

ZONING BY-LAW
TOWNSHIP OF BRUDENELL AND LYNDOSCH
BY-LAW NUMBER **87-08**

PREPARED FOR:
TOWNSHIP OF BRUDENELL
AND LYNDOSCH

PREPARED BY:
COUNTY OF RENFREW
PLANNING DEPARTMENT
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Consolidated: **August 14, 2013**

ZONING BY-LAW

Municipality

of the

Township of Brudenell and Lyndoch

THE CORPORATION OF THE
TOWNSHIP OF BRUDENELL AND LYNDOSCH
ZONING BY-LAW NO. 87-08

A BY-LAW TO REGULATE THE USE OF LANDS AND THE CHARACTER,
LOCATION AND USE OF BUILDINGS AND STRUCTURES IN THE
TOWNSHIP OF BRUDENELL AND LYNDOSCH.

WHEREAS authority is granted under Section 34 of the Planning Act, 1983.

NOW THEREFORE the Municipal Corporation of the Township of Brudenell and Lyndoch enacts
as follows:

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SECTION 1 - TITLE, APPLICATION, SCOPE AND INTERPRETATION

1.1 Title of By-law

This by-law shall be cited as the "Zoning By-law" of the Township of Brudenell and Lyndoch.

1.2 Application of By-law

The provisions of this by-law shall apply to all lands within the Corporation of the Township of Brudenell and Lyndoch as shown on Schedule `A' and Schedule `B' attached hereto.

1.3 Scope of By-law

(a) Conformity with By-law:

No building or structure shall hereafter be erected or altered, nor shall the use of any building, structure or lot hereafter be changed, in whole or in part, except in conformity with the provisions of this by-law.

(b) Changes Causing Contravention of By-law:

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

1.4 Interpretation

For the purpose of this by-law, words used in the present tense include the future; words in the singular number include the plural and words in the plural include the singular number; the word "shall" is mandatory; the word "used" shall also mean "designed to be used"; and the word "occupied" shall also mean "designed to be occupied".

SECTION 2 - SCHEDULE

SCHEDULES TO BY-LAW

The following schedules are included in and form part of this by-law.

SCHEDULE "A" AND "B"

ZONING MAP

SECTION 3 - DEFINITIONS

For the purpose of this by-law the following words and phrases shall have the meanings given below:

- 3.1 Accessory Building or Structure: means a detached building or structure, the use of which is incidental or secondary to that of the main building and located on the same lot with the main building and includes a private garage.
- 3.2 Accessory Use: means a use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.
- 3.3 Assembly Hall: means a building or part of a building in which facilities are provided for such purposes as meetings of civic, education, political, religious or social purposes, and shall include a banquet hall.
- 3.4 Attached: shall mean a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with adjacent building or buildings.
- 3.5 Automobile Service Station or Service Station: shall mean a building where gasoline or oil is kept for sale and where only minor or emergency repairs essential to the actual operation of motor vehicles may also be performed, and where grease, anti-freeze, tires, spark plugs and other automobile accessories may be sold incidentally, and where motor vehicles may also be oiled, greased or washed, but where no other activities of a public garage are carried on.
- 3.6 Building: means any structure used or designed to be used for shelter, accommodation or enclosure of persons, animals or chattels.
- 3.7 Building Line: means a line within a lot drawn parallel to a lot line and establishes the minimum distance between that lot line and any building or structure, which may be erected.
- 3.8 Building Main: means a building in which the principal use is conducted on the lot on which it is located. In the residential zone the dwelling is the main building.
- 3.9 Building Openings: shall refer to any openings in a building or structure which is located in a floodplain. All such openings including windows, doors, vents, etc. as well as incoming power lines and meter installation, shall also be above the flood plain design elevation. Notwithstanding the above, where adequate floodproofing is provided, water, sewer and storm drainage openings, and back up provisions in the form of a sump pump, may be permitted below the flood plain design elevation.

- 3.10 Building Supply Store: means an establishment engaged in the selling of building supplies including lumber, mill work, siding, roofing, plumbing, electrical, heating, air conditioning and similar items.
- 3.11 Business Office: shall mean an office where one or more persons are employed in the management, direction or conducting of any agency, business, brokerage, labour or fraternal organization and shall include a newspaper plant, a radio and television broadcasting studio or theatre.
- 3.12 Cabin Establishment: means a tourist establishment comprised of two or more cabins arranged singly or in pairs and which does not provide cooking facilities.
- 3.13 Camping Establishment: means a tourist establishment consisting of at least five camping lots and comprising land used or maintained as grounds for the camping or parking of recreational vehicles and tents.
- 3.14 Church: means a building dedicated to religious worship and may include a church hall, church auditorium, sunday school, convent or parish hall.
- 3.15 Clinic: shall mean a public or private medical, surgical, physiotherapeutic or other human health clinic except when accessory to a private or public hospital.
- 3.16 Club, Commercial: means an athletic, recreational and/or social club operated for gain or profit.
- 3.17 Club, Private: means an athletic, recreational and/or social club located on private lands and not operated for gain or profit. This definition may include the premises of a fraternal organization.
- 3.18 Community Centre: means a tract of land or buildings or any part of any buildings used for community activities whether used for commercial purposes or not, and the control of which is vested in the municipality, a local board or agent thereof.
- 3.19 Contractor's Shop: shall mean an area of land including buildings of a contractor of any building trade where equipment and material are stored or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.
- 3.20 Convenience Store: means a retail commercial establishment supplying groceries, sundries and other daily household necessities to the immediate surrounding area.
- 3.21 Cottage: means a building to accommodate one or more guests;
- (i) that contains at least two (2) rooms,

- (ii) that is at least partially furnished, and
- (iii) in which the guest is permitted to prepare and cook food.

3.22 Cottage Establishment: means a tourist establishment comprising two or more cottages owned or leased by the same person.

(By-law 93-03)

3.23 Dwelling - *single-detached*: means a separate building containing only one dwelling unit.

(By-law 93-03)

3.24 Dwelling - *two-unit*: means a separate building containing only two dwelling units that are divided either horizontally or vertically; each unit having an independent entrance.

(By-law 93-03)

3.25 Dwelling - limited service: means a *single-detached dwelling* fronting on a private access road and not an improved street.

(By-law 93-03)

3.26 Dwelling - seasonal: means a *single-detached dwelling* used occasionally for recreation, rest or relaxation, but not occupied continuously nor used as a year round permanent dwelling.

(By-law 93-03)

3.27 "Dwelling Unit" shall mean a private suite of two or more rooms designed or intended for occupation by one or more persons, in which sanitary conveniences are provided, and in which facilities are provided for cooking or the installation of cooking equipment, and in which a heating system is provided, and containing a private entrance from outside the building or from a common hallway or stairway inside.

- a) Accessory Dwelling Unit: shall mean a dwelling unit which is part of and accessory to a permitted non-residential building other than an automobile service station or commercial garage.

3.28 Dwelling Unit Area: means the floor area of a dwelling unit measured between the exterior faces of the exterior walls of the dwelling unit.

3.29 Eating Establishment: means a building or part of a building where food is offered for sale or sold to the public for immediate consumption therein and includes a restaurant, cafe, tea or lunch room, dairy bar, and refreshment room or stand; but does not include a boarding or lodging house.

3.30 Erect: shall mean build, construct, reconstruct, or relocate and shall include any preliminary physical operations such as cutting, grading, excavating, filling or drainage, or any altering of an existing building by an addition, extension or other structural change.

- 3.31 Farm: means land used for the tillage of soil, the growing of vegetables, fruits, grains, and other staple crops. This definition may also apply to land used for livestock raising, dairying, or woodlots.
- a) Intensive Farm: means land on which the predominant economic activity consists of raising chickens, turkeys, or other fowl, the raising of fur bearing animals, the raising of swine or goats, the raising of cattle on feed lots, the raising or boarding of dogs or cats, or the growing of mushrooms.
- 3.32 Family: means one person or two or more persons who are interrelated by bonds of consanguinity, marriage or legal adoption, or a group of not more than five unrelated persons with or without one or more fulltime servants, occupying a dwelling unit.
- 3.33 Flood Plain: means the area of land within a watershed which is subject to inundation during a flooding event. This area shall be calculated as being the area that would be flooded with an expected average frequency of once in a hundred years. Lands subject to flooding shall have a corresponding meaning.
- a) Flood Plain Design Elevation: means the elevation established under this by-law below which all buildings and structures must be floodproofed. This elevation shall be calculated based on the flood plain determined for a watershed.
- Floodproofing: shall refer to the measures taken to ensure that a structure or building is safe from the effects of flooding, as follows: no building openings including windows, doors, vents, etc. shall be permitted below the flood plain design elevation; incoming power service metering equipment, electrical appliances, etc. shall not be erected below the flood plain design elevation; this restriction does not apply to electrical wall outlets equipped with ground fault plugs; design of heating, air conditioning, ventilation, plumbing, sanitary and water systems to consider flood vulnerability; sanitary sewer and storm drainage systems having openings below the flood plain design elevation shall be provided with automatic backflow preventers; water supply systems shall be designed to prevent possible contamination from flood water; gas or oil fired furnaces shall be provided with float-operated automatic control valves to shut off fuel in the event of flooding; sanitary sewers or septic systems intended to operate during flood conditions shall be designed to prevent sewage discharge and resulting health hazards; any other appropriate measures.
- 3.34 Floor Area, Gross: means, for a dwelling, the total area of the storeys exclusive of basements, cellars, attics, garages, sunrooms, unenclosed verandahs or porches; and for a building other than a dwelling, the total area of all the floors contained within the outside walls of the building. Only that floor area having a clear height to the ceiling of at least two and one-quarter (2.25) metres may be used to calculate floor area.

- 3.35 Floor Area, Net: shall mean only the habitable or usable floor space in a building exclusive of any foyer, hallways, stairwell, closet, washroom or toilet room and shall be measured from the inside walls.
- 3.36 Forestry: means the management, development and cultivation of timber resources to ensure that 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.
- 3.37 Fuel Storage Tank: means a tank for the bulk storage of petroleum gasoline, fuel oil, gas or inflammable liquid or fluid but does not include a container for inflammable 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.
- 3.38 Garage, Commercial: means a building, structure or lot where commercial vehicles are stored or where vehicles are repaired or maintained.
- 3.39 Garage or Carport (Private): shall mean an enclosed or partially enclosed structure in which no business, occupation or service is conducted for profit, and which structure is used primarily for the storage of one or more vehicles and storage of household equipment incidental to the residential occupancy.
- 3.40 Garden Centre: means an establishment primarily used for the retail sale of gardening equipment, products and planting materials, including greenhouses, for the cultivation of such materials.
- 3.41 Gravel Pit: means any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral in order to supply material for construction, manufacturing or industrial purposes.
- 3.42 Hazard Land: means land which is not suitable to be used for the erection of any buildings because the said land is on a flood plain, is subject to erosion, has steep slopes, has organic soil or has a high water table.
- 3.43 Height: means, when used with reference to a building, the vertical distance between the average elevation of the finished surface of the ground at the front of the building and
- (1) in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greater,
 - (2) in the case of a mansard roof, the deck roof line, and
 - (3) in the case of a gable, hip or gambrel roof, the mean height between the eaves and ridge.

3.44 High Water Mark: means the mark made by the action of water under natural conditions on the shore or bank 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.

(By-law 93-03)

3.45 Home Industry: means a use accessory to *single-detached* dwelling which may include a carpentry shop, an electrical shop, a welding shop, a storage building for school buses, boats or snowmobiles, a repair shop for farm equipment, or a similar use.

(By-law 93-03)

3.46 Home Occupation: shall mean an occupation, trade, business, profession or craft carried on as an accessory use of a dwelling unit, provided the dwelling unit is the private residence of the person carrying on the occupation, trade, business, profession or craft.

3.47 Hospitals:

a) Private shall mean a hospital as defined in the Private Hospitals Act 1970, and a sanitarium as defined by the Private Sanitarium Act 1970.

b) Public shall mean a hospital as defined by the Public Hospital Act 1970.

3.48 Hotel: means any hotel, tavern, inn or public house in one building or in two or more connected or adjacent buildings used mainly for the purpose of catering to the needs of the travelling public by supplying sleeping accommodation of not less than ten bedrooms and includes all premises licensed under The Liquor Licence Act, but does not include rooming houses or boarding houses.

(By-law 93-03)

3.49 Hunt Club: means a building or structure intended to provide basic shelter and accommodation on an occasional basis for a person or a group of persons engaged in hunting or fishing activities. Such structure may be described as being of light frame construction without any interior finish on its walls and ceiling and without any source of plumbing or electrical wiring.

3.50 Institution: shall mean a building used for non- commercial purposes and operated by an organized body or society for providing a particular services.

3.51 Logging Hauler: shall mean an area of land and/or building of a logging contractor where equipment and materials are stored and may include repairs to logging equipment belonging to the logging contractor.

3.52 Lot: means a parcel or tract of land:

- (i) which is a whole lot as shown on a Registered Plan of Subdivision, but a Registered Plan of Subdivision for the purpose of this paragraph does not include a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a by-law passed pursuant to Section 49 of The Planning Act, 1983.
 - (ii) which is a separate parcel of land the owner of which does not retain the fee or equity of redemption in, or a power or right to grant, assign, or exercise a power of appointment with respect to any abutting land, or
 - (iii) the description of which is the same as in a deed which has been given consent pursuant to Section 49 of The Planning Act, 1983.
- 3.53 Lot Area: means the total horizontal area within the lot lines of a lot. In the case of a corner lot having street lines rounding at the corner with a radius of six (6) metres, or less, the lot area of such land shall be calculated as if the lot lines were produced to their point of intersection.
- 3.54 Lot, Corner: means a lot situated at the intersection of two streets, of which two adjacent sides, that abut the intersecting streets, contain an angle of not more than 135 degrees; where such adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the interior lot lines, provided that, in the latter case, the corner of the lot shall be deemed to be that point on the street lines nearest to the point of intersection of the said tangents.
- 3.55 Lot Coverage: means that percentage of the lot area covered by buildings, including accessory buildings.
- 3.56 Lot Frontage: means the horizontal distance between the side lot lines measured along the front lot line. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured along a line seven and one-half (7.5) metres back from and parallel to the street line.
- 3.57 Lot Interior: shall mean a lot situated between adjacent lots and having access to one street.
- 3.58 Lot Line Front: means the lot line that divides the lot from the street, provided that in the case of a corner lot the shorter lot line that abuts a street shall be deemed to be the front lot line and the longer lot line that abuts a street shall be termed the flankage of the lot. In the case of a lot abutting in a Limited Service Residential (LSR) zone the lot line adjacent to the access road shall be deemed to be the front lot line.
- 3.59 Lot Line Rear: means the lot line opposite the front lot line.
- 3.60 Lot Line Side: means a lot line other than a front or rear lot line.

- 3.62 Marina: means a building, structure or place, containing docking facilities and located on a waterbody, where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided.
- 3.63 Mine: means any open or excavation in, or working of the ground for the purpose of opening up or proving any mineral or mineral-bearing substance, and any ore body, mineral deposit, stratum, rock, earth, clay, sand or gravel, or place where mining is or may be carried on, and all ways, works, machinery, plant, buildings and premises below or above ground belonging to or used in connection with the mine, and also any quarry, excavation or opening of the ground made for the purpose of searching for or removal of mineral rock, stratum, earth, clay, sand or gravel and any roasting or smelting furnace, concentrator mill, work or place used for in connection with washing, crushing, sifting, reducing, leaching, roasting, smelting, refining, treatment or research on any of such substance.
- 3.64 Mining: means any mode or method of working whereby the earth or any rock, stratum, stone or mineral-bearing substance may be disturbed, removed, washed, sifted, leached, roasted, smelted, refined, crushed or dealt with for the purpose of obtaining any mineral therefrom, whether it has been previously disturbed or not.

(By-law 93-03)

- *3.65 Mobile Home: means any dwelling unit that is designed to be made mobile and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer or trailer otherwise defined.*
- 3.66 Mobile Home Park: means land which has been provided and designed for the location thereon of four or more occupied mobile homes.

(By-law 93-03)

- 3.67 Modular Home: means a prefabricated *single-detached* dwelling unit located on a permanent and finished foundation.
- 3.68 Motel: means an establishment that consists of one or more than one building containing more than one rental unit for the purpose of catering to the travelling public, to whom the motor vehicle is the principal means of transportation, by furnishing sleeping accommodation with or without meals, may include permanent staff accommodation and may or may not be licenced under The Liquor Licence Act, but does not include any other establishment otherwise defined or classified in this by-law.
- 3.69 Municipality: means the Municipality of the Township of Brudenell and Lyndoch. Corporation shall have a corresponding meaning.
- 3.70 Non-Conforming: shall mean that which does not conform, comply or agree with the regulations of this by-law as of the date of final passing thereof.

- 3.71 Obnoxious Use: shall mean any use which is offensive or dangerous by reason of the emission of odour, smoke, dust, noise, gas, fumes, vibration or refuse matter.
- 3.72 Open Storage: shall mean storage or display of goods, merchandise or equipment outside of a building or structure on a lot or portion thereof.
- 3.73 Park: means an area, consisting largely of open space, which may include a recreational area, playground, playfield or similar use, but shall not include a mobile home park or recreational vehicle park.
- (a) Public Park: means a park owned or controlled by the Corporation or by any Ministry, Board, Commission or Authority established under any statute of Ontario or Canada.
- (b) Private Park: means a park other than a public park.
- 3.74 Parking Space: shall mean an area of not less than fifteen (15) square metres measuring 2.7 metres by 5.5 metres exclusive of driveways or aisles for the temporary parking or storage of motor vehicles.
- 3.75 Person: shall include an individual, an association, a chartered organization, a firm, a partnership or a corporation.
- 3.76 Private Access Road: means a registered right-of-way not dedicated and accepted as, or otherwise deemed at law to be a public highway, that serves as a privately maintained motor vehicle access-route to one or more parcels of land.
- 3.77 Public Use: means a building, structure or lot used for public services by the Corporation or the County, any local board of either the Corporation or the County of Renfrew, any Conservation Authority established by the Government of Ontario, any Ministry or Commission of the Government of Ontario or Canada, including Ontario Hydro, any telephone, gas or telegraph company or any railway company authorized under The Railway Act.
- 3.78 Recreational Vehicle: means a structure or vehicle designed, intended and used exclusively for travel, recreation and vacation and which is either capable of being drawn by a passenger vehicle or is self-propelled, and shall include tent trailers, vans, motor homes, and similar transportable accommodation excepting a mobile home.
- 3.79 Recreational Vehicle Park: means land used for the parking of more than one recreational vehicle and the said land being divided into individual lots.
- 3.80 Resort: means a tourist establishment that operates throughout all or part of the year and that has facilities for serving meals and furnishes equipment, supplies or services to persons in

connection with angling, hunting, camping or recreational purposes, and supplies accommodation.

- 3.81 Restaurant: means a building or part of a building where food is offered for sale or sold to the public for immediate consumption therein. This definition shall not include a boarding or lodging house.
- 3.82 Restaurant Drive-In: means an establishment where food is offered for sale or sold to the public for consumption, such establishment being designed for consumption of the food within a motor vehicle parked in a permitted parking space on the premises of the establishment.
- 3.83 Retail Store: means a building or part of a building in which goods, wares, merchandise, substance, articles or things are offered or kept for sale at retail, but does not include any establishment otherwise defined herein or specifically named elsewhere in this by-law.
- 3.84 Roadside Stand: means a retail store not exceeding nineteen (19) square metres in floor area, in which the goods displayed or offered for sale are produced on the same land from agricultural uses.
- 3.85 Salvage Yard: means an establishment where goods, wares, merchandise, articles or things are processed for further use and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open. This definition may include a junk yard, a scrap metal yard and an automobile wrecking yard or premises.
- 3.86 Sawmill: means a building, structure or area where timber is cut or sawed, either to finished lumber or as an intermediary step.
- 3.87 School: shall mean an educational establishment under the jurisdiction of a Board as defined by the Ministry of Education.
- 3.88 Service Shops: shall mean an establishment wherein articles or goods such as appliances, furniture or similar items are repaired or serviced. Service shops shall also mean an establishment wherein a personal service is performed. This definition may include a barber shop, a beauty salon, a dressmaking shop, a shoe repair shop, a tailor shop and a photographic studio.
- 3.89 Stone Quarry: means any open excavation made for the removal of any consolidated rock or mineral including limestone, sandstone or shale, in order to supply material for construction, industrial, or manufacturing purposes, but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation or an excavation incidental to the construction of any public works.
- 3.90 Street: means a public highway or public road under the jurisdiction of either the Municipality, the County of Renfrew or the Province of Ontario. This definition shall not

include a lane or private right-of-way. STREET ALLOWANCE shall have a corresponding meaning.

- (a) Improved Street: means a street which has been constructed in such a manner so as to permit its use by normal vehicular traffic.
- 3.91 Street Line: means the limit of the road or street allowance and is the dividing line between a lot and a street.
- 3.92 Structure: means anything constructed or erected, the use of which requires location on or in the ground or attached to something having location on or in the ground.
- 3.93 Tourist Establishment: means a building, structure or area of land designed for the accommodation of the travelling or vacationing public.
- 3.94 Tourist Home: means a private home or dwelling,
- (i) that is not part of or used in conjunction with any other tourist establishment, and
 - (ii) in which there are at least five (5) rooms for rent to the travelling or vacationing public whether rented regularly, seasonally or occasionally.
- 3.95 Trailer: means any vehicle so constructed as to be suitable for attachment to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and capable of being used for the temporary living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked up or that its running gear is removed.
- 3.96 Truck Terminal: means a building, structure or place where trucks or transports are rented, leased, kept for hire, or stand or parked for remuneration, or from which trucks or transports, stored or parked on the property are dispatched for hire as common carriers or which is a bonded warehouse.
- 3.97 Water Setback: means the straight line horizontal distance from the high water mark of a watercourse, bay or lake to the nearest part of any excavation, building, structure or open storage use on the lot.
- 3.98 Wayside Pit: means a temporary gravel pit opened and used by a public road authority solely for the purpose of a particular project or contract of a road and not located on the road allowance.
- 3.99 Yard: means a space, appurtenant to a building, structure or excavation, located on the same lot as the building or structure, and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted elsewhere in this by-law.

- 3.100 Yard Front: means a yard extending across the full width of a lot on which a building is situate, and from the front lot line to the nearest main wall of the building or buildings for which such front yard is required.
- 3.101 Yard Rear: means a yard extending across the full width of the building lot, on which a building is situate, and from the rear lot line to the nearest main wall of the building or buildings for which such rear yard is required.
- 3.102 Yard Side: means a yard extending from the front yard to the rear yard and from the side lot line to the nearest main wall of the building or buildings for which such side yard is required.
- 3.103 Zone: means a designated area of land use shown on Schedule "A" or "B".
- 3.104 Zoning Administrator: means the officer or employee of the Corporation charged with the duty of enforcing the provisions of this by-law.

SECTION 4 - GENERAL PROVISIONS

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4.1 General Provisions Applicability

The requirements contained in the General Provisions shall apply to all zones.

4.2 Existing Conditions

(a) Non-Conforming Uses

Nothing in this by-law shall prevent the use of any land, building or structure for any purpose prohibited by the by-law if such land, building or structure was lawfully used for such purpose on the day of passing of the by-law, so long as it continues to be used for that purpose. If a non-conforming use should be damaged or destroyed by causes beyond the control of the owner, nothing in this by-law shall prevent such a use from being restored and strengthened to a safe condition, provided the height and bulk are not increased and the use is not an obnoxious use. In areas that are subject to flooding, the replacement or reconstruction of damaged non-conforming buildings and structures shall include flood-proofing.

(b) Existing Buildings with Inadequate Lot or Yard Size

Where a building has been erected prior to the date of passing of this by-law on a lot having less than the minimum frontage and/or area, or having less than the minimum setback and/or side yard and/or rear yard required by this by-law, said building may be enlarged, reconstructed, repaired or renovated provided that:

- (i) the enlargement, reconstruction, repair or renovation does not further reduce a front yard and/or side yard and/or rear yard having less than the minimum required by this by-law; and
- (ii) all other applicable provisions of this by-law are complied with.

(c) Existing Undersized Lots

Notwithstanding anything else in this by-law a vacant lot held in separate ownership from adjoining parcels on the date of passage of this by-law or created by expropriation subsequent to the date of passage having less than the minimum frontage and/or lot area required by this by-law, may be used for a purpose permitted in the zone in which the said lot is located provided that all other applicable provisions in this by-law are complied with.

(d) Prior Building Permits

Nothing in this by-law shall prohibit the erection of a building or structure for which a building permit has been issued prior to the date of passing of the by-law.

(By-law 93-03)***(e) Enlargements to Existing Undersized Lots**

Nothing in this By-law shall prevent an undersized lot that was held in separate ownership from adjoining parcels on the date of passage of this By-law or that was created by expropriation subsequent to the passage of this By-law from being enlarged even if the enlargement does not result in a lot that meets the minimum frontage and/or area required by this By-law. Nothing in this By-law shall prevent such a lot from being used for a purpose permitted in a Zone in which the lot is located provided that:

- i) where the development is on private services, the lot is of an adequate size for water supply and sewage disposal systems approved by the Ministry of the Environment and/or its agents; and
- ii) all other applicable provisions of this By-law are complied with.

(f) Less Than Required Floor Area

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

4.3 Public Uses of Land

The provisions of this by-law shall not apply to the use of any land or to the erection or use of any building or structure for the purpose of public service by the Municipality, or the Corporation of the County of Renfrew, or by any local board thereof defined by the Municipal Affairs Act (R.S.O. 1980), any telephone, gas or telegraph company, any department or agent of the Governments of Ontario or Canada, including Ontario Hydro, provided that:

- (i) the lot coverage, parking and loading, setback and yard requirements prescribed for the zone in which such land, building or structure is located shall be complied with, and
- (ii) no goods, material, or equipment shall be stored in the open in a Residential Zone, and
- (iii) any building erected in a Residential Zone under the authority of this paragraph shall be designed and maintained in general harmony with residential buildings of the type permitted in the zone.

4.4 Exceptions to Height Limitations

The height limitations of this by-law shall not apply to chimneys, church spires, public buildings, water tanks, elevator enclosures, flag poles, television or radio antennae, electrical transmission facilities, ventilators and skylights.

4.5 Conformity with Existing Setbacks

Nothing in this by-law shall prevent any main building on a lot from being erected within a built-up area, as defined by The Highway Traffic Act, R.S.O. 1980, as amended, where there is an established main building line on the lot. Such main building may be erected closer to the street line than required by this by-law provided such main building is not erected closer to the street line than the established building line on the lot on the date of passing of this by-law. In no case shall an accessory building or structure be permitted closer to the street line than the main building on the lot.

4.6 Building Lots and Yards

(a) Lots to Front on Streets

No person shall erect or use any building or structure on a lot unless such lot fronts on an improved street.

(b) Exceptions from Street Frontage Requirements

(i) Limited Service Residential

Notwithstanding the provisions of paragraph (a) of this subsection, a building or structure may be erected or used on a lot in a Limited Service Residential (LSR) Zone provided such lot was existing as of the date of passing of this by-law.

(ii) Seasonal Uses

Notwithstanding of the provisions of paragraph (a) of this subsection, a building or structure used for seasonal residential purposes may be erected or used on a new lot in a Limited Service Residential (LSR) Zone provided such lot abuts a 20 metre private access road which has access to an open public road allowance.

(iii) Hunt Club

A hunt club as defined by this by-law, shall not be required to meet the requirements of paragraph (a) of this subsection.

(c) Permitted Encroachments on Minimum Yards

Every part of any minimum required yard shall be open and unobstructed from the ground to the sky by any structure other than an accessory building permitted elsewhere in this by-law, provided however, that those structures listed in the following table shall be permitted to project into the minimum required yards indicated for the distances specified.

TABLE OF PERMITTED ENCROACHMENTS IN MINIMUM YARDS

<u>Structure</u>	<u>Yards in which Projection is Permitted</u>	<u>Maximum Projection Permitted into Min. Required Yards</u>
Sills, belt courses, cornices, eaves, gutters, chimneys or pilasters	All	.45 metres
Fire escapes	Front and Rear only	1 metre including eaves and cornices; maximum 3 metres width
Balconies	Front and Rear only	2 metres
Open, roofed porches not exceeding one storey in height	Front and Rear only	2.5 metres including eaves and cornices; maximum length of 3 metres
Uncovered paved patios	All	2.5 metres front yard; other yards unlimited

4.7 Accessory Buildings and Structures

Accessory uses, buildings and structures shall be permitted in any zone within the Municipality but shall not:

- (i) be used for human habitation except where a dwelling is a permitted accessory use;

- (ii) be built closer to the front lot line or side yard line than the minimum distance required by this by-law for the main building on the lot. Where an accessory building is built on a corner lot, it shall be located in the rear yard or in the side yard which is not adjacent to the flanking street;
- (iii) be built closer to the front lot line or side yard line than as stated in (ii) above or no closer than one (1.0) metre to the rear lot line except:
 - (a) that common semi-detached garages may be centred on the mutual side lot line, and
 - (b) for boat houses and boat docks which may be built to the lot line when such line corresponds to the water's edge;
- (iv) exceed ten and one-half (10.5) metres in height in any Residential or Commercial Zone;
- (v) exceed ten (10) percent coverage of the total lot area;
- (vi) be built within two (2) metres of the main building, unless the accessory building is constructed of incombustible materials;
- (vii) be considered an accessory building if attached to the main building in any way;
- (viii) be constructed on lands subject to flooding, with the exception of docks, boat houses, and those buildings and structures otherwise permitted by this by-law.

(By-law 2004-22)

- *(ix) Notwithstanding any other provision of this By-law to the contrary, no accessory use, building or structure shall be built on a lot until the principal or main use, building or structure has been built on the lot.
Notwithstanding the aforesaid, an accessory use, building or structure may be permitted on a lot in a Residential or Rural Zone before the principal or main use, building or structure has been built on the lot provided a site plan for the future development of the property (showing, for example, the location of a septic system and setbacks) is approved by the Municipality.*

4.8 Attached Garage Side Yard

(By-law 93-03)

In any Residential Zone where a private garage is attached to a *single-detached* dwelling, then:

1. On the side where the garage is attached to the dwelling, the minimum side yard shall be one (1) metre.

2. In any Residential Zone where a portion of the dwelling unit extends over a private garage which is attached to the dwelling unit, the minimum side yard shall be three (3) metres.
3. On the other side, the minimum side yard shall be the distance required elsewhere in this by-law.

4.9 Temporary Construction Uses Permitted

Nothing in this by-law shall prevent uses incidental to construction such as a construction camp or other such temporary work camp, tool shed, scaffold or other building or structure incidental to the construction, a sign not more than four and one-half (4.5) square metres incidental to the construction provided that these uses are permitted only for so long as the same are necessary for work in progress which has either been finished or abandoned.

4.10 Buildings to be Moved

No building or structure shall be moved within the limits of the Municipality or shall be moved from outside the Municipality into the Municipality unless the building or structure is a permitted use and satisfies all of the requirements of the zone in which it is to be located.

4.11 Parking and Loading Areas

(a) Parking Requirements

- (i) In any zone the owner of every building hereafter erected, enlarged or changed in use after the passing of this by-law shall provide and maintain off-street parking spaces in accordance with the following table:

TABLE OF PARKING REQUIREMENTS

<u>Type of Use</u>	<u>Minimum Parking Space Requirement</u>
Residential Uses	1 parking space per dwelling unit
<u>Non-Residential Uses</u>	
Beverage Room	1 parking space per 4 persons design capacity
Church, Assembly Hall	1 parking space per 9 square metres of gross floor area
Park	5 parking spaces per 4,046 square metres
Restaurant	The greater of:

	(a)	1 parking space per 13.5 square metres of gross floor area, or
	(b)	1 parking space per 4 persons design capacity of the dining room
Restaurant, Drive In		10 parking spaces per lot
Retail Store		1 parking space per 28 square metres of gross floor area
School		The greater of:
	(a)	1.5 parking spaces per classroom, or
	(b)	1 parking space per 3.0 square metres of floor area in the gymnasium, or
	(c)	1 parking space per 3.0 square metres of floor area in the auditorium
Tourist Establishment		1 parking space per guest room, plus 1 parking space per 4 persons design capacity of each beverage room, dining room and meeting room
Other Non-Residential Uses Permitted by this By-law		1 parking space per 37 square metres of gross floor area

- (ii) Where in this by-law, parking facilities for more than four (4) vehicles are required or permitted, parking areas shall conform to the following requirements:

The parking area shall be located within one hundred and fifty (150) metres of the location it is intended to serve and shall be situated in the same zone; and

The parking area and approaches shall be surfaced with concrete, asphalt, crushed stone, gravel or a combination thereof with a staple surface treated to prevent the raising of dust or loose particles; and

Provision for drainage facilities shall be made in compliance with the requirements of the Municipality; and

Every parking space shall be provided with unobstructed access to a street by a driveway, aisle or land; and

Where two or more uses are permitted in any one building or on any one lot then the off-street parking requirements for each use shall be calculated as if each use is a separate use, and the total number of off-street parking spaces so calculated shall be provided.

(b) Loading Space Requirements

No person shall, in any Zone, erect or use any permitted building or structure for manufacturing, storage, warehouse, retail store, wholesale store, market, freight or passenger terminal, hotel, hospital, mortuary, or other permitted uses similarly involving the frequent shipping, loading or unloading of persons, animals or goods, unless there is maintained in the same premises with every structure or use, off-street space for standing, loading and unloading, which shall be at least one, three (3) metre by seven and one-half (7.5) metre area (with a minimum three and six-tenths (3.6) metre height clearance) for every one thousand eight hundred and fifty (1,850) square metres or fraction thereof of building floor area so used. The surface of such loading space and approaches shall be treated in accordance with the relevant provisions of Section 4.11 (a) (ii).

4.12 Automobile Service Stations

Where automobile service stations are permitted in this by-law, the following provisions shall apply in addition to zone provisions.

- (i) No portion of any pump island on a service station lot shall be located closer than six (6) metres from the street line of any street.
- (ii) The minimum distance from the intersection of two street lines to the nearest ingress or egress ramp shall be not less than nine (9) metres.
- (iii) The maximum width of a curb ramp at the street line shall be not more than nine (9) metres and the minimum width not less than seven and one-half (7.5) metres. The width of the ramp shall be seven and one-half (7.5) metres.
- (iv) The minimum distance between ramps shall be not less than nine (9) metres.
- (v) The minimum interior angle of a ramp to a street line shall be forty-five (45) degrees and the maximum interior angle of a ramp to the street line shall be ninety (90) degrees.
- (vi) The minimum distance between the property line of the lot at the street line and the nearest ramp shall be three (3) metres.
- (vii) The area included between ramps or between ramps and a street line or property line as required by this by-law shall not be used for any purpose other than landscaping.

4.13 Visibility at Intersections in Residential Zones

On a corner lot in any Residential Zone, nothing shall be erected, planted or allowed to grow in such a manner as materially to impede vision between a height of eight-tenths (.8) of a metre and three (3) metres above the centreline grades of the intersecting streets in the area bounded by the points along said lines fifteen (15) metres from the point of intersection.

4.14 Open Storage

Open storage shall be permitted in a Highway Commercial, Tourist Commercial, Extractive Industrial, General Industrial, or Rural Marginal Zone in accordance with the following:

- a) the open storage is accessory to the principle use of the lot;
- b) open storage, as defined in this By-law, shall not be permitted within any minimum required front yard or minimum required side yard adjacent to a flanking street nor within any minimum required side or rear yard where the side or rear lot line abuts any Residential or Community Facility Zone;
- c) any areas used for open storage shall be in addition to any minimum off-street parking or loading areas required by this By-law;
- d) any open storage use shall be concealed from view from any street by a solid wood fence, wall or similar method.

4.15 Setbacks

No person shall erect any building or structure in any Zone unless such building or structure conforms to the following setback requirements from road centrelines and waterbodies.

- (a) Provincial Highway 18 metres plus the minimum front yard depth required for such use in the Zone where it is located, such front yard depth being measured at the front lot line.
- (b) Other Road 10 metres plus the minimum front yard depth required for such use in the Zone where it is located, such front yard depth being measured at the front lot line.
- (c) Water Setback

Where there is no marine road allowance of at least twenty (20) metres, then the minimum water setback shall be fifteen (15) metres. Marinas, accessory boathouses and accessory docks and buildings and structures intended for flood or erosion control shall not be required to meet the water setback.

4.16 Occupation of Vehicles

No truck, bus, coach or street car body shall be used for permanent human habitation within the Municipality whether or not the same is mounted on wheels.

4.17 Home Occupations

A home occupation shall be permitted in any Zone provided such home occupation conforms to the following provisions:

(By-law 93-03)

- *(a) The use shall be conducted entirely within the dwelling unit and carried on only by persons residing therein.*
- (b) There shall be no external display or advertising other than a non-illuminated sign not more than three-tenths (.3) of a square metre in area, to indicate to persons outside that any part of the dwelling unit or lot is being used for a purpose other than residential.
- (c) Not more than twenty-five percent (25%) of the dwelling unit area shall be used for the purpose of home occupation uses.
- (d) Such home occupation shall be clearly secondary to the main residential use and there shall be no change to the outside appearance of the dwelling unit or premises or any visible evidence of the conduct of a home occupation.
- (e) There shall be no storage of equipment, vehicles, or supplies associated with the home occupation outside the dwelling.
- (f) The use shall not require additional off-street parking spaces for clients or customers of the home occupation.
- (g) The use shall not generate additional pedestrian or vehicular traffic beyond that normal to the neighbourhood in which it is located.
- (h) There shall be no manufacturing, fabricating or assembly process taking place on the premises.
- (i) No equipment or process shall be used in a home occupation which creates excessive noise, vibration, glare, fumes, or odour detrimental to the health, safety, and general welfare of persons residing in the neighbourhood.

4.18 Home Industry

A home industry shall only be permitted in a Rural Marginal Zone provided the following provisions are complied with.

- (a) Not more than ten percent (10%) or ten (10) square metres of the dwelling unit area, whichever is the lesser, shall be used for the purpose of a home industry;
- (b) Accessory buildings may be erected, altered or used for the purpose of a home industry provided that not more than fifty (50) square metres of the gross floor area of all accessory buildings shall be used for the purpose of a home industry.
- (c) Not more than three (3) persons, other than those residing on the premises, shall be engaged on the premises in the home industry.

4.19 Noxious Uses

Within the Municipality no use shall be permitted which, from its nature or the materials used therein, is declared to be a noxious trade, business or manufacture under The Environmental Protection Act and Regulations thereunder.

4.20 Gravel Pits, Stone Quarries and Wayside Pits

A gravel pit or stone quarry, with the exception of a wayside pit, shall be prohibited in all zones, except in an Extractive Industrial (EM) Zone. A wayside pit shall be permitted in all zones, except in a Residential Zone or a Stream and Wetland (SW) Zone.

4.21 Crown Lands

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

4.22 Sensitive Lakes

The following provisions shall apply to Charlotte Lake as shown on Schedule "A":

- (i) A minimum water setback of thirty (30) metres shall be provided. An exception, where a lot existing as of the date of passing of this by-law has less than forty-six (46) metres in depth, then the minimum water setback shall be fifteen (15) metres.
- (ii) No more than one (1) dwelling unit shall be permitted on a lot.
- (iii) No buildings or structures, nor the placing or removal of fill of any kind, whether it originates on the site or elsewhere, shall be permitted in the area of the water setback, except where such buildings, structures, or fill are intended for flood or erosion control.

SECTION 5 - ZONES

5.1 Zones and Zone Boundaries

- (a) For the purpose of this by-law, the following zones are established as shown on Schedule A and B (Zoning Map).

<u>Zones</u>	<u>Zone Symbol</u>
<u>Residential Zones:</u>	
Rural Residential	RR
Limited Service Residential	LSR
<u>Commercial Zones:</u>	
Highway Commercial	HC
Tourist Commercial	TC
<u>Industrial Zones:</u>	
General Industrial	GM
Extractive Industrial	EM
Disposal Industrial	DM
(the symbol "M" stands for "Industrial" or "Manufacturing")	
Rural Marginal	RM
Community Facility	CF
Stream and Wetland	SW

- (b) Zone Boundaries

Where the boundary of any zone, as shown on the attached schedules, is uncertain the following provisions shall apply:

- (a) where the boundary is indicated as following a street, lane, railway right-of-way, other right-of-way or watercourse, the centreline of such street, lane, railway right-of-way, other right-of-way or watercourse shall be the boundary;
- (b) where the boundary is indicated as following the shoreline of a watercourse, the high water mark as established by an Ontario Land Surveyor shall be the boundary;

- (c) where the boundary is shown as approximately following the shoreline of a watercourse, the high water mark as established by an Ontario Land Surveyor shall be the boundary;
- (d) where any street, lane, railway right-of-way or other right-of-way as shown on the Schedules is closed or diverted, the land formerly included in such street, lane, railway right-of-way or other right-of-way shall be included within the zone of the adjoining property on either side thereof.

In the case where uncertainty exists as to the boundary of any zone, then the location of such boundary shall be determined in by map measurement in accordance with:

- Schedule 'A' at the original scale of 1320' = 1"
- Schedule 'B' at the original scale of 1320' = 1"

(c) Exception Zones

Where a zone classification is followed by the numbered suffix "- Exception One", this denotes the further classification as an Exception Zone. The corresponding zone symbol suffix is "-E1". Additional Exception Zones within the same zone classification are numbered consecutively (ie: Rural Marginal -Exception One (RM - E1), or Rural Marginal - Exception Two (RM - E2), etc; or Limited Service Residential - Exception One (LSR - E1), Limited Service Residential -Exception Two (LSR - E2) etc.

Exception Zone provisions are listed separately under the applicable zone classification requirements sections in the text of this by-law. All provisions of this by-law will apply equally to the respective Exception Zone classification, except as otherwise specified by the Exception Zone provisions.

For the purpose of this by-law, Exception Zones are established as shown on Schedules 'A' and 'B,' (zoning map).

(d) Holding Provisions - Principle of Development Established

Any parcel of land zoned for residential, commercial or industrial development where the principle of development has been established (ie. RR, HC, RM) may be further classified as a holding zone with the addition of the suffix "-h". Certain criteria for development (ie. phasing, financial considerations, geotechnical studies, access etc.) must be met to the satisfaction of Council prior to the removal of the holding provision.

Under this holding zone, interim and passive uses such as open space and conservation will be permitted. Uses existing at the time of passing of the By-law

will also be permitted. When the holding provision is removed these uses would not longer apply. The individual residential, commercial or industrial zone provisions (ie. R1, R2, HC, etc.) as the case may be would then apply.

The removal of the holding provision shall require an amendment to this By-law. No public participation with mechanism for appeal shall be required where the principle of development has been established.

SECTION 6 - REQUIREMENTS FOR RURAL RESIDENTIAL (RR) ZONES

6.1 Permitted Uses

No person shall use land or erect or use a building or structure in a Rural Residential (RR) Zone except for:

- a) Residential Uses
(By-law 93-03)
 - a *single-detached* dwelling
- b) Non-Residential Uses
 - a public park
 - a private park

Uses, buildings and structures which are accessory to the foregoing.

6.2 Zone Provisions

No person shall use any lot or erect, alter or use any building or structure in a Rural Residential (RR) Zone except in accordance with the following provisions:

- a) Lot Area (minimum) 2,025 square metres
- b) Lot Frontage (minimum) 30 metres
- c) Front Yard Depth (minimum) 7.5 metres
- d) Side Yard Width (minimum) 3.0 metres
- e) Rear Yard Depth (minimum) 7.5 metres
- f) Dwelling Unit Area (minimum) 65 square metres
- g) Lot Coverage (maximum) 33%
- h) Building Height (maximum) 10.5 metres
- i) Parking:
 Parking spaces shall be provided in accordance with Section 4.11 of this by-law.
- j) Dwelling Units per Lot (maximum) 1 only

SECTION 7 - REQUIREMENTS FOR LIMITED SERVICE RESIDENTIAL (LSR) ZONES

7.1 Permitted Uses

No person shall use land or erect or use a building or structure in a Limited Service Residential (LSR) Zone except for:

a) Residential Uses

- limited service dwelling on an existing lot of record as of the date of passing of this By-law
- seasonal dwelling

b) Non-Residential Uses

- a public park
- a private park

Uses, buildings and structures which are accessory to the foregoing.

7.2 Zone Provisions

No person shall within any Limited Service Residential (LSR) Zone use any lot or erect, alter or use any building or structure in accordance with the following provisions:

- | | | |
|----|------------------------------|---------------------|
| a) | Lot Area (minimum) | 2,025 square metres |
| b) | Lot Frontage (minimum) | 30 metres |
| c) | Front Yard Depth (minimum) | 7.5 metres |
| d) | Side Yard Width (minimum) | 3 metres |
| e) | Rear Yard Depth (minimum) | 7.5 metres |
| f) | Dwelling Unit Area (minimum) | 65 square metres |
| g) | Lot Coverage (maximum) | 33% |
| h) | Building Height (maximum) | 10.5 metres |
| i) | Parking: | |

Parking spaces shall be provided in accordance with Section 4.11 of this by-law.

j) Water Setback:

A water setback shall be provided in accordance with Section 4.15 (c) of this by-law.

k) Dwelling Units per Lot (maximum) 1 only

(By-law 92-10)

***7.3 Exception Zones**

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

Notwithstanding their Limited Service Residential (LSR) Zoning to the contrary, those lands described as Part of Lot 9, Concession VIII, Township of Brudenell and Zoned Limited Service-Exception One (LSR-E1) shall be used in compliance with the provisions of Limited Service Residential (LSR) Zone, excepting, however, that:

- (i) the Lot Area (minimum) shall be 8,095 square metres.

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

Notwithstanding their Limited Service Residential (LSR) Zoning to the contrary, those lands described as Part of Lot 9, Concession VIII, Township of Brudenell and Zoned Limited Service-Exception Two (LSR-E2) shall be used in compliance with the provisions of the Limited Service Residential (LSR) Zone, excepting, however, that:

- (i) The Lot Area (minimum) shall be 12,140 square metres.*

(By-law 93-12)

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

Notwithstanding anything in this By-law to the contrary, those lands described as Part of Lot 19, Concession XI, Township of Brudenell and delineated as Limited Service Residential-Exception Three on Schedule "A" to this By-law shall be used in compliance with the Limited Service Residential (LSR) Zone provisions, excepting, however, that:

- i) Lot Frontage (minimum) 9.0 metres
- ii) Lot Area (minimum) 1850 sq. metres*

(By-law 96-06)***d) Limited Service Residential-Exception Four (LSR-E4) Zone**

Notwithstanding anything in this By-law to the contrary, those lands described as part of Lot 25, Concession V, Township of Brudenell and delineated as Limited Service Residential-Exception Four (LSR-E4) on Schedule “A” to this By-law may be used for the purposes of a limited service dwelling or a seasonal dwelling, in compliance with the provisions of the LSR Zone.*

(By-law 2002-05)***e) Limited Service Residential – Exception Five (LSR-E5) Zone**

Notwithstanding anything in this By-law to the contrary, on those lands described as Part of Lot 14, Concession 16, geographic Township of Lyndoch and delineated as Limited Service Residential – Exception Five (LSR-E5) on Schedule “A” to this By-law, the following provisions shall apply:

- | | | |
|-----|------------------------|---------------------|
| i) | Lot Area (minimum) | 1,000 square metres |
| ii) | Lot Frontage (minimum) | 20 metres* |

(By-law 2004-13)***f) Limited Service Residential – Exception Six (LSR-E6) Zone**

Notwithstanding anything in this By-law to the contrary, on those lands described as Part of Lot 22, Concession 7, geographic Township of Brudenell and delineated as Limited Service Residential – Exception Six (LSR-E6) on Schedule “A” to this By-law, a seasonal dwelling is the only permitted use. The minimum lot frontage requirement for the LSR-E6 Zone is 20 metres.

g) Limited Service Residential – Exception Seven (LSR-E7) Zone

Notwithstanding anything in this By-law to the contrary, on those lands described as Part of Lot 21, Concession 7, geographic Township of Brudenell and delineated as Limited Service Residential – Exception Seven (LSR-E7) on Schedule “A” to this By-law, a seasonal dwelling is the only permitted use. The existing lot frontage shall be deemed to conform to this By-law.*

(By-law 2004-26)***h) Limited Service Residential – Exception Eight (LSR-E8) Zone**

Notwithstanding anything in this By-law to the contrary, on those lands described as Part of Lot 15, Concession 16, geographic Township of Lyndoch, more particularly described as Part 1 on Reference Plan 49R-3397, with a civic address of 206 Hermans Drive, and delineated as Limited Service Residential – Exception Eight

(LSR-E8) on Schedule “B” to this By-law, the existing mobile home is permitted and the minimum water setback shall be 6.0 metres.*

(By-law 2007-16)

***i) Limited Service Residential – Exception Nine (LSR-E9) Zone**

Notwithstanding anything in this By-law to the contrary, on those lands described as Lots 17, 18, 19 & 20, Concession 9, geographic Township of Brudenell with a civic address of 406 Drohan Road, a single detached dwelling on the subject lot shall be exempt from the Lots to Front on Street provision and the Lot Frontage requirements of the Zoning By-law.*

(By-law 2008-12)

***i) Limited Service Residential – Exception Ten (LSR-E10) Zone**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the LSR-E10 Zone located at within part of Lot 25, Concession 5, 49R-16618 Parts 1 & 3, in the geographic Township of Brudenell, the following provision shall apply:

- i) Water setback (minimum) 30 metres.*

(By-law 2008-13)

***j) Limited Service Residential – Exception Eleven (LSR-E11) Zone**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the LSR-E11 Zone located at within Part of Lot 24, Concession 5, geographic Township of Brudenell, the following provisions shall apply:

- i) Water setback (minimum)
 - buildings and structures 30 metres
- ii) Water setback (minimum)
 - private sewage disposal system 45 metres.*

(By-law 2009-04)

***k) Limited Service Residential – Exception Twelve (LSR-E12) Zone**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the LSR-E12 Zone within Part of Lot 29 and 30, Concession 5, geographic Township of Lyndoch, the following provisions shall apply:

- i) Frontage (minimum) 3 metres
- ii) Width of a right-a-way (minimum) 3 metres.*

SECTION 8 - REQUIREMENTS FOR HIGHWAY COMMERCIAL (HC) ZONES

8.1 Permitted Uses

No person shall use land or erect or use a building or structure in a Highway Commercial (HC) Zone except for:

a) Residential Uses *(By-law 93-03)*

- an accessory dwelling unit, EXCEPT, in the case of an automobile service station or commercial garage, where the accessory dwelling unit shall be a *single-detached* dwelling

b) Non-Residential Uses

- an automobile service station, commercial garage, or automobile business
- building supply stores
- restaurant, including drive-in restaurants
- motels
- tourist homes
- hotels
- post offices
- business and professional offices
- garden centre
- service shops, including those whose products are manufactured on the premises, provided that the space devoted to such manufacturing does not exceed 50% of the total floor area
- retail stores, including those whose products are manufactured on the premises, provided that the space devoted to such manufacturing does not exceed 50% of the total floor area

Uses, buildings and structures which are accessory to the foregoing.

8.2 Zone Provisions

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

- | | | |
|----|--|---|
| a) | Lot Area (minimum) | |
| | i) motel or hotel | 2,750 square metres plus an additional 185 square metres for each guest room in excess of 4 |
| | ii) all other permitted uses | 2,025 square metres |
| b) | Lot Frontage (minimum) | |
| | i) automobile service station | |
| | - interior lot | 35 metres |
| | - corner lot | 40 metres |
| | ii) motel or hotel | 46 metres |
| | iii) all other permitted uses | 30 metres |
| c) | Lot Depth (minimum) | |
| | i) automobile service station | 40 metres |
| d) | Front Yard Depth (minimum) | |
| | i) motel, hotel, automobile, service station, commercial garage, automobile business | 12 metres |
| | ii) all other permitted uses | 7.5 metres |
| e) | Side Yard Width (minimum) | 6 metres provided that where the side lot line abuts a Residential Zone, the minimum side yard width shall be 9 metres |
| f) | Rear Yard Depth (minimum) | 7.5 metres provided that where the rear lot line abuts a Residential Zone, the minimum rear yard depth shall be 10.5 metres |

- g) Lot Coverage (maximum)
 - i) motel, hotel, automobile service station, commercial garage, automobile business 33%
 - ii) all other permitted uses 25%
- h) Building Height (maximum) 10.5 metres
- i) Dwelling Unit Area (minimum)

(By-law 93-03)

- i) accessory *single-detached* dwelling 65 square metres
- ii) accessory dwelling unit:
 - 1. with one bedroom 50 square metres
 - 2. with more than one bedroom 50 square metres plus 9 square metres for each additional bedroom
- i) Parking and Loading Spaces:

Parking and loading spaces shall be provided in accordance with Section 4.11 of this by-law.
- j) Dwelling Units per Lot (maximum) 1 only.

(By-law 93-11)

***8.3 Exception Zones**

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

Notwithstanding Section 8.2(e) to the contrary, those lands described as part of Lot 22, Concession XIII, Township of Lyndoch and delineated as Highway Commercial-Exception One (HC-E1) on Schedule `B' to this By-law shall be used in compliance with the provisions of the Highway Commercial (HC) Zone, excepting, however, that:

- (i) Side Yard Width (minimum) 5.0 metres*

SECTION 9 - REQUIREMENTS FOR TOURIST COMMERCIAL (TC) ZONES

9.1 Permitted Uses

No person shall use land or erect or use a building or structure in a Tourist Commercial (HC) Zone except for:

a) Residential Uses

- an accessory dwelling unit
- *(By-law 93-03)***
- an accessory ***single-detached*** dwelling

b) Non-Residential Uses

- cabin establishments
- camping establishments
- convenience store
- cottage establishments
- hotels
- motels
- recreational vehicle park
- resorts
- tourist homes
- tourist establishments
- marina
- restaurants

Uses, buildings and structures which are accessory to the foregoing.

9.2 Zone Provisions

No person shall use any lot or erect, alter or use any building or structure in a Tourist Commercial (TC) Zone except in accordance with the following provisions:

- | | | |
|----|------------------------------|---|
| a) | Lot Area (minimum) | 2,750 square metres plus an additional 185 square metres for each guest room in excess of 4 |
| b) | Lot Frontage (minimum) | 46 metres |
| c) | Front Yard Depth (minimum) | 12 metres |
| d) | Side Yard Width (minimum) | 6 metres provided that where the side lot line abuts a Residential Zone, the minimum side yard width shall be 9 metres |
| e) | Rear Yard Depth (minimum) | 7.5 metres provided that where the rear lot line abuts a Residential Zone, the minimum rear yard depth shall be 10.5 metres |
| f) | Building Height (maximum) | 10.5 metres |
| g) | Lot Coverage (maximum) | 33% |
| h) | Dwelling Unit Area (minimum) | |

(By-law 93-03)

- | | | |
|-----|--|---|
| i) | accessory *single-detached* dwelling | 65 square metres |
| ii) | accessory dwelling unit: | |
| | 1. with one bedroom | 50 square metres |
| | 2. with more than one bedroom | 50 square metres plus 9 square metres for each additional bedroom |
| i) | Parking and Loading Spaces: | |
| | Parking and loading spaces shall be provided in accordance with Section 4.11 of this by-law. | |
| j) | Dwelling Units per Lot (maximum) | 1 only. |

(By-law 92-09)

***9.3 Exception Zones**

(a) Tourist Commercial-Exception One (TC-E1) Zone:

Notwithstanding their Tourist Commercial (TC) Zoning to the contrary, those lands described as Part of Lot 25, Concession V, Township of Brudenell and Zoned Tourist Commercial-Exception One (TC-E1) shall be used in compliance with the provisions of the Tourist Commercial (TC) Zone, excepting, however, that the permitted uses shall be limited to the following:

- (i) a golf course;
- (ii) a tourist establishment which shall only include a lodge with a maximum gross floor area of 43,000 square feet and a maximum of 10 cabins, each with a maximum gross floor area of 500 square feet;
- (iii) uses, buildings and structures accessory to the permitted uses;*

SECTION 10 - REQUIREMENTS FOR GENERAL INDUSTRIAL (GM) ZONES

10.1 Permitted Uses

No person shall use land or erect or use a building or structure in a General Industrial (GM) Zone except for:

- a) Residential Uses
(By-law 93-03)
- a *single-detached* dwelling if occupied by a caretaker, watchman or other similar person employed fulltime on the lot on which such dwelling is located
- b) Non-Residential Uses
- body shops
 - commercial garages
 - contractor's shop
 - logging hauler
 - fabricating, manufacturing and processing plants
 - fuel storage tanks
 - retail outlets, wholesale outlets, and/or business offices accessory to a permitted use
 - sawmill
 - warehouses
 - truck terminal
 - welding shops

Uses, buildings and structures accessory to the foregoing permitted uses.

10.2 Zone Provisions

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

- a) Lot Area (minimum) 2,025 square metres

b) Yards (minimum)

	Abutting Industrial Zone	Abutting Any Other Zone
Front Yard Depth	22 metres	30 metres
Side Yard Width	15 metres	30 metres
Rear Yard Depth	15 metres	30 metres

provided that no side or rear yard is required along any portion of a lot line which abuts a railroad right-of-way.

- c) Lot Frontage (minimum) 30.5 metres
- d) Lot Coverage (maximum) 50%
- e) Dwelling Unit Area (minimum) 65 square metres
- f) Parking and Loading Areas:

Parking and loading areas shall be provided in accordance with Section 4.11 of this by-law.

- g) Dwelling Units per Lot (maximum) 1 only

(By-law 91-24)

***10.3 Exception Zones**

a) General Industrial - Exception One (GM-E1) Zone

Notwithstanding any provisions of subsections 10.1 and 10.2 to the contrary, those lands described as Part of Lots 241 and 242, Range `B' North, Township of Brudenell and zoned General Industrial-Exception One (GM-E1) shall only be used for the purposes of a commercial sawmill operation in compliance with the provisions of the General Industrial (GM) Zone provisions, excepting, however, that:

- i) a sawmill and a planing mill shall be permitted;
- ii) site performance standards existing as of September 17, 1991, shall apply for all existing buildings and structures on the lot.*

SECTION 11 - REQUIREMENTS FOR EXTRACTIVE INDUSTRIAL (EM) ZONES

11.1 Permitted Uses

No person shall use land or erect or use a building or structure in an Extractive Industrial (EM) Zone except for:

a) Residential Uses

(By-law 93-03)

- *single-detached* dwelling on an existing lot of record as of the date of passing of this by-law

b) Non-Residential Uses

- aggregate screening operations
- concrete batching plants
- crushing plants

Uses, buildings and structures accessory to the foregoing permitted uses.

11.2 Other Permitted Establishments

- gravel pit
- stone quarry

11.3 Zone Provisions

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

a) Yard (minimum):

	Abutting Industrial Zone	Abutting Any Other Zone
Front Yard Depth	22 metres	30 metres
Side Yard Width	15 metres	30 metres
Rear Yard Depth	15 metres	30 metres

b) Location of Gravel Pits:

Notwithstanding any other provision of this by-law to the contrary, no gravel pit shall be established or made within ninety (90) metres of any lot line or portion thereof which abuts a Residential Zone.

c) Location of Processing Operations and Quarries:

Notwithstanding any other provision of this by-law to the contrary, no stone quarry shall be made or established and no concrete batching plant, crushing plant or aggregate screening operation shall be located within ninety (90) metres of any lot line or portion thereof which abuts a Residential Zone.

d) Screening Planting:

No land in an Extractive Industrial (EM) Zone shall be used for any other purpose than for planting grass, shrubs, trees or similar uses within:

- i) thirty (30) metres of any zone other than an Industrial Zone, and
- ii) twenty-two (22) metres of any street line.

e) Setback from Water:

Notwithstanding any other provision of this by-law to the contrary, no gravel pit, crushing plant, concrete batching plant, stone quarry or aggregate screening operation shall be established or made within fifty (50) metres of the high water mark of any river, lake or bay.

f) Dwelling Units per Lot (maximum) 1 only

SECTION 12 - REQUIREMENTS FOR DISPOSAL INDUSTRIAL (DM) ZONES

12.1 Permitted Uses

No person shall use land or erect or use a building or structure in a Disposal Industrial (DM) Zone except for:

- a) Residential Uses
 - prohibited
- b) Non-Residential Uses
 - salvage yards
 - sanitary landfill sites
 - waste disposal areas

Uses, buildings and structures accessory to the foregoing permitted uses.

12.2 Zone Provisions

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

- a) Yards (minimum):

	Abutting Industrial Zone	Abutting Any Other Zone
Front Yard Depth	22 metres	30 metres
Side Yard Width	15 metres	30 metres
Rear Yard Depth	15 metres	30 metres
Notwithstanding any provisions of this By-law, no land may be used as a new waste disposal site if it is located within 300 metres of any residential, commercial or institutional use.		

- b) Screening, Planting

No land in a Disposal Industrial (DM) Zone shall be used for any other purpose than for planting grass, shrubs, trees or similar uses or erecting berms within:

- i) thirty (30) metres of any zone other than an Industrial Zone and
 - ii) twenty-two (22) metres of any street line
- c) Abandoned or Rehabilitated

No building shall be erected or constructed on any sanitary landfill site or waste disposal area that has been abandoned or rehabilitated.

SECTION 13 - REQUIREMENTS FOR RURAL MARGINAL (RM) ZONES

13.1 Permitted Uses

No person shall use land or erect or use a building or structure in a Rural Marginal (RM) Zone except for:

- a) Residential Uses
- *(By-law 93-03)***
- a *single-detached* dwelling
- *(By-law 93-03)***
- a *two-unit* dwelling
- b) Non-Residential Uses
- farms, including forestry
 - hunt club
 - cemeteries
 - logging hauler
 - private club
 - private park
 - public park
 - radio beacons and transmitter towers
 - roadside stand
 - exploratory mineral work, so as to establish a valuable mineral in place, but shall not include a mine or mining as defined by The Mining Act, R.S.O. 1980.

Uses, buildings and structures accessory to the foregoing permitted uses.

13.2 Zone Provisions

No person shall use any lot or erect, alter or use any building or structure in a Rural Marginal (RM) Zone except in accordance with the following provisions:

- a) Lot Area (minimum)

- | | | |
|----|--|---------------------|
| | i) farms | 24 hectares |
| | ii) all other permitted uses | 2,025 square metres |
| b) | Lot Frontage (minimum) | |
| | i) farms | 60 metres |
| | ii) all other permitted uses | 30.5 metres |
| c) | Front Yard Depth (minimum) | |
| | i) farms | 12 metres |
| | ii) all other permitted uses | 7.5 metres |
| d) | Side Yard Width (minimum) | |
| | i) farms | 9 metres |
| | ii) all other permitted uses | 3 metres |
| e) | Rear Yard Depth (minimum) | |
| | i) farms | 15 metres |
| | ii) all other permitted uses | 7.5 metres |
| f) | Dwelling Unit Area (minimum) | 65 square metres |
| g) | Lot Coverage (maximum) | |
| | i) farms | 20% |
| | ii) all other permitted uses | 33% |
| h) | Parking: | |
| | Parking spaces shall be provided in accordance with Section 4.11 of this by-law. | |
| i) | Accessory Buildings and Structures
Associated with Exploratory Mineral
Works (maximum) | 9.3 square metres |

j) Dwelling Unit Location:

- i) No residential building shall be erected within one hundred and fifty (150) metres of any feed lot area, any manure storage area or any building or structure on a specialized farm which is used to house animals or fowl unless such residential building is located on the same lot therewith.
- ii) No residential building shall be erected within sixty (60) metres of an Industrial Zone.

k) Intensive Farm Use Location:

No building or structure on an intensive farm which is used to house animals or fowl, no feed lot area, and no manure storage area shall be located within:

- i) one hundred and fifty (150) metres of any residential building on another lot,
- ii) ninety (90) metres from the centreline of any street,
- iii) sixty (60) metres from any lot line.

(By-law 93-03)

- l) Dwelling Units per Lot (maximum) No more than a *single-detached* dwelling or a two family dwelling shall be erected on any lot.

13.3 Exception Zonea) Rural Marginal - Exception One (RM-E1) Zone

Notwithstanding any provision of this By-law to the contrary, for the lands located in the Rural Marginal - Exception One (RM-E1) Zone, a garden centre shall be a permitted use.

(By-law 93-03)

- *b) In addition to those uses normally permitted in the Rural Marginal (RM) Zone, those lands described as Part of Lot 30 and 31, Concession XV, Township of Lyndoch and delineated as Rural Marginal-Exception Two (RM-E2) may be used for mining purposes, as defined elsewhere in this By-law, in accordance with the applicable Zone Provisions of Section 11.3 of this By-law (Extractive Industrial (EM) Zone).
- c) In addition to those uses normally permitted in the Rural Marginal (RM) Zone, those lands described as Part of Lot 23, Concession XV, Township of Lyndoch and delineated as Rural Marginal-Exception Three (RM-E3) may be used for mining

purposes, as defined elsewhere in this By-law, in accordance with the applicable Zone Provisions of Section 11.3 of this By-law (Extractive Industrial (EM) Zone).*

(By-law 94-12)

***d) Rural Marginal - Exception Four (RM-E4) Zone**

Notwithstanding anything in this By-law to the contrary, those lands described as part of Lot 4, Concession XV, Township of Brudenell and delineated as Rural Marginal-Exception Four on Schedule "A" to this By-law shall be used in compliance with the Rural (RU) Zone, provisions of this By-law, excepting, however, that:

- (i) any residential dwelling established on the lands shall be located a minimum of 90 metres from lands zoned Extractive Industrial (EM).*

(By-law 2001-07)

***f) Rural Marginal – Exception Six (RM-E6) Zone**

Notwithstanding anything in this By-law to the contrary, on those lands described as Lots 286 and 287, Range “B” South, geographic Township of Brudenell and delineated as Rural Marginal – Exception Six (RM-E6) on Schedule “A” to this By-law, two single detached dwellings shall be permitted on one lot provided that one of the dwellings was existing on January 1, 1945.*

(By-law 2001-08)

***g) Rural Marginal – Exception Seven (RM-E7) Zone**

Notwithstanding anything in this By-law to the contrary, on those lands described as Lot 262, Range “B” South, geographic Township of Brudenell and delineated as Rural Marginal – Exception Seven (RM-E7) on Schedule “A” to this By-law, two single detached dwellings shall be permitted on one lot provided that one of the dwellings was existing on January 1, 1990.*

(By-law 2001-11)

***h) Rural Marginal – Exception Eight (RM-E8) Zone**

Notwithstanding anything in this By-law to the contrary, on those lands described as Part of Lot 294, Range “B” North, geographic Township of Brudenell and delineated as Rural Marginal – Exception Eight (RM-E8) on Schedule “A” to this By-law, the following provision shall apply:

Lot Frontage (minimum)	9.0 metres*
------------------------	-------------

(By-law 2004-25)***i) Rural Marginal – Exception Nine (RM-E9) Zone**

Notwithstanding anything in this By-law to the contrary, on those lands described as Part of Lots 24 & 25, Concession 5, geographic Township of Brudenell and delineated as Rural Marginal – Exception Nine (RM-E9) on Schedule “A” to this By-law, the minimum water setback shall be 30 metres.

j) Rural Marginal – Exception Ten (RM-E10) Zone

Notwithstanding anything in this By-law to the contrary, on those lands described as Part of Lot 24, Concession 5, geographic Township of Brudenell and delineated as Rural Marginal – Exception Ten (RM-E10) on Schedule “A” to this By-law, the minimum water setback shall be 30 metres.*

(By-law 2006-09)***k) Rural Marginal – Exception Eleven (RM-E11) Zone**

Notwithstanding anything in this By-law to the contrary, on those lands described as Part of Lot 34, Concession 15, geographic Township of Lyndoch, and delineated as Rural Marginal – Exception Eleven (RM-E11) on Schedule “B” to this By-law, a cabin is a permitted use on a building site approved by the Township’s Chief Building Official as being free of physical hazards to development.

For the purposes of this by-law, a cabin is defined as a building or structure designed and built for temporary human accommodation and used for periodic recreation uses. A cabin is designed in such a manner that the structure cannot be used on a year-round basis.*

(By-law 2006-10)***l) Rural Marginal – Exception Twelve (RM-E12) Zone**

Notwithstanding any other provisions of the By-law to the contrary, on those lands described as Lot 28, Con 1, geographic Township of Brudenell and delineated as Rural Marginal – Exception Twelve (RM-E12) on Schedule “A” to this By-law, one single detached dwelling and a mobile home on one lot are permitted.*

(By-law 2008-01)***m) Rural Marginal – Exception Thirteen (RM-E13) Zone**

Notwithstanding any other provisions of the By-law to the contrary, on those lands described as part Lot 6, Con 13, geographic Township of Lyndoch and delineated as Rural Marginal – Exception Thirteen (RM-E13) on Schedule “A” to

this By-law, the only permitted use shall be a hunt camp.*

(By-law 2008-07)

***n) Rural Marginal – Exception Fourteen (RM-E14) Zone**

Notwithstanding anything in this By-law to the contrary, on those lands described as Lot 16, Concession 9, geographic Township of Brudenell, residential uses shall not be permitted.*

o)

(By-law 2009-04)

***p) Rural Marginal – Exception Sixteen (RM-E16) Zone**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RM-E16 Zone within Part of Lot 29 and 30, Concession 5, geographic Township of Lyndoch, a single detached dwelling on the subject lot shall be exempt from the Lots to Front on Street provision and the Lot Frontage requirements of the Zoning By-law.*

(By-law 2011-26)

***q) Rural Marginal – Exception Seventeen (RM-E17) Zone**

Notwithstanding any other provision of this By-law to the contrary, for the lands located in the RM-E17 Zone within Part of Lot 292, Range “B” North, in the geographic Township of Brudenell, the following provision shall apply:

- i) Water setback (minimum) 30 metres.*

(By-law 2013-21)

***r) Rural Marginal – Exception Eighteen (RM-E18) Zone**

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the RM-E18 Zone within part of Lots 5 and 6, Concession 3 and 4, in the geographic Township of Brudenell, now in the Township of Brudenell, Lyndoch and Raglan, the following provision shall apply:

- i) Lot Frontage (minimum) 17 metres.*

SECTION 14 - REQUIREMENTS FOR COMMUNITY FACILITY (CF) ZONES14.1 Permitted Uses

No person shall use land or erect or use a building or structure in a Community Facility (CF) Zone except for:

a) Residential Uses

- an accessory dwelling unit

b) Non-Residential Uses

- assembly hall
- community centre
- recreation centre
- clinic
- cemeteries
- municipal yard
- provincial yard
- church
- institution
- hospital
- school
- recreational uses
- park
- club, commercial
- club, private
- forestry

- an administrative office of the Municipality, the County, the Province, or of the Dominion of Canada including municipal offices, libraries, post offices, police stations and firehalls.

Accessory buildings incidental to any of the above uses.

14.2 Zone Provisions

No person shall use any lot or erect, alter or use any building or structure in a Community Facility (CF) Zone except in accordance with the following provisions:

- | | | |
|----|----------------------------|---|
| a) | Lot Area (minimum) | Nil |
| b) | Front Yard Depth (minimum) | 10.5 metres |
| c) | Side Yard Width (minimum) | 5 metres or 1/2 the height of the building whichever is greater |
| d) | Rear Yard Depth (minimum) | 15 metres |
| e) | Lot Coverage (maximum) | 40% |
| f) | Building Height (maximum) | 10.5 metres |

- g) Parking:

Parking spaces shall be provided in accordance with Section 4.11 of this by-law.

- h) Dwelling Units per Lot (maximum) 1 only

***(By-law 96-18)**

***14.3 Exception Zones**

- (a) Community Facility-Exception One (CF-E1) Zone

Notwithstanding anything in this By-law to the contrary, those lands described as part of Lots 31 and 32, Concession IX, Township of Brudenell and delineated as Community Facility-Exception One (CF-E1) on Schedule "A" to this By-law may be utilized as a church and cemetery, in compliance with Sections 14.1 of this By-law, excepting, however that:

- (i) a church and a cemetery shall be the only permitted uses

The Provisions of Section 14.2 shall not apply.*

SECTION 15 - REQUIREMENTS FOR STREAM AND WETLAND (SW) ZONES

15.1 Permitted Uses

No person shall use land or erect or use a building or structure in a Stream and Wetland (SW) Zone except for:

- a) Residential Uses
(By-law 93-03)
- a *single-detached* dwelling existing at the time of passing of this by-law
- b) Non-Residential Uses
- forestry
 - existing farms, including forestry, but not including an intensive farm as described herein, and excluding any additional dwelling associated with a farm use
 - conservation areas
 - public park
 - private park
 - recreation areas
 - accessory buildings and structures provided such accessory buildings and structures shall not exceed nine and three-tenths (9.3) square metres.

15.2 Zone Provisions

No person shall use any lot or erect, alter or use any building or structure in a Stream and Wetland (SW) Zone except in accordance with the following provisions:

- | | | |
|----|----------------------------|-------------|
| a) | Front Yard Depth (minimum) | 10.5 metres |
| b) | Side Yard Width (minimum) | 5 metres |
| c) | Rear Yard Depth (minimum) | 15 metres |
| d) | Lot Coverage (maximum) | 1% |
| e) | Building Height (maximum) | 5 metres |

SECTION 16 - ADMINISTRATION

16.1 Administrator

This by-law shall be administered by the Chief Building Official or by a Zoning Administrator appointed by Council, or by such other person as the Council may designate from time to time for such purpose.

16.2 Certificate of Occupancy

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

16.3 Application and Plans

In making an application for a building permit the owner of the lot or his duly authorized agent shall, in writing and/or in the form of plans and specifications, provide all information necessary to ensure that any building or use of the lot shall conform with the provisions of this By-law.

16.4 Inspection

The Zoning Administrator, Chief Building Official or any officer or employee of the Corporation, acting under the direction of the Council, is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purpose of carrying out his duties under this by-law.

16.5 Penalty for By-law Contravention

Every person who contravenes any provision of this By-law on conviction is liable:

- a) on a first conviction to a fine of not more than \$20,000; and
- b) on a subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which he was first convicted,

Every corporation which contravenes any provision of this By-law on conviction is liable:

- a) on a first conviction a fine of not more than \$50,000; and

- b) on a subsequent conviction a fine of not more than \$25,000 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.
- c) Every such penalty described herein is subject to the provisions of Section 66 of the Planning Act, 1983, as amended, and will change from time to time in accordance with the said Act.

15.6 Remedies

In case any building or structure is to be erected, altered, reconstructed, extended or part thereof is to be used, or any lot is to be used, in contravention of any requirement of this By-law, such contravention may be restrained by action at the insistence of any ratepayer or of the Corporation pursuant to the provisions of The Planning Act or The Municipal Act in their behalf.

16.7 Validity

If any section, clause or provision of this by-law including anything contained in Schedule `A' and `B' attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or any part thereof, other than the section, clause or provision 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 effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

16.8 Other By-laws Repealed

All by-laws in force within the Municipality regulating the use of lands and the character, location, bulk, height and use of buildings and structures, be and the same, are hereby amended insofar as it is necessary to give effect to the provisions of this by-law and the provisions of this by-law shall govern.

16.9 Approval

This by-law shall become effective on the date of passing by Council.

This by-law given its FIRST and SECOND reading this 8th day of April, A.D., 1987.

Kevin Hall
REEVE

Valerie Jahn
CLERK

This by-law read a THIRD time and finally passed this 21st day of April, A.D., 1987.

Kevin Hall
REEVE

(seal)

Valerie Jahn
CLERK