



**Municipality of West Grey
Zoning By-law
Number 37-2006**

Adopted By Council, May 15, 2006

CONSOLIDATION VERSION

(INCLUDES AMENDMENTS IN FORCE AND EFFECT AS OF APRIL 1, 2017)

This consolidated version of the Zoning By-law is for reference purposes only. In the event that this consolidated version differs from the original By-law 37-2006 and amendments thereto, the original By-law 37-2007 and amendments thereto shall take precedent over this consolidated document.

**NOTICE OF THE PASSING
OF A ZONING BY-LAW BY THE CORPORATION OF
THE MUNICIPALITY OF WEST GREY**

TAKE NOTICE that the Council of the Corporation of the Municipality Of West Grey passed By-law Number 37-2006 on the 15th day of May, 2006. Pursuant to Section 34 of the Planning Act, RSO, 1990 as amended.

ONLY individuals, corporations and public bodies may appeal a Zoning By-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group.

AND TAKE NOTICE that the Zoning By-law may be appealed to the Ontario Municipal Board by filing with the Clerk of the Municipality of West Grey no later than the 15th day of June, 2006, a notice of appeal setting out the objection to the By-law and the reasons in support of the objection, accompanied by the fee prescribed under the Ontario Municipal Board, S.O. 1994.

An explanation of the purpose and effect of the By-law, describing the lands to which the By-law applies are attached. The complete By-law is available for inspection at the Municipal Office during regular business hours.

DATED AT THE MUNICIPALITY OF WEST GREY

This 26th day of May, 2006

Clerk
Municipality of West Grey
402813 Grey Rd 4, RR 2
Durham, ON N0G 1R0

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EXPLANATORY NOTE

PREAMBLE

This Zoning By-law was passed pursuant to Section 34 of the Planning Act, RSO 1990 as amended. It is intended that this By-law will control and direct future uses in West Grey in accordance with the local land use planning policies contained within the County of Grey Official Plan and specific planning policies for West Grey. This Zoning By-law was developed from a detailed consultation and review with the ratepayers, staff, and Council of West Grey. The efforts of those involved have been invaluable in the development of this new Zoning By-law.

PURPOSE

The purpose of this By-law is to provide the Corporation of the Municipality of West Grey with regulations for controlling the use of land, buildings or structures in accordance with Section 34 of the Planning Act, RSO 1990. This By-law will replace the previous Zoning By-laws of the former Municipalities now included in the Municipality of West Grey.

AFFECTED LANDS

The By-law will apply to all lands within the corporate boundaries of the Municipality of West Grey.

EFFECT

The effect of the passing of this By-law is to establish common zones and zone requirements for all lands within the Municipality of West Grey. Previous municipal Zoning By-laws will be replaced with this new Zoning By-law. This By-law will also implement the land use planning policies of the Provincial Policy Statement, the County of Grey Official Plan, and local planning policies for West Grey.

HOW TO USE THE BY-LAW

This By-law has been written with a view to making its application as straight forward as possible. Where appropriate, common definitions and terms have been used with plain wording. Where there are any questions in regard to the application of the By-law, readers are encouraged to contact the Chief Building Official or Zoning Administrator of the Municipality.

To assist in understanding the By-law, the following steps are recommended:

- STEP 1:** Locate your property on the **Zoning Schedules** attached to the Zoning By-law. This will indicate the specific zones that apply to your property.
- STEP 2:** Review the **General Provisions** section of the By-law to determine what general provisions will apply to permitted uses.
- STEP 3:** Review the specific **Zone Regulations** that are contained in the zones that apply to your property. This will provide you with permitted uses, lot sizes, setbacks, etc.
- STEP 4:** If you have any questions concerning the general provisions, or zone requirements, **contact the Municipal Office.**

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Appendix A: Minimum Distance Separation

**THE CORPORATION OF THE MUNICIPALITY OF WEST GREY
BY-LAW NUMBER 37-2006**

BEING A BY-LAW, UNDER THE PROVISIONS OF SECTION 34 OF THE PLANNING ACT, R.S.O. 1990, AS AMENDED, TO RESTRICT THE USE OF LANDS AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES, AND TO PROHIBIT CERTAIN BUILDINGS AND STRUCTURES IN VARIOUS DEFINED AREAS OF THE CORPORATION OF THE MUNICIPALITY OF WEST GREY.

WHEREAS The Planning Act provides that the Council of a Municipal Corporation may pass by-laws to restrict the use of lands and the character, location and use of buildings or structures;

NOW THEREFORE the Council of the Corporation of the Municipality of West Grey enacts as follows:

SECTION 1 - TITLE OF BY-LAW

- 1.1** This By-law may be cited as the Zoning By-law of the Municipality of West Grey, and includes the text, schedules, appendix, and tables appended hereto.

SECTION 2 - INTERPRETATION

- 2.1** In this By-law, unless the context clearly indicates the contrary, the expression "use" or "to use" shall include anything done or permitted by the owner or occupant of any land, building or structure, directly or indirectly or by or through any trustee, tenant, servant, or agent, acting with the knowledge or consent of such owner or occupant, for the purpose of making use of the said land, building or structure.
- 2.2** In this By-law, unless the context clearly indicates the contrary:
- Words in the present tense include the future;
 - Words in the singular number include the plural, and the converse; and
 - Words in the masculine gender shall include the feminine, and the converse.
- 2.3** In this By-law, the word "shall" is construed as always mandatory.
- 2.4** The word "use", when used as a noun, shall mean the purpose for which a lot or a building or structure or any combination thereof is designated, arranged, intended, occupied or maintained and "uses" shall have a corresponding meaning. When used as a verb, the word "use" or "to use" shall have a corresponding meaning.
- Uses not listed as permitted in a zone or otherwise provided for in this By-law shall be prohibited in such zone except as provided for under Section 6.21 (Non-conforming uses) of this By-law.
- 2.5** In the regulations, dimensions are provided in both metric and imperial to make the By-law more "user-friendly". Where a significant difference is present between the two values for any regulations, as a result of a numerical conversion, the least restrictive dimension shall prevail.
- 2.6** The Natural Environment (NE) Zone boundaries identified on the schedules to this By-law are intended to generally identify the location of potentially hazardous environmental features. During review of development applications and building permit applications, if necessary, the boundaries of the NE zone shall be more precisely determined in consultation with the Conservation Authority or other agencies having jurisdiction in the area. Where detailed resource mapping and/or site inspection occurs, this may result in a re-interpretation of the limits of the NE zone boundary. Additionally, a technical evaluation, approved by the Conservation Authority may be used to further delineate the limits of the Natural Environment (N.E.) Zone.
- 2.7** The Flood Fringe Overlay is identified on this By-law as an indicator that the lands may be subject to potential flooding during a major storm. Land owners are encouraged to review

Section 33, of this By-law if their lands are included in the Flood Fringe Overlay. These restrictions will apply in addition to the underlying land use zone provisions.

SECTION 3 - APPLICATION OF THE BY-LAW

3.1 LANDS SUBJECT TO BY-LAW

The provisions of this By-law shall apply to all lands within the boundaries of the Corporation of the Municipality of West Grey.

3.2 CONFORMITY REQUIREMENTS

3.2.1 No person shall use any land, or construct, alter or use any building or structure or part thereof within the limits of the Municipality of West Grey except in conformity with the provisions of this By-law. A use is prohibited under this by-law unless such use is expressly stated as permitted by this By-law.

3.2.2 No building, structure, or part thereof constructed or altered in contravention of this By-law shall be used by any person so long as such building, structure, or part thereof, continues to contravene the provisions of this By-law.

3.2.3 No lot shall be reduced in area by conveyance, severance, mortgage or other alienation of a part thereof so that any remaining yard or other open space is less than required by this By-law. If any such reduction occurs, such lot and any building or structure thereon shall not thereafter be used by any person unless and until the said yard or requirements of this By-law are complied with.

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

3.2.5 No person within any Zone shall erect, alter, enlarge, or use any building or structure, or use any land in whole or in part, except in conformity with this By-law.

3.3 APPLICATION OF OTHER BY-LAWS AND REGULATIONS

Nothing in this By-law shall relieve any person from the obligation to comply with the requirements of the Ontario Building Code Act or any other By-law of the Municipality or County in force from time to time or the obligation to obtain any license, permit, or approval lawfully required under any regulation or By-law of the Municipality, County of Grey or by a governmental authority having jurisdiction to make such restrictions.

3.4 CONFLICTS WITH OTHER MUNICIPAL BY-LAWS

In the event of any conflict or inconsistency between this By-law and any other By-law of the Corporation, the provisions of this By-law shall prevail.

3.5 CONFLICTING REGULATIONS

Where a combination of permitted uses results in conflicting regulations, the most restrictive regulations shall apply.

SECTION 4 - ADMINISTRATION, ENFORCEMENT AND PENALTIES

4.1 ADMINISTRATION

Unless otherwise specified, this By-law shall be administered by the Chief Building Official and/or Building Inspector, or Zoning Administrator, acting on the direction of the Council of the Municipality of West Grey.

4.2 BUILDING AND OTHER PERMITS

- a) Notwithstanding the provisions of any other By-laws of the Municipality of West Grey, the Chief Building Official shall not issue any building permit or any other permit where the proposed building or any part thereof, use or occupancy would be in violation of any provisions of this By-law. To implement the requirements of this By-law, the Municipality may consider the issuance of occupancy permits or certificates, or change of use permits.
- b) It shall be unlawful for any person or persons to use or permit to use or cause a change in use of any building or part thereof, hereafter erected or altered until such Building Permit or Change of Use Permit has been issued and certified by the Chief Building Official in accordance with The Ontario Building Code Act and the Building By-law.

4.3 APPLICATION FOR BUILDING PERMIT

In addition to all the requirements of The Ontario Building Code and the Building By-law or any other by-laws, every application for a building permit shall be accompanied by a plan in duplicate (one copy of which shall be retained by the Chief Building Official) drawn to scale and showing the following:

- a) The true dimensions of the lot to be built upon or otherwise used;
- b) The location, height and dimensions of any building, structure or use proposed for such lot;
- c) The true dimensions of any yards, setbacks, landscaped areas, off-street parking spaces or off-street loading facilities required by this By-law;
- d) The location of all existing buildings or structures on the lot shown on the plan;
- e) Information showing landscaping, curbing, drainage, retaining walls, any other physical additions existing or proposed for the site;
- f) A statement, signed by the owner, disclosing the existing and proposed use(s) for the land, building or structure and providing any other information that the Building Official considers necessary to determine if such use, building or structure complies with the requirements of this By-law;
- g) Floor plans, building sections, elevations and other details that are required to indicate that the building, when completed, will comply with this By-law and other by-laws of the Municipality of West Grey; and

- h) Existing contours of the land and the proposed contours if any change in site elevation is proposed.

4.4 BUILDING PERMIT REQUIREMENTS

Prior to issue of a building permit, the following documents shall be submitted to the Chief Building Official:

- a) Completed application form signed by the landowner, or agent (letter of authority) to be attached to application;
- b) Accurate site plan in compliance with the Zoning By-law. The site plan must include the true dimensions of the lot; the location and dimensions of all existing and proposed buildings; and building set backs from lot lines as indicated in Section 4.3. In certain circumstances, your site plan will have to be approved by the Saugeen Valley Conservation Authority due to the proximity of hazard land;
- c) Copy of entrance permit & approval signed by Municipal Road Superintendent/Grey County Highways Department/Ministry of Transportation. The Municipality requires that the entrance be installed prior to the issue of the permit to build;
- d) Copy of septic system approval or building appraisal if required; A private septic system required by this By-law shall mean a “private sewage system” pursuant to the Building Code Act, S.O, 1992, Chapter 23.
- e) Receipt for payment of Municipal Development Charges, if applicable.
- f) Two sets of construction plans conforming to the Ontario Building Code (current edition), one set shall be returned with any changes noted;
- g) Payment of building permit fees;
- h) Payment of civic addressing sign.

<p>PLEASE NOTE: Provide at least one week for permit issue.</p>
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4.5 CERTIFICATE OF COMPLIANCE

Prior to the issuance of a certificate for occupancy, if required, the Zoning Administrator or the Chief Building Official or any officer or employee of the Municipality of West Grey acting under his/her direction, may request the submission of a real property report prepared by an Ontario Land Surveyor, which provides information necessary for the Chief Building Official and/or Building Inspector to determine if the buildings, structures or uses of the subject property comply with the requirements of this By-law.

4.6 INSPECTION

The Zoning Administrator/Chief Building Official or any officer or employee of the Municipality of West Grey acting under his/her direction, is hereby authorized to enter, at all reasonable hours, upon any property or premises in or on which he/she has reason to believe that the provisions of the By-law are in contravention for the purpose of carrying out his/her duties under this By-law.

4.7 PENALTIES

Any person convicted of a breach of any provision of this By-law shall be subject to such penalties or orders as provided for in Section 67 of The Planning Act, as amended.

The imposition of a penalty for a contravention of this By-law shall not excuse the condition or matter resulting in such contravention or permit it to continue. Any person contravening this By-law shall correct or remedy the condition or matter resulting in such contravention within a reasonable time.

Where a conviction is entered, in addition to any other remedy or any penalty provided by law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person and/or Corporation convicted.

4.8 ADDITIONAL 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 instance of any rate-payer or of the Corporation of the Municipality of West Grey pursuant to the provisions of The Municipal Act or The Planning Act as amended from time to time.

4.9 VALIDITY

If any section, clause or provision of this By-law including anything contained in the Schedules attached hereto is for any reason declared by a court of competent jurisdiction 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.

SECTION 5 – DEFINITIONS

DEFINITION INDEX

A

Abattoirs
Abutting
Accessory
Addition(s)
Agricultural
Agricultural related use
Alter
Antique Store Market
Arcade
Art Gallery
Artisans market
Asphalt or Concrete Plant
Asphalt Plant, Temporary Portable
Assembly Hall
Attached
Attic
Automotive body repair shop
Automotive Sales Establishment
Automotive Service Station
Automotive use
Automotive Washing Establishment

B

Bakeries
Bakeshop
Banquet Hall
Basement
Bed and Breakfast Establishment
Boarding, Lodging or Rooming
Establishment
Buffer area or strip
Building & Rental
Building Area
Building Inspector
Building, Chief Official
Building setback
Bulk Fuel Depot
Business or Professional Office
Bus Depot

C

Campground
Canopy
Carport
Caterer's Establishment
Cellar
Cemetery
Church
Clinic, Medical
Clinic, Veterinarian
Club, Commercial
Club, Private
Commercial Greenhouse/Nursery
Commercial School or Studio
Commercial Use
Community Centre
Companion Animal Office
Computer Programming Establishment
Conservation
Construct
Contractor's Yard
Convenience Store
Council
County
Court
Crawl Space
Crematorium
Cultural Entertainment Facility
Custom Workshop

D

Data Processing Establishment
Day Lighting (Sight) Triangle
Day Nursery
Deck
Dry Cleaning depot
Dry Cleaning /Laundry
Dwelling
Dwelling unit

E

Equestrian Centre
Erosion Control
Existing

F

Factory Outlet
Fairgrounds
Farm
Farm Building Cluster
Farm Implement Sales
Financial Office
Finished Grade
Fish & Wildlife Management
Flea Market
Flood Control
Flood Fringe
Floodplain
Flood Proofing
Floodway
Floor Area
Floor Area, Gross
Floor Area, Ground
Floor Area, Retail
Forest Management
Funeral Home

G

Garage, Private
Garden Centre
Garden Suite
Gas Bar
Golf Course
Golf Course, Miniature
Golf Driving Range
Greenhouse
Group Home

H

Habitable Room
 Hazardous Substances
 Heavy Equipment Sales
 Height/ Building Height
 Home for the Aged, Rest Home
 Home Industry
 Home Occupation
 Hospital
 Hotel

I

Industry, Dry
 Industrial Mall
 Industrial Use
 Institutional Use

J

Junk Yard

K**L**

Land Lease Community Home
 Land Lease Community Home Site
 Landscaped Area
 Lane
 Laundromat
 Library
 Livestock
 Livestock Facilities
 Livestock Housing Capacity
 Livestock Unit
 Loading Space
 Lot
 Lot Area
 Lot Corner
 Lot Coverage
 Lot Depth
 Lot Frontage
 Lot Through
 Lot Line
 Lot Line, Rear
 Lot Line, Front
 Lot line, Side
 Lot line, Exterior Side
 Lot line, Interior Side

M

Main Building
 Main Use
 Main Wall
 Mausoleum
 Mini-Storage Facility
 Mobile Home
 Mobile Home Park
 Mobile Home Site
 Modular Residential Dwelling Unit
 Motel, Motor Hotel
 Motor Home
 Motor Vehicle
 Municipality
 Municipal Drain
 Museum

N

Natural Environment
 Neighbourhood Store
 Non-complying
 Non-conforming
 Non-habitable
 Nursing Home

O

Official Plan
 One in One-Hundred Year Flood

P

Park
 Parking Aisle
 Parking Area
 Parking Lot
 Parking Space
 Passive Recreation
 Person
 Personal Service Shop
 Pit
 Pit, Wayside
 Place of Entertainment
 Place of Recreation
 Place of Worship
 Planting Strip
 Poultry Processing Facility
 Prefabricated Residential Dwelling
 Printing Establishment
 Print Shop
 Private Home Day Care
 Public
 Public Agency
 Public Utility
 Public Works Yard

Q

Quarry
 Quarry, Wayside

R

Recreational Use-Active
 Recreational Use-Passive
 Regional Floodplain
 Regional Storm Flood Event
 Regulatory Flood
 Rental Outlet
 Reserve
 Residential
 Residential Dwelling (Apartment; Accessory Apartment; Apartment Seniors; Bachelor; Converted; Duplex; Triplex; Fourplex; Link Or Twin; Attached; Semi-detached; Single detached; Split level; Townhouse; Townhouse Cluster)
 Residential Dwelling Unit
 Residential , Non-Farm
 Restaurant (Dining; Drive-In; Drive-Thru; Take-Out)
 Retail Food Store
 Retail Store

S

Salvage, Wrecking, Recycling Facility
 School
 Season Recreational Site
 Seasonal Agricultural Produce Stand
 Second hand Store
 Service Industry
 Service or Repair Shop
 Sewage Treatment Facility
 Sewage Treatment Facility private
 Shipping Containers
 Shopping Centre
 Shopping Mall
 Sign
 Storey (First of ground; second, attic, basement, crawl space, cellar)
 Street
 Street Line
 Structure
 Swimming Pool

T

Tavern
Terrace
Tillable Hectares
Trailer Camp or Park
Trailer, Park Model
Trailer, Recreational
Trailer, Seasonal Recreational
Trailer, Recreational Sales and
Service Establishment
Transport Establishment

U

U-Brew Establishment
Use

W

Warehouse
Watercourse
Water treatment Facility
Wholesale Outlet

Y

Yard
Yard, Front
Yard, Rear
Yard, Required
Yard, Side
Yard, Exterior Side
Yard, Interior Side

Z

Zone
Zoning Administrator

DEFINITIONS

In this By-law, unless the context requires otherwise, the following definitions and interpretations shall apply. Illustrations depicting definitions are provided for clarification and convenience only and do not form a part of the By-law. The illustrations can be found at the end of this By-law in the Appendix Section. The inclusion of a definition in this section, does not mean that the use is permitted within any zone. Reference needs to be made to the specific zone to determine permitted uses and regulations within that zone.

- 5.1 ABATTOIRS**, means a **building** or **structure**, designed and used, or part thereof, for the commercial slaughtering, processing and retailing of products of animals.
- 5.2 ABUTTING**, means a lot line that has any point in common with another lot line that is not part of a street line or lane; or where two or more parcels share a common boundary of at least one (1) point or a building or structure that share a common wall.
- 5.3 ACCESSORY**, when used to describe a **use, building** or **structure**, means a use, building or structure, which is incidental, subordinate, and exclusively devoted to the **main use, building, or structure** located on the same lot and in the same **Zone** as such use, building or structure and which is not used or intended for use as human habitation unless permitted by the provisions of certain Zones of this By-law.
- 5.4 ADDITION(S)**, when used in reference to a **seasonal recreational travel trailer**, means a structure(s) which is attached to and used in conjunction with, and may be divided into more than one room.
- 5.5 AGRICULTURAL**, means a use of land, building or structure for the purpose of animal husbandry, raising of **livestock** and other animals for food or fur including poultry, bee-keeping, fish, aqua-culture and dairy; the growing of field crops, vegetables, agro-forestry, forestry, fruit farming, sod farming, greenhouses and horticulture crops, pasturage, fallow, maple syrup production or any other farming use; and includes the growing, raising, packing, treating, storing, and sale of agricultural products produced on the premises but does not include an **abattoir, a kennel or a rendering plant, commercial greenhouse and/or nursery or garden centre**. For kennel requirements, local Dog Control By-laws should be consulted.
- 5.6 AGRICULTURALLY RELATED USE**, means a **commercial** or **industrial use** directly related to agriculture and requiring proximity to farm operations and may include such uses as animal husbandry services, produce or grain storage/processing facilities, farm machinery sales and service outlets, feed and seed warehouse and associated retail outlets.
- 5.7 ALTER**, when used in reference to a building, structure, or part thereof, means to change any one or more of the internal or external dimensions of such building or structure, or to change the type of construction of the exterior walls or roof thereof, or a change from one type of occupancy to another or a structural alteration or change there to.

When used in reference to a lot, the word "alter" means a change in use, or a decrease or increase in the width, depth, or area thereof or to decrease or increase the width, depth, or area of any required **yard, building setback, landscaped area or parking area**, or to

change the location of any boundary of such lot with respect to a **street** or **lane**, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise. The words "altered" and "alteration" shall have corresponding meanings.

- 5.8 ANTIQUE STORE/MARKET**, means the use of land, buildings or structures for the sale of old and authentic objects of personal property which has a unique appeal and enhanced value mainly because of its age, or because of public demand, has attained value in a recognized commercial market which is in excess of its original value.
- 5.9 ARCADE**, means a place of business where an individual, association, partnership or corporation, maintains three or more coin operated machines for public use such as pinball machines, video games or other similar player-operated amusement devices.
- 5.10 ART GALLERY** means a use, building or structure where paintings, sculptures or other works of art are exhibited or sold.
- 5.11 ARTISANS MARKET**, means the use of a building or structure or part thereof as the workplace of a photographer, craftsman or artist and may include the display and sale of their products along with accessory items.
- 5.12 ASPHALT OR CONCRETE PLANT**, means an industrial facility that has equipment designed to heat and dry aggregate and to mix mineral aggregate with bituminous asphalt, concrete and concrete products and/or other similar materials, and includes stockpiling and storage of bulk materials used in the process or finished products manufactured on the premises and the storage and maintenance of equipment, but does not include the retail sale of finished asphalt or concrete products
- 5.13 ASPHALT PLANT, TEMPORARY PORTABLE** , means a facility which meets all of the following:
- a) Has equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process;
 - b) Is not of permanent construction, but is designed to be dismantled and moved to another location as required; and,
 - c) Is associated with a specific contract for work undertaken by or on behalf of a public road authority.
- 5.14 ASSEMBLY HALL**, see BANQUET HALL
- 5.15 ATTACHED**, means a building or structure otherwise complete in itself, which depends upon a division wall or shared common wall with an adjacent building or structure for structural support or complete enclosure.
- 5.16 ATTIC**, see STOREY.

- 5.17 AUTOMOTIVE BODY REPAIR SHOP**, means a building or other structure where repairs to and/or bodywork, painting of or reconditioning of **motor vehicles** is carried on, but does not include an **automotive sales establishment**, an **automotive service station**, or **salvage or wrecking and recycling yard**.
- 5.18 AUTOMOTIVE SALES AND SERVICE ESTABLISHMENT**, means a lot, building or structure used for the display and sale of new or new and used **motor vehicles** and may include the servicing, repair, cleaning, polishing, and lubrication of motor vehicles; the sale of automotive accessories and related products; and the leasing or renting of motor vehicles.
- 5.19 AUTOMOTIVE SERVICE STATION**, means a lot, building or other structure where goods are sold and/or services and repairs are provided, which are essential to the operation of **motor vehicles**, but does not include a **retail store**, **automotive body repair shop**, **automotive sales establishment** nor an **automotive washing establishment** as defined in this By-law. The incidental sale of refreshments to the traveling public may be permitted.
- 5.20 AUTOMOTIVE USE**, means an **automotive service station**, an **automotive body repair shop**, an **automotive sales establishment** or an **automotive washing establishment** as defined in this By-law.
- 5.21 AUTOMOTIVE WASHING ESTABLISHMENT**, means a building or structure used for the washing or cleaning of **motor vehicles** by automatic or self-serve washing equipment.
- 5.22 BAKERIES**, means the use of land, buildings or structures for producing, mixing, compounding or baking bread, biscuits, ice cream cones, cakes, pies, buns, or any other bakery product of which flour or meal is the main ingredient, but does not include a restaurant or other premises where any such product is made for consumption on the premises and does not include a bake shop.
- 5.23 BAKESHOP**, means a **retail store** where baked goods, which may be consumed on or off the premises are offered for sale. Incidental baking of products for retail sale may be permitted in association with a bakeshop.
- 5.24 BANQUET HALL**, means a building, or part thereof, in which facilities are provided for such purposes as the gathering together of, entertaining or catering to a large group of people for functions such as meetings, charitable events, civic, cultural, educational, political, religious, or social purposes.
- 5.25 BASEMENT**, see STOREY.
- 5.26 BED AND BREAKFAST ESTABLISHMENT**, means a single detached residential dwelling in which the proprietor resides and supplies furnished rooms and may serve breakfast on a temporary basis to overnight guests for monetary gain. It does not include a **restaurant**, **hotel**, **motel**, **motor hotel**, and **boarding, lodging or rooming establishment** or any other form of residential dwelling as defined by this By-law.

- 5.27 BOARDING, LODGING OR ROOMING ESTABLISHMENT**, means a dwelling where rooms are regularly let, with or without the provision of meals, for a consideration to three or more persons, other than the owner, lessee or tenant of the dwelling.
- 5.28 BUFFER AREA OR STRIP**, means a landscaped area intended to obstruct or reduce the noise, lighting glare, unsightly views or any other nuisance of one land use or property onto another and may include such screening features as a continuous row of trees or hedge row of evergreens or shrubs, a berm, a wall, or an opaque fence.
- 5.29 BUILDING**, means any structure temporary or permanent, which is used or intended to be used for the shelter, accommodation or enclosure of persons, animals or chattels, but does not include a lawful boundary wall or fence.
- 5.30 BUILDING AREA**, means the greatest horizontal area of a building above finished grade within the outside surface of exterior walls and the centre line of firewalls.
- 5.31 BUILDING INSPECTOR**, means a person appointed by the municipality, who is charged with enforcing the provisions of the Building Code, Building By-law, Zoning By-law and other local by-laws, as required.
- 5.32 BUILDING, MAIN**, means a building designated or used for the principal use of the lot.
- 5.33 BUILDING OFFICIAL, CHIEF** means a person appointed or constituted by the Council of a Municipality who is charged with the duty of enforcing the provisions of the Ontario Building Code, the Building By-law, the Zoning By-law and other local by-laws, as may be amended.
- 5.34 BUILDING SETBACK**, means the least horizontal distance permitted by this By-law as measured between a **lot line** of a **lot** and the nearest portion of any building, structure or open storage area.
- 5.35 BUILDING SUPPLY OUTLET**, means a building, structure or parts thereof where building, construction or other home improvement materials are stored for the purpose of wholesale or retail and may include accessory facilities for the cutting of the finished lumber products.
- 5.36 BULK FUEL DEPOT**, means the use of land, building or structures or parts thereof for the bulk surface or underground storage of propane , petroleum products, chemicals, gases or similar products and may include the distribution of same.
- 5.37 BULK SALES ESTABLISHMENT**, means a building or structure used for the sale of goods in bulk form, and includes the storage and display of such goods.
- 5.38 BUSINESS OR PROFESSIONAL OFFICE**, means a building, structure or parts thereof in which one or more persons are employed in the management, direction or conducting of a business, or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatment and may include the administrative offices of a not for profit or charitable organization.

- 5.39 BUS DEPOT**, means the use of land, building or structures for the transient housing and parking of buses, and the boarding and de-boarding of passengers, and may include accessory uses such as ticket offices, luggage checking, rest areas and similar uses.
- 5.40 CANOPY**, means a roof that is free of enclosing walls over an entrance to a building, structure or gasoline pump island/kiosk.
- 5.41 CAMPGROUND**, means a public or privately operated facility offering overnight to seasonal camping experiences from tent sites to serviced trailer sites for recreational trailers, park model trailers and seasonal recreational travel trailers, including accessory administrative offices, recreational trailer sales and services establishment, convenience store, laundry facilities, sanitary facilities, recreational hall and associated recreational uses, that cater to short-term guests, not to year round residents, whose accommodation is a tent, tent trailer, park model trailer, recreational trailer, and/or a seasonal recreational travel trailer or motor home as defined herein.
- 5.42 CARPORT**, means a building or structure with a roof and not more than two walls, or a roof supported by columns or piers, attached to a residential dwelling, which is used for the temporary parking of passenger **motor vehicles**.
- 5.43 CATERER'S ESTABLISHMENT**, means a building, structure or parts thereof in which food products and beverages are prepared for consumption off the premises and are not served to customers on the premises or for take out.
- 5.44 CELLAR**, see STOREY.
- 5.45 CEMETERY**, means land set aside to be used for the interment of human remains and includes a **columbarium, mausoleum** or other structure intended for the interment of human remains.
- 5.46 CHURCH**, means a building or part thereof used for public worship and may include a church hall, church auditorium, Sunday School, convent or parish hall or church day nursery.
- 5.47 CLINIC, MEDICAL** means a building or part thereof used by qualified physicians, dentists, osteopaths, or other drugless practitioners, including their staff and patients, for the purpose of consultation, diagnosis and office treatment. A medical clinic may include accessory uses such as waiting and treatment rooms, laboratories, dispensaries and administrative offices. A medical clinic does not include accommodation for overnight patient care or operating room facilities.
- 5.48 CLINIC, VETERINARIAN**, means a building, structure or parts thereof where one or more registered veterinarian surgeons including associated staff provide examinations and surgical or medical treatment to domestic pets, animals or livestock, and may include treatment rooms, laboratories, dispensaries and associated office. Facilities for the overnight care of animals undergoing treatment may be permitted indoors and is considered incidental to the hospital use. A kennel is not permitted in association with a Veterinarian Clinic.

- 5.49 **CLUB, COMMERCIAL**, means any club other than a "private club".
- 5.50 **CLUB, PRIVATE**, means a building or part of a building used as a meeting place for members of a chartered organization, not operated for profit, and may include a lodge, a service club, and a fraternal organization.
- 5.51 **COMMERCIAL GREENHOUSE AND/OR NURSERY**, means the use of land, buildings or structures for the growing and/or storing of flowers, fruit trees, ornamental trees, vegetable plants, shrubs, trees and similar vegetation for the purpose of transplanting, for use as stock or grafting, and includes the retail sale or wholesale distribution of such items directly from the premises/lot including the sale of associated items such as soil, mulch, planting mediums, fertilizers and similar materials.
- 5.52 **COMMERCIAL USE**, means the use of land, building or structure for the purpose of buying and selling commodities, and supplying of services as distinguished from **industrial uses** as defined in this By-law.
- 5.53 **COMMERCIAL SCHOOL OR STUDIO**, means a building, structure, or parts thereof where instruction is given for gain, but without limiting the generality of the foregoing, includes a school of fine art, dance, music, business, trade, vehicle driving and martial arts.
- 5.54 **COMMUNITY CENTRE**, means the use of land, buildings, or structures for community activities of a social, cultural or recreational nature and operated on a non-profit basis by the municipality, local board or agency thereof, but does not include any use specifically defined in this By-law.
- 5.55 **COMPANION ANIMAL OFFICE**, means a building or part of a building wherein the diagnosis or consultation of small domestic animals and pets by a register veterinarian is conducted and may include treatment rooms, laboratories, dispensaries, offices and facilities for a pet groomer but does not include facilities for the overnight care of animals undergoing treatment, general anesthesia, surgery or x-ray facilities or guard dog training.
- 5.56 **COMPUTER PROGRAMMING ESTABLISHMENT** means a use, building or structure or parts thereof where computer programs are designed and/or distributed and which may also provide for the computer training for groups or individuals, and may include accessory office uses.
- 5.57 **CONSERVATION**, means uses and use of land complementary to and compatible with the wise management, stewardship, protection and preservation of the natural environment, along with any of its significant biophysical features and ecological functions. Conservation may include uses such as reforestation, **forest management, fish and wildlife management, erosion control** and **flood control**.
- 5.58 **CONSTRUCT**, means to build, place, erect, reconstruct, relocate, or alter by means of an addition, enlargement or extension, or structural change; and includes any preliminary physical operation preparatory to such work including, but not limited to, excavating, filling, **grading** or drainage; and any work which requires a building permit. Constructed and construction have corresponding meanings.

- 5.59 CONTRACTOR'S YARD**, means uses, buildings or structures or parts thereof used for the storage of building and construction materials including the storage and maintenance of heavy machinery or equipment such as cranes, ploughs, tractors and road making equipment; and may include facilities for the administration or management of the business, but does not include wholesale or retail sale of building or home improvement supplies.
- 5.60 CONVENIENCE STORE**, means an establishment where foodstuffs, tobacco, patent medicines, periodical/newspapers, stationary, sundries, hardware and other similar items of household convenience are kept for sale to the public.
- 5.61 COUNCIL**, means the Council of the Corporation of the Municipality of West Grey.
- 5.62 COUNTY**, means the Corporation of the County of Grey
- 5.63 COURT**, when used to describe an architectural element, means an open and uncovered space appurtenant to any building and bounded by at least two walls of the building or buildings on the lot.
- 5.64 CRAWL SPACE**, see STOREY.
- 5.65 CREMATORIUM**, means a building structure or part thereof fitted with the appliances for the purpose of cremating human remains, and includes everything incidental or ancillary thereto.
- 5.66 CULTURAL ENTERTAINMENT FACILITY**, means a building, structure or part thereof designed or utilized for presentation to the public of live theater or dance performances, musical concerts, cinemas, lectures, exhibits, various forms of art, exhibits of a cultural, academic or scientific nature and are not characterized by any emphasis on specific anatomical areas or sexual activities.
- 5.67 CUSTOM WORKSHOP**, means a building, structure or part thereof, which is used by a trade, craft or guild for the manufacture, of small quantities, of made-to-measure clothes or articles and includes upholstering but does not include woodworking or furniture manufacture, or any other factory or shop production otherwise defined in this By-law. For the purposes of this By-law, a "custom workshop" is not a home occupation as defined by this By-law.
- 5.68 DATA PROCESSING ESTABLISHMENT**, means a use, building or structure or part thereof used for the processing of facts or concepts either manually or by automated means, and may include accessory office uses.
- 5.69 DAY LIGHTING (SIGHT) TRIANGLE**, means an area on a corner lot, which is free of buildings, structures, or other features, including natural features, which may obstruct the vision of drivers and vehicles. Day lighting triangle is determined by measuring, from the point of intersection of the street lines on a corner lot, the distance required by this By-law along each such street line and joining such points with a straight line. The triangular shaped land between the intersecting street lines and the straight line joining the points the required distance along the street lines forms the Day Lighting Triangle.

- 5.70 DAY NURSERY**, means a use, building or structure, or parts thereof duly licensed by the Province of Ontario pursuant to The Day Nurseries Act, as amended. This definition does not include **private home day care** as defined elsewhere in this By-law.
- 5.71 DECK**, means a structure abutting or attached to a dwelling with no roof, canopy or walls except for visual partitions and railings which are constructed on piers or a foundation above finished grade for use as outdoor living space.
- 5.72 DRY CLEANING DEPOT**, means a building or part thereof used for the purposes of receiving and distributing articles or apparel to be dry-cleaned or otherwise treated elsewhere.
- 5.73 DRY CLEANING/LAUNDRY PLANT**, means a building or part thereof used for the purpose of dry-cleaning, cleaning, dyeing, pressing or other similar treatment of articles or apparel and may include a dry cleaning depot for receiving and distributing said articles.
- 5.74 DWELLING**, see **RESIDENTIAL DWELLING**,
- 5.75 DWELLING UNIT**, see **RESIDENTIAL DWELLING UNIT**,
- 5.76 EQUESTRIAN CENTRE**, means the use of lands, buildings or structures for the boarding of horses, the training of horses and riders, and the staging of equestrian events, but does not include the racing of horses.
- 5.77 EQUIPMENT SALES, RENTAL AND LEASING OUTLET**, means the use of land, buildings or structures for the sales, rental or leasing of tools and equipment used in the construction or repair of buildings and includes the storage of same on the property.
- 5.78 EROSION CONTROL**, means land use practices or structures necessary for the reduction or prevention of soil erosion.
- 5.79 EXISTING**, shall mean “legally” existing on the date of the passing of this By-law.
- 5.80 FACTORY OUTLET**, means a building or part thereof where products manufactured by a permitted industrial use are kept for wholesale or retail sale.
- 5.81 FAIRGROUNDS**, means the use of land, buildings or structures for the purpose of holding agricultural fairs where farm produce is displayed for judging and sale, and includes exhibit areas, livestock shows, horse shows and events, and where other sports events may be held, and may include associated uses such as a midway or places of amusement, bleachers, bandstand areas, and **picnic areas**. On occasion, fairgrounds may be used for auctions, **flea markets**, concession stands, temporary overnight accommodations and cultural events.
- 5.82 FARM**, means a parcel of land, which the predominant activity is agricultural and includes associated buildings and structures such as residential dwellings, livestock facilities, farm implement structures, silo’s, granaries and similar buildings and structures.

- 5.83 FARM BUILDING CLUSTER**, means the close grouping of the main buildings and structures on a farm contained within a limited area so that the remaining land is used for agriculture. Buildings and structures within the cluster shall share a common driveway.
- 5.84 FARM IMPLEMENT SALES AND SERVICE**, means the use of land, buildings or structures for the sale, storage and repair of agricultural implements, equipment and machinery that are directly associated with the operation of a farm and may include the sale of accessory items.
- 5.85 FARMER'S MARKET**, means the use of land, buildings, structures or parts thereof for the purpose of selling seasonal fresh produce by independent vendors.
- 5.86 FINANCIAL OFFICE**, means the premises of a bank, credit union, trust company, finance company, loan or mortgage company, investment firm or financial consultants.
- 5.87 FINISHED GRADE**, means the average elevation of the finished surface of the ground as measured at ground level on any side of a building or structure.
- 5.88 FISH AND WILDLIFE MANAGEMENT**, means the management of species native to the immediate area. This may include stream enhancement, planting of browse or shelter species, nesting boxes, nesting islands, ponds, dugouts and den trees.
- 5.89 FLEA MARKET**, means an occasional or periodic sales activity where groups of individual vendors offer goods, new and used, for sale to the public. This does not include private garage sales.
- 5.90 FLOOD CONTROL**, means land use practices or structures deemed necessary by the Conservation Authority for the reduction or prevention of flooding.
- 5.91 FLOOD FRINGE**, means that portion of the floodplain located between the floodway and the limit of the **Regional Storm Flood Event**.
- 5.92 FLOODPLAIN**, means an area of land, usually low lands, adjoining a watercourse that has potential to be covered by floodwater during a Regional Storm Event.
- 5.93 FLOOD PROOFING**, means a combination of structural changes and/or adjustments that are incorporated into the basic design and construction or alteration of buildings, structures or properties that are subject to flooding in order to reduce or eliminate possible flood damages.
- 5.94 FLOODWAY** means the channel of a **watercourse** and that area of the **floodplain** required to pass deep, fast flowing flood waters such that it may pose a potential threat to life and damage to property. The Conservation Authority will determine the limits of the floodway.
- 5.95 FLOOR AREA**, with reference to a building or structure, means the total floor area within a building or structure, which area is measured between the exterior faces of the exterior walls or from the centre line of a common or party wall, but excluding any **private garage**, breezeway, porch, verandah, balcony, sun room, **attic**, **basement** or **cellar**.

- 5.96 FLOOR AREA, GROUND**, means that area of a lot covered or intended to be covered by the **main building(s)** on the lot, exclusive of porches, decks, accessory buildings, terraces, steps, indoor parking areas and normal building projections.
- 5.97 FLOOR AREA, GROSS**, in the case of a residential dwelling, means the total area of all year-round **habitable rooms** located above finished grade and measured between the exterior faces of the exterior walls, but does not include garages, breezeways, and unenclosed porches, sunrooms and verandas. In the case of a building other than a **residential dwelling**, means the aggregate of the area of all floors devoted to retail sales, customer service and office use, industrial uses, recreational uses, institutional uses, as measured from the exterior faces or the exterior walls but not including mezzanine areas, mechanical rooms, common halls, stairwells, garbage and electrical rooms and parking structures.
- 5.98 FLOOR AREA, RETAIL**, means the **floor area** of a commercial building devoted to retail purposes
- 5.99 FOREST MANAGEMENT**, means the management of forest resources for the production of a wide range of values including wood fibre production, erosion control, fish and wildlife habitat, rare species habitat, passive recreation, visual amenity, and education and research. This shall not include a permanent on-site sawmill.
- 5.100 FUNERAL HOME**, means a building or part thereof used for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for internment or cremation, and may include a **place of worship**.
- 5.101 GARAGE, PRIVATE**, means an accessory building or that part of a main building used for the temporary parking of a private **motor vehicle(s)** of the owner, tenant(s), occupant(s) of the lot upon which such garage is located but does not include a **carport**.
- 5.102 GARAGE, PUBLIC**, see **Automotive Service Station**
- 5.103 GARDEN CENTRE**, means the use of land, buildings, structures, or parts thereof for the purpose of buying or selling lawn and garden equipment, plants, furnishings and supplies.
- 5.104 GARDEN SUITE** (i.e. Granny Flat), means a one-unit detached residential dwelling containing bathroom and kitchen facilities that is accessory to an existing **single detached residential dwelling** and is designed to be portable. A garden suite is intended to serve the "temporary" needs of physically or mentally challenged adult, children or elderly parents. As a condition of approval, an agreement with the municipality may be required.
- 5.105 GAS BAR**, means one or more fuel pump islands, each consisting of one or more fuel pumps, which may include a canopy/kiosk and which may be used for the sale of automotive fluids and small accessories for motor vehicles but shall not be used for repairs, oil changes, or greasing.

- 5.106 GOLF COURSE**, means the use of land, buildings and structures for the purpose of playing golf and may include a clubhouse, pro shop, restaurant, driving range(s), putting greens.
- 5.107 GOLF COURSE, MINATURE**, means the use of land, buildings and structures as a commercial place of amusement in which facilities are provided to simulate the game of golf or any aspect of the game on a small scale, but does not include a **golf course** or **golf driving range**.
- 5.108 GOLF DRIVING RANGE**, means a public or private area operated for the purpose of developing golfing techniques but does not include a **golf course** or **miniature golf course**.
- 5.109 GREENHOUSE**, means the use of land, buildings or structures for the growing of flowers, plants, shrubs, trees and similar vegetation, which may be transplanted outdoors on the same lot, and /or used as stocks for building or grafting.
- 5.110 GROUP HOME**, means a residential dwelling for the physically or developmentally challenged persons, children's residences, licensed or approved under provincial statutes and operated as a single housekeeping unit in which residents, excluding supervisory staff or receiving family, live under responsible supervision consistent with the requirements of its' residents.
- 5.111 HABITABLE ROOM**, means a room, located within a residential dwelling unit, designed for living, sleeping, eating or sanitary facilities and can be used at all times throughout the year. A habitable room shall not be located within a cellar. A habitable room does not include any room specifically defined herein as a non-habitable room.
- 5.112 HAZARDOUS SUBSTANCES**, means any substance, which individually or in combination with other substances are normally considered to pose a danger to public health, safety and the environment and may include substances that are toxic, ignitable, corrosive, reactive, radio-active or pathological.
- 5.113 HEAVY EQUIPMENT SALES AND RENTAL**, means the use of land, buildings or structures in which heavy machinery and equipment are offered or kept for sale, rent, lease or hire directly from said lot.
- 5.114 HEIGHT or BUILDING HEIGHT**, when used in reference to a building or structure, means the vertical dimension of a building or structure measured from the centre front elevation of the **finished grade** to, in the case of a flat roof, the highest point of the roof surface or parapet wall, whichever is higher. A one-slope roof having a slope of less than 20 degrees from the horizontal shall be considered a flat roof for the purposes of this By-law; in the case of a mansard roof, the deck roof line; in the case of a gabled, hip, gambrel or other type of pitched roof, the average height between the eaves and ridge; in the case of a structure not having a roof, the top part of such structure; in the case of a structure having a rounded roof, two-thirds (2/3) of the average height of the structure; where a combustible exterior wall extends above the top of the roof of a building, the topmost part of such exterior wall. A false boomtown front shall be considered as part of the roof for the purpose of measuring height. Certain features are exempt from the building height, as detailed in Section 6.4.

- 5.115 HOME FOR THE AGED, REST HOME**, means a “home” as defined under The Homes for the Aged and Rest Homes Act, as amended. The Act specifies that a “home for the aged” is generally for persons over the age of 60 and that a “rest home” is generally for persons over the age of 18. It does not include a “Nursing Home” as defined elsewhere in this By-law.
- 5.116 HOME OCCUPATION**, means an occupation or business, which is conducted for gain or profit as a secondary use within a permitted residential dwelling or residential dwelling unit. A home occupation may include a profession or occupation such as an accountant, architect, auditor, engineer, realtor, insurance agent, planner, lawyer, doctor, dentist; a personal service such as a barber, hairdresser, beautician, seamstress, dressmaker, photographer, pet groomer, caterer’s establishment, and similar occupations or businesses.
- 5.117 HOME INDUSTRY**, means an occupation or business conducted for gain or profit as a secondary use to the main permitted use.
- 5.118 HOSPITAL** means a hospital as defined in **The Private Hospitals Act**, as amended from time to time.
- 5.119 HOTEL**, means a building, part of a building, or a group of buildings used for gain or profit for the purposes of catering to the needs of the traveling public by supplying them with sleeping accommodation, with or without meals, but without private cooking facilities with a minimum of 6 guest rooms, and further provided that each guest room shall only be entered from the interior of the building. Without limiting the generality thereof, a hotel may include accessory uses such as dining, dancing, convention, parking and recreational. A hotel does not include a **boarding, lodging or rooming establishment, bed and breakfast establishment** or a **motel or motor hotel**.
- 5.120 INDUSTRY, DRY**, means an industry, which by nature of its operation, process, or fabrication of raw materials or services rendered does not require a significant water supply and does not produce wastewater as part of the industrial process.
- 5.121 INDUSTRIAL MALL**, means a building or a group of buildings designed, developed, owned and managed as a unit in which separate spaces are leased or occupied by permitted industrial uses. No more than 30 percent of the gross floor area of an industrial mall shall be devoted to accessory office or related commercial uses.
- 5.122 INDUSTRIAL USE**, means, without limiting the generality thereof, the manufacturing, assembling, making, producing, preparing, inspecting, grading, ornamenting, finishing, treating, cleaning, washing, altering, repairing, restoring, processing, polishing, refinishing, packing, adapting for sale, warehousing, storing, breaking up or demolishing of goods, substances, articles or things or any part or parts thereof; or the production or storage of building or construction equipment or materials.
- 5.123 INSTITUTIONAL USE**, means the use of land, buildings or other structures operated by a group, organization or society for the promotion of a public, social, scientific, educational or similar purpose.

- 5.125 JUNK YARD**, means any parcel of land, building or structure for which the principal or accessory use is the abandonment, collection, demolition, dismantlement, keeping, storage, salvage or sale of used, discarded, worn out or scrapped machinery, motor vehicles, vehicle parts, scrap metal, chains, used pipes, waste paper, rags enamelware, furniture, bottles, cans, rope, iron, copper or any other scrap or discarded materials.
- 5.126 LANDFILL**, means the use of land, licensed by the Ministry of the Environment, upon, into, or through which waste is deposited, processed, treated, and covered under controlled conditions and includes land, which is being used for a leachate buffer area and or gas buffer area.
- 5.127 LAND LEASE COMMUNITY HOME**, means any residential dwelling that is a permanent structure where the owner of the residential dwelling leases the land used or intended for use as the site for the residential dwelling. Such dwelling may be modular, prefabricated or traditionally constructed but does not include a **mobile home**.
- 5.128 LAND LEASE COMMUNITY HOME SITE**, shall mean the area of land within a Land Lease Community that is leased for the purposes of locating a **land lease community home**.
- 5.129 LANDSCAPED AREA**, means an open space area comprised of lawn, flowers, shrubs, trees or other natural vegetation. This area may include space occupied by paths, courtyards and patios, but shall not include **loading spaces** or **parking areas**, traffic aisles, driveways, ramps, or outdoors storage areas.
- 5.130 LANE**, means a walkway, emergency access or any other passageway or right-of-way, other than a street, which is open from ground to sky and provides a secondary means of access to abutting lots, and which is not intended for general traffic circulation, but is dedicated to public use, or legally dedicated as a right-of-way for use in common by adjacent land owners.
- 5.131 LAUNDROMAT**, means a building or part thereof, where self-serve coin operated clothes washing equipment are located and may contain one or more washers, dryers or other incidental equipment.
- 5.132 LIBRARY**, means a library, branch library or library distributing station that is approved under The Public Libraries Act, as amended.
- 5.133 LINE OF OCCUPATION**, means the established setback of buildings from a municipal roadway.
- 5.134 LIVESTOCK**, a type of domestic animal kept on a farm for use on the farm, for propagation, for profit or for gain, and without limiting the generality thereof, may include dairy, beef and veal cattle, horses, swine, sheep, goats, mink, rabbits, poultry and fowl.
- 5.135 LIVESTOCK FACILITIES**, means barns, buildings or structures where animals or poultry are housed and shall also include beef feedlots and the associated manure storage facilities.

5.136 LIVESTOCK HOUSING CAPACITY means the total maximum number of **livestock** that can be accommodated in a **livestock facility** at any one time.

5.137 LIVESTOCK UNIT, means the equivalent values for various types of animals and poultry based upon manure production and production cycles.

5.138 LOADING SPACE, means an off-street space on the same lot with a building or on a lot contiguous to a building or group of buildings, which is used, for the temporary parking of a commercial vehicle while loading or unloading of merchandise or materials.

5.139 LOT, means a parcel or tract of land

- a)
 - i) Which is a whole lot as shown on a Registered Plan of Subdivision, but a Registered Plan of Subdivision for the purposes 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 The Planning Act, as amended; or
 - ii) Is a separate parcel of land without any abutting lands being owned by the same owner or owners; or
 - iii) The description of which is the same as in a deed which has been given consent pursuant to The Planning Act, as amended; or
 - iv) Is the whole remnant remaining to an owner or owners after a conveyance made with consent to The Planning Act, as amended.
- b) For the purpose of this subsection, no parcel or tract of land ceases to be a lot by reason only of the fact that a part or parts of it has or have been conveyed to or acquired by the Municipality, the Municipality of West Grey, Her Majesty in the Right of Ontario, Her Majesty in the Right of Canada, the County of Grey, the Saugeen Valley Conservation Authority or Hydro One.

5.139.1 LOT AREA, means the horizontal area within the boundary lines of a lot.

5.139.2 LOT CORNER, means a lot situated at the intersection of and abutting upon two or more streets; or abutting on two or more parts of the same street, the sides of which street (in the case of a curved corner, the tangents at the street extremities of the side lot lines) contain an interior angle of less than one hundred and thirty-five degrees (135 degrees). In the case of a curved corner, the corner of the lot shall be deemed to be the point of the street line nearest the point of intersection of the said tangents. *(see illustrations)*

5.139.3 LOT COVERAGE, means the percentage of the total lot area covered by all building(s) and structure(s), including accessory buildings and structure(s), which are located on or above ground level.

5.139.4 LOT DEPTH, means the horizontal distance between the front and rear lot lines.

- a) When the front and rear lot lines are not parallel, depth is determined by the length of a straight line joining the middle of the front lot line with the middle of the rear lot line.
- b) When there is no rear lot line, depth is determined by the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines. (*see illustrations*)

5.139.5 LOT FRONTAGE, means the horizontal distance between the side lot lines measured along the front lot line, but where the front lot line is not a straight line or where the side lot lines are not parallel, the lot frontage is to be measured by a line 9.0 m (30.0 ft) back from and parallel to the chord of the lot frontage, and for the purpose of this paragraph the chord of the lot frontage is a straight line joining the two points where the side lot lines intersect the front lot line.

5.139.6 LOT THROUGH, means a lot line other than a corner lot having separate frontages on two streets.

5.140 LOT LINE, means any line defining the boundary of a lot.

5.140.1 LOT LINE, FRONT, means:

- a) The line that divides the lot from the street; or
- b) In the case of a Corner Lot, the shorter street line shall be deemed to be the front lot line and the longer line shall be deemed to be the exterior side lot line; or in the case of a Corner Lot with two equal lot lines either street line may be designated as the Front Lot Line; or
- c) In the case of a Through Lot, the shorter street line shall be deemed to be the front lot line and the longer line shall be deemed to be the rear lot line; or in the case of a Through Lot with two equal lot lines either street line may be designated as the Front Lot Line.

5.140.2 LOT LINE, REAR, means the lot line farthest from and opposite to the front lot line. Where a lot has less than four (4) lot lines, there shall be no rear lot line.

5.140.3 LOT LINE, SIDE, means a lot line other than a front or a rear lot line

5.140.4 LOT LINE, EXTERIOR SIDE, means a side lot line that is also a street line

5.140.5 LOT LINE, INTERIOR SIDE, means any side lot line other than an exterior side lot line.

- 5.141 MAIN BUILDING**, means the building designed or used for the principal use on a lot.
- 5.142 MAIN USE**, means uses, buildings, structures or parts thereof, which constitute the principal use(s) of a lot and which is specifically listed as a permitted use by this By-law. An accessory use or home occupation/ home industry shall not constitute the main use of a lot.
- 5.143 MAIN WALL**, means an exterior front, side, or rear wall of a building, and all structural members essential to the support of a fully enclosed space or roof.
- 5.144 MAUSOLEUM**, means a building or structure or part thereof, other than a columbarium, used as a place of interment of human remains in sealed crypts or compartments.
- 5.145 MINI-STORAGE FACILITY**, means a building containing separate, individual self-storage units divided from floor to ceiling by a wall with an independent entrance from the exterior of the building, designed to be rented or leased on a short-term basis to the general public for private storage of personal goods, materials and equipment; but shall not include the storage of hazardous chemicals, flammable substances or toxic materials.
- 5.146 MOBILE HOME**, means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a **recreational travel trailer** or tent trailer or **trailer** otherwise designed.
- 5.147 MOBILE HOME PARK**, means an area of land zoned, designed and intended to accommodate mobile homes to be used as residential dwelling units together with accessory uses such as offices, laundry facilities, storage areas, etc.
- 5.148 MOBILE HOME SITE**, means a defined area of land within a **Mobile Home Park** intended for the location of one mobile home for the exclusive use of the occupant.
- 5.149 MODULAR RESIDENTIAL DWELLING UNIT**, means a residential dwelling unit designed in one or more parts and is designed to be made mobile on a temporary basis, and constructed or manufactured to provide a permanent residence, but does not include a **mobile home, recreational seasonal travel trailer or motor home** as defined herein.
- 5.150 MOTEL/MOTOR HOTEL**, means a building, part of a building or a group of buildings used for the purpose of catering to the needs of the traveling public by providing sleeping accommodation with or without supplying food or other refreshments for not less than 6 guest rooms which may contain private cooking facilities and further provided that each guest room may be entered directly from the exterior of the building. A motel does not include a **boarding, lodging or rooming establishment, a bed and breakfast establishment** or a **hotel**.
- 5.151 MOTOR HOME**, means any **motor vehicle** so constructed as to be self-contained, self-propelled unit capable of being utilized for the temporary living, sleeping or eating accommodation of persons and for the purposes of this By-law shall include a camper pick-up or camper van.

- 5.152 MOTOR VEHICLE**, means an automobile, truck, motorcycle, or motorized snow or all-terrain vehicle, but does not include the cars of electric or steam railways, or other vehicles running only on rails, or on traction engine, self-propelling farm machinery or road building machinery.
- 5.153 MUNICIPAL DRAIN**, means a drainage works as defined by the Ontario Drainage Act, as amended from time to time.
- 5.154 MUNICIPALITY**, means the Municipality of West Grey
- 5.155 MUSEUM**, means a building or parts thereof, used for the purpose of acquiring, conserving, studying, interpreting, assembling and exhibiting to the public such things as collections of paintings, works of art, artifacts of historical interest and significance; mechanical, scientific and/or philosophical inventions, instruments, models, designs; and together with any libraries, reading rooms, laboratories and offices.
- 5.156 NATURAL ENVIRONMENT**, means land which is essentially "non-developable", due to inherent environmental hazards such as wetlands, poor drainage, organic soils, susceptibility to flooding and/or erosion, steep slopes and other physical conditions severe enough to pose a risk of loss of life, property damage and social disruption if developed.
- 5.157 NEIGHBOURHOOD STORE**, means a retail store, which provides convenience goods and services to the immediate and surrounding neighbourhood.
- 5.158 NON-COMPLYING**, means a use, building or structure, lawfully established prior to the passage of this By-law and which is permitted by the zone in which such use, building or structure is located; but which does not meet the specific zone regulations or any other applicable regulation of this By-law.
- 5.159 NON-CONFORMING**, means a use, building, or structure lawfully established prior to the passage of this By-law, and which is not a permitted use of the specific zone(s) in which such use, building, or structure is located.
- 5.160 NON-HABITABLE ROOM**, means any room located within a dwelling unit that is not a habitable room, including, but not so as to limit the generality of the foregoing, a laundry room, a pantry, a lobby, a corridor, a stairway, a closet, a sunroom, a verandah, a recreation room, a porch, a balcony, a private garage, an unfinished attic, a cellar, crawlspace, a boiler room and any space used for the service and maintenance of such dwelling or for vertical travel between storeys.
- 5.161 NURSING HOME**, means a nursing home as defined under The Nursing Home Act, as amended, and does not include a **Home for the Aged, Rest Home** as defined in this By-law.
- 5.162 OFFICIAL PLAN**, means the County of Grey Official Plan, or the former Village of Neustadt Official Plan, or the former Town of Durham Official Plan.

- 5.163 ONE IN ONE HUNDRED (1:100) YEAR FLOOD** means a flood based upon an analysis of precipitation, snow melt or a combination thereof, having a return period of 100 years on average or having a one percent (1%) chance of occurring or being exceeded in any given year. The Conservation Authority determines the elevation of the 1:100 year flood
- 5.164 PARK**, means an open space area, which may include areas for baseball diamonds, outdoor tennis courts, outdoor swimming pool, playground and similar uses, and storm water management facilities, but shall not include a **mobile home park** or **campground**.
- 5.165 PARKING AISLE**, means a portion of a **parking area** or **parking lot** which on one or more sides abuts **parking spaces** and which provides access to and from a parking space, to and from a **street** or **lane** and which is not used for the parking of **motor vehicles**.
- 5.166 PARKING AREA**, means an area, whether or not within a building or structure, used for the temporary parking of licensed **motor vehicles** and may include aisles, parking spaces, and related entrances and exits but shall not include any part of a **street** or **lane**, or any area wherein motor vehicles are kept or stored for sale or repair.
- 5.167 PARKING LOT**, means a **Parking Area** forming the main use of a lot.
- 5.168 PARKING SPACE**, means a space, which may be within a parking area or parking lot, and which is provided and maintained for the temporary parking of motor vehicles.
- 5.169 PASSIVE RECREATION**, means outdoor recreational activities that are non-intensive in nature and are compatible with the surrounding natural environment. This may include uses such as nature interpretation, hiking, cross county skiing, fishing and hunting.
- 5.170 PERSON**, means an individual, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executor or other legal representative of a person to whom the context applies according to law.
- 5.171 PERSONAL SERVICE SHOP**, means a building or part of a building in which persons are employed in providing services and otherwise administering to the individual and personal needs of persons, and includes such establishments as barber shops, beauty parlours, **laundromats**, hairdressing shops, shoe repair and shoe shine shops, and **dry cleaning or laundry depots**.
- 5.172 PIT**, means a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing, but does not include a wayside pit.
- 5.173 PIT, WAYSIDE**, means a temporary pit opened and used by a public road authority solely for the purpose of a particular project or contract or road construction and not located on the road right-of-way.
- 5.174 PLACE OF ENTERTAINMENT**, means a motion picture or other theatre, arena, auditorium, public hall, billiard or pool room, bowling alley, ice or roller skating rink or other similar forms of entertainment, which are contained within an enclosed building or structure; does not include an adult entertainment in body rub parlour.

- 5.175 PLACE OF RECREATION**, means the use of land for such uses as public or private parks, playgrounds, playfields, racquetball club, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, curling facilities, hockey arenas, athletic fields, field houses, recreational trails, snowmobile trails, picnic areas, swimming pools, wading pools, day camps, skiing, fishing, hunting, and similar uses, together with necessary and accessory buildings and structures, but does not include a track for the racing of animals, motor vehicles, snowmobiles, all-terrain vehicles or motor cycles.
- 5.176 PLACE OF WORSHIP, (see "CHURCH")**
- 5.177 PLANTING STRIP**, means an area of landscaped open space located immediately adjacent to a lot or portion thereof and on which is situated one or more of the following screening devices: a continuous row of trees, a continuous row of evergreens or shrubs; a berm.
- 5.178 POULTRY PROCESSING FACILITY**, means the use of land, buildings or structures, or parts thereof, wherein poultry – all domestic fowl including small game birds such as Cornish hen and large birds such as EMU – are slaughtered, washed, cleaned, treated or otherwise prepared, processed and packaged.
- 5.179 PREFABRICATED RESIDENTIAL DWELLING**, means a building which is capable of being occupied exclusively as a residential dwelling and which is comprised of components that are manufactured off-site, transported to the building site and constructed on a lot. A pre-fabricated residential dwelling is not designed nor intended to be made mobile and does not include a **modular residential dwelling unit, and mobile home or park model trailer**.
- 5.180 PRINT SHOP**, means a retail store that provides duplicating services using photocopy, blueprint and offset printing equipment, including collating of booklets and reports.
- 5.181 PRINTING ESTABLISHMENT**, means an industrial facility used for blueprinting, engraving, stereotyping, electro-typing, printing or typesetting and may include a duplicating shop or letter-shop.
- 5.182 PRIVATE HOME DAY CARE**, means the use of a building, structure or part thereof operated for gain or profit by providing temporary care for children within a private residence other than the home of a parent or guardian of any such child and does not include a **day nursery** as defined elsewhere in this By-law.
- 5.183 PUBLIC**, in this By-law, means a use, building or structure used and/or owned by a **public agency** to provide a service to the general public.
- 5.184 PUBLIC AGENCY**, means the Government of Canada, the Government of Ontario or any municipal corporation; the County of Grey, any ministry, department, commission, corporation, authority, board or other agency established from time to time by the Government of Canada, the Government of Ontario or any municipal corporation; any public utility; or any railway company authorized under The Railway Act, as amended, or any successor thereto.

- 5.185 PUBLIC BUILDING**, means any building, structure or part thereof, which is owned, leased, or occupied by the Corporation of the Municipality of West Grey, the County of Grey, the Province of Ontario or the Government of Canada.
- 5.186 PUBLIC UTILITY**, means any agency, corporation, board, or commission providing electricity, gas, water, telegraph, telephone or television service including a communications tower, drainage, sewage or waste collection and disposal services to the public; or a use pertaining to any such agency, corporation, board or commission.
- 5.187 PUBLIC WORKS YARD**, means a municipal, county or provincial facility used for the servicing of road construction and maintenance equipment, and storage of materials including buildings or structures for such purposes.
- 5.188 QUARRY**, means a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a **wayside quarry** or open pit metal mine.
- 5.189 QUARRY, WAYSIDE**, means a temporary **quarry** opened and used by a public road authority solely for the purpose of a particular project or contract or road construction and not located on the road right-of-way.
- 5.190 RECREATIONAL USE- ACTIVE**, means a recreational use or activity with buildings or requires alteration of soil or topography and includes such activities as golf courses, playing fields, trailer parks, campgrounds and conservation areas involving built structures.
- 5.191 RECREATIONAL USE-PASSIVE**, means an activity or use of land carried out for recreational purposes which does not require the construction of buildings or the alteration of soil or topography and includes open space and environmental areas.
- 5.192 REGIONAL FLOODPLAIN**, means the area of land that would be inundated by floodwater under a **Regional Storm Flood Event**.
- 5.193 REGIONAL STORM FLOOD EVENT**, means a major storm of record used for flood regulation purposes. The rainfall actually experienced during Hurricane Hazel as transposed over the watershed and combined with local conditions is used by the Conservation Authority to establish the Regional Floodplain.
- 5.194 REGULATORY FLOOD**, means the approved standard(s) used in a particular watershed to define the limit of the floodplain and level to be applied for flood proofing purposes.
- 5.195 RENTAL OUTLET**, means a building or part thereof where residential, industrial and commercial equipment is kept for rental to the public and may include such items as power tools, appliances, office machines, recreation equipment, lawn and garden equipment and tools, flooring cleaning equipment, masonry tools, painting and decorating equipment and tools, moving equipment and tools, and similar items, but does not include a video rental outlet or the rental of motor vehicles, trailers or industrial equipment.

- 5.196 RESERVE**, for the purpose of this By-law, means a .3 m (1 ft) wide parcel of land held by the Corporation of the Municipality of West Grey, County of Grey, or the Province of Ontario as a means of restricting access to a public highway or street. Where such a reserve is required, it shall be deemed not to eliminate the street line or front lot line of said lot and therefore, not compromise the calculation of lot frontage.
- 5.197 RESIDENTIAL**, means the use of land, buildings or structures for human habitation.
- 5.198 RESIDENTIAL DWELLING** means a building or portion thereof designed, intended, occupied or capable of being occupied as one or more **Residential Dwelling Unit(s)** and may include a traditionally constructed or prefabricated home but does not include a **hotel, motel, institutional use, boarding, lodging or rooming house, bed and breakfast establishment, mobile home, trailer, or a motor home as defined in this By-law.**
- 5.199 RESIDENTIAL DWELLING - ACCESSORY APARTMENT**, means a residential dwelling unit which is fully contained within a single-detached or semi-detached residential dwelling.
- 5.200 RESIDENTIAL DWELLING - APARTMENT**, means a residential dwelling that contains five or more residential dwelling units, which have a common entrance from street level and are served by a common corridor or hallway from inside.
- 5.201 RESIDENTIAL DWELLING - APARTMENT, SENIORS**, means an apartment designed for, intended for and occupied exclusively by senior citizens.
- 5.202 RESIDENTIAL DWELLING - BACHELOR**, means a residential dwelling unit with a bed sitting room combination providing therein living, sleeping, eating, food preparation, and separate sanitary facilities. Other essential facilities and services may be shared with other residential dwelling units.
- 5.203 RESIDENTIAL DWELLING - CONVERTED**, means a single-detached residential dwelling existing at the time of passing of this By-law which, because of size or design, can be converted by partition and the addition of sanitary and cooking facilities into more than one residential dwelling unit on sanitary sewers.
- 5.204 RESIDENTIAL DWELLING - DUPLEX**, means a two storey residential dwelling divided horizontally into two residential dwelling units, each of which is completely on a separate storey with an independent entrance either directly from the outside or through a common vestibule.
- 5.205 RESIDENTIAL DWELLING - FOURPLEX**, means a residential dwelling divided vertically and/or horizontally to provide four residential dwelling units, each having independent entrances either directly from the outside or through a common vestibule.
- 5.206 RESIDENTIAL DWELLING - LINK OR TWIN ATTACHED**, means two single-detached residential dwellings of similar size and style that are completely separate from the other above finished grade, but are connected to each other below finished grade by common footings.

- 5.207 RESIDENTIAL DWELLING - SEMI-DETACHED**, means two single-detached residential dwellings, divided in whole or part by a common vertical wall, each of which may be held in separate ownership, and having independent entrance either directly from the outside or through a common vestibule.
- 5.208 RESIDENTIAL DWELLING - SINGLE-DETACHED**, means a residential dwelling containing one residential dwelling unit situated on a separate lot, and is not attached by any means to any other residential dwelling unit. For the purposes of this By-law, single-detached shall not include a mobile home or modular residential dwelling unit, unless otherwise specifically provided for in this By-law.
- 5.209 RESIDENTIAL DWELLING - SPLIT-LEVEL**, means a residential dwelling unit in which the first floor above the finished grade is so constructed as to create two or more different levels, the vertical distance between such levels being always less than the full storey. For the purpose of this By-law, split-level shall be considered as a one-storey residential dwelling.
- 5.210 RESIDENTIAL DWELLING - TOWNHOUSE**, means a residential dwelling divided vertically to provide three or more residential dwelling units, each having independent entrances to a front and rear yard immediately abutting the front and rear walls of each dwelling unit
- 5.211 RESIDENTIAL DWELLING - TOWNHOUSE, CLUSTER** – individual residential dwelling units do not require frontage onto a street.
- 5.212 RESIDENTIAL DWELLING - TOWNHOUSE, STREET** – each residential dwelling unit shall have frontage directly onto a street.
- 5.213 RESIDENTIAL DWELLING - TRIPLEX**, means a three storey residential dwelling divided horizontally into three separate residential dwelling units each having independent entrances either directly from the outside or through a common vestibule.
- 5.214 RESIDENTIAL DWELLING UNIT**, means one or more habitable rooms designed, intended, occupied or capable of being occupied as a permanent residence by one or more individuals providing separate kitchen, sanitary facilities and sleeping accommodations and having a private entrance either from outside the building or through a common hallway or stairway inside the building.
- 5.215 RESIDENTIAL, NON-FARM**, means a dwelling unit not located on the same lot as a farm.
- 5.216 RESTAURANT**, means a building or part thereof, other than a **tavern**, where food or refreshments are prepared and offered for retail sale to the public for immediate consumption either on or off the premises and may include uses such as a bistro, coffee shop, diary bar, deli, diner, ice cream parlour, snack bar, tea house, or refreshment stand. **Dining Restaurant, Drive-In Restaurant, Drive-Thru Restaurant and Take-Out Restaurant** are defined below for the purposes of calculating off-street parking requirements as required by Section 6.27 of this By-law.
- 5.217 RESTAURANT- DINING**, means a building or part thereof where food and drink is prepared then sold to the public for immediate consumption within the dining room of such establishment.

- 5.218 RESTAURANT - DRIVE-IN/DRIVE-THRU**, means a building or part thereof where food and drink are prepared then sold to the public for immediate consumption either within an eating area inside or outside of the building or within the patron's own motor vehicle onsite, or for elsewhere off the premises.
- 5.219 RESTAURANT - TAKE-OUT**, means a building or part of a building where food and beverages are prepared and sold to the public for consumption off the premises. The consumption of food in the building or in the patron's motor vehicle on the premises is not permitted.
- 5.220 RETAIL FOOD STORE**, means a building, structure or part thereof in which foodstuff, goods, wares, merchandise, substances are offered or kept for sale at retail, but does not include any establishment otherwise defined or classified herein.
- 5.221 RETAIL STORE**, means a building, structure, or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for retail sale directly to the public, but does not include any establishment otherwise classified or defined herein.
- 5.222 SALVAGE OR WRECKING AND RECYCLING FACILITY**, means the use of land, buildings or structures for the wrecking, dismantling, storing and/or selling of used vehicles and parts thereof, including tires and other goods, wares or materials.
- 5.223 SCHOOL**, means an academic school authorized under The Education Act, as amended.
- 5.224 SEASONAL AGRICULTURAL PRODUCE STAND**, means a structure that is accessory to a farm and is used for the display and selling of fruit, vegetables, flowers or other farm produce, which is grown on that same **farming operation**.
- 5.225 SEASONAL RECREATION SITE**, means a numbered and specified designated area of land to be used for the placement of one **seasonal recreational travel trailer** and other accessory approved structures.
- 5.226 SECONDHAND STORE**, means a building or part thereof, where used clothing, books, household goods and similar articles are offered or kept for sale and may include an **antique or flea market** or pawn shop but does mean a **wrecking or salvage and recycling yard**. New products may be included as a portion of the merchandise being offered for sale.
- 5.227 SEPTIC TANK SERVICE**, means a business which provides septic tank pump out, cleaning, or general maintenance of septic tank systems. In addition, this may include the transporting and disposal of septage.
- 5.228 SERVICE INDUSTRY**, means a business or trade, not otherwise defined or classified in this By-law, which provides cleaning, maintenance, installation, renovation, or other similar non-personal services to the public, and may include a printing establishment; plumbing, welding, sheet metal, woodworking or machine shop; or vehicle inspection station.

- 5.229 SERVICE OR REPAIR SHOP**, means a building or part thereof for the repair or service of household articles including radio, television and electronic equipment, and small household appliances, and may include small engine repair, but does not include an **industrial use** or **automotive body repair shop** or **automotive service station**.
- 5.230 SEWAGE TREATMENT FACILITY**, means a use, building, structure or parts thereof, approved by the Ministry of the Environment for the treatment and disposal of domestic and industrial waste, and storm water, and includes a system of underground pipes/conduits, sewage pumping stations and wastewater lagoons.
- 5.231 SEWAGE TREATMENT SYSTEM, PRIVATE**, means a facility designed to provide sewage treatment on a lot normally comprised of, but not limited to, a septic tank and tile weeping beds. A private sewage treatment system also includes any other means of collecting and treating of sewage effluent, acceptable to Ministry standards and approved by the municipality.
- 5.232 SHOPPING CENTRE**, means a group of commercial uses, planned, developed, owned, managed as a unit, with common off-street parking areas and other joint facilities all provided on the same lot.
- 5.232.1 SHIPPING CONTAINER**, means an article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use and is designed to facilitate the transportation of goods by one or more means of transportation and includes, but is not limited to, intermodal freight containers (sea containers), body of transport trailer or straight truck box, but does not include a motor vehicle.
- 5.233 SHOPPING MALL**, means a shopping centre, which provides access for the public to each individual commercial unit either from the outside through a common entrance(s) and/or from the inside through a common covered aisle(s).
- 5.234 SIGN**, means any device, lettering, figure, symbol, emblem or picture, which is affixed to or represented directly or indirectly upon a use of land, building or structure, and which directs attention to, identifies or advertises any object, product, place, activity, persons, products, organizations, institutions or businesses in such a way as to be visible to the public on any street, lane or thoroughfare.
- 5.235 STOREY**, means a horizontal division of a building from a floor to the ceiling directly above such floor, but does not include any mezzanine, gallery, balcony or other overhang, the floor area of which does not exceed 40 percent of the least dimension of the room in which the said overhang is located, and does not include a basement or cellar as defined in this By-law.
- a) **ATTIC**, means the space between the roof and the ceiling of the top storey; or between a dwarf wall (i.e. a wall less than 2.3 m (7.5 ft)) and a sloping roof of a dwelling.
- b) **BASEMENT**, means that portion of a building below the first storey, but having less than one-half its clear height above the average finished grade; or has at least one wall from the finished floor to finished ceiling exposed above the finished grade and where a permanent point of access is provided in said wall.

- c) **CELLAR**, means that portion of a basement which is more than 60 percent below finished grade, measured from finished floor to finished ceiling.
- d) **CRAWL SPACE**, means that portion of a basement which is less than 1.8 m (5.9 ft) measured from finished floor to finished ceiling.
- e) **FIRST STOREY or GROUND FLOOR**, means the storey having its floor level closest to the finished grade and its ceiling at least two metres above finished grade.
- f) **SECOND STOREY or SECOND FLOOR**, means the storey directly above the first storey.

5.236 STREET, means a highway: as defined under the Public Transportation and Highway Improvement Act, 2001, and the Municipal Act, R.S.O. 1990, Chapter M.45; and which has been assumed for public use and is maintained year-round by the municipality or any other public authority.

5.237 STREET LINE, means the dividing line between a street and any lot.

5.238 STRUCTURE, means anything constructed either permanent or temporary, the use of which requires location on or an attachment to something having location on the ground. Manure storage/handling facilities and associated pits and lagoons are structures for the purposes of this By-law. Fences, pavement, curbs, walkways, retaining wall or signs are not considered structures for the purposes of this By-law.

5.239 SWIMMING POOL, means any body of water permanently located outdoors or indoors, contained by artificial means and used and maintained for the purpose of swimming, wading, diving or bathing.

5.240 TAVERN, means a "tavern" as defined by the Liquor Licence Act, as amended.

5.241 TERRACE, means an open, uncovered, level space at ground level that is either natural or man-made.

5.242 TILLABLE HECTARES, means the total area of land including pasture that can be worked or cultivated.

5.243 TRAILER CAMP OR PARK, means any land upon which two or more trailers are used or intended to be used for human occupation on a temporary basis.

5.244 TRAILER, PARK MODEL, means a prefabricated residential dwelling unit designed and constructed in accordance with CSA requirements which is towed on its own chassis and its running gear may be removed. It is designed and equipped for year-round occupancy containing suitable sanitary facilities including a flush toilet, shower or bathtub.

5.245 TRAILER, RECREATIONAL, means any portable structure or vehicle designed, intended and used exclusively for the temporary or seasonal living, sleeping or eating accommodation of persons therein, during travel, recreation and vacation and which is either capable of being drawn by a motor vehicle or is self propelled, and may include

seasonal recreational travel trailers, tent trailers, camper vans, **motor homes**, camper pick-up and similar transportable accommodation but not a **mobile home or a park model trailer**.

- 5.246 TRAILER, SEASONAL RECREATIONAL TRAVEL**, means a structure built on a single chassis mounted on wheels designed to facilitate relocation from time to time and used primarily as living quarters for seasonal camping and connected to utilities necessary for operation or installed fixtures and appliances.
- 5.247 TRAILER, RECREATIONAL SALES AND SERVICE ESTABLISHMENT**, means the use of land, buildings or structures or parts thereof for the display and sale of recreational trailers, **seasonal recreational travel trailers**, tent trailers, camper vans, camper pick-ups and **motor homes**, and includes the servicing and repair of such trailers.
- 5.248 TRANSPORT ESTABLISHMENT**, means the use of land, buildings, structures or parts thereof, where commercially licensed trucks, transports and buses are rented, leased, loaded or unloaded, serviced or repaired, kept for hire, stored or parked for dispatching as common carriers or where goods are temporarily stored for further shipment.
- 5.249 U-BREW ESTABLISHMENT**, means a building or part thereof used for the sale of ingredients and /or kits for beer, cider and wine making and includes the brewing and bottling of the same by the public on the premises.
- 5.250 USE**, means the purpose for which a lot, building or structure, or any combination thereof, is designed, arranged, intended, occupied, or maintained and "uses" shall have a corresponding meaning. "Use" when used as a verb, or "to use", shall have a corresponding meaning.
- 5.251 WAREHOUSE**, means a building or part thereof used for packaging, storage and distribution of goods, wares, merchandise, foodstuff, substances or articles and may include wholesale outlet but does not include a **mini-warehouse establishment** or **transport establishment**.
- 5.252 WATERCOURSE**, means the natural or altered channel for a stream or water body and for the purpose of this By-law, includes the channel for intermittent streams. Isolated farm or recreational ponds, without an inlet or outlet stream, are excluded from this definition
- 5.253 WATER TREATMENT FACILITY**, means a building or structure approved by the Ministry of the Environment, where water is treated for human consumption and use, and includes a water pumping station
- 5.254 WHOLESALE OUTLET**, means a building, structure or part thereof used for the storage, distribution and sale of goods, wares, articles or merchandise to other wholesalers, retailers, industrial, institutional or professional users or to the consumer.
- 5.255 YARD**, means a space appurtenant/adjacent to a building, structure or excavation, located on the same lot as the building, structure or excavation, and which space is open, uncovered and unoccupied from the ground to the sky except for such **accessory** buildings, structures, or uses or **yard encroachments** as are specifically permitted elsewhere in this By-law.

- 5.255.1 FRONT**, means a yard extending from side lot line to side lot line between the front lot line of the lot and to the nearest **main wall** of any building or structure (existing or proposed) on the lot.
- 5.255.2 REAR**, means a yard extending from side lot line to side lot line between the rear lot line (or apex of the side lot lines) to the nearest **main wall** of any building or structure (existing or proposed) on the lot.
- 5.255.3 REQUIRED**, means a yard having the minimum building setback as required by the zone provisions of this By-law. A required side yard shall extend from the required front yard to the required rear yard.
- 5.255.4 SIDE**, means a yard extending from the front yard to the rear yard and from the side lot line of the lot to the nearest **main wall** of any building or structure (existing or proposed) on the lot.
- i) **EXTERIOR**, means a side yard immediately adjoining a street.
 - ii) **INTERIOR**, means a side yard other than an exterior side yard.
- 5.256 ZONE**, means an area delineated on the Zoning Maps included in this By-law designated for a specific use and regulated by the specific zone provisions of this By-law.
- 5.257 ZONING ADMINISTRATOR**, means the officer(s) or employee(s) of the **municipality** charged with the duty of administering and enforcing this By-law.

SECTION 6 – GENERAL PROVISIONS

The provisions of this Section shall apply to all zones except as otherwise indicated in this By-law.

6.1 ACCESSORY USES AND STRUCTURES

6.1.1 USE

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

- i) A home occupation, unless permitted by this By-law;
- ii) Any building or structure used for human habitation, except where specifically permitted by this By-law;
- iii) The open storage of goods or materials, except where specifically permitted by this By-law;
- iv) Any occupation for gain or profit conducted within a residential zone, except as permitted by this By-law.

6.1.2 LOCATION

- a) Any accessory building or structure excluding a private sewage treatment system which is not an integral part of the main building shall not be located in a required front yard and shall comply with all other yard requirements of the zone in which such building or structure is situated.
- b) On any lot zoned A1, A2 or A3 comprising 2 hectares (5 acres) or less, or on any lot zoned R1A, R1B, R2, R3 or ER, all accessory buildings and structures shall be located in a rear yard or interior side yard provided it is not closer than 1 meter (m) (3.3 feet (ft)) to the interior lot line or the rear lot line and not closer than 7.6 m (25 ft) to the exterior side lot line.
- c) Notwithstanding Section 6.1.2(a), on any lot zoned A1, A2 or A3 zone, or on any lot zoned R1A, R1B, R2, R3 or ER, comprising of 1 hectare (2.5 acres) or greater and having a lot frontage of 60 metres (196 feet) or greater, an accessory use or structure may be permitted in the front yard provided the structure maintains the minimum front yard requirement for the principal building.
- d) Where an accessory building or structure is on a corner lot, it shall be subject to the regulations specified in Section 6.7 and Section 6.36 (e) of this By-law.

6.1.3 HEIGHT

In any residential zone and in the C1- Central Commercial Zone, the height of an accessory use building and structure shall not exceed 5 m (16.5 ft). In all other zones the maximum height for an accessory use is the same as the main building.

6.1.4 LOT COVERAGE

- i) The percentage for accessory building lot coverage shall be included in and contribute to the maximum lot coverage permitted in the individual zone regulations.
- ii) Notwithstanding the above, the maximum floor area for an accessory building or structure shall not exceed 92.9 square metres (1,000 square feet) on any property zoned A1, A2 or A3 comprising 0.8 hectares (2 acres) or less, or on any lot zoned R1A, R1B, R2, R3 or ER.
- iii) The total lot coverage of all accessory buildings and structures combined on a lot shall not exceed 10% of the lot area.
- ii) The area of an open swimming pool or deck shall not be calculated in determining lot coverage.

6.1.5 ESTABLISHMENT OF AN ACCESSORY BUILDING OR USE

- a) No accessory building or accessory use shall be established on any lot or site until the main building has commenced construction except as permitted by the "Temporary Use" regulations set out in Section 6.32 of this By-law, and as set out below.
- b) Notwithstanding Section 6.1.5 a), a tool shed, scaffold or other building or structure incidental to construction on the lot where the construction is permitted, but only for so long as it is necessary for the work in progress and until the work is completed or abandoned. "Abandoned" shall mean the failure to proceed with construction within the time period required by the building permit.

6.1.6 OPEN SWIMMING POOLS

Notwithstanding anything contained in this By-law to the contrary, a swimming pool is a permitted accessory use within any zone, except in the Floodway or Natural Environment Zones, subject to the following regulations:

- a) May be located in the side yard, but not closer to any lot line than the minimum distance required for the main building on such lot;
- b) May be located in the rear yard, but not closer to any lot line than the minimum distance required for an accessory building located on such lot;
- c) Facilities for changing clothing, pumping, filtering or similar accessory use shall be in accordance with the regulations applicable to accessory buildings on such lot.

Explanatory Note (Not Part of the By-law): The Municipality of West Grey has a separate by-law relating to swimming pools. You are encouraged to contact the Clerk or Chief Building Official to review this regulation.

6.2 BED AND BREAKFAST ESTABLISHMENT (B&B)

Within those zones where bed & breakfast establishments are permitted, such uses shall be permitted in accordance with the provisions for such zones and shall also comply with the following regulations:

- a) No more than 2 guest rooms shall be provided within Class 1 B&B and no more than 5 guest rooms shall be provided in a Class 2 B&B.
- b) Any exterior stairways required for a B&B shall be located in a side or rear yard; and
- c) All new B&B establishments shall comply with the requirements of this Zoning By-law, including the regulations of Section 6.29, other local by-laws, and any applicable provincial regulations such as the Ontario Building Code and Fire Code, as amended.
- d) One parking space per guest room shall be provided.

6.3 BUFFER AREA

Where a lot is within a Commercial or Industrial zone and the interior side and/or rear lot line, or portion thereof abuts a Residential or Institutional Zone, then a buffer area shall be provided on the commercial or industrial lot, in accordance with the following provisions. It shall:

- a) Have a minimum width throughout of not less than 1.5 m (5 ft) and shall be in addition to any other yard requirement.
- b) Consist of a **planting strip** maintained at an ultimate height of not less than 1.8 m (5.9 ft) immediately adjacent to the lot line or portion thereof along which the Buffer Area is required other than along a street line.
- c) Be kept free of all parking, buildings or structures except for a legal boundary partition and used only for the placement of trees, shrubs, similar vegetation, fencing and landscaping features.
- d) Be landscaped and maintained by the owner of land on which such buffer area is required.
- e) Notwithstanding the above and subject to site plan approval, a solid fence, wall, or other landscaping feature of equivalent height may be considered in place of a continuous planting area. When considering such an alternative buffer, regard shall be given to the location, height, materials, finishing and porosity of the wall or fence, as well as the site's characteristics.

6.4 BUILDING HEIGHT EXCEPTIONS

The maximum height regulations of this By-law shall not apply to prevent the construction and/or use of an ornamental dome, church spire, a belfry, cupola, steeple, a flag pole, a clock tower, a chimney, storage silos, barn, grain elevator, a water storage tank, an air conditioner duct, an elevator penthouse, a solar collector, or an electric or communication tower, antenna, ventilator, windmill or similar device.

6.5 COMMERCIAL KENNELS AND PET BOARDING ESTABLISHMENTS

No land, building or structure shall be used for the commercial breeding, raising, keeping or boarding of animals or household pets, unless the land, building and structure is in compliance with all approved kennel, dog or animal control by-laws of the municipality in effect from time to time.

6.6 COMMON AMENITY AREA

Where this By-law requires the establishment of a common amenity area, such an area shall be provided within the boundaries of the development and in accordance with the following provisions:

- a) An amenity area is an area comprised of common outdoor space designed for active or passive recreational use and may include patios, swimming pools, play areas and open landscaped areas;
- b) The minimum amenity area required shall be an aggregated amount not less than 9.3 m² (100 ft²) per dwelling unit for each unit up to 10. For each additional unit, not less than 4.6 m² (49.5 ft²) of amenity area shall also be provided;
- c) Amenity areas shall be designed and located so that the length does not exceed four (4) times the width;
- d) Amenity areas shall have direct access to/from the residential use; and
- e) Amenity areas may be located within any yard other than a required front yard.

6.7 DAY LIGHTING (SIGHT) TRIANGLE

- a) On a corner lot, the triangular space formed by the street lines and a line drawn from a point on one street line to a point on the other street line is determined by a point measuring 9 m (29.5 ft) along the street line from the point of intersection of the said street lines.
- b) Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the tangents to the street lines.
- c) The provisions of this section shall also apply to land which abuts one or more unopened streets.

- d) Within any sight-line triangle, the following uses shall be prohibited:
 - i) A building or structure;
 - ii) A fence, wall, hedge, bush or **any other obstruction** that impedes vision above a height of .8 m (2.6 ft) above the centerline grade of the street or streets abutting a sight-line triangle.
 - ii) Any portion of a loading or parking space.
- e) The provisions of this Section shall not apply to land zoned Central C1 Commercial.

6.8 DEVELOPMENT ON FULL SERVICES-DURHAM AND NEUSTADT

New development of any kind within the urban areas of Durham or Neustadt, shall not be permitted within any zone, unless serviced by municipal sewage collection facilities and municipal water supply, except that this provision shall not apply to any public use or utility which by its nature does not require such services.

6.8.1 DEVELOPMENT ON PRIVATE SERVICES

New development outside of the urban areas of Durham and Neustadt may occur on the basis of private water supply and private sewage treatment supply. Such new development shall require obtaining the necessary permits and approvals for the proposed private services.

6.9 EXTERNAL LIGHTING

Lighting fixtures providing exterior illumination shall be so arranged as to direct light to the building face, parking area or vicinity of site. Such fixtures shall not cast glare onto adjacent properties nor onto nearby streets.

6.10 FRONTAGE ON PUBLIC STREET

No person shall erect any building or structure, or use any lot in a Zone, unless the lot upon which such building or structure is to be erected, fronts upon and has direct access to an improved public street opened and maintained on a year round basis. The above provision shall not apply to restrict the erection of any building on a lot in a registered plan of subdivision where a subdivision agreement has been entered into but the street will not be assumed until the end of the maintenance period.

6.11 GARBAGE STORAGE AREAS

Where this By-law requires a **garbage storage area**, such an area shall be provided in accordance with the following provisions:

- a) No garbage or refuse shall be stored on any lot in any zone except within
 - i) The main building or
 - ii) Any accessory building or structure on such lot or

- iii) In a container in the side yard or rear yard of such lot and side or rear yard requirement of applicable zone shall apply.
- b) All garbage or refuse storage areas, including any garbage loading or unloading areas, which are visible from an adjoining site in a residential, commercial, institutional or open space zone, or from a public street, shall have a visual screen consisting of a fence that is a minimum of 2 m (6.6 ft) in height;

6.12 GARDEN SUITES

A garden suite may be permitted within the appropriate zones where single family detached residential dwelling units are permitted and pursuant to Section 39 of the Planning Act (Temporary Use Regulation), and shall be subject to the following regulations:

- a) Only one garden suite may be established per lot on which a single-detached residential dwelling unit exists. Where a lot already contains a singled detached residential dwelling unit and an accessory apartment as defined in the By-law, a garden suite shall not be permitted;
- b) Garden suites in a Residential Zone shall be located in either a side yard or rear yard, and located behind or even with the front wall of the single-detached residential dwelling unit. A minimum interior side and rear yard of 1.5 m (5 ft), and a minimum exterior side yard of 7.6 m (25 ft) is required;
- c) Driveway access to both the main residence and the garden suite shall be limited to one so that no new entrance from the street shall be created;
- d) The maximum floor area of a garden suite shall be 92.9 m² (1000 ft²);
- e) The maximum height of a garden suite shall be one storey or 4.5 m (14.76 ft) whichever is less;
- f) No garden suite shall be located closer than 3 m (9.8 ft) to the main residence on the lot;
- g) All garden suites shall be constructed upon suitable foundation, caissons or piers;
- h) All garden suites in urban areas of Durham and Neustadt shall be connected to municipal water and sewage disposal systems;
- i) Notwithstanding the above, garden suites may be permitted with individual private servicing in the appropriate zone subject to the minimum lot area requirements of the specific zone and the approval of the municipality for the proposed servicing;
- j) All garden suites shall be of a portable, pre-fabricated or modular nature and shall not include a mobile home;

- k) Notwithstanding item j, mobile homes may be used as garden suites only in the (A1), (A2) or (A3) zones, subject to the requirements of this By-law as applicable;
- l) Pursuant to Section 39 of the Planning Act, Council may require a development agreement with the owner of the Garden Suite to deal with, among other things, the installation, maintenance and removal of the unit, the period of occupancy, the deposit of a performance bond or security, and rehabilitation of the site to its pre-garden suite condition.

6.13 GROUP HOMES

6.13.1 PERMITTED GROUP HOMES

Group homes, as defined by this By-law and as specifically mentioned below, are considered appropriate residential uses and are permitted within some residential areas without rezoning:

- Homes for the physically and mentally challenged
- Children's residences (not including Young Offenders)
- Seniors

All other group homes, including those associated with provincial correctional facilities or federal penitentiaries, such as Halfway Houses for Ex-offenders or Community Resource Centres, are not permitted within any residential zone, and may only be established by an amendment to this By-law.

6.13.2 GROUP HOME REGULATIONS

No land, building or structure shall be used and no building or structure shall be constructed, altered, enlarged or maintained for the purposes of a group home, unless in accordance with the regulations specified in that zone for the type of residential building in which the group home is to be established and in accordance with the following regulations:

- a) A group home shall be separated by a minimum linear distance of 300 m (984.3 ft) from another group home. This distance shall be measured at the closest points on the property lines of the two lots;
- b) A group home shall provide a minimum of 1 parking space for every 2 beds or fraction thereof;
 - 1. A group home shall have a minimum gross floor area of 18 m² (193.8 ft²) for each resident 16 years of age or older, and 9 m² (97 ft²) for each resident who is less than 16 years of age. For the purposes of this section, a group home resident includes staff and/or receiving family;
 - 2. A group home shall provide a minimum common amenity area of 12 m² (129.2 ft²) for each resident. For the purposes of this section, a group home resident includes staff and/or receiving family; and
 - 3. Each group home shall be subject to all applicable Provincial and Municipal requirements.

6.14 HOME INDUSTRY REGULATIONS

Home industries, where listed as a permitted use, are subject to the following regulations:

- a) It is secondary to the main permitted use on the lot and does not create a traffic hazard or nuisance;
- b) It may include such uses as a carpentry shop, a welding shop, a machine shop, custom workshop, furniture fabrication, assembly, and repair; a tool and repair shop, and a small engine repair shop but shall not include autobody repairs or automobile sales, service and repair; automotive washing establishment, the sale of gas, or a wrecking yard;
- c) The retail sale of any goods or items constructed, assembled, produced, created and finished within the home industry shall be permitted. The retail sale of all other goods shall be limited to 20% of the total floor area occupied by the home industry;
- d) The floor area of a home industry shall be limited as follows:
 - (i) The home industry shall not occupy more than 92.9 square metres (1,000 square feet) of floor area on any property zoned A1, A2 or A3 comprising 0.8 hectares (2 acres) or less;
 - (ii) The home industry shall not occupy more than 233 square metres (2,500 square feet) of the building in all other instances;
 - (iii) In no instance shall the home industry be permitted in more than one accessory building.
- e) No more than one home industry shall be permitted on a property.
- f) No building or structure used for a home industry shall be located within 15.24 metres (50 feet) of a lot line, nor within 91.44 metres (300 feet) of a lot line of a vacant lot comprising less than 4.1 hectares (10), nor within 91.44 metres (300 feet) of a residence on a separate lot;
- g) Outside storage of materials, containers, or finished products shall be to the rear of the main building and barred from view;
- h) At no time may any home industry employ on-site more than a maximum of two employees who do not reside on the lot on which such home industry is conducted; and,
- i) There shall be no advertising other than a non-illuminating sign which has a maximum size of 1.487 square metres (16 square feet).

6.15 HOME OCCUPATIONS

Home Occupations, where a permitted use within a zone, are subject to the following regulations:

- a) A home occupation shall be clearly incidental and secondary to the main residential use to which it is accessory. No exterior alterations of the dwelling unit shall be permitted in connection with such occupation which will change the character of the residential building or premises.
- b) The use of the premises in connection with such home occupation shall in no way be offensive, obnoxious or dangerous to the neighbours or the area by reason of: the emission of light, heat, fumes, noise, vibration, gas, dust, smoke, fire, odour, air or water borne waste or pollution; interference with radio or television; or, the significant increase in vehicle traffic due to frequency of deliveries by commercial carriers or patron parking.
- c) There shall be no machinery or mechanical equipment of any kind used on the premises in connection with such home occupation, except what is customarily used for household, office purposes or occupations listed under Subsection 5.117.
- d) A home occupation shall be for the exclusive use of the householder and one additional employee.
- e) No more than twenty-five percent (25%) of the ground floor or basement area of a residence may be used for the home occupation.
- f) In Residential Zones, there shall be no advertising other than a plate or sign which have a maximum size .2 m² (2 ft²) and which is attached flat to the residential dwelling.
- g) In Rural (A1 and A2) Zones and Estate Residential (ER) Zones, there shall be no advertising other than a non-illuminating sign which has a maximum size of one (1) m² (10.8 ft²).
- h) There shall be no external storage or display of goods, materials, wares or merchandise visible from the street.
- i) There shall be no retail sale of any goods or items other than those constructed, assembled, produced, created and finished in conjunction with the home occupation.

6.16 LOADING REGULATIONS

Where required by this By-law, the owner or occupant of any lot, building or structure used or constructed for any purpose involving the receiving, shipping, loading and unloading of goods, wares, merchandise or raw materials, shall provide and maintain on the same lot as occupied, not on a street or lane, and within the zone in which such use is located, space for the standing, loading or unloading of vehicles in accordance with the following regulations:

- a) A loading space shall be 15.2 m (50 ft) long, 3.6 m (11.8 ft) wide and have a minimum vertical clearance of 4.3 m (14.1ft).

- b) All loading spaces shall be so arranged as to avoid interference with the movement of traffic on public streets. No loading spaces shall be situated upon any street, lane or required parking space.
- c) All loading spaces and driveways providing access thereto, shall be constructed of a stable surface and treated to prevent erosion and the escape of dust and loose particles. Surface cover may consist of asphalt, approved granular material, paving brick, concrete or similar hard-surfaced materials.
- d) All loading spaces and driveways, shall be graded and drained so as to prevent the pooling of surface water on them or the flow of surface water onto adjacent lots.
- e) Each loading space shall be provided with one or more unobstructed driveways of not less than 6 m in width. Such driveway shall be contained within the lot on which the spaces are located and are accessible from a street or lane. No part of such driveway shall be used for the parking or temporary storage of commercial or motor vehicles.
- f) Off-street loading space(s) shall be provided and maintained in accordance with the following schedule:

INDUSTRIAL ZONES	MINIMUM SPACES REQUIRED
0 to 464.5 m ² (5,000 ft ²)	0 space
464.5 m ² (5,000 ft ²) to 2,322.5 m ² (25,000 ft ²)	1 space
2,322.5 m ² (25,000 ft ²) to 10,000 m ² (107,643 ft ²)	2 spaces
Each additional 10,000 m ² (107,643 ft ²) or portion thereof in excess of 10,000 m ² (107,643 ft ²)	1 additional space
COMMERCIAL ZONES	MINIMUM SPACES REQUIRED
0 to 185.8 m ² (2,000 ft ²)	0 space
185.8 m ² (2,000 ft ²) to 929 m ² (10,000 ft ²)	1 space
929 m ² (10,000 ft ²)	2 spaces
Each additional 929 m ² (10,000 ft ²) or portion thereof	1 additional space

- g) Notwithstanding the loading space regulations herein, any use, building or structure that was lawfully established prior to the passing of this By-law, shall not be subject to the above provisions so long as the floor area as existing at such date is not increased. Any subsequent alteration to the building or structure, which increases the floor area, shall necessitate the number of loading spaces that is required for such addition or change in use.
- h) Unless otherwise provided in this By-law, the Loading Regulations of this Section do not apply to land within the General Commercial (C1) ZONE.

6.17 MINIMUM DISTANCE SEPARATION - MDS I AND II

6.17.1 MDS I - NEW NON-FARM USES

Notwithstanding any other yard or setback provisions of this By-law to the contrary, no residential, institutional, commercial, industrial or recreational use, located on a separate lot and permitted within the appropriate Zones, shall be erected or altered unless it complies with the Minimum Distance Separation (MDS I), as amended, calculated using the Formulas set out in the Appendices to this By-law. This notwithstanding, the above requirement shall not apply in situations where a Building Permit is being sought for a building or structure proposed to be erected on a lot existing as of the date of the passing of this By-law.

6.17.2 MDS II - NEW OR EXPANDING LIVESTOCK FACILITIES AND MANURE STORAGE FACILITIES

Notwithstanding any other yard or setback provisions of this By-law to the contrary, no livestock facility or manure storage facility shall be erected or expanded unless it complies with the Minimum Distance Separation (MDS II), as amended, calculated using the Formulas set out in the Appendices to this By-law.

6.18 MOBILE HOMES

The use of a mobile home for the purposes of residential, business, industrial or institutional, either temporarily or permanently, is prohibited within the municipality unless "mobile home" is listed as a permitted use within a particular zone of this By-law. The following regulations will then apply to the construction of a mobile home.

- a) The construction of all mobile homes shall meet the Ontario Building Code requirements and the standards of the Canadian Standards Association;
- b) Shall be connected to an adequate private sewage treatment system and to an adequate potable water supply; and
- c) Meet all other regulations of the zone within which the mobile home is permitted.

6.19 MORE THAN ONE USE PERMITTED

In some instances, only one use may be permitted in a zone, and/or the building size maximums may restrict the number of uses. However, where more than one use is permitted on a parcel of land, buildings and structures may be constructed and used thereon provided the zone requirements are satisfied for each use.

6.20 NATURAL ENVIRONMENT AND MUNICIPAL DRAIN SETBACKS

6.20.1 NATURAL ENVIRONMENT ZONE SETBACKS

- a) No building or structure, including a private sewage treatment system and any associated tile weeping bed, shall be constructed closer than a setback distance approved by the Conservation Authority from the limit of a Natural Environment NE zone.

- b) Notwithstanding the required setbacks in subsection (a) above:
 - i) Accessory buildings/structures to existing residential dwellings, enlargements of existing buildings/structures and reconstruction of existing buildings/structures including improvements to manure storage systems associated with an existing livestock facility but not a hobby barn are permitted, provided that a setback of 3 m (9.8 ft) from the NE zone boundary is maintained.

 - ii) Where a vacant building lot was existing on the date of passage of this By-law, a building permit may be issued for permitted buildings or structures provided:
 - That there is no other suitable location on the lot outside of the determined setback in (a) above, and

 - That a setback of at least 3 m (9.8 ft) from the NE zone boundary is maintained.

- c) Interpretation of the limits of the NE zone boundaries is governed by regulations contained in Section 2.6 of this By-law. The location of the NE “setback” boundaries shall be adjusted accordingly in the event that the NE “zone” boundary is re-interpreted.

6.20.2 NATURAL ENVIRONMENT ZONE AND LOT AREA CALCULATION

Where any lot is zoned in part in a Natural Environment (NE) zone, no person shall erect any buildings or structures within the area zoned Natural Environment (NE) zone except as otherwise permitted in the Natural Environment (NE) zone. Lands zoned Natural Environment (NE) shall not be used in the calculation of the lot area, but may be used for lot frontage, required yard, and lot coverage as is required for the development occurring on that portion of a lot not zoned Natural Environment (NE).

6.20.3 MUNICIPAL DRAIN SETBACK AND WATERCOURSE SETBACK

No building or structure shall be constructed closer than 30 m (98.4 ft) from the edge of an open municipal drain or 15 m (49.2 ft) from the edge of an enclosed municipal drain. Notwithstanding this section, in the case of a vacant building lot existing on the date of passage of this By-law, no building or structure shall be constructed closer than 15 m (49.2 ft) from the edge of an opened municipal drain. No building or structure shall be constructed closer than 15 metres (49.2 ft) to top

of bank of any other watercourse that is not situated within the Natural Environment Zone or a municipal drain.

6.20.4 ENVIRONMENTAL IMPACT STUDIES

Where development is proposed on lands within 120 metres of land designated as a Provincially significant wetland on the County of Grey Official Plan within a Natural Environment (NE) Zone, the Municipality, Saugeen Conservation Authority and the County of Grey shall be contacted to determine if an Environmental Impact Study is required in the review and approval of the proposed development.

EXPLANATORY NOTE (Not Part of this By-law): Property owners are strongly encouraged to consult with the Saugeen Valley Conservation Authority in order to determine the most appropriate location for development.

6.20.5 NATURAL ENVIRONMENT-HOLDING PROVISIONS

All lands located within 120 metres of a Provincially Significant Wetland, as defined by the NE2 Zone on the Schedules to this By-law, are subject to a holding provisions in accordance with Section 36 of the Planning Act. No building or structure shall be erected and no site alteration shall occur within 120 metres of a Provincially Significant Wetland unless the holding provision is removed. Removal of the holding provision shall be preceded by an Environmental Impact Study (EIS), which demonstrates that there will be no negative impacts on the natural features of the ecological functions for which the wetland is defined, completed in consultation with the County of Grey and the appropriate Conservation Authority.

Where, in consultation with the County of Grey and the appropriate Conservation Authority, no EIS is required the holding provision may be removed.

6.21 NON-CONFORMING USES

- a) Nothing in this By-law shall apply to prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building or structure was lawfully established and used for such purpose on the date of passing of this By-law, and provided that it continues to be used for that purpose.
- b) Nothing in this By-law shall prevent the construction or use of any building or structure for a purpose prohibited by this By-law, the plans for which have prior to the date of passing of this By-law been approved by the Chief Building Official, so long as the building or structure when constructed is used and continues to be used for the purpose for which it was constructed. Such construction shall have commenced within six months after the date of passing of this By-law, and such building or structure shall be completed within a reasonable time after the construction is commenced.
- c) Nothing in this By-law shall prevent the strengthening or restoration of a non-conforming building or structure to a safe condition so long as the strengthening or restoration does not alter the height, area, size or volume of the building or structure or change its use to other than a conforming one.
- d) Nothing in this By-law shall prevent a non-conforming building or structure, which is partially or fully destroyed by fire, flood or Act of God from being restored or

reconstructed provided yard depths, height, area size or volume of the building or structure as it existed at the time prior to the destruction are maintained or compliance with the regulations of the Zone in which the building or structure is located is not further reduced.

- e) Where, for any reason, a non-conforming use has ceased and is not resumed within a twelve (12) month period from the date of ceasing, such non-conforming use shall not be permitted to resume and any future use of land, building or structure shall thereafter conform to the permitted uses of the zone relating to the subject land.

6.22 NON-COMPLYING USES

Nothing in this By-law shall prevent a **non-complying use**, building or structure from being enlarged, extended (either vertically or horizontally), **reconstructed**, repaired or renovated provided that the enlargement, extension, reconstruction, repair or renovation does not further reduce the compliance of the use, building or structure with any provision of this By-law.

6.23 NUTRIENT MANAGEMENT PLANS/MANURE STORAGE

No livestock operation or manure storage facility shall be established or enlarged until a nutrient management plan is completed where required by the municipality's Nutrient Management By-law. Temporary facilities for the storage of manure must be contained by a clay base, and meet the Minimum Distance Separation setbacks.

6.24 ONE MAIN BUILDING PER LOT

No more than one main building shall be constructed on a lot except for the following:

- a) Permitted buildings within a commercial, institutional, or industrial zone; and,
- b) Cluster of Townhouses or Apartment dwellings located within the appropriate Residential zone.
- c) Agricultural buildings permitted in an Agricultural or Rural Zone, or
- d) Within an exception zone which permits more than one main building on a lot.

6.25 OUTDOOR DISPLAY AREAS

In a Highway Commercial Zone, Rural Commercial Zone, or Industrial Zone, and Rural Industrial Zone, the outdoor display of goods, materials and equipment, which is accessory to the main use of the lot, shall be permitted in accordance with the following regulations:

- a) Shall not be located in any required yard setback.
- b) Not comprise more than 40% of the total lot area.
- c) Not obstruct or occupy any required parking area.

- d) Be constructed of a stable surface and treated to prevent erosion and the escape of dust and loose particles. Surface cover may consist of asphalt, approved granular material, paving brick, concrete or similar hard-surfaced material.
- e) Be graded and drained so as to prevent the pooling of surface water on them or the flow of surface water onto adjacent lots.
- f) Contain a minimum 1.5 m (5 ft) landscaped area between the outdoor display area and any road other than areas used for access to the property.

6.26 OUTDOOR STORAGE AREAS

In a Highway Commercial Zone, Rural Commercial Zone, Industrial Zone, and Rural Industrial Zone, the outdoor display of goods, materials and equipment, which is accessory to the main use of the lot, shall be permitted in accordance with the following regulations:

- a) Such storage area shall not be located in any required yard setback.
- b) Such storage area shall not comprise more than 40% of the total lot area.
- c) Such storage area shall be visually screened from view from the street and from any abutting land zoned or used for residential, institutional or open space by a buffer area or strip in accordance with the applicable regulations of Section 6.3 of this By-law.

6.27 PARKING REGULATIONS

No building or structure shall be erected, enlarged or used in any zone unless facilities are provided for off-street parking in accordance with the following regulations:

6.27.1 SIZE OF PARKING SPACES

Every off-street parking space shall have dimensions of not less than 2.7 m (9 ft) in width or less than 5.5 m (18 ft) in length. Each such space shall have adequate means of access to or from a public street or lane in accordance with the appropriate approval authority.

6.27.2 PARKING SURFACES

All parking spaces and areas shall be constructed of a stable surface and treated to prevent erosion and the escape of dust and loose particles. Surface cover shall consist of asphalt, concrete, approved granular material, paving brick, or similar hard-surfaced materials.

All parking spaces and areas shall be graded and drained so as to prevent the pooling of surface water on them or the flow of surface water onto adjacent lots.

All parking areas shall be provided with curbing, wheel stops or other devices to prevent motor vehicles from being parked or driven within required setback areas or onto required landscaped open spaces.

6.27.3 LOCATION OF PARKING AREAS AND SPACES

All parking spaces within a residential zone shall be to the rear of the front wall of the main building, except that a driveway leading directly from the street to a required parking space may be used for the temporary parking of motor vehicles.

Unless otherwise prohibited by this By-law, parking may be permitted within any required side yard or any required rear yard of a residential zone.

Unless otherwise provided, no off-street parking space shall be located in any required side yard or any required front yard.

All parking spaces within a commercial, industrial or institutional zone may be located within a required front yard, and required exterior side yard, except that no parking area and/or space shall be located within 1.5 m (5 ft) of a street, or within 4.5 m (14.8 ft) of any lot or zone containing a residential use.

6.27.4 CALCULATION OF PARKING REGULATIONS

Where a part of a parking space is required in accordance with this By-Law for a use listed above, such part shall be considered one parking space for the purpose of calculating the total parking requirements for the said use.

In addition, where the number of parking spaces required in accordance with this By-law is based upon the capacity of a building or structure, such capacity shall be deemed to be the same as the maximum capacity for such building or structure permitted by the Ontario Building Code, the Ontario Fire Code, or where applicable, the Liquor Licensing Board of Ontario, whichever capacity is the lesser.

Where, on the date of passing of this By-law, a use of a lot does not comply with number of parking spaces required by Subsection 6.27.8, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition or change of use except that any additional parking spaces required for the addition or change of use are provided in accordance with all provisions of Section 6.27 of this By-law.

6.27.5 PARKING FOR THE PHYSICALLY DISABLED

Where the parking requirements for any land use is between 10 and 20 spaces, at least 1 of the spaces must be suitable for use by the physically handicapped. Where the parking requirements is greater than 20 spaces, 1 additional handicapped space shall be provided for each 50 additional spaces or portion thereof.

Parking spaces for the physically handicapped shall be:

- A minimum width of 4 m (13 ft);
- Hard-surfaced and level;
- Located near an accessible building entrance; and identified for use by physically handicapped persons by a sign, which is clearly posted and visible at all times, containing the International Symbol of Accessibility for

Handicapped Persons. Such sign shall be posted in a visible location other than on the parking surface.

6.27.6 PARKING FOR MORE THAN ONE USE IN A BUILDING

Where a building or structure accommodates more than one type of use, the parking space requirements for the whole building shall be the sum of the requirements of the separate parts of the building so occupied.

6.27.7 PARKING REQUIREMENTS FOR THE GENERAL COMMERCIAL (C1) ZONE

The Parking Regulations of this Section do not apply to land within the GENERAL COMMERCIAL (C1) ZONE unless such land is used for a permitted residential use, in which case off-street parking spaces shall be provided on-site in accordance with the provisions herein. Subsection 17.3 g) shall apply to required parking in the C1 Zone.

6.27.8 MINIMUM NUMBER OF PARKING SPACES REQUIRED

Type of Use	Minimum Number of Parking Spaces
Single detached	1/ unit
Semi/Duplex	1/ unit
Triplex/Fourplex	1.5/ unit
Accessory Dwellings	1/ unit
Apartment	1.5/ unit + Visitor + Special parking for the physically disabled (at least one space)
Townhouses/ Cluster	1.5/ unit
Townhouses/ Street	1.5/ unit
Senior Citizens Accommodation	1/ unit
Seniors/Nursing Rest Home	1 / 4 beds + 1 / 4 employees
B&B	1/ guest room + 1/ proprietor
Hotel/Motel/Motor Hotel	1.5/ guest room
Boarding/Rooming/Lodging Establishments	1/ building + 1/ guest room
Group Home	1 / 3 beds
Offices Banks/Financial Business/Professional	<ul style="list-style-type: none"> • 1/15 m² (1/162 ft²) G.F.A • 1/28 m² (1/301 ft²) G.F.A
Billiards Parlours	1 / table

Type of Use	Minimum Number of Parking Spaces
Bowling Alleys	3/ lane
Churches	The greater of 1/5 person or 1/9.3 m ² (1/100 ft ²) G.F.A
Dry cleaning Depot	1/ 33 m ² (1/355 ft ²)G.F.A
Medical Clinic	4/practitioner Min 6 spaces
Places of Assembly	The greater of 1/5 person or 1/9.3 m ² (1/100 ft ²) G.F.A
Post Offices/Museums/Art Gallery/Library	1/27.9 m ² (1/300 ft ²) G.F.A
Recreational Athletic	1/9.3 m ² (1/100 ft ²) G.F.A
Restaurant/Tavern	<ul style="list-style-type: none"> • Full service 1/ 4 persons • Drive-in thru 5 spaces + 1 / 4 persons • Drive thru 1/20.0 m² (1/215 ft²) G.F.A • Tavern/Bar 1 / 4 persons
Retail Lumber/ Building Supply	<ul style="list-style-type: none"> • Retail floor area 1/ 27.9 m² (1/300 ft²) • Outdoor 1/50 m² (1/538 ft²) • Interior warehouse 1/50 m² (1/538 ft²)
Schools	<ul style="list-style-type: none"> • Nursery 3/classroom • Elementary 2/classroom • Secondary 5/classroom • Commercial 1/20.0 m² (1/215 ft²) G.F.A • With places of assembly <p>All school + all places of assembly</p>
Theatres	1/5 seats or 1/10 m ² (1/108 ft ²) G.F.A
Funeral Homes	1/5 seats or 1/10 m ² (1/108 ft ²) G.F.A as place of assembly
Automotive <ul style="list-style-type: none"> • Body/Repair • Sales • Service Station • Car wash manual • Car wash automatic • Gas Bar 	<ul style="list-style-type: none"> • 4/ bay (Min 6) • 1/46.5 m² (1/501 ft²) G.F.A • 4/bay (Min 6) • 1/3 waiting spaces • 1/6 waiting spaces • 1/fuel pump island

Type of Use	Minimum Number of Parking Spaces
<ul style="list-style-type: none"> • Retail Commercial • Retail Food • Retail Sales/Service 	<ul style="list-style-type: none"> • 1/16.5 m² (1/178 ft²) G.F.A • 1/16.5 m² (1/178 ft²) G.F.A • Furniture/appliance 1/33 m² (1/355 ft²) G.F.A • Audio/Electronic 1/20.0 m² (1/215 ft²) G.F.A
<ul style="list-style-type: none"> • Warehouse • Wholesale 	<ul style="list-style-type: none"> • 1/200 m² (1/2153 ft²) G.F.A • 1/80 m² (1/861 ft²) G.F.A
Truck Terminal	1/50 m ² (1/538 ft ²) G.F.A
All other Commercial Uses	<ul style="list-style-type: none"> • Plaza 1/20 m² (1/215 ft²) G.F.A • Uses not Retail 1/28 m² (1/302 ft²) G.F.A • All others 1/46.5 m² (1/501 ft²) G.F.A
<ul style="list-style-type: none"> • Industrial use • Industrial Mall 	<ul style="list-style-type: none"> • 1/90 m² (1/969 ft²) GFA Min 5 spaces + Visitor (3 max for 15m (49.2ft) front) • 1/33 m² (1/355 ft²) G.F.A

6.28 PARKING/STORAGE OF RECREATIONAL & COMMERCIAL VEHICLES IN A RESIDENTIAL ZONE

- a) The parking or storage of a derelict vehicle, disabled boat or unoccupied motor home and/or trailer within lands zoned for residential purposes shall be prohibited unless it is stored in an enclosed garage or other accessory building. However one boat and one unoccupied motor home or trailer currently licensed may be stored in a side or rear yard.
- b) Automotive vehicles, motor home or trailers without current license plates shall not be parked or stored on lands zoned for residential purposes other than in completely enclosed buildings.
- c) No land, building or structure on lands zoned for residential purposes, shall be used for the parking or storage of any commercial vehicle (licensed or unlicensed), unless:
 - i) The vehicle is owned or used by the owner or occupant of such land, building or structure;
 - ii) The commercial vehicle has a maximum carrying capacity of 2400 kilograms; and,

- iii) Provided that not more than one commercial vehicle is stored in accordance with this section.
- d) This provision shall not include the parking of commercial vehicles at residential premises for the purpose of providing a delivery of service to the premise.
- e) Truck bodies or truck trailers shall not be used for the storage of goods or materials.

6.29 ACCESSORY APARTMENT DWELLING UNIT

Where specifically permitted by this By-law, an accessory apartment dwelling unit shall be allowed within a detached dwelling in the following instances:

- a) The accessory apartment dwelling shall not be permitted if any other dwelling, other than the principal detached dwelling, exists on the subject property;
- b) The accessory apartment dwelling unit is situated entirely within the same building as the principal dwelling with a separate entrance pursuant to the Ontario Building Code;
- c) The accessory apartment dwelling unit has a minimum floor area of:

i)	Bachelor unit	37 m ² (398.3 ft ²)
ii)	One bedroom unit	50 m ² (538.2 ft ²)
iii)	Two bedroom unit	59 m ² (635.0 ft ²)
- d) The maximum number of bedrooms within the accessory apartment dwelling unit is two and the accessory apartment dwelling unit has a maximum floor area of 93 m² (1001 ft²); and
- e) A minimum of one extra parking space shall be provided in accordance with Section 6.27 in addition to the parking requirements associated with the principal detached dwelling.

6.30 RESIDENTIAL SETBACKS FROM SEWAGE TREATMENT PLANT

No new residential dwellings shall be constructed within 100.0 m (328.0 ft) of any sewage treatment facility.

6.31 STREET SETBACK STANDARDS AND EXCEPTIONS

6.31.1 STREET SETBACK

Where the regulations of a Zone include a requirement that the minimum yard of a lot or parcel of land shall be a specific number of metres “plus any applicable distance as specified in Section 6.31”, the following shall apply:

Notwithstanding any other provision of this By-law to the contrary, the Municipality of West Grey minimum setback requirements apply to all properties located adjacent to a Municipal Road;

Notwithstanding any other provisions of this By-law to the contrary, the Grey County TRANSPORTATION AND PUBLIC SAFETY DEPARTMENT minimum setback requirements shall apply to all properties located adjacent to a Grey County Road;

Notwithstanding any provisions of this by-law to the contrary, the Bruce County Highways Department minimum setback requirements shall apply to all properties located adjacent to a Bruce County Road;

Notwithstanding any provisions of this by-law to the contrary, the Ministry of Transportation minimum setback requirements shall apply to all properties located adjacent to a Provincial Highway.

This applicable distance shall be measured at right angles to the centerline of the street abutting such yard and commencing from the centerline in the direction of the applicable yard or such lot or parcel of land.

6.31.2 EXCEPTIONS

6.31.2.1 BUILDINGS IN BUILT-UP AREAS

- a) Notwithstanding any other section of this By-law to the contrary, in any residential zone between existing buildings or adjacent to existing buildings within 61 metres (200 feet) on the same block, residences shall be built within a setback equal to the average setback of the adjacent buildings, but shall not be less than 4.5 metres (15 feet) from the front lot line.
- b) Notwithstanding anything in this By-law to the contrary, where an existing building encroaches into the required front or exterior yard setback as established in this By-law, additions to the existing building may be permitted to the line of occupation, subject to all other applicable regulations of this By-law.

6.32 TEMPORARY USES, BUILDINGS AND STRUCTURES

- a) Nothing in this By-law shall prevent the use of any land, or the construction or use of any building, trailer, or structure for a construction camp, work camp, temporary accommodation, tool shed, scaffold or other building or structure incidental to and necessary for construction work on the lot, but only for as long as such use, building or structure is necessary for such construction work which has not been finished or abandoned. The temporary use shall be subject to the retention of a valid Building Permit.
- b) A temporary commercial use, building or structure within a commercial zone which is established for a duration of less than six (6) months may be permitted with the permission of Council. An agreement or license and a site plan with the municipality may be required for the establishment of such temporary use, building or structure.

6.33 UNDERSIZED LOTS/EXISTING LOTS OF RECORD

Where an existing lot having a lesser lot area or frontage than required under this By-law is held in distinct and separate ownership from abutting lots as shown by the registered conveyance in the Registry or Lands Title Office at the date of the passing of this By-law, or where such lot is created by expropriation, such lot may be used and a building or structure may be constructed, altered or used on such undersized lot provided that all other requirements of this By-law are met.

6.34 USES PERMITTED IN ALL ZONES

Notwithstanding any other provisions of this By-law to the contrary, the following uses shall be permitted in any Zone established herein:

- a) The use of any land as a public street.
- b) A temporary construction or work camp/trailer, tool shed, scaffold, or other building or structure incidental to and necessary for the construction work on the premises, but only for so long as such use, building, or structure is necessary for such construction work which has not been finished or abandoned.
- c) any building, structure, use, service, or utility of any department of the Corporation of the Municipality of West Grey, the Corporation of the County of Grey, or the Federal or Provincial Government, Ontario Hydro, or any telephone, telegraph, or gas company shall be permitted in any zone (except for the NE, NE2 and FL zones unless written approval has been given by the Saugeen Valley Conservation Authority and the Municipality of West Grey) provided that such use, building or structure shall comply with the regulations with regard to the height (except where exempted by section 6.4), yard, and lot coverage prescribed for the Zone in which it is located; and any buildings erected or used shall be designed and used in a manner compatible with the area in which it is located.

Notwithstanding the generality of the foregoing, the requirement of this section to comply with the regulations with regard to height, yard, and lot coverage shall not apply to any undertaking of Ontario Hydro which satisfies the provisions of the Environmental Assessment Act.

6.35 USES RESTRICTED IN ALL ZONES

6.35.1 NOXIOUS USES PROHIBITED

Notwithstanding any other provision of this By-law to the contrary, no use shall be permitted anywhere within the municipality which, from its nature, materials used therein or emissions issuing there from, is declared to be a noxious trade, business or manufacture under The Health Protection and Promotion Act, as amended.

6.35.2 RESTRICTED USES

The following uses are prohibited throughout the Municipality, either alone or in conjunction with other uses, unless such use is specifically permitted in a zone or by an amendment to this By-law:

- An abattoir, stockyard, livestock exchange, or dead stock depot;

- A track or course for the racing and/or testing of automobiles, motorcycles, dirt bikes, snowmobiles or any other motorized vehicles;
- A video or amusement arcade;
- A landfill site/waste disposal site;
- A food and/or meat processing facility;
- A salvage or wrecking and recycling facility;
- A mobile home used as a dwelling unit or for commercial use;
- A trailer or motor home used for human habitation other than for seasonal accommodation in a permitted trailer park, campground or on lands in which such use is specifically permitted;
- An abandoned vehicle used for the storage of goods or materials;
- The establishment of pits and quarries, asphalt plants or concrete plants;
- The refining, storage or use in manufacturing of coal oil, rock oil, fuel, oil, natural gas, propane, burning fluids, naphtha, benzyl, benzene, gasoline, dynamite, nitroglycerine, gun powder, petroleum or any other combustible, inflammable, volatile or otherwise dangerous liquids, gasses or solid materials except where specifically permitted hereby or in conjunction with a permitted industrial use and unless such substances are protected by adequate fire fighting and fire prevention equipment and by such safety devices as are generally employed in the handling of such substances and provided that such substances are kept removed from adjacent uses to a distance which is compatible with the potential danger involved, except that this provision shall not apply to prevent the above ground storage of such substances by a farmer, where such storage is incidental and accessory to an agricultural use, or the use of natural gas, propane or fuel oil for domestic purposes, such as heating and cooking, in conjunction with a residential use;
- The boiling of blood, tripe, bones or soaps for commercial purposes;
- The extracting of oil from fish;
- The tanning or storage of uncured hides or skins;
- The manufacturing of glue or fertilizers from dead animals or from human or animal waste.
- Any use unable to obtain the approval from the Medical Officer of Health or Ministry of the Environment and Energy, owing either to the quantity of water required thereof or to the quality of effluent produced thereby;

- Any use which causes the emission of corrosive gasses, toxic gasses or radioactive gasses or, electromagnetic fields, heat, glare, nonagricultural odours, noise, vibrations, dust, dirt, or smoke which does not comply with emission regulations as may be established by the Province of Ontario, the Government of Canada, or any agencies thereof.

6.35.3 SHIPPING CONTAINERS

Shipping containers shall also be prohibited except in accordance with the following instances:

- Shipping containers shall be permitted in the: A1, A2 and A3 zones provided the lot comprises more than 2.0 hectares of land; C2 zone; C4 zone; C6 zone; MU1 zone; M1 zone; M2 zone; M3 zone; M4 zone; and I zone;
- Shipping containers shall only be permitted as an accessory use to a permitted use where a principal building exists;
- Shipping containers shall be treated as an accessory building, and shall comply with the requirements of the Ontario Building Code and require a Building Permit.
- Shipping containers shall be located on a property in accordance with Section 6.1.2 and 6.1.4;
- Shipping containers shall not be located in a required parking area or required landscaping area;
- Shipping containers shall be screened from all properties zoned R1A, R1B, R3 and ER that are adjacent to or within 50 metres of the property;
- Shipping containers shall only be permitted for the use of accessory storage and shall not be used for human habitation, display, screening or fencing.
- The maximum number of shipping containers on a property shall be limited to two;
- Shipping containers shall not exceed a height of 3 metres and a length of 12 metres, and shall not be stacked on top of each other; and,
- Shipping containers shall be of a condition free from rust, peeling paint and any other form of visible deterioration;

6.36 YARD ENCROACHMENTS

Every part of any yard required to be provided in any zone shall be open and unobstructed from the ground to the sky, except that:

- In any yard, there may be established or maintained the usual projections of window sills, chimney breasts, belt courses, cornices, eaves and other minor

architectural features, provided that no such features shall project more than 76.2 centimetre (cm) (30.0 inches (in)) into any required yard.

- b) Open and unenclosed porches, uncovered decks, balconies and steps may project into required yards as follows:
 - i) Front yard - no more than 3 m (9.8 ft); and,
 - ii) Rear yard- no more than 3.7 m (12 ft); and
 - iii) Side yards - no more than 1 m (3.3 ft).
- c) Unenclosed fire escapes may project into any required yard a maximum distance of 1.5 m (5 ft);
- d) Fences, freestanding walls, flagpoles, light standards, air conditioners, heat pumps and similar accessory structures and appurtenances, as well as hedges, trees and shrubs are permitted in any required yard, except they must comply with Day lighting (Sight) Triangle applicable requirements as specified in Section 6.7 of this By-law.
- e) On a corner lot, in a residential zone, the interior side yard requirements may be used in place of rear yard requirements for single detached, semi-detached and duplex residential dwellings.

6.37 MOVEMENT OF BUILDINGS

No buildings shall be moved without a permit from the Chief Building Official.

6.38 SETBACKS FROM EXISTING AND KNOWN ABANDONED LANDFILL SITES

No development or site alteration shall be permitted within 500 metres of an existing or known abandoned landfill site, unless a D-4 Study has been prepared and submitted for review in accordance with the Ministry of the Environment Guideline D-4 indicating that the lands to be developed are secure from potential methane and/or leachate migration from the landfill site or indicating the measures or conditions required prior to any development approval being granted. Notwithstanding this required buffer, if any approved Landfill Closure Plan exists, the requirements of that Plan shall prevail.

This requirement, however, does not entirely apply to the closed landfill sites on Durham Road West in Durham and on David Winkler Parkway in Neustadt because evaluations of these landfill sites have already been conducted, to a certain extent, on behalf of the Municipality. In those situations, the following provisions shall apply:

The evaluation of the closed landfill site on Durham Road West in Durham involved test pitting only on the landfill property and concluded that this closed site would not result in a hazard or health and safety risk, a nuisance to people and/or site degradation of the natural environmental for surrounding properties within 500 metres of the site. That notwithstanding, given that no test pitting occurred outside of the subject property and therefore it has not been confirmed that the presence of waste is confined to the subject property, a "h" (holding) suffix has been applied to the zoning of lands within 30 metres of

the closed landfill site's perimeter. No development shall be permitted on lands zoned with the "h" suffix. The "h" suffix may be removed from a property or portion thereof provided a further evaluation has been conducted for said property in accordance with Section D7.11 of the Official Plan at the property owner's expense, as recommended in the evaluation. In addition, given that a surface watercourse traverses the subject property, the potential or access to, or use of, surface water should be considered when evaluating proposals for new developments or changes in land use for the property situated downstream of the watercourse, which is located to the southwest of the former landfill site. Where there is no intended use of, or potential access to, surface water associated with the proposed change in land use, no further assessment will be necessary. If there is a potential of use of or access to, surface water, then an additional assessment is necessary. The requirement for such an assessment would depend on the nature of the proposed development or change in land use. In this regard, an "h" (holding) suffix has been applied to the zoning of lands located downstream of the watercourse, to the southwest of the landfill site. The "h" suffix may be removed from the property or portion thereof provided a further evaluation has been conducted for said property in accordance with Section D7.11 of the Official Plan at the property owner's expense, as recommended in the evaluation and to the satisfaction of the Municipality.

The evaluation of the closed landfill site on David Winkler Parkway in Neustadt involved test pitting only on the property and concluded that the close site is not impacting on adjacent properties with regard to groundwater contamination, surface water contamination or the generation of landfill gases (particularly methane). An "h" (holding) suffix has been applied to the zoning of lands within 30 metres of easterly and southeasterly perimeter of the closed landfill site. No development shall be permitted on lands zoned with the "h" suffix. The "h" suffix may be removed from a property or portion thereof provided a further evaluation has been conducted for said property in accordance with Section D7.11 of the Official Plan at the property owner's expense, as recommended in the evaluation and to the satisfaction of the Municipality.

6.39 RECREATIONAL TRAILERS

A maximum of one recreational trailer is permitted for seasonal human occupation for temporary use and on lands zoned 'A1', 'A2' or 'A3' where the lot area is 2 hectares in size or greater and where the lot fronts onto an open and maintained municipal road and contains an approved entrance and posted civic address signage. The recreational trailer shall also be subject to the "Trailer License By-law". The placement of a recreational trailer shall not constitute a principal use for the purposes of allowing an accessory use, building or structure to be erected on the property.

SECTION 7 - ZONES, MAPS AND BOUNDARIES

7.1 ZONE DESCRIPTIONS

For the purposes of this By-law, the following zones are hereby established and may, in the text and accompanying Schedule "A", be referred to by the descriptive name or by the symbol as indicated below:

DESCRIPTIVE NAME OF ZONE	SYMBOL	SECTION
AGRICULTURAL	A1	8
RURAL ZONE	A2	9
RESTRICTED AGRICULTURAL ZONE	A3	10
UNSERVICED RESIDENTIAL ZONE	R1A	11
LOW DENSITY RESIDENTIAL ZONE	R1B	12
MEDIUM DENSITY RESIDENTIAL ZONE	R2	13
HIGH DENSITY RESIDENTIAL ZONE	R3	14
ESTATE RESIDENTIAL ZONE	ER	15
MOBILE HOME PARK ZONE	MH	16
GENERAL COMMERCIAL ZONE	C1	17
HIGHWAY COMMERCIAL ZONE	C2	18
NEIGHBOURHOOD COMMERCIAL ZONE	C3	19
SPACE EXTENSIVE COMMERCIAL ZONE	C4	20
HAMLET COMMERCIAL ZONE	C5	21
MIXED USE ZONE	MU1	22
RURAL COMMERCIAL ZONE	C6	23
INDUSTRIAL ZONE	M1	24
RESTRICTED INDUSTRIAL	M2	25
RURAL INDUSTRIAL ZONE	M3	26
EXTRACTIVE INDUSTRIAL	M4	27

DESCRIPTIVE NAME OF ZONE	SYMBOL	SECTION
INSTITUTIONAL ZONE	I	28
OPEN SPACE ZONE	OS	29
FUTURE DEVELOPMENT ZONE	FD	30
NATURAL ENVIRONMENT ZONE	NE	31
NATURAL ENVIRONMENT 2 ZONE	NE2	31(A)
FLOODWAY ZONE	FL	32
FLOOD FRINGE OVERLAY	FF	33
		34
EXCEPTION ZONES		35

7.2 EXCEPTIONS (SPECIAL PROVISIONS)

Where a zone symbol applying to certain land, as shown on Schedule "A", is followed by a dash and a number (e.g. **C3-1**), then an exception has been made to the zone regulations and special provisions will apply to such land. **Section 35- EXCEPTIONS** identify with these site-specific zones. Land denoted in this manner shall be subject to all restrictions of the parent zone except as otherwise provided by the special provisions.

7.3 HOLDING PROVISIONS

Where an (h) appears as a suffix to a zone symbol on Schedule "A", such land shall be subject to specific holding provisions unless this By-law has been amended to remove the relevant (h) symbol.

The conditions under which the specific holding provision may be removed can be found within the Holding Provisions section of each zone category or, if related to an exception zone, within Section 35 (exceptions) of this By-law. Under the Planning Act, Council must give public notice of its intent to remove the (h) symbol. A public meeting is not required and the decision to remove the (h) symbol is not subject to appeal procedures.

(The paragraph below has been added as a result of problems arising from the consolidation of the Zoning By-law and amendments thereto. It does not officially form part of the Zoning By-law, and is provided to provide clarification to certain properties that have a holding suffix attached to their respective zones pertaining to natural heritage features.)

The symbol "h1" when applied as a suffix to the zone of a specific property (e.g. A1-h1) denotes an area in which no development or site alteration of any type is permitted due to concerns regarding the natural environment. The removal of the holding ("h1") symbol by Council shall not occur until a study(s) has been prepared, to the satisfaction of the

Municipality and the Saugeen Valley Conservation Authority, demonstrating that the proposed development or site alteration will not adversely affect the area or feature. It may be necessary for any mitigative measures recommended in the study to be carried forward into an agreement between the land owner and the Municipality.

7.4 ZONE MAPS

The extent and boundaries of all of the said zones are shown on Schedule "A" (Zone Maps), which together with all notations, references and other information shown thereon, is hereby incorporated in and declared to form part of this By-law to the same extent as if fully described therein.

7.5 ZONE BOUNDARIES

Where any uncertainty exists as to the location of the boundary of any zone as shown on the Schedule 'A' (Zone Maps), the following rules shall apply:

- a) Where zone boundaries are indicated as following approximately the centre line of streets or lanes or their productions, such centre lines or their productions shall be deemed to be the zone boundary.
- b) Where zone boundaries are indicated as approximately following lot lines, such lot lines shall be deemed to be the said zone boundary.
- c) Where zone boundaries are indicated as approximately parallel to any street and the distance from such street is not indicated, such zone boundary shall be construed as being parallel to such street and the distance there from shall be determined by the use of the scale of the said Zone Map.
- d) Where zone boundaries follow railway lines, such zone boundaries shall be deemed to be located at the boundaries of the railway right-of-way.

7.6 CLOSED STREET, LANE, RAILWAY OR HIGHWAY RIGHT-OF-WAY

- a) Where a street, lane, railway or highway right-of-way, or portion thereof as shown on a Zone Map is hereafter closed or diverted, the property formerly in said street, lane, railway or right-of-way shall be included within the zone of the adjoining property on either side of the said closed street, lane, railway or highway right-of-way.
- b) Where the said street, lane, railway or highway right-of-way was a zone boundary between different zones, the new zone boundary shall be the former centreline of the said street, lane, railway or highway right-of-way.

SECTION 8 – A1– AGRICULTURAL ZONE

8.1 PERMITTED USES

- Agricultural uses, buildings and structures
- Bed and Breakfast Establishment (Class 2)
- Equestrian center facilities
- Forestry
- Home Occupation
- Home Industry
- A detached dwelling
- Conversion of a single detached residential dwelling accessory to a farm for one additional residential dwelling unit in accordance with Section 6.29
- Wayside Pits
- Wayside Quarries
- Temporary Portable Asphalt Plant in a wayside pit or quarry
- Recreational Trails operated by a Public Agency
- An accessory apartment dwelling unit within a detached dwelling in accordance with Section 6.29
- A recreational trailer in accordance with Section 6.39
- Accessory uses, buildings and structures in accordance with Section 6.1

8.2 REGULATIONS

8.2.1 LOT AREA, Minimum 40 ha (100 ac)

8.2.2 LOT FRONTAGE, Minimum 122 m (400.3 ft)

8.2.3 FRONT YARD, Minimum

- a) For residential dwellings 20 m (66 ft)
- b) For livestock buildings, structures and manure storages 20 m (66 ft) minimum or applicable MDS requirements whichever is greater
- c) For buildings accessory to dwellings 20 m (66 ft.)
- d) For all other buildings and structures accessory excluding livestock facility 20 m (66 ft)
- e) A **front yard** abutting a public street shall be increased by the applicable distance required by the applicable Road Authority as specified in Section 6.31 of this By-law.

8.2.4 INTERIOR SIDE YARD, Minimum

- a) For residential dwellings 6 m (19.7 ft)

- | | | |
|----|---|--|
| b) | For buildings accessory to dwellings (up to 14 sq metres) | 6 m (19.7 ft) |
| c) | For livestock buildings, structures and manure storage. | 18.3 m (60 ft)
Minimum or applicable MDS requirements whichever is greater |
| d) | For all other buildings and structures accessory excluding livestock facility (over 14 sq metres of gross floor area) | 15.2 m (49.9 ft) |

8.2.5 EXTERIOR SIDE YARD, Minimum

- | | | |
|----|---|---|
| a) | For residential dwellings | 18.3 m (60 ft) |
| b) | For livestock buildings, structures and manure storages | 18.3 m (60 ft)
Minimum or applicable MDS requirements whichever is greater |
| c) | For all other buildings and structures accessory excluding livestock facility (over 14 sq metres of gross floor area) | 18.3 m (60 ft) |
| d) | An exterior side yard for a) and b) above shall be increased by the applicable distance required by the applicable Road Authority as specified in Section 6.31 of this By-law. | |

8.2.6 REAR YARD, Minimum

- | | | |
|----|--|--|
| a) | For residential dwellings | 7.5 m (24.6 ft) |
| b) | For buildings accessory to residential dwellings | 6 m (19.7t) |
| c) | For livestock buildings, structures and manure storages | 18.3 m (60 ft) Min or applicable MDS requirements whichever is greater |
| d) | For all other buildings and structures excluding livestock facility | 18.3 m (60 ft) |
| e) | A rear yard abutting a public street for a) and b) above shall be increased by the applicable distance required by the applicable Road Authority as specified in Section 6.31 of this By-law. | |

8.2.7 RESIDENTIAL DWELLINGS

8.2.7.1 FLOOR AREA, Minimum

- Less than two storey 83.6m² (900 ft²)
- Two or more storey 102.2m² (1100 ft²)

8.2.7.2 BUILDING HEIGHT, Maximum

2.5 storeys

8.2.8 LOT COVERAGE, Maximum

15%

8.3 REDUCED LOT REGULATIONS

Notwithstanding Sections 8.2.1 and 8.2.2, an existing lot of record or lot created by consent which has a lesser lot area and/or frontage than required shall be permitted the uses listed in Section 8.1 except as stated in Section 8.4. In order to create a new lot by consent that has a lesser lot area and/or frontage than required, this By-law must be amended accordingly. In all instances, the regulations of Section 8.2 shall apply excepting however that lots having an area of 2 hectares (5 acres) or less shall be used in accordance with the following regulations:

8.3.1 LOT AREA, Minimum

0.8 ha (2 ac)

8.3.2 LOT FRONTAGE, Minimum

30.5 m (100.1 ft)

8.3.3 FRONT YARD, Minimum

18.3 m (60 ft)

8.3.4 REAR YARD Minimum

7.5 m (24.6 ft)

8.3.5 INTERIOR SIDE YARD Minimum

3 m (9.8 ft)

8.3.6 EXTERIOR SIDE YARD Minimum

7.5 m (24.6 ft) plus the distance required by the applicable Road Authority as specified in Section 6.31 of this By-law.

8.3.7 GROUND FLOOR AREA, Minimum

- Less than two storey 83.6m² (900 ft²)
- Two or more storey 102.2m² (1100 ft²)

8.3.8 LOT COVERAGE, Maximum

20%

8.3.9 ACCESSORY BUILDINGS AND STRUCTURES

Shall be subject to the applicable regulations of Section 6 – General Provisions of this By-law.

8.4 PROHIBITED LIVESTOCK FACILITIES

Livestock facilities and equestrian centres shall not be permitted on lots of less 2 ha (5 acres) in size.

8.5 HOME INDUSTRIES

All applicable requirements including those of Section 6.14 of this By-law must be met.

8.6 HOME OCCUPATIONS

All applicable requirements including those of Section 6.15 of this By-law must be met.

8.7 MINIMUM DISTANCE SEPARATION REQUIREMENTS

The Minimum Distance Separation Requirements – MDS 1 and MDS II – of Section 6.17 of this By-law shall apply to all permitted uses within the Rural Zone.

8.8 SETBACK FOR TEMPORARY PORTABLE ASPHALT PLANT

No Temporary portable asphalt plant shall be situated closer than 304.8 m (1,000 ft) from an institutional or residential building. A temporary use by-law pursuant to Section 39 of the Planning Act, RSO 1990, as amended may be required to permit temporary portable asphalt plants.

8.9 SEASONAL AGRICULTURAL PRODUCE STANDS

Seasonal agricultural produce stands may be permitted in association with an agricultural use, building or structure subject to the following:

- 8.9.1 LOT AREA, Minimum** 10.1 ha (25 ac)
- 8.9.2 FLOOR AREA, Maximum** 23 m² (247.6 ft²)
- 8.9.3 FRONT YARD, Minimum** 7.5 m (24.6 ft), or the applicable distance required by the applicable Road Authority as specified in Section 6.31 of this By-law, whichever is greater.

8.10 OFF-STREET PARKING SPACES

Driveway entrances shall meet the requirements of the applicable road authority in accordance with the applicable regulations of Section 6.27 of this By-law

SECTION 9 – A2–RURAL ZONE

9.1 PERMITTED USES

- Agricultural uses, buildings and structures
- Agricultural related use
- Bed and Breakfast Establishment (Class 2)
- Equestrian center facilities
- Forestry
- Group home
- Home Occupation
- Home Industry
- A detached dwelling
- Conversion of a single detached residential dwelling accessory to a farm for one additional residential dwelling unit in accordance with Section 6.29
- Wayside Pits
- Wayside Quarries
- Temporary Portable Asphalt Plant in a wayside pit or quarry
- Recreational Trails operated by a Public Agency
- An accessory apartment dwelling unit within a detached dwelling in accordance with Section 6.29
- A recreational trailer in accordance with Section 6.39
- Accessory uses, buildings and structures in accordance with Section 6.1

9.2 REGULATIONS

9.2.1 LOT AREA, Minimum	20 ha (50 ac)
9.2.2 LOT FRONTAGE, Minimum	122 m (400.3 ft)
9.2.3 FRONT YARD, Minimum	
a) For residential dwellings	20 m (66 ft)
b) For livestock buildings, structures and manure storages	20 m (66 ft) minimum or applicable MDS requirements whichever is greater
c) For buildings accessory to dwellings	20 m (66 ft.)
d) For all other buildings and structures accessory excluding livestock facility	20 m (66 ft)
e) A front yard abutting a public street shall be increased by the applicable distance required by the applicable Road Authority as specified in Section 6.31 of this By-law.	

9.2.4 INTERIOR SIDE YARD, Minimum

- | | | |
|----|---|--|
| a) | For residential dwellings | 6 m (19.7 ft) |
| b) | For buildings accessory to dwellings (up to 14 sq metres) | 6 m (19.7 ft) |
| c) | For livestock buildings, structures and manure storage. | 18.3 m (60 ft)
Minimum or applicable MDS requirements whichever is greater |
| d) | For all other buildings and structures accessory excluding livestock facility (over 14 sq metres of gross floor area) | 15.2 m (49.9 ft) |

9.2.5 EXTERIOR SIDE YARD, Minimum

- | | | |
|----|---|---|
| a) | For residential dwellings | 18.3 m (60 ft) |
| b) | For livestock buildings, structures and manure storages | 18.3 m (60 ft)
Minimum or applicable MDS requirements whichever is greater |
| c) | For all other buildings and structures accessory excluding livestock facility (over 14 sq metres of gross floor area) | 18.3 m (60 ft) |
| d) | An exterior side yard for a) and b) above shall be increased by the applicable distance required by the applicable Road Authority as specified in Section 6.31 of this By-law. | |

9.2.6 REAR YARD, Minimum

- | | | |
|----|---|--|
| a) | For residential dwellings | 7.5 m (24.6 ft) |
| b) | For buildings accessory to residential dwellings | 6 m (19.7t) |
| c) | For livestock buildings, structures and manure storages | 18.3 m (60 ft) Min or applicable MDS requirements whichever is greater |
| d) | For all other buildings and structures excluding livestock facility | 18.3 m (60 ft) |

- e) A **rear yard** abutting a public street for a) and b) above shall be increased by the applicable distance required by the applicable Road Authority as specified in Section 6.31 of this By-law.

9.2.7 LOT COVERAGE, Maximum 15%

9.2.8 RESIDENTIAL DWELLINGS

9.2.8.1 FLOOR AREA, Minimum

- Less than two storey 83.6m² (900 ft²)
- Two or more storey 102.2m² (1100 ft²)

9.2.8.2 BUILDING HEIGHT, Maximum 2.5 storeys

9.3 REDUCED LOT REGULATIONS

Notwithstanding Sections 9.2.1 and 9.2.2, an existing lot of record or lot created by consent which has a lesser lot area and/or frontage than required shall be permitted the uses listed in Section 9.1 except as stated in Section 9.4. In order to create a new lot by consent that has a lesser lot area and/or frontage than required, this By-law must be amended accordingly. In all instances, the regulations of Section 9.2 shall apply excepting however that lots having an area of 2 hectares (5 acres) or less shall be used in accordance with the following regulations:

9.3.1 LOT AREA, Minimum 0.8 ha (2 ac)

9.3.2 LOT FRONTAGE, Minimum 30.5 m (100.1 ft)

9.3.3 FRONT YARD, Minimum 18.3 m (60 ft)

9.3.4 REAR YARD Minimum 7.5 m (24.6 ft)

9.3.5 INTERIOR SIDE YARD Minimum 3 m (9.8 ft)

9.3.6 EXTERIOR SIDE YARD Minimum 7.5 m (24.6 ft) plus the distance required by the applicable Road Authority as specified in Section 6.31 of this By-law.

9.3.7 GROUND FLOOR AREA, Minimum

- Less than two storey 83.6m² (900 ft²)
- Two or more storey 102.2m² (1100 ft²)

9.3.8 LOT COVERAGE, Maximum 20%

9.3.9 ACCESSORY BUILDINGS AND STRUCTURES

Shall be subject to the applicable regulations of Section 6 – General Provisions of this By-law.

9.4 PROHIBITED LIVESTOCK FACILITIES

Livestock facilities and equestrian centres shall not be permitted on lots of less 2 ha (5 acres) in size.

9.5 HOME INDUSTRIES

All applicable requirements including those of Section 6.14 of this By-law must be met.

9.6 HOME OCCUPATIONS

All applicable requirements including those of Section 6.15 of this By-law must be met.

9.7 MINIMUM DISTANCE SEPARATION REQUIREMENTS

The Minimum Distance Separation Requirements – MDS 1 and MDS II – of Section 6.17 of this By-law shall apply to all permitted uses within the Rural Zone.

9.8 SETBACK FOR TEMPORARY PORTABLE ASPHALT PLANT

No Temporary portable asphalt plant shall be situated closer than 304.8 m (1,000 ft) from an institutional or residential building. A temporary use by-law pursuant to Section 39 of the Planning Act, RSO 1990, as amended may be required to permit temporary portable asphalt plants.

9.9 SEASONAL AGRICULTURAL PRODUCE STANDS

Seasonal agricultural produce stands may be permitted in association with an agricultural use, building or structure subject to the following:

9.9.1 LOT AREA, Minimum 10.1 ha (25 ac)

9.9.2 FLOOR AREA, Maximum 23 m² (2,476 ft²)

9.9.3 FRONT YARD, Minimum 7.5 m (24.6 ft), or the applicable distance required by the applicable Road Authority as specified in Section 6.31 of this By-law, whichever is greater.

9.9.4 OFF-STREET PARKING SPACES Driveway entrances shall meet the requirements of the applicable road authority in accordance with the applicable regulations of Section 6.27 of this By-law

9.10 MAXIMUM GROSS FLOOR AREA

Permitted Commercial and Industrial Uses shall have a maximum gross floor area of 230 sq metres (2300 sq ft). Such uses shall be required to enter into a site plan agreement with the Municipality prior to issuance of a building permit.

SECTION 10 – A3 – RESTRICTED RURAL ZONE

10.1 PERMITTED USES

- Agricultural uses, buildings and structures; except new or expanded livestock agricultural uses
- Bed and Breakfast Establishment (Class 2)
- Equestrian centre facilities
- Forestry
- Home Occupation
- Home Industry
- A detached dwelling
- Conversion of a single detached residential dwelling accessory to a farm for one additional residential dwelling unit in accordance with Section 6.29
- Wayside Pits
- Wayside Quarries
- Temporary Portable Asphalt Plant in a wayside pit or quarry
- Recreational Trails operated by a Public Agency
- An accessory apartment dwelling unit within a detached dwelling in accordance with Section 6.29
- A recreational trailer in accordance with Section 6.39
- Accessory uses, buildings and structures in accordance with Section 6.1

10.2 REGULATIONS

10.2.1 LOT AREA, Minimum	40 ha (100 ac)
10.2.2 LOT FRONTAGE, Minimum	122 m (400.3 ft)
10.2.3 FRONT YARD, Minimum	
a) For residential dwellings	20 m (66 ft)
b) For livestock buildings, structures and manure storages	20 m (66 ft) minimum or applicable MDS requirements whichever is greater
c) For buildings accessory to dwellings	20 m (66 ft.)
d) For all other buildings and structures accessory excluding livestock facility	20 m (66 ft)
e) A front yard abutting a public street shall be increased by the applicable distance required by the applicable Road Authority as specified in Section 6.31 of this By-law.	

10.2.4 INTERIOR SIDE YARD, Minimum

- | | | |
|----|--|---|
| a) | For residential dwellings | 6 m (19.7 ft) |
| b) | For buildings accessory to dwellings (up to 14 sq. metres) | 6 m (19.7 ft) |
| c) | For livestock buildings, structures and manure storage. | 18.3 m (60 ft)
Minimum or applicable MDS requirements whichever is greater |
| d) | For all other buildings and structures accessory excluding livestock facility (over 14 sq. metres of gross floor area) | 15.2 m (49.9 ft) |

10.2.5 EXTERIOR SIDE YARD, Minimum

- | | | |
|----|---|---|
| a) | For residential dwellings | 18.3 m (60 ft) |
| b) | For livestock buildings, structures and manure storages | 18.3 m (60 ft)
Minimum or applicable MDS requirements whichever is greater |
| c) | For all other buildings and structures accessory excluding livestock facility (over 14 sq metres of gross floor area) | 18.3 m (60 ft) |
| d) | An exterior side yard for a) and b) above shall be increased by the applicable distance required by the applicable Road Authority as specified in Section 6.31 of this By-law. | |

10.2.6 REAR YARD, Minimum

- | | | |
|----|---|--|
| a) | For residential dwellings | 7.5 m (24.6 ft) |
| b) | For buildings accessory to residential dwellings | 6 m (19.7t) |
| c) | For livestock buildings, structures and manure storages | 18.3 m (60 ft) Min or applicable MDS requirements whichever is greater |
| d) | For all other buildings and structures excluding livestock facility | 18.3 m (60 ft) |

- e) A **rear yard** abutting a public street for a) and b) above shall be increased by the applicable distance required by the applicable Road Authority as specified in Section 6.31 of this By-law.

10.2.7 LOT COVERAGE, Maximum 15%

10.2.8 RESIDENTIAL DWELLINGS

10.2.8.1 FLOOR AREA, Minimum

- Less than two storey 83.6m² (900 ft²)
- Two or more storey 102.2m² (1100 ft²)

10.2.8.2 BUILDING HEIGHT, Maximum 2.5 storeys

10.3 REDUCED LOT REGULATIONS

Notwithstanding Sections 10.2.1 and 10.2.2, an existing lot of record or lot created by consent which has a lesser lot area and/or frontage than required shall be permitted the uses listed in Section 10.1 except as stated in Section 10.4. In order to create a new lot by consent that has a lesser lot area and/or frontage than required, this By-law must be amended accordingly. In all instances, the regulations of Section 10.2 shall apply excepting however that lots having an area of 2 hectares (5 acres) or less shall be used in accordance with the following regulations:

10.3.1 LOT AREA, Minimum 0.8 ha (2 ac)

10.3.2 LOT FRONTAGE, Minimum 30.5 m (100.1 ft)

10.3.3 FRONT YARD, Minimum 18.3 m (60 ft)

10.3.4 REAR YARD Minimum 7.5 m (24.6 ft)

10.3.5 INTERIOR SIDE YARD Minimum 3 m (9.8 ft)

10.3.6 EXTERIOR SIDE YARD Minimum 7.5 m (24.6 ft) plus the distance required by the applicable Road Authority as specified in Section 6.31 of this By-law.

10.3.7 GROUND FLOOR AREA, Minimum

- Less than two storey 83.6m² (900 ft²)
- Two or more storey 102.2m² (1100 ft²)

10.3.8 LOT COVERAGE, Maximum 20%

10.3.9 ACCESSORY BUILDINGS AND STRUCTURES Shall be subject to the applicable regulations of

10.4 HOME INDUSTRIES

All applicable requirements including those of Section 6.14 of this By-law must be met.

10.5 HOME OCCUPATIONS

All applicable requirements including those of Section 6.15 of this By-law must be met.

10.6 MINIMUM DISTANCE SEPARATION REQUIREMENTS

The Minimum Distance Separation Requirements – MDS 1 and MDS II – of Section 6.17 of this By-law shall apply to all permitted uses within the Rural Zone.

10.7 SETBACK FOR TEMPORARY PORTABLE ASPHALT PLANT

No Temporary portable asphalt plant shall be situated closer than 304.8 m (1,000 ft) from an institutional or residential building. A temporary use by-law pursuant to Section 39 of the Planning Act, RSO 1990, as amended may be required to permit temporary portable asphalt plants.

10.8 SEASONAL AGRICULTURAL PRODUCE STANDS

Seasonal agricultural produce stands may be permitted in association with an agricultural use, building or structure subject to the following:

- | | |
|---|---|
| 10.8.1 LOT AREA, Minimum | 10.1 ha (25 ac) |
| 10.8.2 FLOOR AREA, Maximum | 23 m ² (247.6 ft ²) |
| 10.8.3 FRONT YARD, Minimum | 7.5 m (24.6 ft), plus the applicable distance required by the applicable Road Authority as specified in Section 6.31 of this By-law. |
| 10.8.4 OFF-STREET PARKING SPACES | Driveway entrances shall meet the requirements of the applicable road authority in accordance with the applicable regulations of Section 6.27 of this By-law. |

SECTION 11 – R1 A – UNSERVICED RESIDENTIAL ZONE

11.1 PERMITTED USES

- One single detached residential dwelling unit
- An accessory Bed and Breakfast establishment (Class 2)
- Home Occupation
- An accessory apartment dwelling unit within a detached dwelling in accordance with Section 6.29;
- Accessory uses buildings and structures in accordance with Section 6.1

11.2 REGULATIONS

11.2.1 LOT AREA, Minimum	2000 m ² (.5ac)
11.2.2 LOT FRONTAGE, Minimum	30.5 m (100.1ft)
11.2.3 FRONT YARD, Minimum	7.6 m (25 ft) plus any applicable distance required by the applicable Road Authority as specified in Section 6.31 of this By-law.
11.2.4 INTERIOR SIDE YARD, Minimum	3 m (9.8 ft)
11.2.5 EXTERIOR SIDE YARD, Minimum	7.6 m (25 ft), plus any applicable distance required by the applicable Road Authority as specified in Section 6.31 of this By-law.
11.2.6 REAR YARD, Minimum	9 m (29.5 ft)
11.2.7 BUILDING HEIGHT, Maximum	10.5 m (34.5 ft) or two and a half (2.5) storeys whichever is greater
11.2.8 LOT COVERAGE, Maximum	30 %
11.2.9 FLOOR AREA, Minimum	
• Less than two storey	83.6m ² (900 ft ²)
• Two or more storey	102.2m ² (1100 ft ²)

11.3 OTHER PROVISIONS

Off-street parking and accessory uses shall be provided in accordance with the applicable regulations of Section 6.27. Regulations for an accessory bed and breakfast establishment and home occupations shall be provided in accordance with the applicable regulations of Section 6 – General Provisions.

SECTION 12 – R1 B - RESIDENTIAL ZONE

12.1 PERMITTED USES

- One Single detached residential dwelling unit
- An accessory Bed and Breakfast establishment (Class 1)
- Home Occupation
- A Group Home in accordance with Section 6.13
- An accessory apartment dwelling unit within a detached dwelling in accordance with Section 6.29
- Accessory uses buildings and structures in accordance with Section 6.1

12.2 REGULATIONS

12.2.1 LOT AREA, Minimum 465 m² (5000 ft²)

12.2.2 LOT FRONTAGE, Minimum 15 m (50 ft)

12.2.3 FRONT YARD, Minimum 7.6 m (24.9 ft)

12.2.4 INTERIOR SIDE YARD, Minimum

- One Storey 1.2 m (3.9 ft)
- More than one Storey 1.8 m (5.9 ft)

12.2.5 EXTERIOR SIDE YARD, Minimum 7.6 m (24.9 ft)

12.2.6 REAR YARD, Minimum 7.6 m (24.9 ft)

12.2.7 BUILDING HEIGHT, Maximum 10.5 m (34.5 ft)

12.2.8 LOT COVERAGE, Maximum 40 %

12.2.9 FLOOR AREA, Minimum

- Less than two storey 83.6m² (900 ft²)
- Two or more storey 102.2m² (1100 ft²)

12.3 OTHER PROVISIONS

Off-street parking and accessory uses shall be provided in accordance with the applicable regulations of Section 6.27 of this By-law. Regulations for an accessory bed and breakfast establishment and home occupations shall be provided in accordance with the applicable regulations of Section 6 – General Provisions. No new development shall be permitted unless such development is serviced by municipal water supply and sanitary sewers.

SECTION 13 – R2 - RESIDENTIAL ZONE

13.1 PERMITTED USES

- Single detached residential dwelling
- Semi-detached residential dwelling
- Duplex dwelling
- Triplex residential dwelling
- Fourplex residential dwelling
- Four Unit Street Townhouse
- An accessory Bed and Breakfast establishment (Class 2)
- Boarding, lodging or rooming establishment not exceeding 5 rooms or dwelling units for let
- Home Occupation
- A Group Home in accordance with Section 6.13
- An accessory apartment dwelling unit within a detached dwelling in accordance with Section 6.29;
- Accessory uses buildings and structures in accordance with Section 6.1

13.2 REGULATIONS

13.2.1 SINGLE DETACHED RESIDENTIAL DWELLING

13.2.1.1	LOT AREA, Minimum	465 m ² (5000 ft ²)
13.2.1.2	LOT FRONTAGE, Minimum	15 m (50 ft)
13.2.1.3	FRONT YARD, Minimum	7.6 m (25 ft)
13.2.1.4	INTERIOR SIDE YARD, Minimum	
	<ul style="list-style-type: none"> • One storey • More than one storey • No attached garage 	1.2 m (4 ft) 1.8 m (6 ft) 3.7 m (12 ft) on one side
13.2.1.5	EXTERIOR SIDE YARD, Minimum	7.6 m (25 ft)
13.2.1.6	REAR YARD, Minimum	7.6 m (25 ft)
13.2.1.7	BUILDING HEIGHT, Maximum	10.5 m (34.5 ft)
13.2.1.8	LOT COVERAGE, Maximum	40 %
13.2.1.9	FLOOR AREA, Minimum	
	<ul style="list-style-type: none"> • Less than two storey • Two or more storey 	83.6 m ² (900 ft ²) 102.2 m ² (1100 ft ²)

13.2.2 SEMI-DETACHED RESIDENTIAL DWELLING

13.2.2.1	LOT AREA, Minimum per dwelling	275 m ² (2960ft ²)
13.2.2.2	LOT FRONTAGE, Minimum per dwelling	9 m (29.5 ft)
13.2.2.3	FRONT YARD, Minimum	7.6 m (25 ft)
13.2.2.4	INTERIOR SIDE YARD, Minimum One storey • More than one storey • No attached garage Excepting however that the side yard along the common wall dividing the attached units shall be 0 m (0 ft)	1.2 m (4 ft) 1.8 m (6 ft) 3.7 m (12 ft)
13.2.2.5	EXTERIOR SIDE YARD, Minimum	7.6 m (25 ft)
13.2.2.6	REAR YARD, Minimum	7.6 m (25 ft)
13.2.2.7	BUILDING HEIGHT, Maximum	10.5 m (34.5 ft)
13.2.2.8	LOT COVERAGE, Maximum	45%
13.2.2.9	FLOOR AREA, Minimum Per dwelling unit Less than two storey • Two or more storey	70 m ² (753.5 ft ²) 92.9 m ² (1000 ft ²)

13.2.3 DUPLEX RESIDENTIAL DWELLING

13.2.3.1	LOT AREA, Minimum	550 m ² (5920.3ft ²)
13.2.3.2	LOT FRONTAGE, Minimum	18 m (59 ft)
13.2.3.3	FRONT YARD, Minimum	7.6 m (25 ft)
13.2.3.4	INTERIOR SIDE YARD, Minimum	2.4 m (8 ft)
13.2.3.5	EXTERIOR SIDE YARD, Minimum	7.6 m (25 ft)
13.2.3.6	REAR YARD, Minimum	7.6 m (25 ft)
13.2.3.7	BUILDING HEIGHT, Maximum	10.5 m (34.5 ft)
13.2.3.8	LOT COVERAGE, Maximum	45 %
13.2.3.9	FLOOR AREA, Minimum per unit	70 m ² (753.5 ft ²)

13.2.4 TRIPLEX RESIDENTIAL DWELLING

13.2.4.1	LOT AREA, Minimum	650 m ² (6996.8 ft ²)
13.2.4.2	LOT FRONTAGE, Minimum	18 m (59 ft)
13.2.4.3	FRONT YARD, Minimum	7.6 m (25 ft)
13.2.4.4	INTERIOR SIDE YARD, Minimum	2.4 m (8 ft)
13.2.4.5	EXTERIOR SIDE YARD, Minimum	7.6 m (25 ft)
13.2.4.6	REAR YARD, Minimum	7.6 m (25 ft)
13.2.4.7	BUILDING HEIGHT, Maximum	10.5 m (34.4 ft)
13.2.4.8	LOT COVERAGE, Maximum	40 %
13.2.4.9	LOT AREA, Minimum per unit	70 m ² (753.5 ft ²)

13.2.5 FOURPLEX RESIDENTIAL DWELLING

13.2.5.1	LOT AREA, Minimum	650 m ² (6997 ft ²)
13.2.5.2	LOT FRONTAGE, Minimum	18 m (59 ft)
13.2.5.3	FRONT YARD, Minimum	7.6 m (25 ft)
13.2.5.4	INTERIOR SIDE YARD, Minimum	2.4 m (8 ft)
13.2.5.5	EXTERIOR SIDE YARD, Minimum	7.6 m (25 ft)
13.2.5.6	REAR YARD, Minimum	7.6 m (25 ft)
13.2.5.7	BUILDING HEIGHT, Maximum	10.5 m (34.4 ft)
13.2.5.8	LOT COVERAGE, Maximum	40 %
13.2.5.9	FLOOR AREA, Minimum per Unit	70 m ² (753.5 ft ²)

13.2.6 STREET TOWNHOUSE

13.2.6.1	LOT AREA, Minimum	280 m ² (3014 ft ²)
13.2.6.2	LOT FRONTAGE, Minimum	6.5 m (21.3ft)
13.2.6.3	LOT DEPTH, Minimum	30.5 m (100 ft)
13.2.6.4	FRONT YARD, Minimum	7.5 m (24.6 ft)

13.2.6.5	EXTERIOR SIDE YARD, Minimum	7.5 m (24.6 ft)
13.2.6.6	INTERIOR SIDE YARD- End Unit Minimum	3 m (9.8 ft)
13.2.6.7	REAR YARD, Minimum	7.5 m (24.6 ft)
13.2.6.8	BUILDING HEIGHT, Maximum	10.5 m (34.4 ft)
13.2.6.9	FLOOR AREA, Minimum per Unit	70 m ² (753.5 ft ²)

13.3 OTHER PROVISIONS

Off-street parking, Accessory uses, Bed and Breakfast establishment, Home occupations shall be provided in accordance with the applicable regulations of Section 6 - General Provisions. No new development shall be permitted within the R2 Zone unless such development is serviced by municipal water supply and sanitary sewers.

SECTION 14 – R3 - RESIDENTIAL ZONE

14.1 PERMITTED USES

- Apartments
- Home Occupation
- Street Townhouse
- Cluster/Block Townhouse
- Accessory uses buildings and structures in accordance with Section 6.1

14.2 REGULATIONS

14.2.1 STREET TOWNHOUSE (EACH RESIDENTIAL DWELLING UNITS)

14.2.1.1	LOT AREA, Minimum	232 m ² (2497.3 ft ²)
14.2.1.2	LOT FRONTAGE, Minimum	6.5 m (21.3 ft)
	• Corner lot residential dwelling unit	14 m (46 ft)
14.2.1.3	FRONT YARD, Minimum	7.6 m (25 ft)
14.2.1.4	INTERIOR SIDE YARD, Minimum (End Unit)	
	• One storey	1.2 m (4 ft)
	• More than One storey	1.8 m (6 ft)
14.2.1.5	EXTERIOR SIDE YARD, Minimum	7.6 m (25 ft)
14.2.1.6	REAR YARD, Minimum	7.6 m (25 ft)
14.2.1.7	BUILDING HEIGHT, Maximum	10.5m (34.5 ft)
14.2.1.8	FLOOR AREA, Minimum	
	• Less than Two storey	83.6 m ² (900 ft ²)
	• Two or more storey	102.2 m ² (1100 ft ²)

14.2.2 CLUSTER TOWNHOUSE RESIDENTIAL DWELLING

14.2.2.1	LOT AREA, Minimum	
	a)	1393.5 m ² (15,000 ft ²) for the first four units
	b)	264.8 m ² (2850.4 ft ²) for each additional unit thereafter
14.2.2.2	LOT FRONTAGE, Minimum	20.1 m (66 ft)
14.2.2.3	FRONT YARD, Minimum	7.6 m (25 ft)
14.2.2.4	REAR YARD, Minimum	7.6 m (25 ft)
14.2.2.5	INTERIOR SIDE YARD, Minimum	6 m (19.7 ft)

14.2.2.6	EXTERIOR SIDE YARD, Minimum	7.6 m (25 ft)
14.2.2.7	BUILDING HEIGHT, Maximum	10.5 m (34.5 ft)
14.2.2.8	FLOOR AREA, Minimum	
	a) Bachelor/1 bedroom unit	51.1 m ² (550 ft ²)
	b) 2 bedroom unit	60.4 m ² (650 ft ²)
	c) 3 bedroom unit	74.4 m ² (801 ft ²) plus 9.3 m ² (100 ft ²) for each bedroom in excess of three bedrooms.

14.2.2.9 DISTANCES BETWEEN CLUSTER TOWNHOUSES

A face of a cluster townhouse block means one or the other of the longest walls of a said building. Each townhouse block shall be deemed to have two faces. A side of a townhouse block means one or the other of the shortest walls of a said building. Each townhouse block shall be deemed to have two sides.

The following provisions shall apply when two or more townhouse blocks are situated on one lot:

- a) A minimum distance of 18.3 m (60 ft) shall be maintained between any face of a townhouse block and any face of the same or another block.
- b) A minimum distance of 12.2 m (40 ft) shall be maintained between any face of a residential townhouse block and any side of the same or another block.
- c) A minimum distance of 9.2 m (30.2 ft) shall be maintained between any side of a residential townhouse block and any side of the same or another block.

14.2.3 APARTMENTS

14.2.3.1	LOT AREA, Minimum	1161.3 m ² (12,500.5 ft ²) Of lot area for the first 5 units, plus 93 m ² . (1001 ft ²) of lot area for each additional unit.
14.2.3.2	LOT FRONTAGE, Minimum	18 m (59 ft)
14.2.3.3	FRONT YARD, Minimum	7.5 m (24.6 ft)

- 14.2.3.4 EXTERIOR SIDE YARD, Minimum** 7.5 m (24.6 ft)
- 14.2.3.5 INTERIOR SIDE YARD, Minimum** Half (1/2) the building height but in no case less than 3 m (9.8 ft)
- 14.2.3.6 REAR YARD, Minimum** 7.5 m (24.6 ft)
- 14.2.3.7 BUILDING HEIGHT, Maximum** 12 m (39.4 ft)
- 14.2.3.8 LOT COVERAGE, Maximum** 45% percent
- 14.2.3.9 FLOOR AREA Minimum per dwelling Unit**
 - i) Bachelor Unit 37 m² (398.3 ft²)
 - ii) One Bedroom Unit 50 m² (538.2 ft²)
 - iii) For each additional bedroom 9 m² (97 ft²)

14.2.3.10 Distances Between Apartment Buildings

A face of an apartment means one or the other of the longest walls of a said building. Each apartment block shall be deemed to have two faces. A side of an apartment block means one or the other of the shortest walls of a said building. Each apartment block shall be deemed to have two sides.

The following regulations shall apply when two or more apartments are situated on one lot:

- i) A minimum distance of 18.3 m (60 ft) shall be maintained between any face of an apartment and any face of the same or another apartment.
- ii) A minimum distance of 12.2 m (40 ft) shall be maintained between any face of an apartment and any side of the same or another apartment.
- iii) A minimum distance of 9.2 m (30.2 ft) shall be maintained between any side of an apartment and any side of the same or another apartment.

14.3 GARBAGE STORAGE AREAS

- 14.3.1** No garbage or refuse shall be stored on any lot in any zone except within
 - i) The main building or
 - ii) Any accessory building or structure on such lot or

iii) In a container in the side yard or rear yard of such lot; side or rear yard requirement of applicable zone is 3 m (9.8 ft) minimum.

14.3.2 All garbage or refuse storage areas, including any garbage loading or unloading areas, which are visible from an adjoining site in a residential, commercial, institutional or open space zone, or from a public street, shall have a visual screen consisting of a fence that is a minimum of 2 m (6.6 ft) in height; side and rear yard requirements of applicable Zone.

14.4 OTHER PROVISIONS

Off-street parking and accessory uses and regulations for an accessory home occupation shall be provided in accordance with the applicable regulations of Section 6 - General Provisions.

No new development shall be permitted within the R3 zone unless such development is serviced by municipal water supply and sanitary sewers.

SECTION 15 – ER - ESTATE RESIDENTIAL ZONE

15.1 PERMITTED USES

- One single detached residential dwelling unit
- Home Occupation
- Home Industry
- An accessory apartment dwelling unit within a detached dwelling in accordance with Section 6.29;
- Accessory uses buildings and structures in accordance with Section 6.1

15.2 REGULATIONS

15.2.1 LOT AREA, Minimum	1.5 ac
15.2.2 LOT FRONTAGE, Minimum	100 ft
15.2.3 FRONT YARD, Minimum	9m (30 ft) plus any applicable distance required by the applicable Road Authority as specified in Section 6.31 of this By-law.
15.2.4 INTERIOR SIDE YARD, Minimum	6 m (19.68 ft)
15.2.5 EXTERIOR SIDE YARD, Minimum	7.6m (25 ft), plus any applicable distance required by the applicable Road Authority as specified in Section 6.31 of this By-law.
15.2.6 REAR YARD, Minimum	9 m (30 feet)
15.2.7 BUILDING HEIGHT, Maximum	10.5 m (34.4 ft)
15.2.8 LOT COVERAGE, Maximum	20 %
15.2.9 FLOOR AREA, Minimum	
• Less than two storey	83.6m ² (900 ft ²)
• Two or more storey	102.2m ² (1100 ft ²)

15.3 OTHER PROVISIONS

Off-street parking, accessory uses and home occupation shall be provided in accordance with the applicable regulations of Section 6- General Provisions.

SECTION 16- MH - MOBILE HOME PARK ZONE

16.1 PERMITTED USES

- Mobile home park including park offices
- A Mobile home site within a mobile home park
- A Mobile home on a mobile home site
- Accessory uses, buildings and structures including recreational uses
- One single family detached dwelling for a caretaker
- Home occupation or home industries are not permitted uses

16.2 REGULATIONS

Within any MH Zone, no land shall be used and no building or structure shall be erected, altered or used except in conformity with the following regulations:

16.2.1 MOBILE HOME PARK

16.2.1.1	LOT AREA, Minimum	10 ha (25 ac)
16.2.1.2	LOT FRONTAGE, Minimum	180 m (591 ft)

16.2.2 Mobile Home Site

Each mobile home shall be located on a Mobile Home Site, which shall conform to the following:

16.2.2.1	SITE FRONTAGE, Minimum	12 m (39.4 ft)
16.2.2.2	SITE AREA, Minimum	372 m ² (4004.3 ft ²)
16.2.2.3	FLOOR AREA, Minimum	55 m ² (592 ft ²)

16.2.3 MINIMUM SETBACKS

No mobile home shall be located within 1.5 m (4.9 ft) of any limit of a Mobile Home Site nor within 3 m (9.8 ft) of the limit of any internal road in the Mobile Home Park, nor within 6 m (19.6 ft) of any boundary of a Mobile Home Park nor within 7.6 m (25 ft) of a public street.

16.2.4 SERVICES

Each Mobile Home shall be connected to command water distribution system and sanitary treatment system.

16.2.5 ACCESS

Each Mobile Home Site shall have access to a public street directly or by means of a driveway, which has been approved by the Municipality and which, has a minimum width of 6 m (19.7 ft) for one-way traffic flow, or 10 m (32.8 ft) for two way traffic flow.

16.2.6 OFF-STREET PARKING

A minimum of one off-street parking space shall be provided for each Mobile Home Site.

16.2.7 ACCESSORY BUILDING

One accessory building, not exceeding 8 m² (86.1 ft²), may be located to the rear of the Mobile Home on each Mobile Home Site.

Note: Mobile Home Park may have its own regulations separate from and including setbacks which may be more restrictive than the individual zone regulations.

16.2.8 GARBAGE STORAGE AREAS

Garbage storage areas shall be subject to the applicable regulations of Section 6.11 of this By-law.

SECTION 17– C1 - GENERAL COMMERCIAL ZONE

17.1 PERMITTED USES

- Antique Store
- Arcade
- Art Gallery
- Artisan’s market
- Bus Depot
- Bake Shop
- Business or Professional Office
- Commercial School or Studio
- Companion Animal Office
- Cultural Entertainment Facility
- Financial Office
- Funeral Homes
- Hotel
- Library
- Medical Clinic
- Museum
- Personal Service Shop
- Places of Entertainment
- Print Shop
- Private or Commercial Club
- Restaurants (Dining, Take-out)
- Retail Food Store
- Retail Store
- Park
- Parking Lots
- Public Building
- Public Uses
- Service or Repair Shop
- Tavern
- Accessory Uses, Buildings or Structures in accordance with Section 6.1
- Accessory Residential Dwelling Units

17.2 REGULATIONS

17.2.1 LOT AREA, Minimum	None
17.2.2 LOT FRONTAGE, Minimum	None
17.2.3 FRONT YARD, Minimum	None

17.2.4 INTERIOR SIDE YARD, Minimum	None, except where a C1 Zone is abutting a Residential Zone, the minimum interior side yard shall be 3 m (9.8 ft)
17.2.5 EXTERIOR SIDE YARD, Minimum	None
17.2.6 REAR YARD, Minimum	3 m (9.8 ft)
17.2.7 BUILDING HEIGHT, Maximum	12 m (39.4 ft)

17.3 ACCESSORY RESIDENTIAL USES

A permitted commercial use or building may contain one or more accessory residential dwelling units subject to the following:

- a) Each residential dwelling unit, accessory to a permitted commercial use or building, shall be located above or to the rear of the main commercial use.
- b) Each accessory residential dwelling unit shall not occupy any more than fifty percent (50%) of the ground floor area of a main commercial use.
- c) Each accessory residential dwelling unit shall have a minimum floor area of 50.0 m² (538.2 ft²).
- e) Each accessory residential dwelling unit shall be completely self-contained.
- f) Each accessory residential dwelling unit shall have a separate and direct means of access to a public street or lane via halls and /or stairs and/or across the subject property.
- g) Each accessory residential unit shall be provided with a minimum of one off-street parking space.

17.4 OTHER PROVISIONS

Off-street parking and accessory uses, buffer area/strip, garbage storage areas and regulations for an accessory home occupation shall be provided in accordance with the applicable regulations of Section 6- General provisions of this By-law.

17.5 EXCEPTIONS

Off-street parking requirements are not applicable to commercial uses within C1 Zone. As an alternative Council may require an agreement, and a cash-in-lieu payment in accordance with Section 40 of the Planning Act.

SECTION 18 – C2 - HIGHWAY COMMERCIAL ZONE

18.1 PERMITTED USES

- Auction Sales Arena
- Automotive Sales and Service Establishment
- Automotive Service Station
- Automotive Washing Establishment
- Banquet Hall
- Beer Store
- Boat Sales, storage and Service Establishment
- Building Supply Outlet
- Bulk Sales Establishment
- Bus Depots
- Church/ Place of Worship
- Commercial Nursery or Greenhouse
- Convenience Store
- Dry Cleaning Depot
- Equipment Sales, Rental and Leasing Outlet
- Farm Implement Sales and Service Outlet
- Farmer's Market
- Flea Market
- Gas Bar
- Garden Centre
- Hotel
- Motel, Motor Hotel
- Parking Area
- Parking Lot
- Public Uses
- Public Buildings
- Recreational Trailer Sales and Service Establishment
- Rental Outlet
- Restaurants (Dining, Drive-In, Drive-Thru, Take-Out)
- Service or Repair Shop
- Veterinarian Clinic
- U-Brew Establishment
- Wholesale Outlets
- Accessory Uses, Buildings and Structures in accordance with Section 6.1
- Accessory Residential Dwelling Unit except in conjunction with an automotive use
- Incidental assembly and processing of products to be sold on site which are secondary to the main commercial function.

18.2 REGULATIONS

18.2.1 LOT AREA, Minimum	557.4 m ² (6,000 ft ²)
18.2.2 LOT FRONTAGE, Minimum	18 m (59 ft)
18.2.3 FRONT YARD, Minimum	7.6 m (25 ft) plus any applicable distance required by the applicable road authority as specified in Section 6.31 of this By-law.
18.2.4. INTERIOR SIDE YARD, Minimum	3 m (9.8 ft)
18.2.5 EXTERIOR SIDE YARD, Minimum	7.6 m (25 ft) plus any applicable distance required by the applicable road authority as specified in Section 6.31 of this By-law.
18.2.6 REAR YARD, Minimum	7.6 m (25 ft)
18.2.7 BUILDING HEIGHT, Maximum	12.5 m (41 ft)
18.2.8 LOT COVERAGE, Maximum	40 %
18.2.9 ACCESSORY RESIDENTIAL USE	

A permitted commercial use or building may contain one accessory residential dwelling units subject to the following:

- a) The accessory residential dwelling unit shall be located above or to the rear of the main commercial use.
- b) The accessory residential dwelling unit shall not occupy any more than fifty percent (50%) of the ground floor area of a main commercial use.
- c) The accessory residential dwelling unit shall have a minimum floor area of 50 m² (538.2 ft²).
- d) The accessory residential unit shall be provided with a minimum of one off-street parking space which is on the same lot as the accessory residential unit.

18.3 OTHER PROVISIONS

Regulations for off-street parking, loading spaces, buffer areas/strips, garbage storage areas, outdoor display and outdoor storage areas are subject to the applicable regulations of Section 6-General Provisions of this By-law.

18.4 SPECIFIC REGULATIONS FOR AUTOMOTIVE SERVICE STATION; AUTOMOTIVE WASHING ESTABLISHMENT OR GAS BAR

18.4.1 LOT AREA, Minimum	1393.5 m ² (15,000 ft ²)
18.4.2 LOT FRONTAGE, Minimum	30.5 m (100 ft)

18.4.3 FRONT YARD, Minimum 7.6 m (24.9 ft) plus any applicable distance required by the applicable road authority as specified in Section 6.31 of this By-law.

18.4.4 INTERIOR SIDE YARD, Minimum 4.5 m (14.8 ft)

18.4.5 EXTERIOR SIDE YARD, Minimum 7.6 m (24.9 ft) plus any applicable distance required by the applicable road authority as specified in Section 6.31 of this By-law.

18.4.6 REAR YARD, Minimum 7.6 m (25 ft)

18.4.7 BUILDING HEIGHT, Maximum 12.5 m (41 ft)

18.4.8 LOT COVERAGE, Maximum 40 %

18.4.9 FUEL PUMP ISLANDS/GAS KIOSKS

- a) Minimum Building Setback is 7.6 m (25 ft) from the front lot line. No fuel pump island, gas bar kiosk is to be located within the required Sight triangle established by Section 6.7 this By-law.
- b) Despite the above, canopies over pump islands and underground storage tanks are allowed to project 1.5 m (5 ft) from the Street Line.

18.4.10 ACCESSORY RESIDENTIAL UNITS

Notwithstanding any other provisions of this By-law to the contrary, accessory dwelling units are not permitted in association with an automotive service station, automotive washing establishment or gas bar.

18.4.11 REGULATIONS FOR ACCESS

Any point of ingress and egress to an automotive service stations, automotive washing establishment or gas bar shall not be located within 9 m (29.5 ft) of a street intersection, as measured at the curb line.

18.4.12 OTHER PROVISIONS

Regulations for off-street parking, buffer areas/strips, outdoor display and storage areas, Street Setback, Accessory Buildings are subject to the applicable regulations of Section 6-General Provisions of this By-law.

18.5 REGULATIONS FOR HOTELS, MOTELS AND MOTOR HOTELS

18.5.1 LOT AREA, Minimum 1393.5 m² (15,000 ft²)

18.5.2 LOT FRONTAGE, Minimum 30.5 m (100 ft)

18.5.3 FRONT YARD, Minimum	7.6 m (25 ft) plus any applicable distance required by the applicable Road authority as specified in Section 6.31 of this By-law.
18.5.4 INTERIOR SIDE YARD, Minimum	Half ($\frac{1}{2}$) the building height but in no case less than 3 m (9.8 ft)
18.5.5 EXTERIOR SIDE YARD, Minimum	7.6 m (25 ft) plus any applicable distance required by the applicable road authority as specified in Section 6.31 of this By-law.
18.5.6 REAR YARD, Minimum	7.6 m (25 ft)
18.5.7 BUILDING HEIGHT, Maximum	12.5 m (41 ft)
18.5.8 LOT COVERAGE, Maximum	40 %

18.5.9 OTHER PROVISIONS

Regulations for off-street parking, street setbacks, buffer areas, landscaped areas, garbage storage areas are subject to the applicable regulations of Section 6 General Provisions of this By-law.

SECTION 19 – C3 - NEIGHBOURHOOD COMMERCIAL ZONE

19.1 PERMITTED USES

- Convenience Store
- Day Nursery
- Neighbourhood Store
- Personal Service Shops
- Accessory Uses, Buildings and Structures to the above permitted uses
- Accessory Residential Dwelling Units

19.2 REGULATIONS

19.2.1 LOT AREA, Minimum	557.4 m ² (6000 ft ²)
19.2.2 LOT FRONTAGE, Minimum	18 m (59 ft)
19.2.3 FRONT YARD, Minimum	7.5 m (24.6 ft)
19.2.4 INTERIOR SIDE YARD, Minimum	3 m (9.8 ft)
19.2.5 EXTERIOR SIDE YARD, Minimum	7.5 m (24.6 ft)
19.2.6 REAR YARD, Minimum	7.5 m (24.6 ft)
19.2.7 LOT COVERAGE, Maximum	40%
19.2.8 GROUND FLOOR AREA, Minimum	80 m ² (861 ft ²)
19.2.9 BUILDING HEIGHT, Maximum	12 m (39.4 ft)

19.2.10 ACCESSORY RESIDENTIAL USES

A permitted commercial use or building may contain one or more accessory residential dwelling units subject to the following:

- a) Each residential dwelling unit, accessory to a permitted commercial use or building, shall be located above or to the rear of the main commercial use.
- b) Each accessory residential dwelling unit shall not occupy any more than fifty percent (50%) of the ground floor area of a main commercial use.
- c) Each accessory residential dwelling unit shall have a minimum floor area of 50 m² (538.2 ft²).
- d) Each accessory residential dwelling unit shall be completely self-contained.
- e) Each accessory residential dwelling unit shall have a separate and direct means of access to a public street or lane.

- f) Each accessory residential unit shall be provided with a minimum of one off-street parking space which is on the same lot as the accessory residential unit.

19.2.11 OTHER PROVISIONS

- a) Buffer Area/ Strips will be required where a C3 Zone directly abuts a Residential Zone as established by the applicable regulations of Section 6.3 of this By-law.
- b) No outdoor storage or outdoor display areas shall be permitted.
- c) Off-street parking requirements shall be provided in accordance with the applicable regulations of Section 6.27 of this By-law.
- d) Accessory uses are subject to the applicable regulations of Section 6-General Provisions of this By-law.

SECTION 20 – C4 - SPACE EXTENSIVE COMMERCIAL ZONE

20.1 PERMITTED USES

No land shall be used, and no building or structure shall be altered, constructed or used except for one or more of the following:

- Automotive Washing Establishment
- Automotive Sales and Service Establishment
- Beer Store/ U-Brew Establishment
- Building Supply Outlet
- Contractor's Yard
- Gas bar
- Hardware Store
- Parking Area
- Personal Service Shop
- Restaurant
- Shopping centre
- Shopping mall
- Accessory automotive service station
- Accessory uses, buildings and structures in accordance with Section 6.1

20.2 REGULATIONS

Within any C4 Zone, no land shall be used and no building or structure shall be altered, constructed or used except in accordance with the following:

20.2.1 LOT AREA, Minimum	2.3 ha (5.7ac)
20.2.2 LOT FRONTAGE, Minimum	60 m (197 ft)
20.2.3 FRONT YARD, Minimum	7.5 m (24.6 ft)
20.2.4 EXTERIOR SIDE YARD, Minimum	7.5 m (24.6 ft)
20.2.5 INTERIOR SIDE YARD, Minimum	6 m (19.7 ft)
20.2.6 REAR YARD, Minimum	6 m (19.7 ft)
20.2.7 BUILDING HEIGHT, Maximum	10.5 m (34.4 ft)
20.2.8 BUILDING FLOOR AREA, Minimum	3,720 m ² (40,043.1 ft ²)
20.2.9 FLOOR AREA per Commercial Unit, Maximum	2,080 m ² (22,389.7 ft) or half (½) of the total building floor area whichever is greater

20.3 OTHER PROVISIONS

Accessory uses, off-street parking, loading, buffer areas/strips, garbage storage areas, shall be provided in accordance with the applicable regulations of Section 6 – General Provisions.

20.4 EXCEPTIONS

No accessory building shall be located within 1.5 m (5 ft) of any property line.

NOTE: A site plan in accordance with Section 41 of the Planning Act may be required as a condition of new development in the C4 zone.

SECTION 21– C5 - HAMLET COMMERCIAL ZONE

21.1 PERMITTED USES

- Antique Store/Market
- Automobile Service Station
- Business or Professional Office
- Church/Place of Worship
- Commercial or Private Club
- Companion Animal Hospital
- Convenience Store
- Day Nursery
- Farmer’s Market
- Financial Office
- Gas Bar
- Medical Clinic
- Motel
- Parking Area
- Personal Service Shop
- Place of Entertainment
- Place of Recreation
- Public Building
- Public Uses
- Restaurant (Dining, Drive-in, Drive-Thru, Take-Out)
- Retail Store
- Service or Repair Shops
- Accessory residential dwelling unit
- Accessory uses buildings and structures to the above permitted uses.

21.2 REGULATIONS

21.2.1 LOT AREA, Minimum	0.4 ha (1 ac)
21.2.2 LOT FRONTAGE, Minimum	30 m (98.4 ft)
FRONT YARD, Minimum	7.5 m (24.6ft) plus any applicable distance required by the applicable road authority as specified in Section 6.31 of this By-law.
21.2.4 INTERIOR SIDE YARD, Minimum	3 m (9.8 ft) or 4.5m (14.8 ft) abutting any residential zone.
21.2.5 EXTERIOR SIDE YARD, Minimum	7.5 m (24.6 ft) plus any applicable distance required by the applicable road authority as specified in Section 6.31 of this By-law.
21.2.6 REAR YARD, Minimum	7.5 m (24.6 ft)

21.2.7 LOT COVERAGE, Maximum 40%

21.2.8 BUILDING HEIGHT, Maximum 12 m (39.4 ft)

21.2.9 ACCESSORY RESIDENTIAL USES

21.2.9.1 APARTMENTS: Subject to the regulations as specified in Section 16.3 and Section 17.4.10 of this By-law.

21.2.9.2 SINGLE-DETACHED RESIDENTIAL DWELLING:

- a) Subject to the yard setbacks of Section 21.2 of this By-law
- b) Building Height, Maximum 10.5 m (34.4 ft)
- c) Floor Area, Minimum 102.2 m² (1,100 sq²)

21 .3 OTHER PROVISIONS

- a) A Buffer Area/Strip shall be required where a C5 Zone directly abuts a Residential Zone subject to applicable regulations of Section 6.3 of this By-law.
- b) No outdoor storage or outdoor display areas shall be permitted.
- c) Off-street parking shall be in accordance with the applicable regulations of Section 6.27 of this By-law.
- d) Garbage Storage Areas shall be provided in accordance with the applicable regulations as specified in Section 6.11 of this By-law.
- e) Off street parking shall be provided in accordance with Section 6.27

SECTION 22 – MU1 - MIXED USE ZONE

22.1 PERMITTED USES

Within any MU1 ZONE, no land shall be used and no building or structure shall be constructed, altered or used except for one or more of the following uses:

- Any use permitted in the R2 Zone subject to the applicable regulations of that Zone (excluding a new single detached dwelling).
- Any use permitted in the R3 Zone subject to the applicable regulations of that Zone.
- Any of the following uses subject to the C1 Central Commercial Zone regulations:
 - Business or Professional Office
 - Church (subject to the IN institutionalized Zone regulations)
 - Commercial School or Studio
 - Financial Office
 - Funeral home (subject to the regulations of the C2 Highway Commercial Zone)
 - Library
 - Medical Clinic
 - Parking Lots
 - Personal Service Shop
 - Private or Commercial Club
 - Public Uses Buildings
 - Service or Repair Shop, but not including small engine repair or service
- Any of the following uses subject to the C3 Neighbourhood Commercial Zone regulations:
 - Convenience store
 - Neighbourhood store
 - Day Nursery
 - A Home for the Aged, Rest Home, Nursing Home subject to the regulations of the Institutional Zone
 - Accessory uses, buildings or structures in accordance with Section 6.1

22.2 DWELLING UNITS ACCESSORY TO A COMMERCIAL USE

Subject to the C1 Zone regulations as specified in Section 16.3 of this By-law.

22.3 OTHER PROVISIONS

Accessory uses, off-street parking, off-street loading, buffer areas and garbage storage areas shall be provided in accordance with the applicable regulations of Section 6 - General Provisions, except that no accessory building for Commercial or Institutional uses shall be located within 1.5 m (5 ft) of any property line.

SECTION 23 – C6 - RURAL COMMERCIAL ZONE

PERMITTED USES

- Agriculturally related Commercial or Industrial use
- Agricultural products Processing, Storing and Sales, but not including abattoirs
- Companion Animal Office
- Commercial Greenhouse and/or Nursery
- Equipment sales, service and rental business
- Farm Implement Sales and Service
- Farm Supply Outlet
- Farm Produce Sales Outlet
- Fertilizer Processing Establishments
- Grain Drying Establishments
- Livestock Yards
- Veterinarian Clinic
- Accessory residential dwelling unit
- Accessory Uses, Buildings and Structures in accordance with Section 6.1
- Warehouse
- Water taking, water processing, water bottling plants

23.2 REGULATIONS

23.2.1 LOT AREA, Minimum	.4 ha (1 ac)
23.2.2 LOT FRONTAGE, Minimum	61 m (200 ft)
23.2.3 FRONT YARD, Minimum	7.5 m (24.6 ft) plus any applicable distance required by the applicable road authority as specified in Section 6.31 of this By-law.
23.2.4 INTERIOR SIDE YARD, Minimum	6 m (19.7 ft); 12 m (39.4 ft) abutting any residential zone.
23.2.5 EXTERIOR SIDE YARD, Minimum	7.5 m (24.6 ft) plus any applicable distance required by the applicable road authority as specified in Section 6.31 of this By-law.
23.2.6 REAR YARD, Minimum	7.5 m (24.6 ft) plus any applicable distance required by the applicable road authority as specified in Section 6.31 of this By-law.
23.2.7 LOT COVERAGE, Maximum	30% for the main building
23.2.8 SETBACK FROM RESIDENTIAL	No Agricultural Commercial use, including outdoor storage and display areas shall be located within 60 m (197 ft) of a residence on an adjacent lot.

23.2.9 MAXIMUM GROSS FLOOR AREA Maximum gross floor area of the main building shall not exceed 250 sq metres.

23.3 ACCESSORY RESIDENTIAL USES

A single detached residential use in compliance with the following:

- a) Subject to the yard setbacks of Section 23.2.8 of this By-law
- b) Building Height, Maximum 10.5 m (34.5 ft)
- c) Floor Area, Minimum 102.2 m² (1,100 sq²)

23.4 MINIMUM DISTANCE SEPARATION REQUIREMENTS

The minimum distance separation requirements – MDS 1 and MDS II – of Section 6.17 shall apply to all permitted uses within the Zone.

23.5 OTHER PROVISIONS

- a) Buffer Areas/Strips will be required where an Agricultural Commercial Zone directly abuts a Residential Zone subject to the regulations of Section 6.3 of this By-law.
- b) Off-street parking requirements shall be in accordance with the regulations of Section 6.27 of this By-law.
- c) Regulations for Garbage Storage Areas, outdoor display areas and outdoor storage areas shall be provided in accordance with the applicable General Provisions of Section 6 of this By-law.

SECTION 24 – M1 – INDUSTRIAL ZONE

24.1 PERMITTED USES

- Any manufacturing, processing, assembly, repair, fabricating, milling except for a motor vehicle recycling and salvage or wrecking facility, junk or scrap yard, fertilizer manufacturer, abattoir, rendering plant or any use considered offensive by the Public Health Act
- Auto Body Repair Shop
- Bakery
- Brewery and Retail Outlet
- Builder or Contractor's Yard
- Building Supply Outlet
- Bulk Fuel Depot
- Bulk Sales Establishment
- Business or Professional Office
- Cold Storage Business
- Custom Workshop
- Dry Cleaning Plant
- Farm Machinery Sales and Service
- Feed Mill, Seed plant, Grain Elevator
- Heavy Equipment Sales and Rental
- Industrial Mall
- Mini-Storage Facility
- Parking Area
- Parking Lot
- Printing Establishment
- Public Works Yard
- Rental Outlet
- Research and Laboratory Facilities
- Service Industry
- Service or Repair Shop
- Transport Establishment
- Warehouse
- Water Treatment Facility
- Wholesale Outlet
- Accessory Uses, Buildings and Structures in accordance with Section 6.1, including cafeteria factory outlet, storage yards, showrooms and places of recreation

24.2 REGULATIONS

24.2.1 LOT AREA, Minimum	929 m ² (10,000 ft ²)
24.2.2 LOT FRONTAGE, Minimum	20 m (65.6 ft)
24.2.3 FRONT YARD, Minimum	7.5 m (24.6 ft)

24.2.4 INTERIOR SIDE YARD, Minimum	3 m (9.8 ft); 9.2 m (30.2 ft) where an M1 Zone abuts any residential zone.
24.2.5 EXTERIOR SIDE YARD, Minimum	7.5 m (24.6 ft)
24.2.6 REAR YARD, Minimum	7.5 m (24.6 ft); 9.2 m (30.2 ft) where an M1 Zone abuts any residential zone.
24.2.7 LOT COVERAGE, Maximum	60%
24.2.8 BUILDING HEIGHT-Maximum	12 m (39.4 ft)

24.3 PARKING SPACE REGULATION - VISITOR

In addition to the required number of parking spaces set out in Section 6.27, a maximum of three visitor parking spaces for passenger vehicles may be provided in the required front yard for the first 15 m (49.2 ft) of front wall of the principal building plus one additional visitor parking space for each additional 7.5 m (24.6 ft) of front wall in excess of the first 15 m (49.2 ft).

24.4 ACCESSORY RETAIL USE

Accessory retailing of products shall be permitted subject to the following regulations:

- a) A maximum of 25% of the gross floor area is used within
 - i) The main industrial building, or
 - ii) Each individual unit in an industrial mall.
- b) The products to be sold must be produced on the site.

24.5 OTHER PROVISIONS

- a) A Buffer Area/Strips shall be required where a M1Zone directly abuts any Residential Zone subject to the applicable regulations of Section 6.3 of this By-law.
- b) Loading requirements shall be in accordance with the applicable regulations of Section 6.16 of this By-law.
- c) Outdoor storage areas shall be in accordance with the applicable regulations of Section 6.26 of this By-law.
- d) Garbage Storage Areas shall be provided in accordance with the applicable regulations of Section 6.11 of this By-law.

SECTION 25 – M2 - RESTRICTED INDUSTRIAL ZONE

25.1 PERMITTED USES

- Bakeries
- Building Supply Outlet
- Bulk Sales Establishment
- Business or Professional Office
- Cold Storage Business
- Custom Workshop
- Dry Cleaning Plant
- Heavy Equipment Sales and Rental
- Industrial Mall
- Mini-Storage Facility
- Parking Area
- Parking Lot
- Rental Outlet
- Research and Laboratory Facilities
- Self Serve Storage Building
- Service Industry
- Service or Repair Shop
- Printing Establishment
- Warehouse
- Wholesale Outlet
- Accessory Uses, Buildings and Structures in accordance with Section 6.1, including cafeteria factory outlet, storage yards, showrooms and places of recreation

25.2 REGULATIONS

25.2.1 LOT AREA, Minimum	929 m ² (10,000 ft ²)
25.2.2 LOT FRONTAGE, Minimum	20 m (65.6 ft)
25.2.3 FRONT YARD, Minimum	7.5 m (24.6 ft)
25.2.4 INTERIOR SIDE YARD, Minimum	3 m (9.8 ft); 9.2 m (30.2 ft) where an M2 Zone abuts any residential zone.
25.2.5 EXTERIOR SIDE YARD, Minimum	7.5 m (24.6 ft)
25.2.6 REAR YARD, Minimum	7.5 m (24.6 ft); 9.2 m (30.2 ft) where an M2 Zone abuts any residential zone.
25.2.7 LOT COVERAGE, Maximum	60%
25.2.8 BUILDING HEIGHT-Maximum	12 m (39.4 ft)

25.3 PARKING SPACE REGULATION - VISITOR

In addition to the required number of parking spaces set out in Section 6.27, a maximum of three visitor parking spaces for passenger vehicles may be provided in the required front yard for the first 15 m (49.2 ft) of front wall of the principal building plus one additional visitor parking space for each additional 7.5 m (24.6 ft) of front wall in excess of the first 15 m (49.2 ft).

25.4 ACCESSORY RETAIL USE

Accessory retailing of products shall be permitted subject to the following regulations:

- a) A maximum of 25% of the gross floor area is used within
 - i) The main industrial building, or
 - ii) Each individual unit in an industrial mall.
- b) The products to be sold must be produced on the site.

25.5 OTHER PROVISIONS

- a) A Buffer Area/Strips shall be required where a M2 Zone directly abuts any Residential Zone subject to the applicable regulations of Section 6.3 of this By-law.
- b) Loading requirements shall be in accordance with the applicable regulations of Section 6.16 of this By-law.
- c) Outdoor storage areas shall be in accordance with the applicable regulations of Section 6.26 of this By-law.
- d) Garbage Storage Areas shall be provided in accordance with the applicable regulations of Section 6.11 of this By-law.

SECTION 26 - M3 - RURAL INDUSTRIAL ZONE

26.1 PERMITTED USES

- Automotive Body Repair Shop
- Automotive Service Station
- Builders or Contractors Professional Office
- Builders or Contractors Yard
- Business or Professional Office
- Construction Company
- Custom Workshop
- Dry Industry
- Existing Agricultural uses
- Feed Mill, Seed Plant, Grain Elevator
- Mini-storage Establishment
- Parking Area Lot
- Public Building
- Public Uses
- Public Works Yard
- Service or Repair Shop
- Service Industry
- Septic Tank Service
- Transport Establishment
- Warehouse
- Well Driller
- Wholesale Outlet
- Accessory Uses, Buildings and Structures in accordance with Section 6.1, including offices, cafeteria, factory outlet, storage yards, showrooms and places of recreation
- Storage industry

26.2 REGULATIONS

26.2.1 LOT AREA, Minimum	.4 ha (1 ac)
26.2.2 LOT FRONTAGE, Minimum	30 m (98.4 ft)
26.2.3 FRONT YARD, Minimum	7.5 m (24.6 ft) plus any applicable distance required by the applicable road authority as specified in the applicable regulations in Section 6.31 of this By-law.
26.2.4 INTERIOR SIDE YARD, Minimum	3 m (9.8 ft); 9.2m (30.2 ft) where a Rural Industrial Zone abuts any residential zone.

26.2.5 EXTERIOR SIDE YARD, Minimum	7.5 m (24.6 ft) plus any applicable distance required by the applicable road authority as specified in the applicable regulations in Section 6.31 of this By-law.
26.2.6 REAR YARD, Minimum	7.5 m (24.6 ft); 9.2m (30.2 ft) where a Rural Industrial Zone abuts any residential zone.
26.2.7 LOT COVERAGE, Maximum	30%
26.2.8 BUILDING HEIGHT, Maximum	12 m (39.4 ft)
26.2.9 RESIDENTIAL SETBACKS	No industrial activity including outdoor storage areas shall be located within 60 m (197 ft) of a residence on an abutting lot.
26.2.10 MAXIMUM GROSS FLOOR AREA	Maximum gross floor area of the main building shall not exceed 250 sq. metres

26.3 OTHER PROVISIONS

26.3.1 BUFFER AREA AND LANDSCAPED AREA

- a) Buffer area/strip shall be provided adjacent to every lot line that abuts any other zone in accordance with the applicable regulations required by Section 6.3 of this By-law.
- b) A landscaped area of 1.5 m (5 ft) in depth shall be provided across the entire frontage of the lot adjacent to the front lot line, or street line, except for areas of ingress and egress.
- c) Garbage Storage Areas shall be provided according to the regulations required by Section 6.11 of this By-law.

26.3.2 OUTDOOR STORAGE

Outdoor storage of goods, material, or supplies, will be permitted subject to the regulations as specified in Section 6.26 of this By-law.

26.4 ACCESSORY RETAIL USE

Accessory retailing of products shall be permitted subject to the following regulations:

- a) A maximum of 25% of the gross floor area is used within
 - i) The main industrial building, or
 - ii) Each individual unit in an industrial mall.
- b) The products to be sold must be produced on the site.

SECTION 27 - M4 - EXTRACTIVE INDUSTRIAL ZONE

27.1 PERMITTED USES

- A licensed extractive pit or quarry under the Aggregate Resources Act, as amended from time to time
- Asphalt Plant
- Aggregate Transfer Station
- Concrete Plant
- Processing or extracted materials within a permitted licensed pit or quarry including screening, sorting, working, crushing, storing and other similar operations.
- Rehabilitation to permit agricultural uses
- Accessory uses, buildings and structures in accordance with Section 6.1

27.2 REGULATIONS

27.2.1 LOT AREA, Minimum 2 ha (4.9 ac)

27.2.1 LOT FRONTAGE, Minimum 30 m (98.4 ft)

27.3 SETBACKS

- a) No building, structure, plant or product stockpile shall be located on the pit site within 30 m (98.4 ft) of any zone boundary, nor within 100 m (328 ft) of the boundary of any Residential use or Zone on adjacent property.
- b) No pitface or quarry excavation shall be located closer than 30 m (98.4 ft) from a public road allowance or closer than 15 m (49.2 ft) of a zone boundary. The stockpiling of berm material containing only topsoil and overburden material is permissible within the required pitface/excavation setback area.

SECTION 28 – I - INSTITUTIONAL ZONE

28.1 PERMITTED USES

- Institutional uses
- Medical Clinic
- Day Nursery
- Home for the Aged
- Rest Home
- Hospital
- Nursing Home
- Places of Worship
- School
- Public Buildings
- Private Clubs
- Accessory uses, buildings and structures in accordance with Section 6.1, including auditoriums and assembly halls.

28.2 REGULATIONS

28.2.1 LOT AREA, Minimum

With full municipal services

615 m² (6620 ft²)

With private services

0.4 ha (1 ac)

28.2.2 LOT FRONTAGE, Minimum

With full municipal services

20 m (65.6 ft)

With private services

30 m (98.4ft)

FRONT YARD, Minimum

7.5 m (24.6 ft) plus any applicable distance required by the applicable Road authority regulations as specified in Section 6.31 of this By-law.

INTERIOR SIDE YARD, Minimum

½ (half) the Building height; where ½ (half) the building height is less than 3 m (9.8 ft), the minimum interior side yard shall be 3 m (9.8 ft)

28.2.5 EXTERIOR SIDE YARD, Minimum

7.5 m (24.6 ft) plus any applicable distance required by the applicable road authority regulations as specified in Section 6.31 of this By-law.

28.2.6 REAR YARD, Minimum

7.5 m (24.6 ft)

28.2.7 LOT COVERAGE, Maximum

40%

28.3 OTHER PROVISIONS

Off-street parking requirements, buffer and garbage storage areas shall be in accordance with the requirements of the applicable regulations of Section 6 - General Provisions of this By-law.

SECTION 29 – OS - OPEN SPACE ZONE

29.1 PERMITTED USES

- Campgrounds
- Cemetery including mausoleums and crematoriums
- Community Centre
- Conservation Areas
- Fairgrounds
- Golf Course
- Golf Driving Range
- Passive Recreation
- Parks
- Parking Lots
- Places of Recreation
- Accessory uses, buildings and structures in accordance with Section 6.1

29.2 REGULATIONS

29.2.1 LOT AREA, Minimum	None
29.2.2 LOT FRONTAGE, Minimum	None
29.2.3 FRONT YARD, Minimum	7.5 m (24.6 ft) plus any applicable distance required by the applicable road authority regulations as specified in Section 6.31 of this By-law.
29.2.4 INTERIOR SIDE YARD, Minimum	3 m (10 ft); 9.2 m (30.2 ft) where an OS Zone abuts any residential zone.
29.2.5 EXTERIOR SIDE YARD, Minimum	7.5 m (24.6 ft) plus any applicable distance required by the applicable road authority regulations as specified in Section 6.31 of this By-law.
29.2.6 REAR YARD, Minimum	7.5 m (24.6 ft)
29.2.7 LOT COVERAGE, Maximum	40% for buildings only

29.3 OTHER PROVISIONS

Off-street parking requirements, buffer areas, and garbage storage areas shall be in accordance with the requirements of the applicable regulations of Section 6 – General Provisions of this By-law.

SECTION 30 – FD - FUTURE DEVELOPMENT ZONE

PERMITTED USES

- Agricultural uses except no new buildings, structures or expansions to existing uses, buildings and structures.
- Existing non-conforming uses, buildings and structures
- Single detached residential dwelling units
- Home occupations
- Accessory uses, buildings and structures in accordance with Section 6.1

30.2 REGULATIONS FOR SINGLE DETACHED RESIDENTIAL DWELLING UNITS

Subject to the regulations of the R1A Zone as specified in Section 11 of this By-Law.

30.3 REGULATIONS FOR HOME OCCUPATIONS

Subject to the applicable regulations required in Section 6.15 of this By-Law.

30.4 REGULATIONS FOR ACCESSORY USES, BUILDINGS & STRUCTURES

Subject to the applicable regulations required in Section 6- General Provisions of this By-law.

SECTION 31 – NE - NATURAL ENVIRONMENT ZONE

31.2 PERMITTED USES

- Agricultural uses **excluding**:
 - New buildings and structures
- Conservation uses **including**:
 - Forest Management
 - Fish and wildlife management
 - Flood control
 - Erosion Control
- Municipal drains
- Passive recreation
- Public Park areas but not including buildings or structures
- Parking area
- Existing uses, buildings and structures, permitted as of the date of passing of this By-law

31.2 REGULATIONS

Within any NE Zone, no land shall be used and no new building or new structure shall be constructed, altered or used except in accordance with the following regulations:

- a) No alteration or disturbance to watercourses or to municipal drains associated with open watercourses will be permitted without the prior written approval of the Conservation Authority having jurisdiction in the area.
- b) Maintenance of existing driveways within the natural environment shall be permitted. New driveways and improvements will require prior written approval from the Conservation Authority having jurisdiction in the area.
- c) Any cutting or destruction of trees shall be subject to the requirements of the County of Grey Tree Cutting By-law.
- d) Buildings accessory to a Conservation, Passive Recreation or Park use shall meet front, rear and side yard requirements of the Agricultural Zone.
- e) Related Natural Environment Setbacks are contained within the applicable regulations of Section 6-General Provisions of this By-law.
- f) Interpretation of the limits of NE zone boundaries shall be governed by Section 2.6 of this By-law.

SECTION 31 (A) – NE 2 - NATURAL ENVIRONMENT 2 ZONE

31.1 (A) PERMITTED USES

- Agricultural uses **excluding**:
 - New buildings and structures
- Conservation uses **including**:
 - Forest Management
 - Fish and Wildlife Management
 - Flood Control
 - Erosion Control
- Municipal drains
- Passive recreation
- Public Park areas but not including buildings or structures
- Parking area
- Existing uses, buildings and structures, permitted as of the date of passing of this By-law

31.2 (A) REGULATIONS

A new development within lands zoned Natural Environment NE 2 Zone, may require an environmental assessment as a condition of development. Consultation with the County of Grey Planning and Development Authority is required to determine if an environmental assessment is required.

Within any NE 2 Zone, no land shall be used and no new building or new structure shall be constructed, altered or used except in accordance with the following regulations:

- a) No alteration or disturbance to watercourses or to municipal drains associated with open watercourses will be permitted without the prior written approval of the Conservation Authority having jurisdiction in the area.
- b) Maintenance of existing driveways within the natural environment shall be permitted. New driveways and improvements will require prior written approval from the Conservation Authority having jurisdiction in the area.
- c) Any cutting or destruction of trees shall be subject to the requirements of the County of Grey Tree Cutting By-law.
- d) Buildings accessory to a Conservation, Passive Recreation or Park use shall meet front, rear and side yard requirements of the Agricultural Zone.
- e) Related Natural Environment Setbacks are contained within the applicable regulations of Section 6-General Provisions of this By-law.
- f) Interpretation of the limits of NE 2 Zone boundaries shall be governed by Section 2.6 of this By-law.

SECTION 32 – FL - FLOOD WAY ZONE

No person shall within any Flood Way Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

32.1 PERMITTED USES

- (a) A conservation use including structures associated with flood or erosion control;
- (b) A Park but does not including buildings;
- (c) Uses and structures associated with non-essential municipal services and public utilities subject to the provisions of subsection 19.2; and
- (d) Existing residential, commercial or industrial uses, buildings and structures

32.2 REGULATIONS

- (a) Existing buildings or structures located in the Flood Way Zone if damaged by natural causes, may be permitted to reconstruct **provided flooding did not cause the damage.**
- (b) All reconstruction shall maintain the same ground floor area as the original building or structure and will incorporate appropriate flood proofing measures approved by the Conservation Authority.
- (c) No placement of fill will be permitted, except that required for minor landscaping, flood and erosion control, non-essential municipal utilities and services and subject to the prior written approval of the Conservation Authority.

SECTION 33 - FF - FLOOD FRINGE OVERLAY

The "Flood Fringe Overlay" (FF) applies to the lands within West Grey including the former Town of Durham, Village of Neustadt and portions of Glenelg that have the potential to flood resulting from a major storm such as the Hurricane Hazel storm. Floodplain for the purposes of the Flood Fringe Overlay shall mean the Hurricane Hazel Flood Event Standard - ("floodplain"). In Durham and Neustadt and a portion of Glenelg, the two zone concept is applied. The flood fringe is the outer portion of the floodplain. Any development in the floodplain will be subject to the Saugeen Valley Conservation Authority Regulations .

The provisions of the FF Overlay shall be applied in addition to the regulations of the "underlying" zone which are identified by a zone symbol on Schedule "A" of this By-law.

The lands to which the FF Overlay applies are identified by a shading pattern on Schedule "A" of this By-law.

Explanatory Note: Anyone who proposes to undertake development or redevelopment of land which is zoned FF on Schedule "A" is reminded that, in addition to the requirements of this By-law, the approval of the Saugeen Valley Conservation Authority pursuant to regulations made under the Conservation Authorities Act, S.O, 1990, Chapter C.27.

33.1 PERMITTED USES

Uses permitted, including additions to existing uses, buildings and structures in the FF Zone shall be in accordance with the applicable "underlying" zoning provisions of this By-law except that the establishment of new uses for the following purposes will not be permitted:

- i) The manufacturing, storage, disposal and/or use of a hazardous substance;
- ii) Institutional uses that provide human habitation such as hospitals, nursing homes and schools; and
- iii) Essential municipal services such as police, fire and ambulance and electrical substations.

33.2 REGULATIONS

The **Floodplain** shall be used to determine the minimum flood proofing requirements for all new construction including additions to existing uses, buildings and structures within the FF Overlay.

33.2.1 FLOOD PROOFING REQUIREMENTS FOR RESIDENTIAL AND INSTITUTIONAL USES

- a) The main floor of all buildings used for residential purposes shall be located above the Floodplain elevation;
- b) Openings to living space shall not be permitted below the Floodplain elevation;
- c) Foundations, walls and floors located below the Floodplain elevation shall be designed to withstand the hydrostatic pressures associated with this flood. Materials used for construction shall be of a type not subject to deterioration by water or by alternate wetting and drying and shall be certified by a Professional Engineer with expertise in flood proofing;
- d) Basement floors may be permitted to be constructed to a maximum of one metre below the Floodplain elevation; and
- e) All mechanical and electrical services shall be located above or protected to the Floodplain elevation.

33.2.2 FLOOD PROOFING REQUIREMENTS FOR COMMERCIAL AND INDUSTRIAL USES

- a) All window openings shall be located above the Floodplain elevation;
- b) Main floor levels and doorway openings may be permitted below the Floodplain elevation provided flood proofing measures are incorporated into the design of doorway openings and shall be certified by a Professional Engineer with expertise in flood proofing;
- c) Foundations, walls, and floors located below the Floodplain elevation shall be designed and constructed to withstand the hydrostatic pressures associated with this flood level, and shall be certified by a Professional Engineer with expertise in flood proofing;
- d) All mechanical and electrical services shall be located above or protected to the Floodplain elevation; and
- e) Where residential uses are proposed in conjunction with a commercial or industrial use, the flood proofing regulations of subsection 23.2.1 shall apply for that portion of the structure to be used for residential purposes.

33.2.3 FLOOD PROOFING REQUIREMENTS FOR ACCESSORY BUILDINGS AND STRUCTURES AND MUNICIPAL UTILITIES

- a) Accessory structures, storage buildings, garages and sheds shall be designed and constructed to prevent flotation or movement under Floodplain conditions.
- b) The storage of materials or the placement of fill that may result in pollution during a flood event shall not be permitted.

33.2.4 GENERAL FLOOD PROOFING REQUIREMENTS

- a) In accordance with the "underlying" zone provisions, the change in land use from one permitted use to another permitted use shall satisfy all applicable flood proofing requirements of Section 23.2.
- b) The placement of fill in the Flood Fringe (FF Overlay) may be permitted subject to the Saugeen Valley Conservation Authority's regulations.
- c) Access for all new buildings and structures shall be designed to allow for safe vehicular and pedestrian movement during flooding.

SECTION 34 –

SECTION 35 – EXCEPTION ZONE

35.1 GENERAL

The Exception Zone Section includes those site-specific zoning situations where a normal zone requirement has been amended to permit certain exceptions. As a result, these exception zones have been included in the By-law to provide for these exceptions on a site-specific basis. Except as noted within the specific exception zone, the other relevant provisions of the by-law shall apply to the exception zones.

SPECIFIC EXCEPTION ZONES

NE-1 (see Schedule No. 1)

Notwithstanding Section 31, Natural Environment Zone, the lands zoned NE may be used for a non-habitable agricultural accessory building (storage shed) not exceeding 45 square metres (480 sq ft) in area. The building shall maintain a non-solid floor or foundation and is of a pole type construction.

NE2-2 (see Schedule No. 1)

Notwithstanding Section 31-A, Natural Environment 2 Zone, the lands zoned NE2-2, may be used for a non-habitable addition on the south side of the existing barn not exceeding 141 sq metres (1520 sq ft) in size is permitted. The building shall maintain a non-solid floor or foundation and is of a pole type construction.

A2-3 (see Schedule No. 1)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-3 may be used for the following uses including: non-intensive agricultural uses, horse barn, horse riding training arena, tack shop, boarding of horses, and an existing single family residence. In addition, a 72 ft by 20 ft addition will be permitted to the main horse barn.

M3-4 (see Schedule No. 1)

Notwithstanding Section 26; Rural Industrial Zone, the lands zoned M3-4 may also be used for an existing automobile wrecking yard, and a single detached dwelling unit.

A2-5 (see Schedule No. 1)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-5 may also be used for a commercial kennel.

M3-6 (see Schedule No. 2)

Notwithstanding Section 25, Rural Industrial Zone, the lands zoned M3-6 may also permit a single detached dwelling.

A1-7 (see Schedule No. 2)

Notwithstanding Section 8, Agricultural Zone, the lands zoned A1-7 may also permit a mobile home as a second permitted dwelling.

A2-8 (see Schedule No. 3)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-8 shall maintain a minimum rear yard of 792 metres.

C2-9 (see Schedule No. 60)

Notwithstanding Section 18, Highway Commercial Zone, the lands zoned C2-9 may be used for a permitted C2 use and two accessory residential dwellings within the existing structure; public garage including sales and vehicles, parts and accessories; metal fabricating and dry manufacturing. Outdoor storage of goods or products shall not be permitted.

M3-10 (see Schedule No. 6)

Notwithstanding Section 26, Rural Industrial Zone, permitted uses may include:

- A building manufacturing operation
- Bulk sales establishment
- Contractor's yard
- Custom workshop
- Sawmill
- Storage industry
- Open storage accessory to a permitted use
- Uses buildings or structures accessory to a permitted use
- Business office accessory to a permitted use
- Craft shop accessory to a building manufacturing operation
- Educational training facility
- Model display home

A2-11 (see Schedule No. 6)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-11 may be permitted a "garden suite" which shall mean a one-unit detached residential structure containing bathroom and kitchen facilities that is auxiliary to an existing residential structure and that is designed to be portable.

A2-12 (see Schedule No. 7)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-12 may be permitted to have two single detached dwellings on a lot.

A2-13 (see Schedule No. 8)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-13 may be permitted a garden suite for a period of ten years commencing from June 19, 2000.

A1-14 (see Schedule No. 8)

Notwithstanding Section 8, Agricultural Zone, the lands zoned A1-14 may be permitted a garden suite for a period of 10 years commencing from May 23, 1995.

C6-15 (see Schedule No. 10)

Notwithstanding Section 23, Rural Commercial Zone, the lands zoned C6-15 may permit a sawmill, planer mill, single mill, building supply outlet, storage building, open storage, and accessory uses and structures.

A2-16 (see Schedule No. 10)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-16 may be permitted a second dwelling unit.

A2-17 (see Schedule No. 8 and 10)

Notwithstanding Section 9, the lands zoned A2-17 may be permitted:

- a) A “Welding and Hydraulic Repair Shop” accessory to the residential use shall be permitted in addition to those uses permitted. For the purposes of this section, a “Welding and Hydraulic Repair Shop” means the use of land, building or structure for the purpose of repairing agriculturally related machinery, vehicles, and equipment including the repair of the hydraulic systems and may include as a secondary use the fabrication of parts for agricultural equipment as well as the making of wrought iron products. The maximum size of the Welding and Hydraulic Repair Shop shall be 95 square metres and such shop shall be permitted within the front yard. Not more than one person, other than the owner or his family, shall be employed in said permitted use;
- b) Outdoor storage and display associated with the Welding and Hydraulic Repair Shop shall be permitted provided the outdoor storage and display is limited to an area not greater than 95 square metres and is located only within the side and/or rear yard of the Welding and Hydraulic Repair Shop.
- c) There shall be no external advertising, other than a legal sign no larger than 2 square metres, to indicate to persons outside that any part of the lot is being used for a Welding and Hydraulic Repair Shop. Said sign shall be subject to a minimum front yard setback of 10 metres.

A1-18 (see Schedule No. 11)

Notwithstanding Section 8, Agricultural Zone, the lands zoned A1-18 may be permitted a mobile home as a temporary dwelling unit

A2-19 (see Schedule No. 11)

Notwithstanding Section 7, to the contrary, the lands zoned A2-19 may have frontage via a right-of-way as frontage described in a registerable deed or other registerable document legally conveying a fee interest in land other than a leasehold interest or easement.

A1-20 (see Schedule No. 11)

Notwithstanding Section 8, Agricultural Zone, the lands zoned A1-20 may be permitted a mobile home as a second dwelling unit.

A2-21 (see Schedule No. 11)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-21 may be permitted to have access via a private right-of- way.

OS-22 (see Schedule No. 11)

Notwithstanding Section 29, to the contrary, the lands zoned OS-22 may be used for the following:

- a) A tent and trailer campground with a maximum of seventy-five (75) tent and trailer sites;
- b) One single detached dwelling unit;

- c) An accessory convenience store;
- d) An accessory office use;
- e) Accessory uses, buildings and structures

A2-23 (see Schedule No. 11)

Notwithstanding Section 7, to the contrary, may be permitted a permitted structure with a minimum side yard of 4.5 metres.

OS-24 (see Schedule No. 11)

Notwithstanding Section 29, Open Space Zone, the lands zoned OS-24 may be used for a private park, outdoor recreation use, conservation use, or buildings or structures accessory thereto.

A2-25 (see Schedule No. 11)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-25 may be permitted a mobile home as a temporary dwelling unit.

C6-26 (see Schedule No. 12)

Notwithstanding Section 23, Rural Commercial Zone, the lands zoned C6-26 may also be permitted to be used for an existing sawmill.

A2-27 (see Schedule No. 12)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-27 will be prohibited from having livestock in the existing farm buildings, as of the date of passage of this by-law.

C2-28 (see Schedule No. 12)

Notwithstanding Section 18, Highway Commercial Zone, the lands zoned C2-28 may be permitted a single family detached residence and an automobile service station.

M3-30 (see Schedule No. 13)

Notwithstanding Section 26, Rural Industrial Zone, the lands zoned M3-30 may in addition to permitted uses, permit one single detached residence.

A2-31 (see Schedule No. 13)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-31 may be permitted a minimum lot frontage of 10 metres (30 ft)

A2-32 (see Schedule No. 13)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-32 will be permitted a maximum number of 25 livestock units.

A2-33 (see Schedule No. 13)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-33 will be permitted a livestock barn no closer than 91 metres (280 ft) to the next nearest residence.

A2-34 (see Schedule No. 14)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-34 may also be permitted a commercial kennel.

C6-35 (see Schedule No. 14)

Notwithstanding Section 23, Rural Commercial Zone, the lands zoned C6-35 may permit the additional use of a mobile home as a single-family residence.

A1-36 (see Schedule No. 14)

Notwithstanding Section 8, Agricultural Zone, the lands zoned A1-36 may not permit a building height in excess of 9 metres (28 ft).

OS-37 (see Schedule No. 14)

Notwithstanding Section 29, Open Space Zone, the lands zoned OS-37 may be permitted a tent and trailer campground consisting of 11 sleeping cabins, 4 housekeeping cottages, 100 tent and trailer sites, an office, and accessory uses, buildings and structures.

NE-38 (see Schedule No. 14)

Notwithstanding Section 31, Natural Environment Zone, the lands zoned NE-38, may be used for a basketball court, volleyball court and baseball field associated with the abutting campground. No buildings or structures will be permitted in the NE-38 zone.

OS-39 (see Schedule No. 14)

Notwithstanding Section 29, Open Space Zone, the lands zoned OS-39 may be used for the following **permitted uses**:

- a) A tent and trailer campground
- b) A golf course
- c) A club house
- d) A tennis court
- e) A swimming pool
- f) A recreation hall
- g) A single detached dwelling accessory to a tent and trailer campground
- h) A convenience store
- i) Laundry facilities
- j) Shower and washroom facilities
- k) Accessory uses, buildings and structures

Regulations:

Maximum Lot Area:	80 hectares
Minimum Landscaped Open Space:	10 %
Maximum Density:	10 sites per hectare
Maximum Number of Seasonal sites:	300
Maximum Number of Day-use, or Overnight Sites:	100

C2-40 (see Schedule No. 14)

Notwithstanding Section 18, Highway Commercial Zone, the lands zoned C2-40 may be used for a restaurant, one accessory residential dwelling, and a bed and breakfast establishment accessory to the residential dwelling.

A2-41 (see Schedule No. 14)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-41 may be permitted an existing single family dwelling, and existing commercial livestock trucking business, the undertaking of motor vehicle safety inspections, and the repair and sale of motor vehicles.

A2-42 (see Schedule No. 15)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-42 may be permitted a seasonal residential dwelling fronting on a seasonal roadway.

A2-43 (see Schedule No. 15)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-43 may be permitted a seasonal residential dwelling fronting on a seasonal roadway with the following:

Minimum Interior Side yard	3 m
Minimum Exterior Side yard	10 m
Minimum Rear Yard	10 m
Maximum Lot Coverage	10 %

ER-44 (see Schedule No. 15)

Notwithstanding Section 15, Estate Residential Zone, the lands zoned ER-44 may contain six detached dwellings in addition to accessory uses, buildings and structures thereto.

C2-45 (see Schedule No. 16)

Notwithstanding Section 18, highway Commercial Zone, the lands zoned C2-45 may be used for a convenience store, gas bar and one single detached residential dwelling.

A1-46 (see Schedule No. 16)

Notwithstanding Section 8, Agricultural Zone, the lands zoned A1-46 may permit the drying, cleaning and marketing of farm grain.

A2-47 (see Schedule No. 17)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-47 may permit the repair, storage and maintenance of heavy equipment. No more than 200 sq. metres of the ground floor area of the permitted commercial building will be used for the permitted uses.

NE-50 (see Schedule No. 19)

Notwithstanding Section 31, Natural Environment Zone, the lands zoned NE-50 may be used for a single detached residential dwelling.

OS-51 (see Schedule No. 19)

Notwithstanding Section 29, Open Space Zone, the lands zoned OS-51 may be used for a tent and trailer campground consisting of the following:

Permitted Uses

- a) 85 Tent and Trailer sites
- b) Two overnight Accommodation facilities
- c) One single family dwelling
- d) Chapel
- e) Two classroom facilities

- f) A meeting centre
 - g) Washroom facility
 - h) A kitchen/dining facility
 - i) A nature centre
 - j) An administration office
 - k) One classroom and general meeting facility
 - l) Storage/accessory building and structures
 - m) Outdoor recreation activities
- Minimum Lot Area 270 acres
 Minimum Lot Frontage 1900 feet

“Overnight Accommodation facilities” means the use of a building to house campers to a maximum period of eight (8) **nights** at any one **time**.

“Meeting Centre” shall mean a building or part of a building in which facilities are provided for such purposes as meetings, educational religious or social functions.

“Nature Centre” means the use of building to provide a classroom facility for nature education and/or to provide temporary warmth and shelter for hikers, with washroom facilities.

“Administration Office” means the use of a building in which management conducts business on behalf of the campground and provided with an office and sleeping quarters without washroom facilities, to be used by campground administrator.

“Classroom Room and General Meeting Facility” shall mean a building in which facilities are provided for such purposes as rooms for education, meetings and social functions and includes an office and washroom facilities.

“Outdoor Recreation” means the use of land for soccer, tennis courts, badminton, mini golf course outdoor camping, baseball, horseshoes, shuffleboard, ice hockey and all similar uses, together with necessary and accessory buildings and structures.

A1-52 (see Schedule No. 20)

Notwithstanding Section 8, Agricultural Zone, the lands zoned A1-52 may be permitted a mobile home as a permitted single detached dwelling.

A2-53 (see Schedule No. 20)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-53 may be permitted a single family residential dwelling no closer than 500 feet of the abutting M4 Extractive Industrial Zone.

A2-54 (see Schedule No. 20)

Notwithstanding Section 9, Rural Zone the lands zoned A2-54 may be permitted an existing tent and trailer campground with a maximum of 25 sites and including two single detached residential dwellings for the purposes of providing accommodation for the owner or caretaker. Minimum lot size shall be 49.1 acres.

C2-55 (see Schedule No. 21)

Notwithstanding Section 18, Highway Commercial Zone, the lands zoned C2-55 may be permitted C2 uses, excluding a drive-in restaurant.

A1-56 (see Schedule No. 21)

Notwithstanding Section 8, Agricultural Zone, the lands zoned A1-56 may be permitted a mobile home as a second accessory residence to a permitted agricultural use.

C2-57 (see Schedule No. 21)

Notwithstanding Section 18, Highway Commercial Zone, the lands zoned C2-57 may be permitted C2 uses excluding a drive-in restaurant.

A2-58 (see Schedule No. 22)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-58 may be permitted A2 uses with a minimum lot frontage of 75 metres.

A2-59 (see Schedule No. 22)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-59 may also be permitted a commercial greenhouse.

C6-60 (see Schedule No. 22)

Notwithstanding Subsection 23.1 of By-law No. 37-2006 to the contrary, the lands zoned Rural Commercial Exception (C6-60) may be used for mini-storage and a contractor's yard in addition to the uses permitted in Section 23.1, excepting however that:

Maximum floor area of mini-storage: 967 square metres

Maximum floor area of contractor's yard: 558 square metres

Maximum floor area of all buildings: 1,525 square metres

A Site Plan Control Agreement shall be required.

OS-61 (h) & NE-61 (h) (see Schedule No. 22)

Notwithstanding any provision to the contrary, lands within the OS-61 (h) & NE-61 (h) the zones shall be used for a "Recreational Camp Facility". For the purposes of this Exception, a "Recreational Camp Facility" is defined as the use of land, buildings and structures for recreational activities operated by a non-profit organization where children and/or adults may be temporarily accommodated in a housekeeping cottage, tents, dormitory facilities contained within an administrative centre, educational facilities, and a group home. The maximum capacity of the facility shall be 120 persons. Other related uses, buildings and structures shall include a library and administrative offices within an administrative centre, tennis courts, volleyball courts, a basketball court, a swimming dock, an amphitheatre, washroom facilities, and picnic shelters.

Special Regulations for a Recreational Camp Facility:

Minimum Lot Area and Lot Frontage	As existing
Minimum Front Yard	20 metres
Minimum Side Yard-South Side	15 metres

Notwithstanding any provision to the contrary, no structural development shall be permitted within the NE-61 Zone, except for unenclosed picnic shelters, an amphitheatre, a swimming dock and, basketball, tennis, and volleyball courts accessory to the Recreational Camp Facility. In addition, tent camping shall be permitted within the NE-61 Zone.

The Holding (h) symbol shall not be removed from the OS-61 and NE-61 Zones unless the following conditions have been met:

- a) A Site Plan Agreement pursuant Section 41 of the Planning Act, being entered into with the Municipality;
- b) The requirements of the Saugeen Valley Conservation Authority being satisfied.

A2-62 (see Schedule No. 22)

Notwithstanding Section 9, Rural Zone the lands zoned A2-62 may be permitted a mobile home as a temporary single family dwelling.

NE-63 (see Schedule No. 22)

Notwithstanding Section 31, Natural Environment Zone, the NE-63 Zone may permit a motor vehicle repair garage.

M1-64 (see Schedule No. 22)

Notwithstanding Section 24, Industrial Zone, the lands zoned M1-64, may be used for a sawmill, manufacturing plant, business office, accessory retail outlet, accessory uses and structures, and two existing single family dwellings.

C6-65 (see Schedule No. 22)

Notwithstanding Section 23, Rural Commercial Zone, the lands zoned C6-65 may also permit a farmer's market, sales arena, and livestock barn.

C2-66 (see Schedule No. 22)

Notwithstanding Section 18, Highway Commercial Zone, the lands zoned C2-66 may also permit a single detached residential dwelling.

A1-67 (see Schedule No. 23)

Notwithstanding Section 8, Agricultural Zone, the lands zoned A1-67 may be permitted a permitted use subject to the following:

Maximum Number of Livestock	35 units
Minimum Lot Area	14 hectares
Minimum Lot Frontage	150 metres
Building Opening	The lowest building opening in the dwelling, including a basement, shall be no lower than the existing elevation of the undisturbed round surface at the building site.

In addition, a commercial kennel shall also be permitted subject to the following provisions:

Maximum number of dogs in kennel: 40 adult dogs only;

Minimum North Side Yard Setback for Kennel Building – 30 metres

For the purposes of this By-law, a commercial kennel shall mean lands, buildings or structures, including outdoor pens, where dogs are kept for boarding purposes. The dogs associated with the commercial kennel shall be kept indoors during the hours of 10:00 p.m. to 7:00 a.m.

A1-68 (see Schedule No. 23)

Notwithstanding Section 8, Agricultural Zone, the lands zoned A1-68 may be used for a permitted use subject to the following:

Minimum Lot Area	4 hectares
Maximum Number of Livestock	10 units

A1-70 (see Schedule No. 23)

Notwithstanding Section 8, Agricultural Zone, the lands zoned A1-70 may be permitted a mobile home as a temporary single detached dwelling.

A1-71 (see Schedule No. 23)

Notwithstanding Section 8, Agricultural Zone, the lands zoned A1-71 may be permitted a permitted use with a minimum lot frontage of 20 metres.

OS-72 (see Schedule No. 23)

Notwithstanding Section 29, Open Space Zone, the lands zoned OS-72 may be permitted utility buildings related to a mobile home park.

MH-73 (h) (see Schedule No. 23)

Notwithstanding Section 16, Mobile Home Zone, the lands zoned MH-73 (h) may be permitted a permitted use subject to the following:

Maximum Number of Sites	15 Sites
Minimum Lot Frontage	91 metres
Minimum Lot Area	1.75 hectares
Minimum Site Area	668 square metres
Minimum Site Frontage	15 metres

MH-74 (see Schedule No. 23)

Notwithstanding Section 15, Mobile Home Zone, the lands zoned MH-74 may be used for a permitted use subject to the following:

Maximum Number of Sites	15 Sites
Minimum Site Area	2,255 square metres
Minimum Site Frontage	15 metres
Minimum Front Yard	7.5 metres
Minimum Rear Yard	7.5 metres
Minimum Side Yard	5 metres

The (h) holding symbol shall not be removed from the property prior to any development of these lands.

A2-75 (see Schedule No. 23)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-75 may be permitted a permitted use with a minimum lot frontage of 55 metres.

C6-76 (see Schedule No. 23)

Notwithstanding Section 23, Rural Commercial Zone, the lands zoned C6-76 may also be used for a transport truck sales and service business.

A2-77 (see Schedule No. 23)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-77 may be permitted a mobile home as a temporary single detached dwelling.

A2-78 (see Schedule No. 23)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-78 may be used for a permitted use with a minimum distance separation of 60 metres to the nearest livestock barn.

C6-79 (see Schedule No. 24)

Notwithstanding Section 23, Rural Commercial Zone, the lands zoned C6-79 may be used for a permitted use including an abattoir.

A2-80 (see Schedule No. 24)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-80 may be permitted a permitted use subject to the following:

Minimum Front Yard	2.4 metres
Minimum Rear Yard	5.4 metres

A2-81 (see Schedule No. 24)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-81 may be used for a permitted use with a minimum distance separation of 114 metres to the nearest livestock barn.

C2-82 (see Schedule No. 24)

Notwithstanding Section 18, Highway Commercial zone, the lands zoned C2-82 may be permitted a permitted use, subject to a permitted single family detached dwelling shall not be permitted to be located closer to the front lot line than a permitted commercial structure.

M3-83 (see Schedule No. 24)

Notwithstanding Section 26, Rural Industrial Zone, the lands zoned M3-83 may also be permitted a single detached dwelling accessory to an automotive body repair business.

A2-84 (see Schedule No. 24)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-84, may be permitted to be used for a permitted use with a minimum lot frontage of 7.62 metres.

M3-85 (see Schedule No. 24)

Notwithstanding Section 26, Rural Industrial Zone, the lands zoned M3-85 may also be permitted to be used as a sawmill.

NE-86 & OS-86 (see Schedule No. 24)

Notwithstanding Section 29 and 31, the lands zoned NE-86 and OS-86 may be used for a 105 site tent and trailer campground including accessory uses, buildings and structures.

M3-88 (see Schedule No. 25)

Notwithstanding Section 26, Rural Industrial Zone, the lands zoned M3-88 may be used for a permitted use including a salvage yard, automotive sales and service, retail store within an existing building or structure, and two dwelling units.

A2-89 (see Schedule No. 25)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-89, may be permitted a mobile home as a permitted residential use.

A2-90 (see Schedule No. 25)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-90 may be used for a permitted use with a minimum distance separation of 309 metres to the nearest livestock barn.

NE-92 (see Schedule No. 26)

Notwithstanding Section 31 and any other provision to the contrary, on lands zoned NE-92, aquaculture, buildings and structures accessory to aquaculture and one detached dwelling accessory to an aquaculture operation shall be permitted. All provisions pertaining to the NE zone shall apply.

A2-93 (see Schedule No. 26)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-93 may be permitted a mobile home as a temporary single detached dwelling.

A2-94 (see Schedule No. 26)

Notwithstanding Section 9, rural Zone, the lands zoned A2-94 may be permitted a temporary garden suite.

M3-95 (see Schedule No. 26)

Notwithstanding Section 26, Rural Industrial Zone, the lands zoned M3-95 may also permit an automotive wrecking yard and accessory structures.

M3-96 (see Schedule No. 27)

Notwithstanding Section 26, Rural Industrial Zone, the lands zoned M3-96 may be permitted an accessory single detached dwelling.

MH-97 (see Schedule No. 27)

Notwithstanding Section 16, Mobile Home Zone, the lands zoned MH-97 may be used for a mobile home park subject to the following:

Minimum Lot Area	5.8 hectares
Minimum Lot Frontage	165 metres
Minimum Site Area	696 sq. metres
Minimum Site Frontage	15 metres
Maximum Number of Sites	60 sites

I-98 (see Schedule No. 28)

Notwithstanding Section 28, Institutional Zone, the lands zoned I-98 may be used for a missionary training school and related facilities subject to the following;

Minimum Lot Area	36 hectares
Minimum Lot Frontage	170 metres
Maximum Lot Coverage	30 %
Minimum Front Yard	15 metres
Minimum Side Yard	10 metres
Minimum Rear Yard	12 metres

M1-99 (see Schedule No. 28)

Notwithstanding Section 24, Industrial Zone, the lands zoned M1-99 may be used for a transport terminal including an accessory single detached dwelling.

OS-100 (see Schedule No. 29)

Notwithstanding Section 29, Open Space Zone, the lands zoned OS-100 may be used for a recreational camp facility which includes lands, buildings and structures for recreational activities operated by a non-profit organization where children and/or adults may be temporarily accommodated in an existing single family dwelling, tents, trailers, and dormitory facilities contained within an administrative centre, subject to the following:

Minimum Lot Area	As existing on date of passage of the by-law
Minimum Lot Frontage	As existing on date of passage of the by-law
Maximum Number of Sites	20 sites
Maximum Capacity	72 persons

A2-101 (see Schedule No. 30)

Notwithstanding Section 9, Rural Zone, the land zoned A2-101 may also permit a bed and breakfast facility with up to four bedroom units

C6-102 (see Schedule No. 31)

Notwithstanding Section 23, Rural Commercial Zone, the lands zoned C6-102 may also be used for a building supply outlet.

M3-103 (see Schedule No. 32)

Notwithstanding Section 26, Rural Industrial Zone, the lands zoned M3-103, may also be used for an existing automobile wrecking and salvage yard.

C6-104 (see Schedule No. 33)

Notwithstanding Section 23, Rural Commercial Zone, the lands zoned C6-104 may also be permitted to be used for a motor vehicles sales establishment.

NE-105 (see Schedule No. 34)

Notwithstanding Section 31, Natural Environment Zone, the lands zoned NE-105 may also be permitted to be used for a tent and trailer campground not exceeding five sites.

A2-106 (see Schedule No. 35)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-106 may also be used for a garden suite on a temporary basis, not to exceed ten years in duration.

A2-107 (see Schedule No. 35)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-107 may be permitted a mobile home as a temporary single family dwelling for a period of three years.

C6-108 (see Schedule No. 36)

Notwithstanding Section 23, Rural Commercial Zone, the lands zoned C6-108 may be used for an abattoir with associated retail building, and accessory uses, buildings and structures, on a minimum lot area of .8 hectares.

OS-109/NE-109 (see Schedule No. 37)

Notwithstanding Section 29, Open Space Zone and Section 31, Natural Environment Zone, the lands zoned OS-109 and NE-109 may be permitted a tent and trailer campground with a maximum of 192 sites.

OS-110/NE-110 (see Schedule No. 37C)

Notwithstanding Section 29, Open Space Zone and Section 31, Natural Environment Zone, the lands zoned OS-110 and NE-110 and described as Part Lots 32, 33, 34, 35 and 36, Concession 3 WGR shall be permitted a tent and trailer campground with a maximum of 371 sites; and the lands zoned OS-110 and described as Part Lot 36, Concession 3 WGR may be permitted an existing motor vehicle sales establishment, two existing single family dwellings and one mobile home. Any extension or enlargement of any of the described permitted uses shall require an amendment to this By-law.

A3-111 (see Schedule No. 38)

Notwithstanding Section 10, Restricted Rural Zone, the lands zoned A3-111 shall be used in accordance with the A3 zone, excepting however that:

- (i) The existing retail store shall be permitted; and,
- (ii) A second detached dwelling shall be permitted, provided said dwelling provides temporary accommodation only to the employees of the agricultural operation on an annual basis from March 16 to December 16.

C6-112 (see Schedule No. 40)

Notwithstanding Section 23, Rural Commercial Zone, the lands zoned C6-112 may be used for an abattoir.

OS-113/NE-113 (see Schedule No. 41)

Notwithstanding Section 29, Open Space Zone, and Section 31, Natural Environment Zone, the lands zoned OS-113 and NE-113 may be permitted to be used for a tent and trailer campground up to a maximum of 21 sites.

OS-114/NE-114 (see Schedule No. 42)

Notwithstanding Section 29, Open Space Zone and Section 31, Natural Environment Zone, on those lands zoned OS-114 and NE-114 a tent and trailer campground comprising a maximum of 250 sites shall be permitted. Three detached dwellings used in conjunction with the campground shall also be permitted.

C2-115 (see Schedule No. 42)

Notwithstanding Section 18, Highway Commercial Zone, the lands zoned C2-115 may be permitted a permitted use in accordance with the following:

“Space Extensive Commercial and Space Extensive Industrial”

Uses shall mean the use of lands, buildings, or structures for commercial or industrial purposes where the said uses must display the following characteristics:

1. The uses serve demands from highway traffic.
2. The uses require a large parking or outdoor storage area or require a large volume single-purpose building.
3. The location of the proposed use in a general retail block in an urban centre is not feasible due to its storage area or building volume requirements.
4. The use must be “dry” in nature, not requiring a piped water and municipal sewage system to accommodate it.

For the purposes of this By-law, Space Extensive Commercial and Industrial uses shall be restricted to the following:

- a. Automotive Service Station
- b. Farm Machinery Sales and Service Outlet
- c. Building Supply Outlet
- d. Horticultural Nursery
- e. Outdoor Recreational Equipment Sales and Service Outlet
- f. Fuel Distributor
- g. Warehouse
- h. Truck Depot
- i. Dry Manufacturing Plant
- j. Uses, buildings or structures including business offices and/or retail stores accessory to any permitted uses

Regulations for Permitted Uses:

Minimum Lot Area	.8 hectares
Minimum Lot Frontage	60 metres
Minimum Front Yard	15 metres
Minimum Rear Yard	18 metres
Minimum Side Yard	10 metres
Maximum Building Height	15 metres
Maximum Lot Coverage	30 %

Parking Regulations:

- i. One (1) parking space for each thirty (30) sq metres of gross floor area shall be provided.
- ii. A parking space shall have a minimum length of 6 metres and a minimum width of 2.75 metres measured at right angles to the length.

- iii. The location of the required parking spaces shall be in the side or rear yard only.
- iv. The area provided for parking shall be clearly marked and shall be provided and maintained with a stable surface that is treated to prevent the raising of dust or loose particles and with provisions for drainage facilities.

Loading Space Regulations

- 1. For every 1,858 sq metres or fraction thereof of gross floor area, one(1) space 9 metres long, 3.5 metres wide and having a vertical clearance of at least 4.5 metres shall be provided for the receiving, shipping, loading, or unloading of goods, wares, merchandise, raw materials, or finished products.
- 2. Access to the said loading and unloading shall be by means of a driveway of at least 6 metres in width contained within the lot on which the spaces are located and leading to a street.
- 3. The driveways, and loading and unloading spaces shall be provided and maintained with a stable surface which is treated to prevent the raising of dust or loose particles.
- 4. Loading and unloading spaces required shall be located in the side or rear yard unless the setback from the street line is a minimum distance of 25 metres.

A2-116 (see Schedule No. 42)

Notwithstanding Section 9, Rural Zone, the lands zoned A2-116 may also be permitted an existing commercial/kennel, subject to the following:

Minimum Front Yard	80 metres
Minimum Rear Yard	35 metres
Minimum Side Yard	50 metres
Minimum Building Size	10.5 sq metres
Maximum Building Size	100 sq metres
Maximum Building Height	5.5 metres
Maximum size of Kennel Dog Runs	750 sq metres
Maximum # of animals	20 plus any offspring up to the age of 10 weeks
Maximum # of Employees	Not more than one employee, other than the owner or his family

Placement of a suitable page wire fence around the perimeter of the subject property.

C2-121 (see Schedule No. 44)

Notwithstanding Section 18, Highway Commercial, the lands zoned C2-121 may be permitted C2 uses in accordance with the following:

Permitted Uses

- Warehousing, open storage accessory to the permitted use, and uses, buildings and structures accessory to the permitted use.

Maximum Lot Coverage 25 %

Minimum Front Yard	12.8 metres
Minimum Rear Yard	No rear yard setback required

C2-122 (see Schedule No. 45)

Notwithstanding Section 18, Highway Commercial Zone, the lands zoned C2-122 may also be permitted a single detached dwelling.

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

ER-123(h) (see Schedule No. 49)

Notwithstanding Section 15, Estate Residential Zone, the lands zoned ER-123 (h) may be used for a permitted use, subject to the lifting of the holding symbol from the ER-123 (h) zoning. This will require the owner satisfying the Municipality Of West Grey in regard to matters pertaining to the Planning Act, SO 1990.

C5-124 (see Schedule No. 49)

Notwithstanding Section 21, Hamlet Commercial Zone, the lands zoned C5-124 may only be permitted a hotel establishment.

C2-125 (see Schedule No. 49)

Notwithstanding Section 18, Highway Commercial Zone, the lands zoned C2-125 may also be used for a cable television receiving and distribution business.

M2-127 (see Schedule No. 52)

Notwithstanding Section 25, Restricted Industrial Zone, the lands zoned M2-127 may also be used for a satellite and communications complex uses, building and structures accessory thereto.

C5-128 (see Schedule No. 52)

Notwithstanding Section 21, Hamlet Commercial Zone, the lands zoned C5-128 may also be used for a dry storage industry and a single detached dwelling.

NE-131 (see Schedule No. 52)

Notwithstanding Section 31, Natural Environment Zone, the lands zoned NE-131 may be used for an existing single detached dwelling with a maximum ground floor area not to exceed 93 sq metres.

ER-132 (see Schedule No. 50)

Notwithstanding Section 15, Estate Residential Zone, the lands zoned ER-132 may also be used for a permitted estate residential use and accessory uses and buildings including a home office within the accessory building subject to the following:

1. Maximum gross floor area of accessory building = 1,100 sq. feet
2. Maximum ground floor area of accessory building = 600 sq. feet
3. Maximum number of floors of accessory building = 2 floors.
4. Maximum building height of accessory building = 20 feet.

5. Notwithstanding Section 15.2.2, the accessory building may be permitted in the front yard.

A3-134 (see Schedule No. 27)

Notwithstanding Section 10, Restricted Agriculture Zone, the lands zoned A3-134 may be permitted a permitted use with a lot frontage of 15 metres.

ER-135 (see Schedule No. 57)

Notwithstanding Section 15, Estate Residential Zone, the lands zoned ER-135 may be used for a permitted use with a minimum separation distance of 99.06 metres to the nearest livestock barn.

C2-136 (see Schedule No. 57)

Notwithstanding Section 18, Highway Commercial Zone, the lands zoned C2-136 may only be permitted to be used for a contractor's yard.

C2-137 (see Schedule No. 57)

Notwithstanding Section 18, Highway Commercial Zone, the lands zoned C2-137 may only be used for an automobile sales and service establishment and a single detached dwelling.

A1-138 (see Schedule No. 39)

Notwithstanding Section 8, the lands zoned A1-138 may be permitted two single detached dwellings on one lot with a minimum front yard of 15 metres for the most northerly existing dwelling.

A1-139 (see Schedule No. 32)

Notwithstanding any other provisions of Section 8, to the contrary, the existing garage as of the date of passing of this by-law, shall be permitted as a non-conforming use and the existing setbacks for the existing garage as of the date of passing of this by-law, shall apply to the lands zoned A1-139. The existing barn existing of the date of passing of this by-law shall be used for dry storage only.

A2-140 (see Schedule No. 42)

Notwithstanding Section 9 to the contrary the lands zoned A2-140 may be permitted one group home.

C6-141 (see Schedule No. 33)

Notwithstanding any provision of Section 23 to the contrary, the lands zoned C6-141 Exception Zone, may be used for a permitted use in accordance with the following provisions:

1. Permitted Uses/Buildings:

- a) Uses shall be permitted in accordance with Section 23 including an existing landscape business.
- b) A 250 sq. metre (2,691 sq. ft) storage/office landscaping use and building;
- c) Indoor storage and parking of commercial motor vehicles and landscaping equipment within the permitted 250 sq. metre (2,691 sq. ft.) storage/landscaping building;

- d) Office accessory to landscaping business.

2. Outdoor Storage:

- a) Outdoor storage of goods or products shall not be permitted
- b) Outdoor equipment storage area shall not exceed 250 square metres (2,691 sq. ft)
- c) Outdoor equipment storage area shall be fenced and/or buffered from surrounding residential uses by a planting strip.

3. Employees:

No more than two employees, excluding the owner, may be employed on site.

C1-142 (see Schedule No. 60)

Notwithstanding Section 17 to the contrary, the lands zoned C1-142 maybe be permitted to be used for the additional use of a storage industry as defined herein.

- Storage industry shall mean “the use of lands, buildings or structures for an industry engaged in the activity of storing materials, goods or produce to preserve them in a condition or form that makes them usable at a later date, and includes whatever treatment or packing that may be accessory for storage”.
- Minimum yard requirements shall be as existing at the date of passage of this by-law. No on-site parking or loading spaces are required.

M1-143 (h) (see Schedule No. 6)

Notwithstanding Section 24 to the contrary, the lands zoned M1-143 (h), may be used for a permitted use including a 1,393 square metre building to be used for a timber frame home construction business.

The lands zoned M1-143 (h) are subject to the requirements of Section 36 of the Planning Act, RSO 1990, as amended. The holding (h) symbol shall not be removed until the completion of a surface water management plan approved by the Saugeen Valley conservation Authority.

M1-144 (see Schedule No. 56)

Notwithstanding Section 24 to the contrary, the lands zoned M1-144, may be used for a permitted use including an extractive industrial use, ready mix plant, hot mix plant, and uses, buildings and structures thereto.

A2-145 (see Schedule No. 26)

Notwithstanding Section 9 to the contrary, the lands zoned A2-145 may be permitted two single detached dwellings on one lot.

C2-147 (see Schedule No. 53)

Notwithstanding Section 18, the lands zoned C2-147 may be permitted a drive-in restaurant.

C2-148 (see Schedule No. 53)

Notwithstanding Section 18, the lands zoned C2-148, may only be permitted to be used for a parking lot.

R3-149 (see Schedule No. 53)

Notwithstanding Section 14, the lands zoned R3-149, may be used for an 11 unit apartment building within the existing structure. In addition a maximum of 14 parking spaces will be required.

M1-150 (see Schedule No. 59)

Notwithstanding Section 24, the lands zoned M1-150 may be permitted a single family dwelling unit not to exceed 2,900 square feet in gross floor area, within the existing building.

R3-151 (see Schedule No. 55)

Notwithstanding Section 14, the lands zoned R3-151 may be permitted a 23 unit townhouse development with a separation distance of less than 10 metres between buildings.

R1B-152 (see Schedule No. 56)

Notwithstanding Section 12, the lands zoned R1B-152 may also be permitted to be used for a tearoom within the existing single family dwelling. In addition, a minimum of 4 parking spaces shall be provided.

C2-155 (see Schedule No. 25)

Notwithstanding Section 18, the lands zoned C2-155 may only be permitted an existing detached dwelling, and only one of the following uses:

- A contractor's yard;
- A personal shop;
- Photographic Studio

R1A-157 (see Schedule No. 60)

Notwithstanding Section 11, the lands zoned R1A-157 may be permitted a minimum front yard setback of 0.5 metres.

A1-158 (see Schedule No. 40)

Notwithstanding Section 8, the lands zoned A1-158 may be permitted accessory uses in accordance with the following:

- The maximum height of an accessory use shall be 7.5 metres, and the maximum carrying capacity of a commercial vehicle parked or stored (licensed or unlicensed) shall not exceed 20,000 kilograms, on lands zoned Rural (A1-158) Exception Zone.

R1B-159 (See Schedule No. 55)

Notwithstanding Section 12, the lands zoned R1B-159 may be used for one single family dwelling, and a veterinarian clinic.

A2-160 (see Schedule No. 42)

In addition to the permitted uses established under section 9.1 of By-law No. 37-2006, lands zoned Rural (A2-160) Exception Zone may be used for a Commercial Kennel subject to the following special provisions:

Regulations applicable to a Commercial Kennel:

Minimum Front Yard:	55 metres
Minimum Side Yard:	80 metres
Minimum Building Size:	90 square metres
Maximum Building Size:	110 square metres
Maximum Number of Dogs:	35 plus any offspring up to the age of 3 months
Maximum Number of Employees:	Not more than one employee, other than the owner and family

Special landscaping requirements: That a row of coniferous trees or shrubs be planted in an east-west direction and located along the southerly extent of the dog kennel building and runs, with such trees or shrubs being planted at a minimum height of 1.2 metres and shall attain a minimum height of 2 metres over a period of five years.

For the purposes of this By-law, a "Commercial Kennel" means lands, buildings, or structures where dogs are bred and raised and are sold or kept for sale or boarded, and shall be limited to the existing building presently being used as a kennel on the date of passing of this by-law. No expansion of the existing kennel building shall be permitted.

C3-162 (See Schedule No. 25A)

Notwithstanding the provisions of section 19.1 and 19.2.10 to the contrary, the only permitted uses for the subject lands within the Neighbourhood Commercial Zone shall be for an equipment sales, rental and leasing outlet, and the existing single detached residential dwelling. Such uses shall be subject to the following:

Minimum Lot Area:	5,000 sq. metres.
Minimum Lot Frontage:	58 metres.

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-163 (See Schedule No. 12A)

Notwithstanding Subsection 9.4.2.3 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Rural (A2-163) and shown on Schedule "12A" affixed hereto as Parcel 1:

Minimum Front Yard – 55 metres

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-164 (See Schedule No. 12A)

Notwithstanding section 9.2.1 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Rural (A2-164) and shown on Schedule "12A" affixed hereto as Parcel 2:

Minimum Lot Area – 16 hectares

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-165 (See Schedule No. 20A)

Notwithstanding Subsection 9.1 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Rural (A2-165) and shown on Schedule "20A" affixed hereto:

Permitted Uses – a second single detached dwelling existing as of the date of passage of this by-law.

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

R1B-166 (See Schedule No. 56B)

Notwithstanding Subsection 12.2.5 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Low Density Residential (R1B-166) and shown on Schedule "56B" affixed hereto:

Minimum Exterior Side Yard – 3.0 metres

M1-167 (See Schedule No. 56B)

Notwithstanding subsection 12.2.6 of By-law No. 37-2006, and in accordance with section 3.5, lands within the Industrial (M1-167) Exception Zone shall be included in the calculation of lot area for the lands subject to this By-law.

Minimum Rear Yard – 3.0 metres

A2-168 (See Schedule No. 37A)

Notwithstanding Section 9 to the contrary, the lands zoned A2-168 may be used for a Commercial Kennel as a Home Occupation subject to the following provisions:

- i) The Commercial Kennel may be conducted within an accessory building or structure and may include an outdoor animal enclosure provided the total ground floor area does not exceed 55 square metres.
- ii) Minimum Front Yard: 45 metres
- iii) Minimum Side Yard – north side: 40 metres

- iv) Minimum Side Yard – south side: 160 metres
- v) Minimum Rear Yard: 15 metres

A1-169 (See Schedule No. 20B)

Notwithstanding Subsection 8.2.1 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Agricultural (A1-169) and shown on Schedule "20B" affixed hereto:

Minimum Lot Area – 27 hectares

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-170 (See Schedule No. 29A)

In addition to the permitted uses established under section 9.1 of By-law No. 37-2006, lands zoned Rural (A2-170) Exception Zone may be used for a Commercial Kennel subject to the following special provisions:

Regulations applicable to a Commercial Kennel:

- Maximum Number of Dogs: 30 plus any offspring up to the age of 3 months
- Maximum Number of Employees: Not more than one employee, other than the owner and family

For the purposes of this By-law, a "Commercial Kennel" means lands, buildings, or structures where dogs are bred and raised and are sold or kept for sale or boarded, and shall be limited to the three existing buildings to be used as a commercial kennel as of the date of passing of this by-law. No expansion of the three existing buildings to be used as a commercial kennel, being presently approximately 20 square metres (210 sq.ft.), 36.7 square metres (400 sq. ft.), and 24.5 square metres (264 sq. ft.) in area respectively, shall be permitted.

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A1-171 (See Schedule No. 17A)

Notwithstanding Subsection 8.2.1 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Agricultural (A1-171) and shown on Schedule "17A" affixed hereto:

Minimum Lot Area – 35 hectares

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

R1B-172 (See Schedule No. 53A)

Notwithstanding Subsections 12.2.3 and 12.2.6 of By-law No. 37-2006 to the contrary, the following provisions shall apply to the lands zoned Residential (R1B-172) and shown on Schedule "53A" affixed hereto:

Minimum Front Yard – 4.5 metres;
Minimum Rear Yard – 4.5 metres

R2-173 (See Schedule No. 53A)

Notwithstanding Subsections 13.2.5.1, 13.2.5.2, 13.2.5.3, 13.2.5.5, 13.2.5.6 and 13.2.5.8 of By-law No. 37-2006 to the contrary, the following provisions shall apply to the lands zoned Residential (R2-173) and shown on Schedule "53A" affixed hereto:

Minimum Lot Area – 546 square metres;
Minimum Lot Frontage – 16.2 metres;
Minimum Front Yard, Minimum Exterior Side Yard, Minimum Rear Yard – as existing as of the date of passing of the by-law for the existing fourplex residential dwelling;
Maximum Lot Coverage – 50%.

R1B-175 (See Schedule No. 54A)

Notwithstanding Subsection 12.2 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Residential (R1B-175) Exception Zone as shown on Schedule "54A" affixed hereto:

- i) Minimum Lot Area: 15 hectares;
- ii) For the purposes of this paragraph, those lands zoned Future Development (FD) Exception Zone are considered to form part of the subject lands and shall be used in the calculation of the lot area.

A2-177 (See Schedule No. 8A)

Notwithstanding Subsection 9.1 of By-law No. 37-2006, as amended, the following provision, in addition to any other provisions pertaining to the Rural (A2) Zone, shall apply to the lands zoned Rural (A2-177):

In addition to the permitted uses of Subsection 9.1 of By-law No. 37-2006, a Garden Suite (granny flat) shall be permitted pursuant to Section 39 of the Planning Act R.S.O. 1990, as amended, for a period not exceeding ten (10) years from the date of passing of this By-law on the lands subject to this By-law as shown on Schedule "8A".

A2-178 (See Schedule No. 23A)

Notwithstanding Subsection 8.2.1 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Agricultural (A2-178) and shown on Schedule "23A" affixed hereto as Parcel 1:

- i) Minimum Lot Area – 20 hectares
- ii) For the purposes of this paragraph, those lands zoned Rural (A2-179) Exception Zone are considered to form part of the subject lands and shall be used in the calculation of the lot area.

A1-179 (See Schedule No. 23A)

Notwithstanding Subsection 9.2.1 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Rural (A1-179) and shown on Schedule "23A" affixed hereto as Parcel 2:

- i) Minimum Lot Area – 20 hectares
- ii) For the purposes of this paragraph, those lands zoned Agricultural (A1-178) Exception Zone are considered to form part of the subject lands and shall be used in the calculation of the lot area.

A1-180 (See Schedule No. 23A)

Notwithstanding section 8.2.1 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Agricultural (A1-180) and shown on Schedule "23A" affixed hereto as Parcel 2:

Minimum Lot Area – 20 hectares

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-181 (See Schedule No. 20C)

Notwithstanding Subsection 9.2.1 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Rural (A2-181) and shown on Schedule "20C" affixed hereto:

Minimum Lot Area – 17 hectares

Notwithstanding any provision to the contrary in section 9 of By-law No. 37-2006, no buildings, structures or wells shall be permitted on the lands zoned A2-181 within 500 metres of the existing landfill site, subject to the completion of an Environmental Impact Study to the satisfaction of the County of Grey Planning & Development Department.

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-182 (See Schedule No. 20C)

Notwithstanding Subsection 9.2.1 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Rural (A2-182) and shown on Schedule "20C" affixed hereto:

Minimum Lot Area – 17 hectares

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-183 (See Schedule No. 22C)

Notwithstanding Subsection 9.2.2 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Rural (A2-183) and shown on Schedule "22C" affixed hereto:

- i) Minimum Lot Frontage – 100 metres

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A1-184 (See Schedule No. 26A)

Notwithstanding Subsection 8.2.1 of By-law No. 37-2006, as amended, the following provisions, in addition to any other provisions pertaining to the Agricultural (A1) Zone, shall apply to the lands zoned Agricultural (A1-184) Exception Zone, and shown on Schedule "26A" affixed hereto as Parcel 1:

Minimum Lot Area – 20 hectares

Notwithstanding any provision in By-law No. 37-2006 to the contrary, the barn existing as of the date of passage of this by-law shall be permitted to be used for dry storage only.

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A1-185 (See Schedule 26A)

Notwithstanding Subsection 8.2.1 of By-law No. 37-2006, as amended, the following provisions, in addition to any other provisions pertaining to the Agricultural (A1) Zone, shall apply to the lands zoned Agricultural (A1-185) Exception Zone, and shown on Schedule "26A" affixed hereto as Parcel 2:

Minimum Lot Area – 20 hectares

Notwithstanding any provision in By-law No. 37-2006 to the contrary, the barn existing as of the date of passage of this by-law shall be permitted to be used for dry storage only.

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-186 (See Schedule 32A)

Notwithstanding Subsection 9.1 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Rural (A2-186) and shown on Schedule "32A" affixed hereto as Parcel 1:

No residential development shall be permitted on Parcel 1.

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone and Natural Environment (NE2) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

R3-190 (see Schedule 53B)

Notwithstanding Section 14, the lands zoned R3-190 shall be used in accordance with the R3 one provisions, excepting however the following shall apply for street townhouses:

- (a) minimum lot frontage shall be 5.7 metres (18.7 feet);
- (b) minimum lot frontage, corner lot shall be 13 metres (42.6 feet);

- (c) minimum front yard shall be 6 metres (19.6 feet);
- (d) minimum exterior side yard shall be 5.7 metres (18.7 feet);
- (e) minimum rear yard shall be 6 metres (19.6 feet);
- (f) minimum floor area shall be 65 square metres (700 square feet);
- (g) all other provisions of the Section 14.2.1 shall apply;
- (h) 1 parking space per dwelling unit shall be provided on the driveway private to the unit, and in the front yard.
- (i) no parking or storing of any vehicle is allowed in the rear or side yard;
- (j) a fence erected in the front yard shall be at least 50% open and not exceed 1m (3.3 feet) in height. A clearance of 8 cm shall be allowed for installation and shall not count in determining the height of the fence. No privacy fence may be erected in the front of a residence. A hedge may be grown and maintain within the front yard, but may not exceed 1 m (3.3 feet) in height.
- (k) a fence or hedge erected, grown or maintained in a side or rear yard shall not exceed 1.8 metres (5.9 feet) in height above ground level;
- (l) accessory buildings and structures shall be erected in accordance with Section 6.1, excepting however that:
 - i. accessory buildings and structures are only permitted in the rear yard, but not within 1 metre (3.3 feet) of the rear lot line;
 - ii. a side yard of 1.2 metres (4 feet) shall be required, except where a common or mutual building is construction simultaneously on both side of a lot line as one building, in which case no side yard is required to the common wall of said building;
 - iii. accessory buildings and structures shall not cover more than 20 square metres (215 square feet) of each lot;

C2-191 (see Schedule 56C)

Notwithstanding Section 18, the lands zoned C2-191 shall be used in accordance with the C2 zone provisions, excepting however that a printing plant, publishing house, retail shop and business office accessory thereto shall also be permitted.

C1-192 (see Schedule 54B)

Notwithstanding Section 17, the lands zoned C1-192 shall be used in accordance with the C1 zone provisions, excepting however that the only permitted uses are a business or professional office, clinic, personal service shop, retail shore, service shop and a dwelling unit(s) above the first storey of the main building.

R2-193 (see Schedule 55A)

Notwithstanding Section 13, the lands zoned R2-193 shall be used in accordance with the R2 zone provisions, excepting however that the only permitted uses are a detached dwelling and an auto body shop. No expansion or enlargement of the auto body shop without an amendment to the Zoning By-law.

R1B-194 (see Schedule 54B)

Notwithstanding Section 12, the lands zoned R1B-194 shall be used in accordance with the R1B zone provisions, excepting however that one apartment and one business or professional office shall also be permitted.

C2-195 (see Schedule 56C)

Notwithstanding Section 18, the lands zoned C2-195 shall be used in accordance with the C2 zone provisions, excepting however that an office supply and stationary store and a printing shop accessory to the office supply and stationary store shall also be permitted.

C1-196 (see Schedule 54B)

Notwithstanding Section 17, the lands zoned C1-196 shall be in accordance with the C1 zone provisions, excepting however that the only permitted uses are an art, dance or photographic studio, bank or financial institution, business or professional office, clinic, personal service shop, retail shop, dry cleaner's establishment and a wholesale use accessory to any of the aforementioned permitted uses.

C1-198 (see Schedule 53B)

Notwithstanding Section 17, the lands zoned C1-198 shall be shall in accordance with the C1 zone provisions, excepting however that the only permitted uses are an art, dance or photographic studio, bank or financial institution, business or professional office, clinic, convenience store, funeral home, hotel, parking area, personal service shop, restaurant, retail shop, service shop, dry cleaner's establishment, a wholesale use accessory to any of the aforementioned permitted uses and a dwelling unit(s) above the first storey of the main building.

R1B-199 (see Schedule 54B)

Notwithstanding Section 12, the lands zoned R1B-199 shall be shall in accordance with the R1B zone provisions, excepting however that an artist studio shall also be permitted.

R3-200 (see Schedule 53B)

Notwithstanding Section 14, the lands zoned R3-200 shall be shall in accordance with the R3 zone provisions, excepting however that an apartment building shall contain a maximum of 6 dwelling units.

R3-201 (see Schedule 53B)

Notwithstanding Section 14, the lands zoned R3-201 shall be shall in accordance with the R3 zone provisions, excepting however that an apartment building shall contain a maximum of 6 dwelling units.

R1B-204 (see Schedule 53B)

Notwithstanding Section 12, the lands zoned R1B-204 shall be used in accordance with the R1 zone provisions, excepting however that the minimum lot frontage shall be 38.1 metres (125 feet).

R3-205 (see Schedule 53B)

Notwithstanding Section 14, the lands zoned R3-205 may also be used as a retirement lodge comprising a maximum of 21 units, in accordance with the I zone provisions and the following:

- (a) For the purposes of the R3-205 zone, a retirement lodge shall mean a building in which accommodation is provided primarily for retired persons or couples where each private living unit has a separate entrance from a common hall, but where common facilities for the preparation and consumption of food are provided in addition to common lounges and/or recreation rooms.
- (b) The minimum floor area of each unit will be 300 square metres (28 square metres); and,
- (c) The parking requirements for the retirement lodge shall be 1 space per four units.

A3-206 (See Schedule 19A)

Notwithstanding Subsection 10.4.2.1 of By-law No. 37-2006, as amended, the following provisions, in addition to any other provisions pertaining to the Restricted Rural (A3) Zone, shall apply to the lands zoned Restricted Rural (A3-206) Exception Zone, and shown on Schedule "19A" affixed hereto as Parcel 1:

Minimum Lot Area – 0.40 hectares

A2-207 (see Schedule 4A)

Notwithstanding Section 9, the lands zoned A2-207 shall be used in accordance with the A2 zone provisions excepting however that:

- (a) A livestock facility shall not exceed a capacity of 80 nutrient units;
- (b) No portion of the livestock facility shall be located closer than 160 metres (525 feet) from the easterly side lot line and no further than 200 metres (656 feet) from the easterly side lot line.

C2-209 (see Schedule 56C)

Notwithstanding Section 18, the lands zoned C2-209 shall be used in accordance with the C2 zone provisions, excepting however that:

- (a) A recreational vehicle, tent and/or trailer sales and service establishment in accordance with Section 18.2 and 18.2;
- (b) A recreational vehicle, tent and/or trailer manufacturing establishment in accordance with Section 24.2, 24.3, 24.4 and 24.5;

- (c) A business office accessory to a use permitted in (i) or (ii) and located within the main building in which the permitted use(s) of (i) and/or (ii) is/are situated, and not within an accessory building;
- (d) Open storage area accessory to a use permitted in (i) or (ii) in accordance with Section 6.26;
- (e) Outdoor display area accessory to a use permitted in (i) in accordance with Section 6.25;

R2-210 (see Schedule 55F)

Notwithstanding Section 6.1, Section 6.14 and Section 13 of By-law No. 37-2006, as amended, those lands zoned R2-210 shall be used in accordance with the R2 zone provisions, excepting however that:

- (a) An accessory building having a maximum floor area of 170 square metres and a maximum building height of 5.5 metres shall be permitted, and may be used as a honey house in accordance with Section 6.14, excepting however that Section 6.14(g) shall not apply. For the purposes of the R2-210 zone, a honey house shall mean a building, or part thereof, accessory to the detached dwelling, where honey and the equipment used in the processing of honey is kept. No bees shall be permitted on site and no retailing of honey shall be permitted.
- (b) The maximum lot coverage of all accessory buildings shall be 13%.
- (c) The front, side and rear yard requirements for all accessory buildings shall be as the buildings existed on March 9, 2015.
- (d) No new accessory buildings or expansions of existing accessory buildings shall be permitted unless an existing accessory building(s) is removed and the lot coverage for all accessory buildings does not exceed 10% and the new or expanded accessory building meets all applicable zoning provisions.

C4-211 (see Schedule 4A)

Notwithstanding Section 20, on those lands zoned C4-211, the following shall apply:

- (a) Permitted uses shall be limited to the following, in accordance with Section 20.2, 20.3 and 20.4:
 - (i) mini storage facility;
 - (ii) motor vehicle repair shop or body shop;
 - (iii) retail warehouse;
 - (iv) recreational vehicle sales and service establishment;
 - (v) open storage accessory to a permitted use; and
 - (vi) uses, buildings and structures accessory to a permitted use.
- (b) Any area used for open storage purposes shall be enclosed by a fence not less than 2 metres in height or screened by trees having a minimum height of 1.2 metres at the time of planting.

M3-212 (see Schedule 24A)

Notwithstanding Section 26, on those lands zoned M3-212, the land uses on the property shall be limited to:

- (a) a mini-storage facility in which all storage is contained indoors;
- (b) a contractor's yard consisting of an outdoor storage area measuring a maximum of 2700 square metres, three storage sheds each measuring a maximum of 15 square metres, and a single storey office building measuring a maximum of 55 square metres; and,
- (c) A detached dwelling and accessory uses thereto.

R2-213 (see Schedule 56C)

Notwithstanding Section 13, on those lands zoned R3-213, the land uses on the property shall be limited to a boarding house not exceeding 12 rooms, in addition to buildings and structures accessory to the boarding house.

R1B-214 (see Schedule 59A)

Notwithstanding Section 12.3, on those lands zoned R1B-214, development serviced by municipal water and a private septic system may be permitted in accordance with Section 12.

R3-215 (see Schedule 60A)

Notwithstanding Section 14, on those lands zoned R3-215, the land uses on the property shall be limited to a residential building containing three dwelling units on the existing lot of record excepting however that:

- (a) minimum side yard shall be 4.5 metres;
- (b) minimum rear yard shall be 1 metres; and,
- (c) minimum floor area per dwelling unit shall be 56 square metres.

A2-216 (see Schedule 28A)

Notwithstanding Section 9, on those lands zoned A2-216, the land uses shall be limited to a detached dwelling and uses, buildings and structures accessory thereto, as well as an automobile service station and an automobile sales and service establishment, subject to the following:

- (a) the detached dwelling and uses, buildings and structures accessory thereto shall be subject to the provisions of section 9.4.2;
- (b) the building occupied by the automobile service station and automobile sales and service establishment shall have a maximum floor area of 167.23 square metres, a minimum front yard of 15 metres and a maximum building height of 8 metres.
- (c) a maximum of six vehicles associated with the automobile service station and automobile sales and service establishment shall be permitted on site at any one time;
- (d) a maximum of two employees, in addition to the owner, shall be employed on site; and

- (e) outdoor storage shall be prohibited except for the parking of automobiles, up to a maximum of six, with such parking area being screened from neighbouring residential uses by a planting strip and/or fence.

FL-217 (See Schedule 54C)

Notwithstanding Section 32.1, on those lands zoned FL-217, no vegetation removal shall be permitted except where related to the construction of the stormwater management facility, and no filling, excavation or regarding shall be permitted unless approved by the Saugeen Valley Conservation Authority.

A1-218 (See Schedule 8D)

Notwithstanding the provisions of subsections 8.2.1 and 8.2.2 to the contrary, the following provisions shall apply to the lands zoned Agricultural (A1-218) Exception Zone, as shown on Schedule "8C" affixed hereto:

- i) Minimum Lot Area – 22 hectares
- ii) Minimum Lot Frontage – 19.8 metres

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-219 (See Schedule 9B)

Notwithstanding Subsections 9.2.1 and 9.2.2 of By-law No. 37-2006, as amended, the following provisions, in addition to any other provisions pertaining to the Rural (A2) Zone, shall apply to the lands zoned Rural (A2-219) and shown on Schedule "9B" affixed hereto as Parcel 3:

Minimum Lot Area – 16 hectares
Minimum Lot Frontage – 76 metres

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone and "No Development Zone" shall be included in the calculation of lot area for the lands subject to this By-law.

For the purposes of this By-law, NO DEVELOPMENT shall mean the creation of a new lot, a change in land use, or the construction of buildings and structures requiring the approval under the Planning Act, also any activity, such as fill, grading and excavation, that would change the landform and natural vegetative characteristics of the site.

ER-220 (see Schedule 4B)

Notwithstanding Section 15 of By-law No. 37-2006, as amended, those lands zoned ER-220 shall be used in accordance with the ER zone provisions excepting however that no septic system or well shall be permitted.

OS-221 (See Schedule 17B)

Notwithstanding Section 29, those lands zoned OS-221 shall be used in accordance with the OS zone provisions, excepting however that a hotel comprising a maximum of 40 units and used in conjunction with the golf course shall be permitted in accordance with Section 29.1.

A3-224 (See Schedule 22D) *(Lapses August 23, 2017)*

Notwithstanding Subsection 10.1 of By-law No. 37-2006, as amended, the following provision, in addition to any other provisions pertaining to the Restricted Rural (A3) Zone, shall apply to the lands zoned Restricted Rural (A3-224):

In addition to the permitted uses of Subsection 10.1 of By-law No. 37-2006, a Garden Suite shall be permitted pursuant to Section 39 of the Planning Act R.S.O. 1990, as amended, for a period not exceeding ten (10) years from the date of passing of this By-law on the lands subject to this By-law as shown on Schedule "22D.

A2-225 (See Schedule 9C)

In addition to the permitted uses established under section 9.1 of By-law No. 37-2006, lands zoned Rural (A2-225) Exception Zone may be used for a Commercial Kennel subject to the following provisions:

Regulations applicable to a Commercial Kennel:

Minimum Front Yard:	33.8 metres
Minimum Rear Yard:	405 metres
Minimum East Side Yard:	3.3 metres
Minimum West Side Yard:	47 metres
Maximum Number of Dogs:	20 plus any offspring up to the age of 3 months
Maximum Number of Employees:	Not more than one employee, other than the Owners

For the purposes of this By-law, a "Commercial Kennel" shall mean lands, buildings or structure, including outdoor pens, where dogs are bred and raised and are sold or kept for sale, or boarded.

The dogs shall be kept indoors during the hours of 10:00 p.m. to 7:00 a.m.

The "h" (holding) symbol shall not be removed until such time the owner has demonstrated to the satisfaction of the Chief Building Official that a permanent wooden fence(s) has been erected that visually screens the outdoor pens from view from the east and from the County Road. Until such time as the "h" (holding) symbol has been removed, a Commercial Kennel is not a permitted use on the subject lands.

The dogs shall be kept indoors during the hours of 10:00 p.m. to 7:00 a.m.

A2-226 (See Schedule 19B)

Notwithstanding Subsections 9.2.1 and 9.2.2 of By-law No. 37-2006, as amended, the following provisions, in addition to any other provisions pertaining to the Rural (A2) Zone, shall apply to the lands zoned Rural (A2-226) Exception Zone, and shown on Schedule "19B" affixed hereto:

Minimum Lot Area – 19.4 hectares
Minimum Lot Frontage – 100 metres

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

M1-228 (See Schedule 6A)

Notwithstanding Section 24.2, the lands zoned M1-228 shall be subject to the following:

1. Permitted Uses:

- building manufacturing operation, which is defined as the use of lands, buildings and/or structures for the construction, assembly, storage, selling and processing of raw and/or finished products for the purpose of fabricating buildings, including but not limited to timber frame homes;
- bulk sales establishment;
- contractor's yard;
- custom workshop, which is defined as a building or structure or portion thereof where the manufacturing of small quantities of articles is performed by a tradesman requiring manual or mechanical skills, but does not include machining, stamping or forging of material, or any automotive repair, maintenance or body repair;
- sawmill;
- mini storage facility;
- pen storage accessory to a permitted use;
- uses, buildings and structures accessory to a permitted use;
- business offices accessory to a permitted use;
- craft shop accessory to a permitted use, which is defined as a building or portion thereof which is accessory to a building manufacturing operation and is used for the retailing or wholesaling of arts and crafts and would not include outdoor sales or outdoor storage;
- educational training facility, which is defined as a building or portion thereof for the training and/or education of persons in the home building and manufacturing industry, including custom tool operation; and,
- model display home

2. Regulations:

The buildings existing on the day of passing of this By-law shall be permitted in their existing locations provided that any expansion to said buildings or any new buildings comply with all applicable provisions.

A1-229 (See Schedule 1A)

Notwithstanding Section 8.4.2, on those lands zoned A1-229, the following exceptions shall apply:

Maximum Lot Area:	1.2 hectares
Minimum Lot Frontage:	110 metres

No more than 1.24 animal units per hectare shall be permitted.

Any accessory structures existing on the date of passage of this By-law may be used for the storage of agricultural products or general non-hazardous storage.

A1-230 (See Schedule 1A)

Notwithstanding Section 8.1, on those lands zoned A1-230, no residential dwelling shall be permitted.

NE-231 (see Schedule 4B)

Notwithstanding Section 31 of By-law No. 37-2006, as amended, on those lands zoned NE-231 no development or site alteration, including vegetation removal/impacts, road construction, surface water drainage, grading/filling, etc. shall be permitted.

NE-232 (see Schedule 4B)

Notwithstanding Section 31 of By-law No. 37-2006, as amended, an access laneway shall be permitted on those lands zoned NE-232.

M1-235 (See Schedule 6A)

Notwithstanding Section 24.2, the lands zoned M1-235 shall be subject to the following:

1. Permitted Uses:

- bulk sales establishment;
- contractor's yard;
- custom workshop, which is defined as a building or structure or portion thereof where the manufacturing of small quantities of articles is performed by a tradesman requiring manual or mechanical skills, but does not include machining, stamping or forging of material, or any automotive repair, maintenance or body repair;
- sawmill;
- mini storage facility;
- transport terminal;
- open storage accessory to a permitted use;
- uses, buildings and structures accessory to a permitted use;
- business offices accessory to a permitted use;

2. Regulations:

The buildings existing on the day of passing of this By-law shall be permitted in their existing locations provided that any expansion to said buildings or any new buildings comply with all applicable provisions.

M1-237 (see Schedule 44B)

Notwithstanding Section 24.1, those lands zoned M1-237 shall be used in accordance with the following:

Permitted Uses:

fuel distributor; agricultural bulk sales establishment; transport terminal; building supply outlet; warehousing; equipment sales and rental; automobile sales establishment; dry manufacturing plant; sawmill; public garage or body shop (agricultural machinery or vehicles); automobile services station; farm equipment sales establishment; a horticultural nursery; outdoor recreational equipment sales and service establishment; motel; open

storage accessory to a permitted use; and, uses, buildings and structures accessory to a permitted use, including a business office and retail store.

Regulations for Permitted Uses:

The regulations of Section 24 shall apply, except however that:

minimum lot area:	0.8 hectares
minimum front yard:	15 metres
maximum building height:	15 metres
minimum landscaped open space:	10%

M1-237 (see Schedule 44D)

Notwithstanding the foregoing, on those lands zoned 'M1-237-h2' and described as Part Lot 31, Concession 1, Geographic Township of Normanby, Municipality of West Grey, no development or site alteration shall be permitted until such time as the holding suffix "h2" has been lifted, and such suffix shall not be lifted until an Environmental Impact Study has demonstrated to the satisfaction of the Saugeen Valley Conservation Authority and the Municipality of West Grey that the proposed site alteration and proposed development would create no negative impact on the adjacent wetland feature or its ecological function.

M1-238 (see Schedule 44B)

Notwithstanding Section 24.1, those lands zoned M1-238 shall be used for any of the following purposes, in accordance with the regulations of Section 24: fuel distributor; agricultural bulk sales establishment; transport terminal; building supply outlet; warehousing; equipment sales and rental; automobile sales establishment; dry manufacturing plant; sawmill; and, public garage or body shop (agricultural machinery or vehicles). In addition, an automobile washing establishment shall also be permitted, provided the number of washing bays does not exceed three. A fourth washing bay shall be permitted provided an Environmental Impact Study justifying a fourth bay has been excepted by the Municipality.

C3-239 (see Schedule 44B)

Notwithstanding Section 19.1, those lands zoned C3-239 shall be used in accordance with the permitted uses and regulations of Section 19, except however that a recreational vehicle sales and service establishment shall also be permitted.

M2-240 (see Schedule 44B)

Notwithstanding Section 25.1, those lands zoned M2-240 shall be used in accordance with the permitted and regulations of Section 25, except however that an automobile sales establishment shall also be permitted.

A2-241 (see Schedule 51A)

Notwithstanding Section 6.10, those lands zoned A2-241 may be used for the purposes of a detached dwelling and uses, buildings and structures accessory thereto in accordance with the regulations of Section 9.2.

R2-242 (See Schedule 55C)

Notwithstanding Section 13.1 to the contrary, the only permitted uses for the lands zoned R2-242 shall be as follows:

- Single detached residential dwelling
- Semi-detached residential dwelling
- Duplex dwelling
- Home Occupation
- Accessory uses, buildings and structures in accordance with Section 6.1

A3-243 (See Schedule 48A)

Notwithstanding Subsection 10.2.1 of By-law No. 37-2006, as amended, the following provision, in addition to any other provisions pertaining to the Restricted Rural (A3) Zone, shall apply to the lands zoned Restricted Rural (A3-243) Exception Zone, and shown on Schedule "48A" affixed hereto:

Minimum Lot Area – 18 hectares

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-244 (See Schedule 19C)

Notwithstanding Subsections 9.2.1 and 9.2.2 of By-law No. 37-2006, as amended, the following provision, in addition to any other provisions pertaining to the Rural (A2) Zone, shall apply to the lands zoned Rural (A2-244) Exception Zone, and shown on Schedule "19C" affixed hereto:

Minimum Lot Area – 19 hectares

Minimum Lot Frontage – 100 metres

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A3-247 (see Schedule 25B)

Notwithstanding Section 10 of By-law No. 37-2006, as amended, those lands zoned A3-247 shall only be used for the purposes of a detached dwelling and accessory uses buildings and structures, in accordance with the A3 zone provisions.

I-248 (see Schedule 56D)

Notwithstanding Section 28 of By-law No. 37-2006, as amended, those lands zoned I-248 shall be used in accordance with the Institutional Zone provisions excepting however that:

- (i) the 'minimum front yard' shall be 2.9 metres;
- (ii) the 'minimum rear yard' shall be 3.9 metres;
- (iii) the 'minimum interior side yard' shall be 0.0 metres;
- (iv) the 'minimum exterior side yard' shall be 0.3 metres;

- v) the 'maximum lot coverage' shall be 52%;
- (vi) a minimum of six (6) parking spaces shall be provided.
- vii) a manse shall also be permitted. For the purposes of this by-law, a manse shall mean a detached dwelling for the accommodation of the clergy and family.

I-249 (see Schedule 59B)

Notwithstanding Section 28 of By-law No. 37-2006, as amended, those lands zoned I-249 shall be used in accordance with the I zone provisions excepting however that:

- (i) the 'minimum front yard' shall be 2.67 metres;
- (ii) a minimum of seventy-five (75) parking spaces shall be provided.

A2-250 (see Schedule 32B)

Notwithstanding Section 9 of By-law No. 37-2006, as amended, those lands zoned A2-250 shall be used in accordance with the A2 zone provisions excepting however that a commercial kennel and dog training facility shall be permitted subject to the following provisions:

- Minimum front yard: 600 metres;
- Maximum number of dogs in kennel: 30 plus any offspring up to the age of 3 months;

Maximum of three (3) breeding females permitted on the subject property.

For the purposes of this By-law, a commercial kennel shall mean lands, buildings or structures, including outdoor pens, where dogs are bred and raised and are sold or kept for sale, or boarded. The dogs associated with the commercial kennel shall be kept indoors during the hours of 10:00 p.m. to 7:00 a.m.

For the purposes of this By-law, a dog training facility shall mean lands where dogs, accompanied by their respective owners, are taught obedience and agility in a class setting.

A3-251 (see Schedule 25B)

Notwithstanding Section 10 of By-law No. 37-2006, as amended, those lands zoned A3-251 shall only be used as an automobile repair establishment in accordance with Section 26.2, provided the maximum gross floor area of the automobile repair establishment does not exceed 250 square metres and the outdoor display area (i.e. parking area) does not exceed 750 square metres. For the purposes of this By-law, an automobile repair establishment shall mean the lands and building where motor vehicles are repaired, but shall not include autobody repair, automotive washing or automobile sales.

A2-252 (Schedule 2A)

Notwithstanding Subsections 9.2.1 and 9.2.2 of By-law No. 37-2006, as amended, the following provision, in addition to any other provisions pertaining to the Rural (A2) Zone, shall apply to the lands zoned Rural (A2-252) Exception Zone, as shown as Parcel 3 on Schedule "2A" affixed hereto:

Minimum Lot Area – 17 hectares

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-253 (See Schedule 26B)

Notwithstanding Subsections 9.2.1 and 9.2.2 of By-law No. 37-2006, as amended, the following provision, in addition to any other provisions pertaining to the Rural (A2) Zone, shall apply to the lands zoned Rural (A2-253) Exception Zone, and shown on Schedule "26B" affixed hereto:

Minimum Lot Area – 17 hectares
Minimum Lot Frontage – 100 metres

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

R1B-255 (see Schedule 54E)

Notwithstanding Subsection 12.2.2 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Residential (R1B-255) and shown on Schedule "54E" affixed hereto:

Minimum Lot Frontage – 13.7 metres

R1B-256 (see Schedule 54E)

Notwithstanding Subsection 12.2.2 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Residential (R1B-256) and shown on Schedule "54E" affixed hereto:

Minimum Lot Frontage – 13.7 metres

C5-257 (see Schedule 31A)

Notwithstanding Section 21 of By-law No. 37-2006, as amended, those lands zoned C5-257 shall be used in accordance with the C5 zone provisions excepting however that an outdoor display area shall also be permitted in accordance with Section 6.25.

R1B-258 (see Schedule 55D)

Notwithstanding Subsections 12.2.1 and 12.2.4 of By-law No. 37-2006 to the contrary, the following provisions shall apply to the lands zoned Residential (R1B-258) and shown on Schedule "55D" affixed hereto:

Minimum Lot Area – 446 square metres

Minimum South Interior Side Yard

- One Storey – 1.82 metres
- More than one Storey – 2.43 metres

R1B- 259 (see Schedule 55D)

Notwithstanding Subsection 12.2.1 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Residential (R1B-259) and shown on Schedule "55D" affixed hereto:

Minimum Lot Area – 446 square metres

A2-260 (See Schedule 24B)

Notwithstanding Subsection 9.2.2 of By-law No. 37-2006, as amended, the following provision, in addition to any other provisions pertaining to the Rural (A2) Zone, shall apply to the lands zoned Rural (A2-260) Exception Zone, and shown on Schedule "24B" affixed hereto:

Minimum Lot Area – 12.9 hectares

A2-261 (see Schedule 24C)

Notwithstanding Section 6.14 b) and Appendix A of By-law No. 37-2006, as amended, an automotive sales and service establishment shall be permitted on those lands zoned A2-261 in accordance with the provisions of Section 6.14. In no instance shall the number of automobiles parked on the property exceed six, not including the owner's personal vehicle(s). The Minimum Distance Separation requirement shall be 90 metres. The hours of operation of the automotive sales and service establishment shall be Mondays to Fridays, from 8:00 a.m. to 5:00 p.m.; and Saturdays, from 8:00 a.m. to 12 noon.

C1-262 (see Schedule 60B)

In addition to the permitted uses in section 17.1 of By-law No. 37-2006, a single detached residential dwelling shall also be permitted in the lands zoned General Commercial (C1-262) Exception Zone as shown on Schedule "60B" affixed hereto.

OS-263(seeSchedule 48B)

Notwithstanding Section 29.1, those lands zoned OS-263 shall be used in accordance with the following:

Permitted Use:	golf course
Maximum height for a clubhouse facility:	2 storeys
Maximum floor area for a clubhouse facility:	125 square metres
Maximum seating capacity for a restaurant:	80 persons

For the purposes of this By-law, a "clubhouse" shall mean a building containing any of the following uses: a restaurant/snack bar; an office accessory to the golf course; a retail use (pro shop) accessory to the golf course; and, storage space accessory to the golf course.

A1-264 (see Schedule 11C)

Notwithstanding Subsection 8.1 of By-law No. 37-2006, as amended, the following provision, in addition to any other provisions pertaining to the Agricultural (A1) Zone, shall apply to the lands zoned Agricultural (A1-264):

In addition to the permitted uses of Subsection 8.1 of By-law No. 37-2006, a Garden Suite shall be permitted pursuant to Section 39 of the Planning Act R.S.O. 1990, as

amended, for a period not exceeding ten (10) years from the date of passing of this By-law on the lands subject to this By-law as shown on Schedule "11C".

R3-265 (see Schedule 54F)

Notwithstanding Section 14.2 of By-law No. 37-2006, as amended, those lands zoned R3-265 shall be used in accordance with the Section 14.2 excepting however that:

- (i) minimum front yard for a street townhouse shall be 6.6 metres; and,
- (ii) minimum exterior side yard for a street townhouse (exterior unit on a corner lot) shall be 7 metres.

A2-266 (see Schedule 26C)

Notwithstanding Section 6.14 b) and Appendix A of By-law No. 37-2006, as amended, an automotive sales and service establishment shall be permitted on those lands zoned A2-266 in accordance with the provisions of Section 6.14. In no instance shall the number of automobiles parked on the property exceed six, not including the owner's personal vehicle(s). The Minimum Distance Separation requirement shall be 90 metres. The hours of operation of the automotive sales and service establishment shall be Mondays to Fridays, from 8:00 a.m. to 5:00 p.m.; and Saturdays, from 8:00 a.m. to 12 noon.

Notwithstanding subsection 9.2.4 d), the minimum interior side yard setback of the existing accessory structure (shop) shall be 2.1 metres; and notwithstanding subsection 6.1.2. c), the existing accessory structure (shop) shall be permitted in the front yard.

A1-267 and A2-268 (Schedule 13C)

Notwithstanding Subsections 8.1 and 9.1 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Agricultural (A1-267) and Rural (A2-268) as shown on Schedule "13C" affixed hereto:

No residential development shall be permitted.

C6-269 (Schedule 13C)

Notwithstanding Subsection 23.2.3 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Rural Commercial (C6-269) as shown on Schedule "13C" affixed hereto:

Minimum Front Yard – as existing for the buildings existing as of the date of passing of this By-law."

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

C2-271 (See Schedule 60C)

Notwithstanding sections 6.1, 18.1, and 18.4.10 an Accessory Residential Dwelling Unit shall be permitted in the front yard in conjunction with an automotive use, in addition to the permitted uses in section 18.1 of By-law No. 37-2006, in the lands zoned Highway Commercial (C2-271) Exception Zone as shown on Schedule "60C" affixed hereto. In no

instance shall the number of automobiles parked on the property exceed eight, not including the owner's personal vehicle(s).

Notwithstanding any provision in By-law No. 37-2006 to the contrary, the barn existing as of the date of passage of this by-law shall be permitted to be used for dry storage only."

A2-272(See Schedule 18B)

Notwithstanding any provision in By-law No. 37-2006 to the contrary, the barn existing as of the date of passage of this by-law shall be permitted to be used for dry storage only.

A1-274(see Schedule 40A)

Notwithstanding Section 8.1 of By-law No. 37-2006, as amended, and any other By-law to the contrary, those lands zoned A1-274 shall be used in accordance with the A1 Zone provisions excepting however that a commercial kennel shall be permitted subject to the following provisions:

Maximum number of dogs in kennel: 40 plus any offspring up to the age of 3 months;

Minimum West Side Yard Setback for Kennel Building: 24 metres

For the purposes of this By-law, a commercial kennel shall mean lands, buildings or structures, including outdoor pens, where dogs are bred and raised and are sold or kept for sale. The dogs associated with the commercial kennel shall be kept indoors during the hours of 10:00 p.m. to 7:00 a.m.

M3-275 (see Schedule 26D)

Notwithstanding Subsection 26.1 of By-law No. 37-2006, the following provision, in addition to any other provision pertaining to the M3 (Rural Industrial Zone) shall apply to the lands zoned Rural Industrial Exception (M3-275) as shown on Schedule "26D" affixed hereto:

Permitted Uses: One single detached dwelling, Welding & Hydraulic Repair Shop, and uses, buildings and structures accessory thereto.

A2-276 (see Schedule 31B)

Notwithstanding Subsection 9.5, and Subsection 6.14 – Home Industry Regulations, of West Grey Comprehensive Zoning By-law No. 37-2006, as amended, the lands zoned 'A2-276' shall also permit a motor vehicle inspection station licensing & appraisal centre as a Home Industry, with an interior west side yard setback of 5.4 metres. The Home Industry Exception use shall be exempt from the requirements in Subsection 6.14 prohibiting the building or structure within 300 ft of a lot line of a vacant lot (less than 4.1 ha (10 ac) in size: or within 300 ft of a residence on a separate lot.

In no instance shall the number of automobiles parked on the property exceed six, not including the owner's personal vehicle(s). The hours of operation of the motor vehicle inspection station licensing & appraisal centre shall be Mondays to Fridays, from 8:00 a.m. to 5:00 p.m.; and Saturdays, from 8:00 a.m. to 12 noon. No tractor- trailers or school buses shall be permitted to be inspected or appraised in conjunction with the motor vehicle inspection licensing and appraisal centre.

In addition to the permitted uses in the A2 (Rural Zone) and the A2-276 (Rural Exception Zone) of By-law No. 37-2006, as amended, a Garden Suite (granny flat) shall be permitted pursuant to Section 39 of the Planning Act R.S.O. 1990, as amended, for a temporary period not to exceed twenty (20) years from the date of passing of this by-law.

R2-278 (see Schedule 54F)

Notwithstanding Section 14.2 of By-law No. 37-2006, as amended, those lands zoned R2-278 shall be used in accordance with the Section 13.2 excepting however that:

- (i) minimum front yard for a semi-detached residential dwelling shall be 6.6 metres.

A2-281 (see Schedule 27A)

Notwithstanding Subsection 9.2.1 of By-law 37-2006, as amended, the following provision, in addition to any other provisions pertaining to the Rural (A2) Zone, shall apply to the lands zoned Rural (A2-281) Exception Zone, and shown on Schedule "27A" affixed here:

Minimum Lot Area – 17.8 hectares

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A3-282 (see Schedule 30A)

Notwithstanding Subsections 10.4.2.1 and 10.4.2.3 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Restricted Rural (A3-282) as shown on Schedule "30A" affixed hereto:

Minimum Lot Area – 0.4 hectares;
Minimum Front Yard – 15.2 metres"

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A3-283 (see Schedule 30A)

Notwithstanding Subsection 10.2.1 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Restricted Rural (A3-283) as shown on Schedule "30A" affixed hereto:

Minimum Lot Area – 12.1 hectares"

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-284 (see Schedule 11D)

Notwithstanding Subsection 9.2.1 of By-law No. 37-2006, as amended, the following provision, in addition to any other provisions pertaining to the Rural (A2) Zone, shall apply to

the lands zoned Rural (A2-284) Exception Zone, as shown on Schedule "11D" affixed hereto:

Minimum Lot Area – 11 hectares.”

NE-285 (see Schedule No. 18C)

Notwithstanding Section 31, Natural Environment Zone, those lands zoned NE-285 shall be considered a “No Development Zone”. For the purposes of this By-law, the “No Development Zone” shall prohibit the change in land use or any activity, such as fill, grading and excavation that would change the landform and natural vegetative characteristics of the site.

OS-286 (see Schedule No. 16A)

Notwithstanding Section 29, Open Space Zone, those lands zoned OS-286 shall only be used for the purposes of a campground as well as uses, buildings and structures accessory to a campground in accordance with the accessory uses provisions of Section 6.1.

NE-287 (see Schedule No. 16A)

Notwithstanding Section 31, Natural Environment Zone, on those lands zoned NE-287 a campground shall be permitted in conjunction with the campground on those lands zoned OS-287.

A total of 80 campsites shall be permitted on the lands zoned OS-286 and NE-287.

A “No Development Zone” shall apply to the lands adjacent to the OS-286 and NE-287 zoned lands. For the purposes of this By-law, the “No Development Zone” shall prohibit the change in land use or any activity, such as fill, grading and excavation that would change the landform and natural vegetative characteristics of the site.

A2-289 (see Schedule No. 28B)

Notwithstanding Subsections 9.2.1 of By-law No. 37-2006, as amended, the following provision, in addition to any other provisions pertaining to the Rural (A2) Zone, shall apply to the lands zoned Rural (A2-289) Exception Zone, and shown on Schedule "28B" affixed hereto:

Minimum Lot Area – 15.3 hectares

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-290 (see Schedule No. 35A)

Notwithstanding Subsections 9.2.1 of By-law No. 37-2006, as amended, the following provision, in addition to any other provisions pertaining to the Rural (A2) Zone, shall apply to the lands zoned Rural (A2-290) Exception Zone, and shown on Schedule "35A" affixed hereto:

Minimum Lot Area – 17.5 hectares

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-291 (see Schedule 30B)

Notwithstanding their 'A2' zoning, those lands described as Part Lot 45, Concession 3 SDR, Geographic Township of Glenelg, Municipality of West Grey and shown as 'A2-291' on Schedule 30B' shall be used in accordance with the 'A2' zone provisions excepting however that the following shall also be permitted:

- (i) A special event to be held one weekend (including a long weekend) per calendar year from Friday to Monday for motorcycle enthusiasts. The special event shall be limited to the following: live music entertainment; bike rodeo events (excluding racing, and "burn out" contests and other activities and games that result in the burning of motorcycle tires); camping; and, the sale of food, drink leather goods, crafts and souvenir products.

No uses, buildings or structures located on the property on the day of passing of this By-law shall be given a legal non-conforming status because none qualify for such status. All uses, building and structures, either existing prior to the passing of this By-law or occurring on the site after the passing of this By-law, shall conform to this By-law.

A Site Plan Control Agreement shall be required for all lands zoned 'A2-291' and 'NE' situated on the subject property, and such Agreement shall include, but not be limited to, the following: the details pertaining to the maximum number of special event attendees; the location and orientation of the entertainment stage; the location of the campsites; parking; the hours of the event; the hours of all entertainment including the playing of stereos; noise mitigation measures; the provision of sewage disposal and potable water; buffering; the provision of emergency services; timing for setting up the event and tearing down after the event; and other matters deemed necessary by Council.

A2-292 (see Schedule 24E)

Notwithstanding Section 9 of By-law No. 37-2006, as amended, in addition to those uses permitted in the A2 zone, a garden centre / landscaping business shall also be permitted subject to the following

- (1) this use does not occupy more than 250 square metres of a building(s);
- (2) all buildings and structures shall be set back a minimum of 20 metres from the front lot line and 18.3 metres from all other lot line;
- (3) this use does not employ more than the equivalent of five full-time employees in addition to the owner;
- (4) outdoor storage and display is limited to area not greater than 750 square metres;
- (5) the Minimum Distance Separation requirement for this use shall be 280 metres.

I-293 (see Schedule 43C)

Notwithstanding Section 6.17.1 of By-law No. 37-2006, as amended, a school shall be permitted on those lands zoned I-293 in accordance with all relevant provisions of By-law No. 37-2007.

R1A-294 (see Schedule 60D)

Notwithstanding Section 11.2 of By-law No. 37-2006, as amended, those lands zoned 'R1A-294' shall be used in accordance with the 'R1A' zone excepting however that:

- (1) the 'minimum lot area' requirement shall be 1030 square metres; and
- (2) the 'minimum lot frontage' requirement shall be 25.6 metres.

A2-296 (see Schedule 20F)

Notwithstanding Section 9 of By-law No. 37-2006, as amended, those lands zoned 'A2-296' shall be used in accordance with the 'A2' zone excepting however that:

- (1) the livestock facility existing on the date of passage of this Zoning By-law Amendment shall be used for storage purposes only;
- (2) the 'minimum lot frontage' requirement shall be 77 metres.

A1-296 (see Schedule No. 36A)

Notwithstanding Subsections 8.4.2.1 and 8.4.2.3 of By-law No. 37-2006, as amended, the following provisions, in addition to any other provisions pertaining to the Agricultural (A1) Zone, shall apply to the lands zoned Agricultural (A1-296) and shown on Schedule "36A" affixed hereto:

Minimum Lot Area – 0.4 hectares
Minimum Front Yard – 5.0 metres"

ER-298 (see Schedule to 50D)

Notwithstanding Section 15 of By-law No. 37-2006, as amended, those lands zoned ER-298 shall be used in accordance with the ER zone provisions excepting however that:

- (1) The 'minimum lot area' shall be 0.45 hectares.
- (2) Notwithstanding subsection 6.20.2 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

NE-299 (see Schedule to 11D)

Notwithstanding Subsection 31 of By-law No. 37-2006, as amended, the following provision, in addition to any other provisions pertaining to the Natural Environment (NE) Zone, shall apply to the lands zoned Natural Environment (NE-299) Exception Zone, as shown on Schedule "11D" affixed hereto:

That one (1) three and one half-metre (3.5 m) wide laneway may be permitted through the Natural Environment (NE-299) Exception Zone, subject to review and approval by the Saugeen Valley Conservation Authority prior to construction of the laneway.

A2-300 (see Schedule to 40C)

Notwithstanding Subsections 9.4.2.1, 9.4.2.3, 9.4.2.4, and 9.4.2.5 (minimum interior north side yard only), the required setbacks for the aforementioned subsections for the existing building shall be as existing as of the date of passing of this by-law, and:

Minimum Lot Area - 0.19 ha

A2-301 (see Schedule 4D)

Notwithstanding Section 9 of By-law No. 37-2006, as amended, those lands zoned 'A2-301' shall be used in accordance with the 'A2' zone excepting however that:

- (1) the 'minimum lot area' requirement shall be 16 hectares.

NE-304 (see Schedule 33C)

Notwithstanding Section 31.2 to the contrary, the lands zoned NE-304 may be used for an existing single family residence, and a public garage conducted wholly within the existing barn structure. There will be no exterior additions to the existing barn structure, or major modifications to the interior of the existing barn structure, after the date of passage of this by-law.

Minimum Lot Area: 1,800 square metres

Minimum Lot Frontage: 105 metres

Outdoor Storage:

- a) Outdoor storage of goods or products shall not be permitted.
- b) Outdoor equipment storage area shall be fenced and/or be opened from surrounding residential uses by a planting strip.

Employees: Only the owner may be employed on the site.

C2-305 (see Schedule 45E)

Notwithstanding Section 18.1, the only permitted uses that shall apply to the lands zoned Highway Commercial Exception (C2-305), as shown on Schedule "45E" affixed hereto, are a Convenience Store and Accessory Residential Dwelling Unit,

And, notwithstanding Subsections 18.2.3 and 18.2.5 of By-law No. 37-2006 to the contrary, the following provisions shall also apply to the lands zoned Highway Commercial Exception (C2-305) as shown on Schedule "45E" affixed hereto:

Minimum Exterior Side Yard – 0.0 metres;

Minimum Front Yard – 0.0 metres

A1-306 (see Schedule 38A)

Notwithstanding Subsection 8.1 and 8.2.1 and of By-law No. 37-2006 to the contrary, the following provisions shall apply to the lands zoned Agricultural (A1-306) as shown on Schedule "38A" affixed hereto:

No residential dwelling shall be permitted on the subject property;

Minimum Lot Area – 39.8 hectares;

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A1-307 (see Schedule 39A)

Notwithstanding Subsection 8.4.2.1 of By-law No. 37-2006 to the contrary, the following provisions shall apply to the lands zoned Agricultural (A1-307) as shown on Schedule “39A” affixed hereto:

Minimum Lot Area – 0.5 hectares

A1-308 (see Schedule 39A)

Notwithstanding Subsection 8.1 and 8.2.1 and of By-law No. 37-2006 to the contrary, the following provisions shall apply to the lands zoned Agricultural (A1-308) as shown on Schedule “39A” affixed hereto:

No residential dwelling shall be permitted on the subject property;

Minimum Lot Area – 39 hectares”

A2-309 (see Schedule 42C)

Notwithstanding Subsections 9.1 of By-law No. 37-2006, as amended, the lands zoned A2-309 shall be permitted a garden suite as a temporary dwelling until January 16, 2016”

A1-310 (see Schedule No. 34A)

Notwithstanding Subsection 8.1 and 8.2.1 and of By-law No. 37-2006 to the contrary, the following provisions shall apply to the lands zoned Agricultural (A1-310) as shown on Schedule “34A” affixed hereto:

No residential dwelling shall be permitted on the subject property;

Minimum Lot Area – 38 hectares

For the purposes of Section 35.310, lands zoned ‘A1-310’, ‘A3-311’ and ‘NE’ shall be used included in the calculation of lot area for the lands subject to this By-law, notwithstanding subsection 6.20.2 of By-law No. 37-2006.

A3-311 (see Schedule No. 34A)

Notwithstanding Subsection 8.1 and 8.2.1 and of By-law No. 37-2006 to the contrary, the following provisions shall apply to the lands zoned Agricultural (A3-311) as shown on Schedule “34A” affixed hereto:

No residential dwelling shall be permitted on the subject property;

Minimum Lot Area – 38 hectares

For the purposes of Section 35.310, lands zoned ‘A1-310’, ‘A3-311’ and ‘NE’ shall be used included in the calculation of lot area for the lands subject to this By-law, notwithstanding subsection 6.20.2 of By-law No. 37-2006.

ER-312 (see Schedule No. 48C)

Notwithstanding Subsections 15.2.1 and 15.2.4 of By-law No. 37-2006, as amended, the following provisions, in addition to any other provisions pertaining to the Estate Residential (ER) Zone, shall apply to the lands zoned Estate Residential (ER-312) Exception Zone, as shown on Schedule "48C" affixed hereto:

Minimum Lot Area – 0.18 hectares;
Minimum Interior Side Yard – 4.5 metres.

ER-313 (see Schedule No. 48C)

Notwithstanding Subsections 15.2.1, 15.2.2, and 15.2.4 of By-law No. 37-2006, as amended, the following provisions, in addition to any other provisions pertaining to the Estate Residential (ER) Zone, shall apply to the lands zoned Estate Residential (ER-313) Exception Zone, as shown on Schedule "48C" affixed hereto:

Minimum Lot Area – 0.15 hectares;
Minimum Lot Frontage – 28 metres;
Minimum Interior West Side Yard – 3.9 metres.
Minimum Interior East Side Yard – 2.4 metres.

A1-313 (see Schedule No. 8F) *(lapses June 21, 2022)*

Notwithstanding Subsection 8.1 of By-law No. 37-2006, as amended, the following provision, in addition to any other provisions pertaining to the Agricultural (A1) Zone, shall apply to the lands zoned Agricultural (A1-313):

In addition to the permitted uses of Subsection 8.1 of By-law No. 37-2006, a Garden Suite shall be permitted pursuant to Section 39 of the Planning Act R.S.O. 1990, as amended, for a period not exceeding ten (10) years from the date of passing of this By-law on the lands subject to this By-law as shown on Schedule "8F".

A2-314 (see Schedule No. 1B)

Notwithstanding Subsection 9.2.1 of By-law No. 37-2006, as amended, the following provision, in addition to any other provisions pertaining to the Rural (A2) Zone, shall apply to the lands zoned Rural (A2-314) Exception Zone, as shown on Schedule "1B" affixed hereto:

Minimum Lot Area – 14 hectares.

For the purposes of this By-law, NO DEVELOPMENT ZONE shall mean any activity, such as fill, grading and excavation that would change the land form and natural vegetative characteristics of the site. Development in the NO DEVELOPMENT ZONE shall not be permitted until an Environmental Impact Study (EIS) has been completed to the satisfaction of the Saugeen Valley Conservation Authority.

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2 -315 (see Schedule No. 22E) *(lapses August 23, 2032)*

Notwithstanding Subsection 9.1 of By-law No. 37-2006, as amended, the following provision, in addition to any other provisions pertaining to the Rural (A2) Zone, shall apply to the lands zoned Rural (A2-315):

In addition to the permitted uses of Subsection 9.1 and the provision of Subsection 6.12 d) of By-law No. 37-2006, a Garden Suite with a maximum floor area of 111.4 square metres (1200 square feet) shall be permitted pursuant to Section 39 of the Planning Act R.S.O. 1990, as amended, for a period not exceeding twenty (20) years from the date of passing of this By-law on the lands subject to this By-law as shown on Schedule "22E".

R3-316 (see Schedule No. 59H)

Notwithstanding Subsections 13.2.1 or 6.20 of By-law No. 37-2006 to the contrary, on those lands zoned Residential Exception (R2-316) development shall occur in accordance with the Residential (R2) Zone excepting however that:

- (i) FRONT YARD, Minimum: 6 m (29.6 feet);
- (ii) Section 6.20.1 shall not apply.

NE-317 (see Schedule No. 59H)

Notwithstanding Subsection 31.2 of By-law No. 37-2006 to the contrary, on those lands zoned Natural Environment Exception (NE-317) an accessory building shall be permitted in accordance with the accessory building provisions of the Residential (R2) Zone provided:

- (i) such accessory building is non-habitable and portable;
- (ii) the building comprises a maximum floor area of 10 square metres (107 square feet); and,
- (iii) the building is situated within 3 metres (10 feet) of the Residential Exception (R2-316) Zone.

No other buildings or structures or any sort including decks and swimming pools shall be permitted within the Natural Environment Exception (NE-317) Zone.

A2-318 (see Schedule No. 37D)

Notwithstanding Subsection 9.1 of By-law No. 37-2006 as amended, on those lands zoned 'A2-318' an existing second detached dwelling and/or a mobile home shall be permitted in addition to those uses normally permitted in the 'A2' zone.

A2-319 (see Schedule No. 32D)

Notwithstanding Subsections 9.4.2.1 and 9.4.2.3, the following provisions shall apply to the lands zoned Rural (A2-319) Exception Zone:

Minimum Lot Area - 0.4 hectares;
Minimum Front Yard – 11.8 metres."

M1-320 (See Schedule 12D)

Notwithstanding Subsection 24.2 of By-law No. 37-2006 to the contrary, those lands zoned Industrial Exception (M1-320) shall be used in accordance with the M1 zone provisions excepting however that the total floor area of all buildings located on the property shall not exceed 1150 square metres.

A2-322 (see Schedule No. 58B)

Notwithstanding Section 9.1 of By-law No. 37-2006, the lands zoned 'A2-322' shall be used in accordance with the 'A2' zone provisions excepting however that a custom workshop and an accessory warehouse shall also be permitted. The accessory warehouse shall not occupy more than 371 square metres of floor area.

A1-323 (see Schedule No. 36B)

Notwithstanding Section 9.1 of By-law No. 37-2006, the lands zoned 'A1-323' shall be used in accordance with the 'A1' zone provisions excepting however that a commercial kennel shall also be permitted subject to the following:

Minimum front yard:	120 metres;
Minimum (north) side yard:	35 metres;
Minimum building size:	15 square metres;
Maximum building size:	265 square metres;
Maximum number of dogs:	25 plus any offspring up to the age of 3 months;
Maximum number of employees:	1, not including owner or owner's family.

OS-324 (See Schedule 52D)

Notwithstanding Section 9.1 of By-law No. 37-2006, the lands zoned 'OS-324' shall be used in accordance with the 'OS' zone provisions excepting however that no buildings or structures shall be permitted.

A2-326 (See Schedule 18E)

Notwithstanding Subsection 9.2 of By-law No. 37-2006 to the contrary, the following provisions shall apply to the lands zoned Rural Exception (A2-326) as shown on Schedule "18E" affixed hereto:

Minimum Lot Area – 0.32 hectares
Minimum Lot Frontage – 29 metres

For the purposes of Section 35.326, lands zoned 'A2-326' and 'NE' shall be included in the calculation of lot area for the lands subject to this By-law, notwithstanding subsection 6.20.2 of By-law No. 37-2006.

A2-327 (See Schedule 18E)

Notwithstanding Subsection 9.2 of By-law No. 37-2006 to the contrary, the following provisions shall apply to the lands zoned Rural Exception (A2-327) as shown on Schedule "18E" affixed hereto:

Minimum Lot Area – 0.27 hectares
Minimum Lot Frontage – 30 metres

For the purposes of Section 35.327, lands zoned 'A2-327' and 'NE' shall be included in the calculation of lot area for the lands subject to this By-law, notwithstanding subsection 6.20.2 of By-law No. 37-2006.

A1-328 (See Schedule 31C)

Notwithstanding Subsection 8.4.2.1 of By-law No. 37-2006, as amended, the following provisions, in addition to any other provisions pertaining to the Agricultural (A1) Zone, shall apply to the lands zoned Agricultural (A1-328) and shown on Schedule "31C" affixed hereto:

Minimum Lot Area – 0.41 hectares

A1-329 (See Schedule 39B)

Notwithstanding Subsection 8.2.1 and of By-law No. 37-2006 to the contrary, the following provisions shall apply to the lands zoned Agricultural (A1-329) as shown on Schedule "39B" affixed hereto:

- (i) Minimum Lot Area – 19.9 hectares;
- (ii) The "h" suffix ("holding" symbol) attached to certain lands zoned A1-329 shall only be removed once it has been demonstrated through an Environmental Impact Study to the satisfaction of the Municipality of West Grey and the Saugeen Valley Conservation Authority that site alteration or development within this area will not negatively impact upon the ecological functions of the Significant Woodlands and their adjacent lands.

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

R1A-330 (See Schedule 47C)

Notwithstanding Subsections 11.2.1, 11.2.2, 11.2.3 and 11.2.4 of By-law No. 37-2006 to the contrary, the following provisions shall also apply to the lands zoned Unserviced Residential Exception (R1A-330) Zone, as shown on Schedule "47C" affixed hereto:

Minimum Lot Area – 849 square metres;

Minimum Lot Frontage – 16.5 metres;

Minimum Front Yard – as existing as the date of passing of this bylaw;

Minimum South Interior Side Yard – 1.1 metres.

A2-331 (See Schedule 25D)

Notwithstanding Subsection 9.2.1 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Rural (A2-331) as shown on Schedule "25D" affixed hereto:

Minimum Lot Area – 11.5 hectares

A2-332 (See Schedule 25D)

Notwithstanding Subsection 9.2.1 of By-law No. 37-2006 to the contrary, the following provision shall apply to the lands zoned Rural (A2-332) as shown on Schedule "25D" affixed hereto:

Minimum Lot Area – 13.1 hectares

C2-333 (See Schedule 24G)

Notwithstanding Subsection 18.1 of By-law No. 37-2006 to the contrary, the lands zoned Highway Commercial Exception (C2-333) shall be used in accordance with Section 18.1 excepting however that a detached dwelling may be permitted as an accessory use to an automobile sales and service establishment.

R1A-335 (See Schedule 60E)

Notwithstanding Subsections 11.2.1 and 11.2.2 of Bylaw Number 37-2006, as amended, the following provisions, in addition to any other provisions pertaining to the Residential (R1A) Zone, shall apply to the lands zoned R1A-335 (Residential Exception Zone), as shown on Schedule "60E" affixed hereto:

Minimum Lot Area – 1,030 square metres;

Minimum Lot Frontage – 20 metres.

A1-336 (See Schedule 21D)

Notwithstanding Subsection 8.2.1 of By-law No. 37-2006 to the contrary, the lands zoned Agricultural Exception (A1-336) shall be used in accordance with the 'A1' zone regulations excepting however that the 'minimum lot area' shall be 10.1 hectares.

OS-337 (See Schedule 21D)

Notwithstanding Subsection 29.1 of By-law No. 37-2006 to the contrary, the lands zoned Open Space Exception (OS-337) shall only be used for conservation purposes.

A1-339 (see Schedule 43D)

Notwithstanding Subsection 8.4.2.1 of By-law No. 37-2006 to the contrary, the following provisions shall apply to the lands zoned Agricultural (A1-339) as shown on Schedule "43D" affixed hereto:

Minimum Lot Area – 16.2 hectares

Notwithstanding any provision in By-law No. 37-2006 to the contrary, the barn existing as of the date of passage of this by-law shall be permitted to be used for dry storage only.

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-341 (see Schedule 44C)

Notwithstanding Subsection 9.1 of By-law No. 37-2006, as amended, the following provision, in addition to any other provisions pertaining to the Restricted Rural (A3) Zone, shall apply to the lands zoned Restricted Rural (A2-341)

In addition to the permitted uses of Subsection 9.1 of By-law No. 37-2006, a Garden Suite shall be permitted pursuant to Section 39 of the Planning Act R.S.O. 1990, as amended, until October 20, 2034, on the lands subject to this By-law as shown on Schedule "44C".

A2-342 (see Schedule 23E)

Notwithstanding Subsection 9.4.2.1 of By-law No. 37-2006 to the contrary, the following provisions shall apply to the lands zoned Agricultural (A2-342) as shown on Schedule "23E" affixed hereto:

Minimum Lot Area – 9.3 hectares

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-343 (see Schedule 44E)

Notwithstanding Subsection 9 of By-law No. 37-2006 to the contrary, the following provisions shall apply to the lands zoned Agricultural (A2-343) as shown on Schedule “44E” affixed hereto:

1. Minimum Lot Area – 3.2 hectares;
2. The livestock facilities existing on the date of passage of this Zoning By-law Amendment shall be used for storage purposes only.

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-344 (see Schedule 13E)

Notwithstanding Subsection 9.2 of By-law No. 37-2006 to the contrary, the lands zoned ‘A2-344’ (Rural Exception) shall be used in accordance with the ‘A2’ Zone regulations excepting however that:

- (i) the ‘minimum lot area’ shall be 4 hectares;
- (ii) the ‘minimum lot frontage’ shall be 170 metres.

A2-345 (see Schedule 13E)

Notwithstanding Subsection 29.1 of By-law No. 37-2006 to the contrary, the lands zoned ‘OS-345’ (Open Space Exception) shall only be used for conservation purposes.”

A3-346 (see Schedule 22F)

Notwithstanding Section 10.1 of By-law No. 37-2006, as amended, those lands zoned A3-346 shall be used in accordance with the A3 zone provisions, excepting however that an automobile repair establishment shall be permitted in accordance with Section 18.4 of this By-law provided:

- (a) the total floor area of the automobile repair establishment and any associated buildings shall not exceed 250 square metres;
- (b) the outside storage and display area, including the parking area, shall not exceed 500 square metres, except where the total floor area of the automobile repair establishment and associated buildings is less than 250 square metres, in which case the outdoor storage and display area may be increased such that the combined total of the floor area of the automobile repair establishment and the outdoor storage and display area does exceed 750 square metres;

- (c) a Site Plan Control Agreement pursuant to Section 41 of The Planning Act, R.S.O. 1990, as amended, shall be registered on title prior to any development or site disturbance related to the automobile repair establishment occurring on the property.

A2-347 (see Schedule 18F)

Notwithstanding Subsection 9 of By-law No. 37-2006 to the contrary, the following provisions shall apply to the lands zoned Agricultural (A2-347) as shown on Schedule “18F” affixed hereto:

1. Minimum Lot Area – 4.9 hectares.

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-348 (see Schedule 20G)

Notwithstanding Section 9.2.1, Section 9.2.3 a), and Section 9.2.5 a) of By-law No. 37-2006, as amended, those lands zoned A2-348 shall be used in accordance with the A2 zone provisions, excepting however that:

- (a) The minimum lot area shall be 0.96 hectares;
- (b) The front and exterior side yard requirements for the existing dwelling shall be as existing on September 21, 2015.

A1-349 (see Schedule 23F)

Notwithstanding Section 6.14 b) and Appendix A of By-law No. 37-2006, as amended, an automotive service and repair establishment shall be permitted on those lands zoned ‘A1-349’ in accordance with the provisions of Section 6.14. In no instance shall the number of automobiles parked on the property exceed six, not including the owner’s personal vehicle(s). The Minimum Distance Separation requirement shall be 185 metres. The hours of operation of the automotive service and repair establishment shall be Mondays to Fridays, from 8:00 a.m. to 5:00 p.m.; and Saturdays, from 8:00 a.m. to 12 noon.

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A1-350 (see Schedule 3A)

Notwithstanding Sections 9.3.3 and 9.3.6 of Bylaw Number 37-2006, as amended, the following provisions, in addition to any other provisions pertaining to the Rural (A2) Zone, shall apply to the lands zoned A2-350 (Rural Exception Zone), as shown on Schedule “3A” affixed hereto:

Minimum Front Yard for Existing Building to be Converted to a Detached Dwelling – as existing as of the date of passing of this by-law;

Minimum Exterior Side Yard Setback for Existing Building to be Converted to a Detached Dwelling – as existing as of the date of passing of this by-law.

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

R2-351 (see Schedule 55G)

Notwithstanding Section 13.1 and Section 13.2.4.3 of By-law No. 37-2006, as amended, those lands zoned R2-351 shall be used only for the following, in accordance with Section 13.2 of this By-law:

- Single detached residential dwelling;
- Semi-detached residential dwelling;
- Building containing three residential dwelling units in accordance with Section 13.2.4;
- Accessory uses, buildings and structures in accordance with Section 6.1.

Minimum Front Yard – 3.9 metres

A2-352 (see Schedule 1C)

Notwithstanding Subsections 9.2.2 of By-law No. 37-2006, as amended, the following provision, in addition to any other provisions pertaining to the Rural (A2) Zone, shall apply to the lands zoned Rural (A2-352) Exception Zone, and shown on Schedule "1C" affixed hereto:

Minimum Lot Frontage – 77 metres.

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-353 (see Schedule 1C)

Notwithstanding Subsections 9.2.1 and 9.2.4 a) of By-law No. 37-2006, as amended, the following provision, in addition to any other provisions pertaining to the Rural (A2) Zone, shall apply to the lands zoned Rural (A2-353) Exception Zone, and shown on Schedule "1C" affixed hereto:

Minimum Lot Area – 8.9 hectares;

Minimum West Interior Side Yard for the existing Residential Dwelling – 3 metres. A new (replacement) dwelling shall meet all minimum setback requirements of the Rural (A2) Zone.

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

R2-355 (see Schedule No. 55H)

Notwithstanding Section 24.1 of By-law No. 37-2006, the lands zoned 'R2-355' shall be used in accordance with the 'R2' zone provisions or for the existing furniture warehouse and

retail outlet. No enlargement or expansion of the existing furniture warehouse and retail outlet shall be permitted.

A3-356 (see Schedule No. 50H)

Notwithstanding Section 10.1, Restricted Rural (A3) Zone, the lands zoned Restricted Rural (A3-356) Zone, shall be permitted a commercial boarding kennel with a maximum number of twelve (12) dogs permitted in the commercial boarding kennel at any one time.

A1-357 (see Schedule No. 43E)

Notwithstanding Subsection 8.1 of By-law No. 37-2006, as amended, the following provision, in addition to any other provisions pertaining to the Agricultural (A1) Zone, shall apply to the lands zoned Agricultural (A1-357) Zone:

In addition to the permitted uses of Subsection 8.1 of By-law No. 37-2006, a Garden Suite for farm help purposes shall be permitted pursuant to Section 39 of the Planning Act R.S.O. 1990, as amended, for a temporary period not to exceed five (5) years from the date of passing of this by-law, on the lands subject to this By-law as shown on Schedule "43E".

A2-359 (see Schedule 3B)

Notwithstanding Section 9.2.1 of By-law No. 37-2006, as amended, those lands zoned A2-359 shall be used in accordance with the A2 zone provisions, excepting however that:

- (a) The minimum lot area shall be 12 hectares.

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-360 (see Schedule 3B)

Notwithstanding Section 9.2.1 of By-law No. 37-2006, as amended, those lands zoned A2-360 shall be used in accordance with the A2 zone provisions, excepting however that:

- (a) The minimum lot area shall be 0.93 hectares.

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

A2-362 (see Schedule 51B)

Notwithstanding Section 6.1.2 b) of By-law No. 37-2006, as amended, those lands zoned 'A2-362' shall permit an accessory structure in the front yard.

A2-363 (see Schedule 51B)

Notwithstanding Section 9.2.2 of By-law No. 37-2006, as amended, those lands zoned 'A2-363' shall be used in accordance with the A2 zone provisions, excepting however that:

- (a) The minimum lot frontage shall be 103 metres.

Notwithstanding subsection 6.20.2 of By-law No. 37-2006 to the contrary, lands within the Natural Environment (NE) Zone shall be included in the calculation of lot area for the lands subject to this By-law.

M2-364 (see Schedule 27E)

Notwithstanding 25.1 of By-law No. 37-2006 to the contrary, the lands zoned 'M2-364' shall be used in accordance with the M2' zone provisions excepting however that a detached dwelling shall also be permitted.

C2-365 (see Schedule 55I)

Notwithstanding 18.1 of By-law No. 37-2006 to the contrary, the lands zoned 'C2-365' shall be used in accordance with the C2' zone provisions excepting however that a shopping centre including a retail store(s) shall also be permitted.

SECTION 36 – ADMINISTRATION

This By-law shall be administered by the Municipality of West Grey in compliance with the Planning Act, R.S.O., 1990 and amendments thereto. Council may conduct a review of this By-law in accordance with the requirements of the Planning Act, or as determined appropriate by the Council.

SECTION 37- APPROVAL OF NEW BY-LAW

REPEAL OF OLD BY-LAW

Zoning By-law Number P5-1982, as amended, as it pertains to the former Town of Durham now with the Municipality of West Grey; Zoning By-law Number 553, as amended, as it pertains to the former Village of Neustadt now within the Municipality of West Grey; Zoning By-law Number 48-1995, as amended, as it pertains to the former Township of Bentinck now within the Municipality of West Grey; Zoning By-law Number 1397, as amended, as it pertains to the former Township of Glenelg now within the Municipality of West Grey; Zoning By-law Number 5-1994, as amended, as it pertains to the former Township of Normanby now within the Municipality Of West Grey, and including all associated Zoning Schedules; and further, including all amendments passed subsequent thereto are hereby repealed.

EFFECTIVE DATE OF NEW BY-LAW

By-law Number 37-2006 including all Schedules/Appendices attached hereto, shall come into effect on the final passing thereof by the Council of The Corporation of the Municipality Of West Grey, subject to compliance with the provisions of The Planning Act, R.S.O. 1990, as amended.

READ A FIRST AND SECOND TIME THIS 17th DAY OF April, 2006

original signed
MAYOR

original signed
CLERK

READ A THIRD TIME AND PASSED THIS 15th DAY OF May, 2006.

original signed
MAYOR

original signed
CLERK

MDS I CALCULATION BLANK FORM

Animal Type or Material	Description	Number per NU	Manure Form	Existing Maximum Housing Capacity	Existing NU	Factor A	Factor D
Total Number of NU							
Factor A (Odour Potential Factor)...a weighted average may be necessary							
Factor D (Manure Form Factor)...a weighted average may be necessary							
Factor B (Nutrient Units Factor)							
Factor E (Encroaching Land Use Factor)							
Maximum tillable hectares on the lot with the livestock facilities				X		=	(Maximum 300 NU)
F (Building Base Distance, m) = Factor A x Factor D x Factor B x Factor E							
S (Manure Storage Base Distance, m)							
Now What?	Repeat MDS calculation process as appropriate for other livestock facilities in the vicinity. Apply calculated MDS in the context of the land use planning application for which they were prepared.						

MDS II CALCULATION BLANK FORM

Animal Type or Material	Description	Number per NU	Manure Form	Existing Maximum Housing Capacity	Existing NU	Proposed Maximum Housing Capacity	Added NU	Total NU	Factor A	Factor AD
Totals										
Factor A (Odour Potential Factor) weighted average may be necessary										
Factor D (Manure Form Factor) weighted average may be necessary										
Factor B (Nutrient Units Factor)										
Has a building permit been issued for the livestock facility on this property, in the last 3 years that has increased its livestock capacity? No? Yes? If No, proceed to Approach (i); if Yes, proceed to Approach (ii)										
Approach (i) - No Building Permits in Last 3 Years					Approach (ii) - Building Permit(s) issued in Last 3 Years					
Calculation of Percentage Increase					Calculation of Percentage Increase					
Total 2 - Total Added NU (From Above)					Total 2 - Total Added NU (From Above) + Total Added NU from building permit(s) issued in the last 3 Years					
Total 1 - Total Existing NU (From Above)					Total 1 - Total Existing NU at Livestock Facility - 3 Years Ago					
If Total 1 = Zero - Treat as a First Livestock Facility					If Total 1 = Zero - Treat as a First Livestock Facility					
% Increase: (Total 2/Total 1) x 100					% Increase: (Total 2/Total 1) x 100					
Factor C (Orderly Expansion Factor)										
F (Building Base Distance, m) = Factor A x Factor D x Factor B x Factor C										
S (Manure Storage Base Distance, m)										
Now What?	Apply MDS calculation to building permit application as appropriate. For Type A land uses, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 1.0 to determine the required MDS setback. For Type B land uses, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 2.0 to determine the required MDS setback. Implementation Guideline #40 provides direction around setbacks from rear lot lines, side lot lines and road allowances. For rear and side lot lines, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 0.1 to determine the required MDS setback. In accordance with Implementation Guideline #44, the required MDS setback from a rear or side lot line should never exceed 30 metres. For road allowances, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 0.2 to determine the required MDS setback.									

FACTOR TABLES

Table 1: Factor A (Odour Potential) and Factor D (Manure or Material Form in Storage Facility)

Animal Type or Material	Description	Number per NU	Factor A	Manure or Material Form in Permanent Storage			
				Liquid Manure: Factor D = 0.8 < 18% Dry Matter	Solid Manure: Factor D = 0.7 18 - 100% Dry Matter		
Swine	Sows with litter, dry sows/boars Segregated Early Weaning (SEW)	3.33	1.0	Most systems have liquid manure stored under the barn slats for short or long periods, or in storages located outside	Systems with solid manure inside on deep bedded packs, or with scraped alleys		
	Sows with litter, dry sows or boars (non-SEW)	3.5					
	Breeder gilts (entire barn designed specifically for this purpose)	5					
	Weaners (7 kg – 27 kg)	20	1.1				
	Feeders (27 – 105 kg)	6	1.2				
Dairy Cattle	Milking-age cows (dry or milking)		0.7	Free-stall barns with minimal bedding, or sand bedding, or tie-stall barns with minimal bedding & milking centre washwater added	Tie-stall barns with lots of bedding, or loose housing with deep bedded pack, and with or without outside yard access		
	- Large-framed; 545 kg – 636 kg (e.g. Holsteins)	0.7					
	- Medium-framed; 455 kg – 545 kg (e.g. Guernseys)	0.85					
	- Small-framed; 364 kg – 455 kg (e.g. Jerseys)	1					
	Heifers (5 months to freshening)						
	- Large-framed; 182 kg – 545 kg (e.g. Holsteins)	2					
	- Medium-framed; 148 kg – 455 kg (e.g. Guernseys)	2.4					
	- Small-framed; 125 kg – 364 kg (Jerseys)	2.9					
	Calves (0 – 5 months)		0.7			Free-stall barns with minimal bedding, or sand bedding, or tie-stall barns with minimal bedding & milking centre washwater added	Bedded pens or stalls or heavily bedded calf hutches that are outside
	- Large-framed; 45 kg – 182 kg (e.g. Holsteins)	6					
- Medium-framed; 39 kg – 148 kg (e.g. Guernseys)	7						
- Small-framed; 30 kg – 125 kg (Jerseys)	8.5						
Beef Cattle	Cows, including calves to weaning (all breeds)	1	0.7	N/A	Bedded pack barns with or without outside yard access		
	Feeders (7 – 16 months)	3	0.8	Slatted floor systems, or barns with minimal bedding & yard scraped to a liquid storage			
	Backgrounders (7 – 12.5 months)	3					
	Shortkeepers (12.5 – 17.5 months)	2					

APPENDIX 1: MINIMUM DISTANCE SEPARATION (MDS) TABLE II

Animal Type, or Material	Description	Number per NU	Factor A	Manure or Material Form in Permanent Storage				
				Liquid Manure: Factor D = 0.8 Less than 18% Dry Matter	Solid Manure: Factor D = 0.7 18 to 100% Dry Matter			
Veal	Milk-fed	6	1.1	Slatted floors or slatted stall system	Heavily bedded pack barns			
	Grain-fed	6	0.8					
Goats	Does & bucks (for meat kids; includes unweaned offspring & replacements)	8	0.7	N/A	Heavily bedded pack barns			
	Does & bucks (for dairy; includes unweaned offspring & replacements)	8						
	Kids (dairy or feeder kids)	20						
Sheep	Ewes & rams (for meat lambs; includes unweaned offspring & replacements)	8	0.7	N/A	All sheep systems			
	Ewes & rams (dairy operation; includes unweaned offspring & replacements)	6						
	Lambs (dairy or feeder lambs)	20						
Horses	Large-framed, mature; > 681 kg (including unweaned offspring)	0.7	0.7	N/A	All horse systems			
	Medium-framed, mature; 227 kg – 680 kg (including unweaned offspring)	1						
	Small-framed, mature; < 227 kg (including unweaned offspring)	2						
Chickens	Layer hens (for eating eggs; after transfer from pullet barn)	150	1.0	Birds in cages, manure belts, no drying of manure, water added	Birds in cages, manure belts & drying, or floor systems			
	Layer pullets (day olds until transferred into layer barn)	500	0.7					
	Broiler breeder growers (males/females transferred out to layer barn)	300	0.7	N/A	Bedded floors			
	Broiler breeder layers (males/females transferred in from grower barn)	100	0.7	N/A	Cage or slatted floor systems			
	Broilers on an 8 week cycle	350	0.7	N/A	Bedded floor systems			
	Broilers on a 9 week cycle	300						
	Broilers on a 10 week cycle	250						
	Broilers on a 12 week cycle	200						
Broilers on any other cycle, or if unknown, use 24.8 m ² /NU	24.8 m ²							
Turkeys	Turkey pullets (day old until transferred to layer turkey barn)	267	0.7	N/A	Bedded floor systems			
	Turkey breeder layers (males/females transferred in from grower barn)	67						
	Breeder toms	45						
	Broilers (day olds to 6.2 kg)	133						
	Hens (day olds up to 6.2 kg to 10.8 kg; 7.5 kg is typical)	105						
	Toms (day olds to over 10.8 to 20 kg; 14.5 kg is typical)	75						
	Turkeys at any other weights, or if unknown use 24.8 m ²	24.8 m ²						
	Unknown use 24.8 m ²	24.8 m ²						

APPENDIX 1: MINIMUM DISTANCE SEPARATION (MDS I AND II)

Animal Type, or Material	Description	Number per NU	Factor A	Manure or Material Form in Permanent Storage	
				Liquid Manure: Factor D = 0.8 Less than 18% Dry Matter	Solid Manure: Factor D = 0.7 18 to 100% Dry Matter
Quail	Use 24.8 m2/NU	24.8 m2	0.7	N/A	Bedded floor systems
Partridge	Use 24.8 m2/NU	24.8 m2			
Pheasants	Use 24.8 m2/NU	24.8 m2			
Squab	Use 24.8 m2/NU	24.8 m2			
Rheas	Adults (includes replacements & market birds)	13			
Emus	Adults (includes replacements & market birds)	12			
Ostriches	Adults (includes replacements & market birds)	4			
Ducks	Peking	105	0.8	Wire mesh flooring systems	Bedded floor systems
	Muscovy, use 24.8 m2/NU	24.8 m2			
Geese	Use 24.8 m2/NU	24.8 m2			
Rabbits	Breeding females (including males, replacements & market animals)	40	0.8	N/A	Cage or floor systems
Chinchillas	Breeding females (including males, replacements & market animals)	320			
Fox	Breeding females (including males, replacements & market animals)	25	1.0	N/A	
Mink	Breeding females (including males, replacements & market animals)	90			
Bison	Adults (includes unweaned calves & replacements)	1.3	0.7	N/A	Bedded pack barns with outside access or outside confinement areas
	Feeders (170 kg – 477 kg)	4			
Llama	Adults (includes unweaned young & replacements)	5			
	Feeders (45 kg – 86 kg)	16			
Alpaca	Adults (includes unweaned young & replacements)	8			
	Feeders (23 kg – 48 kg)	26			
Wild Boar	Breeding age sows (includes boars, replacements & weaned piglets to 27 kg)	5			
	Finishing boars (27 kg – 86 kg)	7			
					Continued...

APPENDIX 1: MINIMUM DISTANCE SEPARATION (MDS I AND II)

Animal Type, or Material	Description	Number per NU	Factor A	Manure or Material Form in Permanent Storage	
				Liquid Manure: Factor D = 0.8 Less than 18% Dry Matter	Solid Manure: Factor D = 0.7 18 to 100% Dry Matter
Deer	White tailed deer - Adults > 24 mo (including unweaned offspring)	11	0.7	N/A	Bedded pack barns with outside access <u>OR</u> outside confinement areas
	- Feeders	21			
	Red deer - Adults > 24 mo (including unweaned offspring)	7			
	- Feeders	14			
	Elk - Adults > 24 mo (including unweaned offspring)	2			
	- Feeders	6			
	Elk/deer hybrids - Adults > 24 mo (including unweaned offspring)	4			
	- Feeders	10			
	Fallow deer - Adults > 24 mo (including unweaned offspring)	13			
- Feeders	23				
Other livestock not listed in this table	To determine the number per NU, add up the total maximum live weight of animals and divide by the weight of animals per NU in the next column	453.6 kg (1000 lbs)	0.8	All storages with liquid manure	All storages with solid manure
Manure imported to a lot not generating manure ²	Maximum capacity of permanent storages at any time: solid or liquid capacity	19.8 m ³ (700 ft ³)	1.2	All storages with liquid manure	All storages with solid manure
Storages for digestate from an Anaerobic Digester (odours reduced during this process)	Maximum capacity of permanent storages at any time: solid or liquid capacity	19.8 m ³ (700 ft ³)	0.5	All storages with liquid manure	All storages with solid manure

1. On farms with 100 milking-age cows (dry & milking), there are usually about 20 replacement calves and 80 replacement heifers.

2. Average value for typical types of manures that might be imported to a lot, such as poultry, dairy, beef, swine, horse or other manure.

N/A = Not Applicable

Table 2: Factor B (Nutrient Units Factor)

In using Table 2 to determine Factor B, it may be necessary to interpolate a value for Factor B. For example, you determine the total number of *nutrient units* at a *livestock facility* to be 255 NU. Table 2 provides a value for Factor B for 250 NU and for 260 NU, but not for 255 NU. The value of Factor B for 250 NU is 435 and the value of Factor B for 260 NU is 441. To determine Factor B for 255 NU interpolate between the numbers 435 and 441. In this example, the value of Factor B for 255 NU is 438.

When interpolating a value for Factor B do not include more than two decimal places. Interpolated values with more than two decimal places should be rounded accordingly. For example, if an interpolated value for Factor B is calculated as 499.238, then use a value of 499.24 for Factor B in the MDS calculation.

For operations less than 5 NU in size, do not interpolate, but use a Factor B of 150. For operations greater than 5000 NU in size, contact OMAFRA staff to determine Factor B.

Final NU	Factor B	Final NU	Factor B	Final NU	Factor B	Final NU	Factor B
Up to 5	150	46	252	124	340	390	508
6	153	47	254	126	342	400	513
7	157	48	256	128	344	410	517
8	160	49	258	130	346	420	522
9	163	50	260	135	351	430	526
10	167	52	264	140	355	440	530
11	170	54	268	145	360	450	535
12	173	56	272	150	364	460	539
13	177	58	276	155	368	470	543
14	180	60	280	160	372	480	547
15	183	62	282	165	376	490	551
16	187	64	284	170	380	500	555
17	190	66	285	175	384	520	562
18	193	68	287	180	388	540	570
19	197	70	289	185	392	560	577
20	200	72	291	190	395	580	584
21	202	74	293	195	399	600	591
22	204	76	294	200	402	620	598
23	206	78	296	205	406	640	605
24	208	80	298	210	409	660	611
25	210	82	300	215	413	680	618
26	212	84	301	220	416	700	624
27	214	86	303	225	419	750	639
28	216	88	305	230	423	800	654
29	218	90	307	235	426	850	668
30	220	92	309	240	429	900	681
31	222	94	310	245	432	950	694
32	224	96	312	250	435	1000	707
33	226	98	314	260	441	1100	731
34	228	100	316	270	447	1200	753
35	230	102	318	280	453	1300	775
36	232	104	320	290	458	1400	795
37	234	106	322	300	464	1500	815
38	236	108	324	310	469	2000	870
39	238	110	326	320	474	3000	980
40	240	112	329	330	480	4000	1090
41	242	114	331	340	485	5000	1200
42	244	116	333	350	490	Greater than 5000	Contact OMAFRA staff
43	246	118	335	360	494		
44	248	120	337	370	499		
45	250	122	339	380	504		

Table 3: Factor C (Orderly Expansion Factor)

In using Table 3 to determine Factor C, it may be necessary to interpolate a value for Factor C. For example, you determine the percentage increase at a *livestock facility* to be 155%. Table 3 provides a value for Factor C for a 150% increase, and for a 160% increase, but not for a 155% increase. The value of Factor C for a 150% increase is 0.9371 and the value of Factor C for a 160% increase is 0.9497. To determine Factor C for a 155% increase interpolate between the numbers 0.9371 and 0.9497. In this example, the value of Factor C for a 155% increase is 0.9434.

When interpolating a value for Factor C do not include more than four decimal places. Interpolated values with more than four decimal places should be rounded accordingly. For example, if an interpolated value for Factor C is calculated as 0.977643, then use a value of 0.9776 for Factor C in the MDS calculation.

For operations with a 0% increase, or a decrease, i.e. ‘negative’ percentage increase, use a value of 0.5000 for Factor C. Do not interpolate below a value of 0.5000. For operations with a 700% increase or greater, or for a *first livestock facility*, use a value of 1.1400 for Factor C. Do not interpolate above a value of 1.1400.

% Increase in Nutrient Units	Factor C	% Increase in Nutrient Units	Factor C	% Increase in Nutrient Units	Factor C
% increase <u>or</u> decreases ('negative' increase)	0.5000	27%	0.6674	80%	0.8484
1%	0.5062	28%	0.6736	85%	0.8547
2%	0.5124	29%	0.6798	90%	0.8610
3%	0.5186	30%	0.6860	95%	0.8674
4%	0.5248	31%	0.6922	100%	0.8737
5%	0.5310	32%	0.6984	105%	0.8800
6%	0.5372	33%	0.7046	110%	0.8864
7%	0.5434	34%	0.7108	115%	0.8927
8%	0.5496	35%	0.7170	120%	0.8990
9%	0.5558	36%	0.7232	125%	0.9054
10%	0.5620	37%	0.7294	130%	0.9117
11%	0.5682	38%	0.7356	135%	0.9180
12%	0.5744	39%	0.7418	140%	0.9244
13%	0.5806	40%	0.7480	145%	0.9307
14%	0.5868	41%	0.7542	150%	0.9371
15%	0.5930	42%	0.7604	160%	0.9497
16%	0.5992	43%	0.7666	170%	0.9624
17%	0.6054	44%	0.7728	180%	0.9751
18%	0.6116	45%	0.7790	190%	0.9877
19%	0.6178	46%	0.7852	200%	1.0000
20%	0.6240	47%	0.7914	300%	1.0280
21%	0.6302	48%	0.7976	400%	1.0560
22%	0.6364	49%	0.8038	500%	1.0840
23%	0.6426	50%	0.8100	600%	1.1120
24%	0.6488	55%	0.8167	700% increase, or more, or First Livestock Facility on lot of record.	1.1400
25%	0.6550	60%	0.8230		
26%	0.6612	65%	0.8294		
		70%	0.8357		
		75%	0.8420		

Table 4: Factor E (Encroaching Land Use Factor)

Encroaching Land Use	Factor E
Type A Land Use	1.1
Type B Land Use	2.2

Table 5: Permanent Manure or Material Storage Types

Solid Manure: 18% dry matter, or more Liquid

Manure: Less than 18% dry matter Digestate:

Less than 18% dry matter

Storage Odour Potential	Solid or Liquid System	Inside or Outside Livestock Facility	Number referred to in Table 6 (View images in Appendix A)	Description of permanent manure storages being sited by MDS II, or encroached upon through MDS I application
Very Low	Solid	Inside	V1	Solid, inside, bedded pack (manure accumulates under livestock over time)
		Outside	V2	Solid, outside, covered (cover keeps off precipitation to prevent runoff)
			V3	Solid, outside, no cover, greater than or equal 30% dry matter (manure is dry enough that a flowpath option can be used for runoff control (Nutrient Management Act, 2002))
			V4	Solid, outside, no cover, 18% to less than 30% dry matter, with covered liquid runoff storage (manure not dry enough to soak up precipitation, so a liquid runoff storage needed, but it has a permanent, tight cover)
	Liquid	Inside	V5	Liquid, inside, underneath slatted floor (manure is stored under the animals in the barn)
		Outside	V6	Liquid, outside, with a permanent, tight fitting cover (negative pressure tarp, concrete lid, inflatable dome, etc.)
			V7	Liquid, (digestate), outside, no cover (all manure has been treated through anaerobic digestion, or a similar process that reduces odours)
	Solid	Outside	L1	Solid, outside, no cover, 18% to less than 30% dry matter, with uncovered liquid runoff storage (manure not dry enough to soak up precipitation, so a liquid Low runoff storage needed, but it is uncovered, producing more odour than in V4 above)
	Liquid	Outside	L2	Liquid, outside, with a permanent floating cover (tarps, foam panels, etc.)
Medium	Liquid	Outside	M1	Liquid, outside, no cover, straight-walled storage (usually circular or rectangular concrete, or steel storages)
			M2	Liquid, outside, roof, but with open sides (roof keeps off precipitation, but the open sides allow wind to travel over the manure and carry odours)
High	Liquid	Outside	H1	Liquid, outside, no cover, sloped-sided storage (earthen manure storages, but <u>not</u> earthen runoff storages associated with a solid manure storage which are L1 above)

Table 6: MDS I/II Separation Distances for Permanent Manure or Material Storage Types in Table 5

In using Table to determine a value for 'S' – Storage Separation Distance, in some instances it may be necessary to interpolate a value.

For example, you determine the value for Encroachment Base Distance 'F' to be 106 metres. From Table 5, you have determined that the *livestock facility* uses a storage facility with an odour potential that is considered medium (M1).

Table 6 provides a value for Storage Separation Distance 'S' for an M1 Storage for an Encroachment Base Distance 'F' of 100 metres and for an Encroachment Base Distance 'F' of 110 metres, but not for an Encroachment Base Distance 'F' of 106 metres. The value of Storage Separation Distance 'S' for an M1 Storage with an Encroachment Base Distance 'F' of 100 metres, is 190 metres. The value of Storage Separation Distance 'S' for an M1 Storage with an Encroachment Base Distance 'F' of 110 metres, is 199 metres. To determine the value of Storage Separation Distance 'S' for an M1 Storage, with an Encroachment Base Distance 'F' of 106 metres interpolate between the numbers 190 and 199. In this example, the value of Storage Separation Distance 'S' for an M1 Storage, with an Encroachment Base Distance 'F' of 106 metres is 195.4 metres. This value should be rounded to the nearest whole number, in this case 195 metres.

When interpolating a value for Storage Separation Distance 'S' do not include any decimal places. Interpolated values with decimal places should be rounded accordingly. For example, if an interpolated value for Storage Separation Distance 'S' is calculated as 202.83 metres, then use a value of 203 metres for Storage Separation Distance 'S'.

In all instances, where Encroachment or Building Base Distance 'F' exceeds 1000 metres, then Storage Separation Distance 'S' will be the same value as 'F'.

Table 6: MDS I/II Separation Distances for Permanent Manure

Building Base Distance (m) for MDS II ('F'), or Encroachment Base Distance for MDS I ('F')	Storage Separation Distances Based on Relative Odour Potential - Storage Base Distance, 'S' (m)			
	Very Low Odour Storages V1 to V7	Low Odour Storages L1 to L2	Medium Odour Storages M1 to M2	High Odour Storages H1
40	40	64	136	232
50	50	74	145	240
60	60	84	154	248
70	70	93	163	256
80	80	103	172	264
90	90	113	181	272
100	100	123	190	280
110	110	132	199	288
120	120	142	208	296
130	130	152	217	304
140	140	162	226	312
150	150	171	235	320
160	160	181	244	328
170	170	191	253	336
180	180	201	262	344
190	190	210	271	352
200	200	220	280	360
210	210	230	289	368
220	220	240	298	376
230	230	249	307	384
240	240	259	316	392
250	250	269	325	400
260	260	279	334	408
270	270	288	343	416
280	280	298	352	424
290	290	308	361	432
300	300	318	370	440
310	310	327	379	448
320	320	337	388	456
330	330	347	397	464
340	340	357	406	472
350	350	366	415	480
360	360	376	424	488
370	370	386	433	496
380	380	396	442	504
390	390	405	451	512
400	400	415	460	520
420	420	435	478	536
440	440	454	496	552
460	460	474	514	568
480	480	493	532	584
500	500	513	550	600
600	600	610	640	680
800	800	805	820	840
1000	1000	1000	1000	1000
Greater than 1000 m	Storage Base Distance, 'S', should be the same as Building Base Distance or Encroachment Base Distance - 'F'			

Implementation Guideline	MDS I	MDS II
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Type A and B Land Uses

These implementation guidelines outline considerations regarding the interpretation of Type A and Type B land uses for MDS I and II, and how different land uses should be treated in MDS. They also provide specific direction on exceptions to Type A and Type B land uses.

<p>Type A land uses</p>	<p>Type A land uses are typically characterized by uses that have a lower density of human occupancy, habitation or activity.</p> <p>For the purposes of MDS I, Type A land uses include applications to rezone or redesignate agricultural lands for industrial, agricultural-related or recreational use – low intensity purposes.</p> <p>Type A land uses include applications to permit:</p> <ul style="list-style-type: none"> • construction of a dwelling on an existing lot where the municipality has determined that MDS I should be applied, or the • creation of up to three lots either by consent or plan of subdivision 	<p>Type A land uses are typically characterized by uses that have a lower density of human occupancy, habitation or activity.</p> <p>For the purposes of MDS II, Type A land uses include areas zoned or designated industrial, agricultural-related or recreational use – low intensity.</p> <p>Type A land uses include residential dwellings on lots zoned agriculture, rural residential, residential, or other similar zoning. This includes existing residential uses on separate lots not recognized through Official Plan designation as a residential area.</p>
<p>Type B land uses</p>	<p>Type B land uses are typically characterized by uses that have a higher density of human occupancy, habitation or activity.</p> <p>For the purposes of MDS I, Type B land uses include applications to rezone or redesignate agricultural lands for residential, institutional, recreational use – high intensity, commercial or settlement area purposes.</p> <p>Type B land uses include applications to permit:</p> <ul style="list-style-type: none"> • creation of residential subdivisions in rural areas, or • expansion of a settlement area, or • creation of multiple residential development, or • the creation of a lot which results in a rural residential cluster 	<p>Type B land uses are typically characterized by uses that have a higher density of human occupancy, habitation or activity.</p> <p>For the purposes of MDS II, Type B land uses include areas zoned or designated settlement area, recreational use high – intensity, institutional, or commercial.</p> <p>Type B land uses include areas designated in an Official Plan as residential for:</p> <ul style="list-style-type: none"> • residential subdivisions, or • multiple residential, or • estate residential development

MANURE OR MATERIAL STORAGE TYPES

Type	Description
V1	Solid, inside, bedded pack (manure accumulates under livestock over time)
V2	Solid, outside, covered (cover keeps off precipitation to prevent runoff)
V3	Solid, outside, no cover, greater than or equal 30% dry matter (manure is dry enough that a flowpath option can be used for runoff control (Nutrient Management Act, 2002))
V4	Solid, outside, no cover, 18% to less than 30% dry matter, with covered liquid runoff storage (manure not dry enough to soak up precipitation, so a liquid runoff storage needed, but it has a permanent, tight cover)
V5	Liquid, inside, underneath slatted floor (manure is stored under the animals in the barn)
V6	Liquid, outside, with a permanent, tight fitting cover (negative pressure tarp, concrete lid, inflatable dome, etc.)
V7	Liquid, (digestate), outside, no cover (all manure has been treated through anaerobic digestion, or a similar process that reduces odours)

APPENDIX 1: MINIMUM DISTANCE SEPARATION (MDS I AND II)

Type	Description
L1	Solid, outside, no cover, 18% to less than 30% dry matter, with uncovered liquid runoff storage (manure not dry enough to soak up precipitation, so a liquid runoff storage needed, but it is uncovered, producing more odour than in V4 above)
L2	Liquid, outside, with a permanent floating cover (tarps, foam panels, etc.)
M1	Liquid, outside, no cover, straight-walled storage (usually circular or rectangular concrete, or steel storages)
M2	Liquid, outside, roof, but with open sides (roof keeps off precipitation, but the open sides allow wind to travel over the manure and carry odours)
H1	Liquid, outside, no cover, sloped-sided storage (earthen manure storages, but <u>not</u> earthen runoff storages associated with a solid manure storage which are L1 above)

DEFINITIONS

Except for references to legislation which are traditionally in italics, italicized terms in this document are defined in the Definitions section below.

Agricultural use – As defined in the Provincial Policy Statement, 2005, this means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Agricultural-related uses – As defined in the Provincial Policy Statement, 2005, this means farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation. Examples of this use include animal husbandry services, produce or grain storage facilities, and seed dealers.

Anaerobic digester – An enclosed vessel in which micro-organisms break down organic materials (e.g. manure and other organic materials), in the absence of oxygen, resulting in the production of biogases, consisting primarily of methane and carbon dioxide. The Minimum Distance Separation Formulae is to be applied to on-farm anaerobic digesters, which utilize manure as an input. An on-farm anaerobic digester may include a *co-substrate input tank* fitted with a tight cover, in which permitted off-farm non-agricultural source materials are temporarily stored before feeding into the anaerobic digester.

Catastrophe – An unanticipated, disastrous loss of part, or all, of a *livestock facility* due to fire, collapse, flood, wind, or other such event.

Commercial use – The use of land, building or structure for the purpose of buying and/or selling commodities and supplying services, such as automotive service stations, car washes, convenience retail shops, hotels or motels, shopping centres and supermarkets.

Co-substrate input tank (CSIT) – Storage for containing permitted non-agricultural wastes that will be blended with manure in an on-farm *anaerobic digester* in order to increase biogas production.

Digestate – End product from the anaerobic digestion of manure (and possibly permitted *co-substrate input tank* materials) that has a significant reduction in pathogens and odour.

Dwelling – Any building that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals.

Empty facility – A *livestock facility* that does not currently contain any manure, house any *livestock*, or contain organic material used for *anaerobic digesters*.

Existing livestock facility – A *livestock facility*, or a portion of a *livestock facility*, intended for keeping or housing of *livestock* and containing one or more barns or structures. Includes *manure or material storages*, whether associated with a *livestock facility* or not, and *anaerobic digesters*, which have already been constructed.

Expanded livestock facility – Any building activity to construct or expand a *livestock facility* that requires a building permit and results in an increase, or decrease, in *Nutrient Unit* capacity on a *lot*, where there already was some existing *Nutrient Unit* capacity.

First livestock facility – Any building activity to construct a *livestock facility* that requires a building permit and results in an increase in *Nutrient Unit* capacity on a *lot*, where there was no existing *Nutrient Unit* capacity.

Housing capacity – Maximum *livestock* capacity for all facilities on a *lot* at any time, even if currently empty but able to house *livestock*.

Industrial use – The use of land, buildings or structures for the purpose of manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage of goods, and related accessory uses.

Institutional use – The use of land, buildings or structures for public or social purposes, including religious, governmental, educational, charitable, health, or other non-*commercial* uses, and may include cemeteries, places of worship, municipal buildings, police and fire stations, schools, hospitals, and seniors complexes.

Livestock – Includes dairy, beef, swine, poultry, horses, goats, sheep, raptures, fur-bearing animals, deer & elk, game animals, birds, and other animals identified in Table 1.

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

APPENDIX 1: MINIMUM DISTANCE SEPARATION (MDS I AND II)

Livestock occupied portion – Areas of *livestock facilities* where *livestock* spend the majority of their time, allowing substantial amounts of manure to accumulate, but not including feed preparation rooms, milking centres, offices, washrooms, riding arenas, *livestock* loading chutes, or *livestock* assembly areas.

Lot(s) – A parcel or tract of land, within a registered plan or subdivision or described in a deed or other legal document, that is capable of being legally conveyed.

Manure or material storage – Permanent storages, which may or may not be associated with a *livestock facility* containing liquid manure (< 18% dry matter), solid manure (≥ 18% dry matter), or digestate (< 18% dry matter). Permanent storages may come in a variety of:

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

Multiple residential – Three or more *residential* units in the same structure.

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

Recreational use – high intensity – Recreational use that usually includes buildings and/or a higher density or concentration of human activity such as golf courses, sports fields, trailer parks, campgrounds and conservation areas with facilities.

Recreational use – low intensity – Recreational use that usually does not require buildings, does not alter the soil or topography, and/or has a lower density or concentration of human activity such as open space and environmental areas.

Residential use – The use of land, buildings or structures for human habitation.

Rural residential cluster – Four, or more, adjacent rural *lots*, generally one hectare or less in size, sharing a common contiguous boundary. *Lots* located directly across a road from one another shall be considered as having a common boundary.

Settlement areas – As defined in the Provincial Policy Statement, 2005, this means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a) built up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the long term planning horizon provided for in policy 1.1.2. In cases where land in *designated growth areas* is not available, the *settlement area* may be no larger than the area where development is concentrated.

Rural residential clusters are not considered *settlement areas*, unless designated as such in a municipal official plan.

Storage capacity – Maximum storage volume (measured as cubic feet or cubic metres) of all storages for *manure*, or *digestate* treated through an *anaerobic digester*, on a *lot* at any time, even if currently empty but able to store these materials.

Tillable hectares – Land, including pasture that can be worked or cultivated to grow crops.

MDS I CALCULATION FORM

The following outlines the 10 Steps on how to calculate setbacks to all adjacent *livestock facilities*, reasonably expected to be impacted by an applicant's proposed development. Each step is colour-coded. The applicable topics found in the Implementation Guidelines Chart and the applicable Tables are noted in the steps below.

<p>Step 1</p>	<p>Location and contact information</p>	<p>Fill in the pertinent information about the applicant, and each adjacent livestock facility within 1000 m or more, of the proposed development. Each livestock facility must be on its own separate lot and should be treated as separate calculations. All barns and structures located on one lot should be treated as part of the same livestock facility. Implementation Guidelines #1 through #16 provide direction on the general rules and application of the Minimum Distance Separation Formulae.</p>
<p>Step 2</p>	<p>Livestock facility animal/material types</p>	<p>For the first livestock facility identified in Step 1, fill in all of its existing animal/material types, descriptions, the total maximum housing capacity, the number of animals/material per Nutrient Unit (NU) and associated manure forms. Information on the existing animal/material types, descriptions, the total number of animals/material, and associated manure forms should be obtained from the owner of the livestock facility. It may be necessary to verify this information independently. Information on the number of animals/material per Nutrient Unit (NU) can be determined from Table 1. Implementation Guidelines #17 through #20 provide guidance on determining livestock facility capacity. Implementation Guidelines #21 and #22 provide direction on dealing with anaerobic digesters.</p>
<p>Step 3</p>	<p>Existing Nutrient Units (NU)</p>	<p>Calculate the existing total maximum NU capacity of the livestock facility by dividing existing capacity of each animal/material type by the number of animals/material per NU as found in Table 1. Then, add all the existing NU together for all the types of animal/material present, to obtain the total maximum number of NU.</p>

APPENDIX 1: MINIMUM DISTANCE SEPARATION (MDS I AND II)

<p>Step 4</p>	<p>Weighted Factor A</p>	<p>Determine Factor A (Odour Potential Factor) for each animal/material type present, from Table 1, and fill in the calculation form. If necessary, calculate the weighted average for Factor A, if Factor A is not the same for all animals/materials listed. See Implementation Guidelines #26 and #31 for further direction.</p>
<p>Step 5</p>	<p>Weighted Factor D</p>	<p>Determine Factor D (Manure Form in Permanent Storage Factor) from Table 1, for each animal/material type present, and fill in the calculation form. If necessary, calculate the weighted average Factor D, if Factor D is not the same for all animals/materials listed. See Implementation Guidelines #29 and #32 for further direction.</p>
<p>Step 6</p>	<p>Tillable hectares and potential NU</p>	<p>Fill in the maximum tillable hectares of land on the lot where the livestock facility is located, based on information obtained from the owner of the livestock facility. It may be necessary to verify this information independently. Calculate the potential total number of NU, which equals: # of tillable hectares x 7.5, up to a maximum of 300 NU. Implementation Guidelines #33 and #17 provide more specific information.</p>
<p>Step 7</p>	<p>Factor B and existing vs. potential NU</p>	<p>Compare the total number of existing NU calculated in Step 3 with the total number of potential NU calculated in Step 6. Using the greater of these two numbers, determine Factor B from Table 2, and fill in the correct space on the calculation form. In some circumstances, it will be necessary to interpolate Factor B from Table 2, when the number of NU is not specifically identified in the table. Implementation Guideline #27 provides more specific direction on Factor B.</p>
<p>Step 8</p>	<p>Determine Factor E</p>	<p>Determine and fill in Factor E (Encroachment Land Use Factor) on the calculation form. Factor E can be determined from Table 4. Implementation Guidelines #30 and #35 through #39 provide specific direction on Factor E and the determination of Type A and Type B land uses.</p>
<p>Step 9</p>	<p>F, Building Base Distance</p>	<p>Calculate F (Building Base Distance) = (Factor A) x (Factor D) x (Factor B) x (Factor E), which is the required MDS I setback from the proposed development to the nearest barn of the livestock facility. For further information, see Implementation Guidelines #23 and #34.</p>

<p>Step 10</p>	<p>S, Manure Storage Base Distance</p>	<p>Establish S (Manure Storage Base Distance) by first using Table 5 to choose the existing storage at the livestock facility with the highest odour potential: Very Low, Low, Medium, and High. Then, enter Table 6 under the appropriate column and read across using 'F' calculated from Step 9. It may be necessary to interpolate. S, is the required MDS I setback from the proposed development to the nearest manure storage at the livestock facility. Implementation Guidelines #24 and #25 provide further information. Implementation Guidelines #21 and #22 provide further information on dealing with anaerobic digesters.</p> <p>Steps 2 through 10 should be completed for any other livestock facilities present, in accordance with Implementation Guideline #6.</p>
<p>Now What?</p>	<p>Using calculated MDS</p>	<p>The calculated values of MDS can now be used in the context of the land use planning application for which they have been prepared. Implementation Guidelines #35 through #40 provide direction around issues regarding Type A and Type B land uses. Implementation Guidelines #41 through #44 provide direction around issues of measurement of MDS setbacks, and, Implementation Guidelines #45 and #46 provide direction on issues regarding minor variances.</p>

Example:

Ms. Smith proposes to create a new *lot*, on agricultural land, adjacent to Mr. Jones' *Swiney-Acres Farm*.

This *livestock facility* has:

- a) 1200 head swine feeder barn over a slatted floor barn where all the swine manure is stored, b) 33000 bird chicken broiler barn (9-week cycle) with solid manure stored outside, uncovered, dry enough for a flowpath option; and,
- c) permanent concrete storage for imported solid dairy manure 10 metres wide x 12 metres long and 2 metre walls, with flowpath option.

The *lot* where all Mr. Jones' barns and *manure storage* are has 60 *tillable hectares*. There are no other *livestock facilities* within 1000 m of the proposed *lot*. How far must Ms. Smith's proposed *lot* be from Mr. Jones' nearest barn and nearest *manure storage*?

Evaluator: _____ Date: _____

File Number: _____ Contact

Information:

	Applicant Information	Owner of Adjacent Livestock Facility #1	Owner of Adjacent Livestock Facility #2, etc.
File Name	Jane	Jim	(No other adjacent livestock facilities)
Last Name	Smith	Jones	
Farm/Company	N/A	Swiney-Acres Farm	
Address	123 New Road	124 New Road	
City/Town	Somewhere	Somewhere	
Province	Ontario	Ontario	
Postal Code	NOG 0J0	NOG 0J0	
Upper Tier	Upper Somewhere	Upper Somewhere	
Lower Tier	Lower Somewhere	Lower Somewhere	
Lot	1	2	
Concession	2	2	
911 Number	12345	12346	
Roll Number	666	667	
Telephone	905-555-1111	905-555-3333	
Fax	905-555-2222	905-555-4444	
Email	jsmith@newroad.ca	jjones@newroad.ca	

MDS I Calculation Form:

Animal Type or Material	Description	Number per NU	Manure Form	Existing Maximum Housing Capacity	Existing NU	Factor A	Factor D
Swine	Feeders (27 kg - 105 kg)	6	Liquid	1200	200	1.2	0.8
Chickens	Broilers (9 week cycle)	300	Solid	33 000	110	0.7	0.7
Imported Manure	Max Capacity (10m x 12m x 2m)	19.8	Solid	240	12	1.2	0.7
Total Number of NU					322		
Factor A (Odour Potential Factor)...a weighted average may be necessary						1.03	
Factor D (Manure Form Factor)...a weighted average may be necessary							0.76
Factor B (Nutrient Units Factor)							475
Factor E (Encroaching Land Use Factor)							1.1
Maximum tillable hectares on the lot with the livestock facilities			60	X	7.5	=	300 NU (Maximum 300 NU)
F (Building Base Distance, m) = Factor A x Factor D x Factor B x Factor E							409
S (Manure Storage Base Distance, m)							409
Now What?	Repeat MDS calculation process as appropriate for other livestock facilities in the vicinity. Apply calculated MDS in the context of the land use planning application for which they were prepared.						

MDS II CALCULATION FORM

The following outlines the 10 Steps on how to calculate setbacks to all development reasonably expected to be impacted by a proposed *first* or *expanded livestock facility*. Each step is colour-coded. Applicable topics are found in the Implementation Guidelines Chart on pages 9 to 25 and applicable Tables are noted.

Step 1	Location and contact information	Fill in the pertinent information about the applicant who is proposing a first, or expanded, livestock facility. Implementation Guidelines #1 through #16 provide direction on the general rules and application of the Minimum Distance Separation Formulae.
Step 2	Livestock facility animal/material types	Fill in all existing, and proposed to be added, animal/material types, descriptions, the total maximum housing capacity, the number of animals/material per Nutrient Unit (NU) and associated manure forms. Table 1 and Implementation Guidelines #17 through #20 provide guidance on determining livestock facility capacity. Implementation Guidelines #21 and #22 provide direction on dealing with anaerobic digesters.
Step 3	Existing, and proposed to be added Nutrient Units (NU)	Calculate the existing, and proposed to be added, NU capacity of the livestock facility by dividing existing, and proposed to be added, capacity of each animal/material type by the number of animals/material per NU as found in Table 1. Then, add all the existing, and proposed to be added, NU together for all the types of animal/material present, to obtain the total number of NU.
Step 4	Weighted Factor A	Determine Factor A (Odour Potential Factor) from Table 1, for <u>only</u> each animal/material type proposed to be <u>added</u> , and fill in the calculation form. If necessary, calculate the weighted average for Factor A, if Factor A is not the same for all animals/materials added. See Implementation Guidelines #26 and #31 for further direction.

APPENDIX 1: MINIMUM DISTANCE SEPARATION (MDS I AND II)

<p>Step 5</p>	<p>Weighted Factor D</p>	<p>Determine Factor D (Manure Form in Permanent Storage Factor) from Table 1, for <u>only</u> each animal/material type <u>added</u></p>
<p>Step 6</p>	<p>Factor B</p>	<p>Determine Factor B from Table 2, based on the Total NU to be housed at the livestock facility, and fill in the space on the calculation form. In some cases, it will be necessary to interpolate Factor B from Table 2, when the number of NU is not specifically identified in the table. Implementation Guideline #27 provides more specific direction on Factor B.</p>
<p>Step 7</p>	<p>Determining Percentage Increase for livestock facility</p>	<p>Determine if a building permit was issued on this lot in the past 3 years that increased the livestock capacity of the livestock facility.</p> <p>If 'No', use Approach (i) below to calculate Percentage Increase.</p> <p>If 'Yes', use Approach (ii) below to calculate Percentage Increase.</p> <p>Approach (i)</p> <p>Enter total Added NU as calculated in Step 3 above. Enter total Existing NU as calculated in Step 3 above. If total Existing NU is zero (i.e. this is the First Livestock Facility on the lot), then the Percentage Increase is considered to be at its maximum, or 700% as per Table 3. If total Existing NU is not zero, divide Added NU by Existing NU and multiply by 100. This value is the Percentage Increase. In rare cases of downsizing, the Added NU would actually be 'negative'. In this case, the Percentage Increase is 'negative', but considered to be at its minimum, or 0% as per Table 3.</p> <p>Approach (ii)</p> <p>Enter total Added NU as calculated in Step 3 above, as well as the total number of NU added in the past 3 years by previous building permit(s). Enter total Existing NU of the livestock facility as it was 3 years ago, prior to the current application date. If total Existing NU 3 years ago was zero, then the livestock facility in this current application <u>and</u> the one(s) constructed in the past 3 years are all considered to be the First Livestock Facility on the lot, and the Percentage Increase is considered to be at its maximum, or 700% as per Table 3. If total Existing NU 3 years ago was <u>not</u> zero, divide Added NU</p> <p>continued...</p>

APPENDIX 1: MINIMUM DISTANCE SEPARATION (MDS I AND II)

<p>Step 7 continued...</p>		<p>continued... in this application <u>plus</u> Added NU over the past 3 years, by Existing NU 3 years ago and multiply by 100. This value is the Percentage Increase. In rare cases of downsizing, the Added NU would actually be 'negative'. In this case, the Percentage Increase is 'negative', but considered to be at its minimum, or 0% as per Table 3.</p> <p>Implementation Guideline #28 provides further direction and assistance on calculating Percentage Increase, and establishing Factor C.</p>
<p>Step 8</p>	<p>Factor C</p>	<p>Determine and fill in Factor C (Orderly Expansion Factor) on the calculation form, based on the Percentage Increase calculated in Step 7. Factor C can be determined from Table 3. In some instances, it may be necessary to interpolate Factor C. Implementation Guideline #28 provides direction on calculating the Percentage Increase in NU for the proposed construction.</p>
<p>Step 9</p>	<p>F, Building Base Distance</p>	<p>Calculate F (Building Base Distance) = (Factor A) x (Factor D) x (Factor B) x (Factor C), which is the required MDS II setback from <u>all</u> proposed first or expanded livestock facilities to the nearest development. For further information, see Implementation Guidelines #23 and #34.</p>
<p>Step 10</p>	<p>S, Manure Storage Base Distance</p>	<p>Establish S (Manure Storage Base Distance) by first using Table 5 to choose the proposed new storage at the livestock facility with the <u>highest</u> odour potential: Very Low, Low, Medium, and High. Then, enter Table 6 under the appropriate column and read across using 'F' calculated from Step 9. It may be necessary to interpolate from the table. 'S' is the required MDS II setback from <u>all</u> proposed new storages to the nearest development. Implementation Guidelines #24 and #25 provide further information. Implementation Guidelines #21 and #22 provide further information on dealing with anaerobic digesters.</p>
<p>Now What?</p>	<p>Using calculated MDS</p>	<p>The calculated values of MDS II can now be applied to the building permit application. Implementation Guidelines #35 through #39 provide direction around Type A and Type B land uses. For Type A land uses, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 1.0 to determine the required MDS setback. For Type B land uses, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 2.0 to determine the required MDS setback. Implementation Guideline #40 provides direction around setbacks from rear lot lines, side lot lines and road allowances. For rear and side lot lines, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 0.1 to determine the required</p> <p>continued...</p>

<p>Now What?</p> <p>continued...</p>		<p>continued...</p> <p>MDS setback. In accordance with Implementation Guideline #44, the required MDS setback from a rear or side lot line should never exceed 30 metres. For road allowances, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 0.2 to determine the required MDS setback. Implementation Guidelines #41 through #44 provide direction around issues of measurement of MDS II setbacks. Implementation Guidelines #45 and #46 provide direction on issues regarding minor variances.</p>
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Example:

Mr. Jones proposes to build a second 1200 head swine feeder barn with concrete liquid *manure storage* to go along with his existing:

- 1200 head swine feeder barn over a slatted floor where all the swine manure is stored;
- 33000 bird chicken broiler barn (9-week cycle) with solid *manure storage* outside, uncovered, dry enough for a flowpath option;
- 10 m x 12 m x 2 m permanent concrete storage with flowpath option, for his imported solid dairy manure; and
- The existing facilities were constructed more than 3 years ago.

How far must the proposed barn be sited from all development reasonably expected to be impacted?

Evaluator: _____ Date:

File Number:

Applicant Information:

First Name	Jim	Lower Tier	Lower Somewhere
Last Name	Jones	Lot	2
Farm/Company	Swiney-Acres Farm	Concession	2
Address	124 New Road	Fire Number	123456
City/Town	Somewhere	Roll Number	667
Province	Ontario	Telephone	905-555-3333
Postal Code	N0G 0J0	Fax	905-555-4444
Upper Tier	Upper Somewhere	Email	jjones@newroad.ca

MDS II CALCULATION FORM

Animal Type or Material	Description	Number per NU	Manure Form	Existing Maximum Housing Capacity	Existing NU	Proposed Maximum Housing Capacity	Added NU	Total NU	Factor A	Factor AD
Swine	Feeders (27 kg - 105 kg)	6	Liquid	1200	200	1200	200	400	1.2	0.8
Chickens	Broilers (9 week cycle)	300	Solid	33000	110	N/A	N/A	110	N/A	N/A
Imported Manure	Maximum Capacity (10m x 12m x 2m)	19.8	Solid	240	12	N/A	N/A	12	N/A	N/A
Totals					322		200	522		
Factor A (Odour Potential Factor) weighted average may be necessary									1.2	
Factor D (Manure Form Factor) weighted average may be necessary										0.8
Factor B (Nutrient Units Factor)										563
Has a building permit been issued for the livestock facility on this property, in the last 3 years that has increased its livestock capacity? No? Yes? If No, proceed to Approach (i); if Yes, proceed to Approach (ii)										
Approach (i) - No Building Permits in Last 3 Years					Approach (ii) - Building Permit(s) issued in Last 3 Years					
Calculation of Percentage Increase					Calculation of Percentage Increase					
Total 2 - Total Added NU (From Above)				200	Total 2 - Total Added NU (From Above) + Total Added NU from building permit(s) issued in the last 3 Years					
Total 1 - Total Existing NU (From Above)				322	Total 1 - Total Existing NU at Livestock Facility - 3 Years Ago					
If Total 1 = Zero - Treat as a First Livestock Facility					If Total 1 = Zero - Treat as a First Livestock Facility					
% Increase: (Total 2/Total 1) x 100				62.1%	% Increase: (Total 2/Total 1) x 100					
Factor C (Orderly Expansion Factor)										0.825
F (Building Base Distance, m) = Factor A x Factor D x Factor B x Factor C										446
S (Manure Storage Base Distance, m)										446
Now What?	Apply MDS calculation to building permit application as appropriate. For Type A land uses, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 1.0 to determine the required MDS setback. For Type B land uses, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 2.0 to determine the required MDS setback. Implementation Guideline #40 provides direction around setbacks from rear lot lines, side lot lines and road allowances. For rear and side lot lines, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 0.1 to determine the required MDS setback. In accordance with Implementation Guideline #44, the required MDS setback from a rear or side lot line should never exceed 30 metres. For road allowances, the values of Building Base Distance 'F' and Storage Base Distance 'S' should be multiplied by 0.2 to determine the required MDS setback.									

IMPLEMENTATION GUIDELINES – MINIMUM DISTANCE SEPARATION FORMULAE

The following section outlines the specific implementation guidelines that need to be considered as part of the application and calculation of the Minimum Distance Separation (MDS) Formulae. To assist the user the implementation guidelines have been organized into six sections.

Implementation Guideline	MDS I	MDS II
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General Rules and Application of the Minimum Distance Separation Formulae

The following implementation guidelines speak to some of the general rules regarding the MDS Formulae, and how they are to be referenced in planning documents and applied to land use applications and building permits. This section also highlights some of the specific instances where MDS Formulae are applied and exceptions where they are not applied.

<p>1. Application of MDS and reference in municipal planning documents</p>	<p>MDS Formulae and criteria are to be referenced in official plans, included in zoning by-laws and applied in designations and zones where livestock facilities are a permitted use. MDS will be applied in Prime Agricultural Areas and Rural Areas as defined by the Provincial Policy Statement, 2005.</p>
<p>2. What MDS <u>does</u> and <u>does not</u> apply to</p>	<p>MDS applies to livestock facilities. It does not apply to abattoirs, apiaries, assembly yards, fairgrounds, feed storages, field shade shelters, greenhouses, kennels, livestock facilities that are less than 10 m² (108 ft²) in floor area, machinery sheds, mushroom farms, pastures, slaughter houses, stockyards, or temporary field nutrient storage sites (as defined under the Nutrient Management Act, 2002).</p>
<p>3. MDS and manure transfer facilities</p>	<p>Some livestock facilities require small facilities for holding some manure before transfer to long-term permanent storage, or transfer to field spreading areas, or transfer off the farm entirely. Examples include: small tanks inside or just outside the barn for settling out sand from liquid dairy manure; small sumps inside or just outside the barn for collection and/or mixing of liquid manure from several barn areas; or concrete pads at the end of chicken broiler barns where solid manure is pushed outside awaiting pickup by a trucker. These facilities should be considered as part of the barn and have the same MDS setbacks as the barn.</p>

Implementation Guideline	MDS I	MDS II
4. MDS and earthen manure storages	<p>MDS I is applied to earthen storages, despite the fact they are not considered to be a building.</p> <p>Best management practices recommend the MDS formula be followed for earthen manure storages, and this is backed up by the Provincial Policy Statement, 2005, 'New land uses, including the creation of lots and new or expanding livestock facilities shall comply with the minimum distance separation formulae'.</p>	<p>MDS II is triggered when a building permit is required, but because earthen storages are not considered to be a building, they do not require a building permit. However, this does not exclude them from the requirement for siting according to the MDS formula.</p> <p>Best management practices recommend the MDS formula be followed for earthen manure storages, and this is backed up by the Provincial Policy Statement, 2005, 'New land uses, including the creation of lots and new or expanding livestock facilities shall comply with the minimum distance separation formulae'.</p>
5. When are MDS Formulae implemented and applied?	<p>MDS I is applied at the time of planning and/or development review for proposed new development, such as lot creation, building permits for development on a lot in accordance with Implementation Guideline # 6, rezoning or redesignation of agricultural land to permit development, in proximity to existing livestock facilities on an existing or proposed separate parcel of land.</p>	<p>MDS II is applied at the time of building permit application to build a first or expanded livestock facility.</p>
6. MDS and surrounding development. When is MDS applied?	<p>MDS I is applied to all livestock facilities reasonably expected to be impacted by the proposed development, lot creation, rezoning or redesignation. For Type 'A' applications, apply MDS I for livestock facilities within a 1000 metre radius. For Type B application apply MDS I for livestock facilities within a 2000 metre radius.</p> <p>Separate MDS I calculations should be undertaken for each livestock facility located on a separate parcel of land. See Implementation Guidelines # 34 and # 35 for a discussion regarding Type 'A' and Type 'B' land uses.</p>	<p>MDS II is applied to all development reasonably expected to be impacted by the proposed first or expanded livestock facility.</p>

Implementation Guideline	MDS I	MDS II
7. Application of MDS to development on existing lots	<p>Municipalities have the option, but are strongly encouraged to apply MDS I to development proposed through building permit on an existing lot. Construction of a dwelling, or other structures that are incompatible with livestock facilities, on an existing lot can have a very detrimental impact on the ability of surrounding agricultural operations to expand in the future, and often introduces a potential new source for nuisance complaints regarding odour from a livestock facility, that would generally not be allowed if the lot were to be created today. To address the potential negative impact of nuisance complaints to surrounding livestock operations from development on existing lots, municipalities are encouraged to undertake a thorough review of this issue at the next update of their municipal planning documents. Municipalities should consider approaches to address the future use and suitability of development on existing lots. The application of MDS I to development on existing lots will take its direction from the applicable municipal planning documents.</p>	MDS II applies to lot lines.
8. MDS and Consent Applications	<p>MDS I is applied to a proposed lot, vacant or with existing structures.</p> <p>Where a new lot is proposed with an existing dwelling, and that dwelling is already located on a lot separate from the subject livestock facility, MDS I is not applied as the potential odour conflict is already present between the neighbouring livestock facility and the existing dwelling. However, municipalities may choose to apply MDS I from the neighbouring livestock facility to a proposed lot with an existing dwelling. Direction to apply MDS I in these circumstances should be clearly indicated in the municipality's planning documents.</p> <p>MDS I is applied to a proposed lot with an existing dwelling when the dwelling is presently located on the same lot as the subject livestock facility.</p>	N/A

Implementation Guideline	MDS I	MDS II
9. MDS and Zoning By-Law Amendments	MDS I is applied when new development is proposed by way of a re-zoning in a zone where agriculture is a permitted use.	N/A
10. MDS and Official Plan Amendments	MDS I is applied to lands being considered for non-agricultural designation through the official plan amendment process.	N/A
11. Application of MDS after a catastrophe	Where municipalities apply MDS I to buildings or structures on an existing lot, municipalities have the option to not apply MDS I after a catastrophe that destroys part or all of a dwelling, providing the resulting new dwelling is built no closer to a livestock facility than before the catastrophe.	Municipalities have the option to not apply MDS II after a catastrophe that destroys part or all of a livestock facility, providing the resulting livestock facility is built no closer to a surrounding development than before the catastrophe. However, if rebuilding results in higher values for Factor A, B and/or D than before the catastrophe, then MDS II applies.
12. Existing uses that do not conform to MDS	MDS I is applied to new proposed development, even though there may be existing non-agricultural uses that do not conform to MDS I requirements. Where there are four, or more, existing non-farm uses closer to the subject livestock facility and in immediate proximity to the current application, MDS I will not be applied. The current application must not be located closer to the livestock facility than the four, or more, existing non-farm uses.	MDS II is measured from the proposed new construction of an expanding livestock facility(ies) even though there may be parts of the existing livestock facility, that do not conform.
13. Non-application of MDS to accessory structures	When a municipality applies MDS I to development on an existing lot, it is not applied to buildings and structures, accessory to a dwelling, such as decks, garages, gazebos, greenhouses, outbuildings, picnic areas, patios or sheds.	MDS II is not applied to buildings and structures, accessory to a dwelling on an adjacent lot, such as decks, garages, gazebos, greenhouses, outbuildings, picnic areas, patios or sheds.

Implementation Guideline	MDS I	MDS II
14. Livestock occupied portions of livestock facilities	MDS is not applied to portions of the livestock facility where livestock are not normally present for a long enough time for substantial amounts of manure to accumulate. For example, this includes feed bins, feed preparation areas, field shadeselters, livestock assembly areas, livestock loading chutes, machinery sheds, milking centres, offices, riding arenas, silos or washrooms.	
15. Setbacks - dwelling from livestock facilities, same lot	Neither MDS I nor MDS II are applied between a dwelling and a livestock facility located on the same lot.	
16. Ownership of adjacent land by same owner	MDS is applied regardless of the ownership of adjacent or adjoining legally separate lots. Ownership of adjacent or adjoining legally separate lots by the same owner does not prevent the application of MDS.	

Determining Livestock Facility Capacity

The following implementation guidelines provide direction on determining the capacity of a *livestock facility* for calculating MDS; as well as, direction on applying MDS to *empty livestock facilities*.

17. Obtaining Required Livestock Information from Owners	Information to be used in MDS calculations, (such as capacity of the livestock facility, type of manure storage, number of tillable hectares, etc.) should be obtained from the owner of an existing or first livestock facility. It may be necessary to independently verify the information received from the owner of the livestock facility to ensure accuracy of an MDS calculation.	
18. Smallest size of livestock facility for MDS	For the purposes of calculations, the smallest size of livestock facility is deemed to be five Nutrient Units, regardless if there are fewer Nutrient Units within the livestock facility, or not.	
19. Capacity of livestock facilities for MDS	MDS calculations shall be based on the maximum livestock housing capacity for all livestock facilities on a lot, even if the building is not currently used, but is structurally sound and reasonably capable of housing livestock. This also applies for permanent manure storages on lots where there is no livestock generating manure.	
20. Application of MDS to empty livestock facilities	MDS I applies to empty livestock facilities if they are structurally sound and reasonably capable of housing livestock, or storing manure. The MDS I calculation should be based on the most probable Factors A, B and D. The Ministry of Agriculture, Food and Rural Affairs may provide municipalities with additional information to guide them in this determination. See Implementation Guidelines # 25, 26 and 28 regarding Factors A, B and D.	MDS II applies to empty livestock facilities that are part of an expanding livestock facility if they are structurally sound and reasonably capable of housing livestock, or storing manure. The MDS II calculation should be based on the most probable Factors A, B and D.

continued...

Implementation Guideline	MDS I	MDS II
<p>20. Application of MDS to empty livestock facilities</p> <p style="text-align: right;">continued...</p>		<p>continued...</p> <p>See Implementation Guidelines # 25, 26 and 28 regarding Factors A, B and D.</p> <p>However, empty livestock facilities can be excluded from MDS II calculations for expanding livestock facilities if a building permit is required for altering the facilities so they are no longer capable for the housing of livestock (or manure). Municipalities may consider other approaches which achieve the same objective.</p>

Anaerobic Digesters

The following implementation guidelines speak to issues related specifically to *anaerobic digesters*, such as determination of appropriate MDS factors, and setbacks for *co-substrate input tanks (CSIT)* and *anaerobic digesters (AD)*.

<p>21. Storages for digestate from an anaerobic digester and how to apply Factors B and C</p>	<p>When a livestock facility installs an anaerobic digester (AD), some supplemental agricultural or non-agricultural materials may be imported to help boost biogas production. This means a larger storage for the resulting materials treated by the AD system is required.</p> <p>If an adjacent livestock facility has an AD system <u>and</u> there are imported supplemental materials, then for Factor B, use the greater of the NU capacity for livestock on the lot, versus the NU capacity of <u>all</u> storage volumes using 19.8 m³/NU (700 ft³/NU) from Table 1.</p> <p>For example, a 100 NU swine farm has an AD system and imports supplemental materials to boost biogas production. There is just one storage of 2,376 m³ capacity.</p> <p>For Factor B, this is $2,376 \text{ m}^3 \div 19.8 \text{ m}^3/\text{NU} = 120 \text{ NU}$, which is greater than 100 NU for swine. Use 120 NU in Table 2 to determine Factor B.</p>	<p>When a livestock facility installs an anaerobic digester (AD), some supplemental agricultural or non-agricultural materials may be imported to help boost biogas production. This necessitates the need for larger storage for the resulting digestate from the AD system.</p> <p>In MDS II, for Factor B, use the greater of the NU capacity for livestock on the lot, versus the NU capacity of the proposed storage volume using 19.8 m³/NU (700 ft³/NU) from Table 1.</p> <p>For Factor C, use the increased NU capacity of the proposed storage volume compared to the NU capacity for the livestock on the lot.</p> <p style="text-align: right;">continued...</p>
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Implementation Guideline	MDS I	MDS II
<p>21. Storages for digestate from an anaerobic digester and how to apply Factors B and C</p> <p style="text-align: right;">continued...</p>		<p>continued...</p> <p>For example, a 100 NU swine farm proposes to build 2,376 m³ of storage for manure and other imported materials treated by an AD system.</p> <p>For Factor B, this is $2,376 \text{ m}^3 \div 19.8 \text{ m}^3/\text{NU} = 120 \text{ NU}$, which is greater than 100 NU for swine. Use 120 NU in Table 2 to determine Factor B.</p> <p>For Factor C, the NU capacity of the proposed storage is 120 NU compared to 100 NU for swine. The increase is $120 \text{ NU} - 100 \text{ NU} = 20 \text{ NU}$, or $20 \text{ NU} / 100 \text{ NU} \times 100 = 20\%$. Use 20% in Table 3 to determine Factor C.</p>
<p>22. Anaerobic digesters and co-substrate input tanks</p>	<p>Co-substrate input tanks (CSIT) <u>may</u> be installed to store imported agricultural or non-agricultural materials prior to input into an anaerobic digester (AD).</p> <p>The required MDS I separation from a CSIT and/or AD is 125 m regardless of size or type, and whether greater or lesser MDS I setbacks are calculated based on the livestock NU capacity or potential NU capacity based on tillable hectares.</p>	<p>Co-substrate input tanks (CSIT) <u>may</u> be installed to store imported agricultural or non-agricultural materials prior to input into an anaerobic digester (AD).</p> <p>The required MDS II separation from a CSIT and/or AD, regardless of size or type, is:</p> <ul style="list-style-type: none"> • 125 m for Type A land uses • 250 m for Type B land uses • 125 m to the nearest neighbour's house • 13 m to the nearest lot line • 25 m to the nearest road allowance

Implementation Guideline	MDS I	MDS II
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MDS Formulae and Factors

The following implementation guidelines provide direction on the calculation of the MDS Formulae for MDS I and MDS II. In addition, they provide a brief summary of the Factors used to calculate MDS, and specific considerations related to the calculation.

23. Calculating building base distance, 'F'	F = Factor A x B x D x E (Note: Factor C <u>not</u> used in MDS I)	F = Factor A x B x C x D (Note: Factor E <u>not</u> used in MDS II)
24. Calculating permanent manure storage base distance, 'S'	'S' is <u>not</u> calculated, but read directly from Table 6 by first calculating the building base distance 'F', then choosing the new added 'Permanent Manure Storage Type' from Table 5.	
25. Storage base distances ('S') when F>1000 metres	If 'F' > 1000 m, the Storage Base Distance 'S' is the same as the Building Base Distance, 'F' as noted in Table 6.	
26. Factor A - Odour Potential Factor	Factor A is based on the type of livestock and its relative potential for emanating offensive odours. The higher the Factor A, the higher the odour potential, and the higher the resulting MDS separation distances, all other things being equal. See Table 1.	
27. Factor B - Nutrient Units Factor	Factor B is based on the number, or equivalent number, of Nutrient Units (NU) in housing capacity at a livestock facility. The higher the number of NU, the higher the Factor B, and the higher the resulting MDS separation distances, all other things being equal. See Table 2. In determining Factor B, it may be required to interpolate a value from Table 2. Interpolated values for Factor B should not include more than two decimal places, and may need to be rounded accordingly.	
28. Factor C - Orderly Expansion Factor	Does not apply for MDS I	Factor C only applies for MDS II, and is based on the percentage increase in the number of NU for the proposed construction. The higher the percentage increase, the higher the Factor C, and the higher the resulting MDS II, all things being equal. Expansion of a livestock facility is a necessary and typical process for the economic development of most farm operations, and can reasonably be expected over time. continued...

Implementation Guideline	MDS I	MDS II
<p>28. Factor C - Orderly Expansion Factor</p> <p style="text-align: right;">continued...</p>		<p>continued...</p> <p>Factor C allows for future expansion. Factor C is the highest it can be for the first livestock building (or first permanent manure storage where no livestock are housed) on a lot, resulting in a building location that will allow most subsequent livestock buildings to be built within a reasonable building envelope. Factor C is smallest for no increase in NU (0% increase), or decreases in NU ('negative' increase), rare on most farms, except when replacing an old building with little to no additional livestock capacity, downsizing, or when installing storages to increase manure holding capacity to prevent spreading at inappropriate times of the year.</p> <p>For the purposes of determining Factor C, all first livestock facilities are to be calculated at Factor C = 1.14.</p> <p>Where an existing livestock facility is to be expanded, the percentage increase shall be calculated using: the total additional Nutrient Units proposed as the numerator, and the total existing Nutrient Units as the denominator.</p> <p>For example, an existing livestock facility currently has 200 nutrient units and proposes to add 100 additional Nutrient Units. In this case percentage increase, would be calculated as 100 NU divided by 200 NU and then multiplied by 100 for a value of 50 %</p> <p>$(100/200) \times 100 = 50 \%$</p> <p style="text-align: right;">continued...</p>

Implementation Guideline	MDS I	MDS II
<p>28. Factor C - Orderly Expansion Factor</p> <p style="text-align: right;">continued...</p>		<p>continued...</p> <p>Where a livestock facility is to be expanded, and one or more building permits to establish or expand that livestock facility were already issued within the previous three years, the percentage increase shall be calculated using: the total additional Nutrient Units established or added by building permit issued during the previous three year period, plus the proposed expansion, as the numerator; and the total existing Nutrient Units prior to the previous three year period as the denominator.</p> <p>For example, an existing livestock facility currently has 200 Nutrient Units and proposes to add 100 additional Nutrient Units. A building permit for this livestock facility was issued 2 years ago, and increased the size of the operation at that time from 100 Nutrient Units to 200 Nutrient Units. In this case, percentage increase would be calculated as 200 NU (100 NU for this expansion plus 100 NU for expansion 2 years ago) divided by 100 NU (the total capacity of the livestock facility 3 years ago) and then multiplied by 100 for a value of 200%.</p> <p>$[(100+100)/100] \times 100 = 200 \%$</p> <p>See Table 3 for further information. In determining Factor C, it may be required to interpolate a value from Table 3. Interpolated values for Factor C should not include more than four decimal places, and may need to be rounded accordingly.</p>

Implementation Guideline	MDS I	MDS II
29. Factor D - Manure or Material Form in Permanent Storage Factor	Factor D is based on the type of manure or material and its relative potential for emanating offensive odours. The higher the Factor D, the higher the odour potential, and the higher the resulting MDS separation distance, all other things being equal. See Table 1.	
30. Factor E - Encroaching Land Use Factor	Factor E is based on the degree of effect an encroaching land use might have on an existing livestock facility. The higher the encroachment factor, the higher the potential effect on a livestock facility, and the higher the resulting MDS I separation distance, all other things being equal. See Table 4.	N/A
31. Calculating weighted averages for Factor A	<p>In MDS I, Factor A <u>may</u> require a weighted average, if there are more than one type of livestock housed with differing values for Factor A.</p> <p>For example, if an adjacent livestock facility houses 50 NU of chicken broilers with Factor A = 0.7, and 100 NU of swine feeders with Factor A = 1.2, then the weighted average Factor A is: $[(50 \times 0.7) + (100 \times 1.2)] \div (50 + 100) = 1.03$</p> <p>When calculating a weighted average, the value of Factor A should not include more than two decimal places, and may need to be rounded accordingly.</p>	<p>In MDS II, Factor A <u>may</u> require a weighted average, if more than one type of livestock is <u>added</u> with differing values for Factor A.</p> <p>For example, if a farmer proposes to <u>add</u> 50 NU of chicken broilers with Factor A = 0.7, and 100 NU of swine feeders with Factor A = 1.2, to a livestock facility, then the weighted average Factor A is: $[(50 \times 0.7) + (100 \times 1.2)] \div (50 + 100) = 1.03$</p> <p>When calculating a weighted average, the value of Factor A should not include more than two decimal places, and may need to be rounded accordingly.</p>
32. Calculating weighted averages for Factor D	<p>In MDS I, Factor D <u>may</u> require a weighted average, if there are more than one type of livestock housed with differing values for Factor D.</p> <p>For example, if an adjacent livestock facility houses 50 NU of chicken broilers with Factor D = 0.7, and 100 NU of swine feeders with Factor D = 0.8, then the weighted average Factor D is: $[(50 \times 0.7) + (100 \times 0.8)] \div (50 + 100) = 0.77$</p> <p style="text-align: right;">continued...</p>	<p>In MDS II, Factor D <u>may</u> require a weighted average, if more than one type of livestock is <u>added</u> with differing values for Factor D.</p> <p>For example, if a farmer proposes to <u>add</u>: 50 NU of chicken broilers with Factor D = 0.7, and 100 NU of swine feeders with Factor D = 0.8, then the weighted average Factor D is:</p> <p style="text-align: right;">continued...</p>

Implementation Guideline	MDS I	MDS II
<p>32. Calculating weighted averages for Factor D</p> <p style="text-align: right;">continued...</p>	<p>continued...</p> <p>When calculating a weighted average, the value of Factor D should not include more than two decimal places, and may need to be rounded accordingly.</p>	<p>continued...</p> $[(50 \times 0.7) + (100 \times 0.8)] \div (50 + 100) = 0.77$ <p>When calculating a weighted average, the value of Factor D should not include more than two decimal places, and may need to be rounded accordingly.</p>
<p>33. Tillable hectares</p>	<p>In MDS I, Factor B is based on the greater of the existing Nutrient Unit housing capacity of the livestock facility, or the potential Nutrient Unit housing capacity of the livestock facility based on the product of tillable hectares on that lot multiplied by 7.5 Nutrient Units/tillable hectare (to a maximum of 300 Nutrient Units).</p> <p>However, for settlement area expansions only, MDS I is based on the existing Nutrient Unit housing capacity and not tillable hectares. See the following examples:</p> <p>For example:</p> <p style="padding-left: 40px;">20 NU operation on 10 hectares; housing capacity is 75 NU</p> <p style="padding-left: 40px;">20 NU operation on 45 hectares; housing capacity is 300 NU</p> <p style="padding-left: 40px;">300 NU operation on 10 hectares; housing capacity is 300 NU</p> <p style="padding-left: 40px;">300 NU operation on 45 hectares; housing capacity is 300 NU.</p>	<p>N/A</p>
<p>34. Rounding of MDS calculations</p>	<p>All resulting calculated separation distances are rounded <u>up</u> to the nearest metre.</p>	

Type A and B Land Uses

These implementation guidelines outline considerations regarding the interpretation of Type A and Type B land uses for MDS I and II, and how different land uses should be treated in MDS. They also provide specific direction on exceptions to Type A and Type B land uses.

35. Type A land uses

Type A land uses are typically characterized by uses that have a lower density of human occupancy, habitation or activity.

For the purposes of MDS I, Type A land uses include applications to rezone or redesignate agricultural lands for industrial, agricultural-related or recreational use – low intensity purposes.

Type A land uses include applications to permit:

- construction of a dwelling on an existing lot where the municipality has determined that MDS I should be applied, or the
- creation of up to three lots either by consent or plan of subdivision

Type A land uses are typically characterized by uses that have a lower density of human occupancy, habitation or activity.

For the purposes of MDS II, Type A land uses include areas zoned or designated industrial, agricultural-related or recreational use – low intensity.

Type A land uses include residential dwellings on lots zoned agriculture, rural residential, residential, or other similar zoning. This includes existing residential uses on separate lots not recognized through Official Plan designation as a residential area.

36. Type B land uses

Type B land uses are typically characterized by uses that have a higher density of human occupancy, habitation or activity.

For the purposes of MDS I, Type B land uses include applications to rezone or redesignate agricultural lands for residential, institutional, recreational use – high intensity, commercial or settlement area purposes.

Type B land uses include applications to permit:

- creation of residential subdivisions in rural areas, or
- expansion of a settlement area, or
- creation of multiple residential development, or
- the creation of a lot which results in a rural residential cluster

Type B land uses are typically characterized by uses that have a higher density of human occupancy, habitation or activity.

For the purposes of MDS II, Type B land uses include areas zoned or designated settlement area, recreational use high – intensity, institutional, or commercial.

Type B land uses include areas designated in an Official Plan as residential for:

- residential subdivisions, or
- multiple residential, or
- estate residential development

Implementation Guideline	MDS I	MDS II
37. Application to settlement areas	<p>MDS I does not apply to proposed non-agricultural uses in approved settlement area designations. However, municipalities have the option to apply MDS I from livestock facilities within a settlement area designation.</p> <p>The application of MDS I will take its direction from the applicable municipal planning documents.</p>	<p>Where municipalities permit first or expanded livestock facilities within approved settlement area designations, municipalities have the option, but are strongly encouraged to apply MDS II.</p> <p>The application of MDS II will take its direction from the applicable municipal planning documents.</p>
38. Cemeteries	<p>For the purposes of MDS I, cemeteries should be considered a Type B land use, as they are an institutional use.</p>	<p>For the purposes of MDS II, cemeteries should be considered a Type B land use, as they are an institutional use.</p> <p>However, cemeteries may be treated as a Type A land use when the cemetery is closed and receives low levels of visitation. Cemeteries such as this should be clearly identified in the municipality's planning documents.</p>
39. Rural residential clusters	<p>For the purposes of MDS I, lot creation which results in a rural residential cluster should be considered a Type B land use.</p>	<p>For the purposes of MDS II, rural residential clusters should be considered a Type A land use, except where they have been identified and designated in an Official Plan.</p>
40. Rear lot lines, side lot lines, and road allowances	N/A	<p>In addition to Type A and Type B land uses, MDS II setbacks are calculated from rear lot lines, side lot lines, and road allowances.</p> <p>Rear and side lot line MDS II setbacks are calculated as 0.1 x the Building Base Distance 'F' and Storage Base Distance 'S'.</p> <p style="text-align: right;">continued...</p>

Implementation Guideline	MDS I	MDS II
<p>40. Rear lot lines, Side lot lines, and Road Allowances</p> <p style="text-align: right;">continued...</p>		<p>continued...</p> <p>For example, an MDS II calculation yields values of 100 metres for Building Base Distance 'F' and 123 metres for Storage Base Distance 'S'. The required setback for the livestock facility from the lot lines would be 10 metres (100 x 0.1). The required setback for the manure storage from the lot lines would be 12.3 metres (123 x 0.1). This value should be rounded to the nearest whole number, so in this instance, the setback for the manure storage would be 12 metres.</p> <p>Under no circumstances should the MDS II setback from a rear or side lot line exceed 30 metres, see Implementation Guideline #44.</p> <p>Road allowance MDS II setbacks are calculated as 0.2 x the Building Base Distance 'F' and Storage Base Distance 'S'.</p> <p>For example, an MDS II calculation yields values of 100 metres for Building Base Distance 'F' and 123 metres for Storage Base Distance 'S'. The required setback for the livestock facility from the road allowance would be 20 metres (100 x 0.2). The required setback for the manure storage from the road allowance would be 24.6 metres (123 x 0.2). This value should be rounded to the nearest whole number, so in this instance, the setback for the manure storage would be 25 metres.</p>

Implementation Guideline	MDS I	MDS II
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Applying MDS - Measurement of MDS Setbacks

The following implementation guidelines provide direction on measurement of MDS setbacks between *livestock facilities*, and other existing or proposed development, *lot* lines, and road allowances.

41. Measurement of MDS	For MDS I, measurements are taken as the shortest distance between the area to be rezoned or redesignated and the livestock occupied portion of the livestock facility (or storage).	For MDS II, measurements are taken as the shortest distance between the point of new construction for the livestock occupied portion of a first or expanded livestock facility and the dwelling/lot line/road allowance/or area zoned or designated.
42. Measurement of MDS for Lot Creation	For MDS I, measurements are taken as the shortest distance between the lot line of the lot being created and the livestock occupied portion of the livestock facility (or storage). Where larger lots may be permitted (generally greater than 1 ha), a suitable location must be identified for a 1 ha building envelope outside the MDS I setback.	N/A
43. Measurement of MDS for development on existing lots	Where a municipality chooses to apply MDS I to development proposed through building permit on an existing lot, measurements are taken as the shortest distance between the dwelling or other structure to be constructed and the livestock occupied portion of the livestock facility.	N/A
44. Maximum setbacks to side or rear lot lines	N/A	The maximum required setback from any livestock facility to side or rear lot lines is 30 m.

Applying MDS - Minor Variances

This section of the MDS Formulae implementation guidelines speak to specific issues regarding minor variances applications under the *Planning Act*.

45. Affects of wind, etc. on MDS

The direction of prevailing wind, surrounding topography, and presence of trees, berms, or other screening do not affect MDS calculations, but could be elements considered in Minor Variance applications.

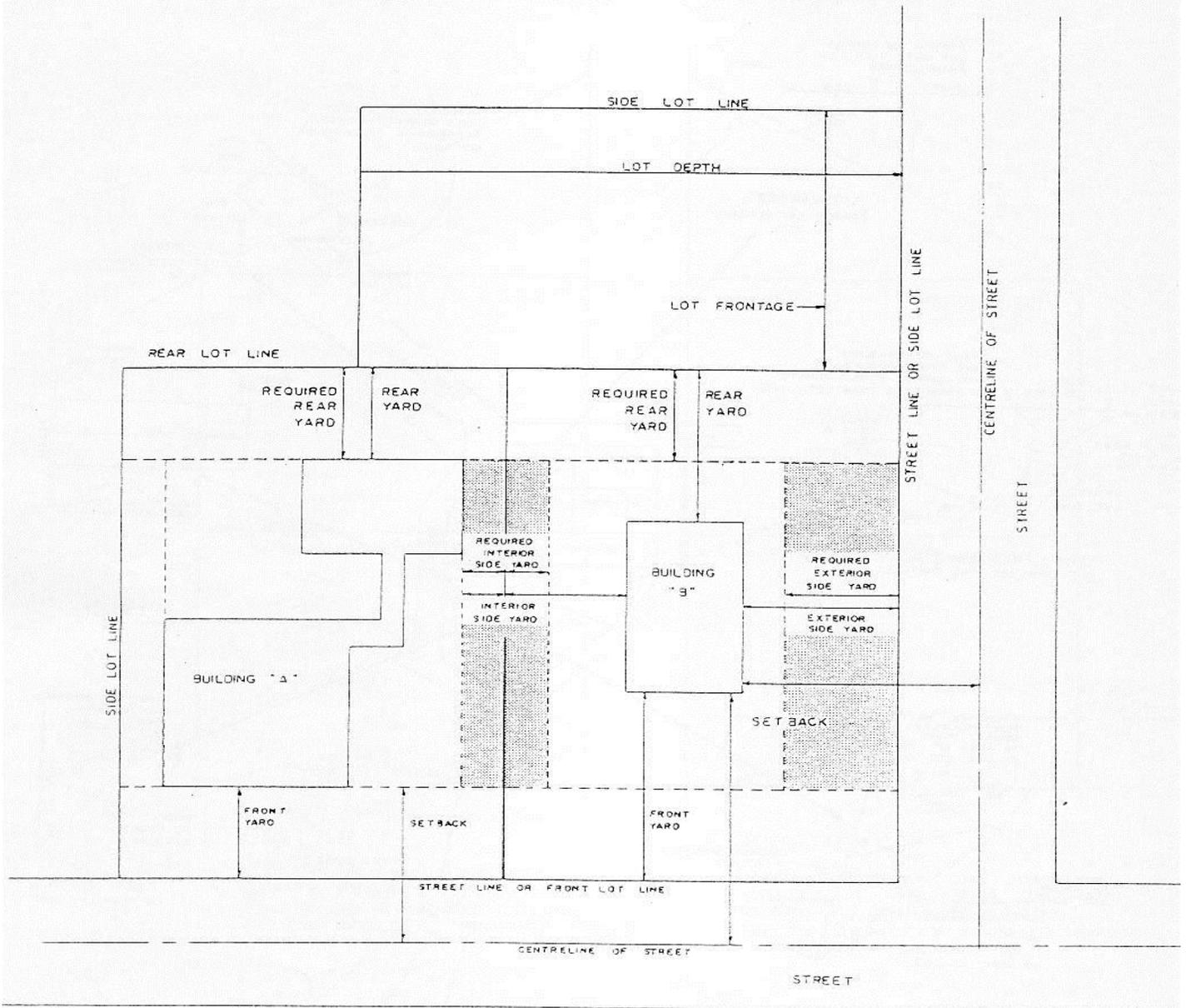
46. Reducing MDS setbacks and minor variances

MDS I setbacks should not be reduced except in accordance with these implementation guidelines. Where a municipality applies MDS I to development on existing lots, minor variances to MDS I distances can be considered based on site specific circumstances. Circumstances that meet the intent, if not the precise distances of MDS I, or mitigate environmental impacts, may warrant further consideration.

Minor variances to MDS II distances can be considered based on site specific circumstances. Circumstances that meet the intent, if not the precise distances of MDS II, or mitigate environmental impacts, may warrant further consideration.

No 2 Illustrations

ILLUSTRATION OF YARD DEFINITIONS



THE ILLUSTRATION OF
YARD DEFINITION DOES
NOT FORM PART OF
THIS BY-LAW

ILLUSTRATION OF LOT DEFINITIONS

