



Come for a visit. Stay for a lifestyle.

MUNICIPALITY OF TRENT HILLS

ZONING BY-LAW

NUMBER 2010-105

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE NO.</u>
1. INTERPRETATION	6
2. COMPLIANCE WITH THE BY-LAW	9
3. ADMINISTRATION, ENFORCEMENT AND PENALTIES	10
4. DEFINITIONS	13
5. GENERAL PROVISIONS	67
6. TABLE "1" PERMITTED USES IN ZONES TEXT	102
7. TABLE "2" PROVISIONS FOR RESIDENTIAL USES TEXT	105
8. TABLE "3" PROVISIONS FOR NON-RESIDENTIAL USES	109
9. ENVIRONMENTAL PROTECTION (EP) ZONE	111
10. ENVIRONMENTAL SENSITIVE ZONE (ES) ZONE	112
11. OPEN SPACE (OS) ZONE	113
12. RURAL (RU) ZONE	114
13. AGRICULTURE (A) ZONE	116
14. RURAL RESIDENTIAL (RR) ZONE	117
15. SPECIAL RURAL RESIDENTIAL (SRR) ZONE	120
16. SHORELINE RESIDENTIAL (SR) ZONE	122
17. RESIDENTIAL TYPE 1 (R1) ZONE	123
18. RESIDENTIAL TYPE 2 (R2) ZONE	127
19. RESIDENTIAL TYPE 3 (R3) ZONE	129
20. COMMUNITY FACILITY (CF) ZONE	132
21. DEVELOPMENT (D) ZONE	133

22.	GENERAL COMMERCIAL (C1) ZONE	134
23.	HIGHWAY COMMERCIAL (C2) ZONE	138
24.	LOCAL COMMERCIAL (C3) ZONE	140
25.	RECREATIONAL COMMERCIAL (C4) ZONE	142
26.	GENERAL INDUSTRIAL (M1) ZONE	147
27.	EXTRACTIVE INDUSTRIAL (M2) ZONE	150
28.	WASTE DISPOSAL INDUSTRIAL (M3) ZONE	151
29.	PRESTIGE INDUSTRIAL (M4) ZONE	153
30.	OAK RIDGES MORaine LINKAGE (ORML) ZONE	154
31.	OAK RIDGES MORaine COUNTRYSIDE (ORMCO) ZONE	156
32.	OAK RIDGES MORaine ENVIRONMENTAL PLAN REVIEW (ORMEPR) ZONE	158
33.	OAK RIDGES MORaine (ORME) ZONE	159
34.	ENACTMENT	161

PLATES

PLATE A	-	ZONE MAPS 1
PLATE B	-	OAK RIDGES MORaine – ZONING
PLATE C	-	OAK RIDGES MORaine – LANDFORM CONSERVATION AREAS
PLATE D	-	OAK RIDGES MORaine – AREAS OF AQUIFER VULNERABILITY

TABLES

TABLE 1 – PERMITTED USES AND ACTIVITIES IN GENERAL ZONE CATEGORIES

TABLE 2 – PROVISIONS FOR RESIDENTIAL USES

TABLE 3 – PROVISIONS FOR NON-RESIDENTIAL USES

APPENDICES

**APPENDIX 1 - EXCEPTIONS TO FORMER BY-LAWS
TOWN OF CAMPBELLFORD
BY-LAW NO. 1988-31**

**APPENDIX 11 - EXCEPTIONS TO FORMER BY-LAWS
TOWNSHIP OF PERCY LAND USE CONTROL
BY-LAW 1440**

**APPENDIX 111 - EXCEPTIONS TO FORMER BY-LAWS
TOWNSHIP OF SEYMOUR
BY-LAW NO. 1650**

**APPENDIX IV - VILLAGE OF HASTINGS
ZONING BY-LAW NO.
1978- 08**

ZONING BY-LAW NO. 2010-105

THE CORPORATION OF THE MUNICIPALITY OF TRENT HILLS

A By-law under the provisions of *The Planning Act, S.O., 1990*, as amended, to regulate the use of lands and the character, location and use of buildings and structures and to prohibit certain uses of land and the erection and use of certain buildings and structures and to prohibit or require and regulate the provision, maintenance and use of certain facilities and matters hereinafter set forth as a condition of development or redevelopment of lands or buildings in various areas of the Corporation of the Municipality of Trent Hills.

WHEREAS the Municipal Council of the Corporation of the Municipality of Trent Hills considers it advisable to restrict, prohibit and regulate the use of land situated within the defined areas, as hereinafter designated, for the purpose of implementation in accordance with the policies and designations contained within the Corporation's Official Plan to ensure proper and orderly development within the Corporation.

WHEREAS the said Council also considers it advisable to prohibit or require the provision, maintenance and use of certain facilities and matters hereinafter set forth as a condition of the development or redevelopment of lands or buildings within the Corporation of the Municipality of Trent Hills.

NOW THEREFORE, the Council of the Corporation of the Municipality of Trent Hills enacts as follows:

SECTION 1 - INTERPRETATION

1.1 TITLE

This By-law may be cited as the “**Municipality of Trent Hills Zoning By-law.**”

The Municipality of Trent Hills Zoning By-law consolidates the following four (4) Zoning By-laws and all amendments thereto:

Town of Campbellford Zoning By-law No. 1988-31
Township of Percy Land Use Control By-law No. 1440
Township of Seymour By-law No. 1650
Village of Hastings Zoning By-law No. 1978-08

This edition is prepared for purposes of convenience only. Where appropriate, amendments to the four original by-laws have been deemed to conform to Municipality of Trent Hills Zoning By-law. Those that still do not meet the respective zone requirements continue to be identified as exceptions. For ease of reference, amendments to the original by-laws that are no longer considered to be exceptions to the respective zone regulations are listed in Appendices 1 - IV to this By-law. For accurate reference, recourse should be had to the original By-laws and amendments thereto as registered in the office of the Clerk of the Municipality of Trent Hills.

1.2 DECLARATION

The Plates and Tables contained herein are declared to form part of this By-law.

1.3 APPLICATION

This By-law shall apply to and be enforceable with respect to the whole of the Corporation of the Municipality of Trent Hills. For the purposes of this By-law, the definitions and interpretations given herein shall govern unless the context requires otherwise.

1.4 INTERPRETATION

For the purposes of this By-law, words used in the present tense include the future; words in singular number include the plural and words in the plural include the singular number; the word "shall" is mandatory; the words "used" and "occupied" shall include the words “arranged” and “designed to be used or occupied”.

The boundary of the Oak Ridges Moraine Conservation Plan Area, shall be scaled from the attached Plates.

1.5 ZONE SYMBOLS

The Zone symbols refer to the use of land, buildings and structures and excavations permitted by this By-law in the zone categories. Whenever in this By-law the word "Zone" is used, preceded by any of the symbols, such Zone shall mean any area within the Corporation of the Municipality of Trent Hills within the scope of this By-law, identified on Tables and delineated on Plates contained herein and designated thereon by the symbol or pattern.

1.6 SPECIAL ZONE SYMBOL

1.6.1 Exception

Where the Zone symbol designating certain lands, as shown on Plates contained herein, is followed by a dash and a number, (for example M1-1), then Special Zone Provisions apply to such lands. Such special provisions are found by reference to the Subsection of the Zone Provisions of each Zone classification entitled "SPECIAL ZONE CATEGORIES". Lands designated in this manner shall be subject to all the restrictions of the Zone, except as may otherwise be provided by the Special Zone Provisions.

1.6.2 Holding Symbol

When the Zone Symbol designating certain lands, as shown on Plates contained herein and on detailed Zone Maps, is followed by a dash and the letter "H", Holding Zone provisions apply to such lands. Holding Zone provisions are specified in Section 5.11 of this By-law.

1.7 ZONE BOUNDARIES AND INTERPRETATIONS

Where possible, the extent and boundaries of all Zones, as shown on Plates contained herein, shall be construed to be lot lines, street lines, centrelines of streets, railway rights-of-way or boundaries of registered plans. A boundary indicated as following a watercourse, creek, stream shall be the centre line of such watercourse, creek or stream.

A boundary following a shore line shall follow such shore line, and in the event of a change in the shore line, the boundary shall be construed as moving with the actual shore line

Where the extent and boundary of any zone, as delineated on Plates contained herein, the following provision shall apply:

- i) that where a zone boundary is indicated as passing through undeveloped land, then the location of such boundary shall be determined in accordance with the scale of Plates contained herein at their original scale, unless dimensions shown on the aforementioned Plates provide greater accuracy.

1.8 RESIDENTIAL AND NON-RESIDENTIAL USES AND ACTIVITIES

For the purpose of reference, all buildings, structures and excavations, and all uses and activities of, or in relation to, buildings, structures, excavations and lots named as uses or activities permitted and classified under the headings of “Residential” and “Non-Residential” may be referred to as Residential and Non-Residential buildings, structures, excavations or uses and activities respectively.

1.9 METRIC SYSTEM OF MEASURE

All measurements are to be in the metric system and in accordance with the provisions of this By-law which serve to regulate the erection or use of any building or structure.

1.10 CLOSINGS

In the event a dedicated street or land shown on any Plate forming part of this By-law is closed, the property formerly in such street or land shall be included within the zone of the adjoining property on either side of such closed street or lane. If a closed street or lane is the boundary between two or more different zones, the new zone boundaries shall be the former centre line of the closed street or lane.

SECTION 2 - COMPLIANCE WITH THE BY-LAW

2.1 APPLICATION OF BY-LAW

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

2.2 INTERPRETATION

The provisions of this By-law shall be held to be the minimum requirements EXCEPT where the word maximum is used, in which case the maximum requirement shall apply.

2.3 CHANGE IN LOT SIZE

No lot shall be changed in area, depth or width, either by the conveyance of land or otherwise, so that the lot coverage exceeds the maximum permitted by the By-law, or so that the existing or resulting lot area, lot width or yards will be less than the minimum permitted by the provisions of this By-law.

2.4 CHANGE IN USE

A use or occupation of land, building, structure, excavation, lot or premises, or any activity in connection therewith which, under the provisions of this By-law is not permissible within the Zone in which such land, building, structure or excavation, lot or premises is located, shall not be changed except to a use or activity connected therewith which is permissible within such Zone.

2.5 PUBLIC ACQUISITION

No person shall be deemed to have contravened any provision of this By-law by reason of the fact that any part or parts of any lot has or have been conveyed to or acquired by any Public Authority.

SECTION 3 - ADMINISTRATION, ENFORCEMENT AND PENALTIES

3.1 ADMINISTRATION

This By-law shall be administered and enforced by the person appointed by the Corporation and known as the By-law Enforcement Officer or such other person or persons as may be appointed for such purpose by the Council from time to time.

3.2 BUILDING AND OTHER PERMITS

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

3.3 CERTIFICATE OF OCCUPANCY

No change may be made in the type of use or activity of a lot affected by this By-law, or of any building, structure or excavation on any such lot or any part of such lot, building, structure or excavation until a Certificate of Occupancy has been issued by the Chief Building Official to the effect that a proposed use or activity on the specified property complies with this By-law.

3.4 OCCUPANCY OF UNCOMPLETED DWELLING HOUSE

No dwelling house shall be used for human habitation until the Building Code of the Corporation has been complied with and in any event not before the main side walls and roof have been erected, and roofing have been completed and kitchen, heating and sanitary conveniences have been installed and rendered usable, safe and fit for human habitation.

3.5 BUILDINGS OR STRUCTURES TO BE MOVED

In all Zones, no building or structure, residential or otherwise, normally requiring a building permit for construction, shall be moved within the area affected by this By-law without a permit from the Chief Building Official.

3.6 APPLICATIONS FOR PERMITS

In addition to all the requirements of the Corporation's Building Code or any other By-law of the corporation, every application for a building permit

shall be accompanied by a plan in duplicate (one copy of which shall be retained by the By-law Enforcement Officer), drawn to scale and showing the following:

- a. The true dimensions of the lot to be built upon, excavated or otherwise to be used or occupied;
- b. The proposed location, height, floor area and dimensions of any building, structure excavation or use or activity proposed for such a lot;
- c. Proposed locations and dimensions of any yards, set-back, landscaped open space, off-street parking space or off-street loading facilities required by this By-law;
- d. The location of all existing buildings, structures or excavations on the lot shown on the plan;
- e. A statement signed by the owner or his authorized agent, disclosing the exact use proposed for each aforesaid building, structure, or excavation or use or activity and giving all information necessary to determine if such proposed or existing building, structure or excavation or use or activity conform to the requirements of this By-law;
- f. Where applicable, an application for a building permit or permits shall include the submission of drawings and plans, and execution of agreements, as required by the *Planning Act*, R.S.O. 1990, as amended; and,
- g. Within a Residential Zone category, the submission of a lot grading plan indicating the proposed final elevations.

3.7 INSPECTION

The By-law Enforcement Officer, or any officer or employee of the Corporation acting under the direction of the Council, 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.

3.8 VIOLATION AND PENALTIES

Every person who uses any lot, or erects or uses any building, structure or excavation or any part of any lot, building, structure or excavation in a manner contrary to any requirement of this By-law, or who causes or permits such use or activity or erection, or who violates any provision of this By-law, causes or permits a violation, shall be guilty of an offence and upon conviction therefore shall forfeit and pay a penalty as follows:

- a. On a first conviction every person shall be liable to a fine of not more than \$25,000.00;
- b. On a subsequent conviction, every person shall be liable to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted;
- c. On a first conviction, every corporation shall be liable to a fine of not more than \$50,000.00;
- d. On a subsequent conviction, every corporation shall be liable to a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted; and
- e. Every such penalty shall be recoverable under the *Municipal Act*, S.O. 2001, as amended, and the *Provincial Offences Act*, R.S.O. 1990, as amended.

3.9 CONTRAVENTION - RESTRAINED BY ACTION

In the case any building or structure is to be erected, altered, reconstructed, extended, or part thereof is to be used, or any lot is to be used, in contravention of any requirement of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation pursuant to the provisions of the *Municipal Act*, S.O. 2001, as amended, in that behalf.

3.10 VALIDITY

If any section, clause or provision of this By-law, including anything contained on the Plates and Tables contained herein, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the section, clause or provision, including anything contained on the Plates and Tables contained herein, so declared to be invalid.

It is hereby declared to be the intention that all the remaining sections, clauses or provisions including anything contained on the Plates and Tables contained herein of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

SECTION 4 – DEFINITIONS

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

4.1 **ACCESSIBLE**

Shall mean a site, building, facility or portion thereof that complies with the Municipality's Facility Accessibility Design Standards

4.2 **ACCESSORY BUILDING OR STRUCTURE**

Shall mean 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.

4.3 **ACCESSORY USE**

Shall mean 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.

4.4 **ADAPTABLE**

Shall mean the ability of certain build space or element, such as kitchen counters, sinks and grab bars, to be added or altered so as to accommodate the needs of individuals with or without disabilities or to accommodate the needs of persons with different types or degrees of disabilities.

4.5 **ADVERSE EFFECT**

Shall mean any impairment, disruption, destruction or harmful alteration.

4.6 **ADVERSELY AFFECT**

Shall mean to have a negative effect on.

4.7 **AGRICULTURAL PRODUCE WAREHOUSE**

Shall mean a building or part of a building used for the storage of agricultural produce and may include facilities for wholesale distribution or an accessory retail commercial outlet for the sale of such agricultural produce to the general public.

4.8 AGRICULTURAL USES

Shall mean:

- a) growing crops, including nursery and horticultural crops;
- b) raising livestock and other animals, including poultry and fish for food and fur or fibre, including poultry and fish;
- c) aquaculture;
- d) apiaries;
- e) agro-forestry and maple syrup production; and
- f) associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment..

4.9 AGRICULTURE-RELATED USES

Shall mean farm related commercial and farm-related industrial uses that are:

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

4.10 ALTER

Shall mean 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 "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 or alienation of any portion of said lot, or otherwise. The words "altered" and "alteration" shall have a corresponding meaning.

4.11 AMUSEMENT MACHINE

Shall mean 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 machine or device, but shall not include any machine used only for the purpose of vending merchandise or services or playing recorded music.

4.12 ANIMAL AGRICULTURE

Shall mean 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.

4.13 ANIMAL HOSPITAL

Shall mean 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 facilities provided for the sheltering of animals during the treatment period.

4.14 AQUIFER VULNERABILITY

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

4.15 AREA OF NATURAL AND SCIENTIFIC INTEREST (EARTH SCIENCE)

Shall mean 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.

4.16 AREA OF NATURAL AND SCIENTIFIC INTEREST (LIFE SCIENCE)

Shall mean 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.

4.17 ARCADE

Shall mean any building or room or parts of a building or room containing 3 or more arcade machines or amusement devices operated for gain, including where the operation of such game machines for gain is an accessory use or is not the primary use of the building or room.

4.18 ARCADE MACHINE

Shall mean any mechanical game machine, electronic game machine or amusement device including a pinball machine operated for gain.

4.19 ARENA

Shall mean a building, or part of a building, in which facilities are provided for such purposes as ice or roller skating; but does not include any other establishment otherwise defined or classified herein.

4.20 ASSEMBLY HALL

Shall mean a building, or part of 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 or fraternal organization.

4.21 ATTACHED

Shall mean 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.

4.22 ATTIC

Shall mean a portion of a building situated wholly, or in part, within the roof and which is not a one-half storey.

4.23 BASEMENT

Shall mean that portion of a building between two floor levels which is partly underground but which has at least one-half of its height, from finished floor to finished ceiling, above the adjacent finished grade level adjacent to the exterior walls of the building.

4.24 BASEMENT, WALKOUT

Shall mean 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 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.

4.25 BED AND BREAKFAST ESTABLISHMENT

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

4.26 BOARDER OR LODGER

Shall mean a person who lives in a dwelling house with or without meals being supplied and in return the proprietor receives monetary compensation.

4.27 BOAT HOUSE, PRIVATE

Shall mean a detached accessory building, or structure or portion of a dwelling house which is designed or used for the sheltering of a boat or other form of water transportation and storage of household equipment incidental to the residential occupancy.

4.28 BUILDING

Shall mean a structure occupying an area greater than 10 square metres, consisting of a wall, roof and floor or any of them, or a structural system serving the function thereof, including all plumbing, fixtures and service systems appurtenant thereto; or a structure occupying an area of 10 square metres or less that contains plumbing, including the plumbing appurtenant thereto; or structures designated in the Ontario Building Code.

4.29 BUILDING BY-LAW

Shall mean the Building By-law of the Municipality of Trent Hills.

4.30 BUILDING SUPPLY OUTLET

Shall mean a building or structure in which building or construction and home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials related to home improvements but does not include any use or activity otherwise defined or classified herein.

4.31 BULK SALES ESTABLISHMENT

Shall mean the use of land, structure or building for the purposes of buying and selling coal, fuel oil, wood, lumber, building materials, ice, and allied commodities but does not include any manufacturing industry, as defined herein.

4.32 BUNKIE

Shall mean 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.

4.33 BUS STORAGE

Shall mean the use of land, structure or building for the purposes of storing or parking either commercial or school buses or similar vehicles; and may include facilities for the maintenance and repair of such vehicles.

4.34 BUSINESS OR PROFESSIONAL OFFICE

Shall mean 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.

4.35 BY-LAW ENFORCEMENT OFFICER

Shall mean the officer or employee of the Corporation for the time being charged with the duty of enforcing the provisions of the Building By-law of the Corporation.

4.36 CAMPGROUND AND CAMPSITE

Shall mean a part of a trailer camp or part that is to be occupied on a temporary basis only, by a trailer, truck camper, mobile camper trailer, motorized mobile home, camper or tent.

4.37 CARPORT

Shall mean 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% of the total perimeter including the main wall of the dwelling house to which such carport is attached, open and unobstructed.

4.38 CELLAR

Shall mean that portion of a building between two floor levels which is partly or wholly underground and which has more than one-half of its height, from finished floor to finished ceiling, below adjacent finished grade.

4.39 CEMETERY

Shall mean 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 from time to time.

4.40 CERTIFICATE OF OCCUPANCY

Shall mean 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.

4.41 CHIEF BUILDING OFFICIAL

Shall mean the officer employed by the Municipality of Trent Hills as is appointed under the Building By-law and shall include any inspector likewise appointed.

4.42 COMMERCIAL SPORTS AND RECREATION ESTABLISHMENT

Shall mean a privately owned sports or recreation establishment operated for use by private members and/or the general public.

4.43 COMMERCIAL USE

Shall mean the use of land, buildings or structures for the purpose of buying and selling of commodities and supplying of services but for the purpose of this By-law does not include a manufacturing industry, or any other such use considered to be noxious as defined herein.

4.44 COMMON USE

Shall refer to those interior and exterior rooms, spaces or elements that are made available for the use of a restricted group of people (for example, occupants of a homeless shelter, the occupants of an office building, or the guests of such occupants).

4.45 COMMUNITY CENTRE

Shall mean a building, or part of a building, used for community activities, the control of which is vested in the Municipality, a local board or agent thereof.

4.46 CONDOMINIUM

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

4.47 CONNECTIVITY

Shall mean 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.

4.48 CONSERVATION AUTHORITY

Shall mean a corporate body established under the *Conservation Authorities Act* RSO, 1990, Chapter C.27.

4.49 CONSERVATION USE

Shall mean the use of land for a comprehensive management and maintenance program whose goal is the preservation, protection and improvement of the components of the natural environment.

4.50 CONTRACTOR'S YARD

Shall mean a yard of any building trade or contractor where equipment and material are 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.

4.51 CONVENIENCE STORE

Shall mean a retail commercial establishment supplying groceries and other daily necessities to the immediate surrounding area.

4.52 CORPORATION

Shall mean the Corporation of the Municipality of Trent Hills.

4.53 COTTAGE, TOURIST

Shall mean a building to accommodate one or more guests, within a tourist establishment, 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 house as herein defined.

4.54 COUNCIL

Shall mean the Municipal Council of the Corporation of the Municipality of Trent Hills.

4.55 COUNTY

Shall mean the Corporation of the County of Northumberland.

4.56 COUNTY ROAD

Shall mean a road under the jurisdiction of the Corporation of the County of Northumberland.

4.57 COURT

Shall mean an open and unoccupied space from ground to sky appurtenant to a building and bounded on two or more sides by the walls of the building.

4.58 DAY CARE CENTRE

Shall mean a day nursery operated for pre-school age children within the meaning of the *Day Nurseries Act*, as amended.

4.59 DEVELOPMENT

Shall mean 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*.

Development includes any activity associated with site alteration or the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere. Development does not include:

- a) the construction of facilities for transportation, infrastructure and utilities uses 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 as of passing of this By-law or
 - ii) the carrying out of agricultural practices on land that was being used for agricultural uses.

4.60 DRIVE-IN RESTAURANT

Shall mean an eating establishment where facilities are available to serve meals to the customer for consumption in the customer's motor vehicle, parked in an area designed for that purpose.

4.61 DRY-CLEANER'S ESTABLISHMENT

Shall mean a building or structure used for the purpose of collection and distribution of articles or goods of fabric to be subjected to the process of dry cleaning, dry dyeing, cleaning, spotting and stain removing, and for the pressing of any such articles of goods which have been subjected to any such process elsewhere at a dry cleaner's plant.

4.62 DRY CLEANER'S PLANT

Shall mean a building in which the business of dry cleaning, dry dyeing, cleaning, spotting, stain removal or pressing of articles or goods of fabric is carried on and, in which only non-combustible and non-flammable solvents are, or can be, used which emit no odours or fumes, in which no noise or vibration causes a nuisance or inconvenience within or without the premises.

4.63 DRY INDUSTRY

Shall mean any industrial operation that does not use water for processing, manufacturing or production purposes; and requires no water for cleaning or washing purposes; and does not discharge nor generate

any liquid effluent from its operations. These restrictions shall not apply to the operation of washrooms, cafeteria or fire fighting uses.

4.64 DWELLING

a) Dwelling House

Shall mean a permanently affixed building whether prefabricated or constructed on-site, and occupied or capable of being occupied exclusively as a home, residence or living quarters but shall not include a travel trailer, mobile home, motorized mobile home or recreational vehicle.

b) Dwelling Unit

Shall mean 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. In the case of a permitted secondary dwelling unit in a single detached, semi-detached or row house, access to such unit may be through another residential unit.

c) Single Detached Dwelling House

Shall mean a dwelling house containing one (1) dwelling unit.

d) Seasonal Dwelling House

Shall mean a single detached dwelling house used for recreation purposes that is not used for continuous habitation as a permanent residence.

e) Semi-Detached Dwelling House

Shall mean one (1) of two (2) vertically attached dwelling houses, having a continuous fully-attached common masonry wall, where the units overlay, above and below finished grade connecting the two (2) dwelling houses, each of which has a separate independent entrance directly from the outside.

f) Linked Semi-Detached Dwelling House

Shall mean one (1) of two (2) attached dwelling houses having a common party wall attached below finished grade connecting the two (2) dwelling houses, each of which has a separate independent entrance directly from the outside.

g) Duplex Dwelling House

Shall mean the whole of a dwelling house that is divided horizontally into two (2) separate dwelling units, each of which has a separate, independent entrance either directly from the outside or through a common vestibule.

h) Converted Dwelling House

Shall mean an existing dwelling house which was originally designed, intended and used as a single detached dwelling house, which has been lawfully altered or converted so as to provide three (3) or four (4) dwelling units, none of which is located in a cellar, and each of which has a separate, independent entrance either directly from the outside or through a common vestibule.

i) Triplex Dwelling House

Shall mean the whole of a dwelling house that is divided horizontally into three (3) separate dwelling units, each of which has a separate independent entrance either directly from the outside or through a common vestibule.

j) Fourplex Dwelling House

Shall mean two (2) vertically attached duplex dwelling houses having a continuous fully attached, unpierced common masonry wall above finished grade connecting the two (2) dwelling houses, each of which has a separate, independent entrance either directly from the outside or through a common vestibule.

k) Row Dwelling House

Shall mean 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 entrance directly from the outside.

l) Linked Row Dwelling House

Shall mean a row dwelling house with each dwelling unit having a common party wall attached below grade connecting the units, each of which has a separate independent entrance directly from the outside.

m) Maisonette Dwelling House

Shall mean a row dwelling house with each dwelling unit having a separate entrance directly from a common vestibule or hallway.

n) Apartment Dwelling House

Shall mean the whole of a dwelling house containing four (4) or more dwelling units having a common entrance from street level and a separate entrance only from an internal corridor system, and the occupants of which have the right to use in common the halls and/or stairs, and/or elevators, yards and other facilities.

o) Dwelling Unit, Bachelor

Shall mean a dwelling unit consisting of one (1) bathroom and not more than two (2) habitable rooms and providing therein living, dining, sleeping and kitchen accommodation in appropriate individual or combination room or rooms.

p) Dwelling Unit, Apartment

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

q) Dwelling Unit Area

Shall mean the habitable area contained within the inside walls of a dwelling unit, excluding any private garage, carport, porch, veranda, unfinished attic or sun room (unless such sun room is habitable in all seasons of the year); and excluding common hallways, common stairways or other common areas; and the thickness of exterior walls.

4.65 EARTH SCIENCE VALUES

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

4.66 EATING ESTABLISHMENT

Shall mean a building or part of a building where food is offered for sale or sold to the public for immediate consumption and includes such uses as a restaurant, dining room, cafe, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar or refreshment room or stand. This definition does not include a bed and breakfast establishment, but may include premises licensed under the Liquor License Board of Ontario.

4.67 EATING ESTABLISHMENT, TAKE-OUT

Shall mean 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 premises.

4.68 ECOLOGICAL FEATURES

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

4.69 ECOLOGICAL FUNCTIONS

Shall mean 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 interaction.

4.70 ECOLOGICAL INTEGRITY

Shall include hydrological integrity and 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.

4.71 ENDANGERED SPECIES

Shall mean 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.

4.72 EQUIPMENT SALES AND RENTAL AND REPAIR ESTABLISHMENTS

Shall mean 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.

4.73 ERECT

Shall mean building construction, reconstruction and relocation 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, movement or other structural change;
- c) any work for the doing of which a building permit is required under the Building By-law of the Corporation; and
- d) erect, erected and erection shall have a corresponding meaning.

4.74 ESTABLISHED BUILDING LINE- Rural

Shall mean the average distance from the road line of existing buildings on one side of a continuous 300 meter strip of land where at least 5 lots have been built upon.

4.75 ESTABLISHED BUILDING LINE – Urban

Shall mean the average setback from the street line of existing buildings on one side of one block where more than one-half of the frontage of the said side of the block has been built upon.

4.76 EXISTING

Shall mean existing, being a reality or an actuality on the date of passing of this By-law.

4.77 FACTORY OUTLET

Shall mean 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.

4.78 FARM

Land used for agricultural and agriculture-related uses and animal agriculture such as the growing of vegetables, fruits, grains or other staple crops including livestock raising, dairying, forestry and/or woodlots.

4.79 FARM IMPLEMENT AND EQUIPMENT SALES AND SERVICE ESTABLISHMENT

Shall mean 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.

4.80 FARM PRODUCE RETAIL OUTLET

Shall mean a use, accessory to a permitted agricultural use, which consists of the retail sale of agricultural products primarily produced on the farm where such outlet is located.

4.81 FARM VACATION HOME

Shall mean an establishment that provides sleeping accommodation (including participation in farm activities, meals, services, facilities and amenities for the exclusive use of guests) for the travelling 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.

4.82 FEED MILL

Shall mean a full farm service centre including a feed manufacturing/processing plant, grain elevators, grain or feed storage silos or bins, may include retail farm supply component.

4.83 FISH HABITAT

Shall mean 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).

4.84 FLEA MARKET, COMMERCIAL

Shall mean 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 either homemade, homegrown, 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.

4.85 FLOODPLAIN

Shall mean the area adjoining a water body which has been or may be covered by water during a storm event.

4.86 FLOOD (REGULATORY OR REGIONAL)

Shall mean the applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the municipality, more specifically the Timmins Flood Event Standard for inland systems and the 100 year flood level plus wave uprush along the Trent River.

These storm events are identified in the Ontario Regulations of the Conservation Authority having jurisdiction of the water body. These regulations are prepared under the authority of the *Conservation Authorities Act* RSO 1990, Chapter C. 27.

4.87 FLOOR AREA, GROSS

Shall mean in the case of a dwelling, the aggregate of the areas of all habitable rooms measured from the exterior faces of the exterior walls (or from the centre line of the common dividing wall), but excluding any part of the building below finished grade which is used for heating, storage or laundry facilities; garage; carport; porch; veranda; attic; or unenclosed sunroom. Any portion of habitable living space below grade must be in a finished condition in order to contribute to the gross floor area.

In the case of a building other than a dwelling, the aggregate of the area of all floors including the areas devoted to retail sales, manufacturing, processing, customer service and/or office use, measured from the outside face of exterior walls, but shall not include mechanical rooms, common halls, stairwells, storage areas not accessible to the public, public washrooms, parking structures and similar and related uses ancillary to the principal use.

4.88 FLOOR AREA, GROUND

Shall mean the maximum ground floor area of a building measured to the outside walls, excluding, in the case of a dwelling house, any private garage, carport, porch, veranda, sunroom (unless such sunroom is habitable at all seasons of the year).

4.89 FLOOR AREA, MANUFACTURING

Shall mean that portion of the gross floor area of an establishment which is used for manufacturing purposes but does not include areas used for storage of finished products or offices.

4.90 FLOOR AREA, TOTAL

Shall mean the aggregate of the horizontal areas of each floor, whether any such floor is above or below grade, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor.

4.91 FOREST ACCESS ROAD

Shall mean 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.

4.92 FOREST MANAGEMENT

Shall mean silviculture which is 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.

4.93 FUEL STORAGE TANK

Shall mean a tank for the bulk storage of petroleum, gasoline, fuel, oil, gas 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.

4.94 FUNERAL HOME

Shall mean 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.

4.95 GALLERY/STUDIO

Shall mean a building or structure for the creation and display of art, sculpture, photography, crafts and similar products.

4.96 GARAGE, COMMERCIAL

Shall mean a building, structure or lot where commercial motor vehicles are stored or where vehicles are repaired or maintained.

4.97 GARAGE, PRIVATE

Shall mean a detached accessory building or portion of a dwelling house 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 and excludes a carport or other open shelter.

4.98 GARDEN AND NURSERY SALES AND SUPPLY ESTABLISHMENT

Shall mean 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.

4.99 GOLF COURSE

Shall mean a public or private area operated for the purpose of playing golf, and includes a par 3 golf course, and may also include as accessory uses, driving ranges, miniature courses, pro shops, clubhouses, restaurants, and similar uses.

4.100 GRADE, FINISHED

Shall mean the average elevation of the finished surface of the ground at ground level of a building or structure.

4.101 GRAVEL PIT

Shall mean a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit as defined in this By-law.

4.102 GREENHOUSE, COMMERCIAL

Shall mean 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 as wholesale or retail.

4.103 GREENHOUSE, FARM

Shall mean a building for the growing of plants, shrubs, trees and similar vegetation which are primarily transplanted outdoors on the same lot containing such greenhouse.

4.104 GROUNDWATER RECHARGE

Shall mean 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.

4.105 GROUP HOMES

Shall mean a residence that is licensed or approved under an Act of the Province of Ontario, for the accommodation of three to ten persons exclusive of staff, living under supervision in a single housekeeping unit, and who by reason of their emotional, mental, social or physical conditions, require a group living arrangement. For the purpose of this By-law, a group home shall include the following:

a) Group Home for Seniors

Shall mean a residence that is licensed or approved under the *Homes for the Aged Act*, as amended, or the *Rest Home Act*, as amended;

b) Group Home for the Physically Handicapped

Shall mean a residence that is licensed or approved under the *Development Services Act*, as amended, or the *Rest Home Act*, as amended;

c) Group Home for the Developmentally Challenged

Shall mean a residence that is licensed or approved under the *Homes for Retarded Persons Act*, as amended; and

d) Group Home for Children

Shall mean a residence that is licensed or approved under the *Child and Family Services Act*, as amended.

4.106 GUEST

Shall mean a person who contracts for accommodation in a tourist establishment and includes all the members of the person's party.

4.107 GUEST ROOM

Shall mean a person who contracts for accommodation in a tourist establishment and includes all the members of the person's party.

4.108 HABITAT OF ENDANGERED, RARE AND THREATENED SPECIES

Shall mean 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.

4.109 HABITABLE ROOM

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

4.110 HAZARDOUS WASTE

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

4.111 HEIGHT AND HEIGHT OF BUILDING

Shall mean the vertical distance, measured between the finished grade at the front 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 mean heights between the eaves and ridge, exclusive of any accessory roof construction such as a chimney, tower, steeple, or television antenna.

4.112 HERITAGE FACILITY

Shall mean a facility of portions thereof designated under the *Ontario Heritage Act*, or identified in the inventory of heritage resources for the Municipality of Trent Hills.

4.113 HIGHWAY

Shall mean a highway within the meaning of the *Highway Traffic Act*, as amended.

4.114 HOME FOR THE AGED

Shall mean any home for senior citizens sponsored and administered by any public agency or service club, church, or other non-profit organization, which obtains its financing from federal, provincial, county or local municipal governments or agencies, or by public subscription or donation, or by any combination thereof.

4.115 HOME INDUSTRY

Shall mean 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 landscaping, 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 such uses as an auto repair, paint shop or furniture stripping.

4.116 HOME OCCUPATION/BUSINESS

Shall mean 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, painting shop or furniture stripping.

4.117 HYDROLOGICAL CYCLE

Shall mean 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 interaction with the environment including its relation to living things.

4.118 HYDROLOGICAL FEATURES

Shall mean:

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

4.119 HYDROLOGICAL FUNCTIONS

Shall mean 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.

4.120 HYDROLOGICAL INTEGRITY

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

4.121 HYDROLOGICALLY SENSITIVE FEATURE

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

4.122 IMPERVIOUS SURFACE

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

4.123 KAME

Shall mean a mound, hummock or conical hill of glacial origin.

4.124 KENNEL

Shall mean a place where dogs are bred and raised, and are sold or kept for sale or boarded in accordance with the *Livestock Licensing Act*.

4.125 KETTLE LAKE

Shall mean a depression formed by glacial action and permanently filled with water.

4.126 KEY NATURAL HERITAGE FEATURE

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

4.127 LANDFORM FEATURES

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

4.128 LANDFORM CONSERVATION AREA

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

4.129 LANDSCAPED OPEN SPACE

Shall mean the open unobstructed space from ground to sky at 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, bushes and other landscaping and includes any surfaced walk, patio or similar area but does not include any driveway ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure.

4.130 LANE

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

4.131 LAUNDRY, COIN-OPERATED

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

4.132 LIFESCIENCE VALUES

Shall mean values that relate to the living component of the environment.

4.133 LIQUID INDUSTRIAL WASTE

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

4.134 LIQUOR LICENSED PREMISES

Shall mean any building structure or premises licensed under The Liquor Licence Board of Ontario.

4.135 LIVESTOCK FACILITY

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

4.136 LOADING SPACE

Shall mean 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, and which abuts upon a street, lane or other appropriate means of access.

4.137 LODGE

Shall mean an establishment catering to the vacationing public by providing meals and sleeping accommodation with at least five rooms or cabins, but shall not include any establishment otherwise defined or classified herein.

4.138 LOT

Shall mean 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.

4.139 LOT AREA

Shall mean the total horizontal area within the lot lines of a lot, excluding the horizontal area of such lot covered by water or marsh.

4.140 LOT, CORNER

Shall mean 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 and 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:

- a) in the latter case, the corner of the lot shall be deemed to be that point on the street lines nearest to the point of intersection of the said tangents; and
- b) any portion of a corner lot distant more than thirty (30) metres from the corner measured along the street line shall be deemed to be an interior lot, including porches and verandas open or covered. This definition shall not include balconies, canopies and overhanging eaves, provided none of the foregoing are less than 2.5 metres above finished grade.

4.141 LOT COVERAGE

Shall mean that percentage of the lot area covered by the perpendicular vertical projection of the area of all buildings onto a horizontal plane.

4.142 LOT DEPTH

Shall mean the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, "lot depth" means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line. When there is not rear lot line, "lot depth" means the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

4.143 LOT FRONTAGE

The minimum straight line distance between the points of intersection of the side lot lines.

4.144 LOT INTERIOR

Shall mean a lot other than a corner lot.

4.145 LOT LINE

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

4.146 LOT LINE, FRONT

Shall mean 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 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.

4.147 LOT LINE, REAR

Shall mean the lot line farthest from and opposite to the front lot line.

4.148 LOT LINE, SIDE

Shall mean a lot line other than a front or rear lot line.

4.149 LOT, THROUGH

Shall mean a lot bounded on two opposite sides by streets.

4.150 MAJOR DEVELOPMENT

Shall mean 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 square metres or more; or
- c) the establishment of a major recreation use as described in Section 38 of the Oak Ridges Moraine Conservation Plan.

4.151 MAJOR RECREATIONAL USES

Shall mean recreational uses that require large-scale modification of terrain, vegetation or both and usually also require large-scale buildings or structures, and/or has a higher density or concentration of human activity, including but not limited to the following:

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

4.152 MANUFACTURING ESTABLISHMENT

Shall mean a building or part of a building where the manufacturing, fabricating, assembly or processing of raw materials or goods, warehousing or bulk storage of goods and related accessory uses takes place.

4.153 MANURE OR MATERIAL STORAGE

Shall mean permanent storages, which may or may not be associated with a livestock facility containing liquid manure (<18% dry matter), solid manure (\geq 18% dry matter), or digestate.

Permanent storages may come in a variety of:

- * locations (under, within, nearby, or remote from barn);
- * materials (concrete, earthen, steel, wood);
- * coverings (open top, roof, tarp, or other materials);
- * configurations and shapes; and
- * elevations (above, below or partially above grade)

4.154 MARINA

Shall mean 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.

4.155 MARINE FACILITY

Shall mean 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.

4.156 MEANDER BELT

Shall mean the land across which a watercourse shifts its channel from time to time.

4.157 MEDICAL CLINIC

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

4.158 MEDICAL OFFICE

Shall mean a building or part of a building that is used solely and singularly by a physician, dentist or drugless practitioner and their staff for the purpose of consultation, diagnosis and treatment to the general public without overnight accommodation.

4.159 MINERAL AGGREGATE

Shall mean 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.

4.160 MINERAL AGGREGATE OPERATION

Shall mean:

- a) an operation, other than a wayside pit, conducted under a licence 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.

4.161 MINIMUM DISTANCE SEPARATION FORMULA

Shall mean the formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

4.162 MOBILE HOME

Shall mean a transportable, factory-built dwelling designed to be used as a year-round residential dwelling but does not include a park model trailer or a travel trailer, mobile camper trailer, tent trailer or trailer otherwise defined in this By-law. Further, all Mobile Homes shall comply with the Canadian Standards Association Standard No. Z240 M.H.

4.163 MOTEL

Shall mean an establishment that 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 Licence Act*.

4.164 MOTORIZED MOBILE HOME

Shall mean any motor vehicle designed and constructed to be used as a self-contained, self-propelled unit, capable of being utilized for the temporary living, sleeping or eating accommodation of persons for recreational purposes.

4.165 MOTORIZED SNOW VEHICLES

Shall mean a motorized snow vehicle within the meaning of the *Motorized Snow Vehicle Act*.

4.166 MOTOR VEHICLE

Shall mean an automobile, truck motorcycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of the *Highway Traffic Act*, as amended.

4.167 MOTOR VEHICLE BODY SHOP

Shall mean 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 towing, service and motor vehicle rentals for customers while motor vehicle is under repair, but shall not include any other establishment otherwise defined or classified in this By-law.

4.168 MOTOR VEHICLE, COMMERCIAL

Shall mean any commercial motor vehicle within the meaning of the *Highway Traffic Act*, as amended.

4.169 MOTOR VEHICLE DEALERSHIP

Shall mean a building or structure where a franchised dealer displays new motor vehicles for sale or rent and in conjunction with which there may be used motor vehicle sales, a motor vehicle repair garage, a motor vehicle service station, a motor vehicle gasoline bar or a motor vehicle body shop, but shall not include any other establishment otherwise defined or classified in this By-law.

4.170 MOTOR VEHICLE, DERELICT

Shall mean 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 that is less than the cost of repairs required to render the said motor vehicle operable.

4.171 MOTOR VEHICLE GASOLINE BAR

Shall mean one or more pump islands, each consisting of one or more gasoline pumps, and a shelter having a floor area of not more than 2.5 square metres, which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles.

4.172 MOTOR VEHICLE RENTAL

Shall mean an area inclusive of any accessory building or structure where motor vehicles are kept for rent, lease or hire under agreement for compensation.

4.173 MOTOR VEHICLE REPAIR GARAGE

Shall mean a building or structure where the exclusive service performed or executed on motor vehicles for compensation shall include the installation of exhaust system, repair of the electrical system, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use 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, but shall not include any other establishment otherwise defined or classified in this By-law.

4.174 MOTOR VEHICLE SALES, USED

Shall mean an establishment, with or without a building, where used motor vehicles are displayed for sale, but shall not include any other establishment otherwise defined or classified in this By-law.

4.175 MOTOR VEHICLE SERVICE STATION

Shall mean a building or structure where gasoline, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, sparkplugs, batteries and automotive accessories for motor vehicles, and new retail goods are 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 minor or major mechanical or running repairs essential to the actual operation of motor vehicles are executed or performed.

4.176 MOTOR VEHICLE WASH, AUTOMATIC

Shall mean a building or structure containing facilities for washing motor vehicles for compensation either using production line methods and mechanical devices or by a self-service operation, but does not include any other motor vehicle establishment herein defined where car washing is done only as incidental to the principal operation.

4.177 MUNICIPAL GOVERNMENT COMPLEX

Shall mean any building or structure owned by the Corporation of the Municipality of Trent Hills used for the administration of the municipal government system and may also include such uses as meeting hall or recreation facilities.

4.178 MUNICIPAL, COUNTY, PROVINCIAL MAINTENANCE DEPOT

Shall mean any land, building or structure owned by the Corporation of the Municipality of Trent Hills, 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.

4.179 MUNICIPALITY

Shall mean the Corporation of the Municipality of Trent Hills.

4.180 MUNICIPAL ROAD

Shall mean a street or road under the jurisdiction of the Corporation of the Municipality of Trent Hills.

4.181 NATURAL SELF-SUSTAINING VEGETATION

Shall mean self-sustaining vegetation dominated by native plant species.

4.182 NAVE

Shall mean that portion of a church or place of worship where the congregation assembles during normal services and which is generally located between the chancel and the vestibule.

4.183 NET DEVELOPABLE AREA

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

4.184 NON-COMPLYING

Shall mean 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 requirement required by this By-law such as minimum frontage, depth, area, setbacks etc.

4.185 NON-CONFORMING

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

4.186 NON-RESIDENTIAL

Shall mean when used to describe a use, building or structure, a commercial or industrial business or public or institutional use, building or structure permitted by the By-law.

4.187 NOXIOUS

Shall mean a condition which is or may become hazardous or injurious with 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 when the term is used in reference to any use or activity which from its nature or form, 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 material.

4.188 NURSERY

Shall mean a building or part of a building and land adjacent thereto for growing or displaying of flowers, plants, shrubs, trees, or similar vegetation which is sold to the public at retail. Such a facility may include the display and sale of soil amending products and horticultural related products.

4.189 NURSERY SCHOOL

Shall mean a building or part of a building containing facilities licensed under the *Day Nurseries Act*, as amended.

4.190 NURSING HOME

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

4.191 NUTRIENT UNIT

Shall mean an amount of nutrients that give a fertilizer replacement value of the lower of 43 kilograms of nitrogen, of 55 kilograms of phosphate as nutrient (as defined in Ontario Regulation 267/03 made under the *Nutrient Management Act, 2002*).

4.192 OAK RIDGES MORAINÉ CONSERVATION PLAN AREA AND PLAN AREA

Shall mean the areas described in Plates B, C, and D to this By-law.

4.193 OPEN STORAGE

Shall mean the storage of goods in the open air and in unenclosed portions of buildings, which are open to the air on the sides.

4.194 OUTSIDE DISPLAY AND SALE

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

4.195 PARK MODEL TRAILER

A recreational unit mounted on a single chassis mounted on wheels designed to facilitate relocation from time to time, and designed as living quarters for seasonal camping and may be connected to those utilities necessary to supply those installed facilities, with a gross floor area including lofts not exceeding 50 square metres in set up mode, and having a width greater than 2.6 metres in the transit mode. Further all Park Model Trailers shall comply with Canadian Standards Association Standard No. Z241 or its successor.

4.196 PARK, PRIVATE

Shall mean any open space or recreational area, other than a public park, owned and operated or maintained in whole or in part for profit by a private club or fraternal organization for members only, and may include therein one or more swimming, wading and boat facilities, picnic area, ski area, gardens or refreshment rooms.

4.197 PARK, PUBLIC

Shall mean any open space or recreational area, owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario and may include therein neighbourhood, community, regional and special parks or areas and may include one or more athletic fields, field houses, community centres, bleachers, swimming pools, greenhouses, botanical gardens, zoological gardens, bandstands, skating rinks, tennis courts, bowling

greens, boat liveries, bathing stations, curling rinks, refreshment rooms, fair grounds, arenas, golf courses, or similar uses.

4.198 PARKING AREA

Shall mean an area provided for the parking of motor vehicles and may include aisles having a minimum width of 5.5 metres, parking spaces having a minimum width of 3 metres, and related ingress and egress lanes, but shall not include any part of a public street. "Parking Area" may include a private garage.

4.199 PARKING LOT

Shall mean any parking area other than a parking area accessory to a permitted use.

4.200 PARKING LOT, COMMERCIAL

Shall mean any parking area, other than a parking area accessory to a permitted use, which is not owned by the municipality and which requires remuneration for the parking of private motor vehicles thereon.

4.201 PARKING SPACE

Shall mean an area of not less than 19 square metres, exclusive of any aisles, ingress or egress lanes, for the temporary parking or storage of motor vehicles, and may include a private garage.

4.202 PARTIAL SERVICE

Shall mean 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.

4.203 PERSON

Shall mean 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.

4.204 PERSONAL SERVICE SHOP

Shall mean a building or part of a building in which persons are engaged in providing and otherwise administering to the individual and personal needs of persons, such as a barber's shop, a hairdressing shop, a shoe repair shop or other similar establishment or service.

4.205 PLACE OF ENTERTAINMENT

Shall mean a motion picture or other theatre, auditorium, public hall, billiard or pool room, bowling alley, ice or roller skating rink, dance hall or music hall; and shall include arcades and other places of amusement licensed in accordance with the *Municipal Act*, but does not include any place of entertainment or amusement otherwise defined or classified in this By-law.

4.206 PLACE OF WORSHIP

Shall mean 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.

4.207 PLANTING STRIP

Shall mean an area which shall be used for no purpose other than planting a row of trees or a continuous unpierced hedgerow of evergreens or shrubs, not less than 1.8 metres high, immediately adjacent to the lot line or portion thereof along which such planting strip is required by this By-law. The remainder of such planting strip shall be used for no purpose other than planting shrubs, flowers, grass or similar vegetation and shall be planted, nurtured and maintained by the owner(s) of the lot on which the required planting strip is located.

4.208 PORTABLE ASPHALT PLANT

Shall mean 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 materials; and
- b) bulk materials used in the process described in Clause a) are kept.

4.209 PORTABLE PROCESSING PLANT

Shall mean 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.

4.210 PRIME AGRICULTURE AREA

Shall mean an area that is:

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

4.211 PRIME AGRICULTURE LAND

Shall mean:

- 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

4.212 PROVINCIAL HIGHWAY

Shall mean a street under the jurisdiction of the Ministry of Transportation.

4.213 PUBLIC AUTHORITY

Shall mean Federal, Provincial, County, District or Municipal agencies, and includes any commission, board, authority or department established by such agency, such as Ontario Hydro and Bell Telephone.

4.214 PUBLIC HOSPITAL

Shall mean a public hospital within the meaning of the *Public Hospital Act*, as amended.

4.215 PUBLIC LIBRARY

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

4.216 PUBLIC USE

Shall mean interior or exterior rooms or spaces that are made available to the general public. Public use may be provided at a facility that is privately or publicly owned.

4.217 QUARRY

Shall mean a place where consolidated aggregate is being or has been excavated to supply material for construction, industrial or manufacturing purposes, as licensed by the Province of Ontario.

4.218 RAPID INFILTRATION BASIN

Shall mean 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.

4.219 RAPID INFILTRATION COLUMN

Shall mean 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.

4.220 RARE SPECIES

Shall mean a native species that is not currently at risk of becoming threatened but, because of its limited distribution, small population or specialized habit 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.

4.221 RECYCLING FACILITY

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

4.222 RENTAL STORAGE FACILITY

Shall mean a building or structure which is divided into separate storage spaces or units; and which are accessed individually and made available to the public on a rental basis.

4.223 RESORT

Shall mean 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.

4.224 RETAIL COMMERCIAL ESTABLISHMENT

Shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail, or on a rental basis, but does not include any establishment otherwise defined or classified herein.

4.225 RETAIL GASOLINE ESTABLISHMENT

Shall mean a lot, building or structure where gasoline is sold at retail to the public as a principal or incidental operation.

4.226 RETIREMENT HOME

Shall mean 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.

4.227 RETREAT CENTRE

Shall mean a building or part of a building, in which the facilities are provided for meetings for educational, religious and social purposes.

4.228 RIGHT-OF-WAY, PRIVATE

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

4.229 SALVAGE YARD

Shall mean an establishment 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 or an automobile wrecking yard, but shall not include a recycling facility.

4.230 SAND BARRENS

Shall mean 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.

4.231 SANITARY SEWER

Shall mean an adequate system of underground conduits, operated either by the Corporation or by the Ministry of the Environment, which carries sewage to an adequate place of treatment which meets with the approval of the Ministry of the Environment.

4.232 SATELLITE DISH

Shall mean a device designed to receive communication signals from a satellite.

4.233 SATURATED ZONE

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

4.234 SAVANNAH

Shall mean 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 tall grass 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.

4.235 SAW OR PLANING MILL

Shall mean 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.

4.236 SCHOOL

Shall mean a school under the jurisdiction of a Board as defined by the Ministry of Education

4.237 SEASONAL CAMP

Shall mean 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, archery, etc.

4.238 SELF-SUSTAINING VEGETATION

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

4.239 SERVICE SHOP

Shall mean a building or part of a building, not otherwise defined or classified herein, and whether conducted in conjunction with a retail store or not, for the servicing or repairing of articles, goods or materials.

4.240 SETBACK

Shall mean the horizontal distance from the centreline of the street allowance, measured at right angles to such centreline, to the nearest part of any building or structure on the lot, or the nearest open storage use on the lot.

4.241 SEWAGE TREATMENT FACILITY

Shall mean a building, structure or area approved by the Ministry of Environment and Energy, where domestic and/or industrial waste is treated. This definition shall include a sewage lagoon.

4.242 SEWER SYSTEM, SANITARY

Shall mean a system of underground conduits, operated by the Municipality of Trent Hills or by the Ministry of Environment and Energy, which carries sewage to a sewage treatment facility which is in accordance with the standards of the Ministry of Environment and Energy.

4.243 SEWER SYSTEM, STORM

Shall mean a sewer which carries storm surface water and storm drainage, but does not carry sewage or industrial waste.

4.244 SHOPPING CENTRE

Shall mean a group of commercial establishments conceived, designed, developed and managed as an interdependent and inter-related unit by a single owner or tenant, or a group of owners or tenants acting in collaboration and related in location, size and type to the surrounding local and distant trade area which it serves, as opposed to a central business area comprising unrelated individual commercial establishments.

4.245 SHOPPING PLAZA

Shall mean a group of commercial establishments which are not interdependent or inter-related and which have been designed, developed and managed as a unit by a single owner or tenant, or a group of owners and tenants and primarily serves the immediate surrounding trade area.

4.246 SIGHT TRIANGLE

Shall mean the triangular area enclosed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street

line, each such point being 9.0 metres from the point of intersection of the street lines (measured along the street lines).

Where the two (2) 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.

4.247 SIGN

Shall mean a sign within the meaning of the Corporation's Sign By-law.

4.248 SIGNIFICANT

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

4.249 SITE

Shall mean a parcel of land bound by a property line or a designated portion of a public right-of-way and may mean the land subject to an application.

4.250 SITE ALTERATION

Shall mean 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 on lands within the Oak Ridges Moraine; or
 - (ii) the carrying out of agricultural practices on land that was being used for agricultural uses on November 15, 2001 on lands within the Oak Ridges Moraine.

4.251 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.

4.252 STOREY

Shall mean the portion of a building, other than an attic or cellar, included between any floor level and the floor, ceiling or roof next above it.

4.253 STOREY, FIRST

Shall mean the lowest storey of a building closest to finished grade having its ceiling 1.8 metres or more above average finished grade.

4.254 STOREY, ONE-HALF

Shall mean the portion of a building situated wholly or in part within the roof and having its floor level not lower than 1.2 metres below the line where roof and outer wall meet and in which there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.3 metres over a floor area equal to at least 50 percent of the area of the floor next below.

4.255 STOREY, SECOND

Shall mean that portion of a building situated above the first storey and in which there is a vertical dimension of at least 1.3 metres (measured from finished floor to finished ceiling) over a floor area equal to at least 75% of the floor area of the storey next below.

4.256 STORM SEWER

Shall mean a sewer which carries storm sewage or surface runoff but excludes any combined or sanitary sewers.

4.257 STREET OR ROAD

Shall mean a public street or road for vehicles which affords the principal means of access to abutting lots, but does not include a lane or private right-of-way.

4.258 STREET, IMPROVED PUBLIC

Shall mean a street or road assumed by the Corporation which has been constructed in such a manner so as to permit its use by normal vehicular traffic.

4.259 STREET LINE

Shall mean the limit of the street or road allowance and is the dividing line between a lot and a street or road.

4.260 STRUCTURE

Shall mean anything that is erected, built or constructed of 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.

4.261 SUBWATERSHED

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

4.262 SURFACE CATCHMENT AREA

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

4.263 SUSTAINABLE

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

4.264 TALLGRASS PRAIRIE

Shall mean 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 solids; 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.

4.265 TAVERN

Shall mean an establishment within the meaning of and licensed under the *Liquor Licence Act*, as amended.

4.266 TENT

Shall mean every kind of temporary shelter for outdoor activities and functions, such as a wedding reception, that is not permanently affixed to the site and that is capable of being easily moved.

4.267 THREATENED SPECIES

Shall mean 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.

4.268 TIME OF TRAVEL

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

4.269 TOURIST ESTABLISHMENT

Shall mean any premises operated to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided, and without limiting the generality of the term, also includes a cabin establishment, a tourist home, a tourist cottage and a housekeeping cottage.

4.270 TOURIST HOME

Shall mean a private dwelling that is not part of or used in conjunction with any other tourist establishment and in which there are at least five rooms

for rent to the travelling or vacationing public, whether rented regularly, seasonally or occasionally.

4.271 TRAILER

Shall mean any vehicle that is at any time drawn upon a highway by a motor vehicle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn, 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.

4.272 TRAILER CAMP OR PARK

Shall mean a private establishment consisting of at least five camping lots and comprising land used or maintained for the overnight camping or parking of travel trailers, mobile camper trailers, truck campers, motor homes or tents; but does not include park model trailers or mobile homes, for recreational or vacation use and designed and used for seasonal occupancy only.

4.273 TRAILER, MOBILE CAMPER

Shall mean any vehicle in which the assembly can be erected, while stationary, using the trailer body and related components for support and utilized for living, shelter and sleeping accommodation, with or without cooking facilities which is not used on a permanent basis is collapsible and compact while being drawn by a motor vehicle.

4.274 TRAILER, TRAVEL

Shall mean any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle and is capable of being utilized for the temporary living, sleeping or eating accommodation of persons for recreational purposes.

4.275 TRAILER SALES OR RENTAL ESTABLISHMENT

Shall mean a building or part of a building and lands adjacent thereto where trailers and other similar recreational vehicles including mobile camper trailers, tourist trailers, motorized mobile homes, tent trailers, truck campers and boats and snow vehicles and related trailers are displayed for sale and rent, and may include facilities for related equipment and accessories and repair. This definition shall not include mobile homes or modular homes.

4.276 TRUCK CAMPER

Shall mean any unit so designed and constructed that may be attached upon a motor vehicle as a separate unit and capable of being utilized for the temporary living, sleeping or eating accommodation of persons for recreational purposes.

4.277 TRUCK OR TRANSPORT TERMINAL

Shall mean a building, structure or place where trucks or transports 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.

4.278 UNIVERSAL DESIGN

Shall mean the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design.

4.279 UNSERVICED PARK

Shall mean 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.

4.280 USE

Shall mean, when used as a noun, the purpose for which a lot or building or structure, or any combination thereof is designed, arranged, intended, occupied or maintained and "USES" shall have a corresponding meaning. "USE" when used as a verb, or "TO USE" shall have a corresponding meaning.

4.281 VALLEYLAND

Shall mean 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.

4.282 VETERINARIAN CLINIC

Shall mean a building or part of a building in which facilities are provided for the prevention, cure and alleviation of disease and injury to animals

4.283 VIDEO RENTAL AND SALES ESTABLISHMENT

Shall mean a building or part of a building in which video movies and/or video games are offered and kept for sale at retail and on a rental basis, but does not include any other establishment otherwise defined or classified herein.

4.284 WALKWAY

Shall mean an unobstructed passageway for all of the following: pedestrians, bicycles, snowmobiles and equestrian movements which shall be maintained by the owner or owners of the lot on which the required walkway is located.

4.285 WAREHOUSE

Shall mean 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 truck or transport terminal.

4.286 WASTE DISPOSAL AREA

Shall mean a place where garbage, refuse or domestic waste is disposed of, or dumped, excluding liquid industrial waste, and shall include a sewage treatment plant or sewage lagoon, as well as a sanitary landfill site.

4.287 WATERCOURSE

Shall mean the natural channel for a perennial or intermittent stream of water.

4.288 WATER FRONTAGE

Shall mean a piece of land fronting on and providing access to a watercourse, bay or lake.

4.289 WATERSHED

Shall mean an area that is drains into a watercourse/river and its tributaries.

4.290 WATER SUPPLY

Shall mean 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 and/or any public utilities commission for public use.

4.291 WATER SUPPLY PLANT

Shall mean a building or structure, approved by the Ministry of the Environment where water is treated for human consumption.

4.292 WAYSIDE PIT

Shall mean 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.

4.293 WELL

Shall mean 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.

4.294 WELLHEAD PROTECTION AREA

Shall mean 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.

4.295 WETLAND

Shall mean 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.

4.296 WILDLIFE HABITAT

Shall mean 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.

4.297 WOODLAND

Shall mean 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.

4.298 WORKSHOP, CUSTOM

Shall mean a building or structure where 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 welder's shop, or similar uses.

4.299 WORKSHOP, HOME

Shall mean a building or structure that is utilized by the resident(s) of a dwelling unit for the production of non commercial products requiring manual or mechanical skills and may include a woodworking shop, a tinsmith's shop or similar uses.

4.300 YARD

Shall mean a space, appurtenant to a building or structure, located on the same lot as the building or structure, and 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.

4.301 YARD, FRONT

Shall mean a yard extending across the full width of the lot between the front lot line of the lot and the nearest part of any building or structure on the lot, or the nearest open storage use on the lot.

4.302 YARD, FRONT DEPTH

Shall mean 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 open storage use on the lot.

4.303 YARD, REAR

Shall mean a yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any building or structure on the lot, or the nearest open storage use on the lot.

4.304 YARD, REAR DEPTH

Shall mean 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 open storage use on the lot.

4.305 YARD, REQUIRED

Shall mean the minimum yard required by the provisions of this By-law.

4.306 YARD, SIDE

Shall mean a yard extending from the front yard to the 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 open storage use on the lot.

4.307 YARD, SIDE, EXTERIOR

Shall mean a side yard immediately adjoining a public street.

4.308 YARD, SIDE, INTERIOR

Shall mean a side yard other than an exterior side yard.

4.309 YARD, SIDE, WIDTH

Shall mean the least horizontal dimension between the side lot line of the lot and the nearest part of any building or structure on the lot, or the nearest open storage use on the lot.

4.310 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.

4.311 ZONE PROVISIONS

The permissible uses, the minimum area and dimensions of lots, the minimum dimensions of yards, the maximum lot coverage, the minimum setback, the gross floor area, the minimum landscaped open space, the maximum height of buildings, the minimum parking requirements, and all other Zone Provisions are set out within the By-law for the respective Zones.

SECTION 5 – GENERAL PROVISIONS

5.1 ACCESSORY BUILDINGS, STRUCTURES AND USES

a) 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:

- i) any occupation for gain or profit conducted within or accessory to a dwelling unit or on the lot, except, as in this By-law, is specifically permitted; or,
- ii) any building used for human habitation, except, as in this By-law, is specifically permitted.

The second storey of an accessory building, which is not part of the principal or main building, may be used for residential purposes in any Residential and Rural Zone, subject to meeting the yard and setback requirements of the Zone in which the accessory building is located.

b) RELATION TO STREET

Except as may otherwise be provided herein, in an Residential Zone, any accessory building or structure, which is not part of the principal or main building, shall be erected in conformity with the setback requirements of the Zone in which such building is located.

In all other Zones, a permitted accessory building or structure may be located between the principal or main building on the lot and the street line, provided such accessory building or structure complies with the yard and setback requirements of the Zone in which such building or structure is located.

c) 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 1.5 metres to the principal or main building, provided that in no case shall any overhang, eaves or gutter project into this required minimum area that shall be clear of any obstruction from the ground to the sky.

d) LOT COVERAGE AND HEIGHT

The total lot coverage of all accessory buildings and structures, except swimming pools, shall not exceed 8 percent of the lot area, nor shall the height of any accessory building or structure exceed 5 metres.

e) ACCESSORY STRUCTURES

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 By-laws of the corporation, shall be permitted in any required yard or in the area between the street line and the required setback.

f) BOAT HOUSE, PUMP HOUSE, DOCK OR LAUNCHING FACILITY

Notwithstanding any other provision of this By-law to the contrary, a boat house, pump house, dock or launching facility may be erected and used in the required yard of a lot abutting a navigable waterway, provided such accessory buildings or structures are located no closer than 1.2 metres to side lot line and meet the requirements of the Conservation Authority.

g) BUNKIE

Notwithstanding any other provision of this By-law to the contrary, a bunkie may be erected and used in the required yard of a lot abutting a navigable waterway within the Shoreline Residential (SR) Zone, provided that the bunkie does not exceed 23 square metres in total floor area, and complies with the yard and setback requirements of the Zone in which such building or structure is situated and provided further that such accessory buildings or structures are not located within the Environmental Protection (EP) Zone.

h) FIRE ESCAPES

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed fire escapes, in which the stair-steps and floors are latticed in such a manner that the proportion of voids to solids is not less than two to one and in which guards consist of hand rails and the structural members necessary for their support,

may project into any required setback a maximum distance of 1.2 metres.

i) GARAGES OR OTHER ACCESSORY BUILDINGS OR STRUCTURES

Notwithstanding any other provision of this By-law to the contrary, an attached or detached private garage or other accessory building may be erected and used in a front, interior side, exterior side or rear yard provided that:

i) Interior Side Yard

Where such accessory building is located in an interior side yard, it shall not be closer than 1.2 metres to the interior side lot line, except where a common semi-detached garage is being erected simultaneously on both sides of the lot line, as one building, in which case no interior side yard to the accessory building is required.

ii) Rear Yard

Where such accessory building is located in a rear yard it shall not be closer than 1.2 metres to the interior side lot line or rear lot line, except, where a common semi-detached garage is being erected simultaneously on both sides of the interior lot line, as one building, in which case no interior side yard to the accessory building is required.

iii) Rear Yard with Lane Access

Where such accessory building is located in a rear yard it shall not be closer than 1.2 metres to the interior side lot line or rear lot line, except where a single detached private garage is being erected, with direct access from the lane, in which case the structure shall not be located closer than 1.2 metres to the rear lot line, or except where a common semi-detached garage is being erected simultaneously on both sides of the interior lot line, as one building, with direct access from the land, in which case no interior side yard is required, but the structure shall not be located closer than 2.4 metres to the rear lot line.

iv) Front or Exterior Side Yard

When an accessory building or structure is attached to the principal or main building, such accessory building or structure may be erected in an front or exterior side yard provided that such accessory buildings or structure is not located within a required front or exterior side yard and provided further that such accessory building or structure is of the same external fabrication material as the principal or main building on the lot.

v) Front or Exterior Side Yard – Navigable Waterway

When a detached private garage is located on a lot which abuts a navigable waterway, it may be located between the principal or main building on the lot and the streetline provided that the applicable yard and setback requirements of the respective Zone are complied with.

vi) Utility Sheds

Notwithstanding the foregoing provisions, a utility shed may be erected adjacent to the principal structure and within a required interior side or rear yard provided that the vertical projection of the limits of the roof line are not closer than 0.5 metres to the interior side or rear lot line. For the purposes of the By-law, such a utility shed shall be maintained and used for the purposes of storing lawn and garden equipment or similar household related equipment and shall not have a total floor area in excess of 9.3 metres.

j) GUEST HOUSE

Notwithstanding any other provisions of this By-law to the contrary, a guest house may be erected and used in the required yard of a lot, provided that the guest house does not exceed 28 square metres in total floor area, and complies with the yard and setback requirements of the Rural (RU) and Rural Residential (RR) Zone in which such building or structure is situated. No severance shall be permitted to separate the guest house from the main residence on the lot.

k) GATE HOUSE IN INDUSTRIAL ZONE

Notwithstanding the yard and setback provisions of this By-law to the contrary, in any Industrial Zone, a gate house shall be permitted in a front or side yard or in the area between the street line and the required setback.

l) 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.

m) OUTDOOR SWIMMING POOLS

Notwithstanding the yard provisions of this By-law to the contrary, an outdoor swimming pool shall be permitted in any residential zone, in the interior and rear yard of a lot provided that:

- i) such outdoor swimming pool and apron shall not be situated within 1.2 metres of the side lot line, rear lot line or the principal or main building on the lot;
- ii) any building or structure required for changing clothing or pumping or filtering facilities or other accessory uses, shall be in accordance with the provisions applicable to accessory buildings as outlined in section 5.1;
- iii) the maximum area covered by an outdoor swimming pool shall not exceed 15 percent of the total lot area; and,
- iv) the outdoor swimming pool shall comply with the provisions of any regulatory By-laws of the Corporation governing the establishment of swimming pools.

n) SATELITE DISHES

Notwithstanding any other provisions of the By-law to the contrary, the following provisions shall apply to a regulate satellite dishes on any lot:

- i) not more than 1 satellite dish shall be permitted on any lot located within a Residential Zone;

- ii) satellite dishes shall not be permitted within the front or exterior side yard of any lot within a Residential Zone;
- iii) satellite dishes shall not be within 1.8 metres to an interior side or rear lot line within a Residential Zone;
- iv) in all other zones, a satellite dish shall comply with the yard and setback requirements of the zone in which it is situated.

o) UNENCLOSED PORCHES, BALCONIES, STEPS OR PATIOS

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed porches, balconies, steps and patios, covered or uncovered, may project into any required yard a maximum distance of 1.8 metres, but not closer than 1.2 metres to any lot line, provided that in the case of porches, steps or patios such uses are not more than 1.8 metres above grade.

p) WIND TURBINES

Notwithstanding any other provisions of this By-law to the contrary, one wind turbine shall be permitted as an accessory use in the Rural (RU), Rural Residential (RR) and Special Rural Residential (SRR) Zones. A Noise Impact Assessment will be required to assist in determining the appropriate location.

The following provisions shall apply to the establishment of a wind turbine where permitted:

i) Yard and Setback Requirements

Wind turbines shall not be located within the minimum yard dimensions for uses in the Zone in which they are located. Wind turbine structures shall be set back from the property line one and one-half times the height of the tower. Where the height is in excess of 10 metres, the tower shall be located at a distance of at least 3 times its height from the nearest property line.

The tower shall also be set back 10 metres from any above-ground utility line, except a utility used to connect the subject property to the local utility.

(q) RESTAURANTS – OUTDOOR EATING PATIO

Notwithstanding any other provisions of the By-law to the contrary, the following provisions shall apply to regulate outdoor eating patios as an accessory to a permitted restaurant:

- i) the outdoor eating patio shall be permitted in any yard of the subject property;
- ii) all tables, chairs and decorative accessories shall be of an outdoor furniture design constructed using weather resistant materials
- iii) furnishings shall not be positioned in such a manner as to obstruct exit from the associated eating establishment and shall be totally contained within the approved patio area;
- iv) all exterior lighting shall be task oriented and shall not spill into abutting private property
- v) the outdoor eating patio shall be appropriately fenced from abutting private property; and,
- vi) the location, size, seating capacity and privacy fencing of any outdoor eating patio will be subject to site plan control.

5.2 AREAS REGULATED BY CONSERVATION AUTHORITY

Notwithstanding any other provisions set forth in this By-law to the contrary, where lands are located within an Environmental Protection (EP) Zone or other hazardous or environmentally significant area regulated by a Conservation Authority, no persons shall undertake the placing or removal of fill with respect to the erection of any building or structure or alter the existing drainage pattern without complying with the regulations and standards of the Conservation Authority having jurisdiction.

Prior to any development within or adjacent to the Environment Protection and Environment Sensitive Zones, the Conservation Authority shall be contacted to ensure compliance with their regulations and standards. In the event that a building within the regulated area is destroyed by a natural catastrophe or a fire, the Conservation Authority shall be contacted regarding the percentage of the building that can be rebuilt.

5.3 DWELLING UNITS BELOW GRADE

BASEMENT OR WALKOUT BASEMENT

Where a dwelling house is serviced by a private sewage disposal system, no dwelling unit shall, in its entirety, be located in a basement, if the finished floor levels of such basement is below the level of the sanitary or storm sewer or septic tank facilities, as the case may be, servicing the building or structure in which such basement is located, or if the floor level of such basement is more than 0.6 metres below the adjacent finished grade. Where a single detached, semi-detached, linked semi-detached, row or linked row dwelling house is serviced by a municipal piped sewage disposal system, a secondary dwelling unit may be situated in a basement subject to compliance with the provisions of this By-law.

5.4 ESTABLISHED BUILDING LINE IN BUILT-UP AREA

Notwithstanding the yard and setback provisions of this By-law to the contrary, where a permitted building or structure is to be erected on a lot in a built-up area, where there is an established building line extending on both sides of the lot, such permitted building or structure may be erected closer to the street line, or the centreline of the street, as the case may be, than required by this by-law provided such permitted building or structure is not erected closer to the street line or the centreline of the street, as the case may be, than the established building line on the date of passing of this By-law.

5.5 EXISTING BUILDINGS, STRUCTURES AND USES

a) 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 purposes on the date of passing of this by-law, so long as it continues to be used for that purpose.

b) PERMITTED EXTERIOR EXTENSION

A building or structure, which at the date of passing this By-law, was 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 a purpose permitted within such Zone, and complies with all requirements of this By-law for such Zone. Any enlargement, extension, reconstruction or other structural

alterations shall comply with the standards and regulations of the Conservation Authority.

c) PERMITTED INTERIOR ALTERATION

The interior of any building lawfully used on the date of passing of this By-law for a use that is not permitted within the Zone that such building 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 passing of this by-law, such building was used.

d) 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.

e) PERMITTED NON-COMPLYING BUILDINGS OR STRUCTURES

- i) Nothing in this By-law shall prevent the enlargement, extension, 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 setbacks or one or more yards that are less than required provided that the setback or one or more yards that are less than required are not further reduced and that all other provisions of the By-law are complied with. Any enlargement, extension, renovation, repair or alteration of a building or structure shall also comply with the standards and regulations of the Conservation Authority.
- ii) Notwithstanding the foregoing, this provision shall not apply to a building or structure which has been demolished following the issuance of a demolition permit by the Corporation. In such cases the reconstruction of a building or structure shall comply with the yard and setback requirements as well as all other provisions of this By-law.

f) 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 that such reconstruction is proceeded with as expeditiously as possible. A second dwelling that was required during reconstruction can be retained following completion of the reconstruction provided that the kitchen facilities are removed.

g) BUILDING PERMIT ISSUED

The provisions of this By-law shall not apply to prevent the erection or use, for a purpose prohibited by the By-law, of any building or structure, the plans for which have, prior to the date of passing this By-law, have been approved by the Building Inspector, so long as the building or structure when erected, is used and continues to be used for the purpose for which it was erected and provided the erection of such building or structure is commenced within 2 years after the date of the passing of this by-law and such building or structure is completed within a reasonable time after the erection thereof is commenced.

h) FLOOR AREA LESS THAN REQUIRED

Nothing in this By-law shall prevent an extension or an addition being made to a permitted dwelling house, which dwelling house existing at the time of passing of this By-law but which has a gross floor area or dwelling unit area less than required by this By-law, provided such extension or addition does not contravene any other provision of this By-law.

5.6 EXTERNAL DESIGN

The following building materials shall not be used for the exterior vertical facing on any wall of any residential building or structure within the Municipality:

- a) building paper;
- b) asphalt shingle;
- c) asphalt roll-type siding; or
- d) asphalt insulting siding.

5.7 FLOODFRINGE AREAS – “F”

a) AREAS OF APPLICATION

Where a zone symbol on Plate “A” is followed by the symbol “F”, the following regulations for floodproofing shall apply.

b) APPLICATION OF OTHER ZONE PROVISIONS

All provisions which are applicable within a zone category for the use of any land, building or structure permitted within the zone category shall also apply where regulations for floodproofing are in effect, except as specifically altered by the requirements for floodproofing.

Notwithstanding any other provisions of this By-law to the contrary, all lands exhibiting a zone category with the F sub-category may continue to be used for those uses existing as of the date of passing of this By-law.

c) FLOODPROOFING REQUIREMENTS

Additions, alterations or replacement of existing buildings or structures shall only take place where the lowest openings are above Regional Flood Elevations and/or can be maintained through the following floodproofing techniques.

- i) All structures and buildings shall be designed to withstand any anticipated hydrostatic forces resulting from flooding;
- ii) The composition and strength of all structural materials used in construction are to be adequate to avoid deterioration from flooding;
- iii) The minimum elevation of the ground or first floor level of any building, and of any exterior building opening, shall not be less than the minimum elevation for floodproofing.
- iv) All measures for floodproofing shall be constructed in accordance with the standards of the Building By-law of the Municipality of Trent Hills and all other requirements of the *Building Code Act*, as amended, as well as the applicable regulations of the Conservation Authority, Ministry of Natural Resources and any other agencies having jurisdiction.

5.8 FRONTAGE ON A PUBLIC STREET, UNASSUMED ROAD OR PRIVATE RIGHT-OF-WAY

a) 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 a public street that is maintained year-round by the Municipality, and further that such building or structure complies with the setback provisions of this By-law.

b) UNASSUMED ROAD

Notwithstanding the provisions of Section 5.8(a) hereof to the contrary, the provisions of this by-law shall not apply to prevent the erection of a permitted a building or structure on a lot in a Registered Plan of Subdivision where a properly executed subdivision agreement has been entered into with the Municipality whereunder the street or streets will not be assumed by the Municipality until such time as specified in the said agreement.

c) PRIVATE RIGHT OF WAY

Notwithstanding the provisions of Section 5.8(a) hereof, where a building has been erected on a lot which fronts on a private right-of-way registered on title and as now travelled on a deeded right-of-way and providing 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 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 provisions of the By-law are complied with.

5.9 GROUP HOMES

a) GROUP HOMES - GENERAL

Notwithstanding any other provisions of this By-law to the contrary, the following provisions shall apply to Group Homes for Children, Seniors, and the Psychiatrically Handicapped located within the Municipality:

- i) A maximum of one group home per 1000 permanent residents of the Municipality shall be permitted;

- ii) No Group Home of any type shall be located within 120.0 metres of another Group Home of any type;
- iii) Only Group Homes licensed or approved by the Province of Ontario or its agencies for the accommodation of children, seniors and developmentally handicapped, are to be permitted where a Group Home is a permitted use;

b) GROUP HOMES – DEVELOPMENTALLY AND MENTALLY HANDICAPPED

Notwithstanding any other provisions of this By-law to the contrary, the following provisions shall apply to Group Homes for the developmentally handicapped within the Municipality:

- i). A maximum of one Group Home for the developmentally or mentally handicapped per 1,000 permanent residents of the Municipality shall be permitted;
- ii) No Group Home of any type shall be located within 120.0 metres of another Group Home of any type;
- iii) Only Group Homes licensed or approved by the Province under the *Homes for Retarded Persons Act*, the *Developmental Services Act*, and the *Children’s Residential Services Act* (for developmentally handicapped children only) shall be permitted as Group Homes for the Developmentally or Mentally Handicapped. These Group Homes shall be permitted wherever Group Homes are a permitted use.

5.10 HEIGHT EXCEPTIONS

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 main use is a use permitted within the Zone in which it is located: a church spire, a belfry, a flag pole, a clock tower, a chimney, a water tank, a radio or television tower or antenna, air conditioner duct, grain elevator, a barn or silo, incidental equipment required for processing and external equipment associated with internal building equipment.

5.11 HOLDING ZONE PROVISIONS

Where a zone symbol on the By-law Schedule 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 policies of the Official plan and the requirements of the *Planning Act*, R.S.O. 1990, as amended.

Prior to the removal of the holding zone symbol “H” only uses which existed as of the date of the adoption of the holding zone provisions are permitted.

a) 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.

b) REMOVAL OF THE HOLDING PROVISIONS

The holding zone provisions shall only be removed in accordance with the *Planning Act* and only when council is satisfied that the following criteria have been met in a manner and form acceptable to Council. The criteria to be satisfied shall consist of either the provision of adequate municipal roads, electricity, piped water or storm and sanitary sewer services to a specific area, or an agreement entered into between the owner, and the Municipality to provide the aforementioned municipal roads, electrical or piped services.

5.12 HOME INDUSTRY

Where a home industry is permitted as an accessory use to a dwelling house in any Zone, the following provisions shall apply:

- a) A maximum of 1 person other than the occupant of the dwelling may be engaged in the home industry at any time;
- b) Such home industry may be located in any accessory building located on a lot on which a dwelling is in existence, provided the total gross floor area utilized by the home industry does not exceed a maximum of 70 square metres;
- c) There shall be no display, other than a non-illuminated sign having a maximum surface area of 1.0 square metres, to indicate to persons outside that any part of the dwelling or dwelling unit is being used for a purpose other than residential;
- d) There shall be no outside storage of goods, materials or vehicles or equipment;

- e) Only currently licensed motor vehicles, associated with the home industry may be parked or stored on the lot within an interior side or rear yard. Only one commercial vehicle shall be permitted on a lot; and,
- f) Such home industry shall be clearly accessory to the main residential use and shall not change the residential character of the dwelling or the lot.

5.13 HOME OCCUPATION

The following regulations apply to a dwelling unit wherein a home occupation is permitted:

- a) The home occupation shall only be undertaken by a person or persons occupying the dwelling house or dwelling unit.
- b) There shall be no display of goods, other than a sign erected in conformity with the By-laws of the Municipality, to indicate to persons outside that any part of the dwelling unit is being used for a purpose other than residential.
- c) A home occupation shall be clearly secondary to the main residential use and shall not change the residential character of the dwelling house or unit nor create or become a public nuisance, in particular, in regard to noise, traffic or parking.
- d) A home occupation shall not interfere with television or radio reception of other in adjacent buildings or structures.
- e) Not more than 25 percent of the gross floor area of the dwelling house or dwelling unit shall be used for the home occupation use, including and building used for the storage of materials and equipment required for the home occupation. A home occupation may be undertaken within a dwelling house or accessory building, but in no case shall the total area allocated to the home occupation exceed the maximum stated above.
- f) A home occupation shall not include a medical clinic, a private hospital, a nursing home, an eating establishment or a veterinary clinic, but shall include a business or professional office, artisanship or craft uses and woodworking that complies with the provisions of this subsection.

5.14 ILLUMINATION

Lighting fixtures designed for exterior illumination shall be installed with the light directed downward and deflected away from adjacent lots. The use of full cut-off luminaires shall be used for street lighting and outdoor lighting in recreation areas, commercial and employment areas.

5.15 LOADING SPACE REQUIREMENTS

a) **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 for any purpose involving the receiving, shipping. Loading or unloading of persons, animals, goods, wares, merchandise or raw materials shall be provided and maintained on the lot loading and unloading spaces accordingly. Each loading or unloading space shall be 9 metres long, 3.6 metres wide and have a vertical clearance of at least 4.2 metres. In addition, adequate space shall be provided for the parking of vehicles awaiting access to the loading or unloading spaces.

LOADING SPACE REQUIREMENT TABLE

GROSS FLOOR AREA OF BUILDING	LOADING SPACE
280 square metres or less	1 space
Exceeding 280 square metres but not 2,300 square metres	3 spaces
Exceeding 2,300 square metres but not 7,400 square metres	4 spaces
Exceeding 7,400 square metres	4 spaces plus 1 additional space for each additional 9,300 square metres or part thereof in excess of 7,400 square metres

b) **ACCESS**

Access to loading or unloading spaces shall be by means of a driveway at least 6 metres wide contained on the lot in which the spaces are located and leading to an improved public street as defined herein.

c) LOADING SPACE SURFACE

Driveways, loading and unloading 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. Such loading and unloading facilities shall, before being used, be constructed of crushed stone, gravel, asphalt, concrete or similar material and shall include provisions for drainage facilities.

d) LOCATION

The loading space or spaces required shall be located in the interior side or rear yard unless such space or spaces are set back from the street line a minimum of 30 metres.

e) ADDITIONS TO OR CHANGE IN USE OF EXISTING BUILDINGS

The loading space requirements referred to herein shall not apply to any building in existence at the date of passing of this By-law so long as the gross floor area, as it existed at such date, is not increased. If an addition is made to the building or structure which increases the gross floor area, then additional loading space shall be provided as required by paragraph (a) of this subsection for such addition.

Where a change in the use of an existing building occurs, loading space for the new use shall be provided in accordance with paragraph (a) of this subsection and in accordance with the provisions of the Loading Space Requirement Table.

5.16 MINIMUM DISTANCE SEPARATION FORMULAE

New land uses, including the creation of lots, and new or expanding livestock facilities in the Rural (RU), Agriculture (A), Environmental Sensitive (ES), Rural Residential (RR) and the Special Rural Residential (SRR) zones, shall comply with the Minimum Distance Separation I and Minimum Distance Separation II Formulae defined herein. In addition, livestock facilities will not be permitted on lots with 1 hectare or less.

Setbacks for new dwellings constructed on lots other than the lot containing the barn from barns containing livestock shall be required to conform with the Minimum Distance Separation I Formula. MDS I shall not apply to the construction of a new dwelling that is replacing a dwelling destroyed in whole, or in part, by a catastrophe, provided that the new dwelling is located no closer to a livestock facility than prior to the catastrophe.

New barns or expansions to existing barns shall require setbacks in conformity with the Minimum Distance Separation II Formula. MDS II shall not apply to the construction of a livestock facility that is replacing a livestock facility destroyed by a catastrophe, provided that there is not switch to a livestock type with a higher odour potential, there is no increase in the number of nutrient units housed and there is no switch to a manure system type with a higher odour potential.

5.17 MULTIPLE USES AND/OR ZONES ON ONE LOT

a) MULTIPLE USES ON ONE LOT

- i) Where any land, building or structure is used for more than one purpose, the applicable provisions of this By-law which serve to regulate each such use shall be complied with, provided that no dwelling as may be permitted, shall be erected closer than 3 metres to any building or structure on the lot except for a building or structure accessory to such dwelling.
- ii) 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.

b) MULTIPLE ZONES ON ONE LOT

- i) Where a lot is divided into more than one zone under the provisions of this By-law, each such portion of the said lot shall be used in accordance with the Zone Provisions of this by-law for the applicable Zones established hereunder.
- ii) no new lot shall be created within any zone unless the lot created and the remnant lot comply with minimum lot area and lot frontage requirements of the applicable zone.
- iii) Notwithstanding the generality of the foregoing, this provision shall not apply to lands which are located within the Rural (RU and Environmental Protection (EP) Zone, provided adequate area exists outside of the Environmental Protection (EP) zone to accommodate the use or uses proposed.

5.18 OUTSIDE DISPLAY AND SALE OF GOODS AND MATERIALS

Where the outside display and sale of goods and materials is permitted, the following provisions shall be complied with:

- a) Such outside display and sale shall be accessory to a permitted commercial use carried on in an enclosed building, or portion, thereof, on the same lot;
- b) The area used for outside display and sale shall not be more than twice the floor area above grade of the permitted building, or portion of any such building constructed upon the lot, and used for the commercial purposes for which outside display and sale is permitted, and in any event, such area for outside display and sale shall not be more than 40 percent of the lot area with the exception of the Highway Commercial (C2) Zone. Within the Highway Commercial (C2) Zone, the area for outside display and sale shall not exceed 60 percent of the lot area for uses permitted in that zone;
- c) If the interior side lot line or rear lot line of a lot upon which such outside display and sale is permitted abuts a Residential Zone, then a planting strip shall be provided, along such abutting lot line, or portion thereof, in accordance with the requirements for planting strips contained herein.
- d) Where lighting facilities are provided, they shall be so arranged as to deflect the light onto the outside display and sale area, and away from adjoining properties and streets;
- e) The area used for outside display and sale shall be in addition to and separated from the areas required for parking;
- f) The area used for outside display and sale shall provide side and rear yards in accordance with the provisions for the Zone in which the land is situated, but in any event shall not be closer to any side or rear lot line than 3 metres;
- g) A portion of the front yard, up to a maximum of 5%, adjacent to the building, may be used for outside display and sale.
- h) The area used for outside display and sale shall be surfaced and maintained with either concrete, asphalt, crushed stone and other hard surface and dustless materials or maintained as a lawn in a healthy growing condition; and,

- i) Prior to the establishment of an area for the outside display and sale, the owner shall file in writing with the By-law Enforcement Officer, a Site Plan thereof giving full particulars including a sketch or survey of the lands to be used in relation to all buildings or other structures on the same lot.

5.19 PARKING REGULATIONS

a) PARKING AREA REQUIREMENTS

Parking spaces and area are required under this By-law in accordance with the Parking Space Requirements Table, and 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, parking spaces area areas accordingly.

b) PARKING AREA SURFACE

Each parking area and driveway connecting the parking 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. They shall before being used, be constructed of crushed stone, gravel, asphalt or concrete and with provision for drainage facilities.

c) INGRESS AND EGRESS

- i) Ingress and egress to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways of at least 3 metres but no more than 9 metres in perpendicular width.
- ii) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 9 metres.
- iii) 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 8 metres.
- iv) The minimum angle of intersection between a driveway and a street line shall be 60 degrees.

- v) Every lot shall be limited to the following number of driveways:
 - a. up to the first 15 metres of frontage, not more than one driveway;
 - b. greater than 15 metres of frontage but not more than 30 metres of frontage, not more than two driveways with a combined width not exceeding 30 percent of the lot frontage; and,
 - c. for each additional 30 metres of frontage, not more than one additional driveway.

d) PARKING AREA DESIGN REQUIREMENTS

The following parking area design requirements shall apply to all required parking areas in all zones, except for a permanent or seasonal detached dwelling house, mobile home dwelling house, semi-detached dwelling house, duplex dwelling house and streetfront townhouses, namely:

- i). the minimum width shall be 3 metres and the minimum length shall be 5.7 metres;
- ii) that where a parking space has a parking angle of 30 degrees or less, such parking space shall be at least 6.7 metres in length where the aisle width is at least 4 metres;
- a. that where the parking angle is less than 50 degrees, the minimum aisle width shall be at least 4 metres;
- iv) that where the parking angle is equal to or greater than 50 degrees, but less than 70 degrees, the minimum aisle width shall be at least 5.5 metres;
- v) that where the parking angle is equal to or greater than 70 degrees but less than or equal to 90 degrees, the minimum aisle width shall be at least 6.7 metres; and,
- vi) the minimum width of a handicapped parking space shall be 3.75 metres and the minimum length shall be 6 metres.

e) 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 occupies by the separate types of use, unless otherwise specified herein.

PARKING SPACE REQUIREMENT TABLE	
TYPE OR NATURE OF USE	MINIMUM OFFSTREET PARKING REQUIREMENTS
Assembly Hall, Auditorium, Arena, Community Centre, Place of Entertainment, Museums, Place of Worship, or other similar places of assembly not otherwise specified herein	The greater of: a) one parking space per 5 fixed seats or portion thereof; b). one parking space per 9 square metres of gross floor area; or, c) one parking space for each 4 persons that may be legally accommodated at any one time.
Bank, Business and/or Professional Office, Post Office, Retail Commercial Establishment, Personal Shop, including a Home Occupation, Art Gallery	One parking space for each 20 square metres of gross floor area of the building directly related to the specified permitted use.
Bowling Alley	Two parking spaces for each bowling lane.
Eating Establishment	One parking space for each 9 square metres of gross floor area or portion thereof.
Funeral Home	One parking space for each 5 seating spaces or fraction thereof with a minimum of ten parking spaces
Golf Course	24 parking spaces for each 9 holes of golfing facilities.
Hotel, Motel, Cottage or Resort Establishment or Tourist Home	One parking space for each guest room, cottage or cabin, plus such parking facilities as are required for an eating establishment.
Manufacturing, Processing, Assembly	One parking space for each 46 square metres of gross floor area or portion thereof.
Marina	One parking space for each boat slip provided plus 1 parking space per 38 square metres of total retail floor area or fraction thereof.
Medical or Dental Clinic, or Offices	4 parking spaces per doctor, plus 1 parking space for each examination room exceeding five such rooms per office.

Residential	
i) Apartment, Triplex, Fourplex, Converted or Row Dwelling House	1 ¼ parking spaces for each dwelling unit.
ii) Boarding or Lodging House	One parking space for each bedroom
iii) Home for the Aged, Nursing home	One parking space per 4 dwelling units, or for every 4 beds or portion thereof, plus 1 parking space for a dwelling unit designed for a resident caretaker.
iv) Residential other than specified herein.	One parking space per dwelling unit.

Schools	
i) Elementary	The greater of: a) One parking spaces per classroom; or b) One parking space per 9 square metres of floor area in the gymnasium; or c) One parking space per 9 square metres of floor area in the auditorium.
ii) Secondary	The greater of: a) 4 parking spaces per classroom; b). 1 parking space per 9 square metres of floor area in the gymnasium; and c. 1 parking space per 9 square metres of floor area in the auditorium

Accessible Parking Spaces – General	a) 1 accessible and 1 limited mobility parking spaces for up to 50 automobile parking spaces; b) 2 accessible and 2 limited mobility parking spaces for up to 100 parking spaces; c) 4 accessible and 2 limited mobility parking spaces for up to 200 automobile parking spaces; d) 5 accessible and 3 limited mobility parking spaces for up to 300 automobile parking spaces; e) 6 accessible and 4 limited mobility parking spaces for up to 500 automobile parking spaces; f) 6 plus 1 accessible parking spaces and 4 limited mobility parking spaces for each 100 over 500 automobile parking spaces.
-------------------------------------	--

Accessible Parking Spaces – Medical Clinics or Nursing Homes	<ul style="list-style-type: none"> a) a minimum of 2 accessible parking spaces for up to 30 automobile parking spaces; b) a minimum of 4 accessible parking spaces for up to 60 automobile parking spaces; c) a minimum of 6 accessible parking spaces for up to 100 automobile parking spaces
--	---

Uses Permitted by this By-law Other Than Those Listed in This Table	One parking space per 38 square metres of gross floor area
---	--

f) PARKING AREA LOCATION ON LOT

Notwithstanding the yard and setback provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted in the required yards or in the area between the street line and the required setback as set out below. Further, in all Zones, except Residential, no driveway or parking area is permitted within 9 metres of the boundary of a Residential Zone, and no parking space within 3 metres of a Residential Zone. A parking area will not be permitted in a residential zone without a permitted primary use.

ZONE	YARD IN WHICH REQUIRED PARKING AREA PERMITTED
Environmental Protection, Rural, Recreational, Open Space, Community Facility and Commercial	All yards provided that no part of any parking area, other than a driveway, is located closer than 1 metre to any street line or within a sight triangle.
Residential	Interior side and rear yard and one Space may be provided in the driveway, provided, that no, part of any parking areas, other than a driveway, is located closer than 1 metre to any street line.
Industrial	Interior side and rear yards only, except for visitor parking provided that no part of any parking area, other than a driveway is located closer than 1 metre to any street line or within a sight triangle.

g) ADDITIONS TO OR CHANGES IN USE OF BUILDINGS

The parking space requirements referred to herein shall not apply to any building in existence as of the date of passing this By-law so long as the existing gross floor area is not increased by more than 10 percent of the gross floor area of the building existing on the date of passing of this by-law. If an addition is made to the building or structure which increases the floor area, then parking space for the additions shall be provided as required by the Parking Space Requirement Table.

Where a change in use of the building or structure occurs which increases the off-street parking requirements, as set forth in the parking Space Requirement table, then parking spaces shall be provided in accordance with these requirements set forth in the Parking Space Requirement Table for the total gross floor area of the building or structure.

h) USE OF PARKING SPACES AND AREAS

Parking spaces and areas required in accordance with 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 spaces and areas are required or permitted. Provided, however, no person shall use any lot, in any Residential Zone, for the parking or storage of more than one of any commercial motor vehicle in excess of one-half ton, capacity, except that one commercial motor vehicle, not exceeding one ton, may be stored in a private garage.

Notwithstanding the above provisions, within a Rural Zone a maximum of 2 school buses may be parked or stored on any lot as an accessory use.

i) PARKING SPACES ON OTHER LOTS

Where the owner of a building or structure proposes to provide the required parking spaces and areas in a location other than on the same lot as the use that requires such spaces and areas, then such shall be located not more than 90 metres from the said lot and shall be located within the same Zone as the said lot. However, in the case of parking of a Shoreline Residential Zone, that has an existing access only by navigable waterway, a parking lot may be located in an area which is greater than 150 metres from the Zone.

j) ABANDONED EQUIPMENT

Unused and discarded motor vehicles, farm implements and similar abandoned equipment shall not be located or stored in any Zone.

5.20 PITS AND QUARRIES

The making or establishment of new pits or quarries is prohibited within the area covered by this By-law, except in the locations specifically permitted by this By-law, and only then in accordance with the express provisions of this By-law. No person shall use, occupy or excavate land or erect any building or structure or conduct any activity on land for the

purpose of processing, washing, screening, sorting or crushing rock, sand and/or gravel, except as expressly provided for in this By-law.

The erection of any building or structure or the creation of a lot in the area adjacent to a licensed pit or quarry shall be subject to the completion of appropriate studies, such as a noise study, that will identify an appropriate distance separation from the aggregate operation to the satisfaction of the municipality.

5.21 PLANTING STRIPS

a) LOCATION

Where the interior side or rear lot line of a Community Facility, Commercial or Industrial Zone abuts a Residential Zone, a planting strip adjoining such abutting lot line, or portion thereof, shall be provided on the Community Facility, Commercial or Industrial Zone with a minimum width of 3 metres.

b) CONTENTS

A planting strip shall consist of a row of trees or a continuous unpierced hedgerow of evergreens or shrubs, not less than 1.8 metres high, immediately adjacent to the lot line or portion thereof along which such planting strip is required hereunder. The remainder of the strip shall be planted with shrubs, flower beds, grass or a combination thereof.

c) INTERRUPTION FOR DRIVEWAYS OR PEDESTRIAN WALKWAYS

In all cases where ingress and egress driveways or walks extend through a planting strip, it shall be permissible to interrupt the strip within 3 metres of the edge of the driveway or within 1.5 metres of the edge of the walk.

d) MAINTENANCE

Where a planting strip is required, it shall be planted, nurtured and maintained by the owner or owners of the lot on which the strip is located.

e) LANDSCAPED OPEN SPACE

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

5.22 PUBLIC USES

a) PUBLIC USE

Except as otherwise provided in paragraph b) of this subsection, the provisions of this By-law shall not apply to prevent the use of any lot or the erection or use of any building or structure for the purposes of the public services provided by the Municipality and/or any Public Authority.

b) LOCATION

Where in this By-law a public use is specifically permitted within a Zone, then such use shall only be permitted within that Zone or Zones.

c) PROVISIONS

Where a lot building or structure is to be used for the purposes of a public use, the following criteria shall apply:

- i) no goods, material or equipment shall be stored in the open, except as permitted in such Zone;
- ii) any Zone Provisions of the Zone in which the use is located shall be complied with except as otherwise provided in paragraph d);

d) STREETS AND INSTALLATIONS

Nothing in this By-law shall prevent land to be used as a street or prevent the installation of a watermain, 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 Municipality.

5.23 REDUCTION OF REQUIREMENTS

No person shall change the purpose for which any lot or building is used, or erect any building, or structure, or addition to any existing building, or sever any lands from any existing lot if the effect of such action is to cause the original, adjoining remaining or new building or lot to be in contravention of this By-law.

5.24 SECOND DWELLING UNITS IN DWELLING HOUSES

A second dwelling unit shall be permitted in a single detached, semi-detached, linked semi-detached, row or linked row dwelling house within the urban centres provided that there are sufficient municipal water and sewage services to provide for the additional dwelling unit.

Parking for the second dwelling unit should be provided in accordance with Section 5.19. In the rural areas, a second dwelling unit shall be permitted in single detached and semi-detached dwellings subject to the provision of sufficient water and sewage systems to provide for the additional dwelling unit.

The additional dwelling unit shall comply with the requirements of the respective zone and in accordance with the following provisions:

- a) Notwithstanding the regulations of this By-law for Minimum Gross Floor Area, the Minimum Gross Floor Area for secondary dwelling units shall be:

Bachelor Unit	25 square metres
One Bedroom Unit	32 square metres
Unit Containing more than one bedroom	32 square metres plus 9 square metres for each additional bedroom greater than 1

and the minimum gross floor area for the principle dwelling unit shall be equivalent to the minimum identified in the Zone less the area of the secondary dwelling unit.

- b) If the secondary dwelling unit is to be located in the basement of the dwelling house, appropriate outside access must be provided in accordance with the requirements of Ontario Fire Code.

5.25 SERVICE REQUIREMENT

Development may be permitted outside of the urban settlements provided that such development is in accordance with the zone provisions and that the proposed private well and septic sewage systems meet the requirements of the approval authority and Council is satisfied that no adverse effects will be experienced.

5.26 SIGHT TRIANGLES

Within an area defined as a sight triangle, the following uses shall be prohibited:

- a) a building, structure or use which would obstruct the vision of drivers of motor vehicles;
- b) a fence, tree, hedge, bush, or other vegetation, the top of which exceeds 1 metre in height above the elevation of the street line;
- c) a finished grade which exceeds the elevation of the street line by more than .75 metres;
- d) the parking of motor vehicles or any loading space;
- e) a sign other than an authorized traffic sign or signal or any sign or notice erected by any local or other government department or authority.

5.27 SIGNS

The provision of this By-law shall not apply to prevent the erection, alteration or use of any sign provided such sign complies with the By-laws of the Municipality regulating signs.

5.28 SPECIAL USES PERMITTED

A tool shed, construction trailer, scaffold or other building or structure incidental to construction is permitted in all Zones with the Municipality on the lot where it is situated only for so long as a valid building permit is in effect.

5.29 STORAGE OF SPECIAL VEHICLES

a) VEHICLES PERMITTED

No person shall use any lot in any Residential Zone, excepting a lot in a Rural Residential Zone, for the purpose of parking or storing not more than two of the following: a boat, motorized mobile home or travel trailer except for:

- i) one boat which does not exceed 8.5 metres in length;
- ii) one motorized mobile home which does not exceed 8,5 metres in length;
- iii) one travel trailer which does not exceed 8.5 metres in length, exclusive of hitch or tongue.

b) YARDS WHERE PERMITTED

In any Residential Zone, the parking or storage of a boat, motorized mobile home or travel trailer shall only be permitted in a garage, carport, or other building, or in an interior side yard or rear yard but not closer than 1.25 metres to any lot line.

5.30 TELECOMMUNICATION TOWER

The following provisions shall apply to the establishments of a telecommunication tower where permitted:

i) Yard and Setback Requirements

Telecommunication towers shall not be located within the minimum yard dimensions for uses in the Zone in which they are located. Telecommunication towers shall be set back from the property line one and one-half times the height of the tower. Where the height is in excess of 10 metres, the tower shall be located at a distance of at least 3 times its height from the nearest property line.

ii) Accessory Building or Structure

One accessory equipment storage building having a maximum height of 3 metres, and maximum dimensions of 3 metres by 4 metres may be permitted.

5.31 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.

5.32 OAK RIDGES MORaine

5.32.1 SINGLE DETACHED DWELLING PERMITTED

- a) Notwithstanding any provision of this By-law, within the Oak Ridges Moraine Conservation Plan Area, a single detached dwelling was a permitted use, if a single detached dwelling was a permitted principal, or accessory use, in this By-law as of November 15, 2001, provided the single detached dwelling complies with all other provisions of the applicable zone 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 Municipality in consultation with the local Conservation Authority. Approval of the development is subject to site plan approval by the Municipality.

5.32.2 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) ceases to exist.

5.32.3 EXPANSION OF EXISTING BUILDINGS AND STRUCTURES

- 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.

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;
 - ii) such expansion complies with all provisions of the applicable zone; and,
 - iii) such expansion will not, to the extent possible, 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 Municipality in consultation with the local Conservation Authority. Approval of the development is subject to site plan approval by the Municipality.
- b) 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 Environmental Zone or the Oak Ridges Moraine Environmental Plan Review areas as shown on

Plates B, C and D contained herein, the applicant shall 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 Municipality.

5.32.4 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 Plate C 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 Plate C 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 have impervious surfaces shall not exceed 20 percent of the total site area.

5.32.5 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 Plate D attached hereto and forming part of this By-law:
 - i) generation or storage of hazardous or liquid industrial waste;
 - ii) waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities;
 - iii) underground or above-ground bulk storage tanks that are not equipped with an approved secondary containment device; and

- iv) the use, creation, handling or storage of alftoxin, tetrachlorodibenzo-p-dioxin, pentachlorodibenzo-p-dioxin, hexachlorodibenso-dioxin, or other contaminants listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulation of Ontario, 1990.

5.32.6 RAPID INFILTRATION BASINS AND COLUMNS

- a) Notwithstanding any other provisions of this By-law to the contrary, new rapid infiltration basins and new rapid infiltration columns as defined in this By-law are prohibited.

5.32.7 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 Environmental Zone as shown on Plates B, C, and D to 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 5.32.7 a) of this By-law to the contrary, publicly initiated transportation, infrastructure and utilities uses may be permitted to cross an Oak Ridges Environmental Zone, as shown on Plates B, C and D of this By-law in accordance with all applicable policies of the Official Plan.

5.32.8 Notwithstanding any other provisions of this By-law to the contrary, lands zoned Oak Ridges Moraine Environmental 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.

5.32.9 Notwithstanding any provision of this By-law to the contrary, all development shall comply with all applicable Official Plan policies related to the Oak Ridges Moraine Conservation Plan Area.

5.32.10 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.

SECTION 6 – TABLE 1- PERMITTED USES IN ZONES TEXT

- 6.1 The provisions of this section provide additional requirements for the permitted Uses and Activities in General Zone Categories contained in Table 1 herein.
- a) A single detached dwelling house shall be a permitted use in addition to the permitted non-residential uses. Notwithstanding the foregoing, in the case of a camping establishment, a private club, private park, and summer camp in the Open Space (OS) Zone, a cabin establishment, a camping establishment, a hotel, a motel, a private park, a resort establishment, and a summer camp in the Recreation Commercial (C4) Zone, or a use in the General Commercial (C1), Highway Commercial (C2) Zones, the single detached dwelling house shall only be occupied by the owner, caretaker, watchman, or similar person and his family provided further that such person is employed full time on the lot which the single detached dwelling house is located.
 - b) A single detached dwelling house, which existed at the date of passing of this By-law with appropriate access and services, is a permitted use in the Environmental Protection (EP) and Development (D) Zone. A single detached dwelling house and the buildings and structures associated with farming activities are permitted in the Environmental Protection (EP) Zone provided that such are constructed in accordance with the Zone requirements.
 - c) A new single detached dwelling house shall be permitted within the Environmental Sensitive (ES) and Development (D) Zones, provided the lot on which the new dwelling is to be erected was a legal lot of record created prior to the date of passing of this by-law, fronts upon a municipal road that is maintained year-round and that any environmental constraints associated with the site can be satisfied.
 - d) A seasonal single detached dwelling house, which existed at the date of passing of this By-law, is a permitted use within the Shoreline Residential (SR) Zone.

However, an existing seasonal single detached dwelling house within the Shoreline Residential (SR) Zone may be converted to a permanent single detached dwelling house provided the lot fronts upon a Municipal road that is maintained year-round and further that the dwelling house conforms to the standards applicable to a permanent single detached dwelling house within the Shoreline

Residential (SR) Zone and the standards of the Ontario Building Code and the requirements of the Health Unit with regard to individual wells and septic systems.

- e) A boarding or lodging house which existed at the date of passing of this By-law is a permitted use within the Residential 1 (R1) Zone.
- f) One dwelling unit is permitted in a portion of a non-residential building, with the exception of a motor vehicle service station in which a portion of the building is used for motor vehicle repair. In such cases, a dwelling unit shall not be permitted above the portion of the building used for motor vehicle repair.

In the case of a motel in the Highway Commercial (C2) Zone, and a cabin establishment, camping establishment, hotel, motel, private park, resort establishment, and a summer camp, in the Recreation Commercial (C4) Zone, the dwelling unit shall only be occupied by the owner, caretaker, watchman, or similar person and his family provided further that such person is employed full time on the lot which the dwelling unit is located.

- g) A farm produce retail outlet, as herein defined, shall be a permitted use in the Rural (RU) Zone and the Agriculture (A) Zone, provided that the majority of such produce offered or kept for sale is the produce of the farm on which such retail sales outlet is located.
- h) A business and/or professional office or retail or whole sale commercial establishment shall be permitted provided such use is accessory to and incidental to the primary use permitted on the lot in the respective Zone.
- i) A Public Use shall be permitted in accordance with the provisions of Subsection 5.22 hereof.
- j) Open Storage of goods or materials shall be permitted if accessory to the principal or main use on the lot as may be permitted within the respective Zone.
- k) A single detached dwelling house is a permitted use in the Rural (RU) Zone and the Agriculture (A) Zone provided the lot upon which such dwelling house is to be erected fronts upon a municipal road that is maintained year-round and the location of the dwelling house conforms to the Minimum Distance Separation Formulae. Further, an existing single-detached dwelling house in the Rural (RU) and Agriculture (A) Zones may be considered surplus to a farming operation. The severance of a surplus dwelling from the farming

operation shall be considered in accordance with the provisions of the Provincial Policy Statement as amended.

- l) A home occupation is a permitted use provided such occupation complies with all the requirements of Subsection 5.13 of this By-law.
- m) One or more dwelling units shall be permitted in a portion of a non-residential building in the General Commercial (C1) Zone provided such dwellings are above the first floor and further are in accordance with Table 2, Provisions for Residential Uses.
- n) A second dwelling unit shall be permitted within a single detached, semi-detached, linked semi-detached, row or linked row dwelling house in accordance with the provisions of section 5.24.
- o) A bed and breakfast establishment, as defined herein, shall be permitted within a single detached dwelling house located in all Residential, Rural and Agricultural Zones provided that the following regulations are complied with:
 - i. the parking requirements as detailed in Subsection 5.19;
 - ii. appropriate clearances have been received from the appropriate approval authority; and,
 - iii. compliance with the Ontario Fire Code and Ontario Building Code.
- p) A Group Home shall be permitted in a single detached dwelling house in the Development (D) Zone provided that the dwelling unit existed at the time of the passing of this By-law.
- q) A seasonal camp, which existed at the date of passing of this By-law, is a permitted use within the Rural (RU) Zone.
- r) A kennel, as defined herein, shall be permitted as an accessory use to the main permitted use in the Agriculture (A) Zone.
- s) A home industry is a permitted used provided such business complies with all the requirements of Subsection 5.13 of this By-law.

SECTION 7 – TABLE 2 - PROVISIONS FOR RESIDENTIAL USES, TEXT

7.1 The provisions in this section provide additional requirements for residential uses contained in Table 2 herein.

a) **SINGLE DETACHED DWELLING HOUSE AND NON-RESIDENTIAL BUILDING, STRUCTURE OR USE ON THE SAME LOT – AREA AND FRONTAGE REQUIREMENT**

Where a single detached dwelling house is to be erected or a building or structure is altered or used for the purpose of a single detached dwelling on a lot in an Non-Residential Zone, in conjunction with a permitted non-residential use, the minimum lot area and frontage requirements for the residential and non-residential uses shall be the minimum lot area and frontage requirements for the permitted non-residential use or 2,405 square metres of area and 38 metres of frontage, which ever is greater.

b) **SPATIAL SEPARATION REQUIREMENTS – SINGLE DETACHED DWELLING HOUSE AND NON-RESIDENTIAL BUILDINGS ON THE SAME LOT**

Where a single detached dwelling house is erected or any building or structure is altered or used for the purposes of a single detached dwelling on a lot in a Non-Residential Zone in conjunction with a permitted non-residential use, such single detached dwelling shall not be erected, altered or used within 3, metres of the non-residential use on the lot. In no case shall a single detached dwelling house be erected, altered or used within 7.5 metres of a motor vehicle service station, motor vehicle repair garage, or motor vehicle gasoline bar.

c) **REGULATIONS FOR PERMITTED AGRICULTURAL USES AND RESIDENTIAL DWELLINGS**

- | | | | |
|-----|----------------------|-----------------------------|--|
| i) | Minimum Lot Frontage | Agriculture (A) Zone | 60 metres |
| ii) | Minimum Lot Area | Agriculture (A) Zone | – 35 ha |
| | | Rural (RU) Zone | – 10 ha |
| | | Rural Residential (RR) Zone | – 2300 square metres for a permitted detached dwelling |

- iii) Minimum Front Yard For any dwelling and buildings accessory thereto - 15 metres
- iv) Minimum Side Yard 7.5 metres for dwelling and buildings accessory thereto, except that the minimum side yard abutting a public street shall be 15 metres.
- v) Minimum Rear Yard 15 metres for dwelling and buildings accessory thereto, except that the minimum rear yard abutting a public street shall be 15 metres.

d) **REGULATIONS WITHIN THE SHORELINE RESIDENTIAL ZONE**

- i) Seasonal Residential Uses will only be permitted as existing on the date of passing of this By-law.
- ii) New Shoreline Residential development shall meet the requirements for year-round residency.

e) **ADDITIONAL PROVISIONS FOR TRAILER CAMPS, PARKS OR SEASONAL CAMPS**

The minimum camping lot area shall be 185 square metres, with a minimum frontage of 9 metres. Each camping lot shall have a minimum of 1.5 metres of buffer planting on rear and side yards and such buffer planting shall contain trees not less than 1.5 metres in height.

f) **ADDITIONAL PROVISIONS FOR MOTELS AND TOURIST ESTABLISHMENTS**

Where more than one building is erected on the same lot, the minimum distance between buildings shall not be less than 15 metres; provided that where two external walls facing and parallel to each other contain no openings or windows to habitable rooms, the distance between such two walls may be reduced to 3 metres.

Where a building is erected on a lot in court form, the distance between the opposite walls of the building forming the court shall not be less than 21 metres.

Where the exterior wall of a guest room contains a habitable room window such wall shall be located not closer than 7.5 metres to any interior side or rear lot line.

g) ADDITIONAL PROVISIONS FOR TOURIST COTTAGES

An additional lot area for new development shall be provided as follows for each Tourist Cottage in excess of 4 Tourist Cottages.

Lot served by public water and septic tank 700 square metres

Lot served by private well and septic tank 930 square metres

The minimum distance between any buildings shall not be less than 6 metres.

h) ADDITIONAL PROVISIONS FOR ROW, LINKED OR MAISONETTE DWELLING HOUSE

a) The minimum lot area shall be the sum of the areas required for each dwelling unit on the lot as follows:

- i) for each dwelling unit in the case where the dwelling unit has two walls attached to adjoining units: 232 square metres.
- ii) for each dwelling unit in the case where the dwelling unit has only one wall attached to an adjoining unit: 278 square metres

b) The minimum lot frontage shall be 6 metres per unit provided that where the lot is a corner lot, the minimum lot frontage of the corner dwelling unit shall be 10 metres.

c) The minimum distance separation between the outside walls of two (2) adjoining units shall be 2.4 metres.

i) REGULATIONS FOR APARTMENT DWELLING HOUSES

a) Minimum Lot Area: 74 units per net residential hectare
(29.96 units per net residential acre)

b) Minimum Unit Size for Dwelling Units:

- Bachelor or One Bedroom Dwelling Unit – 55 square metres (592.03 square feet)

- Two Bedroom Dwelling Unit – 69 square metres (742.73 square feet)
- Three Bedroom Dwelling Unit – 83.5 square metres (898.82 square feet)
- More than Three Bedroom Dwelling Unit – 83.5 square metres (898.32 Square feet) plus 9.2 square metres (99.03 square feet) for each bedroom in excess of three

j) **ADDITIONAL PROVISIONS FOR DWELLING UNITS IN NON-RESIDENTIAL BUILDINGS**

- a) The maximum gross floor area of the residential portion of a building shall be no greater than 60% of the lot area.
- b) No more than 50% of the ground floor area may be occupied by a dwelling unit.

SECTION 8 – TABLE 3 - PROVISIONS FOR NON-RESIDENTIAL USES TEXT

- 8.1** The provisions in this section provide additional requirements for non-residential uses contained in Table 3 herein:
- a) Where a permitted Community Facility use abuts a Residential Zone, the minimum rear yard depth or interior side yard width shall be 3 metres.
 - b) Where a permitted commercial establishment abuts a Residential Zone, the minimum rear yard depth or width shall be 9 metres.
 - c) Where a dwelling unit is located in a portion of a non-residential building that is serviced by private well and septic system, an additional 370 square metres will be required in the minimum lot area for a total minimum lot area requirement of 3,160 square metres. If a single detached dwelling unit is located on a portion of the site to be used for commercial uses, the minimum lot area will be 5,195 square metres.
 - d) Where a single detached dwelling unit is located on a portion of a site to be used for commercial uses with municipal water and sewer services, the minimum lot area will be 6,120 square metres.
 - e) Where a single detached dwelling unit is located on a portion of a site to be used for commercial uses that is serviced by private well and septic system, the minimum lot frontage will be 90 metres.
 - f) Where a single detached dwelling unit is located on a portion of a site to be used for commercial uses with municipal water and sewer services, the minimum lot frontage shall be 30 metres.
 - g) Where the front yard or exterior side yard of a permitted Industrial use abuts a Zone other than General Industrial (M1) or Light Industrial Zone (M4), the minimum yard depth abutting such Zone shall be 20 metres.
 - h) Where the interior side yard or rear yard of a permitted Industrial use abuts a Zone other than General Industrial (M1) or Light Industrial Zone, the minimum interior side yard width abutting such Zone shall be 15 metres and the minimum rear yard depth abutting such Zone shall be 15 metres.

i) Within the Light Industrial Zone, the Minimum Landscaped Open Space Width Requirements are:

Abutting a Residential Zone	10 metres
Abutting any other Zone	1.5 metres
Adjacent Arterial Streets	3 metres
Adjacent Other Streets	1.5 metres

SECTION 9 – ENVIRONMENTAL PROTECTION (EP) ZONE

No person shall within any Environmental Protection (EP) Zone use any land or erect alter use any building or structure except in accordance with the following provisions:

9.1 PERMITTED USES

The uses permitted in the Environmental Protection (EP) Zone are detailed on Table 1 contained herein.

9.2 REGULATIONS FOR USES PERMITTED IN SECTION 9.1

No buildings are permitted in an Environmental Protection (EP) Zone unless they are used for flood control purposes or in accordance with the regulations of the local Conservation Authority or other appropriate government agency.

The regulations for development in an Environmental Protection (EP) Zone are detailed on Table 2 contained herein.

9.3 CALCULATION OF ZONE PROVISIONS

No part of the Environmental Protection (EP) Zone shall be used to calculate any of the Zone Provisions as may be required by this By-law for uses in adjacent Zones.

9.4 GENERAL ZONE PROVISIONS

Parking, Accessory Buildings, Planting Strips, etc. shall be in accordance with the provisions of Section 5 hereof.

SECTION 10 – ENVIRONMENTAL SENSITIVE (ES) ZONE

No person shall within any Environmental Sensitive (ES) Zone use any land or erect alter or use any building or structure except in accordance with the following provisions:

10.1 PERMITTED USES

The uses permitted in an Environmental Sensitive (ES) Zone are detailed on Table 1 contained herein.

10.2 REGULATIONS FOR USES PERMITTED IN SECTION 10.1

No buildings are permitted in an Environmental Sensitive (ES) Zone unless they are in accordance with the regulations of the local Conservation Authority or other appropriate government agency. Prior to development, an environmental impact assessment will be required to address the impacts of the development on the natural heritage features and functions. A detailed site plan prepared by a qualified professional shall be required for any proposed development based on the recommendations of the environmental impact statement. The terms of reference for the environmental impact assessment may be scoped to address a particular natural heritage feature in consultation with the Municipality and the Conservation Authority.

The regulations for development in an Environmental Sensitive (ES) Zone are detailed on Table 2 contained herein.

10.3 GENERAL ZONE PROVISIONS

Parking, Accessory Buildings, Planting Strips, etc. shall be in accordance with the provisions of Section 5 hereof.

Residential uses shall be in conformity of the provisions governing the Rural Residential (RR) Zone.

SECTION 11 – OPEN SPACE (OS) ZONE

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

11.1 PERMITTED USES

The uses permitted in an Open Space (OS) Zone are detailed on Table 1 contained herein.

11.2 REGULATIONS FOR USES PERMITTED IN SECTION 11.1

The regulations for development within an Open Space (OS) Zone are detailed on Table 2 contained herein.

11.3 GENERAL ZONE PROVISIONS

Parking, Accessory Buildings, Planting Strips, etc., shall be in accordance with the provisions of Section 5 hereof.

Regulations for dwelling units in non-residential buildings are as set out in Table 2 for the Open Space (OS) Zone.

Regulations for non-residential uses within the Open Space (OS) Zone are detailed on Table 3 contained herein.

11.4 COMMERCIAL USES IN THE OPEN SPACE (OS) ZONE

The maximum floor area for accessory commercial establishments shall generally be 90 square metres per lot. The maximum floor area for commercial uses accessory to a park or marine facility shall be 45 square metres.

SECTION 12 – 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.

12.1 PERMITTED USES

The uses permitted in a Rural (RU) Zone are detailed on Table 1 contained herein.

12.2 REGULATIONS FOR USES PERMITTED IN SECTION 12.1

The regulations for the permitted uses are detailed on Table 2 and 3 hereof.

12.3 SPECIAL PROVISIONS FOR DAY CARE CENTRES

Day Care Centres in the Rural (RU) Zone will be permitted in single detached dwelling only and will be limited to a maximum of five (5) spaces.

12.4 GENERAL PROVISIONS

Parking, Accessory Buildings, Planting Strips, etc., shall be in accordance with the provisions of Section 5 hereof.

12.5 NON-COMPLYING EXISTING FARM BUILDING, STRUCTURE AND USES

Where a farm building or structure, or use associated therewith, existed as of the date of passing of this By-law which does not comply with the Minimum Distance Separation requirements, such farm building or structure, or use associated therewith, 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.

12.6 SPECIAL ZONE CATEGORIES

12.6.1 Rural Exception No. 1 Zone (RU-1) Lot 6, Concession VII, Seymour

As well as all other permitted uses in a Rural (RU) Zone, within the Rural Exception No. 1 (RU-1) Zone located in Lot 6, Concession VII in the geographic Township of Seymour, a performing arts centre shall also be a permitted use.

“Performing Arts Centre” shall mean land and/or buildings and structures thereon used for the purpose of staging theatrical and cultural performances for the entertainment of members of the public and, incidental thereto, may include the following:

- i) Facilities for serving food and beverages
- ii) Facilities for the training of individual involved in staging such performances

12.6.2 Rural Exception No. 2 Zone (RU-2)
Part Lot 9, Concession V, Percy

Notwithstanding the permitted lot frontage within the Rural (RU) Zone to the contrary, within the Rural Exception No. 3 (RU-2) Zone located in Concession V Part Lot 9 being Part 1, 39R9826 and Part 1, 39R10389 in the geographic Township of Percy, the following provision shall apply:

- a) Minimum Lot Frontage – access from County Road #24 – 66 feet
- b) All other provisions of the Rural (RU) Zone shall apply;
- c) the Environmental Sensitive (ES) Zone included on the subject property shall remain.

SECTION 13 – AGRICULTURE (A) ZONE

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

13.1 PERMITTED USES

The uses permitted in an Agriculture (A) Zone are detailed on Table 1 contained herein.

13.2 REGULATIONS FOR USES PERMITTED IN SECTION 13.1

The regulations for the permitted uses are detailed on Tables 2 and 3 hereof.

All new development within the Agriculture (A) zone shall be in compliance with the Minimum Distance Separation and the Nutrient Management Plan requirements.

In the event that a surplus dwelling is severed as a result of a farm consolidation, creating a retained parcel that has no existing residence, the retained parcel will be identified with an “*”. This symbol indicates that no residential building permit will be issued for the retained parcel.

13.3 GENERAL PROVISIONS

Parking, Accessory Buildings, Planting Strips, etc., shall be in accordance with the provisions of Section 5 hereof.

SECTION 14 – 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:

14.1 PERMITTED USES

The uses permitted in a Rural Residential (RR) Zone are detailed on Table 1 contained herein.

14.2 REGULATIONS FOR USES PERMITTED IN SECTION 14.1

The regulations for the permitted uses are detailed in Tables 2 and 3 hereof.

14.3 SPECIAL PROVISIONS FOR DAY CARE CENTRES

Day Care Centres in this zone will be permitted in single detached dwellings only and will be limited to a maximum of five (5) spaces.

14.4 GENERAL PROVISIONS

Parking, Accessory Buildings, Planting Strips, etc. shall be in accordance with the provisions of Section 5 hereof.

14.5 SPECIAL ZONE CATEGORIES

14.5.1 Rural Residential Exception No. 1 (RR-1) Zone **Part Lot 18, Concession VI, Percy Township**

Notwithstanding the provisions of the Rural Residential Zone (RR), to the contrary, within the Rural Residential Exception No. 1 Zone (RR-1), located in part of Lot 18, Concession VI, geographic Township of Percy in the Municipality of Trent Hills, the following special provisions shall apply and be complied with:

- a) Only Uses Permitted
 - 1) Residential Uses
 - i) a single detached dwelling house

- 2) Non Residential Uses
 - i) retreat centre
 - ii) public uses in accordance with provisions of Section 5.18 of this By-law
- b) Minimum Lot Area .31 ha
- c) Exterior Side Yard Setback 10 m
- d) Rear Yard Setback 3 m

14.5.2 Rural Residential Exception No. 2 (RR-2) Zone
Part Lot 24, Concession II, Percy Township

Notwithstanding the regulations permitted within the Rural Residential (RR) Zone, to the contrary, within the Rural Residential Exception No. 2 (RR-2) Zone, the following shall apply to the property identified in this by-law:

- a) Development shall only be permitted in that area identified as the Rural Residential Exception No. 2 (RR-2) Zone, outside of the specific area as indicated as containing significant features, habitat or vegetation that shall be preserved within said Rural Residential Exception area
- b) Minimum Lot Area for Private Well and Septic Tank: 1900 sq. m.
- c) Minimum Lot Frontage for Private Well and Septic Tank: 25 m
- d) Minimum Setback from Street Centreline: 12.0 m
- e) Minimum Lot area for Communal Well: 1900 sq. m.
- f) Maximum Number of Dwellings Units Per Lot: 1
- g) Lot frontage shall mean the street line that is the dividing line between the lot and the interior road system being Part 10, 39R10263
- h) Entrance to individual lots within the RR-4 zone shall be from Pine Ridge Way, being Part 10, of 39R10263.

14.5.3 Rural Residential Exception No. 3 (RR-3) Zone
Part Lot 5, Concession 2, Lot 5, Plan 66, Seymour

Notwithstanding the regulations permitted within the Rural Residential (RR) Zone, to the contrary, within the Rural Residential Exception No. 3 (RR-3) Zone, the following shall apply to the property identified in this by-law:

a) Permitted Use:

A day time school for pre-school children ages 2-5 years of age with a maximum number of 30 students located in an accessory building.

b) Regulations for Accessory Building

A site plan for the proposed accessory building school development shall be required subject to the approval of the Building Department, Director of Planning and Lower Trent Conservation.

SECTION 15 – SPECIAL RURAL RESIDENTIAL (SRR) ZONE

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

15.1 PERMITTED USES

This zone recognizes Registry Deposit (RD) Plans in rural areas of the Municipality. The Special Rural Residential Zone category is required prior to any development of a lot within the RD Plan. No development is permitted on any vacant lots within the RD Plans until such time as the zoning approval has been received to recognize the respective lot(s) within the Special Rural Residential Zone category.

The uses permitted in a Special Rural Residential (SRR) Zone are detailed on Table 1 contained herein.

15.2 REGULATIONS FOR USES PERMITTED IN SECTION 15.1

The regulations for the permitted uses are detailed in Tables 2 and 3 contained herein.

- | | | |
|-----|----------------------|---|
| i) | Minimum Lot Area | As existing on date of passing of this By-law |
| ii) | Minimum Lot Frontage | As existing on date of passing of this By-law |

15.3 GENERAL PROVISIONS

Parking, Accessory Buildings, Planting Strips, etc., shall be in accordance with the provisions of Section 5 hereof.

15.4 LOTS HAVING LESS AREA AND/OR FRONTAGE

Where a lot having a lesser lot area and/or frontage than required herein is held under distinct and separate ownership from an abutting lot or lots as shown by a conveyance of title properly executed and/or registered prior to the date of the passing of this By-law, or where such a lot is created as a result of an expropriation, or where a severance has been granted prior to the passage of this By-law but the conveyance has not been registered, such smaller lot may be used and a building structure may be erected, altered or used on such small lot, provided that:

- a) where sanitary sewers and municipal water system are not provided, the minimum lot area for a dwelling house shall be 1,400 square metres and the minimum lot frontage shall be 30 metres and have access to an improved public road;
- b) all other requirements of this By-law are complied with.

This subsection shall not apply to all the lots in the following RD Plans within the Special Rural Residential (SRR) Zone:

5	41	68	103
8	42	69	104
14	43	70	106
15	45	71	107
16	46	72	108
17	47	73	109
24	48	74	499
25	49	75	498
26	50	76	38R-199
38	54	89	
39	55	91	
40	56	95	

15.5 SPECIAL ZONE CATEGORIES

**15.5.1 Special Rural Residential Exception No. 1 Zone (SRR-1)
RD. Plan 56, Part Lot 5, Concession IV**

That the Special Rural Residential Exception No. 1 (SRR-1) Zone governing this property acknowledges that the property does not front on an open municipal road allowance. Access is provided by means of a 50-foot right-of-way.

SECTION 16 – SHORELINE RESIDENTIAL (SR) ZONE

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

16.1 PERMITTED USES

The uses permitted in a Shoreline Residential (SR) Zone are detailed on Table 1 contained herein.

16.2 REGULATIONS FOR USES PERMITTED IN SECTION 16.1

16.2.1 The regulations for the permitted uses are detailed in Tables 2 and 3 contained herein.

16.2.2 Seasonal Residential uses will only be permitted as existing on the date of passing of this By-law.

16.2.3 Vacant lots which are within the Shoreline Residential (SR) will not be permitted to construct any permanent structures, docks or decks or place a mobile trailer on the portion of the lot that is within the floodplain as determined by the Conservation Authority.

16.3 GENERAL PROVISIONS

Parking, Accessory Buildings, Planting Strips, etc., shall be in accordance with the provisions of Section 5 hereof.

SECTION 17 – RESIDENTIAL TYPE 1 (R1) ZONE

No person shall, within a Residential 1 (R1) Zone, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

17.1 PERMITTED USES

The uses permitted in a Residential 1 (R1) Zone are detailed on Table 1 contained herein.

17.2 REGULATIONS FOR USES PERMITTED IN SECTION 17.1

The regulations for the permitted uses are detailed in Tables 2 and 3 contained herein.

17.3 GENERAL PROVISIONS

17.3.1 Parking, Accessory Buildings, Planting Strips, etc., shall be in accordance with the provisions of Section 5 hereof.

17.4 SPECIAL ZONE CATEGORIES

17.4.1 Residential 1 Exception No. 1 (R1-1) **Cider Lane and Russet Road**

Notwithstanding any other provisions of this By-law, for those lands delineated on Plate “A” as Residential 1 Exception One (R1-1) the following provisions shall apply:

a) Regulations:

- i) Minimum Lot Area: 380 square metres
- ii) Minimum Lot Frontage: 12.5 metres
- iii) Minimum Dwelling Unit Area: 84.0 square metres

b) All other provisions of the Residential 1 (R1) Zone shall apply within Exception One (R1-1)

17.4.2 Residential 1 Exception No. 2 (R1-2)

Notwithstanding any other provisions of this By-law, for those lands delineated on Plate “A” as Residential 1 Exception No. 2 (R1-2), a bait shop shall be a permitted use. All other provisions of the Residential 1 (R1) Zone shall apply within Exception No. 2.

17.4.3 Residential 1 Exception No. 3 (R1-3)

Notwithstanding any other provision of this By-law, for those lands delineated on Plate "A", being part of Lots 30 and 31, Block S, Plan 112, as Residential 1 Exception No. 3 (R1-3), within the former Town of Campbellford, the following provisions shall apply:

- a) In addition to the non-residential uses permitted in the (R1) Zone, within the Residential 1 Exception No. 3 (R1-3) Zone, a day nursery and a community resource centre shall be permitted uses. In all other aspects, the provisions of the Residential 1 (R1) Zone shall apply and be complied with.

17.4.4 Residential 1 Exception No. 4 (R1-4)

Notwithstanding the provisions and regulations of the Residential Type 1 Zone (R1), to the contrary, within the Residential Type Exception No. 4 Zone (R1-4) located in Part of Lot 17, Concession 11, in the former Township of Percy, all provisions of the Residential 1 (R1) 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:
 - i) a single detached dwelling house
 - ii) all other uses permitted in the Residential 1 (R1) Zone
 - iii) a motor vehicle repair garage in an accessory structure but shall not include the sale of propane or motor vehicle fuels
 - iii) public uses
- b) Minimum front Yard Depth 6.8 metres\
- c) Regulations for Accessory Building Housing Motor Vehicle Repair Garage
 - i) Minimum Yard Dimensions – all Yards: 15 metres
 - ii) Maximum Floor Area, including lot area used for storage of material and equipment: 111.48 square metres
 - iii) Maximum Height: 10 metres
 - v) Outdoor Vehicle Storage:
 - Minimum Number of Parking Spaces 5
 - Maximum Number of Parking Spaces 6

17.4.5 Residential 1 Exception No. 5 (R1-5)

Notwithstanding the permitted uses within the Residential Type 1 Zone (R1) of By-law 1440, as otherwise amended, to the contrary, within the Residential Type 1 Exception No. 5 (R1-5) Zone the following provisions shall apply:

- 1) Permitted Use
 - a) Gift and Tea Shop
 - b) Bed and Breakfast Establishment to a maximum of 6 rooms
 - c) Single Detached Dwelling House
- 2) Parking and Site Plan provisions as per Plate A attached

17.4.6 Residential 1 Exception No. 6 (R1-6)

Lot 15, Concession 12, Part 2, Registered Plan 38R-634, Hastings

The following zone provisions will apply:

- a) Lots 1-47, 51-77, 119-149 where municipal water and sanitary sewer are available:

Minimum Lot Area	450 square metres
Minimum Lot Frontage	15 metres
Minimum Front Yard	6 metres
Minimum Side Yard	1.5 metres
Minimum Exterior Side Yard	3 metres
Minimum Rear Yard	7.5 metres
Maximum Lot Coverage	40 %
Maximum Height	10.5 metres
Minimum Floor Area	88 square metres

- b) Lots 48-49, 50, 150, 78-91, 105-118

Minimum Lot Area	425 square metres
Minimum Lot Frontage	13.5 metres
Minimum Front Yard	6 metres
Minimum Side Yard	1.5 metres
Minimum Exterior Side Yard	3 metres
Minimum Rear Yard	7.5 metres
Maximum Lot Coverage	40 %
Maximum Height	10.5 metres
Minimum Floor Area	88 square metres

**17.4.7 Residential 1 – Exception No. 7 – Holding
Part Lot 8, Concession 4, Seymour**

Notwithstanding the regulations permitted within the Residential 1 (R1) Zone, to the contrary, within the Residential 1- Exception No 4- Holding (R1-4-H) Zone, the following shall apply to the property identified in this by-law:

This development is intended to be a resource base residential development of homes along the Trent River. Each housing unit shall be located on a lot. Groupings of units in modular buildings or in clusters may also be considered.

The following accessory uses may be considered:

- a) Recreational facilities such as swimming pool, athletic field, trails, recreation hall and similar recreation uses and facilities which are accessory to and serve the uses in the R1-4-H zone;
- b) No further development, including structures, septic systems, mobile home sites and clearing shall take place within 30 metres of the Trent River.
- c) Buildings, structures and uses that are normally considered to be accessory and subordinate to the uses as permitted above.

The removal of the Holding Provision (H) on these lands will be considered after the following studies and reports have been received and reviewed:

- i) Approval from the appropriate authorities has been received for the sewage disposal system, water system and road system.
- ii) Circulation is made to the appropriate agencies for comment regarding the Holding Symbol (H) being removed.
- iii) The applicant has provided and Council has approved a site plan.
- iv) The applicant has entered into an agreement with Council addressing the site plan issues and the responsibility for the operation or creation of the water, sewage and road systems to appropriate standards.
- v) A phasing plan satisfactory to the Municipality and approved by Council.

SECTION 18 – RESIDENTIAL TYPE 2 (R2) ZONE

No person shall, within a Residential 2 (R2) Zone, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

18.1 PERMITTED USES

The uses permitted in a Residential 2 (R2) Zone are detailed on Table 1 contained herein.

18.2 REGULATIONS FOR USES PERMITTED IN SECTION 18.1

The regulations for the permitted uses are detailed in Tables 2 and 3 contained herein.

18.3 GENERAL PROVISIONS

18.3.1 Parking, Accessory Buildings, Planting Strips, etc., shall be in accordance with the provisions of Section 5 hereof.

18.4 MINIMUM FLOOR AREA

Bachelor dwelling unit	36 square metres
Dwelling Unit other than Bachelor unit	54 square metres plus 13.4 square metres for each habitable room in excess of 4

18.5 REGULATIONS FOR BOARDING, LODGING OR ROOMING HOUSES

18.5.1 Minimum building area: 110 square metres.

Minimum Area per Guest Room: 23 square metres

Maximum number of Guest Rooms: 4

Maximum number of Boarders: 10

18.6 SPECIAL YARD PROVISIONS

Any single detached dwelling house containing not less than 110 square metres of dwelling unit area, erected prior to the date of passing of this by-law and having a setback or one or more yards that is or are less than required under the provisions of this by-law for converted dwelling houses and boarding, lodging or rooming houses, may be altered to a converted dwelling house or a boarding, lodging or rooming house, provided that the setback or yards that are less than required are not further reduced.

SECTION 19 – RESIDENTIAL TYPE 3 (R3) ZONE

No person shall, within a Residential 3 (R3) Zone, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

19.1 PERMITTED USES

The uses permitted in a Residential 3 (R3) Zone are detailed on Table 1 contained herein.

19.2 REGULATIONS FOR USES PERMITTED IN SECTION 19.1

The regulations for the permitted uses are detailed in Tables 2 and 3 contained herein.

19.3 GENERAL PROVISIONS

19.3.1 Parking, Accessory Buildings, Planting Strips, etc., shall be in accordance with the provisions of Section 5 hereof.

19.3.2 Where the interior or exterior side lot line or rear lot line of a Residential 3 (R3) Zone abuts another Residential Zone of lower density, a strip adjoining such abutting lot line shall be used for no other purpose than planting in accordance with the requirements for buffer/planting strips.

19.4 SPECIAL ZONE PROVISIONS

19.4.1 Residential Type 3 Exception No. 1 (R3-1) Zone Hastings

All of the permitted uses of Residential Type 3 Zone shall apply and the regulations for the permitted uses shall be as follows:

- | | | |
|----|---|---|
| a) | Maximum No. of Units | 200 Senior Retirement Suites
30 Alzheimer Care Units |
| b) | Minimum Lot Frontage | 12.4 metres |
| c) | Minimum Lot Depth | 219 metres |
| d) | Minimum Front Yard, being distance between Pond Street and the nearest wall of the most westerly building | 4.2 metres |

- | | | |
|----|--|---|
| e) | Minimum Side Yard, being – north side to water’s edge of Mill Pond | 15 metres |
| f) | Minimum Rear Yard, the distance between the east wall of the most easterly building and the easterly lot line of Lot 150, RP 95 | 20 metres |
| g) | Minimum distance between the west wall of the most westerly building and the westerly side lot line of Lot 145, RP 95 | 20 metres |
| h) | Maximum Building Coverage | 17 % |
| i) | Maximum Number of Storeys | 5 |
| j) | Minimum Floor Areas : | |
| | i) Bachelor Dwelling Unit | 36 square metres |
| | ii) Dwelling Unit other than bachelor dwelling unit | 54 square metres plus 13.5 square metres for each habitable room in excess of 4 |
| k) | Maximum Lot Coverage by open parking areas, driveways and vehicle movement areas | 33% of lot area |
| l) | Minimum Number of Parking Spaces | 101 |
| m) | Parking Regulations | |
| | i) Notwithstanding the minimum area for parking spaces, within the R3-1 Zone, parking spaces shall have a minimum area of 15 square metres. | |
| n) | Multiple buildings on one lot shall be permitted, subject to all other applicable provisions of this By-law. | |
| o) | Those lands within the Environmental Protection (EP) Zone on the same lot may be included in the calculation of the lot regulations. | |
| p) | In additions of the provisions of Section 5 Parking Regulations, no parking lot shall be constructed closer than 3 metres to the water’s edge. | |

Furthermore, for a parking lot abutting any other lot lines (other than the water's edge), a strip of land not less than 1.5 metres wide shall be provided to any other lot line.

SECTION 20 – 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:

20.1 PERMITTED USES

The uses permitted in a Community Facility (CF) Zone are detailed on Table 1 contained herein.

20.2 REGULATIONS FOR USES PERMITTED IN SECTION 20.1

The regulations for the permitted uses are detailed in Tables 2, 3 and 4 contained herein.

20.3 GENERAL PROVISIONS

20.3.1 Parking, Accessory Buildings, Planting Strips, etc., shall be in accordance with the provisions of Section 5 hereof.

20.3.2 Buffer Strip Requirements

Where the interior side or rear lot line of a permitted non-residential use abuts a Residential Zone, an area adjoining such abutting lot line or portion thereof shall be used for no other purpose than for a buffer strip.

SECTION 21 – 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:

21.1 PERMITTED USES

The uses permitted in a Development (D) Zone are detailed on Table 1 contained herein. The permitted uses include any legally existing use of the date of passing of this By-law.

21.2 REGULATIONS FOR USES PERMITTED IN SECTION 21.1

21.2.1 The regulations for the permitted uses are detailed in Tables 1, 2, and 3.

21.3 GENERAL PROVISIONS

21.3.1 In order for development to proceed on lands presently located within a Development (D) Zone category, the subject lands need to be rezoned into an appropriate zone that conforms with the Municipality of Trent Hills Official Plan and is consistent with the regulations of the appropriate zone category.

21.3.2 Supporting documentation may be required to support a rezoning application. Studies/documents that may be required include the following:

- a) Environmental Assessment;
- b) Hydrogeological Assessment;
- c) Storm Water Management;
- d) Noise Assessment;
- e) Traffic Impact Assessment;
- f) Archaeological/Heritage Assessment;
- g) Phase 1 Environmental Site Assessment;
- h) Retail Market Impact Analysis for retail/commercial uses 1000 square metres or greater;
- i) Servicing Options Report; and
- j) Site Plan

SECTION 22 – GENERAL COMMERCIAL (C1) ZONE

No person shall, within a General Commercial (C1) Zone, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

22.1 PERMITTED USES

The uses permitted in a General Commercial (C1) Zone are detailed on Table 1 contained herein.

22.2 REGULATIONS FOR USES PERMITTED IN SECTION 22.1

The regulations for the permitted uses are detailed in Tables 3 and 4 contained herein.

22.3 GENERAL PROVISIONS

22.3.1 ADDITIONAL PROVISIONS FOR RETAIL GASOLINE ESTABLISHMENTS

Pump Location

Notwithstanding any other provision in this By-law to the contrary, a gasoline pump island, as part of a motor vehicle service station, motor vehicle gasoline bar, motor vehicle repair garage, motor vehicle dealership or as accessory to a permitted use, may be located within any front yard or exterior side yard provided:

- (a) the minimum distance between any portion of the pump island and any street line shall be 5 metres; and
- (b) where the lot is a corner lot, no portion of any pump island or fuel pumps, light standards and signs shall be located a minimum distance of 3 metres from any sight triangle.

Minimum Lot Depth

Where a lot is a corner lot, the lot depth or flankage shall be a minimum of 38 metres.

Driveways

Notwithstanding the provisions of Section 5 with regard to Parking requirements, the following provisions shall apply to driveways:

- (a) the minimum width of a driveway shall be 7.5 metres and the maximum width of a driveway measured along the sidewalk, where such exists, and along the street line shall be 10.5 metres;
- (b) the minimum distance between driveways, measured along the street line intersected by such driveways, shall be 7.5 metres;
- (c) the minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 9 metres;
- (d) the minimum distance between an interior side lot line and any driveway shall be 3 metres; and
- (e) the interior angle formed between the street line and the centreline of any driveway shall be not less than 45 degrees.

Corner Lot

- (a) on a corner lot, a sight triangle of 15 metres shall be provided and a part of a required sight triangle shall be construed to be part of any required minimum yard.
- (b) on a corner lot, no driveway shall be located within 15 metres of the point of intersection of the intersecting street lines of such lot.

22.3.2 PROPERTY ABUTTING RESIDENTIAL ZONE

Where the interior or rear lot line abuts a Residential Zone, a strip adjoining such abutting lot line or portion thereof shall be used for no other purpose than planting in accordance with the requirements for planting strips set out in Section 5 hereof.

22.4 GENERAL PROVISIONS

22.4.1 Parking, Accessory Buildings, Planting Strips, etc., shall be in accordance with the provisions of Section 5 hereof.

22.5 SPECIAL ZONE CATEGORIES

22.5.1 General Commercial Exception No. 1 (C1-1) Campbellford

Notwithstanding any other provisions of this By-law, for those lands delineated on Plate "A" as General Commercial Exception No. 2 (C1-1), the following provisions shall apply:

- a) any building or structure may be connected to a private septic tank system and well with the approval of the local Health Unit, provided that, if municipal water supply and sewage disposal facilities are made available within 30 metres of the property line, the owner of the lands within Exception No. 2 (C1-1) must connect to these services. At such time the provisions regarding servicing in Section 5 shall apply:
- b) All other provisions of the General Commercial (C1) Zone shall apply within Exception No. 1.

22.5.2 General Commercial Exception No. 2 (C1-2)
Warkworth

Notwithstanding any other provisions of this by-law, for those lands delineated on Plate “A” as General Commercial Exception No. 2 (C1-2), the following provisions shall apply:

(a) Permitted Uses:

- i) Hair Salon, Hair Stylist
- ii) Bakery
- iii) Antique Store
- iv) Food Outlet Store
- v) Art Gallery (Studio)
- vi) Two Dwelling Units
- vii) Business or Professional Office
- viii) Assembly Hall
- ix) Book Store
- x) Retail Commercial Establishment, excluding convenience store and video/dvd sales and rentals
- xi) Medical Office or Clinic
- xii) Florist Shop
- xiii) Gift Shop
- xiv) Private Club
- xv) Library
- xvi) Government Administration Office
- xvii) Eating Establishment to a maximum 25% of the total ground floor area, as an accessory use to a main permitted uses

(b) Regulations for uses permitted:

- i) Minimum Lot Area – 465 m²
- ii) Minimum Lot Frontage – 20 metres
- iii) Minimum Front Yard Depth – 2 metres

- iv) Minimum Exterior Side Yard Width – 2 metres
 - v) Minimum Interior Side Yard Width – 8.5 metres
 - vi) Minimum Rear Yard Depth – 0 metres
 - vii) Maximum Lot Coverage – 40%
 - viii) Minimum Landscaped Open Space – 10%
 - ix) On site Parking Spaces Maximum – 2
 - x) On site Loading Spaces Required – 0
 - xi) No Outside or Open Storage
 - xii) Planting Strip – A 3-metre wide planting strip will be provided along the eastern side of the property. The planting strip will consist of continuous barrier trees, shrubs, evergreens or wooden privacy fence not less than 1.8 metres in height, together with sod and other plantings
- (c) Parking for any use, if not provided on site, shall be provided within 1000 feet (300 metres) of the property.

SECTION 23 – HIGHWAY COMMERCIAL (C2) ZONE

No person shall, within a Highway Commercial (C2) Zone, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

23.1 PERMITTED USES

The uses permitted in a Highway Commercial (C2) Zone are detailed on Table 1 contained herein.

23.2 REGULATIONS FOR USES PERMITTED IN SECTION 23.1

The regulations for the permitted uses are detailed in Tables 2 and 3 contained herein.

23.3 GENERAL PROVISIONS

23.3.1 The provisions regulating retail gasoline establishments as detailed in Section 22.3.1 shall apply in the Highway Commercial (C2) Zone.

23.3.2 Parking, Accessory Buildings, Planting Strips, etc., shall be in accordance with the provisions of Section 5 hereof.

23.3.3 Those properties within the Highway Commercial (C2) Zone category with a Holding (H) provision will be considered for development (removal of the Holding provision) subject to the satisfaction of the following conditions:

- a) The completion of a retail market impact analysis that would be subject to peer review. The analysis should demonstrate that the development proposed would be supported within the retail market of Campbellford.
- b) A servicing analysis has been completed that demonstrates that there is sufficient capacity within the municipal water and sewage services to support the proposed development; and,
- c) A traffic study has been completed identifying the impact on the roads in the area and containing recommendation for road improvements

23.4 SPECIAL ZONE CATEGORIES

23.4.1 Highway Commercial Exception No. 1 (C2-1)

For those lands delineated C2-1, no person shall use any land or erect, alter or use any building or structure except in accordance with the following provisions:

Permitted Uses:

Farm implement fabrication, assembly, repair, servicing and sales; industries supplying foods and services to the Agricultural industry and uses accessory to the above permitted uses.

Regulations:

- (i) Open air operations and storage is permitted on lands delineated C2-1 provided the location of these activities is screened from public view and from adjacent uses and provided the activity is located so as to comply with the minimum front, side and rear yard provisions of Table 3. The display of goods is permitted within the front yard provided the maximum area devoted to display does not exceed 10% of the lot area.
- (ii) The minimum front yard shall be the existing front yard of the existing building and 7.6 metres for any new building or structure to be located on the lot after the date of passing of this By-law.

23.4.2 Highway Commercial - Holding (C2-H) Zone

Holding Provisions for the Highway Commercial – Holding Zoning

- a) That lands in this zone be developed only after the Holding provision is removed.
- b) Consideration of the removal of the Holding provision by Council will be given under the following circumstances:
 - 1. That a retail market analysis showing the impact on the Campbellford retail sector be completed and reviewed.
 - 2. That a lot grading plan be completed and reviewed.
 - 3. That a site servicing plan be completed and reviewed.
 - 4. That entrance permits be obtained from the appropriate approval authority.
 - 5. That a storm water management plan be completed and reviewed.
 - 6. That the Commercial property may be developed in phases.

SECTION 24 – LOCAL COMMERCIAL (C3) ZONE

No person shall, within a Local Commercial (C3) Zone, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

24.1 PERMITTED USES

The uses permitted in a Local Commercial (C3) Zone are detailed on Table 1 contained herein.

24.2 REGULATIONS FOR USES PERMITTED IN SECTION 22.1

The regulations for the permitted uses are detailed in Tables 2 and 3 contained herein.

24.3 GENERAL PROVISIONS

24.3.1 Parking, Accessory Buildings, Planting Strips, etc., shall be in accordance with the provisions of Section 5 hereof.

24.3.2 Where the interior side or rear lot line of a lot within a Local Commercial (C3) Zone abuts a Residential Zone, an area adjoining such abutting lot line shall be used for no other purpose than for a buffer strip.

24.4 SPECIAL ZONE CATEGORIES

24.4.1 Local Commercial Exception No. 1 (C3-1)

Notwithstanding any other provisions of this By-law, for those lands delineated on Plate "A" being Lot 45, Block 23, Plan 112, within the former Town of Campbellford, the following provisions will apply:

- i) Permitted Uses:
 - a) Business, professional or administrative office
 - b) Eating establishment
 - c) Funeral home
 - d) Bed and breakfast facility
 - e) Private or commercial club
 - f) Public use or utility
 - g) Veterinarian clinic

ii) Regulations:

- | | |
|--|------------|
| 1. Minimum lot area per unit: | 500 sq. m. |
| 2. Minimum Lot frontage | 15 metres |
| 3. Minimum lot coverage for all buildings: | 40% |
| 4. Front yard & exterior side yard width | 6 metres |
| 5. Rear yard depth: | 6 metres |
| 6. Interior side yard width | 1.2 metres |

All other regulations as set out in the Service Commercial zone shall apply.

SECTION 25 – RECREATION COMMERCIAL (C4) ZONE

No person shall, within a Recreation Commercial (C4) Zone, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

25.1 PERMITTED USES

The uses permitted in a Recreation Commercial (C4) Zone are detailed on Table 1 contained herein.

25.2 REGULATIONS FOR USES PERMITTED IN SECTION 25.1

25.2.1 The regulations for the permitted uses are detailed in Tables 1, 2 and 3 contained herein.

25.2.2 Where a permitted single detached dwelling house is erected, altered or used on the same lot in a Commercial Zone as a permitted Non-residential building, such dwelling house shall not be erected, altered or used within 3 metres of a non-residential building, however, in no case shall a single detached dwelling house be erected, altered or used within 7.5 metres of a motor vehicle service station, motor vehicle repair garage, or motor vehicle gasoline bar.

25.2.3 In order for a property to be considered for permitted use within a Recreational Commercial (C4) Zone, it must be a minimum of 1.5 hectares in size. In addition the minimum size for a cabin/cottage site shall be 200 square metres with a maximum of 25 sites per hectare.

25.3 GENERAL PROVISIONS

25.4.1 Parking, Accessory Buildings, Planting Strips, etc., shall be in accordance with the provisions of Section 5 hereof.

25.5 SPECIAL ZONE CATEGORIES

25.5.1 Recreation Commercial Exception No. 1 (C4-1)

The regulations for uses, buildings and structures permitted in the area known as the Wildwood Subdivision, being Part of Lots 8 & 9, Concession 14, former Township of Seymour, shall be as follows:

a) Regulations for Cottages

- (i) Minimum Lot Frontage: As shown on a Registered Plan of Subdivision except that the
- (ii) Minimum Lot Area: the total number of lots within the Connor Subdivision shall not exceed 14.
- (iii) Maximum Lot Coverage 12%
- (iv) Minimum Front Yard 14.3 metres
- (v) Minimum Side Yard 6 metres except 14.3 metres when abutting a public street
- (vi) Minimum Rear Yard 15 metres except 7.9 metres for Lot No. 1
- (vii) Minimum Floor Area
 - 1. 1 Storey or Split Level 75 square metres
 - 2. 1 ½ Storey 93 square metres
 - 3. 2 or 2 ½ Storey 110 square metres
- (viii) Maximum Height 2 ½ Storeys
- (ix) Minimum Parking One space per dwelling unit

b) Regulations for Accessory Buildings

- (i) Minimum Yard Requirements 3 metres except that no accessory building shall be permitted in the required yard abutting a street
- (ii) Maximum Lot Coverage 5 % providing lot coverage for all buildings on lot does not exceed 12 %

25.5.2 Recreation Commercial Exception No. 2 (C4-2)

No person shall within any Seymour Estates Trailer Camp, Recreation Commercial Exception No. 3 (C4-2) Zone, use any land or erect, alter or

use any building or structure except in accordance with the following provisions:

- a) Permitted Uses – Notwithstanding the provisions of Section 25.1, in a C4-2 Zone, a store providing for the day to day needs of the Trailer Camp tenants shall only be permitted on Lot 292 and permanent homes shall be permitted uses on Lots 180, 293 and 270.

- b) Regulations for Permitted Uses – No person shall use any land or erect, alter or use any building or structure unless such lands or structures are served by a communal water system and a sewage disposal system approved by the Ministry of Environment and accept in accordance with the provisions of special provisions:
 - (i) The maximum number of trailer and cabin sites within any defined block of land shall be as indicated on the approved Schedule for Seymour Estates Trailer Park included herein as Schedule C4-2 and the minimum site area shall be 660 square metres.

 - (ii) Landscaping – shall be as delineated on the approved Site Plan.

 - (iii) Minimum Parking – one space per site, to be located on the trailer or cabin site.

SCHEDULE "C-1":

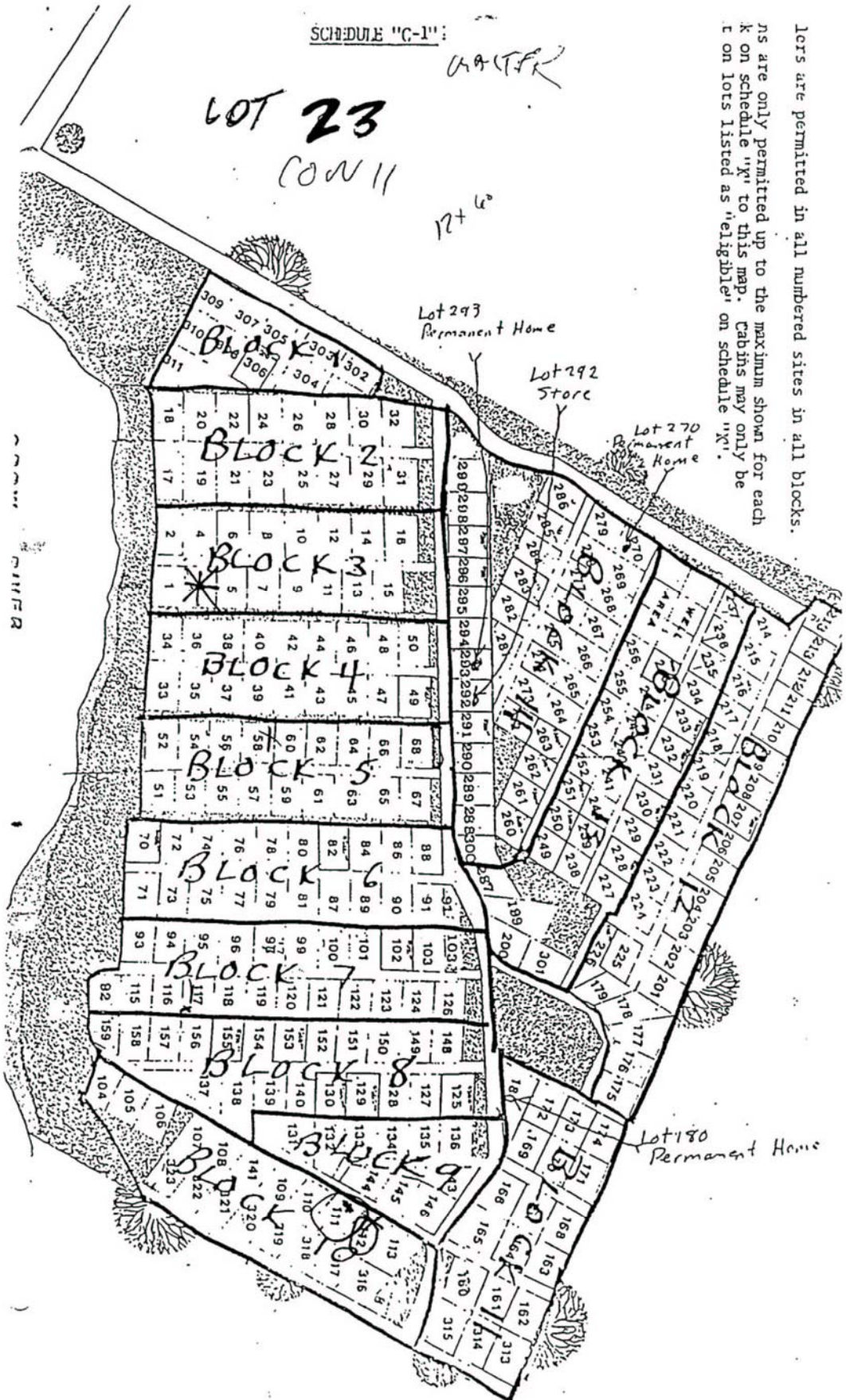
TRACT

LOT 23

CON 11

12+60

lots are permitted in all numbered sites in all blocks. lots are only permitted up to the maximum shown for each block on schedule "X" to this map. Cabins may only be located on lots listed as 'eligible' on schedule "X".



SCHEDULE "K"

This is Schedule "K" to Schedule "C-1" .

- Block # 1 - Maximum cabins - nil.
- Block # 2 - Maximum cabins - 11
Eligible lots - 19, 20, 21, 22, 23, 24, 25, 26, 32, 28, 29
- Block # 3 - Maximum cabins - 3
Eligible lots - 1, 4, 2, 6, 8.
- Block # 4 - Maximum cabins - 5
Eligible lots - 33, 34, 40, 45, 47, 48, 50.
- Block # 5 - Maximum cabins - 12
Eligible lots - 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 64, 65, 66, 68.
- Block # 6 - Maximum cabins - 6
Eligible lots - 70, 71, 73, 76, 78, 90, 91.
- Block # 7 - Maximum cabins - 10
Eligible lots - 93, 94, 95, 97, 103, 124, 126, 116, 117, 118, 119,
- Block # 8 - Maximum cabins - 10
Eligible lots - 125, 127, 130, 137, 148, 150, 153, 154, 156, 158, 159, 140.
- Block # 9 - Maximum cabins - 6
Eligible lots - 131, 132, 133, 134, 135, 136, 143, 144, 145, 146.
- Block # 10 - Maximum cabins - 9
Eligible lots - 104, 105, 106, 107, 108, 110, 111, 112, 113, 317, 318, 322, 323, 141.
- Block # 11 - Maximum cabins - 5
Eligible lots - 313, 314, 165, 166, 169, 170, 171, 173, 174.
- Block # 12 - Maximum cabins - 13
Eligible lots - 175, 176, 177, 178, 179, 201, 202, 203, 204, 205, 206, 212, 213, 213B, 214, 220, 221, 222, 223, 224, 225.
- Block # 13 - Maximum cabins - 15
Eligible lots - 227, 228, 229, 230, 231, 232, 236, 237, 238, 239, 240, 241, 242, 243, 249, 250, 251, 252, 253, 254, 255, 256, 301, 199, 287.
- Block # 14 - Maximum cabins - 15
Eligible lots - 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 272, 273, 274, 275, 276, 277, 278, 279, 282, 284, 285, 286, 300, 296, 297, 298.

SECTION 26 – GENERAL INDUSTRIAL (M1) ZONE

No person shall, within a General Industrial (M1) Zone, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

26.1 PERMITTED USES

The uses permitted in a General Industrial (M1) Zone are detailed on Table 1 contained herein.

26.2 REGULATIONS FOR USES PERMITTED IN SECTION 22.1

The regulations for the permitted uses are detailed in Table 3 contained herein.

26.3 REGULATIONS FOR OUTSIDE STORAGE

26.3.1 No portion of a lot shall be used for display of goods or materials unless such storage is within a building, or unless the following provisions are complied with:

- a) Outdoor storage is prohibited in any front yard.
- b) Such outside storage is accessory to the use of the main building on the lot.
- c) Such outside storage complies with the yard and setback regulations for the General Industrial (M1) Zone, and in addition, no outside storage shall be located closer than 18 metres to any street line.
- d) Such outside storage does not cover more than 50% of the lot area or cover an area which is in excess of twice the ground floor area of the main building on the lot.
- e) Any portion of a lot used for such outside storage is screened from adjacent uses and streets adjoining the lot, by buildings or enclosed by shrub planting, a planting strip or within a closed wooden, plastic and/or metal fence extending at least 1.8 metres in height from the ground. All fences, except those constructed of aluminum, shall be painted and kept painted, from time to time, so as to maintain the wood or metal in good condition.

26.4 REGULATIONS ON USE OF FRONT AND EXTERIOR SIDE YARDS

26.4.1 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 in accordance with all other provisions of this By-law.

26.5 YARD AND HEIGHT REQUIREMENTS FOR INDUSTRIAL BUILDINGS

26.5.1 If any portion of a building is erected above a height of 12.2 metres, such portion must be set back from the centreline of the abutting street or from the front, side or rear lot line, as the case may be, in addition to the minimum setback, front side or rear yard requirements of this By-law, a further distance of one metre for each metre by which such portion of the building is erected above a building height of 12.2 metres.

26.6 GENERAL PROVISIONS

26.6.1 Parking, Accessory Buildings, Planting Strips, etc., shall be in accordance with the provisions of Section 5 hereof.

26.6.2 Where the interior side or rear lot line abuts a Residential or Community Facility Zone, an area adjoining such abutting lot line shall be used for no other purpose than for a buffer strip in accordance with all other requirements of this By-law.

26.7 SPECIAL ZONE CATEGORIES

26.7.1 General Industrial Exception No. 1 (M1-1)

Notwithstanding any other provisions of this By-law for those lands delineated as General Industrial Exception No. 1 (M1-1) the following provisions shall apply:

a) Permitted Uses

No use shall be permitted which by reason of the type of process to be employed or the materials to be used or stored on the site creates a risk to person and property on adjoining lands because of the potential for explosion, emission of toxic gasses, or other potentially dangerous situations. Provided that a use involving "risk" as referenced in this paragraph shall not be prevented if the industry:

i) is operated in accordance with all applicable lands and safety practices, and;

- ii) does not have a history of having caused injury to persons and damage to property on lands adjoining the premises on which its plant or plants were located, by explosion, the emission of toxic gases or other similar dangerous situations.
- b) Regulations
- i) Minimum Lot Frontage: 20 metres
 - ii) Location of parking and Loading Spaces: Parking and loading spaces may be located in a front yard provided that such spaces are not located closer to the front lot line than the minimum front yard depth.
 - iii) Setback from Community Facility Zone: No industrial building or accessory uses or structures to be used for manufacturing or storage of materials shall be located within 15 metres of any Community Facility Zone.
 - iv) Access to and from the property shall be provided by Dart Road. Access to Elmore Street shall be for emergency vehicles only.
- c) All other provision of the General Industrial (M1) Zone shall apply within Exception No. 1 (M1-1)

26.7.2 General Industrial Exception No. 2 (M1-2)

Hastings

Within General Industrial Exception No. 2 in Hastings, all of the provisions and regulations of the General Industrial (M1) Zone shall apply except as follows:

- a) Minimum Side Yard and Rear Yard abuts any R1, R2, R3, R4, I, D or OS Zone 7.5 metres
- b) Minimum width of landscaped open space along a lot line abutting any R1, R2, R3, R4, I, D or OS Zone 6 metres

SECTION 27 – EXTRACTIVE INDUSTRIAL (M2) ZONE

No person shall, within an Extractive Industrial (M2) Zone, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

27.1 PERMITTED USES

The uses permitted in an Extractive Industrial (M2) Zone are detailed on Table 1 contained herein.

27.2 REGULATIONS FOR USES PERMITTED IN SECTION 27.1

The regulations for the permitted uses are detailed in Table 3 contained herein.

27.3 GENERAL PROVISIONS

27.3.1 Parking, Accessory Buildings, Planting Strips, etc., shall be in accordance with the provisions of Section 5 hereof.

27.3.2 Where only the removal of sand and gravel is involved, no extractive operation or product stockpile shall be located within 120 metres of any Residential Zone or dwelling house.

27.3.3 Where the removal or quarry stone, or the processing of sand, gravel, or stone is involved, no building, plant, extractive operation or produce stockpile shall be located within 215 metres of any Residential Zone or dwelling house.

27.4 SPECIAL ZONE CATEGORIES

27.4.1 Extraction Industrial Exception No. 1 (M2-1) Part Lot 20, Concession X, Percy Township

Notwithstanding the provisions and regulations of the Extractive Industrial Zone (M2), to the contrary, within the Extractive Industrial Exception No. 1 (M2-1), located in part of Lot 20, Concession X, in the geographic Township of Percy, the following regulations apply:

- a) The minimum separation distance between the area of extraction, product stockpile or any crushing or processing operation on the site and
 - i) a residential zone shall be 15 metres;
 - ii) a residential dwelling shall be 100 metres.

SECTION 28 – WASTE DISPOSAL INDUSTRIAL (M3) ZONE

No person shall, within a Waste Disposal Industrial (M3) Zone, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

28.1 PERMITTED USES

The uses permitted in a Waste Disposal Industrial (M3) Zone are detailed on Table 1 contained herein.

28.2 REGULATIONS FOR USES PERMITTED IN SECTION 28.1

The regulations for the permitted uses are detailed in Tables 2 and 3 contained herein.

28.3 GENERAL PROVISIONS

28.3.1 Parking, Accessory Buildings, Planting Strips, etc., shall be in accordance with the provisions of Section 5 hereof.

28.4 SPECIAL ZONE CATEGORIES

28.4.1 Waste Disposal Industrial Exception No. 1 (M3-1)

For those lands designated Waste Disposal Industrial Exception No. 1 (M3-1) the following regulations shall apply:

- a) The minimum side yard width and minimum rear yard depth for the waste disposal operation shall be 30 metres.
- b) The minimum front yard depth shall be 150 metres
 - i) Permitted uses in the front yard shall include:
 - (i) access roads
 - (ii) berms and landscaping
 - (iii) bin storage areas
 - (iv) accessory buildings for storage and security
 - ii) No disposal operation shall be permitted within 30 metres of a Environmental Sensitive (ES) Zone.

iii) All other provisions of Section 28 shall apply.

28.4.2 Waste Disposal Industrial Exception No. 2 (M3-2)

Notwithstanding any other provisions of this By-law, for lands delineated Waste Disposal Industrial Exception No. 2 (M3-2), no building or hard surface paving development shall be permitted. All other provisions of the Waste Disposal Industrial (M3) Zone shall apply within Exception No. 2.

SECTION 29 – PRESTIGE INDUSTRIAL (M4) ZONE

No person shall, within a Prestige Industrial (M4) Zone, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

29.1 PERMITTED USES

The uses permitted in a Prestige Industrial (M4) Zone are detailed on Table 1 contained herein.

29.2 REGULATIONS FOR USES PERMITTED IN SECTION 29.1

The regulations for the permitted uses are detailed in Table 3 contained herein.

29.3 REGULATIONS FOR OUTSIDE STORAGE

29.3.1 No portion of a lot shall be used for display of goods or materials unless such storage is within a building, or unless the following provisions are complied with:

- a) The storage area is subject to Site Plan approval;
- b) Any outside storage shall not be permitted within 9m (30 ft) of any property line abutting a Residential or Open Space zone, or street;
- c) The storage area must be enclosed by a masonry or stone wall, solid wall, solid wood or closed chain link fence, and such a wall or fence shall have a minimum 2m (6ft) in height; and,
- d) The storage area has a maximum lot coverage of 25%.

29.4 REGULATION FOR BUILDING SETBACKS, SIDE LOT LINE OR REAR LOT LINE

Abutting a residential zone	the greater of 12 metres or 8m/storey
Abutting a non-residential zone	the greater of 3 metres or 2m/storey

29.5 GENERAL PROVISIONS

29.5.1 Parking, Accessory Buildings, Planting Strips, etc., shall be in accordance with the provisions of Section 5 hereof.

- c) minimum yard dimensions
 - i) front yard 12 metres
 - ii) exterior side yard 12 metres
 - iii) interior side yard 6 metres
 - iv) rear yard 12 metres
- d) maximum lot coverage of all buildings 10 %
- e) maximum height of buildings 10.5 metres

30.3 GENERAL ZONE PROVISIONS

All provisions of Section 5, General Zone Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the Oak Ridges Moraine Linkage (ORML) Zone shall apply and be complied with.

SECTION 31 – OAK RIDGES MORAINÉ COUNTRYSIDE (ORMCO) ZONE

31.1 PERMITTED USES

No person shall within the Oak ridges Moraine Countryside (ORMCO) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

- a) Residential Uses
 - (i) bed and breakfast establishments;
 - (ii) farm vacation homes.

- b) Non-Residential Uses
 - (i) agricultural uses;
 - (ii) fish, wildlife and forest management;
 - (iii) low intensity recreational uses as defined in Section 37 of the Oak Ridges Moraine Conservation Plan;
 - (iv) conservation projects and flood and erosion control projects;
 - (v) transportation, infrastructure and utilities uses in accordance with the applicable policies of the Official Plan;
 - (vi) transportation, infrastructure and utilities;
 - (vii) home business/home industry;
 - (viii) unserviced parks;
 - (ix) wayside pits;
 - (x) agriculture-related uses.

- c) Accessory Uses
 - (i) uses, buildings or structures accessory to any of the foregoing permitted uses specified under Subsection a) or b) hereof and in accordance with the provisions of PART FIVE GENERAL ZONE PROVISIONS - Section 5.1 Accessory Buildings, Structures hereinafter set forth in this By-law.

31.2 REGULATION FOR RESIDENTIAL AND NON-RESIDENTIAL USES

- a) minimum lot area 36.5 hectares
- b) minimum lot frontage 200 metres
- c) minimum yard dimensions
 - i) front yard 12 metres
 - ii) exterior side yard 12 metres
 - iii) interior side yard 6 metres
 - iv) rear yard 12 metres
- d) maximum lot coverage of all buildings 10 %
- e) maximum height of buildings 10.5 metres

31.3 GENERAL ZONE PROVISIONS

All provisions of Section 5, General Zone Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the Oak Ridges Moraine Countryside (ORMCO) Zone shall apply and be complied with.

SECTION 32 – OAK RIDGES MORaine ENVIRONMENTAL PLAN REVIEW (ORMEPR) ZONE

The Oak Ridges Moraine Environmental Plan Review (ORMEPR) is an overlay zone which identifies the area of influence from a key natural heritage feature or a protection zone. All development and site alteration activity in these areas 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 areas of influence and shall be approved by the Municipality in consultation with the local Conservation Authority. Approval of the development is also subject to site plan approval by the Municipality.

For the purposes of this By-law, the minimum area of influence and minimum vegetation zone is defined in Section 21 of the Oak Ridges Moraine Conservation Plan.

SECTION 33 – OAK RIDGES MORAINÉ ENVIRONMENTAL (ORME) ZONE

33.1 PERMITTED USES

No person shall within the Oak Ridges Moraine Environmental (ORME) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

- a) Residential Uses
- b) Non-Residential 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 as defined in Section 37 of the Oak Ridges Moraine Conservation Plan.
- c) Accessory Uses
 - (i) uses, buildings or structures accessory to any of the foregoing permitted uses specified under Subsection a) or b) hereof and in accordance with the provisions of PART FIVE GENERAL ZONE PROVISIONS - Section 5.1 Accessory Buildings, Structures hereinafter set forth in this By-law.

33.2 REGULATIONS FOR RESIDENTIAL AND NON-RESIDENTIAL USES

- a) minimum lot area 36.5 hectares
- b) minimum lot frontage 200 metres
- c) minimum yard dimensions
 - i) front yard 12 metres
 - ii) exterior side yard 12 metres
 - iii) interior side yard 6 metres
 - iv) rear yard 12 metres

- d) maximum lot coverage of all buildings 10 %
- e) maximum height of buildings 10.5 metres

33.3 GENERAL ZONE PROVISIONS

All provisions of Section 5, General Zone Provisions, of this By-law, where applicable to the use of any land, building or structure permitted within the Oak Ridges Moraine Countryside (ORMCO) Zone shall apply and be complied with.

SECTION 34 - ENACTMENT

34.1 ZONE SCHEDULE

The provisions of this By-law shall apply to all lands within the limits of the Municipality of Trent Hills. For the purposes of this By-law such lands are divided into various Zones which are delineated on Plate "A" attached hereto and forming part of this By-law.

34.2 REPEAL OF OTHER ZONING BY-LAWS

34.2.1 All Zoning By-laws which serve to regulate the use of land and the character, location and use of buildings and structures within the Municipality of Trent Hills are hereby repealed in their entirety so as to give effect to the provisions of this By-law and the provisions of this By-law shall hereafter govern.

34.3 ENACTMENT

34.3.1 This By-law shall come into force on the date of passing by the Council of the Municipality of Trent Hills subject to the approval in accordance with the provisions of the *Planning Act*.