

**THE TOWNSHIP OF WOLLASTON**

**COMPREHENSIVE ZONING BY-LAW 50-10**

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**TOWNSHIP OF WOLLASTON  
ZONING BY-LAW**

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**THE CORPORATION OF THE TOWNSHIP OF WOLLASTON**

**ZONING BY-LAW  
(By-law No. \_\_\_\_\_)**

**SECTION 1 - PURPOSE**

This comprehensive Zoning By-law is intended to prohibit the use of land and the erection or use of buildings or structures for or except for such purposes as set down in this by-law; to prohibit the erection or use of buildings on land which is subject to flooding, or on land by reason of its rocky, marshy or unstable character the cost of construction of satisfactory waterworks, sewage, or drainage facilities is prohibitive; to regulate the height, bulk, location, size, floor area, spacing, character and use of buildings or structures; to regulate the minimum frontage and depth of a parcel of land and the portion of the area thereof that any building or structure may occupy; to require loading and parking facilities for buildings or structures erected or used for certain purposes; to prohibit the making or establishment of pits and quarries within defined areas and to regulate the making or establishment of pits and quarries within defined areas of the Township.

**SECTION 2 - TITLE**

This by-law shall be cited as "Comprehensive Zoning By-law No. \_\_\_\_" and shall apply to all land included within the Township of Wollaston as shown on the attached schedules.

**BY-LAW 8-79 OF THE TOWNSHIP OF WOLLASTON AND ALL AMENDMENTS HERETO ARE HEREBY REPEALED.**

**READ A FIRST TIME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010.**

**READ A SECOND TIME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010.**

**READ A THIRD TIME AND FINALLY PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010.**

\_\_\_\_\_  
Original Signed by:  
Mayor

\_\_\_\_\_  
Original Signed by:  
Chief Administrative Officer/Clerk

**I hereby certify that the following is a true copy of By-law No. \_\_\_\_ as enacted by the Council of the Corporation of the Township of Wollaston.**

\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
CAO/Clerk, Township of Wollaston

### **SECTION 3 - DEFINITIONS**

For the purposes of this by-law, the definitions and interpretations in this Section shall govern unless the context indicates otherwise. The word "shall" is mandatory and not directory. Words used in the present tense include the future tense and the reverse. Words used in the plural number include the singular number and the reverse.

- 3.1 "ACCESSORY BUILDING"** shall mean a detached building or structure, the use of which is customarily incidental and subordinate to a principal (main) use, building or structure and located on the same lot therewith and is not intended for human habitation unless specifically permitted in this by-law.
- 3.2 "ACCESSORY USE"** shall mean a use customarily incidental and subordinate to, and exclusively devoted to the main use of the lot, building or structure and located on the same lot as such main use.
- 3.3 "AGRICULTURAL PRODUCE SALES OUTLET"** shall mean a seasonal use accessory to a farm which consists of the retail sale of agricultural products such as fruit, vegetables, flower or farm produce, the majority of which are produced on the farm where such outlet is located, and which shall not require a permit from the Township.
- 3.4 "AGRICULTURE/AGRICULTURAL USE"** shall mean the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.
- 3.5 "AGRICULTURE – RELATED USE"** shall mean those farm-related commercial and farm-related industrial uses that are small-scale and directly related to the farm operation and are required in close proximity to the farm operation.
- 3.6 "ALTER"** shall mean any alteration in a bearing wall or partition, column, beam, girder or other supporting member of a building or structure or any increase in the area or cubic contents of a building or structure. When used in reference to a lot, the word "alter" means to decrease the width, depth or area of any required yard, setback, 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.
- 3.7 "AMUSEMENT ARCADE"** shall mean a building or place of amusement containing games of chance and/or skill, including pinball/video games and billiards to be used by the general public for recreational purposes and operated for a profit. This definition does not include an establishment, the primary use of which is not an amusement arcade and in which not more than 3 such games of chance are located.

- 3.8 "ARENA"** shall mean a building or structure which includes spectator seating, two or more seating areas for visiting teams and provisions for storage and access of ice cleaning equipment and all other required equipment used for the purpose of organized activities including sports and other group functions.
- 3.9 "ASSEMBLY OPERATION"** shall mean the assembling of finished parts or materials into a final product but shall not include any large scale manufacturing operation or any operation discharging large amounts of liquids.
- 3.10 "AUCTION OUTLET"** shall mean a building or part of a building where goods, merchandise, substances, articles or things are sold at a public sale to the person who bids or offers a higher price than any other is willing to pay.
- 3.11 "BASEMENT"** shall mean that portion of a building or structure which is partly underground and below the first floor and which has at least one half of its clear height above the adjoining ground level.
- 3.12 "BASEMENT, WALKOUT"** shall mean that portion of a building which is partly underground, but which has more than 50% of the floor area not greater than .5 metres below grade, and which has an entrance and exit at grade level.
- 3.13 "BED AND BREAKFAST ESTABLISHMENT"** shall mean a single-detached dwelling containing not more than 4 guest rooms used or maintained for the short-term accommodation of the public, in which the owner supplies, for hire or gain, lodgings with or without meals for 4 or more persons but does not include other establishments otherwise defined or classified herein.
- 3.14 "BOATHOUSE, PRIVATE"** shall mean a detached accessory building or structure 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, which does not exceed 4.1 m (13.45 ft.) in height, as defined in this by-law.
- 3.15 "BUILDING (when used as a noun)"** shall mean a structure:
- i) occupying an area greater than 10 sq. metres (107.6 sq. ft.) consisting of a wall, roof or floor or any of them or a structural system serving the function thereof including all plumbing works, fixtures and service systems appurtenant thereto, or
  - ii) occupying an area of 10 sq. metres (107.6 sq. ft.) or less that contains plumbing including the plumbing appurtenant thereto.
- 3.16 "BUILDING HEIGHT"** shall mean the vertical distance between the established grade and:
- i) the highest point of a flat roof;
  - ii) the deck line of a mansard roof;
  - iii) the mean height between the eaves and ridges of a gabled or hip roof;
- but exclusive of:

- i) a roof or penthouse structure accommodating an elevator, staircase, tank, ventilating fan or other similar equipment; a smoke stack; barn; silo; communications tower; drive-in theatre screen; or other utilitarian structure which does not provide habitable living space.
- 3.17 "BUILDING SUPPLY OUTLET"** shall mean a use, building or structure involved in the storage, display and sales of building supplies including lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning and similar items.
- 3.18 "BUILDING, PRINCIPAL"** shall mean a building or structure in which the primary use is conducted.
- 3.19 "BULK STORAGE YARD"** shall mean a place where land is used for the storage in the open of goods and materials, machinery, petroleum products and/or equipment, but does not include the storage of such items as would require approval under the Health Promotion and Protection Act, as amended, nor does it include a salvage yard as defined by this by-law.
- 3.20 "BUSINESS, ADMINISTRATIVE OR PROFESSIONAL OFFICE"** shall mean any building or part of a building in which one or more persons are employed in the management or direction of any agency, business, brokerage, labour or fraternal organization and shall include offices for doctors, dentists, optometrists, chiropractors, drugless practitioners, barristers, solicitors, engineers, architects, land surveyors or chartered accountants and for any purpose incidental thereto the administrative office or offices of a non-profit organization or a business, administrative or professional office or offices.
- 3.21 "CABIN, SLEEPING"** shall mean an accessory and subordinate detached building or structure with a maximum of 29.7 sq. m (320 sq. ft.) designed as sleeping accommodation only, to permit the better or more convenient enjoyment of the principal residential dwelling and shall not contain any plumbing or sanitary waste disposal systems. In no case shall the definition of a sleeping cabin be deemed to include premises for the temporary accommodation of members of the public for a fee. In the case of a sleeping cabin to be located on a lot which is at least two times the minimum lot frontage and lot area required by this by-law, a maximum gross floor area of 55.7 sq. m (600 sq. ft.) may be permitted.
- 3.22 "CABIN, TOURIST"** shall mean a detached building for the sleeping accommodation of guests in which sanitary facilities may be provided but shall not contain any facilities for the preparation or cooking of food.
- 3.23 "CAMP, CHARITABLE"** shall mean any land, buildings or structures operated as a seasonal camp by a charitable corporation approved under the Charitable Institutions Act.
- 3.24 "CAMPER TRAILER/TENT TRAILER"** 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 temporary living, shelter and sleeping accommodation with or without cooking facilities, which is collapsible and compact while being drawn by a motorized vehicle.

- 3.25 **"CARPORT"** shall mean a building or structure of which is used for the parking or storage of private passenger motor vehicles or commercial vehicles of less than one tonne capacity and wherein neither servicing nor repairing of motor vehicles is carried on for remuneration.
- 3.26 **"CAR WASH"** shall mean a building or structure for the commercial operation of motor vehicle washing.
- 3.27 **"CAR WASH, AUTOMATIC"** shall mean a car wash where the labour is not supplied by the patron.
- 3.28 **"CAR WASH, COIN-OPERATED"** shall mean a car wash where the patron supplies the labour.
- 3.29 **"CARTAGE OR EXPRESS TRUCK TERMINAL"** shall mean a building, structure or place where trucks or tractor trailers are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers, and which may include a warehouse.
- 3.30 **"CELLAR"** shall mean the portion of a building or structure which is partly underground, which has no windows and which has at least one half of its clear height below the adjoining ground level.
- 3.31 **"CERTIFICATE OF OCCUPANCY"** shall mean a certificate issued by the Chief Building Official for the occupancy of any land, building or structure, residential, commercial or industrial purposes to the effect that the proposed use or activity complies with this by-law.
- 3.32 **"CHIEF BUILDING OFFICIAL"** shall mean the officer or employee of the Township and appointed by the Corporation with the duty of administering the provisions of the Ontario Building Code, Building By-law and Zoning By-law.
- 3.33 **"CEMETERY"** shall mean a cemetery or columbarium within the meaning of the Cemetery Act, as amended.
- 3.34 **"CLINIC"** shall mean a building or part thereof used by qualified medical practitioners, dentists, osteopaths, or drugless practitioners, numbering more than two for public or private medical, surgical, physiotherapeutic or other human health purposes, but does not include a private or public hospital.
- 3.35 **"CLUB"** see "PRIVATE CLUB" and "COMMERCIAL CLUB".
- 3.36 **"COMMERCIAL"** shall mean the use of land, buildings or structures for the purpose of buying and selling commodities and supplying services as distinguished from such uses as the manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.



- 3.37 **"COMMERCIAL CLUB"** shall mean a building or part of a building where a club is operated for gain or profit and may include facilities for physical fitness and recreation.
- 3.38 **"COMMERCIAL VEHICLE"** shall mean any motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, fire apparatus, police patrols, motor busses including school busses and tractor trailers used for hauling purposes on the highway.
- 3.39 **"COMMUNITY CENTRE"** shall mean any tract of land, building or buildings used for community activities whether used for commercial purposes or not, the control of which is operated under the Community Centres Act, as amended from time to time and shall include an elderly persons centre.
- 3.40 **"CONSERVATION/CONSERVATION USE"** shall mean the preservation, protection, improvement and use of land and/or water for the purpose of planned management of these natural resources.
- 3.41 **"CONTRACTOR'S YARD"** shall mean a place where land is used for the storage in the open, of goods and materials, machinery and/or equipment normally utilized by the construction industry and may include the repair of machinery, but does not include the storage of such items as would require approval under the Health Promotion and Protection Act, R.S.O. 1980, Chapter 400, as amended, nor does it include a salvage yard as defined by this by-law nor equipment or materials used for blasting.
- 3.42 **"CONVENIENCE RETAIL STORE"** shall mean a retail commercial establishment supplying groceries and other daily household conveniences for sale or rental to the immediate area.
- 3.43 **"CONVERTED DWELLING"** see "DWELLING, CONVERTED".
- 3.44 **"CORNER LOT"** see "LOT, CORNER".
- 3.45 **"CORPORATION"** shall mean the Corporation of the Township of Wollaston.
- 3.46 **"COTTAGE, HOUSEKEEPING"** shall mean a temporary dwelling unit in a tourist establishment designed for human habitation and equipped with a kitchen, and having a water supply in common with the other buildings in a group, should the cottage be part of a group of similar cottages.
- 3.47 **"COUNCIL"** shall mean the Municipal Council of the Corporation of the Township of Wollaston.
- 3.48 **"CRAFTERS/FARM GATE SALES OUTLET"** shall mean a temporary indoor or outdoor location for the retail sale of crafts and/or farm produce that may be produced and/or grown on-site or elsewhere but which shall not function on a permanent basis as a retail store, as defined in this by-law, and which shall require a permit from the Township to operate.

- 3.49 **“DAY NURSERY”** shall mean a facility operated for children within the meaning of The Day Nurseries Act, as amended.
- 3.50 **“DECK”** shall mean a horizontal surface supported on piers, free of any roof or other covering and which may be surrounded by a railing, the height of which is governed by the Ontario Building Code.
- 3.51 **“DEVELOPMENT”** shall mean the construction, erection, or placing of a building or structure of any kind or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes such related activities as site grading and the placing or dumping of fill and/or any other operations that disrupt the natural environment in, on, over or under land or water.
- 3.52 **“DOCK”** shall mean a level structure built at or anchored to the shore at which boats or other floating vessels are berthed or secured to for the purpose of loading and unloading and which may provide a foundation for a boathouse.
- 3.53 **“DOCK, COMMUNAL”** shall mean any dock owned and/or used by more than one interest.
- 3.54 **“DRY CLEANING SHOP/OUTLET”** see "LAUNDRY AND/OR DRY CLEANING SHOP/OUTLET".
- 3.55 **“DRIVE-IN RESTAURANT”** see "RESTAURANT, DRIVE-IN".
- 3.56 **“DRIVEWAY”** shall mean an area of land which provides vehicular access from the travelled portion of a street to a parking aisle.
- 3.57 **“DWELLING HOUSE”** shall mean a building or structure or part of a building or structure occupied or capable of being occupied for human habitation, and includes a building that would be or would be intended to be used for such purposes except for its state of disrepair.
- i) **“ACCESSORY DWELLING HOUSE”** shall mean a single dwelling unit which is accessory to a permitted principal use and is designed for residential occupancy, and necessary to the maintenance and operation of the principal use to which it is related.
  - ii) **“CONVERTED DWELLING HOUSE”** shall mean a dwelling house which has been altered or converted so as to provide therein two dwelling units.
  - iii) **“DUPLEX DWELLING HOUSE”** shall mean a dwelling house that is divided horizontally into two (2) dwelling units.

- iv) **"LODGING DWELLING HOUSE"** shall mean a dwelling house in which the proprietor resides and in which long-term lodging with or without meals is supplied by the proprietor for gain to not more than 4 guest rooms who are resident on an on-going basis but does not include a bed and breakfast establishment.
  - v) **"MANUFACTURED DWELLING HOUSE"** shall mean a dwelling house constructed off-site but established for permanent habitation on a lot.
  - vi) **"RETIREMENT DWELLING HOUSE"** shall mean a dwelling house designed for and occupied by residents, the majority of whom are older, some of whom may be disabled but ambulatory, wherein each dwelling unit has a separate entrance from a common hall and a separate private bathroom but where common facilities for the preparation and consumption of food are provided and common lounges, recreation and basic medical care facilities may also be provided. The dining room may permit guests to dine with occupants, paying or otherwise, on an occasional basis only. The accommodations shall be used as the principal residence of the occupants and shall not be provided on a transient basis, and shall not include a lodging dwelling house, as defined in this by-law. The dwelling units are regulated as tenancies under the Tenant Protection Act.
  - vii) **"SEMI-DETACHED DWELLING HOUSE"** shall mean a dwelling house containing two (2) dwelling units separated vertically by a common wall.
  - viii) **"SINGLE-DETACHED DWELLING HOUSE"** shall mean a building used, designed and occupied as a single housekeeping unit.
- 3.58 "DWELLING UNIT"** shall mean one or more habitable rooms located within a dwelling house, or part of a dwelling house, occupied or capable of being occupied by one or more persons as an independent and separate housekeeping establishment in which sanitary conveniences are provided and in which facilities are provided for cooking or the installation of cooking equipment with an independent entrance from outside the building or from a common hallway or stairway inside the building. For the purposes of this by-law, a dwelling unit does not include a trailer, as defined in this by-law, tourist cabin, sleeping cabin, housekeeping cottage, accessory building or structure, or a room or suite of rooms in a lodging house or tourist establishment, all as defined in this by-law.
- 3.59 "DWELLING UNIT AREA"** shall mean the habitable area contained within the inside walls of a dwelling unit, including a loft, but excluding any private garage, carport, porch, veranda, attic, basement, cellar or sun room (unless such sun room is habitable in all seasons of the year), and excluding public or common halls, stairways, and the thickness of outside walls.
- 3.60 "EATING ESTABLISHMENT"** shall mean a building or part of a building where food is prepared and/or cooked for sale to the public, and includes a restaurant, a drive-in restaurant, a take-out restaurant, a snack bar/dairy bar, coffee shop, a dining room, a café, an ice cream parlour and a tea room but does not include a boarding or rooming house or a portable canteen, as defined in this by-law.

- 3.61 "ELDERLY PERSONS' CENTRE"** shall mean any facility intended primarily for the use of elderly persons for purposes which include social, cultural, athletic or recreational activities, and shall include any centre established under the Elderly Persons Centres Act, as amended.
- 3.62 "EQUIPMENT SALES/RENTAL AND REPAIR ESTABLISHMENT"** shall mean a building or part of a building, structure or yard in which articles, machinery and equipment, including heavy machinery are offered for rent and may be serviced or repaired, and may be offered or kept for rent, lease or hire under agreement for compensation.
- 3.63 "ERECT"** when used in this by-law includes construction, reconstruction, and relocation of buildings and structures, and without limiting the generality of the work, also includes:
- i) any preliminary physical operation such as excavating, filling, regrading or draining;
  - ii) altering any existing building or structure by adding, enlarging, extending, remodelling, renovating, moving, demolishing, or effecting other structural changes;
  - iii) any work for the doing of which a building permit is required under the Building By-law of the Corporation; and
  - iv) erect, erected or erection shall have a corresponding meaning.
- 3.64 "ESTABLISHED BUILDING LINE"** shall mean the average setback of the existing buildings from the street line on one side of a continuous 300 m (984.3 ft.) strip of land where three or more lots having street access upon the same side of the street have been built.
- 3.65 "ESTABLISHED GRADE"** shall mean the average elevation of the ground level or sidewalk adjoining the front wall of the building or structure, where the front wall is the wall facing the front lot line and contains the front entrance.
- 3.66 "EXISTING"** unless otherwise described, shall mean existing as of the date of the passing of this by-law.
- 3.67 "EXTERIOR SIDE LOT LINE"** see "LOT LINE, EXTERIOR SIDE".
- 3.68 "EXTERIOR SIDE YARD"** see "YARD, EXTERIOR SIDE".
- 3.69 "FAIRGROUND"** shall mean land devoted to entertainment on a seasonal or temporary basis and may include grandstands, barns and other accessory buildings normally associated with such a use.
- 3.70 "FARM IMPLEMENT AND SUPPLY DEALER"** shall mean an establishment for the repair and/or sale of agricultural implements including the sale of fuel, lubricants and related items for agricultural equipment on the same premises.
- 3.71 "FLOOD PLAIN"** for river, stream and small inland lake systems, shall mean the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

- 3.72 "FLOODING HAZARD"** shall mean the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:
- i) along river, stream and small inland lake systems, the flooding hazard limit is the greater of:
    - a) the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
    - b) the one hundred year flood; and
    - c) a flood which is greater than a) or b) which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).
- 3.73 "FLOOR AREA, GROSS"** shall mean the total floor area of all the storeys of a building and shall include the floor area of any apartment or areas common to the tenants, which floor areas are measured between exterior faces of the exterior walls of the building at each floor level, but excluding car parking areas within the building and any finished or unfinished basement or cellar. For the purpose of this definition, the walls of an inner court are and shall be deemed to be exterior walls.
- 3.74 "FLOOR AREA, GROUND"** shall mean the floor area of the lowest storey of a building, or manufactured dwelling house, approximately at or first above the finished grade level, of which the area is measured between the exterior faces of the exterior walls at the floor level of such storey, but excludes car parking areas within the building and any finished or unfinished basement or cellar. For the purpose of this definition, the walls of an inner court are and shall be deemed to be exterior walls.
- 3.75 "FLOOR, GROUND"** shall mean the lowest storey of a building, approximately at or first above the finished grade level.
- 3.76 "FOOD MARKET"** shall mean a use, building or part of a building or structure wherein food and other household items are kept for sale at retail to the general public and which operates on a self-service, cash and carry basis and shall include a grocery store, butcher shop, bakery or specialty food store but shall not include a convenience retail store.
- 3.77 "FORESTRY/FORESTRY USE"** shall mean the management, development, cultivation and harvesting of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection and production of water supplies, and preservation of the recreation resource.

- 3.78** **"FOUNDATION"** shall mean a system or arrangement of structural members including footings, rafts or piles through which the loads from a building are transferred to supporting soil or rock.
- 3.79** **"FRONT LOT LINE"** see "LOT LINE, FRONT".
- 3.80** **"FRONT YARD"** see "YARD, FRONT".
- 3.81** **"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.
- 3.82** **"FUNERAL HOME"** shall mean a use, building, or a portion of 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.
- 3.83** **"GARAGE, PRIVATE"** shall mean a separate building or a part of a principal building used for the parking or storage of motor vehicles including commercial vehicles of less than one tonne capacity and wherein neither servicing nor repairing is carried on for remuneration.
- 3.84** **"GARAGE, PUBLIC"** see "MOTOR VEHICLE SERVICE STATION".
- 3.85** **"GARDEN SUITE"** shall mean a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable, consisting of separate modular or panelized sections which are designed to permit easy delivery to and assembly into one integral unit on a specific site, and which are reusable and designed to permit easy disassembly for transport back to the factory or to another site.
- 3.86** **"GAS BAR"** shall mean one or more gasoline pump islands, each consisting of one or more gasoline pumps and may include a shelter/kiosk and/or washroom, which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles and shall not be used for repairs, oil changes or greasing.
- 3.87** **"GASOLINE PUMP ISLAND"** shall mean a structure which is an accessory use intended to provide gasoline for vehicles.
- 3.88** **"GIFT SHOP"** shall mean a building or part of a building where crafts, souvenirs, gifts or similar items are offered or kept for sale at retail to the general public but shall not include any other establishment otherwise defined or classified in this by-law.
- 3.89** **"GOLF COURSE"** shall mean a public or private area operated for the purpose of playing golf and may include a par 3 or larger golf course, a miniature golf course and driving range, a clubhouse, banquet facilities and canteen.

- 3.90 "GREENHOUSE"** shall mean a building for the growing of plants, shrubs, trees and similar vegetation which are primarily intended to be transplanted outdoors.
- 3.91 "GROUP HOME"** shall mean a dwelling house or dwelling unit in which not fewer than three and no more than six people, exclusive of staff, receive specialized or sheltered residential care and accommodation by virtue of their physical, mental, emotional, social or legal status and which is funded or licensed under a federal or provincial statute. Group homes include a home for foster children, a home for elderly persons, a home for persons with special needs and a home for people who are convalescing after hospital treatment and are under medical supervision but does not include a facility maintained and operated primarily for persons:
- i) who have been placed on probation under the Probation Act, The Criminal Code (Canada) or the Juvenile Delinquent Act (Canada); or
  - ii) who have been released on parole under the Ministry of Correctional Services Act; the Parole Act (Canada) or the Provincial Offenses Act; or
  - iii) who are admitted to the institution for correctional purposes.
- 3.92 "HEREAFTER"** shall mean after the date of the passing of this by-law.
- 3.93 "HEREIN"** shall mean in this by-law and shall not be limited to any particular section of this by-law.
- 3.94 "HIGH WATER MARK"** shall mean the mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.
- 3.95 "HOME INDUSTRY"** shall mean an industry which is clearly incidental or secondary to the residential use of a single-detached dwelling house and is conducted either entirely within a single-detached dwelling house by an inhabitant thereof or in an accessory building to a single-detached dwelling house. Such home industry may include a woodworking shop, a welding shop, a catering business, a blacksmith shop, a motor vehicle repair shop, a motor vehicle body shop, or similar use.
- 3.96 "HOME OCCUPATION"** shall mean a use which is clearly incidental or secondary to the residential use of a single-detached, semi-detached or duplex dwelling house. Such home occupation may include, among others, an outlet or office for a real estate agent, hairstylist, dressmaker, dentist, doctor, chiropractor, physiotherapist, massage therapist or other drugless practitioner, accountant, and shall include a bed and breakfast establishment and a day nursery, but shall not include a motor vehicle body shop.
- 3.97 "HUNT CAMP"** shall mean a base camp for recreational activities such as hunting and fishing which provides seasonal or temporary accommodation only, in a location where municipal and community services are usually not available, and which shall not be used for habitation on a permanent basis.

- 3.98 "INTERIOR SIDE YARD"** see "YARD, INTERIOR SIDE".
- 3.99 "KENNEL"** shall mean a non-residential building, structure or other facility or part thereof, where dogs are kept, boarded and/or bred and raised for profit or gain.
- 3.100 "LANDSCAPED BUFFER"** shall mean an area not built upon and not used for any purpose other than as a landscaped area and which shall include at least a hedgerow of hardy shrubs or similar type of vegetation not less than 0.3 metres (1 ft.) in height at the time of planting and which, when fully grown, will reach a height of not less than 2 metres (6.6 ft.), extending the full length of the landscaped area and maintained in a healthy growing condition but shall not include driveways, parking spaces or parking aisles.
- 3.101 "LAUNDRY AND/OR DRY CLEANING ESTABLISHMENT"** shall mean a building or part of a building used for the purpose of receiving articles or goods of fabric to be subjected to a commercial process of laundering, dry cleaning, dry dyeing or cleaning elsewhere and for the pressing and distribution of any such articles or goods which have been subjected to any such process and shall include self-service laundry and/or self-service dry cleaning establishments.
- 3.102 "LIVESTOCK"** shall mean poultry, turkeys, cattle, hogs, horses, mink, rabbits, sheep, goats, fur bearing animals or any other domesticated animal used for consumption.
- 3.103 "LIVESTOCK FACILITY"** shall mean one or more barns or permanent structures with livestock-occupied portions, intended for keeping or housing of livestock and shall include all manure or material storages and anaerobic digesters.
- 3.104 "LOADING SPACE"** shall mean an unencumbered area of land which is provided and maintained upon the same lot or lots upon which the principal use is located.
- 3.105 "LODGE"** shall mean an establishment catering to the vacationing public by providing meals and sleeping accommodation to at least five (5) guests in rooms or cabins, but shall not include any establishment otherwise defined herein.
- 3.106 "LOGGING"** shall mean the use of land, buildings or structures for the removal or cutting of merchantable timber either by strip or clear or total cutting operations but does not include the selective harvesting of mature timber nor does it include the clearing of land incidental to putting the land into a condition necessary for the bonafide exercise of a use specifically permitted herein and selective harvesting as used herein means the harvesting of mature timber while causing a minimum of damage to adjacent growth in accordance with good forestry practice.
- 3.107 "LONG TERM CARE FACILITY"** shall mean the use of land, buildings or structures providing extended or long term living facilities for persons who require full-time residential medical care and shall include nursing homes, old age homes, homes for the aged, rest homes, convalescent homes and municipal and charitable facilities which are owned and operated by either the private for-profit sector or by non-profit corporations and are



regulated by provincial statute but which do not include public or private hospitals or senior citizens' retirement dwelling houses.

- 3.108 "LOT"** shall mean a parcel of land, under separate and distinct ownership from adjoining lands and being described in a deed or transfer or other similar document legally capable of conveying land and registered at the Land Registry office having jurisdiction for the lands within the Township of Wollaston.
- 3.109 "LOT AREA"** shall mean the total horizontal area within the lot line of a lot.
- 3.110 "LOT, CORNER"** shall mean a lot situated at the intersection of two or more streets or private roads, having an angle of intersection of not more than 135 degrees.
- 3.111 "LOT COVERAGE"** shall mean that percentage of the lot area covered by all buildings or structures but excluding any part of a building or structure which is constructed entirely below grade. For the purposes of calculating lot coverage, the lot coverage of each zone shall be deemed to apply only to that portion of such lot that is located within the said zone.
- 3.112 "LOT DEPTH"** shall mean the horizontal distance between the midpoints of the front and rear lot lines, and where there is no rear lot line, lot depth means the length of a line within the lot between the midpoint of the front lot line and the most distance point of the apex of a triangle formed by the side lot lines.
- 3.113 "LOT FRONTAGE"** shall mean the horizontal distance between the side lot lines, such distance being measured along a line which is parallel to the front lot line and distant from the front lot line a distance equal to the minimum required front yard depth. Where such lot lines are not parallel, the lot frontage shall be the minimum distance between the side lot lines measured on a straight line 6.096 m (20 ft.) back from, and parallel to, the front lot line or in the case of a curved front lot line, 6.096 m (20 ft.) back from the tangent to a curved line running parallel to the front lot line. The frontage of a corner lot which has a sight triangle, shall be the minimum distance between the interior side lot line and a projection of the side street line, and measured on a straight line i.e. 6.096 m (20 ft.) back from, and parallel to, the front lot line. Lot Frontage shall not include the extent to which a lot abuts the end of a street, other than a street which terminates in a cul-de-sac.
- 3.114 "LOT, INTERIOR"** shall mean a lot other than a corner lot, or a through lot.
- 3.115 "LOT LINE"** shall mean any boundary of a lot.
- 3.116 "LOT LINE, EXTERIOR SIDE"** shall mean the longer of the lot lines of a corner lot which abuts a street, as defined in this by-law.
- 3.117 "LOT LINE, FRONT"** shall mean, in the case of an interior lot fronting on a street, as defined in this by-law, 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 only on a navigable waterway, the highwater mark of the navigable waterway shall be deemed to be the front lot line. In the case of a lot fronting on a navigable waterway and on a street, the lot line abutting the street shall be deemed to be the front lot line. In the case of a lot fronting on a navigable waterway and a private road, as defined in this by-law, the lot line abutting the private road shall be deemed to be the front lot line. In the case of a lot fronting on a private road only, the line abutting the private road shall be deemed to be the front lot line.

- 3.118 "LOT LINE, REAR"** shall mean the lot line farthest from and opposite to the front lot line and where the side lot lines converge at the rear of the lot to form a triangular shaped parcel of land, the rear lot line shall mean the apex of the triangle formed by the side lot lines. Furthermore, where the rear lot line is situated adjacent to a body of water, such lot line shall be the line formed by the high water mark of a body of water.
- 3.119 "LOT LINE, SIDE"** shall mean any lot line other than the exterior side, rear or front lot line.
- 3.120 "LOT, THROUGH"** shall mean a lot bounded on two opposite sides by streets provided however that if any lot qualifies as being both a corner lot and a through lot as herein defined, such lot shall be deemed a corner lot for the purpose of this by-law.
- 3.121 "LUMBER YARD"** shall mean an area where finished and unfinished lumber is stored but does not include an establishment or area otherwise defined in this by-law.
- 3.122 "MANUFACTURING OR PROCESSING PLANT"** shall mean a plant in which the process of producing a product by hand and/or mechanical power and machinery is carried on systematically with division of labour.
- 3.123 "MARINA, PUBLIC/PRIVATE"** shall mean a building or structure with access to a body of water, where boats and boat accessories and parts are berthed, stored, serviced, repaired or kept for sale and where facilities for the sale of marine fuels including petroleum products and lubricants may be provided.
- 3.124 "MARINE/SNOWMOBILE DEALER"** shall mean any building or structure used for the purpose of supplying and selling marine and snowmobile products and may include repair facilities for the purpose of repairing only those items either sold by or related to the products supplied by the dealer.
- 3.125 "MARINE FACILITY"** shall mean an accessory building or structure which is used to take a boat into or out of a waterbody to moor, berth or store a boat and includes a boat launching ramp, boat lift, pumping station, dock or boathouse and a water pumphouse but shall not include any building used for human habitation or any boat service, repair or sales facility and shall comply with the minimum side yard requirements of the respective zone, and shall not include a marina as defined herein.
- 3.126 "MERCHANDISE SERVICE ESTABLISHMENT"** shall mean a building or part of a building, whether connected with a retail shop or not, in which persons are employed in furnishing

the repair or servicing of articles, machines, goods or materials as opposed to the manufacture of same and shall include such establishments as small engine repair of lawn mowers, chainsaws and snowmobiles, among others.

**3.127 "MINIMUM DISTANCE SEPARATION"** shall mean a separation requirement as provided for in Appendix A of this by-law, as established by the Ministry of Agriculture, Food and Rural Affairs.

- i) Minimum Distance Separation I provides minimum distance separation for new or expanding development from existing livestock facilities.
- ii) Minimum Distance Separation II provides minimum distance separation for new or expanding livestock facilities from existing or approved development.

**3.128 "MOTOR VEHICLE"** shall mean any vehicle propelled or driven otherwise than by muscular power, but does not include railway cars powered by steam, electricity or diesel fuel or other vehicles running 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.

**3.129 "MOTOR VEHICLE BODY SHOP"** shall mean a building where motor vehicle cleaning, polishing, body repair and repainting is conducted but shall not include any other motor vehicle use.

**3.130 "MOTOR VEHICLE SALES AGENCY"** shall mean a building and/or lot used for the display and sale of new and used motor vehicles and may include the servicing, repair and repainting of motor vehicles, the leasing or renting of utility or boat trailers and motor vehicles and the sale of motor vehicle accessories and related products, but shall not include any other defined automotive use.

**3.131 "MOTOR VEHICLE SERVICE STATION"** shall mean a building or place where gasoline, propane, natural gas, diesel, oil, grease, anti-freeze, tires, tubes, tire accessories, spark plugs, batteries and other related items for motor vehicles, trucks, motorcycles, and snowmobiles are stored or kept for sale, or where such vehicles may be oiled, greased, washed or have their ignitions or brakes adjusted, tires inflated, batteries charged or more generally where repair or equipping of motor vehicles is executed or performed. A motor vehicle service station may operate on a self-serve basis.

**3.132 "MOTORIZED SNOW VEHICLE"** shall mean a motorized snow vehicle within the meaning of The Motorized Snow Vehicle Act.

**3.133 "MUNICIPALITY"** shall mean the Corporation of the Township of Wollaston.

**3.134 "NON-COMPLYING USE"** shall mean a permitted land use, building or structure existing at the date of the passing of this by-law which does not fulfill the requirements of the zone provisions (e.g. yard setbacks) for the zone within which it is located.

- 3.135 "NON-CONFORMING USE"** shall mean a lawful and specific use, building, structure or land existing at the date of the passing of this by-law which is not longer a permitted use within the zone in which it is situated.
- 3.136 "NUISANCE"** shall mean any condition existing that is or may become injurious or dangerous to health or that prevents or hinders or may prevent or hinder in any manner the suppression of a disease.
- 3.137 "NURSERY/GARDEN CENTRE"** shall mean:
- i) a place where young trees or other plants are grown for transplanting or for sale, and may also include the sale of related accessory supplies and/or
  - ii) land used for the growing of sod, flowers, bushes, trees or other gardening, landscaping or orchard stock for wholesale or retail sale and/or
  - iii) a building or structure, and lands associated therewith, for the growing of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation together with gardening tools and implements which are sold at retail from such building or lot to the general public and may include an office and equipment storage area for the operation of a landscaping business and may include a greenhouse, as defined in this by-law.
- 3.138 "NURSERY SCHOOL"** see "DAY NURSERY".
- 3.139 "NURSING HOME"** see "LONG-TERM CARE FACILITY".
- 3.140 "OPEN SPACE/OPEN SPACE USE"** shall mean the open, unobstructed space on a lot, including the open, unobstructed space accessible to all occupants of any residential or commercial building or structure, which is suitable and used for the growth of grass, flowers, bushes and other vegetation and may include any surface pedestrian walk, patio, pool, or similar area, but does not include any driveway, ramp or parking spaces, parking aisles, loading spaces, vehicular manoeuvring areas or similar areas.
- 3.141 "ORNAMENTAL STRUCTURE"** shall mean any ornamental fountain, statue, monument, cenotaph or other memorial or decorative structure not being part of or accessory to any other structure.
- 3.142 "OUTDOOR FURNACE"** shall mean a building or structure that is used to provide heat or heated water to the main building on a lot but is separate from the main building on the lot.
- 3.143 "OUTSIDE STORAGE"** shall mean an accessory storage area outside of the principal or main building on the lot.
- 3.144 "PARK, PRIVATE"** shall mean a park other than a public park.
- 3.145 "PARK, PUBLIC"** shall mean a 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 or Government of Canada.

- 3.146 "PARK MODEL TRAILER"** shall mean 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 installed facilities, with a gross floor area including lofts not exceeding 50 sq. m (538 sq. ft.) in set-up mode, and not having a width greater than 2.6 m (8.5 ft.) in the transit mode. Further, all park model trailers shall comply with Canadian Standards Association Standard No. Z241.
- 3.147 "PARKING AISLE"** shall mean an area of land which abuts and provides direct vehicular access to one or more parking spaces.
- 3.148 "PARKING ANGLE"** shall mean the angle, equal to or less than a right angle, formed by the intersection of the side of the parking space and line parallel to the aisle.
- 3.149 "PARKING AREA"** shall mean an area of land which is provided and maintained and which comprises all parking spaces, driveways, aisles, vehicular moving areas, entrances, exits and similar areas used for the purpose of gaining access to or egress from the said parking spaces.
- 3.150 "PARKING LOT"** shall mean any parking area other than a parking area accessory to a permitted use.
- 3.151 "PARKING SPACE"** shall mean an area of land having a width of not less than 2.7 metres (8.9 ft.) and a length of not less than 6 metres (19.69 ft.), exclusive of aisles or any other land used for access or vehicular manoeuvring, for the temporary parking of one motor vehicle. A parking space may be located in the open or within a private garage, carport, building or other covered area and shall have adequate access to permit ingress and egress of a motor vehicle from a street by means of driveways, aisles or similar areas.
- 3.152 "PERSON(S)"** shall mean any human being, association, firm, partnership, private club, 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.
- 3.153 "PERSONAL SERVICE ESTABLISHMENT"** shall mean a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons and shall include such establishments as barber shops, hairdressing salons, shoe repair and shoeshine shops and depots for collecting drycleaning and laundry.
- 3.154 "PIT"** shall mean land or land under water from which unconsolidated aggregate is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site or in relation to which an order has been made under the Aggregate Resources Act, and shall include drilling and blasting and the processing of mineral aggregates including aggregate crushing, screening and washing.

- 3.155 "PLACE OF WORSHIP"** shall mean a building which may include a church hall, auditorium, Sunday school, convent, monastery or other related uses, dedicated to public worship by a recognized religion that is:
- i) charitable, according to the laws of Ontario;
  - ii) organized for the conduct of religious worship; and
  - iii) permanently established both as to the continuity of its existence and as to its religious beliefs and practices.
- 3.156 "PORTABLE CANTEEN"** shall mean a vehicular and mobile facility where light meals and drinks are prepared and served to the public and which does not necessarily provide for consumption thereof on the premises and shall include a chip truck and mobile kitchen and shall require a permit from the Township to operate.
- 3.157 "PRIVATE CLUB"** shall mean a building or part of a building used as a meeting place for members sharing a common interest, including a fraternal lodge or organization and a labour union hall. Such private clubs shall not be operated for profit.
- 3.158 "PRIVATE GARAGE"** see "GARAGE, PRIVATE".
- 3.159 "PRIVATE PARK"** see "PARK, PRIVATE".
- 3.160 "PRIVATE ROAD"** shall mean a privately-owned lane used as a means of vehicular access to private property which may or may not be a surveyed right-of-way.
- 3.161 "PUBLIC PARK"** see "PARK, PUBLIC".
- 3.162 "PUBLIC STREET"** see "STREET".
- 3.163 "PUBLIC WORKS/PUBLIC UTILITIES YARD"** shall mean a lot which may include a building or structure and also associated storage structures used for the storage, maintenance or repair of equipment, machinery or motor vehicles used in connection with civil works.
- 3.164 "QUARRY"** shall mean land or land under water from which consolidated aggregate is being or has been excavated and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site or in relation to which an order has been made under the Aggregate Resources Act and shall include drilling and blasting and the processing of mineral aggregates including aggregate crushing, screening and washing.
- 3.165 "REAR LOT LINE"** see "LOT LINE, REAR".
- 3.166 "REAR YARD"** see "YARD, REAR".

- 3.167 "RECREATIONAL ESTABLISHMENT, COMMERCIAL"** shall mean a building used or intended to be used for a bowling alley, curling rink, swimming pool, health club, athletic club or similar uses, on a commercial basis.
- 3.168 "RECREATIONAL USE, ACTIVE OUTDOOR"** shall mean uses such as baseball diamonds, golf courses, including a miniature golf course and/or driving range, lawn bowling greens, tennis courts, outdoor skating rinks and swimming pools, together with accessory buildings and structures but does not include an arcade or a track for the racing of animals, motor vehicles, snowmobiles, motorcycles or bicycles.
- 3.169 "RECREATIONAL USE, PASSIVE OUTDOOR"** shall mean such uses as hiking and ski trails, nature observation locations and open space as opposed to (for example) tennis courts, golf courses and baseball diamonds.
- 3.170 "RECREATIONAL VEHICLE"** means a structure designed to provide temporary living accommodation for travel, vacation, or recreational use, and to be driven, towed or transported. Living accommodations may include sleeping, kitchen, bathroom, and system for fresh and waste water, 110/12V electricity, propane, heating, air conditioning, and entertainment. It has an overall length not exceeding 12.5 metres (41 ft.) and an overall width not exceeding 2.6 metres (8.5 ft.), where the width is the sum of the distance from the vehicle centreline to the outermost projections on each side (including door handles, water connections, etc.) when the vehicle is folded or stowed away for transit.
- 3.171 "RESIDENTIAL"** shall mean the use of land, buildings, or structures for human habitation.
- 3.172 "RESTAURANT"** shall mean a building or part of a building where food is prepared and/or cooked and offered for sale or sold to the public and where dining tables and table service are provided.
- 3.173 "RESTAURANT, DRIVE-IN"** shall mean a use, building or structure where food is prepared and/or cooked and offered for sale or sold to the public for consumption either in a motor vehicle parked on the parking lot or for consumption on the premises and where dining tables may be provided but table service is not provided, but shall not include a portable canteen, as defined in this by-law.
- 3.174 "RESTAURANT, TAKE-OUT"** shall mean a use, building or structure where food is prepared and/or cooked and offered for sale or sold to the public and where neither dining tables nor table service are provided.
- 3.175 "RETAIL STORE"** shall mean a building or part of a building where goods, merchandise, substances, articles or things are offered for retail sale directly to the general public and includes storage on the store premises of such goods, merchandise, substances, articles or things sufficient only to service such store.
- 3.176 "RETAIL STORE, CONVENIENCE"** shall mean a retail store serving the daily or occasional needs of the residents in the immediate area with a variety of goods such as groceries,

meats, beverages, dairy products, patent medicines, sundries, tobacco, stationery, hardware, magazines and newspapers.

- 3.177 "SALVAGE YARD"** shall mean a fenced lot and/or land for the storage and/or handling of scrap material, which, without limiting the generality of the foregoing, may include vehicles, tires, metal, used bicycles, waste paper and/or other scrap material and salvage.
- 3.178 "SAUNA"** shall mean an accessory enclosed structure which does not exceed 10 square metres (107.6 sq. ft.) in area with an approved heating device to produce steam.
- 3.179 "SAW AND/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 a chipper and facilities for the kiln drying and storage of lumber and may or may not include the distribution of such products on a wholesale or retail basis.
- 3.180 "SCHOOL"** shall mean an elementary or secondary school under the jurisdiction of the Public Board of Education or the Roman Catholic Separate School Board, a private school, a technical school, a vocational school, a college, a university or other educational institution, but not including a school for profit.
- 3.181 "SELF-STORAGE BUILDING"** shall mean a building (or part thereof) containing individual doorways each accessing a fully enclosed room that is used for storage of inactive and stable dry goods only.
- 3.182 "SEMI-DETACHED DWELLING"** see "DWELLING, SEMI-DETACHED DWELLING HOUSE".
- 3.183 "SETBACK"** shall mean the least horizontal dimension between the centreline of a street allowance, measured at right angles to such centreline, and the nearest part of any building, structure or excavation on the lot, or the nearest outside storage use on the lot.
- 3.184 "SHORELINE"** shall mean any lot line or portion thereof that abuts a waterbody.
- 3.185 "SIDE LOT LINE"** see "LOT LINE, SIDE".
- 3.186 "SIDE YARD"** see "YARD, SIDE".
- 3.187 "SIGHT TRIANGLE"** shall mean an area free of buildings or structures, which area is determined by measuring from the point of intersection of street lines on a corner lot or where a corner is rounded from the point at which the extended street lines meet, the distance required by this by-law along each such street line and joining such points with a straight line thereby creating a triangular-shaped parcel of land. This triangular-shaped parcel of land located between the intersecting street lines and the straight line joining the points located the required distance along the street lines is the sight triangle.
- 3.188 "SINGLE-DETACHED DWELLING"** see "DWELLING, SINGLE-DETACHED DWELLING HOUSE".



- 3.189 "SOLAR COLLECTOR"** shall mean any structure subordinate to a principal structure designed specifically for the collection of solar energy for experimental or ornamental purposes or for the purposes of converting such energy for heating, lighting, water production or any other domestic or commercial use that may be obtained from such source. For the purposes of this by-law, a solar collector shall be considered an accessory structure.
- 3.190 "STREET"** shall mean a public highway maintained year-round as defined under the Highway Traffic Act, as amended, from which access may be taken to an abutting lot and which is dedicated, assumed and maintained by a municipality, a county, or the Province of Ontario and shall not include an unopened road allowance, a private road, as defined in this by-law, or an unassumed road on a Registered Plan which has been deemed not to be a Registered Plan under the Planning Act.
- 3.191 "STREET LINE"** shall mean the limit of the street allowance and is the dividing line between a lot and a street.
- 3.192 "STRUCTURE"** shall mean anything constructed or erected, the use of which requires location on the ground, or which is attached to something having location on the ground.
- 3.193 "TAKE-OUT RESTAURANT"** see "RESTAURANT, TAKE-OUT".
- 3.194 "TAVERN"** shall mean "a tavern" as defined by the Liquor Licence Act, as amended from time to time.
- 3.195 "TEA ROOM"** shall mean a public room where tea and light refreshments, but not complete meals, are served for immediate consumption within the building. A tea room does not include premises licensed under the Liquor Licence Board of Ontario or any other form of eating establishment as defined herein.
- 3.196 "TENT"** shall mean every kind of temporary shelter for sleeping that is not permanently affixed to the site and that is capable of being easily moved.
- 3.197 "TENT AND TRAILER PARK"** shall mean a parcel of land providing overnight or short term (but not permanent) accommodation for tents and trailers, as defined in this by-law, but not manufactured dwelling houses as defined in this by-law and may include services and facilities normally incidental and subordinate to such a use including common washroom lavatory and bathing facilities, indoor and/or outdoor recreation areas, and an entrance kiosk.
- 3.198 "TENT OR TRAILER SITE"** shall mean an area of land within a tent and trailer park that is or is intended to be occupied by one or more tents or one trailer, as defined in this by-law.
- 3.199 "THROUGH LOT"** see "LOT, THROUGH".
- 3.200 "TOP OF BANK"** (Slope) shall mean a point or line which is the beginning of a significant change in the land surface, then from which the land surface slopes downward. When two

(2) or more slopes are located together, the slope that is highest and farthest away from the top of the slope shall be the slope considered for the top of bank.

- 3.201 "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 services and facilities in connection with the on-site sleeping accommodation, and may include a lodge, a tourist cabin(s) and/or housekeeping cottage(s) as well as docks, an eating establishment and a convenience store intended for the use of clients of the tourist establishment only but does not include:
- i) a charitable camp operated by a corporation approved under the Charitable Institutions Act;
  - ii) a club owned by its members and operated without profit or gain.
- 3.202 "TRACTOR TRAILER TRUCK"** shall mean a motor vehicle designed for the haulage of goods in an attached trailer but not for the carriage of any load when operating independently.
- 3.203 "TRAILER"** shall include the following, as defined in this by-law: "Camper Trailer/Tent Trailer", "Truck Camper", "Park Model Trailer", "Travel Trailer" and "Recreational Vehicle".
- 3.204 "TRAVEL TRAILER"** shall mean any unit designed to be towed by a car, van or pickup truck by means of a bumper or frame hitch.
- 3.205 "TRUCK CAMPER"** shall mean any unit so constructed that it 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.
- 3.206 "USE"** shall mean the purpose for which any land, building or structure is arranged, designed, or intended to be used, occupied or maintained.
- 3.207 "USE, ACCESSORY"** shall mean a use customarily incidental and subordinate to the principal use or building located on the same lot.
- 3.208 "VETERINARY 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 and in conjunction with which there may be facilities provided for the sheltering of animals during the treatment period.
- 3.209 "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 terminal.
- 3.210 "WASTE DISPOSAL SITE"** shall mean any use, building or structure approved by the Ministry of the Environment (or land covered by water as in the case of a sewage lagoon) including facilities, equipment and operations for the collection, handling, transportation, storage, processing and disposal of waste and may include waste exclusive of liquid

industrial waste, a sewage treatment plant, sewage lagoon, recycling facility/waste transfer station, landfill site or salvage yard, as defined in this by-law.

- 3.211 "WATER FRONTAGE"** shall mean all property abutting a water body measured along the high water mark.
- 3.212 "WATERBODY"** shall mean any bay, lake, wetland, canal or natural watercourse where the probability of fish habitat is significant but excludes a drainage or irrigation channel.
- 3.213 "WATERBODY, NARROW"** shall mean an area where the minimum average distance from shoreline to shoreline is 150 metres (492.1 ft.) for a lake and 15 metres (49.2 ft.) for a river, as illustrated in Appendix B to this by-law.
- 3.214 "WATERCOURSE"** shall mean any surface stream or river and includes an intermittent stream or natural channel but excludes constructed channels or ditches intended to drain lands or facilities.
- 3.215 "WAYSIDE PIT"** shall mean:
- i) a temporary sand or gravel pit opened and used by a government authority or authorized contractor for the purpose of a particular public project such as road construction, or
  - ii) a minor sand and gravel pit on a farm unit required only for the use of that farm unit.
- 3.216 "WAYSIDE QUARRY"** shall mean a temporary quarry opened and used by a government authority or authorized contractor for the purpose of a particular public project such as road construction.
- 3.217 "WETLANDS"** shall mean lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.
- 3.218 "WOODLOT"** shall mean a wooded area in which the majority of trees are at least 10.2 centimetres (4.0 inches) in diameter and in which there is a minimum of a fifty (50) percent closed canopy of tree foliage.
- 3.219 "WORKSHOP"** shall mean a building or structure where manufacturing is performed by tradespeople requiring manual or mechanical skills and may include a carpenter's shop, a woodworker's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, an upholsterer's shop, a welder's shop or similar uses.
- 3.220 "YARD"** shall mean the space appurtenant to a building or structure located on the same lot as the building or structure which space is open, uncovered, and unoccupied from the ground to the sky except for such accessory buildings, structures, or uses which are specifically permitted by this by-law.

- 3.221 "YARD, FRONT"** shall mean the yard extending across the full width of the lot between the front lot line of the lot and the nearest part of any building or structure on the lot. The "minimum" front yard shall mean the distance between the front lot line and the nearest wall of any building or structure.
- 3.222 "YARD, REAR"** shall mean the yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any principal building or structure on the lot. Where a lot abuts a watercourse or waterbody, the rear yard shall mean the minimum distance between the highwater mark and the nearest wall of any principal building or structure. Where a rear yard is required for an accessory building in this by-law then this definition shall apply except that the words "accessory building" shall be substituted for "principal building".
- 3.223 "YARD, SIDE"** shall mean the yard extending from the front yard to the rear yard between the side lot line and the nearest part of any building or structure.
- 3.224 "YARD, INTERIOR SIDE"** shall mean the side yard extending from the front yard to the rear yard between the side lot line and the nearest part of any building or structure on any lot and excluding any exterior side yard. The "minimum" interior side yard shall mean the minimum distance between an interior side lot line and the nearest wall of any building or structure.
- 3.225 "YARD, EXTERIOR SIDE"** shall mean the side yard of a corner lot in which the side yard extends from the front yard to the rear yard between the side street line and the nearest part of any building or structure on the corner lot. The "minimum" exterior side yard shall mean the distance between the exterior side lot line and the nearest wall of any building or structure.
- 3.226 "ZONE"** shall mean a designated area of land use shown on the Schedules to this by-law.

## **SECTION 4 - ADMINISTRATION**

### **4.1 ZONING ADMINISTRATION**

This by-law shall be administered by a person appointed by the Council of the Township of Wollaston as the Chief Building Official.

### **4.2 ISSUANCE OF BUILDING PERMITS**

Where land is proposed to be used or a building or structure is proposed to be erected or used in violation of this by-law, no permit or licence required under any by-law of the Corporation for the use of the land or for the erection or the use of the building or structure shall be issued.

### **4.3 APPLICATIONS FOR BUILDING PERMITS**

In addition to the requirements of the Ontario Building Code, the Corporation's Building By-law or any other by-law of the Corporation, every application for a building permit shall be accompanied by plans (which depending upon the nature and location of the work to be undertaken may be required, by the Corporation, to be based upon an actual survey prepared by an Ontario Land Surveyor) drawn to an appropriate scale and showing the following:

- i) the true shape and dimensions of the lot to be used or upon which it is proposed to erect any building or structure;
- ii) the proposed location, height and dimensions of the building, structure or work in respect of which the permit is being applied for;
- iii) the location of every building or structure already erected or partly erected on such lot;
- iv) the proposed locations and dimensions of yards, open spaces, parking areas, and loading spaces required by this by-law;
- v) proposed grading or change in elevation or contour of the land and the proposed method for the disposal of storm and surface water from the land and from any building or structures thereon;
- vi) a statement signed by the owner or his agent duly authorized thereinto in writing, filed with the Chief Building Official, which statement shall set forth in detail the intended use of each building and structure or part thereof and giving all information necessary to determine whether or not every such building or structure conforms with the regulations of this by-law.

**4.3.1** In addition to the above requirements, no building permit shall be issued for any building or structure which requires servicing unless the building permit application is accompanied by:

- i) approval in writing from the appropriate responsible authority for the proposed method of sewage disposal;
- ii) a well record from a qualified well driller demonstrating a water pumping capacity at a rate of and over a period of time acceptable to the Township.

#### **4.4 INSPECTION OF LAND OR BUILDINGS**

Where the Chief Building Official has reason to believe that any person has used land or used a building or structure contrary to this by-law, he/she, or an employee of the municipality authorized by him/her, may at any reasonable hour, enter and inspect the land, building or structure.

#### **4.5 VIOLATIONS AND PENALTIES**

Any person who contravenes any provisions of the by-law is guilty of an offence, and for the purposes of this by-law, each day that a breach of this by-law continues shall constitute a separate offence and on summary, the offender shall be liable to be fined under the provisions of the Provincial Offences Act.

The conviction of an offender upon the breach of any of the provisions of this by-law shall not operate as a bar to a prosecution against the same offender upon any continued or subsequent breach of any such provision and any court of competent jurisdiction may convict any offender repeatedly for repeated breaches of the by-law.

#### **4.6 OCCUPATION OF BUILDINGS**

**4.6.1** Occupation of all new buildings and converted dwellings shall require a Certificate of Occupancy from the Township's Chief Building Official in accordance with the Ontario Building Code and any other municipal by-laws.

**4.6.2** Notwithstanding anything contained in this by-law, no person shall use or occupy any building for residential purposes:

- i) unless such building has been substantially completed and finished in all respects in accordance with the plans and specifications filed upon application for the building permit,
- ii) unless such building is serviced with electricity, a pressure well water supply system, and an appropriate sanitary sewage disposal system. Alternate forms of servicing shall be subject to the approval of the Chief Building Official.

#### **4.7 VALIDITY, EFFECTIVE DATE AND EXISTING BY-LAWS**

##### **4.7.1 Validity**

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

#### **4.7.2 Effective Date**

This by-law shall come into force and take effect upon being passed by the Council of the Township of Wollaston.

#### **4.7.3 Existing By-laws**

All by-laws in force within the Corporation of the Township of Wollaston regulating the use of lands and the character, location, bulk, height and use of buildings and structures are amended insofar only as it is necessary to give effect to the provisions of this by-law and the provisions of this by-law shall govern unless otherwise specified.

#### **4.7.4 Repeal of Existing Zoning By-law**

By-law No. 8-79 as amended of the Corporation of the Township of Wollaston is hereby repealed in its entirety.

#### **4.8 APPLICATION**

This by-law shall apply to all lands within the Township of Wollaston, and shall take effect on the day it is enacted.

#### **4.9 INTERPRETATION**

Nothing in this by-law shall be construed to exempt any person from complying with the requirement of any by-law of the Township of Wollaston or the Corporation of the County of Hastings or from any law of the Province of Ontario or Canada, or any regulations under the provisions of the Conservation Authorities Act of a Conservation Authority having jurisdiction or from any other law in force from time to time.

**4.9.1** In this by-law, the word "shall" is mandatory.

#### **4.10 ZONES**

**4.10.1** For the purpose of this by-law, the Township of Wollaston has been divided into zones, the boundaries of which are shown on the attached schedules.

**4.10.2** The attached schedules are detailed maps for portions of the Township of Wollaston.

**4.10.3** The zones are referred to by the following names or symbols and are identified on the attached schedules inclusive by the following symbols:

<u>ZONE</u>	<u>SYMBOL</u>	<u>PAGE NO.</u>
RURAL ZONE	RU	53
RURAL RESIDENTIAL ZONE	RR	55
LIMITED SERVICE RESIDENTIAL ZONE	LSR	58
WATERFRONT RESIDENTIAL ZONE	WR	61

RESIDENTIAL FIRST DENSITY ZONE	R1	63
RESIDENTIAL SECOND DENSITY ZONE	R2	65
COMMERCIAL ZONE	C	68
RECREATIONAL/RESORT COMMERCIAL ZONE	RRC	71
INDUSTRIAL ZONE	I	75
MINERAL EXTRACTIVE ZONE	MX	78
WASTE DISPOSAL ZONE	WD	81
COMMUNITY FACILITY ZONE	CF	84
OPEN SPACE ZONE	OS	86
ENVIRONMENTAL PROTECTION ZONE	EP	87

- 4.10.4** Where the boundary of any zone is uncertain, and the boundary is shown following a street, lane, railway right-of-way, electric transmission line, right-of-way or watercourse, then the centre line of the street, lane, railway right-of-way, electric transmission line, right-of-way or watercourse is the zone boundary.
- 4.10.5** Where the boundary line of a zone does not correspond to a property line, to the centre line of a street, highway line, right-of-way or watercourse, the location of said boundary line shall be scaled from the scale shown on the attached schedules.
- 4.10.6** Where the boundary of any zone is uncertain and notwithstanding the provisions of this subsection, the dimensions contained in any amending by-law shall apply.
- 4.10.7** Where the regulations of a zone include a requirement that the minimum yard of a lot or parcel of land shall be a specific number of metres, such minimum yard shall be determined by measuring at right angles from either the street line of the public street or the lot line abutting such yard in the direction of such lot or parcel of land a distance equal to the said specific number of metres in the relevant regulation of such zone.
- 4.10.8** The minimum lot area shall be as contained in the appropriate section of this by-law for the zone in which the lot is located.
- 4.10.9** All uses of land and the erection or use of any building or structure for a purpose not permitted under the "Permitted Use" subsection of one or more zones established by this by-law are and shall be deemed to be prohibited in each such zone, except for those uses of land and the erection or use of any building or structure for a purpose expressly permitted under the applicable provisions of this by-law.
- 4.10.10** For the purposes of this by-law:
- Rural Residential (RR), Waterfront Residential (WR), Residential First Density (R1), Residential Second Density (R2) are residential zones.
  - Commercial (C) and Recreational Resort Commercial (RRC) are commercial zones.
  - Industrial (I), Mineral Extractive (MX) and Waste Disposal (WD) are industrial zones.
- 4.10.11** Where a lot is divided into more than one zone under the provisions of this by-law, each such portion of the lot shall be used in accordance with the zone provisions of this by-law for that portion of the lot, including lot area and lot frontage.
- 4.10.12** Imperial units are provided for convenience only and shall not be used to determine the requirements of the by-law.



## **SECTION 5 - GENERAL PROVISIONS**

### **5.1 ACCESSORY BUILDINGS AND STRUCTURES**

- 5.1.1** No person shall use an accessory building for human habitation except where it is permitted as an accessory use in the applicable zone.
- 5.1.2** Notwithstanding the provisions of section 5.32 of this by-law entitled 'Temporary Uses' to the contrary, no accessory building shall be erected prior to the erection of a principal building or structure.
- 5.1.3** The total lot coverage of accessory buildings and structures including detached private garages shall not exceed five (5) percent of the lot area except where a swimming pool or tennis court is provided, in which case the total lot coverage for accessory uses shall not exceed twenty (20) percent. In no case shall the lot coverage of all buildings on a lot exceed the maximum lot coverage of the principal use set out in the applicable provisions of this by-law.
- 5.1.4** Except in a Rural (RU) zone, any accessory building shall be erected to the rear of the projected front wall of the principal building in accordance with the provisions of the particular zone. An accessory building in the Rural (RU) zone shall be permitted to locate to the front of the projected front wall of the principal building, provided it meets the minimum front yard requirement of the Rural (RU) zone. An accessory building in the Rural (RU) zone shall meet the additional requirements of the RU zone for accessory buildings.
- 5.1.5** The minimum distance of any accessory building from a principal building shall be 3.0 metres (9.8 ft.).
- 5.1.6** An accessory building shall not be built closer to any lot line than the minimum distance required by this by-law except that common semi-detached garages and private mutual docks may be erected on a mutual side lot line.
- 5.1.7** In the case of a sleeping cabin to be located on a lot which has at least two times the minimum lot frontage and two times the minimum lot area required by this by-law, the maximum gross floor area of the sleeping cabin may be increased to 55.7 sq. m (600 sq. ft.).
- 5.1.8** The total gross floor area of all accessory buildings and structures shall be less than the total gross floor area of the principal use.

### **5.2 ACCESSORY DWELLING HOUSE OR DWELLING UNIT IN A NON-RESIDENTIAL ZONE**

Where permitted by this by-law, an accessory dwelling house or dwelling unit may be provided, in accordance with the following regulations:

- i) An accessory single-detached dwelling house as a separate structure or an accessory dwelling unit shall be permitted, if occupied by the owner, caretaker, watchman or similar person, provided that such person is employed on the lot on which such

- dwelling house or unit is located and that the lot can be serviced by a potable water supply and sewage disposal system having the approval of the appropriate authorities.
- ii) An accessory dwelling house shall have a minimum gross floor area of 74.3 square metres (800 sq. ft.) and where there is more than one floor, a minimum ground floor area of 44.5 square metres (479.0 sq. ft.).
  - iii) An accessory dwelling house shall meet the yard and height requirements of the R1 zone and the lot area, lot frontage and all other requirements of the zone in which it is located.
  - iv) An accessory dwelling unit within a non-residential building shall have a minimum gross floor area of 55 square metres (592.0 sq. ft.).
  - v) An accessory dwelling unit shall be permitted in a portion of a non-residential building, except in the case of a motor vehicle service station or motor vehicle sales agency where such dwelling unit shall not be permitted.
  - vi) An accessory dwelling unit shall have bathroom and kitchen facilities separate from those of the non-residential use and a separate building entrance to that provided for the non-residential use.
  - vii) An accessory dwelling unit shall contain storage facilities having a minimum area of 2.8 sq. m (30 sq. ft.).
  - viii) An accessory dwelling house and an accessory dwelling unit shall each provide parking spaces, in accordance with the requirements of this by-law, that are separate from and in addition to those required by the parking requirements of this by-law for the principal use.
  - ix) Notwithstanding the provisions of clause 5.2(iv) above, the gross floor area of the residential portion (i.e. the accessory dwelling unit) of a non-residential building in a commercial zone shall not exceed one hundred (100) percent of the non-residential floor area.

### **5.3 ENVIRONMENTAL PROTECTION (EP) ZONES**

- 5.3.1** Waterbodies and permanent watercourses are hereby zoned Environmental Protection (EP) and shown on the attached schedules.
- 5.3.2** Lands that may pose a threat to life and property because of inherent physiographic characteristics such as floodplains, erosion hazards, poor drainage, organic soil, steep slopes or other similar physical limitations have been zoned Environmental Protection (EP) and shown on the attached schedules.
- 5.3.3** Notwithstanding any other provisions of this by-law to the contrary, all uses, buildings or structures within the Environmental Protection Zone may continue to be used for those uses existing as of the date of passage of this by-law.
- 5.3.4** Lands zoned as Environmental Protection (EP) may be used in calculating minimum lot area but may not be used in calculating minimum lot frontage requirements. However, a minimum of fifty percent (50%) of the required lot area must be provided on the lot outside any EP zone on the lot.

## **5.4 ENVIRONMENTALLY SENSITIVE LANDS**

- 5.4.1** Environmentally Sensitive Lands are those lands identified as natural heritage areas and systems having significant biological, geological, zoological or other unique natural features such as wildlife habitat, areas of natural and scientific interest, habitat of threatened or endangered species, woodlands and valley lands.
- 5.4.2** Development of environmentally sensitive lands is subject to a Holding symbol and may be developed in accordance with the underlying zone classification. Removal of the Holding symbol is subject to receipt of comments from appropriate agencies including the Crowe Valley Conservation Authority and to passage of a by-law to remove the Holding symbol (Section 36 of the Planning Act), approved by the Township of Wollaston.
- 5.4.3** Crowe Valley Conservation Authority has enacted Ontario Regulation 159/06 to review development proposals with environmentally sensitive and/or natural hazard physiographic characteristics. All development or site alteration proposals within the Crowe Valley Conservation Authority's regulated area must conform to these regulations.

## **5.5 EXISTING UNDERSIZED LOTS**

Notwithstanding any other provision of this by-law to the contrary, where a lot that existed prior to the date of passing of this by-law has a lesser lot area and/or frontage than required, or, where such lot is created as a result of an expropriation or acquisition by a public authority, such smaller lot may be used and a building or structure may be erected, altered or used provided that there is compliance with all other applicable zone provisions of this by-law.

## **5.6 EXISTING USES, BUILDING OR STRUCTURES**

### **5.6.1 Continuation of Existing Uses**

The provisions of this by-law shall permit the use of any lot, building or structure for any purpose prohibited by this by-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this by-law, so long as it continues to be used for that purpose.

### **5.6.2 Permitted Exterior Extension**

A building, which before the date of passing of this by-law, was used for a purpose not permissible within the zone in which it is located shall not be enlarged or extended unless such building is thereafter to be used for a purpose permitted within such zone and complies with all requirements of this by-law for such zone, or unless the requirements of Section 45 of the Planning Act, R.S.O. 1990 are first complied with.

### **5.6.3 Permitted Interior Alteration**

The interior of any building lawfully used before the date of passing of this by-law for a use that is not permitted within the zone in which 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, before the passing of this by-law, such building was used.

#### **5.6.4 Restoration to a Safe Condition**

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

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

Nothing in this by-law shall apply to prevent the reconstruction of any lawful non-conforming building or structure which is damaged by causes beyond the control of the owner provided the original height and ground floor area are not increased.

#### **5.6.6 Change of Use**

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

#### **5.6.7 Permitted Non-Complying Buildings or Structures**

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

#### **5.6.8 Floor Area Less than Required**

Nothing in this by-law shall prevent an extension or addition being made to a permitted dwelling house, which dwelling house existed 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 and achieves the minimum gross floor area as required.

#### **5.6.9 Private Right-of-Way**

Notwithstanding the provisions of this by-law, where a building has been erected prior to the passing of this by-law on a lot which fronts on a private right-of-way registered on title and which provides legal access to an improved public street, the provisions of this by-law shall not apply to prevent the enlargement, alteration, extension, renovation or reconstruction of such a building or structure, provided the use of such building or structure

is permissible in the zone in which it is located and that all other applicable zone provisions of this by-law are complied with.

### **5.7 EXTERNAL DESIGN**

The following building materials shall not be used for more than 5 percent of the exterior vertical facing of any wall of any residential building within the Township:

- i) building paper;
- ii) asphalt roll-type siding;
- iii) insulbrick.

### **5.8 FRONTAGE ON A STREET**

No person shall erect any building or structure in any zone, except in a Limited Service Residential (LSR) Zone, unless the lot upon which such building or structure is to be erected fronts upon a street, as defined in this by-law. The above provisions shall not apply to prohibit the erection of any building on a lot on a registered plan of subdivision where a subdivision agreement has been entered into but in which the streets will not be assumed until the end of the maintenance period.

### **5.9 GARDEN SUITES**

Notwithstanding any other provisions of this by-law to the contrary, garden suites, as defined in this by-law, shall be permitted subject to the following requirements:

- i) the gross floor area shall be a minimum of 49 square metres (527.4 sq. ft.) and a maximum of 65 square metres (699.7 sq. ft.);
- ii) the dwelling unit shall be self-contained and shall have a private entrance;
- iii) the sanitary sewage disposal, water supply and electrical services for the suite shall be derived from and connected to the services of the single-detached dwelling upon which lot the garden suite is situated, subject to the approval of the authorities responsible for the various services;
- iv) all of the provisions of the respective zone in which the garden suite is situated shall be complied with in addition to the following special criteria:
  - a) Rear Yard (Minimum) 4.5 metres (14.8 ft.)
  - b) Building Height (Maximum) 4.5 metres (14.8 ft.)
  - c) Separation Distance from the Principal Dwelling (Maximum) 4.5 metres (14.8 ft.)
- v) the owner/occupant of the detached dwelling upon which lot the garden suite is situated and the occupant of the garden suite shall enter into an agreement with the Township pursuant to the Municipal Act stating that the owner of the detached dwelling and the occupant of the garden suite are related by blood or marriage, the age of the occupant of the garden suite, that no other individual(s) will occupy the garden suite, and that the garden suite will be removed when it is no longer needed;
- vi) access from a street to a garden suite shall be obtained by the driveway serving the principal dwelling on the lot;
- vii) a garden suite shall be located behind the principal dwelling house on the property;

- viii) the placement of a garden suite on a lot shall be subject to site plan control pursuant to the Planning Act to ensure all servicing, buffering, parking and other issues are addressed, in addition to the minimum yard requirements noted above;
- ix) a temporary use shall be subject to a zoning by-law is passed by Council in accordance with the provisions of the Planning Act, which shall be in place for a period not exceeding ten (10) years.

## **5.10 GROUP HOMES**

Group homes are permitted in the Rural Residential (RR), Waterfront Residential (WR), Residential First Density (R1) and Residential Second Density (R2) zones. Group homes are subject to the following provisions in addition to those of the residential zone in which they are located:

- i) Occupancy:  
A group home shall occupy the whole of the residential dwelling.
- ii) Gross Floor Area (Minimum) (including staff and/or receiving family):
  - 18 square metres (193.8 sq. ft.) of gross floor area per adult resident;
  - 9 square metres (96.9 sq. ft.) of gross floor area per child resident.
- iii) Rear Yard Amenity Area (Minimum):
  - 14 square metres (150.7 sq. ft.) for each group home resident, exclusive of staff or receiving family, and not less than a total of 100 square metres (1,076.4 sq. ft.) for each group home.
- iv) Separation Distance (Minimum):
  - 500 metres (1,640.4 ft.) from any other group home.
- v) Off-street parking shall be provided in accordance with the provisions of this by-law.

## **5.11 HOLDING ZONES**

**5.11.1** Where any zone symbol as shown on the attached schedules is followed by the symbol "h", this signifies that no person shall use any land, erect, alter, enlarge, use or maintain any building or structure until such time as the holding symbol has been removed by the Township in accordance with the provisions of the Planning Act. Upon removal of the holding symbol, the permitted use of the subject property and the erection of any buildings or structures thereon shall be undertaken in accordance with the provisions of the underlying zoning category.

**5.11.2** Where a Holding zone is in effect, uses, building or structures existing prior to the passing of this by-law and accessory uses thereto may be enlarged, reconstructed, renovated or replaced in accordance with the relevant zone regulations where such use is normally permitted.

## **5.12 HOME INDUSTRY**

**5.12.1** Home industries, as defined in this by-law, are permitted in the Rural (RU) and Rural Residential (RR) zones only. Home Industries shall be established and operated in accordance with the following:

- i) outside storage of goods or materials shall comply with the provisions of this by-law for outside storage (Section 5.23);
- ii) there is no display, other than a sign of a maximum size of 1.1 square metres (11.8 sq. ft.) to indicate that any part of the dwelling or accessory building is being used for a purpose other than residential, and such sign shall be set back a minimum of 3 metres (9.8 ft.) from any lot line;
- iii) the home industry is clearly secondary to the main residential use and does not change the residential character of the dwelling house nor create or become a public nuisance with regard to, in particular, noise, noxious odours, emission of smoke, traffic or parking;
- iv) where an interior side yard and/or rear yard abuts a residential zone, then interior side yard and/or rear yard shall be a minimum of 15 metres (49.2 ft.) within which the outside storage of goods or materials shall not be permitted;
- v) the home industry does not interfere with telecommunications reception;
- vi) a limited retail function may be carried on but no goods, wares or merchandise shall be publicly offered or exposed for sale on the premises outside of any buildings; the limited retail function shall be incidental and subordinate to the home industry;
- vii) on-site parking is provided in accordance with the provisions of this by-law;
- viii) any accessory building or structure shall not exceed 50 sq. metres (538.2 sq. ft.);
- ix) the home industry may employ no more than two (2) employees not residing in the dwelling house;
- x) one commercial vehicle associated with the home industry is permitted.

### **5.13 HOME OCCUPATION**

**5.13.1** Home occupations, as defined in this by-law, are permitted in the Rural (RU), Rural Residential (RR), Waterfront Residential (WR), Residential First Density (R1) and Residential Second Density (R2) zones only. Home occupations shall be established and operated in accordance with the following:

- i) there is no display, other than a sign of a maximum size of .55 square metres (6.0 sq. ft.) to indicate that any part of the dwelling is being used for a purpose other than residential, and such sign shall be set back a minimum of 3 metres (9.8 ft.) from any lot line;
- ii) the home occupation is clearly secondary to the main residential use and does not change the residential character of the dwelling house nor create or become a public nuisance in regard to, in particular, noise, noxious odours, emission of smoke, traffic or parking;
- iii) the home occupation does not interfere with telecommunications reception;
- iv) not more than 25 percent of the gross floor area of the dwelling house is used for the purposes of home occupation uses except in the case of a bed and breakfast establishment, as defined in this by-law and where permitted in this by-law, in which situation the applicable zone provisions of this by-law including this by-law's parking provisions shall apply;
- v) the home occupations shall be conducted entirely within the dwelling house;
- vi) the home occupation may employ one (1) person in addition to persons residing in the dwelling house;
- vii) on-site parking is provided in accordance with the provisions of this by-law.

## **5.14 KENNELS**

- 5.14.1** Kennels shall be permitted in the Rural (RU) and Rural Residential (RR) zones only.
- 5.14.2** Kennels shall be set back a minimum of 90 metres (295.3 ft.) from all lot lines. All other provisions of the RU and RR zones shall apply.
- 5.14.3** The establishment and operation of kennels shall be in accordance with the Township's Kennel By-law No. 19-09.

## **5.15 LANDS ADJACENT TO WATERBODIES, WATERCOURSES, EMBANKMENTS AND FLOODPLAINS**

- 5.15.1** Notwithstanding anything in this by-law to the contrary, no building permit shall be issued for any building to be constructed within those areas delineated in 5.15.2 and 5.15.3 without the prior written approval of the Crowe Valley Conservation Authority.
- 5.15.2** No building or structure, including a municipal drain (except where a municipal drain forms part of a road allowance) shall be located within the flood plain of a watercourse, notwithstanding that such watercourse is not shown on any schedule forming part of this by-law.
- 5.15.3** Notwithstanding anything in this by-law, no building, structure, or septic tank installation including the weeping tile field ('no development') shall be located:
- i) within 30 metres (98.4 ft.) of the highwater mark of a waterbody or permanent watercourse, notwithstanding that such body or watercourse is not shown on any schedule forming part of this by-law; or
  - ii) within 15 metres (49.2 ft.) of the top of bank; or
  - iii) within 120 metres (393.7 ft.) of any wetland greater than two hectares (4.94 acres) and 30 metres (98.4 ft.) for those wetlands less than 2 hectares (4.94 acres).
- 5.15.4** The provisions of subsections 5.15.2 and 5.15.3 shall not apply to buildings, structures and services requiring direct access to the water as an operational necessity such as a boathouse, marina or marine service building or facility, as defined in this by-law, pumphouse or other similar structure.
- 5.15.5** In the absence of detailed mapping, and where a flooding or erosion hazard is suspected, Council, in consultation with the Crowe Valley Conservation Authority, will require that a proponent of development detail the extent of any hazard lands and the measures that would be required to address the following requirements:
- i) that vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
  - ii) that new hazards are not created and existing hazards are not aggravated and that no adverse environmental impacts result;



- iii) that the hazards can be safely addressed and carried out using established standards and procedures and the Crowe Valley Conservation Authority has approved any floodproofing measures which are proposed;
- iv) that a site plan and site plan agreement, if necessary, have been completed to the satisfaction of the Township in consultation with the Crowe Valley Conservation Authority;
- v) that an amendment to this by-law setting out any applicable provisions has been obtained where required.

These provisions shall not apply to buildings, structures, and services requiring direct access to the water as an operational necessity such as a marina, marina service building or facility, pumphouse or other similar structure.

**5.15.6** Natural vegetative buffers shall be maintained within 30 metres (98.4 ft.) of the highwater mark of all coldwater lakes/stream, as defined in the Official Plan of the County of Hastings, and 15 metres (49.2 ft.) of all other lakes.

#### **5.16 LANDS SEVERED BY PUBLIC UTILITY LINES**

Where lands are acquired for the purpose of a public utility line and such acquisition deprives a parcel of land of street frontage, the part of such parcel so deprived of street frontage shall be deemed for the purpose of this by-law to have frontage on such street providing the land has a permanent right of access to such street.

#### **5.17 LIMITED SERVICE RESIDENTIAL DEVELOPMENT**

**5.17.1** Development that is proposed on a waterfront lot located on an existing private road or with access by water only, shall be rezoned to a Limited Service Residential Zone before a building permit may be issued by the Township.

**5.17.2** Access to such lot shall be via a legally described right-of-way and/or from a mainland location on a waterbody, which location is used for parking cars and docking/launching boats. Such access shall be proven, to the satisfaction of the Township, before the lot is rezoned to a limited service residential zone.

**5.17.3** A limited service agreement shall be entered into with the Township before a building permit may be issued. This shall ensure that the Township does not maintain and will not be expected to maintain a private road leading to the property or perform any other services normally associated with public highways in the Township.

#### **5.18 LOADING SPACE REQUIREMENTS**

**5.18.1** Loading spaces shall be provided for the temporary parking of commercial motor vehicles while merchandise or materials are being loaded or unloaded from such vehicles. Such parking shall not be for the purpose of sale or display, shall not be located upon or partly upon any street, lane or alley, and shall have adequate access to permit ingress and egress of a commercial motor vehicle from a street by means of driveways, aisles, manoeuvring

areas or similar areas, no part of which shall be used for the temporary parking or storage of one or more motor vehicles.

**5.18.2** No person shall erect or use any building or structure in any zone for any commercial or industrial purpose involving the movement of goods unless loading spaces are provided and maintained in accordance with the following provisions:

- a) 185 sq. metres (2,000 sq. ft.) - 930 sq. metres (10,010.8 sq. ft.) 1 space
- b) exceeding 930 sq. metres (10,010.8 sq. ft.) 2 loading spaces plus a minimum of 1 additional loading space for each 1400 square metres (15,070.0 sq. ft.) or fraction thereof in excess of 930 sq. metres (10,010.8 sq. ft.) .

**5.18.3** Each loading space shall be at least 9.0 metres (29.5 ft.) long, 3.5 metres (11.5 ft.) wide and have a vertical clearance of at least 4.0 metres (13.1 ft.).

**5.18.4** The required loading spaces shall be provided on the lot occupied by the building or structure for which the said loading spaces are required and shall not form a part of any street, private road, parking space or parking aisle.

**5.18.5** For any commercial or industrial use, no loading space or part thereof shall be located and no land shall be used for loading purposes within 1.5 metres (4.9 ft.) of any lot line, or within 3 metres (9.8 ft.) of any street line or boundary of any residential zone, or within 3 metres (9.8 ft.) of the lot line of a residential use.

**5.18.6** Access to loading spaces shall be by means of a driveway at least 6 metres (19.7 ft.) wide contained within the lot on which the spaces are located and leading to a street or lane located within or adjoining the zone in which the use is located.

**5.18.7** The driveways and loading spaces shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

**5.18.8** The loading requirements referred to herein shall not apply to any building in existence at the date of enactment of this by-law so long as the gross floor area as it existed at the date is not increased. If an addition is made, then additional loading spaces shall be provided up to the number required for such addition.

## **5.19 MANUFACTURED DWELLING HOUSES**

Where permitted, a manufactured dwelling house, as defined in this by-law, may be established provided the manufactured dwelling house has a minimum ground floor area of 74.3 sq. metres (800 sq. ft.) and is serviced with both a septic sewage disposal system and a source of potable water that meet the requirements of Section 4.3.1 of this by-law. A manufactured dwelling house shall conform to all other requirements of the zone, where permitted, regarding single-detached dwellings.

## **5.20 MINIMUM DISTANCE SEPARATION REQUIREMENTS**

- i) A building permit for any residential, commercial, community facility, industrial or active outdoor recreational use shall comply with the requirements of the Minimum Distance Separation Formulae (MDS I), as amended from time to time, calculated using Appendix A of this by-law.
- ii) Where a legal lot of record with an area of 1.5 hectares (3.7 acres) or less existed as of the date of adoption of this by-law, the provisions of this section shall not serve to preclude the issuance of a building permit for a permitted building or structure, provided all other requirements of this by-law are met.
- iii) No livestock or manure storage facilities otherwise permitted in the Rural (RU) zone shall be constructed, established or enlarged unless they comply with the Minimum Distance Separation Formulae (MDS II), as amended from time to time, calculated using Appendix A of this by-law.
- iv) Notwithstanding the above, in no case shall a livestock facility be constructed, established or enlarged with less than the applicable minimum yards required for the zone in which such facility is to be constructed, established or enlarged.

## **5.21 MULTIPLE USES/ZONES ON ONE LOT**

**5.21.1** Notwithstanding anything contained in this by-law, where any land or building is used for more than one purpose, the applicable provisions of this by-law which serve to regulate each use shall be complied with, provided that no dwelling shall be located closer than three (3) metres (9.8 ft.) to any other building on the lot, except for such accessory building or structure as may be permitted in accordance with the provisions of Section 5.1 of this by-law.

**5.21.2** 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 that portion of the lot.

## **5.22 NOXIOUS USES**

**5.22.1** Notwithstanding anything contained herein, no land shall be used and no building or structure shall be erected, altered or used for any purpose which is noxious, and without limiting the generality of this subsection, for any purpose that creates or is likely to become a nuisance or offensive, or both;

- i) by the creation of noise or vibration in excess of the limits of the Environmental Protection Act;
- ii) by reason of the emission of gas, fumes, smoke, dust or objectionable odour in excess of the limits of the Environmental Protection Act, except in the case of agricultural uses operating in compliance with reasonable agricultural practices;
- iii) the incineration or disposal of biomedical wastes, organic or inorganic chemical wastes or radioactive wastes;
- iv) by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, motor vehicles, trailers, or parts of vehicles or trailers, machinery or other such material; or

v) by any combination of those things described above in this section.

**5.22.2** Except as otherwise specifically permitted in this by-law, the following uses are prohibited in any zone;

- i) refining coal oil or petroleum products;
- ii) tanning hides or skins;
- iii) manufacturing gas;
- iv) manufacturing glue.

**5.22.3** Any use is prohibited which by its nature or the materials used therein is declared under the Health Protection and Promotion Act to be a health hazard.

**5.22.4** The establishment and/or use of any track for the racing of motor vehicles, motorcycles, snowmobiles, go-carts or similar vehicles shall not be permitted.

### **5.23 OFF-STREET PARKING PROVISIONS**

For every building or structure to be erected for, altered for, or its use converted to any of the uses specified in the following table, off-street parking facilities shall be provided and maintained in accordance with the following table and other provisions contained in this subsection unless otherwise specifically provided.

#### **5.23.1 Minimum Parking Space Requirements**

- |      |   |  |
|------|---|--|
| i)   | Single-detached dwelling house -  | 1.5 spaces for every dwelling unit   |
| ii)  | Converted dwelling house,<br>Semi-detached dwelling house,<br>Duplex dwelling house,<br>Manufactured dwelling house - | 1 space for every dwelling unit  |
| iii) | Retirement dwelling house -   | 0.5 spaces per unit  |
| iv)  | Lodging dwelling house -  | 1 space for the proprietor plus 1 space per guest room   |
| v)   | Accessory dwelling house or unit -  | 1 space per dwelling house or dwelling unit  |
| vi)  | Marina, public/private -  | 1 space for each 20 sq. metre (215.3 sq. ft.) of retail gross floor area plus 1 space for each boat slip |
| vii) | Funeral home -  | the greater of:  |
|      | a)  | 10 spaces; or  |

- b) 5.25 spaces per 100 sq. metres (1,076.4 sq. ft.) of gross floor area
- viii) Elementary or secondary school - 1.5 spaces per classroom, and one space for each 10 people of maximum design capacity of any gymnasium or auditorium contained therein
- ix) Business, administrative or professional office - 1 space for every 33 sq. metres (355 sq. ft.) of gross floor area
- x) Group home - 2 spaces plus 0.5 spaces for each resident that the home is licenced to accommodate
- xi) Long-term care facility including private operations - 1 space per 4 beds
- xii) Personal or merchandise service - shop or workshop - 1 space for every 18.5 (199.1 sq. ft.) of gross floor area
- xiii) Community facilities not herein - specified; business, administrative or professional office, - 1 space for every 33 square metres (355 sq. ft.) of gross floor area.
- xiv) Tourist establishment - 1 space per bedroom plus 1 space for any accessory dwelling house or unit plus the total spaces required for each additional use within the tourist establishment (eg. eating establishment, convenience retail store)
- xv) Bed and breakfast establishment - 1 space per bedroom, in addition to the residential parking requirement for the dwelling unit in which the bed and breakfast is established
- xvi) Private or commercial club, or recreational capacity use facility (excluding bowling alley and curling rink), place of worship or similar place of assembly not herein specified - 1 space for every 3 persons of design capacity
- xvii) Bowling alley, curling rink - 2 persons per bowling lane or 2 persons per curling sheet plus such additional parking as is required for a lounge licensed in accordance with the Liquor Licence Act

xviii)	Convenience retail store	-	1 space for every 18.6 sq. metres (200 sq. ft.) of gross floor area or portion thereof
xix)	Day nursery, including private operations	-	1 space per staff member plus one space for every 12 children enrolled at the nursery
xx)	Eating establishment or amusement arcade, excluding a drive-through or take-out eating establishment	-	1 space for every 9 square metres (96.9 sq. ft.) of gross floor area or 1 space for every 4 persons of design capacity, whichever is the greater (a minimum of 10 spaces)
xxi)	Eating establishment, take-out	-	1 space for every 9 square metres (96.9 sq. ft.) of gross floor area
xxii)	Eating establishment, drive-through	-	each drive-up window shall have sufficient stacking room for six cars, and a by-pass lane shall be provided
xxiii)	Food Market	-	1 space for every 28 square metres (301.4 sq. ft.) of gross floor area
xxiv)	Golf course	-	24 spaces for each 9 holes of golfing facilities, plus one space for every 28 metres (301.4 sq. ft.) of gross floor area of any clubhouse
xxv)	Bank/Trust Company	-	1 space for every 23 sq. metres (250 sq. ft.) of floor area devoted to general banking services for public use and office space
xxvi)	Other permitted commercial (non-retail) uses	-	1 space for every 33 sq. metres (355 sq. ft.) of gross floor area
xxvii)	Other commercial (retail) uses	-	1 space for every 28 square metres (301.4 sq. ft.) of gross floor area
xxviii)	Building supply outlet	-	1 space for every 28 square metres (391.4 sq. ft.) of retail floor space with a minimum of 6 spaces
xxix)	Motor vehicle sales establishment	-	A minimum of 10 spaces plus 1 space for every employee working on the premises during the peak business period
xxx)	Automatic teller machine	-	2 spaces per machine for free-standing machines which are not located in association with a bank or other uses

xxxi)	Manufacturing or processing plant	-	1 space for every 37 square metres (398.3 sq. ft.) of gross floor area plus 1 space for every 100 sq. metres (1,076 sq. ft.) of gross floor area or portion thereof for uses with more than 200 sq. metres (2,152 sq. ft.) of gross floor area
xxxii)	Warehouse or bulk storage yard	-	1 space for every employee working on the premises during the peak business period
xxxiii)	Laundry and/or dry cleaning establishment	-	1 space per 9 square metres (96.9 sq. ft.) of gross floor area with a minimum of 4 spaces
xxxiv)	Medical/dental clinic/ drugless practitioner/ veterinary clinic	-	5 spaces per practice
xxxv)	Nursery/Garden Centre	-	a minimum of 5 spaces plus 1 space for every employee working on the premises during the peak business period
xxxvi)	Museum, art gallery, library	-	1 space for every 56 square metres (600 sq. ft.) of gross floor area
xxxvii)	Home occupation (other than a bed and breakfast establishment)	-	1 space per non-resident employee in addition to the applicable residential requirement of this by-law
xxxviii)	Uses permitted by this by-law other than those listed above but excluding accessory uses to single- detached dwelling houses	-	1 space for every 28 square metres (301.4 sq. ft.) of gross floor area

### **5.23.2 Parking Requirements**

- i) The parking requirements referred to herein shall not apply to any building in existence at the date of enactment of this by-law so long as the gross floor area as it existed at that date is not increased or the use changed. If an addition is made or the use is changed, then additional parking spaces shall be provided up to the number required for such addition.
- ii) Parking as required by this by-law shall be provided either on the same lot on which the principal use is located or, where this is not possible, on a lot within 60 metres (196.9 ft.) of the lot on which the principal use is located.
- iii) Each parking space must be readily accessible at all times and arranged in such a manner to provide access and maneuvering space for the parking and removal of a

- motor vehicle without the necessity of moving any other motor vehicle, except that this shall not apply in the case of a single-detached dwelling.
- iv) Ingress and egress to and from the parking aisles prescribed by this section shall be provided by a sufficient number of adequate, unobstructed driveways having a minimum width of 6.0 metres (19.7 ft.), except that in the case of a single-detached dwelling, the width may be reduced to 3.5 metres (11.5 ft.).
  - v) All off-street parking spaces, driveways and aisles required herein shall be constructed and maintained with a stable surface.
  - vi) Where a ramp to parking aisles provides access from a street, such a ramp shall not be located closer than 7.5 metres (24.6 ft.) from the street line and a level stopping space shall be provided between the ramp and the street grade so as to provide adequate vision to the street in both directions.
  - vii) Where a lot, building or structure accommodates more than one type of use, the parking requirement for the whole building shall be the sum of the requirements for the separate parts of the lot, building or structure occupied by the separate types of uses.
  - viii) Where the application of ratios results in a fraction of a parking space, the required number of spaces shall be increased to the next whole number.
  - ix) In the case of a parking structure completely or partly below finished grade, it shall not be necessary to comply with the setback requirements of the particular zone, except that the minimum distance between such a structure and the street line shall be 7.5 metres (24.6 ft.).
  - x) Where parking requirements are related to seating capacity and seating is by open benches, each 0.6 metres (2.0 ft.) of open bench shall be counted as one seat.
  - xi) The lights used for illumination of parking spaces, aisles and driveways shall be so arranged as to divert the light downward and away from adjacent lots and streets.
  - xii) A structure not more than 4.5 metres (14.8 ft.) in height and not more than 4.5 square metres (48.4 sq. ft.) in area may be erected in the parking area for the use of parking attendants.
  - xiii) No sign shall be erected in any parking area other than a directional sign, signs necessarily incidental to the efficient operation of a commercial parking lot, and a sign which gives the name of the owner. The maximum size of any such sign shall be 1 square metre (10.8 sq. ft.).
  - xiv) No gasoline pump or other service station equipment shall be located or maintained on any parking space or aisle.
  - xv) In a residential zone, not more than 50 percent of the aggregate area of the side yards and rear yard shall be occupied by parking spaces, aisles or driveways.
  - xvi) Ingress and egress to parking areas shall not pass through zones other than the zones requiring the parking area.
  - xvii) Where off-street parking abuts a residential zone, a wooden fence at least 1.5 metres (4.9 ft.) in height shall be erected and maintained and the land within three (3) metres (9.8 ft.) of the residential zone shall be maintained in an open space condition.
  - xviii) No parking facility or part thereof shall be located and no land shall be used for the parking or storage of any vehicle within 1 metre (3.3 ft.) of any lot line or street line, or within 3 metres (9.8 ft.) of the boundary of any residential zone.
  - xix) Notwithstanding provisions of this by-law to the contrary, where any building, structure, use or activity is permitted or is legally in existence at the date of passing



of this by-law and is subsequently changed in use or enlarged or extended in floor area, number of employees, number of dwelling units, seating capacity or otherwise which results in the reduction of the minimum required parking facilities and/or number of parking spaces and such number of parking spaces or part thereof cannot be provided in accordance with the minimum requirements, then such required parking spaces or part thereof shall be subject to the provisions of this by-law.

### **5.23.3 Special Needs Parking Requirements**

- i) Special needs parking spaces shall be provided for all commercial uses at the rate of 1 space per 500 sq. metres (5,382.0 sq. ft.) with a minimum of 2 spaces being provided.
- ii) The special needs parking spaces shall have minimum dimensions of 4.0 metres (13.1 ft.) width by 6.0 metres (19.7 ft.) in length, and if two adjacent spaces are designated for the disabled, then the total width of both spaces together may be 6.5 metres (21.3 ft.) if a 1.5 metre (4.9 ft.) wide access aisle separates the two spaces.
- iii) Special needs parking spaces shall be the spaces located closest to the nearest accessible entrance(s) of the building on an accessible route.
- iv) All special needs parking spaces shall be painted blue, be marked by an identifying marker consisting of the international symbol for the disabled, and shall be identified as well on an upright or wall sign at the location of the parking space.
- v) If accessible parking spaces for side lift vans are provided, each space shall be at least 4.9 metres (16.1 ft.) wide.
- vi) A standard parking space parallel to the road edge or curb shall constitute an acceptable parking space provided it allows individuals to get in and out of either side of a vehicle and provided a curb ramp is located nearby, where required.
- vii) A minimum vertical clearance of 2.9 metres (9.5 ft.) shall be provided at accessible parking spaces, passenger-loading zones, and along access routes.
- viii) Gradient for a special needs parking space shall not exceed 5 percent.
- ix) Wheel stops shall be placed to provide a minimum 0.8 m (2.6 ft.) clear space for wheelchair access.
- x) Curb ramps, where required, shall be provided to permit access from the parking area to the sidewalk.

### **5.24 OUTSIDE STORAGE**

- i) Outside storage of goods or materials shall be permitted in those zones where permitted, only if the goods are accessory to a use permitted in the zones and in accordance with other provisions of this by-law;
- ii) No outside storage area shall be visible from any street or from any adjacent lot where the adjacent lot is located in a zone other than a commercial or industrial zone, and every outside storage area shall be visually screened by a fence, wall or landscaped buffer not less than 2 metres (6.6 ft.) in height.
- iii) The above provision shall not apply to any outside storage area accessory to a permitted agricultural use;
- iv) Every outside storage area shall be provided and maintained with a stable surface that has been treated to prevent the raising of dust or loose particles and is properly drained;

- v) No outside storage area shall be considered to be part of any landscaped buffer;
- vi) No parking space, parking aisle or loading space required by this by-law shall be used for outside storage purposes;
- vii) An outside storage area shall not be permitted in a front yard or exterior side yard;
- viii) An outside storage area is in addition to and separate from any required off-street parking or loading space.

## **5.25 OUTDOOR FURNACES**

An outdoor furnace shall be permitted to be located only within the Rural (RU) zone and shall comply with the following regulations:

- i) minimum setback from:
  - a) a lot line abutting a residential zone - 100 metres (328.1 ft.)
  - b) any other lot line - 60 metres (196.6 ft.)
- ii) no outdoor furnace shall be constructed or installed on a lot without the issuance of a building permit for construction from the Township.

## **5.26 PLANNED WIDTH OF STREET**

**5.26.1** Notwithstanding any other provision contained in this by-law, no building or structure shall be hereafter erected in any zone closer than the sum of the front yard or exterior side yard requirement for such zone and the following where applicable:

- i) 15.0 metres (50.0 ft.) from the centre line of Highway 620 and former County of Hastings roads; and
- ii) 10 metres (32.8 ft.) from the centre of the right-of-way of all other streets in the Township.

**5.26.2** Notwithstanding the provisions of this by-law to the contrary, where a building, structure or accessory use thereto is to be erected in a built-up area where there is an established building line, such dwelling or accessory use is not to be erected closer to the street line or to the centre line of the road or street, as the case may be, than the established building line on the date of passing of this by-law.

## **5.27 PROHIBITIONS**

**5.27.1** No person shall use any land or erect any building or structure within a zone except for a permitted use established or erected in accordance with the regulations provided by this by-law for the zone in which it is located.

**5.27.2** No person, except a public authority engaged in the implementation of public works or services, shall reduce in area or frontage any lot already built upon, either by conveyance or alteration, so that the lot coverage of the building exceeds the maximum permitted by this by-law, or so that the area or frontage of the lot will be less than the minimum permitted by this by-law for the zone in which the lot is located.

- 5.27.3** Except in a rural, commercial or industrial zone, not more than one permitted use shall be allowed on a lot unless specifically permitted in this by-law. This section shall not prohibit the establishment of a home occupation or home industry in conjunction with a dwelling where such use is permitted.
- 5.27.4** The purpose for which any land or building is used shall not be changed, no new building or addition to any existing building shall be erected and no land shall be severed from a lot if such change, erection or severance creates a situation that contravenes any of the provisions of this by-law applicable to each individual remaining building, accessory building or lot.
- 5.27.5** Except as otherwise provided in this by-law, no building or structure shall be erected, altered, extended or enlarged except upon a lot nor shall any land be used for any permitted use unless it comprises a lot as defined herein. This provision shall not prevent the use of any parcel or tract of land for agricultural purposes, excluding the erection or enlargement of any building or structure except a fence.
- 5.27.6** No person shall erect or use any building as a dwelling house upon any lot on which another building that is used or intended to be used as a dwelling house already exists, or which is in the course of construction or for which a building permit has been issued.

## **5.28 PUBLIC USES AND UTILITIES**

- 5.28.1** Notwithstanding anything contained in this by-law, the Township or any local board thereof, any telephone or telecommunications company, any transportation system owned, operated, or authorized by or for the Township, any Department of the Federal or Provincial Government or any Conservation Authority established by the Government of Ontario, may, for purposes of public service, use any land or erect or use any building or structure in any zone except Environmental Protection provided:
- i) that such use, building or structure, shall be in compliance with the lot coverage requirement for such a zone;
  - ii) that there shall be no open storage of goods, materials, or equipment in the yards of any residential zone; and
  - iii) that any building or structure erected or used in any residential zone shall be of a character and shall be maintained in general harmony with the buildings of the type permitted in the said zone.
- 5.28.2** Nothing in this by-law shall prevent the use of any land as a public park, a public street or for the location of a properly authorized traffic sign or signal, or any sign or notice of any Township, Provincial or Federal government department or authority.
- 5.28.3** Where in a zone in this by-law under the heading of "Permitted Uses" a public use is specifically permitted within a zone, then such use shall be permitted only within that zone.
- 5.28.4** Where in this by-law a public use is not specifically referred to in any zone, then such public use shall be permitted in any zone.

## 5.29 SIGHT TRIANGLES

Unless otherwise specified in this by-law, on a corner lot, within the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each point being measured 9 metres (29.5 ft.) along the street lines from the point of intersection of the street lines, no building or structure which would obstruct the vision of drivers of motor vehicles shall be erected and no trees, shrubs, hedges, fences or walls shall be planted, erected or maintained of greater height than 1 metre (3.3 ft.) above the centre line of the adjacent road at the lowest point. Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the tangents to the street lines.

## 5.30 SETBACKS FROM WASTE DISPOSAL SITES AND MINERAL EXTRACTIVE ZONES

### 5.30.1 Waste Disposal Sites

- i) No new residential or community facility uses shall be permitted within the 500 metre (1,650 ft.) setback area of an existing or closed/abandoned waste disposal site, without the approval of the Ministry of Environment and the Township, provided the use is a permitted use on the lands within this setback area;
- ii) Where a waste disposal site is the subject of a Certificate of Approval, the setback is to be measured from the boundary of the waste fill area or from the treatment facility as defined in the Certificate of Approval;
- iii) Where a waste disposal facility has no Certificate of Approval, the setback is to be measured from the edge of the property on which the facility is located, unless a lesser distance is approved by the Ministry of the Environment and/or the Ministry of Natural Resources and the Township, and provided the residential use is a permitted use on the lands within the setback area.

### 5.30.2 Mineral Extractive Zones

No new residential or community facility uses shall be located within the following setback areas:

- i) 150 metres (500 ft.) of an area zoned Mineral Extractive (MX), where the zoning permits only removal and processing of sand, gravel or other approved aggregate;
- ii) 300 metres (1,000 ft.) of an area zoned Mineral Extractive (MX), where the zoning permits only removal and processing of sand, gravel or other approved aggregate, but where extraction is occurring or approved below the groundwater table;
- iii) 500 metres (1,650 ft.) of an area zoned Mineral Extractive (MX), where the zoning permits a quarry use;

unless a lesser distance is approved by the Ministry of the Environment and/or the Ministry of Natural Resources and the Township, and provided the residential use is a permitted use on the lands within the setback area.

**5.30.3** In addition to approval by the Ministries noted above, approval of a minor variance shall be required for residential uses or community facility uses proposed within the setback area of waste disposal sites and the setback areas of Mineral Extractive zones.

### **5.31 STORAGE AND PARKING OF MOTOR VEHICLES/RECREATIONAL VEHICLES**

**5.31.1** Abandoned, unused and/or discarded motor vehicles, railway cars, trucks, bus or coach body, container, farm implements and similar abandoned equipment shall not be located or stored in any zone. For the purposes of this section, 'abandoned' shall mean a discontinuance of use for a period of six months or more.

**5.31.2** No land in the Township shall be used for the parking of a motor vehicle which is undergoing repairs unless :

- i) such repairs are effected within an enclosed building; or
- ii) such repairs are effected while the vehicle is parked in a location such that it is not visible from any adjacent lands which are not occupied by the owner of the vehicle; and
- iii) such repairs are being undertaken at a motor vehicle service station or body shop.

**5.31.3** No land in the Township shall be used for the outside storage of motor vehicle parts unless such motor vehicle parts are stored in a location such that they are not visible from any adjacent lands which are not occupied by the owner of such parts.

**5.31.4** No tractor trailer truck shall be parked on a continuous basis within a Residential First Density R1) zone or a Residential Second Density (R2) zone.

**5.31.5** In a Rural Residential (RR), Residential First Density (R1) and Residential Second Density (R2) zone, no more than one recreational vehicle, as defined in this by-law, may be parked on a lot. In addition, the lot must be developed with a permitted residential use (i.e. no recreational vehicles may be parked on vacant lots in these zones).

### **5.32 SWIMMING POOLS**

**5.32.1** Notwithstanding any other provisions of this by-law, a swimming pool is permitted as an accessory use in any residential zone or in a rural, commercial or community facility zone provided that:

- i) no part of such pool shall be located closer to any lot line or street line than the minimum distance required for an accessory building located on such lot;
- ii) such pool is located in an interior side yard or rear yard only;
- iii) any building or structure required for changing clothing or for pumping or filtering facilities, or other similar accessory uses shall meet all of the accessory building requirements of the zone in which the pool is located;
- iv) no water-circulating or treatment equipment such as pumps or filters is located closer than 3 metres (10 ft.) to any side or rear lot line;

- v) such pool is considered to be part of the developed space for the purpose of calculation of lot coverage; and
- vi) swimming pools shall meet all requirements of the Ontario Building Code.

### **5.33 TEMPORARY USES**

- i) Nothing in this by-law shall prevent the use of any land or the erection or use of any building or structure for a construction camp, work camp, tool shed or other building or structure including a temporary sales or rental office which is incidental to and necessary for work on the premises, but only for so long as such use, building or structure is necessary for such work which has not been completed.
- ii) A tent or recreational vehicle, as defined in this by-law, may be used for a temporary residential use on a lot for the purposes of providing accommodation while construction of a principal building on the same lot is being undertaken, provided that:
  - a) such temporary accommodation is used for a maximum period of 6 months in any calendar year; and
  - b) such use is subject to issuance of a permit by the Township at a cost to be determined by the Township, and such permit can be renewed one time; and
  - c) a building permit has been issued and is in effect for the lot on which construction is taking place.
- iii) A crafters/farm gate sales outlet, as defined in this by-law, may operate on a temporary basis at any location within the Township, subject to receipt of a permit from the Township.
- iv) A portable canteen, as defined in this by-law, may operate on a temporary basis at any location within the Township, subject to receipt of a permit from the Township.

### **5.34 TRUCK, BUS, COACH BODIES ETC. AND HUMAN HABITATION**

**5.34.1** Except as otherwise specifically permitted in this by-law, no truck, bus, coach body, trailer (as defined in this by-law), motor vehicle, tent or storage container of any kind shall be used for human habitation or storage of goods and materials within the Township, whether or not the same is mounted on wheels or other form of mounting or foundation.

### **5.35 TRUCK TRAILER BOXES**

**5.35.1** No truck trailer box shall be used for the purposes of human habitation, storage or the carrying-on of business.

### **5.36 USES REQUIRING WATERTAKING PERMITS**

All lands that are the subject of an application to the Ministry of the Environment for a Permit to Take Water under the Ontario Water Resources Act RSO 1990, Chapter 0.40 and

the Environmental Bill of Rights, Statutes of Ontario, 1993, Chapter 28, shall be subject to an amendment to this by-law and shall be zoned to a zone appropriate to the proposed use.

### **5.37 YARD ENCROACHMENTS AND HEIGHT EXCEPTIONS**

**5.37.1** Except as otherwise provided in this by-law, every part of any required yard shall be open and unobstructed by any building or structure from the ground to the sky, except for:

- i) sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters or other ornamental features, provided however that the same shall not project more than 0.6 metres (2 ft.) into any required yard;
- ii) drop awnings, clothes poles, garden trellises, TV or radio antennae including satellite dish antennae, or similar accessories;
- iii) fences, solar collectors, parking lots, retaining walls, gatehouses in industrial zones, driveways, patios and other such uses as specifically permitted in this by-law;
- iv) light standards, fuel pump islands and fuel pumps of motor vehicle service stations, provided however that the same shall be erected in accordance with the applicable provisions of this by-law;
- v) fire escapes, provided however that the same shall project into any required side or rear yard a distance of not more than 1.5 metres (4.9 ft.); and
- vi) accessory buildings, provided however that the same shall be erected in accordance with the applicable provisions of this by-law.

**5.37.2** Notwithstanding the yard provisions of this by-law to the contrary, canopies, steps and unenclosed and uncovered decks and porches may project into any required front or rear yard a maximum distance of 1.5 metres (4.9 ft.).

**5.37.3** Notwithstanding any other provisions of this by-law to the contrary, a railway spur shall be permitted in an industrial zone within a required yard. Where such yard abuts a residential zone, the railway spur shall conform to the yard and setback requirements of the zone in which it is located.

**5.37.4** Notwithstanding the height provisions herein contained, nothing in this by-law shall apply to prevent the erection, alteration or use of the following accessory buildings or structures provided the principal use is a use permitted within the zone in which it is located: a church spire, barn, silo, belfry, flag pole, light standard, clock tower, chimney, water tank, windmill, radio or television antenna, air conditioner duct, incidental equipment required for processing and external equipment associated with internal building equipment.

**5.37.5** Notwithstanding any provisions of this by-law to the contrary, the minimum required exterior side yard may be reduced to a minimum of five (5) metres (16.4 ft.) provided that for every 1 metre (3.28 ft.) or part thereof that the exterior side yard is reduced below the minimum requirement, the minimum front yard shall be increased by the same distance.

**5.38 YARDS - MARINE FACILITIES AND DOCKS**

- 5.38.1** Marine facilities shall not be permitted to locate closer than 1.5 metres (4.9 ft.) to any interior side lot line. However, private mutual docks (i.e. shared by two landholdings) may be permitted to be located at the mutual lot line.
- 5.38.2** Private communal docks (i.e. used by more than two landholdings but not a commercial dock) shall not be permitted to locate closer than 20 metres (65.6 ft.) of any interior side lot line shared with a residential zone.



## **SECTION 6 - RU – RURAL ZONE**

**6.1** Within a RU – Rural Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **6.2 PERMITTED USES**

- i) an agriculture/agricultural use,
- ii) an agricultural produce sales outlet,
- iii) an agriculture-related use,
- iv) a conservation use,
- v) a farm implement and supply dealer,
- vi) a forestry use,
- vii) a garden suite,
- viii) a greenhouse,
- ix) a group home,
- x) a hunt camp,
- xi) a kennel,
- xii) a lodging dwelling house,
- xiii) logging,
- xiv) a lumber yard,
- xv) a manufactured dwelling house, as defined in this by-law,
- xvi) a nursery/garden centre,
- xvii) an open space use,
- xviii) a recreational use, active and passive, outdoor
- xix) a saw and/or planing mill,
- xx) a single-detached dwelling house,
- xxi) a wayside pit and/or quarry,
- xxii) a veterinary clinic,
- xxiii) a use, building or structure accessory to the above uses,
- xxiv) a home occupation, including a bed and breakfast establishment,
- xxv) a home industry.

### **6.3 ZONE REGULATIONS**

#### **a) For the Principal Building**

i)	Lot Area (Minimum)	6 hectares (15 acres)
ii)	Lot Frontage (Minimum)	60 metres (196.8 ft.)
iii)	Building Height (Maximum)	11 metres (36.1ft.)
iv)	Front Yard and Exterior Side Yard (Minimum)	20 metres (65.6 ft.)
v)	Interior Side Yard (Minimum)	5 metres (16.4 ft.)
vi)	Rear Yard (Minimum)	20 metres (65.6 ft.)
vii)	Gross Floor Area (Minimum)	74.3 sq. m (800.0 sq. ft.)

- viii) Setback from any waterbody/water course  
(Minimum) 30 metres (98.4 ft.)
- ix) Off-street parking shall be provided in accordance with the provisions of this by-law.

**b) For Accessory Buildings**

See Section 5.1 of this by-law.

**c) For Hunt Camps**

- i) Lot Area (Minimum) 10 hectares (24.7 acres)
- ii) A hunt camp shall meet all other zone requirements of the RU Zone.

**d) For Garden Suites**

See Section 5.9 of this by-law.

**e) For Group Homes**

See Section 5.10 of this by-law.

**f) For Home Industries**

See Section 5.12 of this by-law.

**g) For Home Occupations**

See Section 5.13 of this by-law.

**h) For Kennels**

See Section 5.14 of this by-law.

**i) For Manufactured Dwelling Houses**

See Section 5.19 of this by-law.

**6.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the RU - Rural Zone.

**6.5 SPECIAL RU – RURAL ZONES**

**6.5.1 RU-1 (Part Lots 14 and 15, Concession 7, Township of Wollaston)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RU-1 and shown on the attached schedules, the following special provisions shall apply:

Zone Requirements

- i) lot frontage on a private road (minimum) 50.0 metres (164.0 ft.)

All other provisions this by-law shall apply.

## **SECTION 7 - RR - RURAL RESIDENTIAL ZONE**

**7.1** Within a RR - Rural Residential Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **7.2 PERMITTED USES**

- i) a single-detached dwelling house,
- ii) a garden suite,
- iii) a manufactured dwelling house, as defined in this by-law,
- iv) a group home,
- v) a kennel,
- vi) a use, building or structure accessory to the above uses,
- vii) a home occupation, including a bed and breakfast establishment,
- viii) a home industry.

### **7.3 ZONE REGULATIONS**

#### **a) For Single-detached Dwellings**

- |       |  |                                 |
|-------|--|---------------------------------|
| i)    | Lot Area (Minimum)   | 0.6 ha (1.5 acres)              |
| ii)   | Lot Frontage (Minimum)   | 60 metres (196.85 ft.)          |
| iii)  | Front Yard (Minimum)   | 20 metres (65.6 ft.)            |
| iv)   | Rear Yard (Minimum)  | 10 metres (32.8 ft.)            |
| v)    | Interior Side Yard (Minimum)   | 3 metres (9.8 ft.)              |
| vi)   | Exterior Side Yard (Minimum)   | 15 metres (49.2 ft.)            |
| vii)  | Setback from any waterbody/<br>watercourse (Minimum)                                   | 30 metres (98.4 ft.)            |
| viii) | Gross Floor Area (Minimum)   | 74.3 sq. metres (800.0 sq. ft.) |
| ix)   | Lot Coverage (Maximum)   | 30 percent                      |
| x)    | Building Height (Maximum)  | 11 metres (36.1 ft.)            |
| xi)   | Off-street parking shall be provided in accordance with the provisions of this by-law. |                                 |

#### **b) For Accessory Buildings**

- |      |                              |                        |
|------|------------------------------|------------------------|
| i)   | Rear Yard (Minimum)          | 3 metres (9.8 ft.)     |
| ii)  | Interior Side Yard (Minimum) | 3 metres (9.8 ft.)     |
| iii) | Exterior Side Yard (Minimum) | 5 metres (16.4 ft.)    |
| iv)  | Building Height (Maximum)    | 11.0 metres (36.1 ft.) |

See also Section 5.1 of this by-law.

#### **c) For Garden Suites**

See Section 5.9 of this by-law.

- d) **For Group Homes**  
See Section 5.10 of this by-law.
- e) **For Home Industries**  
See Section 5.12 of this by-law.
- f) **For Home Occupations**  
See Section 5.13 of this by-law.
- g) **For Kennels**  
See Section 5.14 of this by-law.
- h) **For Manufactured Dwelling Houses**  
See Section 5.19 of this by-law.

#### **7.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the RR - Rural Residential Zone.

#### **7.5 SPECIAL RR RURAL RESIDENTIAL ZONES**

##### **7.5.1 RR-1 (Lot 23, Concession 5, Township of Wollaston)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-1 and shown on the attached schedules, the following special provisions shall apply:

##### Zone Provisions

- |     |                        |                     |
|-----|------------------------|---------------------|
| i)  | lot frontage (minimum) | 137.2 m (450 ft.)   |
| ii) | lot area (minimum)     | 4.2 ha (10.3 acres) |

All other provisions of this by-law shall apply.

##### **7.5.2 RR-2 (Lot 15, Concession 10, Township of Wollaston)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-2 and shown on the attached schedules, the following special provisions shall apply:

##### Permitted Uses

The following use shall be permitted, in addition to all other uses permitted in the RR zone:

- i) a greenhouse.

All other provisions of this by-law shall apply.

## **SECTION 8 – LSR - LIMITED SERVICE RESIDENTIAL ZONE**

- 8.1** Within a LSR - Limited Service Residential Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

In a Limited Service Residential Zone, there is no commitment or requirement by the Township to assume responsibility for ownership or maintenance of any private road. Due to road conditions of privately maintained roads, there is no commitment or requirement by the Township to ensure that emergency vehicles are able to access privately owned roads. The intent of the Limited Service Residential Zone is to recognize residential development on private roads.

### **8.2 PERMITTED USES**

- i) a single-detached dwelling house,
- ii) a manufactured dwelling house,
- iii) a garden suite,
- iv) a use, building or structure accessory to the above uses, including one sleeping cabin as defined in this by-law.

### **8.3 ZONE REGULATIONS**

#### **a) For the Principal Building**

- |       |  |                               |
|-------|--|-------------------------------|
| i)    | Lot Area (Minimum)   | 0.4 ha (1 acre)               |
| ii)   | Lot Frontage on<br>A Navigable Waterway (Minimum)  | 46 metres (150.1 ft.)         |
| iii)  | Lot Frontage on a Private Road   | 46 metres (150.1 ft.)         |
| iv)   | Front Yard (Minimum)   | 10 metres (32.8 ft.)          |
| v)    | Rear Yard (Minimum)  | 10 metres (32.8 ft.)          |
| vi)   | Interior Side Yard (Minimum)   | 3 metres (9.8 ft.)            |
| vii)  | Exterior Side Yard (Minimum)   | 15 metres (49.2 ft.)          |
| viii) | Setback from any Waterbody/<br>Watercourse   | 30 metres (98.4 ft.)          |
| ix)   | Gross Floor Area (Minimum)   | 74.3 sq. metres (800 sq. ft.) |
| x)    | Lot Coverage (Maximum)   | 20 percent                    |
| xi)   | Building Height (Maximum)  | 11 metres (36.1 ft.)          |
| xii)  | Off-street parking shall be provided in accordance with the provisions of this by-law. Where the LSR zone is located on an island, a minimum of one off-street parking space shall be provided on the mainland in accordance with this by-law. The Township shall be satisfied that sufficient land and mooring facilities are available to accommodate parking for the island residential use (see also Section 5.17 of this by-law). |                               |

**b) For Accessory Buildings**

i)	Rear Yard (Minimum)	3 metres (9.8 ft.)
ii)	Interior Side Yard (Minimum)	1 metre (3.3 ft.)
iii)	Exterior Side Yard (Minimum)	3 metres (9.8 ft.)
iv)	Building Height (Maximum)	7.0 metres (23.0 ft.)
v)	Gross Floor Area (sleeping cabin)	See Section 5.1.7
vi)	Gross Floor Area (other)	See Section 5.1.8

See also Section 5.1 of this by-law.

**c) For Garden Suites**

See Section 5.9 of this by-law.

**d) For Manufactured Dwelling Houses**

See Section 5.19 of this by-law.

**e) For Lots on a Narrow Water Body**

Where a lot has frontage on a narrow water body, as described in Appendix B to this by-law, the required frontage on water shall be 100 metres (328 ft.).

**8.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot building, structure or use within the LSR - Limited Service Residential Zone.

**8.5 SPECIAL LSR - LIMITED SERVICE RESIDENTIAL ZONES****8.5.1 LSR-1 (Lot 13, Concession 7, Township of Wollaston)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned LSR-1 and shown on the attached schedules, the following special provisions shall apply:

**Permitted Uses**

The following shall be the only permitted use:

- i) one single-detached dwelling on a lot with a ground floor area not exceeding 140 sq. m (1,506.99 sq. ft.).

**Zone Provisions**

- i) No new building or extension or enlargement to an existing building will be permitted where a building opening, window or first floor elevation is below the 1 in 100 year flood elevation plus 30 cm of freeboard of Wollaston Lake.

All other provisions of this by-law shall apply.

## **SECTION 9 - WR - WATERFRONT RESIDENTIAL ZONE**

**9.1** Within a WR - Waterfront Residential Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **9.2 PERMITTED USES**

- i) a single-detached dwelling house,
- ii) a garden suite,
- iii) a group home,
- iv) a manufactured dwelling house,
- v) a use, building or structure accessory to the above use, including one sleeping cabin as defined in this by-law,
- vi) a home occupation, including a bed and breakfast establishment,
- vii) a home industry.

### **9.3 ZONE REGULATIONS**

#### **a) For the Principal Building**

- |       |  |                               |
|-------|--|-------------------------------|
| i)    | Lot Area (Minimum)   | 0.4 ha (1.0 acre)             |
| ii)   | Lot Frontage (Minimum)   | 46 metres (150.1 ft.)         |
| iii)  | Lot Frontage on a Navigable Waterway (Minimum)   | 46 metres (150.1 ft.)         |
| iv)   | Front Yard (Minimum)   | 10 metres (32.8 ft.)          |
| v)    | Rear Yard (Minimum)  | 10 metres (32.8 ft.)          |
| vi)   | Interior Side Yard (Minimum)   | 3 metres (9.8 ft.)            |
| vii)  | Exterior Side Yard (Minimum)   | 15 metres (49.2 ft.)          |
| viii) | Setback from any Waterbody/<br>Watercourse   | 30 metres (98.4 ft.)          |
| ix)   | Gross Floor Area (Minimum)   | 74.3 sq. metres (800 sq. ft.) |
| x)    | Lot Coverage (Maximum)   | 20 percent                    |
| xi)   | Building Height (Maximum)  | 11 metres (36.1 ft.)          |
| xii)  | Off-street parking shall be provided in accordance with the provisions of this by-law. |                               |

#### **b) For Garden Suites**

See Section 5.9 of this by-law.

#### **c) For Group Homes**

See Section 5.10 of this by-law.

**d) For Home Industries**

See Section 5.12 of this by-law.

**e) For Home Occupations**

See Section 5.13 of this by-law.

**f) For Manufactured Dwelling Houses**

See Section 5.19 of this by-law.

**g) For Accessory Buildings**

i)	Rear Yard (Minimum)	3 metres (9.8 ft.)
ii)	Interior Side Yard (Minimum)	1 metres (3.3 ft.)
iii)	Exterior Side Yard (Minimum)	3 metres (9.8 ft.)
iv)	Building Height (Maximum)	7.0 metres (23.0 ft.)

See also Section 5.1 of this by-law.

**h) For Lots on a Narrow Water Body**

Where a lot (with or without frontage on a street, as defined in this by-law) fronts on a narrow water body, as described in Appendix B to this by-law, the required frontage on water shall be 100 metres (328.0 ft.) .

**9.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot building, structure or use within the WR - Waterfront Residential Zone.

**9.5 SPECIAL WR - WATERFRONT RESIDENTIAL ZONES**



## **SECTION 10 - R1 - RESIDENTIAL FIRST DENSITY ZONE**

**10.1** Within a R1 - Residential First Density Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **10.2 PERMITTED USES**

- i) a single-detached dwelling house,
- ii) a manufactured dwelling house, as defined in this by-law,
- iii) a garden suite,
- iv) a group home,
- ii) a public park,
- iii) a use, building or structure accessory to the above uses,
- v) a home occupation, including a bed and breakfast establishment.

### **10.3 ZONE REGULATIONS**

#### **a) For Single-detached Dwellings**

- |       |  |                               |
|-------|--|-------------------------------|
| i)    | Lot Area (Minimum)   | 0.4 ha (1 acre)               |
| ii)   | Lot Frontage (Minimum)   | 46 metres (150.1 ft.)         |
| iii)  | Front or Rear Yard   | 7.5 metres (24.6 ft.)         |
| iv)   | Interior Side Yard (Minimum)   | 3 metres (9.8 ft.)            |
| v)    | Exterior Side Yard (Minimum)   | 4.5 metres (14.8 ft.)         |
| vi)   | Gross Floor Area (Minimum)   | 74.3 sq. metres (800 sq. ft.) |
| vii)  | Setback from any Waterbody/<br>Watercourse   | 30 metres (98.4 ft.)          |
| viii) | Lot Coverage (Maximum)   | 25 percent                    |
| ix)   | Building Height (Maximum)  | 11 metres (36.1 ft.)          |
| x)    | Off-street parking shall be provided in accordance with the provisions of this by-law. |                               |

#### **b) For Garden Suites**

See Section 5.9 of this by-law.

#### **c) For Group Homes**

See Section 5.10 of this by-law.

#### **d) For Home Occupations**

See Section 5.13 of this by-law.

e) **For Manufactured Dwelling Houses**

See Section 5.19 of this by-law.

f) **For Accessory Buildings**

i)	Rear Yard (Minimum)	2.5 metres (8.2 ft.)
ii)	Interior Side Yard (Minimum)	2.5 metres (8.2 ft.)
iii)	Exterior Side Yard (Minimum)	4.5 metres (14.8 ft.)
iv)	Building Height (Maximum)	4.5 metres (14.8 ft.)

See also Section 5.1 of this by-law.

#### 10.4 **GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot building, structure or use within the R1 - Residential First Density Zone.

#### 10.5 **SPECIAL R1 - RESIDENTIAL FIRST DENSITY ZONES**

##### 10.5.1 **R1-1 (Lot 14, Concession 8, Township of Wollaston)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned R1-1 and shown on the attached schedules, the following special provisions shall apply:

##### **Permitted Uses**

- i) permitted uses are limited to the existing gross floor area of the dwelling;
- ii) number of bedrooms, bathrooms and plumbing fixtures are limited to the number existing at the time of passage of this by-law.

##### **Zone Provisions**

i)	lot area (minimum)	0.13 ha (0.34 acres)
ii)	lot frontage (minimum)	18.9 m (62 ft.)

All other provisions of this by-law shall apply.

## **SECTION 11 - R2 - RESIDENTIAL SECOND DENSITY ZONE**

**11.1** Within a R2 - Residential Second Density Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **11.2 PERMITTED USES**

- i) a single-detached dwelling house,
- ii) a semi-detached dwelling house,
- iii) a duplex dwelling house,
- iv) a converted dwelling house,
- v) a garden suite,
- vi) a lodging dwelling house,
- vii) a group home,
- viii) a day nursery,
- ix) a public park,
- x) a use, building or structure accessory to the above uses,
- xi) a home occupation, including a bed and breakfast establishment.

### **11.3 ZONE REGULATIONS**

#### **a) For Single-detached Dwellings**

According to the provisions of the R1 Zone of this by-law.

#### **b) For Semi-Detached Dwellings, Duplex Dwellings, Lodging Dwelling Houses and Converted Dwelling Houses**

- |       |  |                               |
|-------|--|-------------------------------|
| i)    | Lot Area (Minimum)   | 0.6 ha (1.5 acres)            |
| ii)   | Lot Frontage (Minimum)   | 60 m (196.8 ft.)              |
| iii)  | Front Yard or Rear Yard (Minimum)  | 7.5 metres (24.6 ft.)         |
| iv)   | Interior Side Yard (Minimum)   | 3 metres (9.8 ft.)            |
| v)    | Exterior Side Yard (Minimum)   | 4.5 metres (14.8 ft.)         |
| vi)   | Setback from any Waterbody   |                               |
|       | Watercourse (Minimum)  | 30 metres (98.4 ft.)          |
| vii)  | Gross Floor Area per Dwelling  |                               |
|       | Unit (Minimum)   | 42 sq. metres (452.1 sq. ft.) |
| viii) | Lot Coverage (Maximum)   | 30 percent                    |
| ix)   | Building Height (Maximum)  | 11 metres (36.1 ft.)          |
| x)    | Off-street parking shall be provided in accordance with the provisions of this by-law. |                               |

c) **Additional Provisions For Converted Dwelling Houses and Lodging Dwelling Houses**

- i) No addition or enlargement shall be made to the external walls or roof of the dwelling house.
- ii) No external stairway other than an open fire escape shall be provided.
- iii) Such dwelling house shall be certified by the Chief Building Official to be structurally suitable for use as a converted dwelling or lodging house.
- iv) The 3-metre-wide (9.8 ft.) strip immediately adjacent to side and rear lot lines shall include a landscaped buffer, as defined in this by-law.
- v) Off-street parking shall be provided in accordance with the provisions of this by-law.
- vi) The septic sewage disposal system shall be inspected and approved by the appropriate authority.

d) **For Garden Suites**

See Section 5.9 of this by-law.

e) **For a Group Home**

See Section 5.10 of this by-law.

f) **For a Home Occupation**

See Section 5.13 of this by-law.

g) **For Manufactured Dwelling Houses**

See Section 5.19 of this by-law.

h) **For Accessory Buildings**

- |      |                              |                       |
|------|------------------------------|-----------------------|
| i)   | Rear Yard (Minimum)          | 2.5 metres (8.2 ft.)  |
| ii)  | Interior Side Yard (Minimum) | 2.5 metres (8.2 ft.)  |
| iii) | Exterior Side Yard (Minimum) | 7.5 metres (24.6 ft.) |
| iv)  | Building Height (Maximum)    | 4.5 metres (14.8 ft.) |

See also Section 5.1 of this by-law.

## 11.4 **GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply , where applicable, to any land, lot, building, structure or use within the R2 - Residential Second Density Zone.

**11.5 SPECIAL R2 - RESIDENTIAL SECOND DENSITY ZONES****11.5.1 R2-1 (Plan 290 (Coe Hill), Township of Wollaston)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned R2-1 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following use shall be permitted, in addition to all other uses permitted in the R2 zone:

- i) A dwelling house containing four dwelling units.

All other provisions of this by-law shall apply.

## **SECTION 12 - C - COMMERCIAL ZONE**

**12.1** Within C - Commercial Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **12.2 PERMITTED USES**

- i) an amusement arcade,
- ii) an auction outlet,
- iii) a bakery,
- iv) a bank and/or trust company, including an automatic teller machine (ATM),
- v) a building supply outlet,
- vi) a business, administrative and/or professional office,
- vii) a butcher shop,
- viii) a car wash, automatic or coin-operated,
- ix) a clinic, including a veterinary clinic,
- x) a day nursery,
- xi) an eating establishment,
- xii) an equipment sales/rental and repair establishment, excluding heavy machinery,
- xiii) a funeral home,
- xiv) a laundry and/or dry cleaning shop including coin-operated establishments,
- xv) a Liquor Control Board and/or Brewer's Retail outlet,
- xvi) a marine/snowmobile dealer,
- xvii) a merchandise service establishment,
- xviii) a motor vehicle service station or sales agency, or a gas bar,
- xix) outside storage, located at the interior side or rear yard of a permitted principal use,
- xx) a personal service establishment,
- xxi) a printing and/or publishing establishment,
- xxii) a private or commercial club,
- xxiii) a public or private parking lot, as defined in this by-law, including parking facilities associated with the principal use(s) permitted under this section,
- xxiv) a recreational establishment, commercial,
- xxv) a retail store including a gift shop, food market and convenience retail store,
- xxvi) a tavern,
- xxvii) a theatre and/or cinema,
- xxviii) a dwelling unit in the form of an apartment located on the second or third storey of such building or at the rear of such building (if the accessory dwelling unit is located on the main floor) as an accessory use to a principal use in a building in which commercial uses are permitted, except motor vehicle service stations or other uses involving the sale of gasoline or other similar petroleum products, in accordance with the provisions of this by-law,
- xxix) a use, building or structure accessory to the above uses.

## 12.3 ZONE REGULATIONS

### a) For All Principal Buildings or Uses

- |       |  |                       |
|-------|--|-----------------------|
| i)    | Lot Area (Minimum)   | 0.4 ha (1.0 acre)     |
| ii)   | Lot Frontage (Minimum)   | 46 metres (150.1 ft.) |
| iii)  | Front Yard (Minimum)   | 6 metres (19.7 ft.)   |
| iv)   | Rear Yard (Minimum)  | 6 metres (19.7 ft.)   |
| v)    | Interior Side Yard (Minimum)   | 3 metres (9.8 ft.)    |
| vi)   | Exterior Side Yard (Minimum)   | 8 metres (26.2 ft.)   |
| vii)  | Setback from any Waterbody<br>Watercourse (Minimum)  | 30 metres (98.4 ft.)  |
| viii) | Lot Coverage (Maximum)   | 40 percent            |
| ix)   | Building Height (Maximum)  | 11 metres (36.1 ft.)  |
| x)    | Off-street parking and off-street loading facilities shall be provided in accordance with the provisions of this by-law.   |                       |
| xi)   | Access to an accessory dwelling unit shall be separate from access to a commercial use.  |                       |
| xii)  | The established building line, as defined in this by-law, shall be maintained in the case of any construction, reconstruction, rebuilding or renovation of structures and where a former building encroached on the street line, the established building line shall be the new building line. |                       |

### b) For an Accessory Dwelling Unit

Notwithstanding the above provisions, an accessory dwelling house or dwelling unit shall comply with the provisions of Section 5.2 of this by-law.

### c) For Accessory Buildings

- |      |  |                      |
|------|--|----------------------|
| i)   | Rear Yard (Minimum)  | 1.5 metres (4.9 ft.) |
| ii)  | Interior Side Yard (Minimum)   | 1.5 metres (4.9 ft.) |
| iii) | Exterior Side Yard (Minimum)   | 3 metres (9.8 ft.)   |
| iv)  | Building Height (Maximum)  | 11 metres (36.1 ft.) |
| v)   | Minimum distance from any other building on the lot shall be 3 metres (9.8 ft.) provided that in no case shall any overhang, eaves or gutter project into this required minimum area which shall be clear of any obstruction from the ground to the sky. |                      |

See also Section 5.1 of this by-law.

### d) For Lands Abutting A Residential Zone or Residential Use

Notwithstanding the above provisions, where an interior side yard and/or rear yard abuts a residential zone or residential use, then such interior side yard shall be a minimum of 5 metres (16.4 ft.) and such rear yard shall be a minimum of 9 metres (29.5 ft.). The 3-metre-wide (9.8 ft.) strip immediately adjacent to the rear and/or interior side lot lines shall include a landscaped buffer, as defined in this by-law.

## **12.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the C - Commercial Zone.

## **12.5 SPECIAL C - COMMERCIAL ZONE**

### **12.5.1 C-1 (Coe Hill, Township of Wollaston)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned C-1 and shown on the attached schedules, the following special provisions shall apply:

#### Permitted Uses

The following uses shall be permitted in addition to all other permitted uses in the Commercial zone:

- i) 6 accessory dwelling units.

All other provisions of this by-law shall apply.

### **12.5.2 C-2 (Coe Hill, Township of Wollaston)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned C-2 and shown on the attached schedules, the following special provisions shall apply:

#### Permitted Uses

The following uses shall be the only permitted uses in the C-2 Commercial zone:

- i) 2 principal buildings including one building which is restricted in use to a tourist establishment with a maximum of 3 bedrooms and a second building which is restricted in use to a clinic.

All other provisions of this by-law shall apply.

### **12.5.3 C-3 (Coe Hill, Township of Wollaston)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned C-3 and shown on the attached schedules, the following special provisions shall apply:

#### Permitted Uses

The following uses shall be permitted in addition to all other permitted uses in the Commercial zone:

- i) 3 accessory dwelling units.

All other provisions of this by-law shall apply.



## **SECTION 13 - RRC - RECREATIONAL/RESORT COMMERCIAL ZONE**

**13.1** Within a RRC Recreational/Resort Commercial Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **13.2 PERMITTED USES**

- i) a convenience retail store, accessory to a principal use,
- ii) an eating establishment, accessory to a principal use,
- iii) a marina, public/private,
- iv) outside storage, located at the interior side or rear yard of a permitted principal use,
- v) a private park,
- vi) a recreational use, passive and active outdoor,
- vii) a tent and trailer park,
- viii) a tourist establishment including a lodge, housekeeping cottages and tourist cabins,
- ix) a single detached or manufactured dwelling house, as defined in this by-law,
- x) a use, building or structure accessory to the above uses.

### **13.3 ZONE REGULATIONS**

#### **a) For All Principal Buildings or Uses**

- i) Lot Area (Minimum) 0.4 ha (1.0 acre)
- ii) Lot Frontage (Minimum) 46 metres (150.1 ft.)
- iii) Front Yard (Minimum) 8 metres (26.2 ft.)
- iv) Rear Yard (Minimum) 8 metres (26.2 ft.)
- v) Interior Side Yard (Minimum) 3 metres (9.8 ft.)
- vi) Exterior Side Yard (Minimum) 8 metres (26.2 ft.)
- vii) Setback from any Waterbody/  
Watercourse (Minimum) 30 metres (98.4 ft.)
- viii) Lot Coverage (maximum) 30 percent
- ix) Building Height (Maximum) 11 metres (36.1 ft.)
- x) Off-street parking and off-street loading facilities shall be provided in accordance with this by-law.
- xi) Access to an accessory dwelling unit shall be separate from access to a recreational/resort commercial use.
- xii) All means of ingress and egress shall have a minimum width of 6 metres (19.7 ft.) and in the case of a corner lot, no means of ingress or egress shall be located within 15 metres (49.2 ft.) of the intersection of the street lines, or, where a corner is rounded, the points at which the extended street lines meet.

**b) For Marinas**

Notwithstanding the above provisions, a marina use shall be subject to the following special provisions in addition to all other applicable provisions of this by-law.

- i) Where a rear yard and/or interior side yard abuts a navigable body of water, then such rear yard and/or interior side yard may be reduced to zero metres from established setbacks to highwater marks.
- ii) No entrance channel, turning basin, dock, communal dock or boat mooring area shall be located closer than 60 metres (196.9 ft.) to a residential zone, a residential use or a street line.
- iii) Facilities for the refuelling of marine craft shall be provided at a separate pier or dock area from boat mooring facilities.
- iv) Catwalks shall have a minimum width of 0.6 metres (2 ft.) and boat mooring docks shall have a minimum width of 1.2 metres (3.9 ft.).
- v) A minimum of one parking space shall be provided for every two boat slips.

**c) For Tent and Trailer Parks**

Notwithstanding the above provisions, a tent and trailer park use shall be subject to the following special provisions in addition to all other applicable provisions of this by-law:

- |       |  |  |
|-------|--|--|
| i)    | Lot Area ( Minimum)  | 4.0 hectares (9.9 acres)   |
| ii)   | Distance of buildings or structures or a tent or trailer site from any lot line (Minimum)  | 15 metres (49.2 ft.).  |
| iii)  | Distance of buildings or structures or a tent or trailer site from the centre line of a public street (Minimum)                                    | 25 metres (82.0 ft.).  |
| iv)   | Building Height (Maximum)  | 11 metres (36.1 ft.)   |
| v)    | Park Density (Maximum)   | 30 tents/trailers sites per gross hectare to a maximum of 50 sites |
| vi)   | Site Area (Minimum)  | 200 sq. metres (2,142.8 sq. ft.)                                   |
| vii)  | Site Frontage (Minimum)  | 6 metres (19.7 ft.)  |
| viii) | Maximum Number of Trailers on a Site   | 1 trailer  |
| ix)   | Usable Waterfront (Minimum)  | 2 m/site (6.68 ft./site)   |
| x)    | Lot Coverage (Maximum)   | 25 percent   |
| xi)   | The creation of a new tent/trailer park or the expansion of the area and/or density of an existing park shall require an amendment to this by-law. |  |

**d) For Housekeeping Cottages and Tourist Cabins**

Notwithstanding the above provisions, housekeeping cottages and tourist cabins shall be subject to the following special provisions in addition to all other applicable provisions of this by-law.

- |    |                     |                          |
|----|---------------------|--------------------------|
| i) | Lot Area ( Minimum) | 2.0 hectares (4.9 acres) |
|----|---------------------|--------------------------|

**e) For Manufactured Dwelling Houses**

See Section 5.19 of this by-law.

**f) For an Accessory Dwelling House or Dwelling Unit**

Notwithstanding the above provisions, an accessory dwelling house or dwelling unit shall comply with the provisions of Section 5.2 of this by-law.

**g) For All Development**

Notwithstanding the above provisions, all development shall be subject to the following special provisions in addition to all other applicable provisions of this by-law.

- |    |   |  |
|----|---|--|
| i) | No site, building or structure except a marine facility for launching and/or servicing of boats or a water pump house is permitted within 30 metres (98.4 ft.) of the highwater mark of any water body. |  |
|----|---|--|

**h) For Accessory Buildings Not Attached To The Principal Building**

- |      |                              |                       |
|------|------------------------------|-----------------------|
| i)   | Rear Yard (Minimum)          | 1.5 metres (4.9 ft.)  |
| ii)  | Interior Side Yard (Minimum) | 1.5 metres (4.9 ft.)  |
| iii) | Exterior Side Yard (Minimum) | 8 metres (26.2 ft.)   |
| iv)  | Building Height (Maximum)    | 4.5 metres (14.8 ft.) |

See also Section 5.1 of this by-law.

**i) For Lands Abutting a Residential Zone or Residential Use**

- |    |   |  |
|----|---|--|
| i) | Notwithstanding the above provisions, where a rear yard and/or an interior side yard of any principal use other than a tent and trailer park abuts a residential zone or residential use, then such interior side yard shall be a minimum of 5 metres (16.4 ft.) and such rear yard shall be a minimum of 10 metres (32.8 ft.). In all cases, the 3-metre-wide (9.8 ft.) strip immediately adjacent to the rear and/or interior side lot lines shall include the establishment and maintenance of a landscaped buffer, as defined in this by-law. |  |
|----|---|--|

**13.4 GENERAL PROVISIONS**

All other special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land lot, building, structure or use within the RRC Recreational/Resort Commercial Zone.

**13.5 SPECIAL RRC - RECREATIONAL/RESORT COMMERCIAL ZONES****13.5.1 RRC-1 (Part Lots 52, 53 and 54, Concession West Hastings Road (WHR), Township of Wollaston)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RRC-1 and shown on the attached schedules, the following special provisions shall apply:

**Permitted Uses**

The following shall be the only permitted use:

- i) a tourist establishment consisting of a maximum of 12 tourist cabins.

All other provisions of this by-law shall apply.

## **SECTION 14 - I - INDUSTRIAL ZONE**

**14.1** Within a I - Industrial Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **14.2 PERMITTED USES**

- i) an assembly operation,
- ii) a bulk storage yard,
- iii) a business, administrative or professional office accessory to a permitted industrial use, including a union hall,
- iv) a cartage or express truck terminal,
- v) a contractor's yard,
- vi) an equipment sales, rental and repair establishment,
- vii) a farm implement and supply dealer,
- viii) a lumber yard,
- ix) a machine/welding shop,
- x) a manufacturing or processing plant including storage and self-storage warehousing,
- xi) a merchandise service shop,
- xii) a motor vehicle body shop or service station,
- xiii) a municipal/public utilities yard,
- xiv) a nursery/garden centre/greenhouse,
- xv) outside storage, located at the interior side or rear yard of a permitted principal use,
- xvi) a public works/public utilities yard,
- xvii) a saw and/or planing mill,
- xviii) a warehouse,
- xix) a work shop, as defined in this by-law,
- xx) a dwelling unit for a caretaker or security guard as an accessory use to a principal use, in accordance with the provisions of this by-law,
- xxi) a building, use or structure accessory to the above uses including a retail outlet for the purpose of selling goods manufactured, stored and/or assembled on the premises, provided such outlet is part of the principal building, and occupies not more than five (5) percent of the gross floor area of the principal building.

### **14.3 ZONE REGULATIONS**

#### **a) For All Principal Buildings or Uses**

- |      |                              |                       |
|------|------------------------------|-----------------------|
| i)   | Lot Area (Minimum)           | 0.4 ha (1.0 acre)     |
| ii)  | Lot Frontage (Minimum)       | 46 metres (150.1 ft.) |
| iii) | Front Yard (Minimum)         | 8 metres (26.2 ft.)   |
| iv)  | Rear Yard (Minimum)          | 8 metres (26.2 ft.)   |
| v)   | Interior Side Yard (Minimum) | 3 metres (9.8 ft.)    |
| vi)  | Exterior Side Yard (Minimum) | 8 metres (26.2 ft.)   |

- vii) Setback from any Waterbody/  
Watercourse (Minimum) 30 metres (98.4 ft.)
- viii) Lot Coverage (Maximum) 40 percent
- ix) Building Height (Maximum) 15 metres (49.2 ft.)
- x) Off-street parking and off-street loading facilities shall be provided in accordance with this by-law.
- xi) A sight triangle of 15 metres (49.2 ft.) (minimum) shall be provided on a corner lot.

**b) For an Accessory Dwelling Unit**

Notwithstanding the above provisions, an accessory dwelling unit shall comply with the provisions of Section 5.2 of this by-law.

**c) For Accessory Buildings**

- i) Rear Yard (Minimum) 1.5 metres (4.9 ft.)
- ii) Interior Side Yard (Minimum) 1.5 metres (4.9 ft.)
- iii) Exterior Side Yard (Minimum) 8 metres (26.2 ft.)
- iv) Building Height (Maximum) 4.5 metres (14.8 ft.)

See also Section 5.1 of this by-law.

**d) For Lands Abutting A Residential Zone or Residential Use**

Notwithstanding the above provisions, where an interior side yard and/or rear yard abuts a residential zone or residential use, then such interior side yard and/or rear yard shall be a minimum of 22 metres (72.2 ft.). This 22 metre (72.2 ft.) area shall be maintained as open space. The outside storage of goods or materials shall not be permitted within this 22 metre (72.2 ft.) area.

**e) For Lands Abutting a Street or Private Road or Opposite a Residential Zone or Residential Use**

- i) A landscaped buffer, as defined in this by-law, having a minimum width of 3 metres (9.8 ft.), shall be established and maintained along the front lot line of any I zone. In all cases where ingress and egress driveways or walkways extend through a landscaped buffer, it shall be permissible to interrupt the strip within 3 metres (9.8 ft.) of the edge of such driveway or within 1.5 metres (4.9 ft.) of the edge of such walkway.
- ii) Where any lot line in an Industrial (I) Zone abuts a street or a private road or where the lot on the opposite side of a street or a private road is in a residential zone or use, no industrial use shall be made of any kind within 15 metres (49.2 ft.) of the abutting lot line and no parking use shall be made of any land within 7.5 metres (24.6 ft.) of the abutting lot line.

#### **14.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the I - Industrial Zone.

#### **14.5 SPECIAL I - INDUSTRIAL ZONES**

##### **14.5.1 I-1 (Lot 16, Concession 9, Township of Wollaston)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned I-1 and shown on the attached schedules, the following special provisions shall apply:

##### Permitted Uses

The following shall be the only permitted use:

- i) a sheet metal fabricating shop.

All other provisions of this by-law shall apply.

##### **14.5.2 I-2 (Lot 18, Concession 8, Township of Wollaston)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned I-2 and shown on the attached schedules, the following special provisions shall apply:

##### Permitted Uses

The following shall be the only permitted use:

- i) a woodworking shop and showroom.

All other provisions of this by-law shall apply.

##### **14.5.3 I-3 (Lot 14, Concession 8, Township of Wollaston)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned I-3 and shown on the attached schedules, the following special provisions shall apply:

##### Permitted Uses

The following shall be the only permitted use:

- i) a landscaping business with associated parking and storage, as permitted in this by-law.

All other provisions of this by-law shall apply.

## **SECTION 15 - MX - MINERAL EXTRACTIVE ZONE**

**15.1** Within a MX - Mineral Extractive Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **15.2 PERMITTED USES**

- i) a pit or quarry,
- ii) a dwelling house or dwelling unit as an accessory use to an extractive use (pit or quarry) in accordance with the provisions of this by-law,
- iii) an asphalt plant, ready-mix concrete plant and aggregate transfer station, excluding a dwelling house or dwelling unit,
- iv) an open space, conservation, forestry and agricultural use, excluding a dwelling house or unit,
- v) a wayside pit or quarry,
- vi) buildings, uses or structures accessory to the above uses.

### **15.3 ZONE REGULATIONS**

#### **a) For Excavation Area and Storage Uses**

- |      |  |                      |
|------|--|----------------------|
| i)   | Setback from rear and interior side lot lines (Minimum)                                      | 15 metres (49.2 ft.) |
| ii)  | Setback from front and exterior side lot lines (Minimum)                                     | 30 metres (98.4 ft.) |
| iii) | Setback from residential, commercial, community facility or industrial zone or use (Minimum) | 30 metres (98.4 ft.) |
| iv)  | Setback from any street, as defined in this by-law (Minimum)                                 | 30 metres (98.4 ft.) |
| v)   | Setback from any waterbody or watercourse (Minimum)  | 30 metres (98.4 ft.) |

#### **b) For Open and Enclosed Pit or Quarry Processing Operations**

- |      |  |                       |
|------|--|-----------------------|
| i)   | Setback from rear and interior side lot lines (Minimum)                                      | 30 metres (98.4 ft.)  |
| ii)  | Setback from front and exterior side lot lines (Minimum)                                     | 30 metres (98.4 ft.)  |
| iii) | Setback from residential, commercial, community facility or industrial zone or use (Minimum) | 90 metres (295.3 ft.) |
| iv)  | Setback from any street, as defined in this by-law (Minimum)                                 | 30 metres (98.4 ft.)  |
| v)   | Setback from any waterbody or watercourse (Minimum)  | 30 metres (98.4 ft.)  |



c) **For an Accessory Dwelling Unit**

Notwithstanding the above provisions, an accessory dwelling unit shall comply with the provisions of Section 5.2 of this by-law.

d) **For Accessory Buildings to Pit or Quarry Operations**

- |      |  |                       |
|------|--|-----------------------|
| i)   | All yards (Minimum)  | 30 metres (98.4 ft.)  |
| ii)  | Setback from residential, commercial, community facility or industrial zone or use (Minimum) | 90 metres (295.3 ft.) |
| iii) | Setback from any public street, as defined in this by-law (Minimum)                          | 30 metres (98.4 ft.)  |

e) **For Conservation, Forestry and Agricultural Uses**

- i) The zone regulations contained in the Rural Zone of this by-law shall apply.

f) **For Open Space Uses**

- i) The zone regulations contained in the Open Space Zone of this by-law shall apply.

g) **For Lands Abutting a Residential Zone or Use**

- i) Notwithstanding the above provisions, where an interior side yard and/or rear yard abuts a residential zone or use, then such interior side yard and/or rear yard shall be a minimum of 30 metres (98.4 ft.) in width. This 30 metre (98.4 ft.) area shall be maintained as open space. The outside storage of goods or materials shall not be permitted within this 30 metre (98.4 ft.) area.

h) **For Lands Abutting a Street or Private Road or Opposite a Residential Zone or Residential Use**

- i) A landscaped buffer, as defined in this by-law, having a minimum width of 15 metres (49.2 ft.) shall be established and maintained along the front lot line of any MX zone. In all cases where ingress and egress driveways or walks extend through a landscaped buffer, it shall be permissible to interrupt the strip within 3 metres (9.8 ft.) of the edge of such driveway or within 1.5 metres (4.9 ft.) of the edge of such walk.
- ii) Where any lot line in a Mineral Extractive (MX) zone abuts a street or a private road, or where the lot on the opposite side of a street or a private road is in a residential zone or use, no aggregate extraction use shall be made of any kind within 30 metres (98.4 ft.) of the front lot line and no parking use shall be made of any land within 7.5 metres (24.6 ft.) of the front lot line.

**15.4 GENERAL PROVISIONS**

- i) All extractive industrial uses shall conform to the standards and regulations of the Aggregate Resources Act, as amended.
- ii) All special provisions of Section 5 "General Provisions" shall apply where applicable to any land, lot, building, structure, or use within the MX Mineral Extractive Zone.

**15.5 SPECIAL MX - MINERAL EXTRACTIVE ZONES**

## **SECTION 16 - WD - WASTE DISPOSAL ZONE**

**16.1** Within a WD - Waste Disposal Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure of any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **16.2 PERMITTED USES**

- i) a waste disposal site, as defined in this by-law, including a salvage yard,
- ii) an agriculture/agricultural, open space, conservation and forestry use, excluding a dwelling house or unit,
- iii) buildings, uses or structures accessory to the above uses.

### **16.3 ZONE REGULATIONS**

#### **a) For Agricultural, Conservation and Forestry Uses**

- i) The zone regulations of the Rural (RU) zone of this by-law shall apply.

#### **b) For Open Space Uses**

- i) The zone regulations of the Open Space (OS) zone of this by-law shall apply.

#### **c) For a Salvage Yard**

- i) Lot Area (Minimum) 2 ha (4.9 acres)
- ii) Lot Frontage (Minimum) 60 metres (196.6 ft.)
- iii) All yards (Minimum) 15 metres (49.2 ft.)
- iv) An accessory weighing scale and recording office shall be permitted no closer than 30 metres (98.4 ft.) to a street line.
- v) A salvage yard site shall not be located on land covered by water or subject to flooding and shall be so located that no direct drainage leads to a watercourse.
- vi) No open burning shall be permitted.
- vii) No salvage yard shall be located closer than 30 metres (98.4 ft.) to any waterbody or watercourse.
- viii) Prior to the storage or processing of any goods, wares, merchandise or articles, all fluids shall be drained and disposed of or stored for the purposes of resale in a manner approved by the Ministry of the Environment.

#### **d) For All Other Waste Disposal Uses**

- i) No person, including the Township, shall establish, alter, enlarge or extend any waste disposal site unless a Provincial Certificate of Approval has been issued by the Ministry of the Environment.

- ii) All waste disposal sites shall be established and operated in accordance with the requirements of the Environmental Protection Act and the Environmental Assessment Act.

**e) For Lands Abutting a Residential Zone or Residential Use**

- i) Notwithstanding the above provisions, where an interior side yard and/or rear yard abuts a residential zone or use, then such interior side yard and/or rear yard shall be a minimum of 30 metres (98.4 ft.) in width. This 30 metre (98.4 ft.) area shall be maintained as open space. The outside storage of goods or materials shall not be permitted within this 30 metre (98.4 ft.) area.
- ii) A landscaped buffer, as defined in this by-law, having a minimum width of 15 metres (49.2 ft.) shall be established and maintained along all abutting lot line(s) of any WD zone. A fence and/or berm shall be used in addition to the landscaped buffer so that waste materials being stored or processed on the site are not visible from adjacent roads. All fences shall be constructed of an opaque material and shall be painted or otherwise preserved and maintained.

**f) For Lands Abutting a Public or Private Road Allowance or Opposite a Residential Zone or Residential Use**

- i) In all cases where ingress and egress driveways or walks extend through a landscaped buffer, it shall be permissible to interrupt the strip within 3 metres (9.8 ft.) of the edge of such driveway or within 1.5 metres (4.9 ft.) of the edge of such walk.
- ii) Where any lot line in a Waste Disposal (WD) zone abuts a street or a private road or where the lot on the opposite side of a street or a private road is in a residential zone or use, no waste disposal use shall be made of any kind within 30 metres (98.4 ft.) of the abutting lot line and no parking use shall be made of any land within 7.5 metres (24.6 ft.) of the abutting lot line. The intervening land shall be established and maintained as open space and shall include a landscaped buffer, as defined in this by-law, along the abutting lot line(s).

**16.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the WD - Waste Disposal Zone.

**16.5 SPECIAL WD - WASTE DISPOSAL ZONES**

## **SECTION 17 - CF - COMMUNITY FACILITY ZONE**

**17.1** Within an CF - Community Facility Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **17.2 PERMITTED USES**

- i) any undertaking established or maintained by a governmental board, authority, agency or commission,
- ii) any undertaking of a utility company, such as a natural gas company or telecommunications company,
- iii) an arena,
- iv) a place of worship,
- v) a cemetery,
- vi) a school,
- vii) a community centre including an elderly person's centre,
- viii) a day nursery,
- ix) a library,
- x) a public park,
- xi) a camp, charitable,
- xii) a public museum or art gallery,
- xiii) a recreational use, active or passive outdoor,
- xiv) a fairground,
- xv) a dwelling house or dwelling unit as an accessory use to a place of worship, in accordance with the provisions of this by-law,
- xvi) buildings, uses or structures accessory to the above uses.

### **17.3 ZONE REGULATIONS**

#### **a) For All Principal Buildings**

- |       |  |                       |
|-------|--|-----------------------|
| i)    | Lot Area (Minimum)   | 0.4 ha (1.0 acre)     |
| iii)  | Front Yard (Minimum)   | 46 metres (150.1 ft.) |
| iv)   | Rear Yard (Minimum)  | 10 metres (32.8 ft.)  |
| v)    | Interior Side Yard (Minimum)   | 7.5 metres (24.6 ft.) |
| vi)   | Exterior Side Yard (Minimum)   | 10 metres (32.8 ft.)  |
| vii)  | Setback from any Waterbody/<br>Watercourse (Minimum)                                   | 30 metres (98.4 ft.)  |
| vii)  | Lot Coverage (Maximum)   | 40 percent            |
| viii) | Building Height (Maximum)  | 15 metres (49.2 ft.)  |
| ix)   | Off-street parking shall be provided in accordance with the provisions of this by-law. |                       |

**b) For an Accessory Dwelling House or Dwelling Unit**

Notwithstanding the above provisions, an accessory dwelling unit shall comply with the provisions of Section 5.2 of this by-law.

**c) For Accessory Buildings**

i)	Rear Yard (Minimum)	1.5 metres (4.9 ft.)
ii)	Interior Side Yard (Minimum)	1.5 metres (4.9 ft.)
iii)	Exterior Side Yard (Minimum)	10 metres (32.8 ft.)
iv)	Building Height (Maximum)	4.5 metres (14.8 ft.)

See also Section 5.1 of this by-law.

**d) For Lands Abutting A Residential Zone or Residential Use**

Notwithstanding the above provisions, where a rear yard and/or interior side yard abuts a residential zone or residential use, then such interior side yard shall be a minimum of 10 metres (32.8 ft.) and such rear yard shall be a minimum of 15 metres (49.2 ft.). The 3 metre-wide (9.8 ft.) strip immediately adjacent to the rear yard and/or interior side yard shall include the establishment and maintenance of a landscaped buffer, as defined in this by-law.

**17.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the CF - Community Facility Zone.

**17.5 SPECIAL CF - COMMUNITY FACILITY ZONES**

## **SECTION 18 - OS - OPEN SPACE ZONE**

**18.1** Within an OS - Open Space Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **18.2 PERMITTED USES**

- i) an open space, conservation, agriculture/agricultural use, a forestry use, all excluding a dwelling house or unit,
- ii) a recreational use, passive outdoor,
- iii) building, uses or structures accessory to the above uses.

### **18.3 ZONE REGULATIONS**

#### **a) For Agricultural, Conservation and Forestry Uses**

- i) The zone regulations of the Rural Zone of this by-law shall apply.

#### **b) For All Other Uses**

- i) Distance of Buildings or Structure from any Lot Line (Minimum) 10 metres (32.8 ft.).
- ii) Distance of Buildings or Structures from the Centre Line of any Road (Minimum) 30 metres (98.4 ft.).
- iii) Distance of any Buildings or Structures from any Waterbody or Watercourse (Minimum) 30 metres (98.4 ft.).
- iv) Building Height (Maximum) 6 metres (19.7 ft.)
- v) Lot coverage (Maximum) 5 percent

### **18.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the OS - Open Space Zone.

### **18.5 SPECIAL OS - OPEN SPACE ZONES**

**SECTION 19 - EP - ENVIRONMENTAL PROTECTION ZONE**

**19.1** Within an EP Environmental Protection Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

**19.2 PERMITTED USES**

- i) an agriculture/agricultural use existing as of the date of adoption of this by-law,
- ii) a conservation use including a conservation area, excluding any buildings,
- iii) a use that was in existence on or before the date of passage of this by-law,
- iv) a building or structure required by a public authority for flood or erosion control or for conservation or wildlife management purposes,
- v) uses accessory to the above uses, excluding any buildings, subject to the approval of Council in consultation with the Crowe Valley Conservation Authority and/or the Ministry of Natural Resources.

**19.3 ZONE REGULATIONS**

**a) For Conservation Use and Existing Agricultural Uses**

- i) The zone regulations of the RU zone of this by-law shall apply.

**b) For Other Uses**

- i) Setback of Buildings or Structures from any Lot Line     10 metres (32.8 ft.).  
(Minimum)
- ii) Setback from any Waterbody or Water Course             30 metres (98.4 ft.).  
(Minimum)
- iii) Distance between Buildings and Environmental  
Protection Lands     15 metres (49.2 ft.).

**19.4 GENERAL PROVISIONS**

All special provisions of Section 5 General Provisions shall apply, where applicable, to any land, lot, building, structure or use within the EP - Environmental Protection Zone.

**19.5 SPECIAL EP - ENVIRONMENTAL PROTECTION ZONES**



**TOWNSHIP OF WOLLASTON**

**ZONING BY-LAW \_\_\_\_\_**

APPENDIX "A"

**MINIMUM DISTANCE SEPRATION FORMULAE IMPLEMENTATION GUIDELINES**

**APPENDIX 'B'**

**NARROW WATER BODIES**