.107 **RU-107 Part Lot 11, Concession 2, (Geographic - Haldimand)**

Notwithstanding the lot area and lot frontage requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 107 (RU-107) the minimum lot area requirement shall be 3.64 hectares and the minimum lot frontage requirement shall be 68.50 metres. The provisions of the Rural (RU) Zone shall apply in all other respects.

5.4.108 **RU-108 Part Lot 32, Concession 1, (Geographic - Haldimand)**

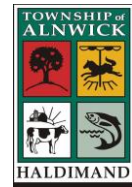
Notwithstanding the lot area and lot frontage requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 108 (RU-108) the minimum lot area requirement shall be 1.94 hectares and the minimum lot frontage requirement shall be 91.44 metres. The buildings and structures shall be existing on June 22<sup>nd</sup>, 2011. The provisions of the Rural (RU) Zone shall apply in all other respects.

5.4.109 **RU-109 Part Lot 8, Concession 4, (Geographic - Alnwick)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary, on lands zoned Rural Exception No. 109 (RU-109) the minimum lot frontage requirement shall be 4.05 hectares. The provisions of the Rural (RU) Zone shall apply in all other respects.

5.4.110 **RU-110 Part Lot 14, Concession 2, (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 110 (RU-110) the minimum lot area requirement shall be 3.24 hectares and the minimum lot frontage requirement shall be 68.58 metres. The provisions of the Rural (RU) Zone shall apply in all other respects.



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**5.4.111 RU-111 Part Lots 25 and 26, Concessions A and 1, (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 111 (RU-111) the minimum lot area requirement shall be 4.06 hectares and the minimum lot frontage requirement shall be 53.34 metres. The provisions of the Rural (RU) Zone shall apply in all other respects.

**5.4.112 RU-112 Part Lot 17, Concession 2, (Geographic - Haldimand)**

Notwithstanding the lot area and lot frontage requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 112 (RU-112) the minimum lot area requirement shall be 3.03 hectares and the minimum lot frontage required shall be 129.54 metres. The provisions of the Rural (RU) Zone shall apply in all other respects.

**5.4.113 RU-113 Part Lot 20, Concession B, (Geographic - Haldimand)**

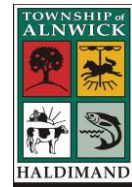
Notwithstanding the lot area and lot frontage requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 113 (RU-113) the minimum lot area requirement shall be 3.24 hectares and the minimum lot frontage requirement shall be 48.76 metres. The provisions of the Rural (RU) Zone shall apply in all other respects.

**5.4.114 RU-114 Part Lot 7, Concession 1, (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 114 (RU-114) the minimum lot area requirement shall be 4.05 hectares. The provisions of the Rural (RU) Zone shall apply in all other respects.

**5.4.115 RU-115 Part Lot 35, Concession 2, (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 115 (RU-115) the minimum lot frontage requirement shall be 46.78 metres and the minimum lot area requirement shall be 14.58 hectares. Those lands within the Environmental Control (EC) Zone in the same lot shall be included in determining the lot area and lot frontage. The provisions of the Rural (RU) Zone shall apply in all other respects.



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**5.4.116 RU-116 Part Lot 7, Concession 1, (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 116 (RU-116) the minimum lot frontage requirement shall be 45.72 metres and the minimum lot area requirement shall be 1.41 hectares. The provisions of the Rural (RU) Zone shall apply in all other respects.

**5.4.117 RU-117 Part Lot 6, Concession 4, (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 117 (RU-117) the minimum lot area requirement shall be 12.15 hectares and the minimum lot frontage requirement shall be 45.72 metres. The provisions of the Rural (RU) Zone shall apply in all other respects.

**5.4.118 RU-118 Part Lots 3 and 4, Concession 9, (Geographic - Haldimand)**

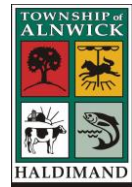
Notwithstanding the lot area and lot frontage requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 118 (RU-118) the minimum lot area requirement shall be 18.22 hectares and the minimum lot area requirement shall be 45.72 metres. The provisions of the Rural (RU) Zone shall apply in all other respects.

**5.4.119 RU-119 Part Lots 3 and 4, Concession 9, (Geographic - Haldimand)**

Notwithstanding the lot area and lot frontage requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 119 (RU-119) the minimum lot area requirement shall be 14.17 hectares and the minimum lot area requirement shall be 45.72 metres. The provisions of the Rural (RU) Zone shall apply in all other respects.

**5.4.120 RU-120 Part Lot 19, Concession 3, (Geographic - Alnwick)**

On lands zoned Rural Exception No. 120 (RU-120) the minimum lot area requirement shall be 2.02 hectares and the minimum lot frontage requirement shall be 121.92 metres. The provisions of the Rural (RU) Zone shall apply in all other respects.



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**5.4.121 RU-121 Part Lot 22, Concession 9, (Geographic - Haldimand)**

Notwithstanding the permitted uses outlined in 5.1 as otherwise amended to the contrary on lands zoned Rural Exception No. 121 (RU-121) the following uses are also permitted that being:

- a small scale retail establishment (gift shop)
- a mobile canteen (seasonal)

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 121 (RU-121) the following shall apply:

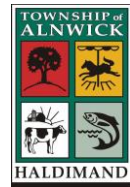
- a) The minimum lot area requirement shall be 0.50 hectares.
- b) The minimum lot frontage requirement shall be 91.44 metres.
- c) That Section 4.20 of the Township's Comprehensive Zoning By-Law 100- 2010 does not apply.
- d) The maximum gross floor area for the small scale retail establishment (gift shop) shall be 75.0 metres<sup>2</sup>.
- e) The provisions of the Rural (RU) Zone shall apply in all other respects.

**5.4.122 RU-122 Part Lots 7 and 8, Concession 2, (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 122 (RU-122) the minimum lot frontage requirement shall be 44.19 metres. The provisions of the Rural (RU) Zone shall apply in all other respects.

**5.4.123 RU-123 Part Lots 1 and 2, Concession 3, (Geographic - Haldimand)**

On lands zoned Rural Exception No. 123 (RU-123) the minimum lot area requirement shall be 2.22 hectares. The provisions of the Rural (RU) Zone shall apply in all other respects.



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**5.4.124 RU-124 Part Lots 1 and 2, Concession 3, (Geographic - Haldimand)**

On lands zoned Rural Exception No. 124 (RU-124) the minimum lot area requirement shall be 45.72 metres. For the purposes of this Section, lot frontage should be calculated along Shelter Valley Road. The provisions of the Rural (RU) Zone shall apply in all other respects.

**5.4.125 RU-125 Part Lot 13, Concession A, (Geographic - Haldimand)**

On lands zoned Rural Exception No. 125 (RU-125) the minimum lot area requirement shall be 2.0 hectares. The following shall be the only permitted uses in the Rural Exception No. 125 (RU-125) Zone:

- a single detached dwelling; a converted dwelling containing a maximum of two dwelling units; an agricultural or farm use; a bed and breakfast establishment; a garden nursery sales and supply establishment; a group home, a home industry; a home occupation.

**5.4.126 RU-126 Part Lot 24, Concession 4, (Geographic – Alnwick)**

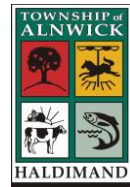
On lands zoned Rural Exception No. 126 (RU-126), the following shall apply:

- a) The minimum lot area requirement shall be 10.12 hectares.
- b) For the purposes of this section, lot frontage shall be calculated along Baxter Road.
- c) The building and structures on the property shall be existing on January 26<sup>th</sup>, 2017.
- d) The provisions of the Rural (RU) Zone shall apply in all other respects.

**5.4.127 RU-127 Part of Lots 5 and 6, Concession 2, (Geographic-Haldimand)**

Notwithstanding any provisions of this By-Law to the contrary within the RU-127 Zone the following provisions shall apply:

- a) The minimum lot frontage requirement shall be 45.0 metres.
- b) A luxury camping resort shall be a permitted use in addition to the permitted uses of the Rural (RU) Zone, subject to and in accordance with the Temporary Use provisions set out in this By-Law.
- c) The maximum number of tent camping sites shall be limited to 15.
- d) All camping sites and accessory uses, buildings and structures other than recreational trails shall be set back a minimum of 30 metres from any property line.



- e) For the purposes of the Rural Exception No. 127 (RU-127) Zone, a “Luxury Camping Resort” means a tourist establishment consisting of tent camping sites and accessory uses, buildings and structures including a guest pavilion, outdoor pool and hot tub facilities, recreational trails and other recreational facilities such as outdoor tennis courts. For clarity, a “Luxury Camping Resort” shall not include camping or parking sites for tourist trailers, motor homes, park model trailers, truck campers or mobile homes.
- f) Notwithstanding the prohibition on park model trailers set out in subsection (e) above, a maximum of one (1) park model trailer shall be permitted in the luxury camping resort within the RU-127 Zone.
- g) The provisions of the Rural (RU) Zone shall apply in all other respects.

The temporary use shall expire on December 31, 2023.

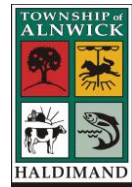
**5.4.128 RU-128 Part Lots 34 and 35, Concession 10, (Geographic - Haldimand)**

On lands zoned Rural Exception No. 128 (RU-128) the minimum lot frontage requirement shall be 45.72 metres. The provisions of the Rural (RU) Zone shall apply in all other respects.

**5.4.129 RU-129 Part Lot 18, Concession 3, (Geographic-Haldimand)**

On lands zoned Rural Exception No. 129 (RU-129) the following shall apply:

- a) The minimum lot area requirement shall be 4.86 hectares.
- b) The minimum lot frontage requirement shall be 121.92 metres.
- c) The provisions of the Rural (RU) Zone shall apply in all other respects.



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**5.4.130 RU-130 Part Lot 2, Concession 8, (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Rural (RU) Zone as otherwise amended to the contrary on lands zoned Rural Exception No. 130 (RU-130) the following permitted uses and provisions shall apply:

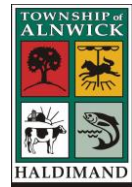
- a) The minimum lot area requirement shall be 36.42 hectares. For the purposes of this zone provision, that portion of the lot situated on the Oak Ridges Moraine and subject to the provisions of Section 4.38 of this By-Law and the Oak Ridges Moraine Zones, shall be used to calculate the minimum lot area of the Rural Exception No. 130 (RU-130) Zone.
- b) Permitted Uses:
  - i) Residential uses:
    - An accessory dwelling unit for farm help, including a wine-maker
  - ii) Non-Residential uses:
    - An eating establishment which is operated only as an accessory use to an existing winery, and which shall have a maximum seating capacity of 50 persons

**Zone Regulations:**

- i) Special Provisions for an Accessory Dwelling Unit for Farm Help:
  - A maximum of one (1) accessory dwelling unit for farm help only, including a wine-maker, shall be permitted.
  - The maximum floor area for an accessory dwelling unit for farm help shall be 36.0 square metres (387.5 square feet).
  - An accessory dwelling unit for farm help may be located in a non-residential building, subject to the provisions of Section 4.3.3 of this By-Law.

The provisions of the Rural (RU) Zone shall apply in all other respects.





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**5.4.131 RU-131 Part Lot 18, Concession 3, (Geographic - Haldimand)**

Notwithstanding the provisions of the Rural (RU) Zone as otherwise amended, to the contrary, on lands zoned Rural Exception No. 131 (RU-131) the following shall apply:

- a) The minimum lot area requirement shall be 8.094 hectares.
- b) The housing of livestock in any accessory buildings existing as of September 27<sup>th</sup>, 2018 shall be **prohibited**.
- c) The provisions of the Rural (RU) Zone shall apply in all other respects.

**5.4.132 RU-132 Part Lot 23, Concession B (Geographic – Haldimand)**

On lands zoned Rural Exception No. 132 (RU-132), the minimum lot area requirement shall be 3 ha.

**5.4.133 RU-133 Part of Lot 32, Concession A (Geographic - Haldimand)**

On land zoned Rural Exception No. 133 (RU-133), the minimum lot area requirement shall be 1.3 ha.

**5.4.134 RU-134 Part of Lot 32, Concession (Geographic – Haldimand)**

On lands zone Rural Exception 134 (RU-134) neither a single detached dwelling, mobile home nor a seasonal dwelling shall be permitted.

**5.4.135 RU-135 Part of Lot 1, Concession A (Geographic - Haldimand)**

On lands zoned Rural Exception No. 135 (A-135) the minimum lot area requirement shall be 2.02 hectares and the minimum lot frontage requirement shall be 135 metres.

**5.4.136 RU-136 Part of Lot 16, Concession 3 (Geographic – Haldimand)**

On lands zoned Rural No. 136 (RU-136) the minimum lot area requirement shall be 4.05 ha. For the purposes of this section, the lot frontage is calculated from the public highway named Locke Road.



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**5.4.137 RU-137 Part of Lots 31 & 32, Concession 2 (Geographic – Haldimand)**

On lands zoned Rural Exception No. 137 (RU-137) the minimum lot area requirement shall be 6.88 ha, and the building setback shall be as existing on August 13, 2003.

**5.4.138 RU-138 Part of Lot 18, Concession 4 (Geographic – Haldimand)**

Notwithstanding any provision of this By-law to the contrary, within the RU-138 Zone the following provisions shall apply:

- a) A Coach House shall be a permitted use, in addition to the permitted uses of the Rural (RU) Zone.
- b) For the purposes of the RU-138 Zone a “Coach House Dwelling” shall mean one (1) additional dwelling unit that is located within a non-residential accessory building or structure.

**5.4.139 RU-139 Part Lot 24, Concession 8 (Geographic – Haldimand)**

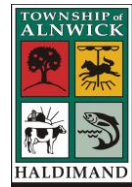
In addition to the uses permitted in Section 5.1 of this By-law, a special events and horticultural education venue shall also be permitted on lands zoned Rural Exception No. 139 (RU-139). All other provisions of the Rural Zone shall apply.

**5.4.140 RU-140-H Part of Lot 6, Concession 1 (Geographic – Haldimand)**

Notwithstanding any provision of this By-law to the contrary, within the area zoned Rural Exception No. 140-Holding (RU-140-H), development cannot occur until the holding symbol has been removed. The Holding symbol shall only be removed upon completion of a Hydrologic Evaluation undertaken by a qualified professional addressing the requirements of Section 4.2.4 of the Growth Plan for the Greater Golden Horseshoe or confirmation that a Key Hydrologic Feature is not present.

**5.4.141 RU-141 Part of Lots 34 & 35, Concession 2 (Geographic – Haldimand)**

Notwithstanding Sections 5.2.1 and 5.2.2 of this By-law, within the Rural Exception No. 141 (RU-141) Zone, the minimum lot area shall be 10 ha, the minimum front yard requirement shall be 161 metres and the minimum lot frontage 30 meters.



**5.4.142 RU-142- H Part of Lot 9, Concession 4 (Geographic – Haldimand)**

Notwithstanding any provision of this By-law to the contrary, within the area zoned Rural Exception No. 142-Holding (RU-142-H), development cannot occur until the holding symbol has been removed. The Holding symbol shall only be removed upon completion of a Hydrologic Evaluation undertaken by a qualified professional addressing the requirements of Section 4.2.4 of the Growth Plan for the Greater Golden Horseshoe.

**5.4.143 RU-143 Part of Lot 7 & 8, Concession 3 (Geographic – Haldimand)**

On lands zoned Rural Exception No. 143 (RU-143), the minimum lot area requirement shall be 6 hectares and the minimum lot frontage requirement shall be 32 metres.

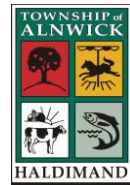
**5.4.144 RU-144 Part of Lot 8, Concession 3 (Geographic – Haldimand)**

On lands zoned Rural Exception No. 144 (RU-144) the minimum lot area requirement shall be 2.2 hectares.

**5.4.145 RU-145 Part of Lot 9 & 10, Concession 2 (Geographic-Haldimand)**

On lands zoned Rural Exception 145 (RU-145) the lot frontage shall be determined along the road allowance separating Lots 8 and 9.

In addition, the Provisions of Section 4.24, Minimum Distance Separation Requirements – Agricultural Uses, Section 4.33, Minimum Distance Separation Distances Pits and Quarries and Sensitive Uses, and Section 4.35, Special Separation Distances Waste Disposal Areas, shall not apply.



## Section 6 – Agricultural (A) Zone

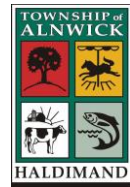
No person shall within any Agricultural (A) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

### 6.1 Permitted Uses

- 6.1.1 a single detached dwelling
- 6.1.2 a converted dwelling containing a maximum of two dwelling units
- 6.1.3 a secondary dwelling
- 6.1.4 an abattoir
- 6.1.5 an agricultural or farm use
- 6.1.6 an agriculture-related WEGS accessory to a farm use in accordance with section 4.37 of this By-law
- 6.1.7 a bed and breakfast establishment
- 6.1.8 a cemetery
- 6.1.9 a commercial kennel
- 6.1.10 a conservation area including recreation activities, nature study and wildlife areas, or other similar use as provides for the preservation of the natural environment
- 6.1.11 a farm produce outlet
- 6.1.12 a feed mill
- 6.1.13 forestry and reforestation
- 6.1.14 a grain cleaning plant
- 6.1.15 a grain drying and storage facility
- 6.1.16 a group home
- 6.1.17 a home industry
- 6.1.18 a home occupation
- 6.1.19 a livestock sales barn
- 6.1.20 a portable asphalt plant
- 6.1.21 a public use in accordance with section 4.28.1 of this By-law
- 6.1.22 a riding or boarding stable
- 6.1.23 a veterinary clinic
- 6.1.24 a wayside pit or quarry

### 6.2 Regulations For Uses Permitted in Section 6.1

- |       |                                  |                     |
|-------|----------------------------------|---------------------|
| 6.2.1 | Minimum Lot Area                 | 36.0 ha (88.95 ac.) |
| 6.2.2 | Minimum Lot Frontage             | 200.0 m (656.2 ft.) |
| 6.2.3 | Minimum Front Yard Depth         | 22.0 m (72.18 ft.)  |
| 6.2.4 | Minimum Exterior Side Yard Width | 22.0 m (72.18 ft.)  |



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6.2.5	Minimum Interior Side Yard Width	7.5 m (24.61 ft.)
6.2.6	Minimum Rear Yard Depth	12.0 m (39.37 ft.)
6.2.7	Maximum Building Height	11.0 m (36.09 ft.)
6.2.8	Maximum Lot Coverage of All Buildings	15%
6.2.9	Maximum Number of Dwellings Per Lot	1
6.2.10	Maximum Number of Dwelling Units Per Lot	2 (for a converted dwelling only)

### 6.3 General Zone Provisions

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land building or structure permitted within the Agricultural (A) Zone shall apply.

### 6.4. Special Agricultural (A) Zones

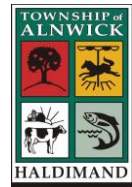
Notwithstanding the provisions outlined in the above sections for the Agricultural Zone to the contrary, the following sections outline site specific Agricultural (A) exception zone categories. All other provisions of the Agricultural (A) Zone shall apply and be complied with.

#### 6.4.1 A-1 Part Lot 9, Concession A (Geographic - Haldimand)

On lands zoned Agricultural Exception No. 1 (A-1) one (1) mobile home only, used for the accommodation of persons employed full time on such farm, is permitted, in addition to a permitted single detached dwelling.

#### 6.4.2 A-2 Part Lot 33, Concession 1 (Geographic - Haldimand)

On lands zoned Agricultural Exception No. 2 (A-2) the minimum lot area requirement shall be 8 hectares.



**6.4.3 A-3 Part Lot 1 and 2, Concession B (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 3 (A-3) the minimum lot area requirement shall be 6.07 hectares and the minimum lot frontage requirement shall be 152.40 metres.

**6.4.4 A-4 Part Lots 29 and 30, Concession 2 (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 4 (A-4) the minimum lot area shall be 3.50 hectares. For the purposes of this section where lands are zoned Agricultural Exception No. 4 (A-4) that all buildings existing as of January 1, 1998 shall be deemed to be “existing buildings and structures”. Any enlargement, reconstruction, repair or renovation of these “existing buildings and structures” shall comply with the Provisions of Sections 4.9 Existing Buildings and Structures and Uses and Section 4.10 Existing Undersized Lots.

**6.4.5 A-5 Part Lot 16, Concession 3 (Geographic - Alnwick)**

On lands zoned Agricultural Exception No. 5 (A-5) the minimum lot area requirement shall be 2.43 hectares and the minimum lot frontage requirement shall be 152.40 metres.

**6.4.6 A-6 Part Lot 31, Concession 1 (Geographic - Haldimand)**

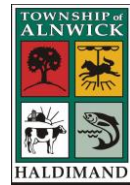
On lands zoned Agricultural Exception No. 6 (A-6) the following provisions shall apply and be complied with:

a) Zone Provisions

- i. Minimum lot area – 36 hectares
- ii. Minimum lot frontage – 129 metres
- iii. Maximum number of dwellings per lot – 2
- iv. Maximum number of dwelling units per lot – 2

**6.4.7 A-7 Part Lots 1 and 2, Concession 1 (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 7 (A-7) the minimum lot frontage requirement shall be 137.16 metres.



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**6.4.8 A-8 Part Lot 29, Concession 1 (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 8 (A-8) the minimum lot area requirement shall be 12.15 hectares.

**6.4.9 A-9 Part Lots 28, Concession 1 (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 9 (A-9) following provisions shall apply and be complied with:

a) Zone Provisions

- i. The building setbacks shall be as existing on June 26, 2003
- ii. The existing accessory building (barn) is to be used for storage (dry) purposes and shall not be used as a livestock facility.

**6.4.10 A-10 Part Lot 16, Concession 4 (Geographic - Alnwick)**

On lands zoned Agricultural Exception No. 10 (A-10) the minimum lot area requirement shall be 26.33 hectares.

**6.4.11 A-11 Part Lot 18, Concession 5 (Geographic - Alnwick)**

On lands zoned Agricultural Exception No. 11 (A-11) the minimum lot area requirement shall be 2.83 hectares and the minimum lot frontage requirement shall be 167.64 metres.

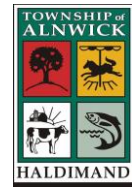
**6.4.12 A-12 Part Lot 18, Concession 5 (Geographic - Alnwick)**

On lands zoned Agricultural Exception No. 12 (A-12) the minimum lot area requirement shall be 34.42 hectares and the minimum lot frontage requirement shall be 45.72 metres.

**6.4.13 A-13 Part Lot 35, Concession 1 (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 13 (A-13) the minimum lot area requirement shall be 2.43 hectares.





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6.4.14    **A-14    Part Lot 18, Concession B (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 14 (A-14) the minimum lot area requirement shall be 32.40 hectares.

6.4.15    **A-15    Part Lot 17, Concession 4 (Geographic - Alnwick)**

On lands zoned Agricultural Exception No. 15 (A-15) two structures with maximum gross floor areas of 1785 square metres and 56 square metres are permitted. The following uses shall also be permitted:

- i. Septage haulage operation
- ii. Contractor's yard
- iii. Inside storage of vehicles and boats

6.4.16    **A-16    Part of Lot 16, Concession 3 (Geographic – Haldimand)**

On lands zoned Agricultural Exception No. 16 (A-16), the minimum lot area requirement shall be 3.2 hectares and the minimum lot frontage requirement shall be 75.2 m. For the purposes of this section, lot frontage shall be calculated on Locke Road.

6.4.17    **A-17    Part Lot 19, Concession 4 (Geographic - Alnwick)**

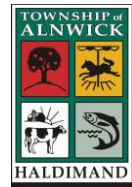
On lands zoned Agricultural Exception No. 17 (A-17) the minimum lot area requirement shall be 36 hectares.

6.4.18    **A-18    Part Lot 17, Concession 4 (Geographic - Alnwick)**

On lands zoned Agricultural Exception No. 18 (A-18) the permitted uses shall include a small engine repair shop.

6.4.19    **A-19    Part Lots 18, Concession 3 (Geographic - Alnwick)**

On lands zoned Agricultural Exception No. 19 (A-19) the minimum lot area requirement shall be 24.30 hectares. The front lot line shall be deemed to be along the 4<sup>th</sup> Line Road and lot frontages shall be calculated along this lot line.



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6.4.20    **A-20    Part Lot 14, Concession 4 (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 20 (A-20) the minimum lot area requirement shall be 28.35 hectares.

6.4.21    **A-21    Part Lots 1, 2 and 3, Concession B (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 21 (A-21) the minimum lot area requirement shall be 24.30 hectares.

6.4.22    **A-22    Part Lots 1, 2, and 3, Concession B (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 22 (A-22) the minimum lot area requirement shall be 16.20 hectares and the minimum lot frontage requirement shall be 54.86 metres.

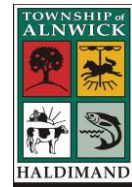
6.4.23    **A-23    Part Lots 21 and 22, Concession 4 (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 23 (A-23) the following shall apply and be complied with:

- a)    Zone Provisions:
  - i.    Lot Area Requirement – 2 hectares
  - ii.   Minimum Lot Frontage – 180 metres
  - iii. The lot line abutting Collin Road shall be the front lot line
  - iv. An accessory building or structure shall not be used for farm uses
  - v. An existing accessory building or structure may be permitted in a front yard.
  - vi. Nothing in this Bylaw shall prevent the replacement of an existing dwelling with a new dwelling in compliance with the provisions of this Bylaw.

6.4.24    **A-24    Part Lot 1, Concession 1 (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 24 (A-24) the minimum lot area requirement shall be 6 hectares and the minimum lot frontage requirement shall be 100 metres.



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**6.4.25 A-25 Part Lot 21, Concession 2 (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 25 (A-25) the minimum lot area requirement shall be 20 hectares.

**6.4.26 A-26 Part Lot 22, Concession 3 (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 26 (A-26) the minimum lot area requirement shall be 6 hectares. In addition, a dwelling unit shall be permitted in an existing Non-Residential Building located thereon provided such dwelling unit is occupied by the owner, caretaker, watchperson or similar person and his/her family, if such person is employed on the lot which such dwelling unit is located and further provided that the maximum number of dwelling units is limited to two (2), the Dwelling Unit Area requirements for Non-Residential Buildings are satisfied, and the second permitted dwelling unit must be in a single detached dwelling erected to the west of the existing Non-Residential Building which contains the dwelling unit. The minimum rear yard setback requirement shall be 4 meters.

**6.4.27 A-27 Part Lots 7 and 8, Concession A (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 27 (A-27) the minimum lot area requirement shall be 8 hectares.

**6.4.28 A-28 Part Lot 7, Concession 1 (Geographic - Haldimand)**

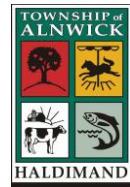
On lands zoned Agricultural Exception No. 28 (A-28) the minimum lot area requirement shall be 14.17 hectares. The provisions of the Agricultural (A) Zone shall apply in all other respects.

**6.4.29 A-29 Part Lot 35, Concession A (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 29 (A-29) the minimum lot area requirement shall be 5.87 hectares and the minimum lot frontage requirement shall be 150 metres.

**6.4.30 A-30 Part Lot 14, Concession A (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 30 (A-30) the minimum lot area requirement shall be 15 hectares.



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**6.4.31 A-31 Part Lot 19, Concession B (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 31 (A-31) the following shall apply and be complied with:

a) Permitted Uses:

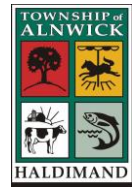
- i. A Bed and Breakfast Establishment

b) Zone Provisions:

- i. Minimum Lot Area – 14 hectares
- ii. Minimum Lot Frontage – 20 metres
- iii. For the purposes of the Agricultural Exception No. 31 (A-31) the following definition shall apply: A “Bed and Breakfast Establishment” shall mean a single detached dwelling in which a maximum of three (3) guest rooms are made available for rent to the public for short-term accommodation. A Bed and Breakfast Establishment may offer meals to those persons patronizing the establishment. A Bed and Breakfast Establishment shall not include an eating establishment, a motel, a motor hotel, a resort, any other form of tourist establishment, or any other establishments otherwise defined or classified.
- iv. A Bed and Breakfast Establishment shall be permitted in a single detached dwelling only, and shall have a maximum of three (3) guest rooms
- v. A Bed and Breakfast Establishment shall be deemed to be a residential use, and shall comply with all regulations and requirements of the Zone in which it is permitted
- vi. The minimum number of off-street parking spaces required for a Bed and Breakfast Establishment shall be one (1) parking space per dwelling unit plus one (1) parking space per guest room.

**6.4.32 A-32 Part Lot 20, Concession 2 (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 32 (A-32) the minimum lot area requirement shall be 9 hectares and the minimum lot frontage requirement shall be 150 meters.



**6.4.33 A-33 Part Lot 34, Concession 1, (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 33 (A-33), the minimum lot area requirement shall be 4.86 hectares and the minimum lot frontage requirement shall be 45.72 metres. The provisions of the Agricultural (A) Zone shall apply in all other respects.

**6.4.34 A-34 Part Lot 34, Concession 1, (Geographic - Haldimand)**

On lands zoned Agricultural Exception No. 34 (A-34), the minimum lot area requirement shall be 30.37 hectares. The provisions of the Agricultural (A) Zone shall apply in all other respects.

**6.4.35 A-35 Part Lot 15, Concession 4, (Geographic - Alnwick)**

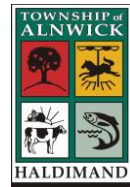
Notwithstanding any other provisions of this By-Law to the contrary, within the Agricultural Exception No. 35 (A-35) Zone, the following provisions shall apply:

a) Permitted Uses:

- i) All uses of Section 6.1 shall be permitted within the Agricultural Exception No. 35 (A-35) Zone, with the exception that a single detached dwelling, a converted dwelling or any other residential use shall be prohibited within the Agricultural Exception No. 35 (A-35) Zone.
- ii) On the single lot having the Agricultural Exception No. 35 (A-35) Zone, an additional Agricultural Exception Zone, and certain Oak Ridges Moraine Zones, a maximum of one dwelling shall be permitted on the lot and shall only be permitted within the portion of the lot zoned Agricultural Exception No. 35 (A-35) Zone.

b) Zone Regulations:

- i) The minimum area of the Agricultural Exception No. 35 (A-35) Zone area on a single lot shall be 34.43 hectares” (85 acres).



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**6.4.36 A-36 Part Lots 19 and 20, Concession 5 (Geographic - Haldimand)**

Notwithstanding any other provisions of this By-law to the contrary, the following provisions shall apply:

(a) Permitted Uses:

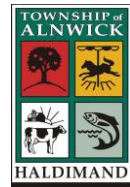
- (i) All uses of Section 6.1 shall be permitted within the Agricultural Exception No. 36 (A-36) Zone, with the exception that a single detached dwelling, a converted dwelling or any other residential use shall be prohibited within the Agricultural Exception No. 36 (A-36) Zone.

**6.4.37 A-37 Part Lot 30, Concession 3, (Geographic - Haldimand)**

Notwithstanding the uses permitted and zone regulations of the Agricultural (A) Zone and notwithstanding any other provisions of this By-Law to the contrary, the following provisions shall apply to the Agricultural Exception No. 37 (A-37) Zone:

(a) Permitted Uses:

- (i) All uses of Section 6 of By-Law No. 100-2010.
- (ii) The existing interconnected building(s) for a small-scale commercial use is to be used only as a venue for weddings, wedding receptions and social events.
- (iii) Other buildings or structures existing at the date of passing of this By-Law.
- (iv) For the purposes of the A-37 Zone, a “venue for weddings, wedding receptions and social events” shall mean a building or buildings or part thereof used for the gathering of groups for a special function for a wedding and/or a wedding reception, and social events which include the consumption of food and drink, but shall not include full kitchen facilities. This use shall be located in a building or buildings existing at the date of passing of this By-Law, and shall be operated on a seasonal basis only, meaning from April 1st to October 31st in any year. This use shall not include a motel, a resort or any other form of tourist establishment.



(b) Zone Regulations:

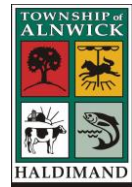
- (i) Maximum area of the A-37 Zone: 8.10 hectares
- (ii) Maximum floor area of all buildings (excluding single-detached dwelling) and parking area: 4,000 m<sup>2</sup>.
- (iii) An existing guest cottage with a maximum floor area of 100 square metres (1076 sq. ft.). For the purposes of the A-37 Zone, a “guest cottage” shall mean a separate building, not attached to the principle dwelling house on the lot, which is designed to provide accommodations for visitors and guests in association with the permitted venue for weddings, wedding receptions and social events.
- (iv) All other provisions of this By-law shall apply.

6.4.38     **A-38     Part Lots 21, 22 and 23, Concession 4, (Geographic-Haldimand)**

On lands zoned Agricultural Exception No. 38 (A-38) the following shall apply:

- a) The minimum lot area requirement shall be 24.30 hectares.
- b) The minimum lot frontage requirement shall be 45.72 metres.
- c) For the purposes of this Section, lot frontage is to be calculated along Helen’s Lane.
- d) The provisions of the Agricultural (A) Zone shall apply in all other respects.





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6.4.39     **A-39     Part Lot 26, Concession 3, (Geographic - Haldimand)**

Notwithstanding the lot area requirements of the Agricultural (A) Zone as otherwise amended to the contrary on lands zoned Agricultural Exception No. 39 (A-39) Zone the following shall apply:

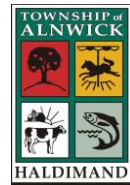
- a) The minimum lot frontage requirement shall be 9.14 metres.
- b) For the purposes of this Section, lot frontage is to be calculated along Massey Road.
- c) The provisions of the Agricultural (A) Zone shall apply in all other respects.

6.4.40     **A-40     Part of Lots 27 & 28, Concession 9, (Geographic – Haldimand)**

- a) Notwithstanding any provision of this By-law to the contrary, in the Agricultural Exception No. 40 (A-40) residential uses are prohibited.

6.4.41     **A-41     Part of Lot 20, Concession 4 (Geographic – Alnwick)**

Notwithstanding any provision of this By-law to the contrary, in the Agricultural Exception 41(A-41) Zone, a second dwelling for farm labour shall be permitted.



## Section 7 – Rural Residential (RR) Zone

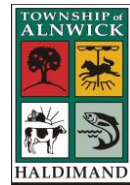
No person shall within any Rural Residential (RR) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

### 7.1 Permitted Uses

- 7.1.1 a single detached dwelling
- 7.1.2 a converted dwelling with a maximum of two dwelling units, provided one dwelling unit has a maximum dwelling unit area of 65.0 square metres
- 7.1.3 a secondary dwelling
- 7.1.4 a bed a breakfast establishment
- 7.1.5 a group home
- 7.1.6 a hobby farm
- 7.1.7 a home occupation
- 7.1.8 a hospice care centre
- 7.1.9 a public use in accordance with section 4.28.1 of this By-law

### 7.2 Regulations For Uses Permitted In Section 7.1

7.2.1	Minimum Lot Area	0.4 ha (0.99 ac.)
7.2.2	Minimum Lot Frontage	45.0 m (147.6 ft.)
7.2.3	Minimum Front Yard Depth	12.0 m (39.37 ft.)
7.2.4	Minimum Exterior Side Yard Width	12.0 m (39.37 ft.)
7.2.5	Minimum Interior Side Yard Width	6.0 m (19.69 ft.)
7.2.6	Minimum Rear Yard Depth	12.0 m (39.37 ft.)
7.2.7	Maximum Building Height	11.0 m (36.09 ft.)
7.2.8	Maximum Lot Coverage of All Buildings	15%
7.2.9	Minimum Landscaped Open Space	30%
7.2.10	Maximum Number of Dwellings Per Lot	1
7.2.11	Maximum Number of Dwelling Units Per Lot	2 (for a converted dwelling only)



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### 7.3 General Zone Provisions

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Rural Residential (RR) Zone shall apply.

### 7.4 Special Rural Residential (RR) Zones

Notwithstanding the provisions outlined in the above sections for the Rural Residential (RR) Zone to the contrary, the following sections outline site specific Rural Residential (RR) exception zone categories. All other provisions of the Rural Residential (RR) Zone shall apply and be complied with.

#### 7.4.1 RR-1 Part Lot 5 and 6, Concession 4 (Geographic - Alnwick)

On lands zoned Rural Residential Exception No. 1 (RR-1) one single dwelling may be erected and used for year round occupancy on the existing lot, provided that motor vehicle access to such dwelling is directly from the existing Township Road which abuts the easterly limits of the subject property.

#### 7.4.2 RR-2 Part Lot 9, Concession 3 (Geographic - Alnwick)

On lands zoned Rural Residential Exception No. 2 (RR-2) and covered by Plan 39R650, four (4) lots may be created in accordance with Plan 39R650, which was deposited on June 9, 1976. Only Parts 3 and 4 of Plan 39R620 may have buildings or structures erected thereon provided all Zone Provisions are complied with.

#### 7.4.3 RR-3 Part Lot 2, Concession 1 (Geographic - Alnwick)

On lands zoned Rural Residential Exception No. 3 (RR-3) one single dwelling only and buildings and structures accessory thereto, are permitted.

#### 7.4.4 RR-4 Part Lot 5, Concession 4 (Geographic - Alnwick)

On lands zoned Rural Residential Exception No. 4 (RR-4) the minimum lot frontage requirement shall be 32 metres.



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7.4.5      **RR-5**      **Part Lot 18, Concession 4 (Geographic - Alnwick)**

On lands zoned Rural Residential Exception No. 5 (RR-5) the provisions of Section 4.33, Special Separation Distances-Pits and Quarries and Sensitive Uses, Section 4.24, Minimum Distance Separation Requirements- Agricultural Uses, as well as Section 4.35, Special Separation Distances-Waste Disposal Areas, shall not apply.

7.4.6      **RR-6**      **Part Lot 16, Concession 4 (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 6 (RR-6) the buildings existing on October 1, 2001 and any future additions and or improvements thereto are a permitted use providing that the existing building setbacks are not further reduced beyond the provisions of the Rural Residential (RR) Zone.

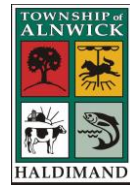
7.4.7      **RR-7**      **Part Lot 14, Concession 2 (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 7 (RR-7) the minimum lot area requirement shall be 0.6 hectares and the minimum lot frontage requirement shall be 75 metres.

A small engine service establishment conducted for financial gain may be located in an accessory building on a lot used for single detached dwelling purposes, provided that the gross floor area of the accessory building used for small engine service establishment purposes is less than 50 sq. m., no person other than a member of the family is engaged in the business, and there is no display other than a sign authorized by the Township in writing to indicate that a business is conducted on the lot.

7.4.8      **RR-8**      **Part Lot 29, Concession 1 (Geographic - Haldimand)**

On the lands zoned Rural Residential Exception No. 8 (RR-8) a maximum of two (2) lots shall be permitted.



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7.4.9     **RR-9**     **Part Lot 2, Concession A (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 9 (RR-9) the minimum lot area requirement shall be 1.01 hectares. All provisions of the Rural Residential Zone contained in this Bylaw shall apply save and except for as specifically noted below, and the following shall prevail and be complied with:

- i.     One dwelling containing an apartment for a family member to be permitted on a lot.

In addition, the provisions of Section 4.33, Special Separation Distances- Pits and Quarries and Sensitive Uses, Section 4.24, Minimum Distance Separation Requirements- Agricultural Uses, as well as Section 4.35, Special Separation Distances-Waste Disposal Areas, shall not apply.

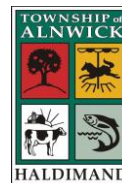
7.4.10    **RR-10**    **Part Lot 32, Concession 1 (Geographic - Haldimand)**

On lands zoned as Rural Residential Exception No. 10 (RR-10) the following provisions apply and shall be complied with:

a) Zone Provisions:

- i.     Minimum lot area 0.34 hectares
- ii.    Minimum lot frontage 50.29 metres
- iii.   Minimum exterior side (width) yard 7.62 metres
- iv.    Minimum front (depth) yard 19.87
- v.     For the purposes of this section, lot frontage shall be calculated along Danforth Road

In addition, the provisions of Section 4.33, Special Separation Distances- Pits and Quarries and Sensitive Uses, Section 4.24, Minimum Distance Separation Requirements- Agricultural Uses, as well as Section 4.35, Special Separation Distances-Waste Disposal Areas, shall not apply.



**7.4.11 RR-11 Part Lot 35, Concession 2 (Geographic - Haldimand)**

On lands zoned Rural Residential No. 11 (RR-11) the minimum lot area requirement shall be 0.32 hectares and the minimum lot frontage requirement shall be 49 metres. The provisions of the following Sections shall not apply:

- i. Section 4.24 Minimum Distance Separation Requirements Agricultural Uses, and
- ii. Section 4.33 Special Separation Distances- Pits and Quarries and Sensitive Uses

**7.4.12 RR-12 Part Lot 18, Concession 3 (Geographic - Haldimand)**

On lands zoned Rural Residential No. 12 (RR-12) the minimum front yard depth requirement shall be 45.72 metres. The requirement for minimum exterior side yard width for residential uses shall be 41.15 metres. For the purposes of this section, lot frontage shall be calculated along Eddystone Road.

**7.4.13 RR-13 Part Lots 31 and 32, Concession 2 (Geographic - Haldimand)**

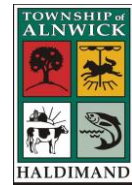
On lands zoned Rural Residential Exception No. 13 (RR-13) the minimum front yard setback requirement shall be 76.2 metres.

**7.4.14 RR-14 Part Lot 6, Concession 1 (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 14 (RR-14) the minimum setback to construct a single detached dwelling shall be no less than 21.33 metres, west of the line between Part 3 and Part 4 on Plan 39R 10499.

**7.4.15 RR-15 Part Lots 9 and 10, Concession 2 (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 15 (RR-15) the building which includes a single detached dwelling and storage shed shall be as existing on August 23, 2006. For the purposes of this section, lot frontage shall be calculated along Vernonville Road



**7.4.16 RR-16 Part Lot 32, Concession A (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 16 (RR-16) the minimum rear yard setback requirement shall be 42 metres from the toe of the bank.

**7.4.17 RR-17 Part Lot 21, Concession A (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 17 (RR-17) an accessory garage building may be located in a front yard, and the building setbacks shall be as existing on May 12<sup>th</sup>, 2004. For the purposes of this section, lot frontage shall be calculated along Chapple Road.

**7.4.18 RR-18 Part Lots 7, 8 and 9 Concession 1 (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 18 (RR-18) the building setbacks shall be as existing on October 13<sup>th</sup>, 2004.

**7.4.19 RR-19 Part Lot 12, Concession 3 (Geographic - Alnwick)**

On lands zoned Rural Residential Exception No. 19 (RR-19) two (2) lots, one with a minimum lot area requirement of 0.14 hectares and a minimum lot frontage requirement of 22.86 metres and the other with a minimum lot area requirement of 0.14 hectares and minimum lot frontage requirement of 24.84 metres may be created.

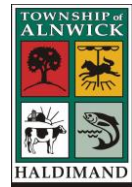
**7.4.20 RR-20 Part Lot 14, Concession 2 (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 20 (RR-20) the minimum lot area requirement shall be 0.35 hectares and the minimum lot frontage requirement shall be 38 metres.

**7.4.21 RR-21 Part Lot 28, Concession A (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 21 (RR-21) all buildings and accessory structures in existence on or before July 7, 1977 and which are located within the Rural Residential Exception No. 21 (RR-21) shall be permitted in their existing locations.





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**7.4.22 RR-22 Part Lot 33, Concession 2 (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 22 (RR-22) all buildings and structures in existence on the July 7, 1977 shall be permitted in their existing locations. The minimum lot area requirement shall be approximately 0.33 hectares.

**7.4.23 RR-23 Part Lot 11, Concession 2 (Geographic - Haldimand)**

On lands zone Rural Residential Exception No. 23 (RR-23) all buildings and structures in existence on July 7, 1977 shall be permitted in their existing locations. The minimum lot area requirement shall be 0.3 hectares.

In addition, the minimum distance between an Extractive Industrial Zone (ME) and a residential dwelling unit shall be 50 metres.

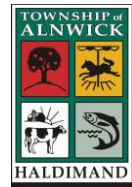
**7.4.24 RR-24 Part Lot 11, Concession 2 (Geographic - Haldimand)**

On lands zone Rural Residential Exception No. 24 (RR-24) all buildings and structures in existence on July 7, 1977 shall be permitted in their existing locations. The minimum lot area requirement shall be 0.6 hectares.

In addition, the minimum distance between an Extractive Industrial Zone (ME) and a residential dwelling unit shall be 50 metres.

**7.4.25 RR-25 Part Lot 4, Concession 2 (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 25 (RR-25) the minimum distance between a dwelling house and the Extractive Industrial Zone (ME) shall be 130 metres.



**7.4.26 RR-26 Part Lot 35, Concession A (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 26 (RR-26) Zone the minimum lot frontage requirement shall be 39.2 metres. For the purposes of this section, lot frontage shall be calculated along Chub Point Road.

In addition to the provisions of Section 4,24, Minimum Distance Separation Requirements – Agricultural Uses, and Section 4.33, Special Separation Distances – Pits and Quarries and Sensitive Uses, shall not apply.

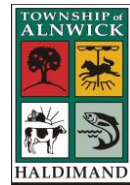
**7.4.27 RR-27 Part Lot 25, Concession B (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 27 (RR-27) a maximum number of dwelling units permitted on a lot shall be two (2).

In addition, the provisions of Section 4.24 Minimum Distance Separation Requirements- Agricultural Uses, Section 4.33 Special Separation Distances- Pits and Quarries, and Sensitive Uses, and Section 4.35 Special Separation Distances – Waste Disposal Areas, shall not apply.

**7.4.28 RR-28 Part Lot 31, Concession B (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 28 (RR-28) the provisions of Section 4.24 Minimum Distance Separation Requirements- Agricultural Uses, Section 4.33 Special Separation Distances- Pits and Quarries and Sensitive Uses, and Section 4.35 Special Separation Distances – Waste Disposal Areas, shall not apply. In addition, no new dwelling house shall be erected within 50 metres of the high water mark of Lake Ontario.



**7.4.29 RR-29 Part Lots 29 and 30, Concession B (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 29 (RR-29) the following provisions shall apply and be complied with:

a) Zone Provisions:

- i. Minimum Front Yard – 15.24 metres
- ii. Minimum Exterior Side Yard – 15.24 metres
- iii. Minimum Gross Floor Area – 74.3 metres
- iv. Minimum Setback from Provincial Highway Centreline – 38.1 metres
- v. Minimum Setback from County Road Centerline – 38.1 metres
- vi. Minimum setback from another Street Centre Line – 25.29 metres

**7.4.30 RR-30 Part Lot 13, Concession A (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 30 (RR-30) the following provisions shall apply and be complied with:

a) Permitted Uses

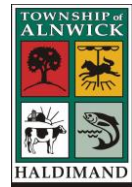
- i. One dwelling house containing an apartment within an existing single detached dwelling for a family member

b) Zone Provisions

- i. Minimum Front Yard Depth – 20 metres
- ii. Minimum Setback from Street Center Line – 30 metres.

**7.4.31 RR-31 Part Lot 26, Concession 1 (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 31 (RR-31) the minimum lot area requirement shall be 0.8 hectares. In addition, no building or structure may be located within 15 metres of a watercourse.



**7.4.32 RR-32 Part Lot 30, Concession 2 (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 32 (RR-32) the minimum lot area requirement shall be 3 hectares and the minimum lot frontage requirement shall be 200 metres and one (1) mobile home only with a minimum interior side yard setback of one (1) metre shall be permitted in addition to the single dwelling house.

In addition, the provisions of Section 4.24 Minimum Distance Separation Requirements- Agricultural Uses, Section 4.33 Special Separation Distances- Pits and Quarries and Sensitive Uses, and Section 4.35 Special Separation Distances – Waste Disposal Areas, shall not apply.

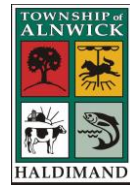
**7.4.33 RR-33 Part Lot 32, Concession B (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 33 (RR-33) the following provisions shall apply and be complied with:

- a) Zone Provisions
  - i. Minimum setback from railway right-of-way:
  - ii. For a two (2) storey dwelling house with outdoor living area in the front yard – 40 metres
  - iii. For a one (1) storey dwelling with the outdoor living area located in the front yard – 50 metres
  - iv. For a one (1) or two (2) storey dwelling house with the outdoor living area in the rear yard – 90 metres.
  - v. For the purposes of this clause an outdoor living area shall mean a patio, deck, pool or other unenclosed area used for active or passive recreation purposes.

**7.4.34 RR-34 Part of Lot 14, Concession 2 (Geographic – Haldimand)**

Notwithstanding any provision of this By-law to the contrary, on lands zoned Rural Residential Exception No. 34 (RR-34), the minimum lot frontage requirement shall be 42 metres.



**7.4.35 RR-35 Part Lot 22, Concession 4 (Geographic - Alnwick)**

On lands zoned Rural Residential Exception No. 35 (RR-35) the minimum lot area requirement shall be 0.2 hectares and the minimum lot frontage requirement shall be 86.26 metres. In addition, the minimum rear yard setback requirement shall be 7.62 metres.

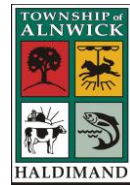
**7.4.36 RR-36 Part Lots 29, 30 and 31, Concession A (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 36 (RR-36) the following provisions shall apply:

a) Zone Provisions

- i. Minimum Lot Area - 0.27 hectares
- ii. Minimum Front Yard – 15.24 metres
- iii. Minimum Exterior Side Yard – 15.24 metres
- iv. Minimum Gross Floor Area – 74.32 sq. metres
- v. Minimum setback from a Provincial Highway Centre line – 38.1 metres
- vi. Minimum setback from a County Road Centre line – 38.1 metres
- vii. Minimum Setback from another road – 25.29 metres

For the purposes of this section, where an existing lot has less than the required lot area and or lot frontage, the deficient lot area and/or lot frontage shall be deemed by Council to be the required area and lot frontage of the lot.



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**7.4.37 RR-37 Part Lot 4, Concession A (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 37 (RR-37) an appliance and small engine service and sales establishment conducted for financial gain may be located in an accessory building on a lot used for single detached dwelling purposes, provided that the gross floor area of the accessory building used for the appliance and small engine service and sale establishment purposes is less than 120 square metres, no person other than a member of the family is engaged in the business, there is no display other than a sign authorized by the Township in writing to indicate that a business is conducted on the lot, and not more than 40 square metres of the gross floor area of the accessory building may be used for the retail sale of merchandise.

**7.4.38 RR-38 Part Lot 20, Concession 4 (Geographic - Haldimand)**

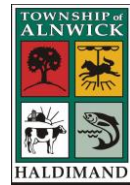
On lands zoned Rural Residential Exception No. 38 (RR-39) a single detached dwelling together with accessory buildings and structures shall be permitted provided that the regulations for a single detached dwelling comply with the Rural Residential (RR) Zone with the exception being that the minimum yard dimensions on the eastern interior side to be 30 metres.

**7.4.39 RR-39 Part Lot 24 and 25, Concession A (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 39 (RR-39) the minimum lot area requirement shall be 0.4 hectares and the minimum lot frontage requirement shall be 40 metres.

Notwithstanding the permitted uses within the Rural Residential (RR) Zone, within the RR-39 zone applied to Blocks 78, 79 and 87, the only uses permitted shall be those permitted in the Environmental Protection (EP) Zone.

Within the RR-40 Zone no building or structure may be erected on a lot which does not front on an improved public street identified as the "defined area" with the notable exception of lots 1, 17 and 72.



**7.4.40 RR-40 Part Lot 2, Concession 1 (Geographic - Alnwick)**

Notwithstanding the minimum lot frontage requirement of the Rural Residential (RR) Zone, to the contrary, within the Rural Residential Exception No. 40 (RR-40) Zone, the minimum lot frontage requirement shall be 35 metres (115 feet). Within the Rural Residential Exception No. 40 (RR-40) Zone, lands in the Environmental Protection (EP) Zone on the same lot may be included in determining the lot area.

**7.4.41 RR-41 Part Lot 21, Concession 3 (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 41 (RR-41) all of the provisions of the Rural Residential (RR) Zone shall apply except for provisions related to proximity to non-residential uses and provisions related to infilling.

**7.4.42 RR-42-H Part Lot 18, Concession 9 (Geographic - Haldimand)**

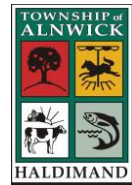
On lands zoned Rural Residential Exception No. 42-Holding (RR-42-H) the following provisions shall apply:

- i) An accessory building for use as a private garage shall comply with the following:
  - such accessory building may be situated in a front yard
  - the minimum front yard setback shall be 13.72 metres
  - the minimum side yard setback to the north shall be 21.5 metres
  - the minimum side yard setback to the south shall be 34.5 metres

Special Provisions for a Garden Suite:

- i) "Garden Suite" means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.
- ii) A Garden Suite shall be permitted in addition to the permitted uses of the Rural Residential Exception No. 42 Zone, subject to and in accordance with the Temporary Use provisions set out in this Bylaw.



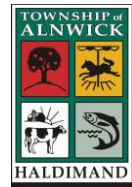


- iii) A maximum of only one Garden Suite shall be permitted within the lands zoned Rural Residential Exception No. 42 (RR-42).
- iv) A Garden Suite shall be permitted only in a rear yard or an interior side yard.
- v) A minimum of one parking space shall be provided for a Garden Suite in addition to the minimum number of parking spaces required by other permitted uses of the Rural Residential Exception No. 42 (RR-42) Zone.
- vi) The minimum front yard setback for a Garden Suite shall be 33.22 metres.
- vii) The minimum interior side yard setback to the north for a Garden Suite shall be 9.14 metres.
- viii) The minimum interior side yard setback to the south for a Garden Suite shall be 69 metres.
- ix) The maximum floor area of a Garden Suite shall be 55 square metres.
- x) A Garden Suite shall be limited to a maximum height of one storey.

The Holding provision shall be removed from the Rural Residential Exception No. 42-Holding (RR-42-H) Zone in accordance with Section 36 of the Planning Act, R.S.O. 1990, as amended, only when the following matters have been secured to the satisfaction of the Township:

- i) The installation, maintenance and removal of the Garden Suite;
- ii) The period of occupancy of the Garden Suite by any of the persons named in the Agreement; and
- iii) The monetary or other form of security that the Township Council may require for actual or potential costs to the Township.
- iv) The Agreement has been registered on title to the lands zoned Rural Residential Exception No. 42 (RR- 42)

Prior to the removal of the Holding (H) symbol, only those uses that existed at the date of passing of this bylaw shall be permitted.

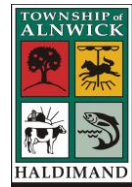


Pursuant to the provisions of Section 39.1 of the *Planning Act*, R.S.O. 1990, as amended, the provisions of the RR-148 zone for a Garden Suite shall have effect for a maximum period of ten (10) years, ending on 11:59 p.m. on November 26, 2018.

**7.4.43 RR-43 Part Lot 35, Concession A (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 43 (RR-43) the following provisions shall apply:

- i) The minimum lot area requirement shall be 0.30 hectares (0.74 acres)
- ii) Included as permitted uses is a sales establishment conducted for financial gain which may be located in the existing accessory building for the sale of recreational vehicles such as all-terrain vehicles (ATV's), dirt bikes, go-karts and related accessories on the lot.
- iii) The maximum gross floor area of the accessory building used for sales establishment purposes shall be 160.53 square metres (1,728 square feet).
- iv) Not more than 53.5 square metres (576 square feet) of the gross floor area of the accessory building shall be used for retail of merchandise.
- v) There shall be no display other than a sign authorized by the Township in writing to indicate that a business is conducted on the lot.
- vi) Hours of operation for sales of settlement shall be Monday to Saturday 8 a.m. to 6 p.m. (Sunday Closed)
- vii) The permitted zoning shall cease upon the sale of the land and at which time the sales establishment as a permitted use shall be deleted in the Residential Exception No. 43 (RR-43) zone.
- viii) The provisions of the Rural Residential (RR) zone shall apply in all other respects.



**7.4.44 RR-44 Part Lot 32, Concession A (Geographic – Haldimand)**

On lands zoned Rural Residential Exception No. 44 (RR-44) the minimum rear yard requirement shall be 42 metres from the toe of the bank. The provisions of the Rural Residential Zone shall apply in all other respects.

**7.4.45 RR-45 Part Lot 6, Concession 3, (Geographic - Haldimand)**

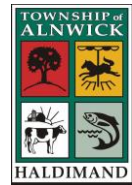
On lands zoned Rural Residential Exception No. 45 (RR-45) the front yard depth setback for the existing accessory building defined as the equipment building shall be a minimum of 6.0 metres to the street line and shall be deemed existing in its present location as of the date of passing of this zoning amendment, (October 27th, 2010). The provisions of the Rural Residential (RR) Zone shall apply in all other respects.

**7.4.46 RR-46 Part Lot 4, Concession 3, (Geographic - Haldimand)**

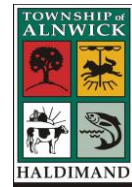
On lands zoned Rural Residential Exception No. 46 (RR-46) the minimum front yard depth requirement shall be 54.86 metres. For the purposes of the Section, the front lot line shall be the lot line abutting Turk Road (new connecting link) and lot frontage shall be determined along Turk Road (new connecting link). The provision 4.35 (“Special Separation Distance-Waste Disposal Areas”) shall not apply. The provisions of the Rural Residential (RR) Zone shall apply in all other respects.

**7.4.47 RR-47 Part Lot 4, Concession 3, (Geographic - Haldimand)**

On lands zoned Rural Residential Exception No. 47 (RR-47) the minimum front yard depth requirement shall be 91.44 metres. For the purposes of the Section, the front lot line shall be the lot line abutting Turk Road (new connecting link) and lot frontage shall be determined along Turk Road (new connecting link). The provision 4.35 (“Special Separation Distance-Waste Disposal Areas”) shall not apply. The provisions of the Rural Residential (RR) Zone shall apply in all other respects.



- 7.4.48 **RR-48 Part Lot 4, Concession 3, (Geographic - Haldimand)**  
On lands zoned Rural Residential Exception No. 48 (RR-48) lot frontage shall be determined and calculated along Mercer Lane. The provision 4.35 (“Special Separation Distance-Waste Disposal Areas”) shall not apply. The provisions of the Rural Residential (RR) Zone shall apply in all other respects.
- 7.4.49 **RR-49 Part Lot 4, Concession 3 (Geographic-Haldimand)**  
On lands zoned Rural Residential Exception No. 49 (RR-49) the provision of Section 4.35 (“Special Separation Distance-Waste Disposal Areas”) shall not apply. The provision of the Rural Residential (RR) Zone shall apply in all other respects.
- 7.4.50 **RR-50 Part Lot 5, Concession 2 (Geographic - Haldimand)**  
On lands zoned Rural Residential Exception No. 50 (RR-50) the provision of Section 4.35 (“Special Separation Distance-Waste Disposal Areas”) shall not apply. All other provisions of the Rural Residential (RR) Zone shall apply.
- 7.4.51 **RR-51 Part Lot 15, Concession 1 (Geographic - Haldimand)**  
On lands zoned Rural Residential Exception No. 51 (RR-51) the following shall apply:
- a) Notwithstanding Section 4.2.2.1, a swimming pool shall be permitted to be located in a front yard, and may be located closer to the street line than the principal or main building on the lot. The minimum front yard depth for a swimming pool shall be 12.0 metres.
  - b) Section 4.2.7(a) shall not apply to a swimming pool. A swimming pool shall be permitted in a front yard in accordance with the provisions of the RR-51 Zone.
  - c) Notwithstanding Section 4.2.11, a swimming pool shall also be permitted in a front yard in accordance with the provisions of the RR-51 Zone.
  - d) The “pool enclosure” provision of Section 4.2.11 shall apply to the swimming pool in the front yard.
  - e) The minimum lot area requirement shall be 0.28 hectares.



**7.4.52 RR-52 Part of Lot 9, Concession 3 (Geographic - Haldimand)**

Notwithstanding any section of this By-law to the contrary, on lands zoned Rural Residential Exception No. 52 (RR-52), the accessory structure existing on February 28, 2019 shall be permitted without a main permitted use and the front yard setback shall be as existing on that same date.

**7.4.53 RR-53 Part of Lot 6, Concession 1 (Geographic – Haldimand)**

Notwithstanding Section 7.2.3 of this By-law to the contrary, within the Rural Exception No. 53 (RU-53) Zone the front yard depth requirement shall be as it existed on May 30, 2019.

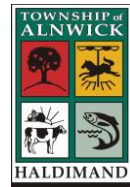
In addition to the uses permitted in Section 7.1 of this By-law, on lands zoned Rural Residential Exception No. 53 (RU-53), a hobby farm is also a permitted use. For lands zoned Rural Exception No. 53, a Hobby Farm is defined as an agricultural use as defined in this By-law which permits the keeping of livestock with a maximum of the equivalent of 2 nutrient units as defined by the Ministry of Agriculture Food and Rural Affairs.

**7.4.54 RR-54 Part of Lots 34 & 35, Concession 2 (Geographic-Haldimand)**

Notwithstanding Section 5.21 and 5.22 of this By-law, within the Rural Exception No. 54 (RR-54) Zone a hobby farm is also a permitted use. For lands zoned Rural Exception No. 54, a Hobby Farm is defined as an agricultural use as defined in this By-law which permits the keeping of livestock with a maximum of the equivalent of 2 nutrient units as defined by the Ministry of Agriculture Food and Rural Affairs.

**7.4.55 RR-55-H Rural Residential Exception 55 Holding (RR-55-H)**

Notwithstanding any provision of this By-law to the contrary, within the area zoned Rural Exception No. 55 Holding (RR-55-H), development cannot occur until the holding symbol has been removed. The Holding symbol shall only be removed upon completion of a Hydrologic Evaluation undertaken by a qualified professional addressing the requirements of Section 4.2.4 of the Growth Plan for the Greater Golden Horseshoe.



## Section 8 – Hamlet Residential (HR) Zone

No person shall within any Hamlet Residential (HR) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

### 8.1 Permitted Uses

- 8.1.1 a single detached dwelling
- 8.1.2 a semi-detached dwelling
- 8.1.3 a duplex dwelling
- 8.1.4 a secondary dwelling
- 8.1.5 a bed a breakfast establishment
- 8.1.6 a group home
- 8.1.7 a home occupation
- 8.1.8 a hospice care centre
- 8.1.9 a public use in accordance with section 4.28.1 of this Bylaw

### 8.2 Regulations For Uses Permitted in Section 8.1

#### 8.2.1 Minimum Lot Area

	<b>Public Water Supply and Private Sewage Disposal</b>	<b>Private Water Supply and Private Sewage Disposal</b>
Single Detached Dwelling	4,000 sq. m (43,057.05 sq. ft.)	4,000 sq. m (43,057.05 sq. ft.)
Duplex Dwelling	6,000 sq. m (64,585.58 sq. ft.)	6,000 sq. m (64,585.58 sq. ft.)
Semi-Detached Dwelling on Same Lot	6,000 sq. m (64,585.58 sq. ft.)	Not permitted
Semi-Detached Dwelling on Separate Lot	3,000 sq. m (32,292.79 sq. ft.)	Not permitted



### 8.2.2 Minimum Lot Frontage

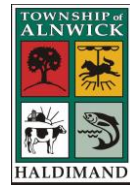
	<b>Public Water Supply and Private Sewage Disposal</b>	<b>Private Water Supply and Private Sewage Disposal</b>
Single Detached Dwelling	30.0 m (98.425 ft.)	38.0 m (124.672 ft.)
Duplex Dwelling	30.0 m (98.425 ft.)	38.0 m (124.672 ft.)
Semi-Detached Dwelling on Same Lot	43.0 m (141.076 ft.)	Not permitted
Semi-Detached Dwelling on Separate Lot	21.0 m (68.9 ft.)	Not permitted

8.2.3 Minimum Front Yard Depth	7.5 m (24.60 ft.)
8.2.4 Minimum Exterior Side Yard Width	7.5 m (24.60 ft.)
8.2.5 Minimum Interior Side Yard Width	3.0 m (9.84 ft.)
8.2.6 Minimum Rear Yard Depth	7.5 m (24.60 ft.)
8.2.7 Maximum Building Height	11.0 m (36.09 ft.)
8.2.8 Maximum Lot Coverage of All Buildings	30%
8.2.9 Minimum Landscaped Open Space	30%
8.2.10 Maximum Number of Dwellings Per Lot	1
8.2.11 Maximum Number of Dwelling Units per Lot	2

### 8.3 General Zone Provisions

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Hamlet Residential (HR) Zone shall apply.





## 8.4 Special Hamlet Residential (HR) Zones

Notwithstanding the provisions outlined in the above sections for the Hamlet Residential (HR) Zone to the contrary, the following sections outline site specific Hamlet Residential (HR) exceptions zone categories. All other provisions of the Hamlet Residential (HR) Zone shall apply and be complied with.

### 8.4.1 HR-1 Part Lots 21 and 22, Concession A (Geographic - Haldimand)

On lands zoned Hamlet Residential Exception No. 1 (HR-1) one dwelling house containing an apartment within an existing dwelling will be permitted on a lot.

### 8.4.2 HR-2 Part Lot 1, Concession B (Geographic - Haldimand)

On lands zoned Hamlet Residential Exception No. 2 (HR-2) the minimum lot area requirement shall be 0.16 hectares and the minimum lot frontage requirement shall be 20.11 metres.

### 8.4.3 HR-3-H Part Lots 23 and 24, Concession A (Geographic - Haldimand)

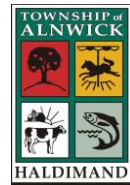
On lands zoned Hamlet Residential Exception No. 3-Holding (HR-3-H) the following provisions shall apply and be complied with:

a) Permitted Uses:

- i. All uses of Section 8.1

a) Zone Provisions

- i. The minimum lot area requirement shall be 0.23 hectares.
- ii. The minimum front yard depth requirement shall be 12 metres.
- iii. The maximum front yard depth requirement for a dwelling shall be 22 metres.
- iv. The minimum interior side yard width requirement shall be 4 metres.
- v. The minimum exterior side yard width requirement shall be 12 metres.



- vi. The maximum number of dwellings per lot shall be 1 (one).
- vii. The minimum dwelling floor area of a one-storey dwelling shall be 140.0 square metres, and the minimum ground floor area of a dwelling containing more than one storey shall be 93.0 square metres.
- viii. A by-law shall not be enacted to remove a “Holding” (H) symbol from the lands shown on Schedule “A” of By-Law No. 37-2013 until a subdivision agreement has been executed and registered on title to the lands.

8.4.4      **HR-4**      **Part Lots 23 and 24, Concession A (Geographic - Haldimand)**

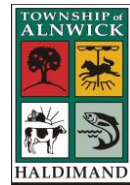
On lands zoned Hamlet Residential Exception No. 4 (HR-4) the following provisions will apply and be complied with:

a) Permitted Uses

- i) All uses of Section 8.1.
- ii) A maximum of one (1) model home within the HR-4 zone area.

a) Zone Provisions

- i. The minimum lot area requirement shall be 0.23 hectares.
- ii. The minimum front yard depth requirement shall be 12 metres.
- iii. The minimum interior side yard width requirement shall be 4 metres.
- iv. The minimum exterior side yard width requirement shall be 12 metres.
- v. The maximum number of dwellings per lot shall be 1 (one).
- vi. The minimum dwelling floor area of a one-storey dwelling shall be 140.0 square metres, and the minimum ground floor area of a dwelling containing more than one storey shall be 93.0 square metres.
- vii. A by-law shall not be enacted to remove a “Holding” (H) symbol from the lands shown on Schedule “A” of By-Law No. 37-2013 until a subdivision agreement has been executed and registered on title to the lands.



Notwithstanding the above provision, a By-law may be enacted to remove the Holding (H) symbol on a portion of the lands zoned Hamlet Residential Exception No. 4 (HR-4) where an agreement acceptable to the Township has been executed and registered on title to provide for the construction and use of a maximum of one (1) model home within the HR-4 zone area on lands fronting onto Station Road and located immediately south of the Open Space (OS) zone area fronting on Station Road.

- viii. For the purposes of the Hamlet Residential Exception No. 4 (HR-4) Zone, a “model home” shall mean a single detached dwelling used for the sole purpose of an office and/or show room and/or sales centre to promote the sale of residential units within a draft-approved plan of subdivision proposed for registration. A model home shall not be used for human habitation, and shall meet the minimum floor area requirements of Section 8.4.4(b)(vi) above and all other provisions of this By-law.”

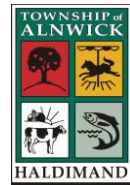
Notation: Please note that Municipal By-Law 26-2016 was passed on March 24<sup>th</sup>, 2016 to remove the Holding symbol (“H”).

**8.4.5 HR-5 Part Lot 23, Concession A (Geographic - Haldimand)**

On lands zoned Hamlet Residential Exception No. 5 (HR-5) the minimum lot frontage requirement shall be 22 metres.

**8.4.6 HR-6 Part Lot 23, Concession A (Geographic - Haldimand)**

On lands zoned Hamlet Residential Exception No. 6 (HR-6) the minimum lot frontage requirement shall be 22 metres. The buildings existing on January 1<sup>st</sup>, 2002 and any future addition and/or improvement thereto are a permitted use providing that the existing building setbacks are not further reduced beyond the provisions of the Hamlet Residential (HR) Zone.



**8.4.7 HR-7 Part Lot 1, Concession B (Geographic - Haldimand)**

On lands zoned Hamlet Residential Exception No. 7 (HR-7) the minimum lot frontage for a lot existing as April 21<sup>st</sup>, 2004 and fronting onto County Rd. #31 shall be 24.07 metres.

**8.4.8 HR-8 Part Lot 18, Concession 3 (Geographic - Alnwick)**

On land zoned Hamlet Residential Exception No. 8 (HR-8) a garage shall be a permitted accessory structure and shall be set back either a minimum distance of 60 metres from the front lot line or in the rear yard of the residential building, whichever is the greater distance from the front lot line. Permitted uses for this garage shall include the storage of a tractor and a water truck. The height limit of accessory structures shall be limited to 6 metres and the total lot coverage of all accessory buildings and structures shall not exceed 5% of the lot area.

No portion shall be used for open storage of goods or materials under any circumstances.

**8.4.9 HR-9 Part Lot 17, Concession 2 (Geographic - Alnwick)**

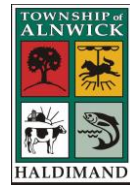
On lands zoned Hamlet Residential Exception No. 9 (HR-9) the minimum frontage requirement on a public road shall be 5 metres and the minimum lot area requirement shall be as existing on June 9<sup>th</sup>, 1987.

**8.4.10 HR-10 Part Lot 17, Concession 3 (Geographic - Alnwick)**

On lands zoned Hamlet Residential Exception No. 10 (HR-10) the minimum lot frontage requirement shall be 22.5 meters.

**8.4.11 HR-11 Part Lot 21, Concession 1 (Geographic - Haldimand)**

On lands zoned Hamlet Residential Exception No. 11 (HR-11) a maximum of eleven (11) lots only, having a frontage on an improved public road, shall be permitted, and each such lot shall have a minimum frontage requirement of 37 metres.



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**8.4.12 HR-12 Part Lot 14, Concession A (Geographic - Haldimand)**

On lands zoned Hamlet Residential Exception No. 12 (HR-12) the minimum lot area requirement shall be 0.3 hectares.

**8.4.13 HR-13 Part Lot 14, Concession A (Geographic - Haldimand)**

On lands zoned Hamlet Residential Exception No. 13 (HR-13) the minimum lot area requirement shall be 0.10 hectares and the minimum lot frontage requirement shall be 22.86 metres.

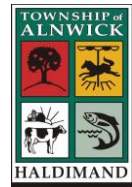
**8.4.14 HR-14 Part Lot 2, Concession B (Geographic - Haldimand)**

On lands zoned Hamlet Residential Exception No. 14 (HR-14) the following provisions shall apply and be complied with:

- a) Permitted Residential Uses
  - i. One (1) apartment dwelling house comprising a maximum of two (2) dwelling units and each such dwelling unit having a maximum gross floor area of 70 square metres.
  - ii. The minimum lot area requirement for apartment dwelling house – 0.16 hectares.

**8.4.15 HR-15 Part Lot 19, Concession 5 (Geographic - Haldimand)**

On lands zoned Hamlet Residential Exception No. 15 (HR-15) all buildings and structures, including a single detached dwelling, as well as septic systems and driveway access points, shall only be permitted within 45 metres of the south limit of the HR-15 zone. No buildings or structures, septic systems, driveway access points, or the dumping of fill shall be permitted on those lands within the remaining portion of the HR-15 Zone.



**8.4.16 HR-16 Part Lot 22, Concession A (Geographic - Haldimand)**

On lands zoned Hamlet Residential Exception No. 16 (HR-16) the Provisions of Section 4.24 Minimum Distance Separation Requirements- Agricultural Uses, Section 4.33 Special Separation Distances- Pits and Quarries and Special Uses, and Section 4.35 Special Separation Distances Waste Disposal Areas shall not apply.

**8.4.17 HR-17 Part Lot 21, Concession 9 (Geographic - Haldimand)**

On lands zoned Hamlet Residential Exception No. 17 (HR-17) the Provisions of Section 4.24 Minimum Distance Separation Requirements- Agricultural Uses, Section 4.33 Special Separation Distances Pits and Quarries and Special Uses, and Section 4.35 Special Separation Distances Waste Disposal Areas, shall not apply.

**8.4.18 HR-18 Part Lot 24, Concession A (Geographic - Haldimand)**

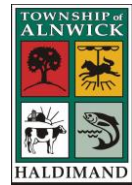
Notwithstanding the minimum lot area and minimum lot frontage requirements of Sections 8.2.1 and 8.2.2 of this By-law, within the Hamlet Residential Exception No. 18 (HR-18) Zone, the minimum lot area and minimum lot frontage shall be as existing at the date of passing of this By-law.

On lands zoned Hamlet Residential Exception No. 18 (HR-18) no buildings or structures may be permitted within the Environmental Protection (EP) Zone.

**8.4.19 HR-19 Part Lot 14, Concession A (Geographic - Haldimand)**

On lands zoned Hamlet Residential Exception No. 19 (HR-19) the minimum lot area requirement shall be 0.4 hectares and the minimum lot frontage requirement shall be 45 metres.

In addition, the Provisions of Section 4.24 Minimum Distance Separation Requirements- Agricultural Uses, Section 4.33 Special Separation Distances Pits and Quarries and Special Uses, and Section 4.35 Special Separation Distances Waste Disposal Areas, shall not apply.



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**8.4.20 HR-20 Part Lot 4, Concession 9 (Geographic - Haldimand)**

On lands zoned Hamlet Residential Exception No. 20 (HR-20) the minimum rear yard setback requirement shall be 30 metres. For the purposes of this section, the lot frontage shall be calculated on Noonan Road.

**8.4.21 HR-21 Part Lot 24, Concession 1 (Geographic - Haldimand)**

On lands zoned Hamlet Residential Exception No. 21 (HR-21) one single detached dwelling on a lot may be erected, provided that any private sewage disposal system located thereon is in the front yard.

**8.4.22 HR-22 Part Lot 24, Concession 1 (Geographic - Haldimand)**

On lands zoned Hamlet Residential Exception No. 22 (HR-22) one single detached dwelling on a lot may be erected provided that any private sewage disposal system located thereon is in the rear yard.

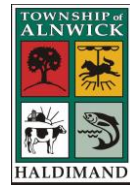
**8.4.23 HR-23 Part Lot 13, Concession A (Geographic - Haldimand)**

On lands zoned Hamlet Residential Exception No. 23 (HR-23) a maximum of two (2) dwelling units shall be permitted in one (1) dwelling house. The provisions of the Hamlet Residential (HR) Zone shall apply.

**8.4.24 HR-24 Part Lot 24, Concession A (Geographic - Haldimand)**

On lands zoned Hamlet Residential Exception No. 24 (HR-24) the minimum lot area requirement shall be 0.3 hectares, and the minimum lot frontage requirement shall be 18 metres. In addition, the minimum front yard depth requirement shall be 15 metres.





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8.4.25 **HR-25 Part Lot 11, Concession 3, (Geographic - Haldimand)**

On lands zoned Hamlet Residential Exception No. 25 (HR-25) the minimum lot area requirement shall be 3,700 square metres. For the purposes of this section, lot frontage shall be calculated along Victoria Street. The setbacks for buildings and structures on the easterly of the two lots zoned HR-25 (HR-25) shall be existing on July 27<sup>th</sup>, 2011. The provisions of the Hamlet Residential (HR) Zone shall apply in all other respects.

8.4.26 **HR-26 Part Lot 2, Concession 1, (Geographic - Haldimand)**

On lands zoned Hamlet Residential Exception No. 26 (HR-26), the minimum rear yard depth requirement shall be 40.0 metres (131.24 feet). The provisions of the Hamlet Residential (HR) Zone shall apply in all other respects.

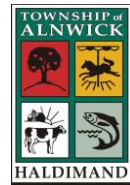
8.4.27 **HR-27 Part Lot 22, Concession A (Geographic - Haldimand)**

a) Permitted Uses:

- i. All uses of Section 8.1 of the Hamlet Residential (HR) Zone.
- ii. One accessory building for a small-scale industrial use for the purposes of storage of agricultural products (seed) (an "agricultural products storage building").

b) Regulations:

- i. The maximum floor area of an agricultural products storage building shall be 222.96 square metres (2,400.0 square feet).
- ii. The maximum height of an agricultural products storage building shall be 7.315 metres (24.0 feet), and shall be a maximum of one storey.
- iii. The minimum front yard depth for an agricultural products storage building shall be 81.0 metres (265.75 feet).
- iv. The minimum interior side yard width (all side yards) for an agricultural products storage building shall be 20.0 metres (65.616 feet).



- v. Section 4.2.2.1 of this By-law shall not apply to an accessory agricultural products storage building in the HR-39 Zone, with respect to the location of an accessory building in relation to the location of the principal or main building on the lot.
- vi. Outside storage and outside display and sale related to an agricultural products storage building shall not be permitted.
- vii. The maximum number of dwellings per lot in the HR-27 Zone shall be one (1).
- viii. All other provisions of the Hamlet Residential (HR) Zone shall apply.

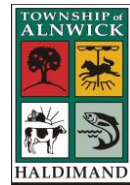
**8.4.28 HR-28 Part Lot 24, Concession A, (Geographic - Haldimand)**

a) Permitted Uses:

- (i) All uses of Section 8.1
- (ii) A maximum of one (1) model home per lot within the HR-28 zone area.

b) Zone Regulations:

- (i) Minimum lot area: 0.23 hectares
- (ii) Minimum front yard depth: 12.0 metres
- (iii) Minimum interior side yard width: 4.0 metres
- (iv) Minimum exterior side yard width: 12.0 metres
- (v) Maximum number of dwellings per lot: one (1)
- (vi) The minimum dwelling floor area of a one-storey dwelling shall be 140.0 square metres, and the minimum ground floor area of a dwelling containing more than one storey shall be 93.0 square metres.
- (vii) For the purposes of the Hamlet Residential Exception No. 2 (HR-28) Zone, a “model home” shall mean a single detached dwelling used for the sole purpose of an office and/or show room and/or sales centre to promote the sale of residential units within a draft-approved plan of subdivision proposed for registration. A model home shall not be used for human habitation.



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**8.4.29 HR-29 Part Lot 21, Concession 1 (Geographic-Haldimand)**

On lands zoned Hamlet Residential Exception No. 29 (HR-29), the minimum front yard depth requirement shall be 1.0 metres (3.28 feet). The provisions of the Hamlet Residential (HR) Zone shall apply in all other respects.

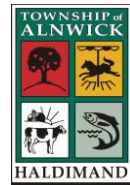
**8.4.30 HR-30 Part Lot 14, Concession A, (Geographic - Haldimand)**

Notwithstanding the permitted uses outlined in 8.1 as otherwise amended to the contrary on lands zoned Hamlet Residential Exception No. 30 (HR-30) the following use is only permitted that being:

- a single detached dwelling

Notwithstanding the regulations of the Hamlet Residential Zone as otherwise amended to the contrary on lands zoned Hamlet Residential Exception No. 30 (HR-30) the following shall apply:

- a) The minimum lot area requirement shall be 0.0931 hectares.
- b) For the purposes of this Section, lot frontage shall be calculated along Wicklow Beach Road.
- c) The minimum front yard depth requirement shall be 0.91 metres (3.0 feet).
- d) The minimum exterior side yard width requirement shall be 4.57 metres (15.0 feet).
- e) The minimum rear yard depth requirement shall be 0.91 metres (3.0 feet).
- f) The maximum number of dwellings per lot: 1
- g) The maximum number of dwelling units per lot: 1
- h) The regulations of the Hamlet Residential (HR) Zone shall apply in all other respects.



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## Section 9 - Shoreline Residential (SR) Zone

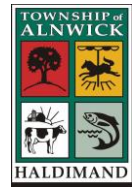
No person shall with a Shoreline Residential (SR) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

### 9.1 Permitted Uses

- 9.1.1 a single detached dwelling
- 9.1.2 a seasonal dwelling
- 9.1.3 a secondary dwelling
- 9.1.4 a bed and breakfast establishment
- 9.1.5 a home occupation
- 9.1.6 a public use in accordance with section 4.28.1 of this By-law

### 9.2 Regulations For Uses Permitted in Section 9.1

9.2.1	Minimum Lot Area	0.4 ha (0.99 ac.)
9.2.2	Minimum Lot Frontage	60.0 m (196.8 ft.)
9.2.3	Minimum Front Yard Depth	12.0 m (39.37 ft.)
9.2.4	Minimum Exterior Side Yard Width	12.0 m (39.37 ft.)
9.2.5	Minimum Interior Side Yard Width	6.0 m (19.69 ft.)
9.2.6	Minimum Rear Yard Depth	12.0 (39.37 ft.)
9.2.7	Minimum Water Yard	30.0 m (98.42 ft.) or in accordance with section 4.30, whichever is greater
9.2.8	Maximum Building Height	11.0 m (36.09 ft.)
9.2.9	Maximum Lot Coverage of All Buildings	20%
9.2.10	Minimum Landscaped Open Space	30%
9.2.11	Maximum Number of Dwellings Per Lot	1
9.2.12	Maximum Number of Dwelling Units Per Lot	1



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### **9.3 General Zone Provisions**

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Shoreline Residential (SR) Zone shall apply.

### **9.4 Special Shoreline Residential (SR) Zones**

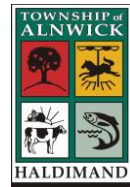
Notwithstanding the provisions outlined in the above sections for the Shoreline Residential (SR) Zone to the contrary, the following sections outline site specific Shoreline Residential (SR) exceptions zone categories. All other provisions of the Shoreline Residential (SR) Zone shall apply and be complied with.

#### **9.4.1 SR-1 Part Lot 3, Concession 2, (Geographic - Alnwick)**

On lands zoned Shoreline Residential Exception No. 1 (SR-1) the minimum lot area requirement shall be 0.34 hectares. The seasonal dwelling as to its existing location on the property is confirmed as of the date of passing of this By-Law. For the purposes of this Section, lot frontage shall be calculated along County Road 18. The provisions of the Rural (RU) Zone shall apply in all other respects.

#### **9.4.2 SR-2 Part Lot 3, Concession 2, (Geographic - Alnwick)**

On lands zoned Shoreline Residential Exception No. 2 (SR-2), the minimum lot area requirement shall be 0.34 hectares and the minimum lot frontage requirement shall be 45.71 metres. The provisions of the Rural (RU) Zone shall apply in all other respects.



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#### 9.4.3 SR-3 Part Lots 26, 27 and 28 Concession A (Geographic - Haldimand)

On lands zoned Shoreline Residential Exception No. 3 (SR-3) the following provisions shall apply and be complied with:

a. Zone Provisions

- i. Minimum lot area – 0.15 hectares
- ii. Minimum lot frontage – 20 metres
- iii. Minimum front yard – 10 metres
- iv. Minimum exterior side yard – 5 metres
- v. Minimum interior side yard – 3 metres
- vi. Minimum rear yard – 10 metres
- vii. Minimum gross floor area per dwelling unit – 74.3 square metres
- viii. Minimum lot coverage all buildings – 20%
- ix. Minimum setback from street centreline – 25.3 metres
- x. Minimum open space - 30%
  
- xi. Minimum number of dwelling houses per lot – 1 only
- xii. Minimum number of dwelling units per lot – 1 only
- xiii. Minimum height of building – 10.6 metres

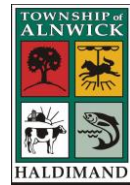
In addition, no building or structure shall be erected within 37 metres of the toe-of-cliff or within 15 metres of any watercourse located within the SR-3 zone, as determined by the Chief Building Official of the Township.

Notwithstanding section 4.13 Frontage Requirements, a building or structure may be permitted on a lot if said lot fronts upon an improved public street or a private road.

For the purposes of this section, where a term “LOT” is used it shall mean Lot 1 to 106 as shown on Master Plan No. 3 Plastova Sich-Ukrainian Camp Grafton.

#### 9.4.4 SR-4 Part Lot 8, Concession 4, (Geographic - Alnwick)

On lands zoned Shoreline Residential Exception No. 4 (SR-4) the minimum lot frontage requirement shall be 30.48 metres. For the purposes of this section, lot frontage shall be calculated along Shearer Point Road. The buildings and structures shall be as existing on June 22<sup>nd</sup>, 2011. The provisions of the Shoreline Residential (SR) Zone shall apply in all other respects.



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## Section 10 – Limited Service Residential (LSR) Zone

No person shall with a Limited Service Residential (LSR) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

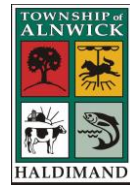
### 10.1 Permitted Uses

- 10.1.1 an existing single detached dwelling in accordance with Section 4.13.4
- 10.1.2 a seasonal dwelling in accordance with Section 4.13.4
- 10.1.3 a home occupation
- 10.1.4 a public use in accordance with section 4.28.1 of this By-law

### 10.2 Regulations For Uses Permitted In Section 10.1

- |         |                                       |   |
|---------|---------------------------------------|---|
| 10.2.1  | Minimum Lot Area                      | 0.4 ha (0.99 ac.) or as existing at the date of passing of this By-law, whichever is less.  |
| 10.2.2  | Minimum Lot Frontage                  | 30.0 m (98.42 ft.) or as existing at the date of passing of this By-law, whichever is less. |
| 10.2.3  | Minimum Front Yard Depth              | 12.0 m (39.37 ft.)  |
| 10.2.4  | Minimum Exterior Side Yard Width      | 12.0 m (39.37 ft.)  |
| 10.2.5  | Minimum Interior Side Yard Width      | 6.0 m (19.69 ft.)   |
| 10.2.6  | Minimum Rear Yard Depth               | 12.0 m (39.37 ft.)  |
| 10.2.7  | Minimum Water Yard                    | 30.0 m (98.42 ft.) or in accordance with section 4.30 of this By-law, whichever is greater  |
| 10.2.8  | Maximum Building Height               | 11.0 m (36.09 ft.)  |
| 10.2.9  | Maximum Lot Coverage of All Buildings | 20%   |
| 10.2.10 | Minimum Landscaped Open Space         | 30%   |





- 10.2.11 Maximum Number of Dwellings Per Lot 1
- 10.2.12 Maximum Number of Dwelling Units Per Lot 1

### **10.3 Private Right-Of-Way and Water Access**

In a Limited Service Residential (LSR) Zone, there is no commitment or requirement by the Corporation to assume responsibility for ownership or maintenance of any private right-of-way or lane. The intent of the Limited Service Residential (LSR) Zone is to recognize existing residential development and lots on private rights-of-way or with water access only.

### **10.4 New Single Detached Dwellings or Conversions**

The construction of a new single detached dwelling or the conversion of a seasonal dwelling to a single detached dwelling on a lot zoned Limited Service Residential (LSR) shall require an amendment to this By-law.

### **10.5 General Zone Provisions**

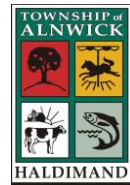
All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Limited Service Residential (LSR) Zone shall apply.

### **10.6 Special Limited Service Residential (LSR) Zones**

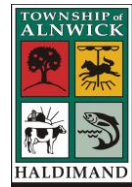
Notwithstanding the provisions outlined in the above sections for the Limited Service Residential (LSR) Zone to the contrary, the following sections outline site specific Limited Service Residential (LSR) exception zone categories. All other provisions of the Limited Service Residential (LSR) Zone shall apply and be complied with.

#### **10.6.1 LSR-1 Part Lot 19, Concession 7 (Geographic - Alnwick)**

On lands zoned Limited Service Residential Exception No. 1 (LSR-1) a seasonal dwelling may be erected, reconstructed or altered on a lot which fronts on a private road, which existed at the date of the passing of Restricted Area Bylaw Number 1030-75, and such lot was not zoned Seasonal Residential (SR) at the date of the passing of Restricted Area Bylaw Number 1030-75. Such lots shall have a minimum lot area requirement of 0.046 hectares and a minimum lot frontage of 15.24 metres.



- 
- 10.6.2    **LSR-2    Lands Comprising Part of Margaret’s Island (Geographic - Alnwick)**
- On lands zoned Limited Service Residential Exception No. 2 (LSR-2) the minimum lot area requirement shall be 3 hectares and a maximum of two (2) lots only shall be permitted.
- 10.6.3    **LSR-3    Part Lot 22, Concession 7 (Geographic - Alnwick)**
- On lands zoned Limited Service Residential Exception No. 3 (LSR-3) the minimum lot area requirement shall be 0.18 hectares and the minimum lot frontage requirement shall be 31.9 metres. A maximum of three (3) lots only shall be permitted.
- 10.6.4    **LSR-4    Part Lot 9, Concession 3 (Geographic - Alnwick)**
- On lands zoned Limited Service Residential Exception No. 4 (LSR-4) the minimum lot frontage shall be 9 metres.
- 10.6.5    **LSR-5    Part Lot 20, Concession 7 (Geographic - Alnwick)**
- On lands zoned Limited Service Residential Exception No. 5 (LSR-5) the following provisions shall apply and be complied with:
- a) Zone Provisions:
- i. Minimum lot area 0.109 hectares
- ii. Minimum lot frontage 33.8 metres
- iii. Minimum Front Yard Requirement 10.9 metres
- iv. Minimum Interior Side Yard Requirement relative to the western boundary 2.3 metres
- v. Minimum setback from high water mark of Rice Lake 14 metres.
- 10.6.6    **LSR-6-  
H        Part Lots 10 and 11, Part of White Island (Geographic - Alnwick)**
- On lands zoned Limited Service Residential Exception No. 6-Holding (LSR-6-H) a boat house, pump house and any other docks other than floating docks shall not be permitted and docks shared by two adjoining cottages may be located closer than 1.2 metres to the side lot line.
- The minimum lot area requirement shall be 0.6 hectares and the minimum lot frontage requirement shall be 50 metres.



The Holding (H) provision shall prevent the development of the lands in the LSR-6 Zone until such time as all financial, planning and engineering issues have been resolved to the satisfaction of the Township.

10.6.7      **LSR- 7**      **Part Lot 20, Concession 7 (Geographic - Alnwick)**

On lands zoned Limited Service Residential Exception No. 7 (LSR-7) the following provisions shall apply and be complied with:

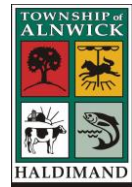
- a) Zone Provisions:
  - i. Minimum lot area 0.09 hectares
  - ii. Minimum lot frontage 30 metres
  - iii. Minimum front yard dimension requirement 5 metres
  - iv. Minimum interior side yard dimension requirement relative to the eastern boundary 3.3 metres.
  - v. Minimum setback from high water mark of Rice Lake 11 metres
  - vi. Side yard setback for boathouse relative to the eastern boundary 0.3 metres.

10.6.8      **LSR- 8**      **Lands Comprising Part of Margaret's Island, Lying Opposite Lot 17, Concession 6 (Geographic - Alnwick)**

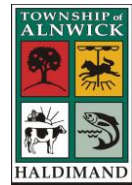
On lands zone Limited Service Residential Exception No.8 (LSR-8) the minimum lot area requirement shall be 0.14 hectares.

10.6.9      **LSR- 9**      **Part Lot 19, Concession 7 (Geographic - Alnwick)**

On lands zoned Limited Service Residential Exception No. 9 (LSR-9) any existing lot, which fronts on a private road, may be used for a use permitted in the Limited Service Residential (LSR) Zone, provided all other Zone Provisions are complied with. For the purposes of LSR-13 zone the six existing lots within Plan 30 shall be deemed to have frontage on a private road.



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- 10.6.10    **LSR- 10**        **Part Lot 3, Concession 2 (Geographic - Alnwick)**
- On lands zoned Limited Service Residential Exception No. 10 (LSR-10) one (1) seasonal dwelling and uses, buildings and structures accessory thereto, are permitted on a lot having a minimum area of 0.35 hectares.
- 10.6.11    **LSR- 11**        **Part Lot 3, Concession 2 (Geographic - Alnwick)**
- On lands zoned Limited Service Residential Exception No. 11 (LSR-11) one (1) seasonal dwelling and uses, buildings and structures accessory thereto, are permitted on a lot having a minimum area of 0.14 hectares and a minimum frontage requirement of 29.57 metres.
- 10.6.12    **LSR- 12**        **Part Lot 20, Concession 7 (Geographic - Alnwick)**
- On lands zoned Limited Service Residential Exception No. 12 (LSR-12) the minimum lot area requirement shall be 0.24 hectares. The minimum lot frontage requirement shall be 45.72 metres. All other provisions of the Shoreline Residential Zone shall apply.
- 10.6.13    **LSR- 13**        **Part Lot 20, Concession 7 (Geographic - Alnwick)**
- On lands zoned Limited Service Residential Exception No.13 (LSR-13) the minimum lot area requirement shall be 0.50 hectares and the minimum lot frontage requirement shall be 13.71 metres. All other provisions of the Shoreline Residential Zone shall apply.



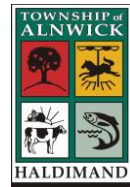
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## Section 11- General Commercial (GC) Zone

No person shall within any General Commercial (GC) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

### 11.1 Permitted Uses

- 11.1.1 an accessory single detached dwelling
- 11.1.2 an accessory dwelling unit
- 11.1.3 an assembly hall, auditorium, community centre or elderly persons centre
- 11.1.4 an auction barn
- 11.1.5 a bakery, small-scale
- 11.1.6 a bake shop
- 11.1.7 a building supply outlet or lumber yard
- 11.1.8 a business, professional or administrative office, including a bank or financial establishment
- 11.1.9 a commercial greenhouse
- 11.1.10 a commercial or private club
- 11.1.11 a day nursery
- 11.1.12 a drive-through facility
- 11.1.13 an eating establishment
- 11.1.14 an equipment sales, rental and repair establishment, including a farm implement and equipment sales and service establishment
- 11.1.15 a flea market
- 11.1.16 a funeral home
- 11.1.17 a garden nursery sales and supply establishment
- 11.1.18 a hotel or motel
- 11.1.19 a laundromat
- 11.1.20 a laundry or dry cleaners establishment
- 11.1.21 a medical or dental clinic
- 11.1.22 a miniature golf course
- 11.1.23 any type of motor vehicle facility excluding a motor vehicle body shop
- 11.1.24 a parking lot
- 11.1.25 a place of entertainment
- 11.1.26 a place of worship
- 11.1.27 a printing or publishing establishment
- 11.1.28 a propane refill establishment
- 11.1.29 a public park
- 11.1.30 a public transportation depot or terminal
- 11.1.31 a public use in accordance with section 4.28.1 of this By-law
- 11.1.32 a recreational establishment
- 11.1.33 a recreation vehicle, marine or travel trailer dealership
- 11.1.34 a retail commercial establishment, including a convenience store



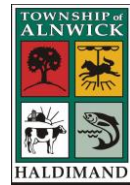
- or food supermarket
- 11.1.35 a service shop, including a personal service shop
- 11.1.36 a veterinary clinic

**11.2 Regulations For Uses Permitted in Section 11.1**

11.2.1	Minimum Lot Area	0.4 ha (0.99 ac.)
11.2.2	Minimum Lot Frontage:	45.0 (147.63 ft.)
11.2.3	Minimum Front Yard	15.0 m (49.21 ft.)
11.2.4	Minimum Exterior Side Yard Width	12.0 m (39.37 ft.)
11.2.5	Minimum Interior Side Yard Width	6.0 m (19.69 ft.)
	- except where the interior side lot line abuts a Residential Zone, the minimum interior side yard shall be	9.0 m (29.53 ft.)
11.2.6	Minimum Rear Yard Depth	7.5 m (24.60 ft.)
11.2.7	Maximum Building Height	11.0 m (36.09 ft.)
11.2.8	Maximum Lot Coverage of All Buildings:	
	(a) Motor Vehicle Fuel Establishment, Hotel or Motel	20%
	(b) Other Permitted Uses	40%
11.2.9	Minimum Landscaped Open Space:	
	(a) Motor Vehicle Fuel Establishment, Hotel or Motel	5%
	(b) Other Permitted uses	10%
11.2.10	Maximum Number of Dwelling Units or Dwellings Per Lot	1 only

**11.3 Buffer Strip Requirements**

Where the interior side or rear lot line abuts a Residential, Open Space or Community Facility Zone a buffer strip shall be provided in accordance with



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Section 4.6 of this By-law.

#### **11.4 Requirements For Open Storage**

11.4.1 Every open storage use shall be accessory to the main building on the lot;

11.4.2 An open storage use shall not be permitted in the front yard.

#### **11.5 Dwelling Unit Location**

A dwelling unit located in a non-residential building shall not be permitted in portions of the first or ground floor level of the building having direct access to a front or exterior side yard, or to the adjacent street where no yard exists.

#### **11.6 Fuel Pump Location**

11.6.1 Notwithstanding any other provisions of this By-law to the contrary, a fuel pump island or fuel pumps, as part of or as accessory to a motor vehicle fuel establish shall be located in accordance with the following:

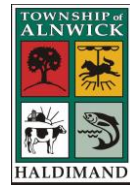
- (a) the minimum distance between any portion of the pump island or fuel pumps and any street line or any rear or interior side lot line is not less than 4.5 m (14.76 ft.); and
- (b) where a lot is a corner lot, no portion of any pump island or fuel pumps shall be located closer than 3.0 metres (9.84 ft.) to a straight line between a point in the front lot line and point in the exterior lot line, such point being distant 15.0 metres (49.21 ft.) from the intersection of such lines.

11.6.2 Bulk fuel and propane storage tanks shall be installed in accordance with the provisions of the *Gasoline Handling Act* or the Ontario Propane Storage Handling and Utilization Code as may be applicable.

#### **11.7 General Zone Provisions**

All provisions of Section 4, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the General Commercial (GC) Zone shall apply.





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## 11.8 Special General Commercial (GC) Zones

Notwithstanding the provisions outlined in the above sections for the General Commercial (GC) Zone to the contrary, the following sections outline site specific General Commercial (GC) Zone exception zone categories. All other provisions of the General Commercial (GC) Zone shall apply and be complied with.

### 11.8.1 GC-1 Part Lot 15, Concession 1 (Geographic - Alnwick)

On lands zoned General Commercial Exception No. 1 (GC-1) the permitted uses shall include a retail establishment and or a motor vehicle gasoline bar.

### 11.8.2 GC-2 Part Lot 22, Concession 9 (Geographic - Haldimand)

On lands zoned General Commercial Exception No. 2 (GC-2) only a retail commercial establishment, which sells, at retail goods, products and articles which are farm-oriented in nature, including a plumbing supplies outlet and a plumbing business, shall be permitted.

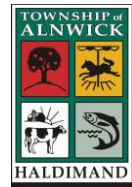
### 11.8.3 GC-3 Part Lot 22, Concession 9 (Geographic - Haldimand)

On the lands zoned General Commercial Exception No. 3 (GC-3) only a contractor's yard, motor vehicle repair garage and a retail commercial establishment shall be permitted.

### 11.8.4 GC-4 Part Lot 25, Concession A (Geographic - Haldimand)

On the lands zoned General Commercial Exception No. 4 (GC-4) the following permitted uses are:

- an eating establishment;
- antique sales outlet;
- an accessory dwelling unit;
- a business, professional or administrative office, including a bank or financial establishment;
- a day nursery;
- a medical or dental clinic;
- a veterinarian clinic;
- a retail commercial establishment for clothing;
- a bed and breakfast establishment



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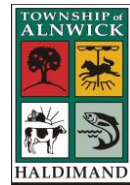
- a garden nursery sales and supply establishment in the existing accessory building (garage).

Notwithstanding the lot area and lot frontage requirements of the General Commercial (GC) Zone, as otherwise amended to the contrary, on lands zoned General Commercial Exception No. 4 (GC-4), the following shall apply:

- i) The minimum lot area requirement shall be 0.20 hectares.
- ii) The minimum lot frontage requirement shall be 38.10 metres.
- iii) The buildings and structures shall be as existing as of October 27th, 2010.
- iv) The provisions of the General Commercial (GC) Zone shall apply in all other respects.

**11.8.5 GC-5 Part Lot 14, Concession A (Geographic - Haldimand)**

On the lands zoned General Commercial Exception No. 5 (GC-5) only a motor vehicle gasoline bar and a convenience store shall be permitted.



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## Section 12 - Hamlet Commercial (HC) Zone

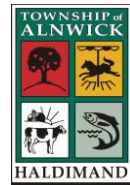
No person shall within any Hamlet Commercial (HC) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

### 12.1 Permitted Uses

- 12.1.1 a dwelling unit in a non-residential building
- 12.1.2 a bake shop
- 12.1.3 a bakery, small-scale
- 12.1.4 a bank or financial institution
- 12.1.5 a business, professional or administrative office
- 12.1.6 a commercial or private club
- 12.1.7 a day nursery
- 12.1.8 a drive-through facility
- 12.1.9 a dry cleaning or laundry outlet
- 12.1.10 an eating establishment
- 12.1.11 a funeral home
- 12.1.12 a hotel
- 12.1.13 a laundromat
- 12.1.14 a medical or dental clinic
- 12.1.15 a motor vehicle fuel establishment
- 12.1.16 a motor vehicle rental establishment
- 12.1.17 a motor vehicle repair garage
- 12.1.18 outside display and sale
- 12.1.19 a parking lot
- 12.1.20 a place of entertainment
- 12.1.21 a post office
- 12.1.22 a postal outlet
- 12.1.23 a public use in accordance with section 4.28.1 of this By-law
- 12.1.24 a recreational establishment
- 12.1.25 a retail commercial establishment, including a convenience store
- 12.1.26 a service shop, including a personal service shop
- 12.1.27 a tavern (liquor licensed premises)
- 12.1.28 a veterinary clinic
- 12.1.29 a video rental and sales establishment

### 12.2 Regulations For Uses Permitted In Section 12.1

- |        |                      |                    |
|--------|----------------------|--------------------|
| 12.2.1 | Minimum Lot Area     | 0.3 ha (0.74 ac.)  |
| 12.2.2 | Minimum Lot Frontage | 30.0 m (98.42 ft.) |
| 12.2.3 | Minimum Front Yard   | 7.5 m (24.6 ft.)   |



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12.2.4	Minimum Exterior Side Yard Width	7.5 m (24.6 ft.)
12.2.5	Minimum Interior Side Yard Width	6.0 m (19.69 ft.)
12.2.6	Minimum Rear Yard Depth	7.5 m (24.60 ft.)
12.2.7	Minimum Landscaped Open Space	5%
12.2.8	Maximum Building Height	15.5 m (50.85 ft.)
12.2.9	Maximum Lot Coverage	50%

### **12.3 Buffer Strip Requirements**

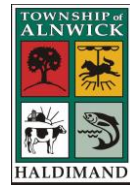
Where the interior side or rear lot line abuts a Residential, Open Space or Community Facility Zone a buffer strip shall be provided in accordance with Section 4.6 of this By-law.

### **12.4 Requirements For Outside Display and Sales Areas**

- 12.4.1 No outside display or sales area shall be permitted except in accordance with the following provisions:
- (a) Such outside display or sales area shall be accessory to the use of the main building on the lot;
  - (b) No outside display or sales area shall be permitted in a rear yard adjacent to a rear lot line of such lot which abuts a Residential Zone or abuts a lot having a residential use situated thereon;
  - (c) No outside display or sales area shall be permitted in a side yard adjacent to a side lot line of such lot which abuts a Residential Zone or abuts a lot having a residential use situated thereon.
  - (d) Outside display and sales shall comply with all applicable regulatory by-laws of the Township.

### **12.5 Outside Storage Not Permitted**

Outside storage shall not be permitted.



## 12.6 Dwelling Unit Location

No dwelling unit or units may be located on the ground floor.

Notwithstanding Section 12.1, a dwelling unit shall not be a permitted use on a lot used for a motor vehicle fuel establishment.

## 12.7 Special Provisions For A Motor Vehicle Fuel Establishment

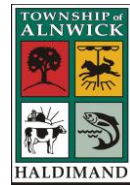
12.7.1 Notwithstanding any other provisions of this By-law to the contrary, a motor vehicle fuel establishment shall be located in accordance with the following:

- (a) Minimum Lot Frontage 38.0 m (124.76 ft.)
- (b) Minimum Front Yard Depth 12.0 m (39.37 ft.)
- (c) Minimum Exterior Side Yard Width 12.0 m (39.37 ft.)
- (d) Minimum Interior Side Yard Width 6.0 m (19.69 ft.)
  - except where the interior side lot line abuts a Residential or Development Zone, the minimum interior Side Yard width shall be 9.0 m (29.53 ft.)
- (e) Minimum Rear Yard Depth 7.5 m (24.61 ft.)
- (f) Minimum landscaped open space 5%

## 12.8 Fuel Pump Location

12.8.1 Notwithstanding any other provisions of this By-law to the contrary, a fuel pump island or fuel pumps, as part of or as accessory to a motor vehicle fuel establishment shall be located in accordance with the following:

- (a) the minimum distance between any portion of the pump island or fuel pumps, including a canopy over a pump island, and any street line shall be 4.5 metres (14.76 feet);
- (b) the minimum distance between any portion of the pump island or fuel pumps, including a canopy over a pump island, and any other lot line shall be 4.5 metres (14.76 feet); and
- (c) where a lot is a corner lot, no portion of any pump island or fuel



pumps, including a canopy over a pump island, shall be located closer than 3 metres (9.84 feet) to a sight triangle.

## **12.9 General Zone Provisions**

All provisions of Section 4, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Hamlet Commercial (HC) Zone shall apply.

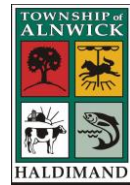
## **12.10 Special Hamlet Commercial (HC) Zones**

Notwithstanding the provisions outlined in the above sections for the Hamlet Commercial (HC) Zone to the contrary, the following sections outline site specific Hamlet Commercial (HC) Zone exception zone categories. All other provisions of the Hamlet Commercial (HC) Zone shall apply and be complied with.

### **12.10.1 HC-1 Part Lot 17, Concession 3 (Geographic - Alnwick)**

On lands zoned Hamlet Commercial Exception No. 1 (HC-1) only a retail establishment, which sells only gifts and crafts, at retail, shall be permitted, provided such establishment is located only within a portion of the existing single dwelling house located within the HC-1 Zone.

In addition, for the purposes of this section, on those lands zoned Hamlet Commercial Exception No. 1 (HC-1) an eating establishment shall also be a permitted non-residential use, provided such is located only within a portion of the existing single detached dwelling located within the HC-1 Zone. There shall be no outside patio areas.



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12.10.2    **HC-2    Part Lot 5, Concession 9 (Geographic - Haldimand)**

On lands zoned Hamlet Commercial Exception No. 2 (HC-2) the following provisions shall apply and be complied with:

- a) Permitted Uses
  - i. A single detached dwelling
  - ii. Custom workshop
  - iii. Motor vehicle repair garage
- b) Zone Provisions
  - i. Minimum lot frontage: 36 metres
  - ii. Minimum interior side yard: 2.4 metres
  - iii. Setback from Centre line of County Road: 22.5 metres
  - iv. Maximum Number of Bays: 2
  - v. Planting strip width: 3 metres, structures existing as of January 1, 1997 excepted.

12.10.3    **HC-3    Part 23, Concession 1 (Geographic - Haldimand)**

On lands zoned Hamlet Commercial Exception No. 3 (HC-3) a Motor Hotel with a maximum of six (6) units shall be a permitted use. The minimum west interior side yard shall be 3.35 meters.

12.10.4    **HC-4    Part Lot 24, Concession A (Geographic - Haldimand)**

On lands zoned Hamlet Commercial Exception No. 4 (HC-4) the minimum lot area requirement shall be 0.28 hectares and the minimum lot frontage requirement shall be 26 metres.

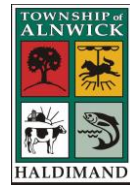
12.10.5    **HC-5    Part Lot 17 Concession 3 (Geographic - Alnwick)**

On lands zoned Hamlet Commercial Exception No. 5 (HC-5) an eating establishment shall also be a permitted non-residential use, provided such is located only within a portion of the existing single detached dwelling located within the HC-5 Zone. There shall be no outside patio areas.

12.10.6    **HC-6    Part Lot 23, Concession 1 (Geographic - Haldimand)**

On lands zoned Hamlet Commercial Exception No. 6 (HC-6) an appliance sales and service establishment shall be the only permitted use.





**12.10.7 HC-7 Part Lot 24, Concession A (Geographic - Haldimand)**

On lands zoned Hamlet Commercial Exception No. 7 (HC-7) the only non-residential uses permitted are:

- a motor vehicle service station
- an eating establishment
- a convenience store
- a commercial venture known as a "Pharmacy"

**12.10.8 HC-8 Part Lot 17, Concession 3 (Geographic - Alnwick)**

On lands zoned Hamlet Commercial Exception No. 8 (HC-8) the following provisions shall apply and be complied with:

a) Permitted Uses:

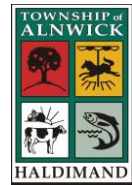
- i. Motor Vehicle Repair Garage, except that the sale of gasoline or propane shall not be permitted.
- ii. Motor Vehicle Sales, Used; the maximum number of motor vehicles on display at any time shall be four (4).
- iii. Service Shop.

b) Provisions for Non-Residential Uses:

- i. Minimum lot area: 0.16 ha
- ii. Minimum lot frontage: 64 metres
- iii. Minimum yard dimensions: as existing on August 1, 1990
- iv. Minimum Lot Coverage, all buildings: as existing on August 1, 1990
- v. Minimum Setback from Street Centreline: as existing on August 1, 1990
- vi. Minimum Landscaped Open Space: as existing on August 1, 1990
- vii. Maximum height of Building: as existing on August 1, 1990.

**12.10.9 HC-9 Part Lot 17, Concession 3 (Geographic - Alnwick)**

On lands zoned Hamlet Commercial Exception No. 9 (HC-9), the only permitted use shall be the display of a maximum of two (2) used motor vehicles which are for sale.



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**12.10.10 HC-10 Part Lot 23, Concession 1 (Geographic - Haldimand)**

On lands zoned Hamlet Commercial Exception No. 10 (HC-10), the permitted uses shall be a retail commercial establishment, a feed mill, a warehouse, petroleum storage, and a motor vehicle fuel establishment.

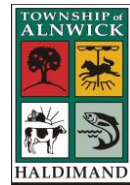
**12.10.11 HC-11 Part Lot 17, Concession 3 (Geographic - Alnwick)**

On lands zoned Hamlet Commercial Exception No. 11 (HC-11), the permitted uses shall be a used furniture and antique sales establishment.

**12.10.12 HC-12 Part Lot 23, Concession A (Geographic - Haldimand)**

Notwithstanding the provisions of the Hamlet Commercial (HC) Zone or any other provision of this By-law to the contrary, on lands zoned Hamlet Commercial Exception No. 12 (HC-12), all of the provisions of the Hamlet Commercial (HC) Zone shall apply with the exception of the following:

- a) Permitted Residential Uses:
  - An accessory dwelling unit
- b) Zone Regulations:
  - Minimum Rear Yard Depth: 2.0 metres (6.56 feet)
  - Minimum Setback from Street Centre Line: 9.14 metres (30.0 feet)



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## Section 13 - Recreation Commercial (RC) Zone

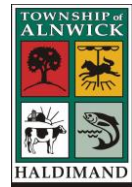
No person shall within a Recreation Commercial (RC) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

### 13.1 Permitted Uses

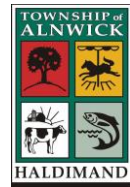
- 13.1.1 an accessory single detached dwelling
- 13.1.2 an accessory dwelling unit
- 13.1.3 an assembly hall
- 13.1.4 a bakery, small-scale
- 13.1.5 a bake shop
- 13.1.6 a banquet hall
- 13.1.7 a bed and breakfast establishment
- 13.1.8 a business, professional or administrative office for a permitted use
- 13.1.9 a commercial or private club
- 13.1.10 a driving range
- 13.1.11 an eating establishment
- 13.1.12 a golf course
- 13.1.13 a laundromat
- 13.1.14 a miniature golf course
- 13.1.15 a place of entertainment
- 13.1.16 a propane refill station
- 13.1.17 a recreational establishment
- 13.1.18 a retail commercial establishment accessory to a permitted use
- 13.1.19 a seasonal camp
- 13.1.20 a service shop, including a personal service shop
- 13.1.21 a recreational vehicle, marine or travel trailer sales and service establishment
- 13.1.22 a tourist establishment, including a hotel or motel
- 13.1.23 a trailer park or camp
- 13.1.24 a private or public park
- 13.1.25 a marina, including marine dealer or marine facility
- 13.1.26 a parking lot
- 13.1.27 a public use in accordance with section 4.28.1 of this By-law

### 13.2 Regulations For Uses Permitted In Section 13.1

- 13.2.1 Minimum Lot Area:
  - (a) Trailer Park or Camp or Seasonal Camp 4.0 ha (9.89 ac.)
  - (b) Other Permitted Uses 0.4 ha (0.99 ac.)



13.2.2	Minimum Lot Frontage:	
	(a) Trailer Park or Camp or Seasonal Camp	100.0 m (328.1 ft.)
	(b) Other Permitted Uses	45.0 m (147.63 ft.)
13.2.3	Minimum Front Yard Depth:	
	(a) Trailer Park or Camp or Seasonal Camp	15.0 m (49.21 ft.)
	(b) Other Permitted Uses	12.0 m (39.37 ft.)
13.2.4	Minimum Exterior Side Yard Width:	
	(a) Trailer Park or Camp or Seasonal Camp	15.0 m (49.21 ft.)
	(b) Other Permitted Uses	12.0 m (39.37 ft.)
13.2.5	Minimum Interior Side Yard Width:	
	(a) Trailer Park or Camp or Seasonal Camp	15.0 m (49.21 ft.)
	(b) Other Permitted Uses	6.0 m (19.69 ft.)
	- except where the interior side lot line abuts a Residential Zone, the minimum interior side yard shall be	9.0 m (29.53 ft.)
13.2.6	Minimum Rear Yard Depth:	
	(a) Trailer Park or Camp or Seasonal Camp	15.0 m (49.21 ft.)
	(b) Other Permitted Uses	7.5 m (24.60 ft.)
13.2.7	Minimum Lot Depth for a Trailer Park or Camp or Seasonal Camp	90.0 m (295.28 ft.)
13.2.8	Maximum Building Height	11.0 m (36.09 ft.)
13.2.9	Maximum Lot Coverage of All Buildings:	
	(a) Trailer Park or Camp or Seasonal Camp	10%
	(b) Other Permitted Uses	40%



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13.2.10	Minimum Landscaped Open Space:	30%
13.2.11	Maximum Number of Dwelling Units or Dwellings Per Lot	1 only

### **13.3 Requirements For Camping Lots**

Minimum Area	185 m <sup>2</sup> (1,991.39 ft. <sup>2</sup> )
Minimum Frontage	9.0 m (29.53 ft.)

### **13.4 Buffer Strip Requirements**

Where the interior side or rear lot line abuts a Residential, Open Space or Community Facility Zone a buffer strip shall be provided in accordance with Section 4.6 of this By-law.

### **13.5 Requirements For Open Storage**

- 13.5.1 Every open storage use shall be accessory to the main building on the lot;
- 13.5.2 An open storage use shall not be permitted in the front yard.

### **13.6 Dwelling Unit Location**

A dwelling unit located in a non-residential building shall not be permitted in portions of the first or ground floor level of the building having direct access to a front or exterior side yard, or to the adjacent street where no yard exists.

### **13.7 General Zone Provisions**

All provisions of Section 4, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Recreation Commercial (RC) Zone shall apply.

### **13.8 Special Recreation Commercial Zones**

Notwithstanding the provisions outlined in the above sections for the Recreation Commercial (RC) Zone to the contrary, the following sections outline site specific Recreation Commercial (RC) Zone exception zone categories. All other provisions of the Recreation Commercial (RC) Zone shall apply and be complied with.



**13.8.1 RC-1 Part Lot 12, Concession 3 (Geographic - Alnwick)**

On lands zoned Recreation Commercial Exception No. 1 (RC-1) the existing two (2) tourist cottages are the only uses that may be permitted. In addition, one (1) lot having a minimum lot area requirement of 0.132 hectares and the minimum lot frontage requirement of 35.64 metres may be created.

**13.8.2 RC-2 Part Lot 1, Concession 1 (Geographic - Alnwick)**

In addition to the uses permitted in the Recreational Commercial (RC) Zone, a maximum of one hundred and twenty-four (124) campsites are permitted.

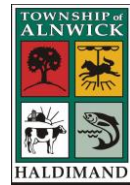
**13.8.3 RC-3 Part Lot 5, Concession 4 (Geographic - Alnwick)**

On lands zoned Recreation Commercial Exception No. 3 (RC-3) the minimum lot frontage requirement shall be 22 metres.

**13.8.4 RC-4 Part Lots 22 and 23, Concession 2 (Geographic - Haldimand)**

On lands zoned Recreation Commercial Exception No. 4 (RC-4), all provisions of the Recreation Commercial (RC) Zone shall apply save and except as specifically noted below:

- a) Permitted Uses:
  - i. The permitted uses shall be limited to a health spa resort including accommodation and accessory uses.
- b) Zone Regulations:
  - i. Minimum lot area: 4.0 hectares (9.88 acres)
  - ii. Minimum lot frontage: 175 metres (574.1 feet)
  - iii. Minimum number of off-street parking spaces: 125
  - iv. Maximum number of guest rooms in Resort: 65
  - v. Maximum number of spa treatment rooms: 50
  - vi. Maximum seating capacity of all dining rooms: 120 people
  - vii. Minimum Distance Separation: No main building shall be located within 245 metres of the chicken barns existing on December 31, 1999 located in Lot 22 Concession 2, and 300 metres of the dairy barns existing on December 31, 1999 and located in Lot 21 Concession 2.



- c) Accommodation in the Vicinity of a Resort
  - i. Refer to Section 4.42 of this By-law for a special General Zone Provision regarding Accommodation in the Vicinity of a Resort.

**13.8.5 RC-5 Part Lot 23, Concession 7 (Geographic - Alnwick)**

On lands zone Recreation Commercial Exception No. 5 (RC-5) the minimum interior side yard setback for buildings existing as of January 1, 1990 is 0.9 metres.

**13.8.6 RC-6 Part Lots 1 and 2, Concession 1 (Geographic – Alnwick)**

On lands zoned Recreation Commercial Exception No. 6 (RC-6) an assembly hall shall also be permitted.

**13.8.7 RC-7 Part Lot 15, Concession 1 (Geographic - Haldimand)**

On lands zoned Recreation Commercial Exception No. 7 (RC-7) the following provisions shall apply and be complied with:

- a) Permitted Non-Residential Uses
  - i. A camping establishment, having a maximum of ninety (90) camping lots, including accessory recreational and service facilities such as, but not limited to, a golf course, athletic field, tennis courts, swimming pools, fishing areas, club house and laundromat.

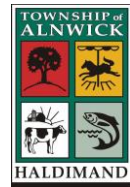
**13.8.8 RC-8 Part Lot 11, Concession 3 (Geographic - Alnwick)**

On lands zoned Recreation Commercial Exception No. 8 (RC-8) an assembly hall shall also be a permitted use.

**13.8.9 RC-9 Part Lot 22, Concession 2 (Geographic – Haldimand)**

On lands zoned Recreation Commercial Exception No. 9 (RC-9) a small-scale bakery and bake shop shall be a permitted use.



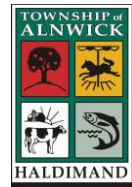


**13.8.10 RC-10 Part Lot 34, Concession 3 (Geographic – Haldimand)**

Notwithstanding any provisions of this By-law to the contrary within the RC-10 Zone the following provisions shall apply:

Only Permitted Uses:

1. An assembly hall
2. A bake shop
3. A banquet hall
4. An eating establishment
5. A tourist establishment
6. A private park
7. Herb gardens
8. An herb processing and demonstration facility
9. An accessory staff dormitory
- ii. For the purposes of the Recreational Commercial Exception No. 10 (RC-10) Zone, “Herb Processing” means the collection of herbs and flowers grown on-site, drying, and then extraction of oils from the dried plant material”.
- iii. For the purposes of the Recreational Commercial Exception No. 10 (RC-10) Zone, a “Herb Processing and Demonstration Facility” means a building or structure where herb processing occurs and where a demonstration program about herb processing will be available to patrons and guests.
- iv. The required minimum number of parking spaces shall be 127.
- v. The Provisions of the Recreational Commercial (RC) Zone shall apply in all other respects.
- vi. The Holding (-H) provisions shall only be removed from the lands zoned Recreational Commercial Exception No. 10 (RC-10) when the following matters have been addressed to the satisfaction of the Municipality:
  - a) That the owner of the property has entered into a Site Plan Agreement with the Municipality, addressing such matters as, but not necessarily limited to:
    1. The location of new buildings and expansions to existing buildings.
    2. The location of any accessory buildings and structures
    3. Access driveways and parking areas.
    4. Stormwater management and drainage.
    5. Landscaping areas and the identification of any environmental areas to be protected.
    6. Servicing issues, including the locations of inground sewage disposal systems and wells.



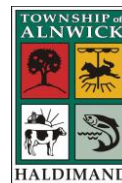
7. The storage and disposal of waste and materials for recycling.
8. Improvements and upgrades for ingress/egress, including Northumberland Heights Road.

That an Environmental Compliance Approval (ECA) has been issued for the sewage disposal system.

- c) That prior to the removal of the Holding (H) symbol, only those uses that existed at the date of passing of this By-law shall be permitted.”

13.8.11 **RC-11 Part of Lot 20, Concession 7 (Geographic – Alnwick)**

Notwithstanding Section 13.2 of this By-law, within the Recreation Commercial Exception No. 11 Zone (RC-11), the minimum lot size and building setbacks for the existing buildings shall be as they existed on May 30, 2019.



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## Section 14 - General Industrial (MG) Zone

No person shall within a General Industrial (MG) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

### 14.1 Permitted Uses

- 14.1.1 an agricultural use
- 14.1.2 a building supply outlet or lumber yard
- 14.1.3 a business office as an accessory use to a permitted use specified herein
- 14.1.4 a cartage or transport depot and yard facilities
- 14.1.5 a cannabis production facility
- 14.1.6 a dry cleaning or laundry establishment
- 14.1.7 any type of equipment sales, rental and service establishment
- 14.1.8 a feed mill or seed cleaning plant
- 14.1.9 a general contractor's or tradesman's yard and related shop facilities
- 14.1.10 a manufacturing, processing, assembly or fabricating plant and including a machine or welding shop, or a workshop
- 14.1.11 any type of motor vehicle facility, including a motor vehicle body shop
- 14.1.12 a Municipal, County, Provincial or other public works yard, or maintenance depot
- 14.1.13 outside storage
- 14.1.14 a propane refill station
- 14.1.15 a retail commercial establishment, including a factory outlet, as an accessory use to a permitted use specified herein
- 14.1.16 a public transportation depot
- 14.1.17 a saw mill and/or planing mill
- 14.1.18 a service shop
- 14.1.19 a warehouse
- 14.1.20 a parking lot

### 14.2 Regulations For Uses Permitted In Section 14.1

- |        |                                  |                     |
|--------|----------------------------------|---------------------|
| 14.2.1 | Minimum Lot Area                 | 0.4 ha (0.99 ac.)   |
| 14.2.2 | Minimum Lot Frontage             | 40.0 m (131.23 ft.) |
| 14.2.3 | Minimum Front Yard Depth         | 15.0 m (49.21 ft.)  |
| 14.2.4 | Minimum Exterior Side Yard Width | 15.0 m (49.21 ft.)  |
| 14.2.5 | Minimum Interior Side Yard Width | 3.0 m (9.84 ft.)    |



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- |        |  |                    |
|--------|--|--------------------|
| 14.2.6 | Minimum Rear Yard Depth  | 7.5 m (24.60 ft.)  |
| 14.2.7 | Special Yard Requirements:   |                    |
|        | (a) Where a side or rear yard abuts a railroad right-of-way, the minimum yard shall be   | 30.0 m (98.42 ft.) |
|        | (b) Where lands in an Industrial Zone are adjacent to any other Zone the minimum yard required shall be increased by   | 9.0 m (29.53 ft.)  |
|        | (c) Required front and exterior side yards shall be open and unobstructed by any structure or parking or loading area for motor vehicles except that any such yard may be used for the purposes of visitor parking.  |                    |
| 14.2.8 | Maximum Building Height  | 11.0 m (36.09 ft.) |
|        | - Notwithstanding a building or any portion thereof may be erected above a height of 11 m (36.09 ft.) provided such portion is set back an additional 1 metre (3.28 ft.) for each metre above 11 m (36.09 ft.), to the minimum front, side or rear setback requirements herein |                    |
| 14.2.9 | Maximum Lot Coverage of All Buildings  | 30%                |

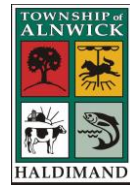
### 14.3 Buffer Strip Requirements:

Where the interior side or rear lot line abuts a Residential, Open Space or Community Facility Zone a buffer strip shall be provided in accordance with Section 4.6 of this By-law.

### 14.4 Requirements For Outside Storage

No portion of a lot shall be used for the outside storage of goods or materials unless such storage is within a building, or unless the following provisions are complied with:

- (a) Such storage is accessory to the use of the main building on the lot;
- (b) Such outside storage complies with the yard and setback regulations for the General Industrial (MG) Zone, however no open storage use shall be located in a front or exterior side yard;



- (c) No outside storage use shall cover more than 35 percent of the lot area;
- (d) Every outside storage use shall be enclosed within a fence consisting of at least an eight-wire farm fence which is maintained in good condition.

## **14.5 Fuel Pump Location**

**14.5.1** Notwithstanding any other provisions of this By-law to the contrary, a fuel pump island or fuel pumps, as part of or as accessory to a motor vehicle fuel establishment shall be located in accordance with the following:

- (a) the minimum distance between any portion of the pump island or fuel pumps and any street line or any rear or interior side lot line is not less than 4.5 metres (14.76 ft.); and
- (b) where a lot is a corner lot, no portion of any pump island or fuel pumps shall be located closer than 3 metres (9.84 ft.) to a straight line between a point in the front lot line and point in the exterior lot line, such point being distant 15 metres (49.21 ft.) from the intersection of such lines.

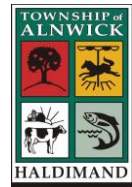
**14.5.2** Bulk fuel and propane storage tanks shall be installed in accordance with the provisions of the Gasoline Handling Act or the Ontario Propane Storage Handling and Utilization Code as may be applicable.

## **14.6 General Zone Provisions**

All provisions of Section 4, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the General Industrial (MG) Zone shall apply.

## **14.7 Special General Industrial (MG) Zones**

Notwithstanding the provisions outlined in the above sections for the General Industrial (MG) Zone to the contrary, the following sections outline site specific General Industrial (MG) Zone exception zone categories. All other provisions of the General Industrial (MG) Zone shall apply and be complied with.



**14.7.1 MG-1 Part Lot 22, Concession A (Former Township of Haldimand)**

On lands zoned General Industrial Exception No. 1 (MG-1) a single detached dwelling or a dwelling unit in a non-residential building is a permitted use. The building setbacks shall be existing as on November 12, 2003.

**14.7.2 MG-2 Part Lot 24, Concession 1 (Geographic - Haldimand)**

On lands zoned General Industrial Exception No. 2 (MG-2) the only uses permitted shall be a Resource Recovery Facility operated by the County of Northumberland or its designate as part of their comprehensive County Wide Waste Management System.

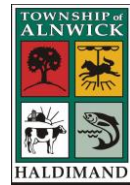
For the purposes of this section, a Resource Recovery Facility shall mean a facility for the processing of waste for material recovery and or the production of stabilized humus and or associated products.

The following provisions shall apply:

a. Zone Regulations:

- i. Minimum Lot Area – 6 hectares
- ii. Minimum Lot Frontage – 140 metres
- iii. Minimum Front Yard – 50 metres
- iv. Minimum Exterior Side Yard - 23 metres
- v. Minimum Interior Side Yard – 30 metres
- vi. Minimum Rear Yard – 50 metres
- vii. Minimum Lot Coverage All Buildings – 30%
- viii. Minimum Setback from Street Centre Line – 33 m.
- ix. Minimum Landscaped Open Space – 40%
- x. Maximum Height of Building – 12 m.
- xi. Open Storage (except fuel storage) – Prohibited
- xii. Minimum number of parking spaces – 46

A parking area shall be permitted in an interior side, exterior side or rear yard only provided that no part of any parking area other than a driveway is located closer than 15 metres to a street line or 30 metres of an interior side or rear lot line within a sight triangle, and open storage of fuel only shall be permitted if such storage is not in a front or exterior side yard or the minimum required interior side or minimum required rear yard. The General Provisions shall apply in all other respects.



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**14.7.3 MG-3 Part Lot 23, Concession A (Grafton)**

On lands zoned General Industrial Exception No. 3 (MG-3), mixing, blending, storing and retail selling of dry and liquid fertilizers warehousing shall be permitted.

**14.7.4 MG-4 Part Lot 22, Concession 6 (Geographic - Alnwick)**

On the lands zoned General Industrial Exception No. 4 (MG-4) only an equipment storage structure for the storing or parking of trucks and related equipment and an accessory single detached dwelling shall be permitted.

**14.7.5 MG-5 Part Lot 1, Concession B (Geographic - Haldimand)**

On lands zoned General Industrial Exception No. 5 (MG-5) the following zone provisions shall apply:

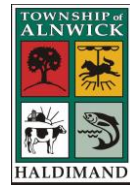
a) Permitted Uses:

- i. A business, professional or administrative office
- ii. The following Class 1 Industrial Facilities:
  - a custom workshop
  - a warehouse
  - a workshop

b) Zone Regulations:

- i. The minimum interior side yard width adjacent to the east property boundary shall be 0.0 metres (0.0 ft.).
- ii. The minimum lot frontage on County Road 31 shall be 30.48 metres (100 ft.).
- iii. The minimum interior side yard width where the MG-5 zone abuts a property zoned Hamlet Residential (HR) shall be 20 metres (65.62 ft.).
- iv. The maximum building height shall be 9.14 metres (30 ft.).





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## Section 15 - Extractive Industrial (ME) Zone

No person shall within an Extractive Industrial (ME) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

### 15.1 Permitted Uses

- 15.1.1 an aggregate storage area
- 15.1.2 an agricultural use
- 15.1.3 aggregate processing plants, concrete batching plants and asphalt plants
- 15.1.4 a pit
- 15.1.5 a quarry
- 15.1.6 forestry and conservation uses
- 15.1.7 a wayside pit and a wayside quarry

### 15.2 Regulations For Uses Permitted In Section 15.1

- |        |                                  |                    |
|--------|----------------------------------|--------------------|
| 15.2.1 | Minimum Front Yard Depth         | 30.0 m (98.42 ft.) |
| 15.2.2 | Minimum Rear Yard Depth          | 15.0 m (49.21 ft.) |
| 15.2.3 | Minimum Exterior Side Yard Width | 30.0 m (98.42 ft.) |
| 15.2.4 | Minimum Interior Side Yard Width | 15.0 m (49.21 ft.) |

### 15.3 Buffer Strip Requirements

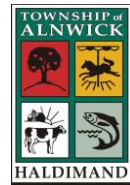
Where interior side or rear lot line abuts a Residential, Open Space or Community Facility Zone a buffer strip shall be provided in accordance with Section 4.6 of this By-law.

### 15.4 General Zone Provisions

All provisions of Section 4, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Extractive Industrial (ME) Zone shall apply.

### 15.5 Special Extractive Industrial (ME) Zones

Notwithstanding the provisions outlined in the above sections for the Extractive Industrial (ME) Zone to the contrary, the following sections outline site specific Extractive Industrial (ME) Zone exception zone categories. All



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other provisions of the Extractive Industrial (ME) Zone shall apply and be complied with.

**15.5.1 ME-1 Part Lots 5 and 6, Concession 3 (Geographic - Haldimand)**

On lands zoned Extractive Industrial Exception No. 1 (ME-1) the following provisions shall apply and be complied with:

a) Special Yard Provisions

- i. No extractive operation or product stockpile shall be located within 45 metres of any Residential Zone, dwelling or dwelling unit on another lot.

**15.5.2 ME-2 Part Lot 1, Concession 3 (Geographic - Haldimand)**

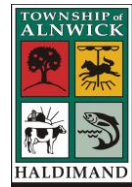
On lands zoned Extractive Industrial Exception No. 2 (ME-2) only a petroleum product booster pumping station and buildings, structures and uses accessory thereto are permitted.

**15.5.3 ME-3 Part Lot 7, Concession 10 (Geographic - Haldimand)**

On lands zoned Extractive Industrial Exception No. 3 (ME-3) all provisions of the Extractive Industrial (ME) Zone shall apply save and except as specifically noted below.

a) Special Yard Provisions

- i. Where only the removal of sand and gravel is involved no extractive operation or product stockpile, in an area zoned Extractive Industrial Exception No. 3 (ME-3) , shall be located with 60 metres of any Residential Zone or dwelling or dwelling unit on another lot or within 15.0 metres of a road allowance under the jurisdiction of the Township.
- ii. Where the removal of quarry stone or the processing of sand, gravel or stone is involved, no building, plant or product stockpile shall be located within 120 metres of a Residential Zone, dwelling or dwelling unit on another lot.

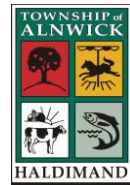


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**15.5.4 ME-4 Part Lot 14, Concession 4 (Geographic - Alwick)**

On lands zoned Extractive Industrial Exception No. 4 (ME-4), the provisions of Section 4.21 of this By-law shall not apply with respect to the boundary between the ME-4 Zone and the Oak Ridges Moraine Mineral Extractive Exception No. 2 Zone.

Notation: Please note that Municipal By-Law 06-2012 was passed on January 25<sup>th</sup>, 2012 to remove the Holding symbol ("H").



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## Section 16 - Waste Disposal Industrial (MD) Zone

No person shall within the Waste Disposal Industrial (MD) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

### 16.1 Permitted Uses

- 16.1.1 a recycling facility
- 16.1.2 a sanitary landfill site
- 16.1.3 a waste disposal area
- 16.1.4 a waste transfer station

### 16.2 Regulations For Uses Permitted In Section 16.1

- 16.2.1 Minimum Yard Requirements 60.0 m (196.85 ft.)

### 16.3 Buffer Strip Requirements

Where the interior side or rear lot line abuts a Residential or Community/Open Space Zone category, a buffer strip shall be provided in accordance with Section 4.6 of this By-law.

### 16.4 General Zone Provisions

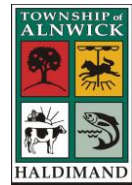
All provisions of Section 4, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Waste Disposal Industrial (MD) Zone shall apply.

### 16.5 Special Waste Disposal Industrial (MD) Zones

Notwithstanding the provisions outlined in the above sections for the Waste Disposal (MD) Zone to the contrary, the following sections outline site specific Waste Disposal (MD) Zone exception zone categories. All other provisions of the Waste Disposal (MD) Zone shall apply and be complied with.

#### 16.5.1 MD-1 Waste Disposal Industrial-1 (MD-1)

Notwithstanding the uses permitted in the Waste Disposal Industrial (MD) Zone, within the Waste Disposal Industrial Exception No. 1 (MD-1) Zone, only a closed waste disposal site shall be a permitted use.



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## Section 17 - Community Facility (CF) Zone

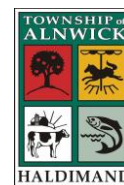
No person shall within a Community Facility (CF) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

### 17.1 Permitted Uses

- 17.1.1 an accessory single detached dwelling
- 17.1.2 an accessory dwelling unit
- 17.1.3 an arena
- 17.1.4 an assembly hall or auditorium
- 17.1.5 a camping park
- 17.1.6 a cemetery
- 17.1.7 a community centre
- 17.1.8 a curling rink
- 17.1.9 a day care centre
- 17.1.10 a day nursery
- 17.1.11 an elderly persons centre
- 17.1.12 a fairground
- 17.1.13 a family resources centre
- 17.1.14 a fire hall
- 17.1.15 a fraternal lodge
- 17.1.16 a home for the aged or retirement lodge
- 17.1.17 a hospital
- 17.1.18 a medical or dental clinic
- 17.1.19 a municipal office
- 17.1.20 a museum
- 17.1.21 a nursery school
- 17.1.22 a nursing home
- 17.1.23 a place of worship
- 17.1.24 a police station
- 17.1.25 a post office
- 17.1.26 a private club
- 17.1.27 a library
- 17.1.28 a public or private school
- 17.1.29 a parking lot
- 17.1.30 a private park
- 17.1.31 a public park
- 17.1.32 a public use in accordance with section 4.28.1 of this By-law

### 17.2 Regulations For Uses Permitted In Section 17.1

- 17.2.1 Minimum Lot Area:



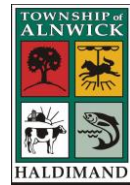
(a)	An accessory single detached dwelling	0.4 ha (0.99 ac.)
(b)	A camping park	0.4 ha (0.99 ac.)
(c)	Other Permitted Uses	Not Applicable
17.2.2	Minimum Lot Frontage:	
(a)	An accessory single detached dwelling	46.0 m (150.92 ft.)
(b)	A camping park	100.0 m (328.08 ft.)
(c)	Other Permitted Uses	Not Applicable
17.2.3	Minimum Front Yard Depth	12.0 m (39.37 ft.)
17.2.4	Minimum Exterior Side Yard Width	12.0 m (39.37 ft.)
17.2.5	Minimum Interior Side Yard Width	7.5 m (24.60 ft.)
-	except where the interior side lot line abuts a Residential Zone, the minimum interior side yard shall be	10.5 m (34.45 ft.)
17.2.6	Minimum Rear Yard Depth	7.5 m (24.60 ft.)
-	except where the rear lot line abuts a Residential Zone, the minimum rear yard shall be	10.5 m (34.45 ft.)
17.2.7	Maximum Building Height	11.0 m (36.09 ft.)
17.2.8	Maximum Lot Coverage of All Buildings	50%
17.2.9	Minimum Landscaped Open Space	30%
17.2.10	Maximum Number of Dwelling Units or Single Detached Dwellings Per Lot	1 only

### 17.3 Buffer Strip Requirements

Where the interior side or rear lot line abuts a Residential Zone, a buffer strip shall be provided in accordance with the Section 4.6 of this By-law.

### 17.4 General Zone Provisions

All provisions of Section 4, General Zone Provisions, where applicable to



the use of any land, building or structure permitted within the Community Facility (CF) Zone shall apply.

## **17.5 Special Community Facility (CF) Zones**

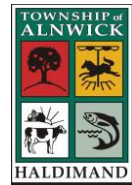
Notwithstanding the provisions outlined in the above sections for the Community Facility (CF) Zone to the contrary, the following sections outline site specific Community Facility (CF) Zone exception zone categories. All other provisions of the Community Facility (CF) Zone shall apply and be complied with.

### **17.5.1 CF-1 Part Lot 23, Concession 1 (Geographic - Haldimand)**

On lands zoned Community Facility Exception No. 1 (CF-1) the following provisions shall apply and be complied with:

- a) Permitted Uses
  - i. Senior citizen's housing, in the form of row dwelling house, not exceeding twenty-two (22) dwelling units in number
  - ii. Public uses
  - iii. Additional buildings, structures and uses which are exclusively subordinate to the principal use.
- b) Provisions for Non-Residential Uses
  - i. Lot Area- 1.21 hectares
  - ii. Lot Frontage (minimum) – 60.96 metres
  - iii. Lot Coverage (maximum) – 20% of total lot area
  - iv. Gross Floor Area Per Dwelling Unit (minimum):
    - One person units – 49.23 square metres
    - Two person units – 51.09 square metres
  - v. Building Height (maximum) – one storey
  - vi. Landscaped open space (min.) - 50% of total lot
- c) Parking Space Requirements
  - i. A minimum of 30 off-street parking spaces shall be constructed, maintained in accordance with the site development plan.





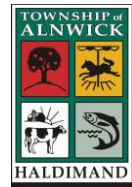
- 
- d) Definitions- for the purposes of this section the following definitions shall apply:
- i. Row Dwelling - Shall mean a group of three or more dwelling units attached vertically, each dwelling unit of which has an independent entrance directly from the outside
  - ii. Senior Citizens' Housing - Shall mean a home for senior citizens sponsored and administered by any public agency or any service club, church or other non-profit organization, which obtains its financing from federal, provincial or municipal governments or agencies, or by public subscription or donation, or by any combination thereof, and such homes shall include auxiliary uses such as a club and lounge facility usually associated with senior citizens accommodation.

**17.5.2 CF-2 Part of Lot 17, Concession 3, (Geographic-Alnwick)**

Notwithstanding any provisions of this By-Law to the contrary within the CF-2 Zone the following provisions shall apply:

- a) The Holding (-H) provisions shall only be removed from the lands zoned Community Facility Exception No. 2 (CF-2) when the following matters have been addressed by the Township:
  - i) The completion of a Site Plan
- b) The provisions of the Community Facility (CF) shall apply in all other respects.

Notation: Please note that Municipal By-Law 74-2017 was passed on July 27<sup>th</sup>, 2017 to remove the Holding symbol ("H").



## Section 18 - Open Space (OS) Zone

No person shall within the Open Space (OS) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

### 18.1 Permitted Uses

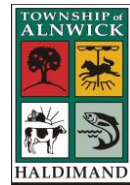
- 18.1.1 an athletic field
- 18.1.2 a conservation area including outdoor recreation activities, nature study and wildlife areas, or other similar use as provides for the preservation of the natural environment
- 18.1.3 a private park
- 18.1.4 a boat launch ramp
- 18.1.5 a parking lot

### 18.2 Regulations For Uses Permitted In Section 18.1

18.2.1	Minimum Lot Area:	Not Applicable
18.2.2	Minimum Lot Frontage:	Not Applicable
18.2.3	Minimum Front Yard Depth:	12.0 m (39.37 ft.)
18.2.4	Minimum Exterior Side Yard Width:	12.0 m (39.37 ft.)
18.2.5	Minimum Interior Side Yard Width:	7.5 m (24.60 ft.)
18.2.6	Minimum Rear Yard Depth:	7.5 m (24.60 ft.)
18.2.7	Maximum Building Height	11.0 m (36.09 ft.)
18.2.8	Maximum Lot Coverage of All Buildings	10%
18.2.9	Minimum Landscaped Open Space	50%

### 18.3 General Zone Provisions

All provisions of Section 4, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Open Space (OS) Zone shall apply.



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## 18.4 Special Open Space (OS) Zones

Notwithstanding the provisions outlined in the above sections for the Open Space (OS) Zone to the contrary, the following sections outline site specific Open Space (OS) Zone exception zone categories. All other provisions of the Open Space (OS) Zone shall apply and be complied with.

### 18.4.1 OS-1 Part Lot 11, Concession 3 (Geographic - Alnwick)

On lands zoned Open Space Exception No. 1 (OS-1), the permitted uses will be restricted to: conservation, forestry, a private park, a public park, and a wildlife management area.

### 18.4.2 OS-2 Part Lot 17, Concession 2 (Geographic - Alnwick)

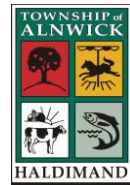
On the lands zoned Open Space Exception No. 2 (OS-2) the following uses are permitted:

- a. Fairgrounds, and;
- b. Indoor storage of boats, recreational vehicles, motor vehicles and farm machinery.

### 18.4.3 OS-3-H Part Lots 10 and 11, Concession 4 (Geographic - Alnwick – White Island)

On lands zoned Open Space Exception No. 3-Holding (OS-3-H), the permitted uses shall include the uses of Section 18.1 of this By-law and a golf course, but an eating establishment shall not be a permitted use accessory to a golf course, and a single detached dwelling shall not be permitted.

The Holding (H) provision shall prevent the development of the lands in the OS-3 Zone until such time as all financial, planning and engineering issues have been resolved to the satisfaction of the Township.



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## Section 19 - Development (D) Zone

No person shall within a Development (D) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

### 19.1 Permitted Uses

- 19.1.1 an existing single detached dwelling
- 19.1.2 an existing farm or agricultural use
- 19.1.3 a farm produce outlet
- 19.1.4 a home occupation
- 19.1.5 accessory uses
- 19.1.6 existing uses in addition to or other than those listed above

### 19.2 Regulations For Uses Permitted In Section 19.1

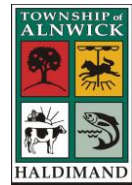
19.2.1	Minimum Lot Area	as existing
19.2.2	Minimum Lot Frontage	as existing
19.2.3	Minimum Front Yard Depth	12.0 m (39.37 ft.)
19.2.4	Minimum Exterior Side Yard Width	12.0 m (39.37 ft.)
19.2.5	Minimum Interior Side Yard Width	6.0 m (19.69 ft.)
19.2.6	Minimum Rear Yard Depth	12.0 m (39.37 ft.)
19.2.7	Minimum Dwelling Floor Area	As Existing
19.2.8	Maximum Building Height	11.0 m (36.09 ft.)
19.2.9	Maximum Number of Dwellings Per Lot	1 only

### 19.3 General Zone Provisions

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Development (D) Zone shall apply.

### 19.4 Special Development (D) Zones

Notwithstanding the provisions outlined in the above sections for the



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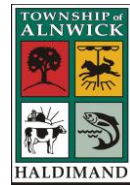
Development (D) Zone to the contrary, the following sections outline site specific Development (D) Zone exception zone categories. All other provisions of the Development (D) Zone shall apply and be complied with.

19.4.1     **D-1           Part Lot 11, Concession 3 (Geographic - Haldimand)**

On lands zoned Development Exception No. 1 (D-1) the minimum lot area requirement shall be 1.4 hectares and the minimum lot frontage requirement shall be 75 metres.

19.4.2     **D-2           Part Lot 19, Concession 6 (Geographic - Haldimand)**

On lands zoned Development Exception No. 2 (D-2) neither a single detached dwelling nor a seasonal dwelling should be permitted. For the purposes of this section, lot frontage shall be calculated along County Road 22.



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## Section 20 - Environmental Protection (EP) Zone

No person shall within an Environmental Protection (EP) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

### 20.1 Permitted Uses

- 20.1.1 residential uses are prohibited with the exception of an existing single detached dwelling
- 20.1.2 an agricultural use, excluding buildings
- 20.1.3 a forestry use
- 20.1.4 a conservation area including outdoor recreation activities, nature study and wildlife areas, or other similar use which provides for the preservation of the natural environment
- 20.1.5 structures required for flood, erosion and siltation control works
- 20.1.6 a marine facility
- 20.1.7 existing uses, buildings and structures

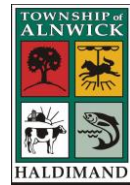
### 20.2 Regulations of Uses Permitted in Section 20.1

- |        |                                  |                    |
|--------|----------------------------------|--------------------|
| 20.2.1 | Minimum Lot Area                 | as existing        |
| 20.2.2 | Minimum Lot Frontage             | as existing        |
| 20.2.3 | Minimum Front Yard Depth         | 12.0 m (39.37 ft.) |
| 20.2.4 | Minimum Exterior Side Yard Width | 12.0 m (39.37 ft.) |
| 20.2.5 | Minimum Interior Side Yard Width | 7.5 m (24.60 ft.)  |
| 20.2.6 | Minimum Rear Yard Depth          | 7.5 m (24.60 ft.)  |

### 20.3 Alterations and Extensions to Permitted Existing Uses

Except as specifically permitted in this By-law otherwise, the extension or enlargement of any permitted existing use, building or structure located in an Environmental Protection (EP) Zone shall only be permitted where the extension or enlargement does not require the issuing of a Building Permit.

Any alteration, enlargement, extension or reconstruction of any permitted existing use shall comply with the regulations imposed by the Ministry of Natural Resources or the local Conservation Authority.



## **20.4 Identification of Additional or Revised Environmental Protection Boundaries**

The Environmental Protection (EP) Zone shown on Schedule “A” (Maps 1 to 37) includes known natural heritage features and areas, and hazardous lands, as defined in Section 3 of this By-law. The Township of Alnwick/Haldimand and any other planning approval authority having jurisdiction may, in consultation with the local Conservation Authority, identify additional or revised boundaries of Environmental Protection (EP) Zone areas as new information becomes available, and in the review of applications under the *Planning Act*, including but not limited to amendments to the Zoning By-law and applications for consent and plan of subdivision. The identification of new Environmental Protection (EP) zone areas and boundaries will require an amendment to this By-law.

## **20.5 General Zone Provisions**

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Environmental Protection (EP) Zone shall apply.

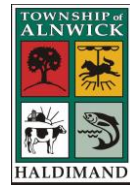
## **20.6 Special Environmental Protection (EP) Zones**

Notwithstanding the provisions outlined in the above sections for the Environmental Protection (EP) Zone to the contrary, the following sections outline site specific Environmental Protection (EP) Zone exception zone categories. All other provisions of the Environmental Protection (EP) Zone shall apply and be complied with.

### **20.6.1 EP-1 Part Lot 21, Concession B (Geographic - Haldimand)**

On lands zoned Environmental Protection Exception No. 1 (EP-1) the storage of one (1) boat would be allowed with no buildings or structures to be erected thereon.





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20.6.2 **EP-2** **Part Lots 18 and 19, Concession A (Geographic - Haldimand)**

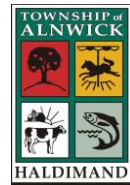
On lands zone Environmental Protection Exception No. 2 (EP-2) the following shall apply and be complied with:

- a) Permitted Uses
  - i. Golf Course
  - ii. Public Uses
  - iii. Uses accessory to the above noted uses
- b) Regulations for a Golf Course
  - i. The establishment of new building is prohibited
  - ii. The expansion of existing buildings is prohibited
  - iii. No development or site alteration shall be permitted within 30 metres of the normal high water mark of Shelter Valley Creek, except in conformity with an Environmental Impact Study to the satisfaction of the Township in consultation with the Conservation Authority and any other applicable agencies.
- a) Regulations for Public Use
  - i. Public Uses shall be subject to the provisions and regulations of this Bylaw.

20.6.3 **EP-3** **Part Lots 18 and 19, Concession A (Geographic - Haldimand)**

On lands zoned Protection Exception No. 3 (EP-3) the following shall apply and be complied with:

- a) Permitted Uses
  - i. An existing single detached dwelling
  - ii. Public Uses
  - iii. Accessory uses to the above noted uses
- b) Regulations for a Single Detached Dwelling
  - i. The maximum number of dwelling units- one (1)
  - ii. The ground floor area of the existing single detached dwelling shall not be increased



c) Regulations for Public Uses

- i. Public uses shall be subject to the provisions and regulations of this Bylaw

20.6.4 **EP-4 Part Lot 10, Concession 3 (Geographic - Alnwick)**

On lands zoned Environmental Protection Exception No. 4 (EP-4), a maximum of twenty (20) boat docking spaces, having a minimum width of 3.65 metres each are permitted.

20.6.5 **EP-5 Part Lots 23 and 24, Concession A (Geographic - Haldimand)**

On lands zoned Environmental Protection Exception No. 5 (EP-5), in addition to the uses permitted by Section 20.1 of this By-law, storm water management facilities shall be a permitted use.

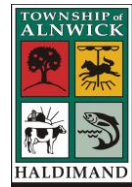
20.6.6 **EP-6 Part Lot 6 Concession 4 (Geographic - Haldimand)**

On lands zoned Environmental Protection Exception No. 6 (EP-6) an existing single detached dwelling together with an accessory building or structures shall be permitted. No extension or enlargement of an existing building or structure nor any new building or structure shall be permitted.

20.6.7 **EP-7 Part Lot 11 Concession 3 (Geographic - Alnwick)**

On lands zoned Environmental Protection Exception No. 7 (EP-7), in addition to the uses permitted by Section 20.1 of this By-law, a marina, not including main buildings but inclusive of accessory buildings up to a maximum of 40 square metres floor area which are required to be at or near the shoreline, shall also be a permitted use. The convenience store existing as of March 4, 1994 shall be permitted but no expansion will be permitted.

Parking for a marina shall be: 0.8 parking spaces per boat berth; at least 0.2 trailer spaces per boat berth. A trailer space shall be at least 3.0 metres by 10.7 metres to accommodate cars with trailers.

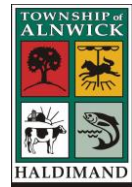


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20.6.8 **EP-8** **Part Lot 23, Concession 1, (Geographic - Haldimand)**

On lands zoned Environmental Protection Exception No. 8 (EP-8) Zone:

- i) One single detached dwelling shall be a permitted use.
- ii) The maximum gross floor area for a single detached dwelling shall be 176.51 square metres (1,900 square feet).
- iii) The minimum front yard depth shall be 4.00 metres.
- iv) The minimum interior side yard (north side) width shall be 2.0 metres.
- v) The maximum number of dwellings – one (1).
- vi) The maximum building height shall be 11.0 metres
- vii) Notwithstanding the provisions of Section 4.27.1 of Comprehensive Zoning By-Law 100-2010 to the contrary, new development shall be set back a minimum of 5.0 metres from the top of the bank of a watercourse that is defined on the site survey prepared by Gifford, Harris Surveying Ltd. for 149 Aird Street.
- viii) Notwithstanding any other provisions of Comprehensive Zoning By-Law 100-2010 to the contrary, no part of any building shall be located more than 22.0 metres south of the north side lot line.
- ix) The provisions of the Environmental Protection (EP) Zone shall apply in all other respects.



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**20.6.9 EP-9 Part Lot 11, Concession B, (Geographic - Haldimand)**

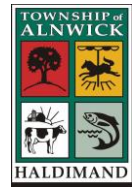
The following shall apply in the Environmental Protection Exception No. 9 (EP-9) Zone:

- i) A residential use shall be permitted use.
- ii) The minimum dwelling floor area on first floor for a single detached dwelling shall be 75.0 square metres.
- iii) The maximum lot coverage of all buildings shall be 15%.
- iv) The maximum number of dwellings per lot – one (1).
- v) The maximum building height shall be 11.0 metres.
- vi) Any accessory building and/or structure must comply to the provisions of Section 4.2 with the exceptions being Sections 4.2.15 and 4.2.16 of Comprehensive Zoning By-Law 100-2010.
- vii) The provisions of the Environmental Protection (EP) Zone shall apply in all other respects.

**20.6.10 EP-10 Part Lot 22, Concession A, (Geographic-Haldimand)**

The following shall apply in the Environmental Protection Exception No. 10 (EP-10) Zone:

- i) A residential use shall be permitted use.
- ii) The minimum dwelling floor area on first floor for a single detached dwelling shall be 91.27 square metres.
- iii) The maximum number of dwellings per lot – one (1).
- iv) The maximum building height shall be 11.0 metres.
- v) The provisions of the Environmental Protection (EP) Zone shall apply in all other respects.

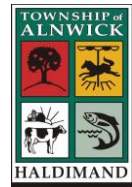


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20.6.11 **EP-11** **Part Lot 25, Concession B (Plan 470; Lot 28), (Geographic-Haldimand)**

The following shall apply in the Environmental Protection Exception No. 11 (EP-11) Zone:

- a) A residential use shall be a permitted use.
- b) The minimum interior side yard width shall be 4.0 metres.
- c) The maximum number of dwellings per lot – one (1).
- d) Notwithstanding the provisions in Section 20.3, a building permit shall be required to allow the alteration as to the enlargement of the existing single detached dwelling.
- e) The provisions of the Environmental Protection (EP) Zone shall apply in all other respects.



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## **Section 21 - Provincially Significant Wetland (PSW) Zone**

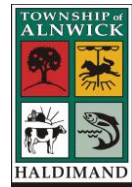
No person shall within any Provincially Significant Wetland (PSW) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

### **21.1 Permitted Uses**

- 30.1.1 Conservation Use
- 30.1.2 Recreation Use – Passive no structures
- 30.1.3 Uses, buildings or structures including agricultural activities existing as of the date of passing of this By-law.

### **21.2 General Zone Provisions**

All provisions of Section 4, General Provisions where applicable to the use of any land, building or structure permitted in the Provincially Significant Wetland (PSW) Zone shall apply and be complied with.



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## **Section 22 - Environmentally Sensitive Areas (ESA) Zone**

Within the Environmentally Sensitive Area, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this Section in accordance with the regulations contained or referred to in this section.

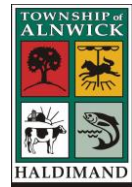
### **22.1 Permitted Uses**

All uses permitted within the underlying zone classification

### **22.2 Regulations For Uses Permitted in Section 22.1**

- 22.2.1 For all uses, buildings and structures, the regulations of the underlying zone shall apply.
- 22.2.2 Prior to issuing a building permit for any building or structure within the Environmentally Sensitive Areas, the City should be satisfied, in consultation with the local Conservation Authority, that no physical hazard exists which would cause harm to life or property and in this regard, the City, in consultation with the local Conservation Authority, may require professional technical reports to be submitted in support of any development (i.e. drainage reports, slope stability report, environmental impact report). In this regard, the applicant is encouraged to consult with the local Conservation Authority prior to submitting the building permit application to determine the extent of the physical hazard and need for report and/or permits under Ontario Regulations 163/06 and 319/09.
- 22.2.3 **General Provisions** All provisions of Section 4, General Provisions where applicable to the use of any land, building or structure permitted in the Environmentally Sensitive Areas (ESA) Zone shall apply and be complied with.





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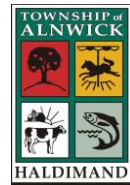
## Section 23– Oak Ridges Moraine Environmental (ORME) Zone

The following provisions shall apply to the Oak Ridges Moraine Environmental (ORME) Zone.

### 23.1 Permitted Uses

No person shall hereafter within an Oak Ridges Moraine Environmental (ORME) Zone, use any land or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- i) fish, wildlife and forest management;
- ii) conservation projects including flood and erosion control projects;
- iii) transportation, infrastructure and utilities uses in accordance with the applicable policies of the Official Plan;
- iv) low intensity recreational uses;
- v) accessory uses to the above permitted uses, in accordance with the provisions of this By-law.



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## Section 24 – Oak Ridges Moraine Core (ORMC) Zone

The following provisions shall apply to the Oak Ridges Moraine Core (ORMC) Zone.

### 24.1 Permitted Uses

No person shall hereafter within an Oak Ridges Moraine Core (ORMC) Zone, use any land or erect, alter or use any building or structure for any purpose except one or more of the following uses:

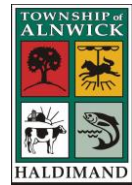
- i) fish, wildlife and forest management;
- ii) conservation projects including flood and erosion control projects;
- iii) agricultural uses;
- iv) transportation, infrastructure and utilities uses in accordance with the applicable policies of the Official Plan;
- v) home businesses;
- vi) home industries;
- vii) bed and breakfast establishments;
- viii) farm vacation homes;
- ix) low intensity recreational uses;
- x) unserviced parks;
- xi) accessory uses to the above permitted uses, in accordance with the provisions of this By-law.

### 24.2 Special Oak Ridges Moraine Core (ORMC) Zones

Notwithstanding the provisions outlined in the above sections for the Oak Ridges Moraine Core (ORMC) Zone to the contrary, the following sections outline site specific Oak Ridges Moraine Core (ORMC) Zone exception zone categories. All other provisions of the Oak Ridges Moraine Core (ORMC) Zone shall apply and be complied with.

#### 24.2.1 ORMC-1 **Part Lot 28, Concession 8, (Geographic-Haldimand)**

On lands zoned ORMC-1 on Schedule A-1 of this By-Law, a single detached dwelling, a converted dwelling or any other residential use shall be prohibited.

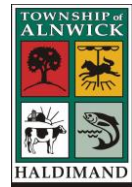


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24.2.2 **ORMC-2**

**ORMC-2 Zone; Part Lots 21 and 22, Concession 3,  
(Geographic - Haldimand)**

Notwithstanding any provision of this By-law to the contrary, on lands zoned ORMC-2 on Schedule A-1 of this By-Law, a single detached dwelling, a converted dwelling or any other residential use shall be prohibited.



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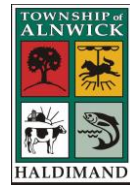
## Section 25– Oak Ridges Moraine Linkage (ORML) Zone

The following provisions shall apply to the Oak Ridges Moraine Linkage (ORML) Zone.

### 25.1 Permitted Uses

No person shall hereafter within an Oak Ridges Moraine Linkage (ORML) Zone, use any land or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- i) fish, wildlife and forest management;
- ii) conservation projects and flood and erosion control projects;
- iii) agricultural uses;
- iv) transportation, infrastructure and utilities uses in accordance with the applicable policies of the Official Plan;
- v) home businesses;
- vi) home industries;
- vii) bed and breakfast establishments;
- viii) farm vacation homes;
- ix) low intensity recreational uses;
- x) unserviced parks;
- xi) wayside pits;
- xii) accessory uses to the above permitted uses, in accordance with the provisions of this By-law.



## Section 26 – Oak Ridges Moraine Countryside (ORMCO) Zone

The following provisions shall apply to the Oak Ridges Moraine Countryside (ORMCO) Zone.

### 26.1 Permitted Uses

No person shall hereafter within an Oak Ridges Moraine Countryside (ORMCO) Zone, use any land or erect, alter or use any building or structure for any purpose except one or more of the following uses:

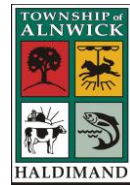
- i) fish, wildlife and forest management;
- ii) conservation projects and flood and erosion control projects;
- iii) agricultural uses;
- iv) agriculture-related uses;
- v) transportation, infrastructure and utilities uses in accordance with the applicable policies of the Official Plan;
- vi) home businesses;
- vii) home industries;
- viii) bed and breakfast establishments;
- ix) farm vacation homes;
- x) low intensity recreational uses;
- xi) unserviced parks;
- xii) wayside pits;
- xiii) accessory uses to the above permitted uses, in accordance with the provisions of this By-law.

### 26.2 Special Oak Ridges Moraine Countryside (ORMCO) Zones

Notwithstanding the provisions outlined in the above sections for the Oak Ridges Moraine Countryside (ORMCO) Zone to the contrary, the following sections outline site specific Oak Ridges Moraine Countryside (ORMCO) Zone exception zone categories. All other provisions of the Oak Ridges Moraine Countryside (ORMCO) Zone shall apply and be complied with.

#### 26.2.1 ORMCO-1 Part Lot 20, Concession 10 (Geographic - Haldimand)

Notwithstanding the uses permitted and zone regulations of the Oak Ridges Moraine Countryside (ORMCO) Zone, and notwithstanding any other provisions of this By-Law to the contrary, the following provisions shall apply to the Oak Ridges Moraine Countryside Exception No. 1(ORMCO-1) Zone:



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**(a) Permitted Uses:**

- (i) All uses of Section 26.1 of this By-law.
- (ii) Buildings, structures and uses existing at the date of passing of By-Law No. 58-2014 which includes a building for a machine shop, and motor vehicle repair garage.
- (iii) Motor vehicle sales as a permitted use to a maximum of twenty (20) vehicles on site at any one time which will include outside parking of motor vehicles.

**(b) Zone Regulations:**

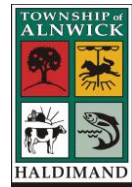
- (i) Maximum area of the ORMCO-1 Zone: 18.78 hectares
- (ii) Minimum frontage (width) of the ORMCO-1 Zone on County Road 45: 150.83 metres
- (iii) The maximum gross floor area of a building used in accordance with section 24.2.1(a) (ii) and (iii) shall be 450 square metres.
- (iv) Parking shall be provided in accordance with Section 4.24 of By-Law No. 100-2010.
- (v) All other provisions of By-Law No. 100-2010 shall apply.

**26.2.2 ORMCO-2 Part Lot 27, Concession 4, (Geographic-Haldimand)**

On lands zoned ORMCO-2 on Schedule A-1 of this By-Law, a single detached dwelling, a converted dwelling or any other residential use shall be prohibited.

**26.2.3 ORMCO-3 Part Lot 29, Concession 9, (Geographic-Haldimand)**

On lands zoned ORMCO-3 on Schedule A-1 of this By-Law, a single detached dwelling and an accessory building shall be a permitted use.



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**26.2.4 ORMCO-4 Part Lot 19, Concession 5, (Geographic – Haldimand)**

On lands zoned ORMCO-4 on Schedule A-1 of this By-Law, a single detached dwelling, a converted dwelling or any other residential use shall be prohibited.

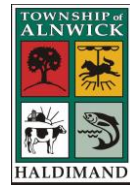
**26.2.5 ORMCO-5 Part of Lots 21 and 22, Concession 3, (Geographic-Haldimand)**

Notwithstanding any provision of this By-law to the contrary, on lands zoned ORMCO-5 on Schedule A-1 of this By-Law, a single detached dwelling, a converted dwelling or any other residential use shall be prohibited.

**26.2.6 ORMCO-6 Part of Lot 14, Concession 5 (Geographic – Alnwick)**

Notwithstanding any provision of this By-law to the contrary in the Oak Ridges Moraine Countryside Exception No. 6 (ORMCO-6) Zone, a detached garage shall be permitted without a main permitted use.





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## Section 27 – Oak Ridges Moraine Mineral Extractive (ORMME) Zone

The following provisions shall apply to the Oak Ridges Moraine Mineral Extractive (ORMME) Zone.

### 27.1 Permitted Uses

No person shall hereafter within an Oak Ridges Moraine Mineral Extractive (ORMME) Zone, use any land or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- i) mineral aggregate operations;
- ii) accessory uses to the above permitted uses, in accordance with the provisions of this By-law.

### 27.2 Regulations For Uses Permitted In Section 27.1

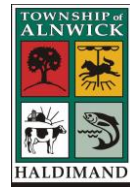
All regulations of Sections 15.2, 15.3 and 15.4 of this By-law shall apply to the ORMME Zone.

### 27.3 Special ORMME Zones

Notwithstanding the provisions outlined in the above sections for the Oak Ridges Moraine Mineral Extractive (ORMME) Zone to the contrary, the following sections outline site specific Oak Ridges Moraine Mineral Extractive (ORMME) Zone exception zone categories. All other provisions of the Oak Ridges Moraine Mineral Extractive (ORMME) Zone shall apply and be complied with.

#### 27.3.1 ORMME-1 Part Lot 6, Concession 8 (Geographic - Haldimand)

Notwithstanding the uses permitted and zone regulations for the Oak Ridges Moraine Mineral Extractive (ORMME) Zone and any other provision of this By-law to the contrary, on lands zoned Oak Ridges Moraine Mineral Extractive Exception No. 1 (ORMME-1) the only permitted uses shall include a pit, a portable processing plant, a quarry, sand, gravel and or rock stock piling operation, and a wayside pit and or wayside quarry provided that said use is conducted by the Corporation of the Township of Alnwick/Haldimand.



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**27.3.2 ORMME-2 Part Lot 14, Concession 4 (Geographic - Alnwick)**

Notwithstanding the uses permitted and zone regulations for the Oak Ridges Moraine Mineral Extractive (ORMME) Zone of By-Law No. 1001-73, as amended by By-Law No. 30 and any other provision of this By-law to the contrary, on lands zoned Oak Ridges Moraine Mineral Extractive Exception No. 2 (ORMME-2) the following provisions shall apply:

(a) Permitted Uses:

i. Residential Uses

- Prohibited

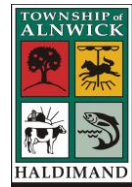
ii. Non-Residential Uses

- A mineral aggregate operation

- Accessory uses to a mineral aggregate operation

(b) Zone Regulations:

- (i) Within the Oak Ridges Moraine Mineral Extractive Exception 2 (ORMME-2) Zone, no extraction within a mineral aggregate operation (sand and gravel pit) shall be permitted within 30.0 metres of any property boundary, with the exception that extraction shall be permitted within 0.0 metres of the south boundary of the lands zoned Oak Ridges Moraine Mineral Extractive Exception 2 (ORMME-2). Notwithstanding this provision, extraction shall be permitted within 0.0 metres of the lot line between properties with Roll Numbers 1450 226 020 124 0000 and 1450 226 020 125 0000, which extends in a general east-west direction in the central part of the lands zoned ORMME-2.
- (ii) Notwithstanding any other provision of this By-law to the contrary, the provisions of Section 15.2 of this By-law shall not apply to the lot line between properties with Roll Numbers 1450 226 020 124 0000 and 1450 226 020 125 0000, which extends in a general east-west direction in the central part of the lands zoned ORMME-2.

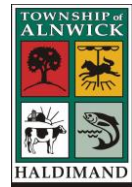


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- (iii) Notwithstanding any other provision of this By-law to the contrary, the provisions of Section 4.31 of this By-law shall not apply, but no building, plant, extractive operation or product stockpile shall be located less than 20.0 metres to a Residential Zone or a dwelling.
  - (iv) Notwithstanding any other provision of this By-law to the contrary, the provisions of Section 4.21 of this By-law shall not apply with respect to the boundary between the ORMME-2 Zone and the Extractive Industrial Exception No. 4 (ME-4) Zone.

(c) Holding (H) Provisions:

- i. Where a zone symbol on Schedule "A" is followed by a Holding symbol ("H"), holding provisions under Section 36 of the *Planning Act* are in effect. Prior to the removal of the Holding symbol ("H"), only those uses that existed as of April 28, 2010 shall be permitted.
- ii. The Holding symbol ("H") which applies to the ORMME-2 Zone shall only be removed after the following matters are secured to the satisfaction of Council:
  - A Development Agreement in accordance with the provisions of Section 5.8.4 of the Official Plan of the Township of Alnwick/Haldimand has been executed and registered on title.

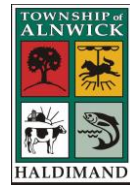
Notation: Please note that Municipal By-Law 06-2012 was passed on January 25<sup>th</sup>, 2012 to remove the Holding symbol ("H").



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## **Section 28 – Oak Ridges Moraine Environmental Plan Review (ORMEPR) Zone**

The Oak Ridges Moraine Environmental Plan Review (ORMEPR) is an overlay zone that identifies the area of influence from a key natural heritage feature or a hydrologically sensitive area and its associated vegetative protection zone. All development in this area will be guided by the underlying zone provisions. A natural heritage evaluation and/or hydrological evaluation completed in accordance with the Oak Ridges Moraine Conservation Plan shall be prepared for all development and shall be approved by the Township in consultation with the local Conservation Authority. Approval of the development is also subject to site plan approval by the Township.



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## Section 29 – Source Water Protection Area

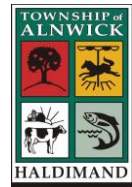
Within the Source Water Protection (SWP) Zone, no person shall use any land or erect, alter or use any building or structure except in accordance with the following provisions:

### 29.1 Permitted Uses

- (a) All uses permitted within the underlying zone classification.

### 29.2 Regulations For Uses Permitted in Section 29.1

- (a) Notwithstanding the permitted uses and zone provisions of any underlying zones, uses that include the following drinking water treats are prohibited except in accordance with Section 29.2(b):
- (i) The establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the Environmental Protection Act;
  - (ii) The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage;
  - (iii) The storage and management of agricultural source material;
  - (iv) The handling and storage of non-agricultural source material;
  - (v) The handling and storage of commercial fertilizer;
  - (vi) The handling and storage of pesticide;
  - (vii) The handling and storage of road salt;
  - (viii) The storage of snow;
  - (ix) The handling and storage of fuel;
  - (x) The handling and storage of dense non aqueous phase liquid;
  - (xi) The handling and storage of an organic solvent;
  - (xii) An airport and specifically the management of runoff that contains chemicals used in the de-icing of aircraft; and
  - (xiii) The use of land as livestock grazing or pasturing of land, an outdoor confinement area or farm-animal yard.
- (b) Upon the Province issuing any related Provincial Instrument and /or the Risk Management Official (RMO) issuing a Restricted Land Use Notice pursuant to Section 59 of the Clean Water Act, a land use prohibited in Section 29.2(a) is permitted in accordance with the provisions of the underlying Zone(s) and all other applicable provisions of this By-law , as amended.



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## Section 30 - Penalties & Adoption

### 30.1 Remedies

Where any building or structure is or is proposed to be erected, altered, reconstructed, extended or enlarged, or any building or structure or part thereof is or is proposed to be used, or any land is or is proposed to be used, in contravention of the provisions of this By-law, the same may be restrained by action at the insistence of any ratepayer, or of the Council of the Township pursuant of the provisions of the *Planning Act*.

### 30.2 Violation and Penalty

Every person or corporation who uses any land or erects or uses any building or structure in a manner contrary to any requirements of this By-law, or who causes or permits such use or erection, or who violates any provisions of this By-law or causes or permits a violation, is guilty of an offence and upon conviction thereof shall be liable to penalties prescribed in Section 67 of the *Planning Act*, R.S.O. 1990, as amended.

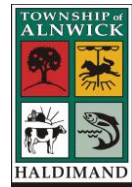
### 30.3 Repeals

All Zoning By-laws and amendments thereto, passed pursuant to Section 34 of the *Planning Act*, R.S.O. 1990 c. P.13 as amended, or any predecessor thereto, including but not limited to By-law Number 619 and By-law Number 1001-73 and By-law Number 100-2010, shall, subject to the provisions of Section 29.4 below, be repealed immediately upon this By-law coming into full force and effect pursuant to the provisions of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

### 30.4 Effective Date

If no objection is filed with the Clerk within 20 days of the date of passing of this By-law, this By-law shall become effective on the date of passing.

If any appeal is filed with the Clerk within the 20 day period following the passing of the By-law, this By-law shall become effective on the date of passing hereof subject to receiving an Order from the Ontario Municipal Board, resolving any appeals so filed.



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Read a **FIRST TIME** this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Read a **SECOND TIME** this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

Read a **THIRD TIME** and PASSED this 28th\_\_ day of \_\_\_\_\_ November \_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK