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Ontario Municipal Board
Commission des affaires municipales de l'Ontario

IN THE MATTER OF Section 34(11) of
the Planning Act, 1983

AND IN THE MATTER OF an appeal to
this Board by Mary Davis and Jeanne
Patkau for an order amending Zoning
By-law 87-250 of the Corporation of
the Town of Caledon to rezone from
Rural Residential (RR) to Rural
Residential with Special Provisions,
the lands comprised of Lot 12,
Registered Plan CH-13, Part of Lot
34, Concession 6, E.H.S. in the
former Township of Chinguacousy, now
in the Town of Caledon, to permit a
day care centre with the possibility
of a small addition to accommodate a
cloak room within the existing
dwelling

C O U N S E L :

G. S. Swinkin - for Mary Davis & Jeanne Patkau
R. K. Webb, Q.C. - for the Town of Caledon

DECISION OF THE BOARD delivered by W.R.F. WATTY

Mrs. Jeanne Patkau owns a residential lot within the Mono Road Settlement Area of the Town of Caledon. This property is situated on the south side of Olde Base Line Road (sometimes referred to as Regional Road 12 or 34th Sideroad), and west of Airport Road. The lot is approximately 2.66 acres in size and includes a frontal rectangular section of approximately 0.462 acres within which is located a one unit, two storey dwelling, a detached garage abutting the east lot line and miscellaneous small barns and sheds. The second part of the lot is a flared, rear triangular section which extends beyond the rear lot line of most of the properties on the

street, on which is located a rather substantial barn and which appears to have been recently under agricultural cultivation.

On February 4, 1989, Mrs. Patkau applied to the Town of Caledon to rezone the front portion of the subject property consisting of the 0.462 acre rectangle to a Rural Residential (RR) zone with a site specific use exception to permit a privately operated day care centre. The residual rear triangular area on which the large barn is located is intended to remain zoned Rural Residential.

This application although supported by the Town's planning staff was refused by Council. The present appeal to the Board by Mrs. Patkau is to effect the rezoning of the front 0.462 acres as drafted by staff and refused by Council. The form and style of the amendment proposed during the hearing was received by the Board pursuant to its request and has been indexed as Exhibit 27. This submission provides for a 10% enlargement of the gross floor area of the dwelling unit to accommodate a day care centre.

Mrs. Patkau was represented by counsel who called two expert planning witnesses in support of this appeal: Mr. Alan Young, a planner in private practice and Ms. Nancy Mott, formerly attached to the Town's Planning Department. The Town retained both legal and planning expertise in this hearing, the latter through Mr. Peter Weston of Peter Weston & Associates Ltd. Several surrounding residents in the Mono Road Settlement Area spoke in opposition to this proposal. Mrs. Mary Davis, a co-proponent with Mrs. Patkau of this project, gave evidence in support.

Mono Road Settlement Area is primarily residential in nature, almost entirely composed of single-family homes except for four commercial and one industrial use all of which are oriented to

Airport Road, a major north/south arterial road running through the Town. Along Olde Base Line Road, all development within the southeast appears to be residential in nature. This is a community of some thirty-three residences and about one hundred residents (Exhibit 16). Most of these working adults are commuters.

Mono Road Settlement Area is designated in the Town's Official Plan as a "No Growth" area with a planned population increase of approximately 10% over the planning period. No municipal services are anticipated for the area and it is proposed in the plan that "community services" be directed to larger serviced settlements which have growth prospects. Under the current approved zoning by-law (#861 of the Township of Chinguacousy) the subject lands are zoned Agricultural Class 1 which would not permit a day care centre. The Board was advised that under this by-law, day care centres would be permitted in the Community Services Group zone. On October 7, 1988, the Town passed a new Comprehensive Zoning By-law 87-250 which is before another panel of the Board, having been appealed. This by-law zones the subject lands Rural Residential (RR) which would not allow the proposed day care centre.

Because of the substantial revision to By-law 861 effected through By-law 87-250 it is proposed in the subject application to introduce a site specific, free-standing amendment along the lines of, and consistent with By-law 87-250. The issue of an exception to the Rural Residential (RR) zone versus an exception to an Institutional or Commercial zone will be examined later in this decision.

The following are the salient facts presented in the course of this hearing:

1. The proposal is for a privately operated commercial venture to be undertaken by both Mrs. Patkau and Mrs. Davis, the latter being a trained, early childhood education specialist with extensive experience in such matters. However, Mrs. Davis will not be involved in the day to day operation of the venture being herself the owner-operator of at least one other similar facility elsewhere.
2. The initial proposal was for twenty-five children (Exhibit 103). This had to be reduced because of limitations of the septic tank system. However, the Board was not provided with a financial feasibility statement to indicate the viability of either the original proposal or the revised project. The Board notes the assessment of the Ministry of Community and Social Services that the building with a few modifications could accommodate approximately 20 children.
3. The proposed conversion of the existing house and the modifications to the grounds in order to accommodate the proposed day care centre use would not entail major structural modifications to the property to the extent of making it incongruous with the other properties on Base Line Road.
4. The functional operation of this proposed facility will create certain impacts on the neighbourhood relating to:
 - (a) increased traffic from delivery and pick-up of children, material/service deliveries and staff movements. On the basis of one-half day care per child, this could conservatively amount to seventy-five movements per day.

(b) safety problems related to friction between traffic generated/attracted by this project and vehicles along Old Base Line Road.

(c) a scale of noise and visual intrusion out of character with this type of settlement.

5. Because of the nearness of the access driveway to the lot line to the east and the Elliott property, and the difficulty in relocating this driveway further to the west, the buffering requirements of the by-law cannot be met. The same is true of the impact on the Leonardo property to the west where the combined effects of the turn-around driveway and the parking spaces infringe the 3 metre buffer requirements (Exhibit 6).

6. The proposed by-law amendment opts for an exclusion to the standards of the Rural Residential (RR) zone in the proposed By-law 87-250. If reference is made to the requirements of the Institutional (I) zone instead, the discrepancies become more significant as illustrated below:

	<u>ZONE STANDARDS COMPARED</u>		
	<u>PROPOSAL</u>	<u>RR</u>	<u>I</u>
Frontage	20.64m	30m	30m
Front Yard Setback	5.34m	9m	9m
Side Yard Setback	3.47m 9.1m	1.5m 3.0m	10.5m
Lot Area	1,870 sq m	2,000 sq m	2,040 sq m

Even under the more permissive standards of the Rural Residential (RR) zone the evidence is that this application

experiences difficulty in conforming and the exceptions proposed lead to conclusions of inappropriateness.

7. Neither the parties in support of this application nor those in opposition dispute the desirability of services such as this to modern communities. Where the parties differ is whether or not such a need exists in the Town of Caledon and if it does, whether or not such a need is best satisfied within the Mono Road Settlement Area. Both sides to the hearing submitted survey results in support of their respective positions and in addition, Mrs. Tidey, one of the adjacent residents, provided summary results from a local resident survey that residents of Mono Road did not require a day care centre.
8. The evidence of the Town's planner, Mr. Weston, is that this location is unsuited to the use proposed, even if a need could be established. In support of his position, he raised questions as to the capacity of the septic tank system to service the demands which would be made of it. He argued that there was insufficient "open" land within the required areas to accommodate a reserve tile field in case of failure. Secondly, by means of reference to records from adjacent wells he raised questions as to the quality of water in the well of the subject lot for the purposes intended. [No records specific to this site were provided]. Thirdly, he was concerned over the future of the residual rural triangular section which would continue to have access only through the lands to be rezoned.

After viewing all of the evidence presented to us, including the slide photography entered by Mr. Elliott, the Board is of the opinion that there are at least three central issues which must be addressed

and around which the evidence is focused. These issues may be posed as questions, namely:

1. Is this establishment needed?
2. Is the proposed location appropriate?
3. Are the identified impacts acceptable?

The subject application proposes to change an established pattern of land use within a small relatively homogeneous settlement, a use of land only recently confirmed by the municipality through By-law 87-250 without appeal. Notwithstanding the assurances of Mr. Young that the proposed by-law amendment is so designed that, should the project be unsuccessful, the use of the site would automatically revert to residential purposes, the Board finds that the need for the proposed day care centre is a relevant issue here. The evidence of Mr. Young is that day care centres in general are in the public interest and that the establishment of such facilities promotes Provincial government objectives. It must, however, be our conclusion that the Province's objectives and the public interest are best served when new or expanded day care facilities are established to serve an identified need, without significantly affecting the welfare and stability of affected communities.

On the basis of the evidence, the Board is not persuaded that such a need exists. The material presented is far from conclusive in this regard. The evidence indicated vacancies within some of the day care centres currently in operation (Exhibit 16). The proponents, through Mrs. Davis, advised the Board that "a market" for these services exist based on her surveys of places as far afield as Brampton, Bramalea, Tottenham, Dufferin and Orangeville.

It is not the Board's purpose to allocate a market share between this and any other competing site. It is, however, the Board's objective to ensure that the public interest is served by this rezoning, an essential part of which is a reasonable demonstration that those facilities and services are needed within the Town and within the settlement of Mono Road. The Board finds on the evidence that this need has not been successfully demonstrated.

Secondly, is the proposed location appropriate? The proponents have honestly indicated that the reason for selecting this site is that it is available and owned by one of the parties. Understandable as this may be, there has been no evidence that it is accessible and preferable for those who would wish to use it. Further, if approved, such a rezoning would open up the prospect of non-residential uses along Olde Base Line Road.

The proponents, through their planner, Mr. Young, have argued that this proposal is not contrary to the Official Plan for the following reasons:

- 1) It does not extend the settlement boundary;
- 2) It does not seriously alter the appearance of the streetscape and the settlement;
- 3) It supports the intent of the Official Plan to divert urban development away from agricultural land;
- 4) Policy 2.5.12 permits uses such as day care centres (limited commercial and industrial uses) and institutional

uses subject to the zoning by-law, within settlements listed as 1-18, which includes Mono Road.

Mr. Weston, the planner of the Town, has countered that while indeed this proposal may not alter the size and physical appearance of the settlement, the policies in 2.5.12.1 clearly require that a proposal such as this be "in keeping with the character of the existing development in terms of lot size, floor area, density, height and setbacks." Mr. Weston argues persuasively that this use is either commercial or institutional in character and as such is not "in keeping with the character of the existing development." Further, it was his view that this rezoning is an exception to the Rural Residential (RR) zone, was an attempt to circumvent the requirements set out in Policy 2.5.12.1 and even so, the application ran afoul of the "normal" standards of the RR zone. For these reasons also, Mr. Weston asked the Board to dismiss the appeal.

The Board finds that the issues of character, functioning, servicing and growth expectation of this settlement are of some importance since they underlie the Official Plan objectives and policies in settlements such as these. In our view, none of the above criteria clearly support this application and proposal as appropriate, particularly since the proposal is not intended to serve the local residents primarily.

The Board agrees with Mr. Weston that the proposed on site facilities can be accommodated only by seriously compromising the intent of the by-law for this small settlement area. In this regard it should be noted that the required 3 metre buffer along the eastern lot line cannot be achieved given the proposed driveway location and configuration. Similarly, an effective driveway turn around in addition to the required parking spaces will breach the buffer

requirements from the Leonardo lot. Further, the Town has argued with some persuasion that the location of the private well and the septic tank tile field on the lot is such that in the event of failure of one or the other or both there would be severe disruption to the operation of the centre. These problems are, in the Board's opinion, primarily a function of the deficient size of the lot for the use proposed. The Board therefore finds that this site is not appropriate for the proposal.

On the question of acceptability of the impacts resulting from the proposed use, the Board makes the following determination:

- (a) Notwithstanding Mr. Weston's contention that there is some question as to the quality of well water in this general area as well as the capacity of the septic tank to handle the effluent loadings, the Board will rely on the clearance provided by the Region of Peel Environment Health Office (Exhibit 25), that these services are adequate, and consequently are unlikely to impact adjacent systems
- (b) The movement of vehicles into and out of the site at three times during the course of each day commencing at 7:00 a.m. and terminating at 6:00 p.m., five days a week, in close proximity to and within sight and sound of rural residential neighbours are not impacts which could have been reasonably expected by these neighbours when they bought their homes. Certainly, neither the Official Plan nor the recently adopted zoning by-law give fair anticipation that these uses and effects could result. In other circumstances and situations of a more urban, growing community perhaps a case could be made but given the test and tenor of this Official Plan and the intent of the Rural

Residential zone, the Board does not find these impacts to be acceptable.

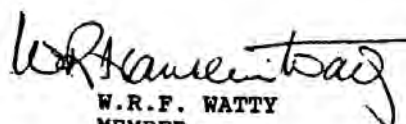
- (c) The Board was advised that recent improvement to Olde Baseline Road involving the paving of the shoulder increased the incline between the road and abutting lots and thus created an added hazard for vehicles jostling with each other to enter and exit the site. The witness Schofield felt that this would encourage parents not to enter the site and to pick up their children curb side at some risk to all concerned. This argument was not successfully contradicted and is of some concern to the Board.

These identified impacts of noise, visual intrusion and traffic hazard have not been fully addressed by proposals for effective or even reasonable mitigation. The Board therefore finds that they continue to be a significant consideration in denying this application.

For all of the above reasons the Board will dismiss the subject appeal.

DATED at TORONTO this 21st day of February, 1990.


P. H. HOWDEN
MEMBER


W.R.F. WATTY
MEMBER

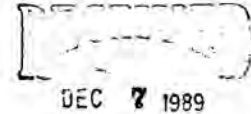


Ontario Municipal Board
Commission des affaires municipales de l'Ontario

IN THE MATTER OF Section 34 of the
Planning Act, 1983

- and -

IN THE MATTER OF appeals by Peace
Ranch, Alnaco Enterprises Limited,
Giuseppe Spano and Antonio Citiado and
others against Zoning By-law 87-250
of the Corporation of the Town of
Caledon



TOWN OF CALEDON
CLERKS DEPARTMENT

C O U N S E L :

R.K. Webb, Q.C. and J.D. Ostler	- for	Town of Caledon
D.E.M. Wagner	- for	Morsyd Investments Limited Pal-Bac Homes Limited 786523 Ontario Limited
C.B. Cohen, Q.C.	- for	Grey Venture Developments Ltd.
J.A. Olah and M. Campbell	- for	Credit Valley Conservation Authority
M. Bowman	- for	Albion Golf Associates Limited Glen Eagle Golf Course Bolt Holdings Limited
R.R. Elliott, Q.C. and J.E. Davies	- for	272944 Ontario Limited 272139 Ontario Limited Enterac Development Corporation
E. Ross	- for	Niagara Escarpment Commission
R.J. Zimmerman, Q.C. and J.E. Hendy, Q.C.	- for	Caledon Ratepayers Association Inc. and Belfountain Task Force on Development
S.D. Reddington	- for	Deemar Investments Ltd.
G.T. Mullin	- for	James Dick Construction Ltd.
A.L. Naiman	- for	Naiman and Watkins (Alnaco Enterprises Limited)
R.N. Robertson, Q.C.	- for	Theodore and Robert Graham and Sheila Robertson
W.C. Connor	- for	City of Brampton
David Vickers	- for	Ministry of Transportation and Ministry of Natural Resources
M. Virginia MacLean, Q.C.	- for	Canadian Tire Corporation

N. Consiglio - for Carmelo Notaro
R.B.G. Palmateer - for Flex-Mor Industries Limited

DECISION OF THE BOARD delivered by R.D.M. OWEN and W.R.F. WATTY

Thirty appeals were filed against the Town of Caldeon's Comprehensive By-law 87-250 and the Board dealt with those matters over the course of some 23 days with three matters adjourned, two until November 27, 1989 and the other until January 15, 1990.

As this decision is being mailed to all appellants and others, the Board will list all the appeals and the page at which each matter may be found.

- 1) T. Morena et al, page 21
- 2) Peace Ranch, page 10
- 3) Pal-Bac Homes Limited, pages 11, 19 and 28
- 4) Naiman and Watkins (Alnaco Enterprises Limited), page 23
- 5) Bolton Meat Packers (Holly Meat Packers), page 10
- 6) Blackhorse Theatre, page 14
- 7) Lake Ontario Cement, page 11
- 8) Morsyd Investments Limited, pages 17, 19 and 28
- 9) Canadian Tire Corporation, page 13
- 10) M. Babiuk, page 15
- 11) C. Sant et al, page 10
- 12) Credit Valley Conservation Authority, page 12
- 13) C. Norris and E. Norris, page 10
- 14) M. Bulloch, page 11
- 15) S. Morra, page 10
- 16) Glen Eagle Golf Course, page 11
- 17) A. Scalzo, page 11
- 18) Niagara Escarpment Commission, pages 10 and 54
- 19) C. Barrasso et al, page 11

- 20) Ministry of Transportation, page 12
- 21) (a) City of Brampton and Flex-Mor Industries Ltd., page 44
(b) City of Brampton and Tullamore, pages 10 and 53
- 22) Caledon Ratepayers Association Inc. (Belfountain Task Force on Development), page 5
- 23) Marbel Construction Limited, page 11
- 24) E. Ford-King, page 10
- 25) Peel Seed Growers Co-operative, page 10
- 26) C. Notaro, page 16
- 27) Ministry of Natural Resources, page 11
- 28) Ontario Hydro, page 10
- 29) G. Guaragna et al, page 10
- 30) Deemar Investments Ltd., page 20

The Board has organized this decision so that each appeal and any preliminary matters or motions relating thereto are dealt with in one section. The dates the Board dealt with such matters, where relevant, are included.

This decision deals with matters in the following order:-

- 1) Preliminary matters
- 2) Motion for adjournment
- 3) Appeals withdrawn
- 4) Abandoned appeals
- 5) Settlements
- 6) Contested appeals

Preliminary Matters: Tuesday, September 5, 1989

The Board's instructions for notice included newspaper advertisements. One of the five newspapers used was a weekly publication and the Town failed to meet the Board's timing

requirement by one day. An abridgement of the notice requirement was requested. No prejudice being found the Board abridged the time.

Counsel for James Dick Contracting Limited appeared to seek status but before being heard received instructions to withdraw from the hearing and did so.

Counsel representing the Graham family wished to speak to the Town prior to requesting status, no appeal having been filed. The Board put the matter down on the list but counsel did not reappear.

Bolt Holdings

Counsel representing Bolt Holdings indicated that while they did not wish to achieve party status, they did wish to make representations to the Board. These representations were that while their lands were zoned in a manner not to their liking, in light of the interim control by-law affecting all the commercial lands in Bolton and the Board's Pal-Bac decision, they would not be contesting that zoning. They wished, however, to go on record as opposing the kind of zoning that has been placed on their lands.

Wednesday, September 6, 1989

Bolton Valley Residents Association Request For Status

Mr. Tobin, on behalf of the Bolton Valley Residents Association, requested party status although no formal appeal had been filed against this by-law. Their concern is that due to a successful appeal an amendment to Official Plan Amendment 49 was made by this Board, otherwise constituted, and a site specific exception was removed from that Official Plan Amendment. Although this by-law, because of a recent amendment, now does not apply the greater density zoning R1-3 to the specific site affected by the change to Official Plan Amendment 49, it did leave the text of the R1-3 zone in the by-law. The Association did not appeal the by-law within the statutory

time limit, perhaps with good excuse, but the statute does not allow the Board to entertain an appeal on a new and different issue not raised by other appellants after the appeal time has run. The Board is satisfied, however, that no one can obtain an R1-3 zoning in the area of Bolton covered by Official Plan Amendment 49 without having a further Official Plan amendment and a zoning by-law amendment with all the public hearings that would result. Other lands in the Town of Caledon may, however, seek R1-3 zoning with no Official Plan amendment being necessary but such would still require a zoning by-law amendment to put the zoning in place on such a site. Therefore, the public is well protected. The request for party status is denied.

Other Preliminary Motions and Motion for Adjournment

Caledon Ratepayers Association Inc. (Belfountain Task Force on Development) - Appeal #22

On September 5, 1989, the commencement of the hearing on By-law 87-250, the Board heard from counsel involved in this particular appeal. Counsel for the landowners, the zoning of whose properties were under appeal, and counsel for the Niagara Escarpment Commission both sought party status. The Board granted both requests. The N.E.C. sheltered under the Caledon Ratepayers appeal. After hearing various other representations, the Board made a suggestion, the effect of which might have been to separate this appeal out of the comprehensive by-law to be dealt with in conjunction with other matters that were pending involving the same lands. The Board also, during the earlier weeks of the hearing, was spoken to by counsel involving a date for this particular hearing to be dealt with in the course of the comprehensive by-law if the Board's suggestion was not acceptable to the parties.

Unfortunately the parties were unable to devise a means to separate this issue out of the comprehensive by-law and a hearing

was necessary and representations were made as to the starting date and to the question of who would go first. The Board, in an oral decision, dealt with those two issues as follows.

As to the matter of procedure, the Board has decided to allow Mr. Elliott's clients, the land owners, to go first, in effect in the position of an appellant. Although technically the Caledon Ratepayers Association is the appellant against By-law 87-250, the Town, the week before the hearing commenced, changed its position and now supports the ratepayers and will be requesting a down-zoning of the lands. The land owners, in effect, will be supporting the zoning set out in By-law 87-250 or perhaps a somewhat lesser density. The Niagara Escarpment Commission, while not an appellant to this matter, did request party status and is now taking an active position and has been granted party status in support of the ratepayers and the Town against the zoning set out in By-law 87-250, as drafted. In light of all these circumstances the Board finds it is appropriate to permit the land owner to go first and so orders.

While the parties were considering the possibility of separating this issue out of this comprehensive by-law, a tentative date was sought and all parties agreed to the date of October 2, 1989 for 1 week and the Board has made that time available. In addition, the Board has now reserved further 1 day - October 10, if needed. That is all the time that is available to this panel in the foreseeable future.

The Town is willing to start September 28 provided an earlier hearing concludes but this presents difficulties to Mr. Elliott and his clients. The Board has decided to keep to the date of October 2. There is no assurance that the earlier hearing will be completed 2 days earlier than planned and the inconvenience to all four counsel and all the witnesses involved in "standing by" outweighs the

benefits in the Board's view. In addition, there are some 7 other appeals that are yet to be resolved and although expected to be "no shows" and one settlement, there are four hearings and the Grey Venture\Pal-Bac appeal to be dealt with in the next 2 weeks. Should any of these go on longer than presently anticipated no time would be available. The Board will, therefore, commence this hearing on this matter at 10:00 a.m., October 2, 1989 in these Chambers.

Caledon Ratepayers Association & Belfountain Task Force -
Appeal #22 - Motion - Tuesday, September 26, 1989

The Board now has before it an adjournment request regarding the Belfountain appeal which relates to the residential zoning of certain tracks of land in that area of the Town. Since this hearing on this comprehensive zoning by-law commenced September 5, discussions have been underway between the appellant, the Belfountain Task Force, the Town, the Niagara Escarpment Commission, and the land owners in an attempt to agree on some interim type of zoning for the lands so as to allow this comprehensive by-law to come into force. Such an arrangement would be without prejudice to the parties' rights to deal with this issue of the appropriate lot size for the subdivision of these lands at the plan of subdivision stage and the development control permit stage before the Niagara Escarpment Commission. All of these matters will be set down for hearing soon. Unfortunately, no agreement has been forthcoming hence the adjournment request by Belfountain. The request is made to avoid a multiplicity of hearings with apparently the same main issue of lot size and Niagara Escarpment Plan's conformity being considered. The land owner's counsel does not object to the adjournment request provided all matters are consolidated and set down for one hearing, preferably in January.

The Town opposes the adjournment request on the basis that it is important to the Town as a whole to have this comprehensive zoning

by-law come into force as soon as possible. The Board is now advised that the Town will not take a position in support or in opposition to its by-law zoning the lands residential with one-half acre lot size. However, the Town prefers the Belfountain position leaving the current zoning of 25 acres per lot in place. The land owners seek the by-law's one-half acre provision although they intend larger lots in the proposed plan of subdivision.

The Town has acknowledged the substantial expense of two hearings and that is one of the reasons it will not take a position on the zoning, preferring to expend its resources at the subdivision and Niagara Escarpment Commission hearing stages.

The Board has carefully considered this matter and all the representations made to the Board not only today but from time to time over the course of this general hearing.

The Board has weighed the public interest in having this comprehensive by-law come into force after a hearing on this particular zoning portion, all other matters being resolved, and the public interest in having the comprehensive by-law delayed some 4 months to allow one consolidated and comprehensive hearing to take place where all issues are addressed and finally dealt with on this specific matter. The Town, in its wisdom, set out in By-law 87-250 the one-half acre lot zoning for these lands. This was done in 1987. Then, one week before this hearing, the Town changed its position to support that of Belfountain and requested 25 acre minimum lots. Now, today, it advises the Board it will take no position at the hearing on this zoning matter if one were to go ahead, as was set down, on October 2, 1989.

The Board finds that in all of the circumstances of this matter and the larger matter of the comprehensive by-law itself, the greater

public interest is served by granting the adjournment request and setting this particular matter down, expected as a consolidated hearing, for January. The Town has been working on the comprehensive by-law for 10 years and is almost there, however, this particular matter is of substantial importance not only to the land owners affected but to the population of Belfountain. It is the major appeal resulting from the passage of this comprehensive by-law. Hence the weight attached to this issue is greater than normally found in appeals against a comprehensive by-law. Clearly, two other substantial hearings will be taking place and the issues raised here are so intertwined with the other issues that the other hearings will deal with that they should all be heard at the same time.

The Town has limited financial and planning resources and prefers to use the same to deal with these issues at the subdivision and Niagara Escarpment Commission hearing stages. In doing so, it leaves to the other parties the job of defending and opposing the Town's own by-law and these parties either want or do not oppose an adjournment. The courses of action taken by the Town in this matter, however justified, requires the Town to bear the burden of a delay in finalizing this comprehensive by-law. The Board, therefore, adjourns the Caledon Ratepayers Association's appeal (also known as the Belfountain Task Force appeal) to January 15, 1990 at 11:00 a.m. at the Council Chambers of the Town of Caledon. The hearing time is reserved for 3 weeks. No further notice will be required in regard to the zoning by-law but the usual notices will issue relating to the subdivision and the Niagara Escarpment matter and any consolidated hearing that may result.

The Board would encourage the parties to speak to the Board as time passes to ensure that all matters are progressing and that the hearing date of January 15 will be in fact met.

Adjournments

Two matters were not reached in the time set aside and were accordingly adjourned to Monday, November 27, 1989 at 10:30 a.m. These were The Niagara Escarpment Commission, Appeal 18 and the City of Brampton and Tullamore, Appeal 21(b).

Withdrawn Appeals

During the course of the hearing a number of appeals were withdrawn as listed below. These appeals were dismissed as withdrawn.

<u>Appeal Number</u>	<u>Appellant</u>
2	Peace Ranch
5	Bolton Meat Packers (Holly Meat Packers)
11	C. Sant et al
13	C. Norris and E. Norris
15	S. Morra
24	E. Ford-King
25	Peel Seed Growers Co-operative
28	Ontario Hydro
29	G. Guaragna et al

Abandoned Appeals

A number of appellants failed to appear at the commencement of the hearing and rather than dismissing the appeals immediately the Board asked the Town's counsel to keep a 'watching brief' for those parties. The hearing was scheduled to run 4 weeks. In the 5th week, none of the appellants having appeared during the course of the hearing, the Board, on October 4th, dismissed the following appeals as abandoned:-

Appeal Number

3

Appellant

Pal-Bac Homes Ltd. in part.
The Pal-Bac appeal relating to its own property was withdrawn and is therefore dismissed. The balance of the Pal-Bac appeal relating to other lands will be dealt with in the Board's decision on the Pal-Bac/Morsyd Investments and Grey Venture matter.

7

Lake Ontario Cement

14

M. Bulloch

17

A. Scalzo

19

C. Barrasso et al

23

Marbel Construction Limited

Settlements

A number of matters were resolved between the Town and the appellants and the Board gave oral decisions as set out below.

Glen Eagle Golf Course (Albion Golf Associates Limited) Appeal#16

This appeal was instituted to ensure a map correction to properly show an area of the golf course and the Town agreed the correction was appropriate and the error due to an oversight. The by-law is amended by replacing Zoning Map 2, Schedule "A" with Exhibit 11 hereto, a new zoning map.

Ministry of Natural Resources - Appeal #27

Ministry of Transportation - Appeal #20

The appeal by the Ministry of Transportation concerned wayside pits. The Ministry of Natural Resources had three appeals. One relating to the wayside pit matter which is the subject of this decision. The other two matters relating to wetland policies and setbacks from watercourses were withdrawn, the matters not requiring this Board's adjudication. Those are, therefore, dismissed as withdrawn.

The Ministries stating Provincial Policy on Mineral Aggregate Resources sought changes to the by-law to reflect this policy recognizing the aggregate reserve in the Town. The Town met with the Ministries and ratepayer groups. It now agrees to split the Wayside Pit category into Wayside Pits and Borrow Pits. Wayside pits are pits from which gravel material is obtained while borrow pits yield earth, soil, and clay used for road construction fill material. A new map showing primary aggregate reserves has been developed. The Town planner supported the amendments as being good planning. The by-law contains adequate buffering or separation distances from other forms of development to protect from adverse impact. These amendments reflect the Provincial policies in the Mineral Aggregate Resource Policy and the Official Plan's policies.

The Board accepts the planner's uncontested and unchallenged evidence and is satisfied the amendments are appropriate. The Board, therefore, allows the appeal and amends By-law 87-250 in accordance with Exhibit 13A herein.

Credit Valley Conservation Authority - Appeal #12

The Credit Valley Conservation Authority has appealed certain sections of By-law 87-250 in order to more precisely define the policy interests of the Authority and to detail their interpretation and implementation within the zoning by-law. The changes to the

by-law proposed by the Authority are supported by the Conservation Authorities Act and have been represented to the Board as being consistent with the Flood Plain Policy interests of the Government of Ontario.

The effects of the changes advanced through this appeal are of two kinds:-

- 1) to give greater clarity to the mandates of the Authorities having jurisdiction within the Town;
- 2) to revise the fill line mapping contained in the by-law in order to correct certain cartographic inaccuracies, including mapping legends.

Based on the uncontested and unchallenged evidence of the planner for the Credit Valley Conservation Authority supported by the Town, a number of textual and map changes are in order to clarify the wording of the by-law in those areas where flooding is possible and fill requirements are in effect. Additionally, a number of maps should be changed to correct minor mapping errors and add warning notes and "legend" word changes, all as set out in Exhibits 43 and 44. The Board, therefore, amends the by-law in accordance with Exhibits 43 and 44 hereto.

Canadian Tire Corporation - Appeal #9

Canadian Tire is expanding its present store in the Village of Bolton and has requested certain changes to the standards of the C.P.-2 zone. Their land is the only land presently zoned C.P.-2. All but one of these changes were made by the Town in By-law 89-116 which was an amending by-law to By-law 87-250 and dealt with a number of settlements of appeals from By-law 87-250. The planner for the Town satisfied the Board the changes are all appropriate, represent good planning and will have no adverse impact on adjoining

properties, the neighbourhood, the functioning of the site or the adjacent road system. In particular, the reduction in the side yard from 7.5 metres to 3 metres will not impact the 6 acre vacant commercial site adjacent thereto. The Board accepts this evidence and amends By-law 87-250 in accordance with Exhibit 47.

Blackhorse Village Players - Appeal #6

The Blackhorse Village Players are an amateur theatre group and own a former Orange Lodge Hall in Lot 27, Concession 9, former Township of Albion. This building is located in the northwest quadrant of the intersection of Highway 9 and the 2nd Line in the Town of Caledon. This hall is currently converted into a mini-theatre seating 120 persons. It is the intent of the Village Players to build a new and larger 225 seat theatre beside the existing hall. The former hall will be used for rehearsals and for the storage of "props".

By-law 87-250 proposes to zone the subject property A2-6 which is a special agricultural zone applicable only to this site, and which would permit only a theatre. The Village Players indicated that the provisions in the by-law are too onerous for the following reasons.

Firstly, the Theatre Company runs a very small-scale operation and requires commercial financing to undertake the proposed expansion plans. This would not be easily arranged if the only permitted use of the site were "A Theatre". What was the market for theatres in rural Caledon, should the company go under? What was the effective marketable collateral in such an event? With these questions in mind, the Village Players have requested the addition of a single-family residential building as a permitted use.

Secondly, because of the site dimensions and the proposed use characteristics of the property, zone A2-6 proposes special deviations from the regulations in the A1 Agricultural zone. These affect the area and frontage requirements.

The Board heard evidence from the Town planner and from a representative of the company which included:-

- 1) The proposed 3 metre minimum side yard building setback was adequate.
- 2) The proposal would have minimum impact on, and would be minimally affected by, a barn on an adjacent property.
- 3) Although the proposed expansion is predicated on a single entrance/exit off the 2nd Line, there was also an emergency access off a farm entrance to Highway 9.

The Town planner affirmed that this development was desirable and defensible on planning grounds. The Board also notes that no evidence of incompatibility with the dominant surrounding uses was presented. On the contrary, the Board was advised that the Ministry of Agriculture and Food had no problems with the principle of the proposed use, the zoning appeared to conform to the Agricultural Code of Practice, the surrounding residents do not object to this use and, in fact, have encouraged it by land sales to implement the project and by other shows of support.

The Board accepts the planning evidence and amends By-law 87-250 in accordance with Exhibits 39 and 40.

Babiuk - Appeal #10

The Babiuk appeal is in the form of a request to amend the by-law before the Board to zone a 5 acre block RE-E(50)-H rather than O.S. This block is part of an older approved draft plan of

subdivision. The plan is recognized in the Town's Official Plan and the lands are designated Rural Estate Residential Area.

The Town supports the amendment. The Town planner, in his evidence, satisfied the Board that the site is appropriate for future residential development once the holding conditions are met; the Official Plan allows for holding by-laws; the conditions of the removal of the H for this site, being servicing and access availability, are appropriate and no other conditions are necessary. The interim uses, while the holding provision is in effect, will not prejudice the ultimate residential use.

The Board therefore amends By-law 87-250 as follows:-

- 1) To insert a provision for holding zones per Exhibit 106, as Section 4.7.
- 2) Renumber the previous Sections 4.7, 4.8, 4.9 as numbers 4.8, 4.9 and 4.10 respectively.
- 3) To insert Section 5 RE-E(50)-H zone per Exhibit 107.
- 4) To amend Zone Map 15 - Schedule "A" to the by-law per Exhibit 105.

Notaro - Appeal #26

Mr. Notaro, in his appeal, originally sought a Highway Commercial zoning for his property rather than an A2-X zoning, which this by-law proposes. The A2-X zone is a special provision within the A2 zone and that special provision provides for a one family house and/or a non-residential use. The site is situate in the Village of Caledon East on Airport Road. Mr. Notaro now only wishes the Board to establish what were the existing non-residential uses on the property at the time of the passage of By-law 87-250. His uncontradicted and unchallenged evidence satisfies the Board that

there existed at this time two residential apartments and the following non-residential uses:-

- 1) A used car dealership, involving fifteen to sixteen cars on the lot and an office accessory thereto. No repairs or body work of any kind have ever been carried out on the site.
- 2) A retail plumbing store and a plumbing contracting business and office. The plumbing contracting business involved the repair of certain plumbing parts, fittings and fixtures. An inventory of plumbing parts and fittings were kept on the premises.

The Town did not object to this rather unusual exercise and called no evidence. The Town did cross-examine the witness.

The obvious purpose of this hearing was to simply establish the existing uses at the time of the passage of the by-law. The Board, having done that and not being requested to amend or alter the by-law, dismisses the appeal.

Morsyd Investments Limited - Appeal #8, in part

This part of the Morsyd appeal relates to their existing shopping plaza located north of Allan Drive at the corner of Ellwood Drive and Queen Street (Highway 50) in the Village of Bolton. This existing plaza has developed over the last 10 years and three site plans and agreements have been entered into over that time. The most recent site plan and agreement was settled by this Board, otherwise constituted, in 1985. This Comprehensive By-law 87-250 zones the site CP - Plaza Commercial. However, the site as developed does not comply with all this zone's general provisions, hence the appeal. The Town has recommended a new zone CP-5 which is tailored to the site and the existing uses, building area, location, parking and landscaping. The planner for the Town took the Board through the modifications, each justified as being settled in accordance with

previous site plans and minor in nature. On the whole, the CP-5, in his opinion, represented good planning. The parking spaces, although below the new standards and acknowledged as tight, still represent the Board approved site plan. To require any further increase would impact adversely on landscaping and access routes. No new development or redevelopment could take place on the site without this matter being further addressed.

As to the Official Plan, the site is within the South Hill Commercial Area and is designated General Commercial. It is subject to the interim policies of Official Plan Amendment 49 requiring "...no major development or major redevelopment of any such lands shall be encouraged unless..." and there follows the requirement of an enclosed mall, theatre, department store and supermarket.

The Town planner was of the opinion that as the lands were fully developed under the proposed by-law no "major redevelopment" could take place on the site without the Town's involvement as the by-law would have to be amended. In his view no major redevelopment potential exists on lands north of Allan Drive in the short term. The goal of the Town in Official Plan Amendment 49 and the interim policies approved by the Board are an attempt to create a higher order of commercial facility in the South Hill Commercial Area and that would in no way be affected by zoning this site CP-5. His opinion was the zoning, therefore, conformed to the Official Plan. His evidence was neither challenged nor contradicted and he remained firm in his opinions under questioning by the Board.

The Board accepts his opinions relating to this specific site and the appropriate zoning. The Board is satisfied, given the existing developed plaza, including the recent additions and the provisions of the proposed zoning, the site is developed to its maximum potential and no major redevelopment can occur in the short

term, which the Board finds will go beyond the term of the existing interim policies of Official Plan Amendment 49 for this area. Any redevelopment of whatever nature will require an amendment to the zoning by-law and therefore an opportunity for the Town and others to examine the then current conditions, the Official Plan policies, the specific request and then to determine its appropriateness. This zoning for the site, as proposed, is in fact a "freeze" on any future development and hence can be said to conform to the intent of the Official Plan's interim policies set out in Official Plan Amendment 49 as approved by the Board which allows for, in effect, a 2 year study time to review the commercial structure of the Village of Bolton and sort out the priorities. As earlier indicated, the Board finds that this is a fully developed site and can be and is distinguished from the vacant sites dealt with in other parts of this decision lying south of Allan Drive being, in particular, the Pal-Bac Homes and Grey Venture properties.

The Board therefore allows the appeal and amends By-law 87-250 to zone the site CP-5 and amends the zone map all in accordance with Exhibits 100 and 102 herein.

Pal-Bac Homes and Morsyd Investments - Appeal #8 - Re Biason
lands

This appeal involves a parcel of land at the southeast corner of the 5th Side Road and Queen Street (Highway 50) in the Village of Bolton. These lands lie outside the Bolton South Hill Commercial Area affected by Official Plan Amendment 49. The Official Plan currently in force designates the site Industrial. Official Plan Amendment 89, which affected the site, had all commercial policies and designations deferred. The balance of the policies were approved by this Board, differently constituted.

This Comprehensive By-law 87-250 zones the site CP - Plaza Commercial. The appeal is against this zoning as it does not conform to the existing Official Plan designation. The Town planner gave evidence in support of an MP-2 Industrial zone as that conforms to the Official Plan designation of Industrial. The land owner, we are advised, does not object to this MP-2 zoning.

It is clear the entire matter of commercial development in Bolton is under review and the deferred commercial policies and this site's ultimate designation in Official Plan Amendment 89 awaits such a review.

The Board accepts the planner's evidence that, today, an MP-2 zone is appropriate and represents good planning, given the need for Official Plan conformity and the existing Industrial designation. The Board, therefore, amends By-law 87-250 and zones these lands MP-2 and accordingly amends Zone Map 18 - Schedule "A" to reflect this in accordance with Exhibit 104, filed.

Deemar Investments Ltd. - Appeal #30

The Town planner explained that the appeal related to lands developed under a plan of subdivision zoned for residential use by a free-standing by-law, By-law 86-94. Among other standards this created side yard setbacks of 2 metres for each side yard. The development proceeded in accordance with these standards. By-law 87-250 requires 3 metre and 1.5 metre side yard setbacks. The planner satisfied the Board an exception to this new standard recognizing the existing standards and development on these lands represented good planning and no adverse impacts resulted. The Board, therefore, amends By-law 87-250 in accordance with Exhibits 20 and 21.

Contested Appeals

Morena - Appeal #1 - Decision

In 1980 the then Council of the Town, contrary to planning advice, passed a by-law adopting a site specific Official Plan amendment. This amendment was approved by the Minister in September of that year. That Official Plan amendment used a "notwithstanding" clause to add a specific use: "the construction and operation of one automotive repair shop" to the uses otherwise permitted in the Agricultural Area designation for this specific parcel of land. These and other adjacent lands in this area of the Town are all designated Agricultural Area. A zoning by-law implementing the site specific amendment by permitting the proposed use was passed in 1980 but it was appealed and never taken to the Board for hearing or approval. The Town, in this comprehensive by-law, now zones the site A1-2 adding this specific use to those otherwise permitted in the Agricultural zone.

The 2.5 acre site is located on the north side of Regional Road 14, also known as Mayfield Road, which forms the northerly boundary of the City of Brampton and the southerly limit of the Town of Caledon. It is 7/10ths of a mile east of the settlement area of Tullamore. There are a number of 3 acre parcels created by severances on this road and the subject and the two adjacent parcels to the east are all of this approximate size.

The appellants are the owners of the vacant lands immediately to the east of the site. They do not want the introduction of this "commercial use" beside them as they intend to retire and build a home on their lands. They do not believe the use is either appropriate or compatible.

The owner of the subject parcel requests the rezoning as he wishes to build an automotive repair garage on his property where he is presently residing in the existing home. His son would join in

the business. His health required him to give up the repair garage they operated in the Village of Bolton.

The Board heard evidence from a Town planner that the boundaries of Tullamore Settlement Area may be expanded east towards the site to include the Salt Creek and possibly the site itself. This is presently under review. The planner's evidence centred on the proposed standards in the by-law which would be more stringent than the usual Highway-Commercial zoning provisions. Site plan control could deal with buffering. She at no time indicated the zoning represented good planning, was appropriate, or was compatible with surrounding uses. She stated only that the by-law conforms to the site specific Official Plan amendment.

The Board understands the actions of the present Council, at least in establishing the zoning for the site to conform to the Official Plan amendment in place. However, the Board does not accept that the mere existence of a site specific Official Plan amendment in and of itself, makes the consideration of a zoning by-law to implement the same merely a matter of form. Over 9 years have passed since the Official Plan amendment was approved and no changes or development has occurred in this area. The reluctance of the then Town planners to the introduction of this use would appear to continue to be valid. The Official Plan amendment permits this additional use but carries forward the other agricultural uses which the Agricultural Area designation allows. There was no evidence of any need for this use in this location. The introduction of an automotive repair garage by way of an exception to the usual agriculturally related uses in this Agricultural Area, in the Board's view, makes no planning sense. The Board notes the planning opinions of Town staff in 1979 opposed the introduction of this use and they appear to be well founded even today. The Council of the day chose to ignore this advice, as is its right, but the Board today does not

find that this automotive repair garage use, on a parcel with an existing residential use in an agricultural area, appropriate. At best it is premature given the study underway relating to the Tullamore Settlement Area expansion. If changes in the uses for this area can be justified on sound planning principles such should be done in a comprehensive and co-ordinated fashion. To spot designate and zone a site in a largely undeveloped area but near an existing settlement containing appropriately zoned Highway-Commercial and Industrial land and which settlement has expansion potential, currently being studied, does not represent good planning. The introduction of this Highway-Commercial use, by another name, into this area with all the impact such a use will bring and the catalyst it might well be, before adequate longer range planning is considered, is not appropriate.

The appeal is therefore allowed and the by-law is amended to zone these lands A1 - Agricultural.

Naiman and Watkins - Appeal #4 (Alnaco Enterprises Ltd.)

Messrs. Naiman and Watkins are owners or part owners of certain properties situated on King Street, west of the Bolton Core Area. This is an area of mixed residential and institutional (church) uses with some home occupations or professional uses occupying part of the residential space within individual buildings. The buildings in this neighbourhood are generally larger sized, and are considered to have some architectural merit and are thereby deserving of conservation. The properties which are the subject of this appeal are known municipally as numbers 63, 69, 75, 78, 81, 85, 88, 91, 96, 99, 102, 105, 113 and 118 King Street West. Of these Mr. Naiman is owner or part owner of numbers 69 and 87. No evidence was presented to show that he was authorized to act for the other property owners. In fact, it has been indicated that one of these property owners is

opposed to the appeal and Mr. Naiman indicated that he did not canvass many of these affected persons.

The zoning on the properties in question is Residential under By-law 1164 which is the by-law inherited by the Town of Caledon from the former Village of Bolton. This zoning makes provision for home occupations and home professional uses with certain limitations as to percentage of space to be devoted to such uses. Under a subsequent zoning by-law, By-law 80-21, which has not been approved, the subject properties were zoned Residential (R1) with home occupations and home professional uses being a supplementary use. Later on, a free-standing site specific By-law 86-177 was proposed for the area in question which provided for up to 40 per cent of these residential buildings to be used for business and professional offices under certain conditions. This by-law, which was passed by Council, went to the Ontario Municipal Board under appeal and was repealed on a technical question of notice.

By-law 87-250 proposes to zone the properties which are the subject of this appeal as R1 which would allow a single-family residential use and up to 20 per cent of floor area for use as a home occupation or home professional by the occupants of the residence.

The appellant has stated to the Board that the provisions of By-law 86-177 were based on studies conducted in 1986 by the Town's planning department and that these studies have not been superseded by more recent investigations. Consequently, in his view, the 1986 research and derived policies should still be considered relevant and valid.

Mr. Naiman has appealed the provisions of By-law 87-250 respecting the properties noted earlier with the request that the provisions proposed by By-law 86-177 be substituted therefor.

Based on the evidence presented by Mr. Naiman, by the planner for the Town, by Mr. Tobin, who is a representative of the Bolton Valley Residents Association and by Mr. Polsinelli who has an agreement to purchase number 63 King Street West in addition to the responses to the Board's own enquiries, the following appear to be the primary issues posed by this appeal.

- 1) Does the zoning proposed in By-law 87-250 better represent the planning intent of the municipality than that requested through the appeal?

The Official Plan designation for this area is Residential and the Board is convinced that a primarily residential use should continue to be the zoning for the future development of the area unless and until that planning focus is amended. To the extent that there is a retreat from the primary residential focus of the plan in the by-law, there is increased risk of incompatibility. The petition for a return to the provisions of By-law 86-177 would represent, in the Board's view, a lessening of commitment to the residential designation in the Official Plan to a degree which, given the identified impacts, is inadvisable at this time.

- 2) Acceptability of Impacts

Several impacts were identified through the evidence of the Town planner, Mr. Tobin, and Mr. Naiman himself which, because of their potential adverse effects, would appear to require specific attention in the event of a change as requested by the appellants. This includes the extent of conflict between traffic entering and exiting these properties to and from King Street West, in view of the increasing volumes on that road. A second question in the Board's view is the extent to which increased commercial type development (unrelated to the occupant) would detract from the primarily commercial node in the Bolton Core. In the light of unavailable reliable and

current data on these two matters, the Board finds itself unable to make a determination in this regard.

3) What is the best use of these properties?

All parties agree that this is an area of transition and in terms of developer interests, is an area under some development pressure. The existing condition of residential uses in combination with limited home occupation/professional type uses in some cases partly attests to this transition. The subject properties are positioned between an identified commercial area to the east and stable residential areas to the north, south and west. Although King Street provides commercial exposure, it presents a problem of access to these properties. The evidence presented acknowledges the complexity of the issues presented above and the need to move knowledgeably and deliberately to determine the best future uses to give guidance to all concerned.

The change of zoning requested by the appellant would not resolve the issue but could compound the problem by inviting even more liberal changes such as that raised by Mr. Polsinelli for 100 per cent commercial floor coverage.

4) The Need for Greater Commercial Presence

No evidence was presented that additional commercial space was warranted in this section of the Town. Certainly, the onus is on the appellant to satisfy the Board in this regard. Complete reliance on the 1986 Planning Department studies which have been overtaken by subsequent developments elsewhere in the Village is in this instance inadequate. The Board is not satisfied that there is demonstrated need for this change in zoning. The Town planner's assertion that a recent consultant's study indicates that there is a surplus of commercial area in Bolton is similarly not helpful without particulars as to definition of the area, type of commercial uses and comparability.

Clearly, the question of need for commercial development in the Town is currently under intense review both by this Board in recent decisions and as part of these hearings. There is also an Interim Control By-law recently passed affecting all commercial land in Bolton (with specific exceptions), as well as an Official Plan review underway due for completion in the spring of 1990. Hopefully, demonstrated need by location and type of commercial development will emerge through this process and assist in resolving this issue.

5) Effect of intensification of commercial uses

Some discussion has centred on the ability of the individual lots or properties in the environs to accommodate the parking requirements consequent on commercial intensification. The Town planner indicated that her calculations led her to conclude that the properties at numbers 63, 69, 75, 78, 85, 91, 99 and 118 King Street West could not meet the parking space requirements of Zoning By-law 86-177. This information was not successfully contested. Therefore, the Board must conclude that this inadequacy and potential by-law infringement which was not studied or recognized as part of the 1986 research referred to earlier, must be resolved in order to establish that such rezoning is feasible and can be properly implemented.

6) Residential Stability

Mr. Naiman alleged that under By-law 86-177 an opportunity had been afforded him to create two dwelling units on each of his properties in addition to any commercial space entitlement. The Board concurs with the Town planner's view that this would be in violation of the R1 zone in By-law 87-250. There has been no evidence presented that a planning change to that effect is appropriate. On the contrary, the evidence of Mr. Tobin is that this area continues to be a relatively stable single-family residential neighbourhood. He further stated that any change in zoning should be minimized, and should be sensitive to the

architectural merits of the buildings. He objected to two dwelling unit conversions of the existing residences in the area without demonstrated need.

The Board accepts this general principle on the evidence presented and having regard to the objectives and policies of the Town's Official Plan.

Based on all of the foregoing, the Board finds that further assessments of need and impact are necessary as a basis for such a rezoning. Without this information, the Board considers the rezoning request, hence this appeal, to be premature. The Board understands the frustration of Mr. Naiman over the length of time, the number of zoning by-laws and amendments, the studies and hearings and the shortcomings in communication which have led him to this appeal. The Board does not agree that there can ever be "finality" to the planning process but encourages continuing involvement and knowledgeable participation by all concerned as communities plan for the future.

The Board, therefore, dismisses this appeal.

Pal-Bac appeal - Appeals #3 and 8 - September 5, 1989

Counsel for Grey Ventures Investments Limited requested status as the zoning of his client's lands was being appealed by others. Status was granted. He requested an adjournment of all of the provisions of this by-law as they relate to commercial zones. He admitted to being prepared to argue in support of the original C.P. zoning for his client's lands that this by-law had put in place. However, the appeal against this zoning instituted by Pal-Bac Homes Limited and others is now supported by the Town.

The Town Council, by resolution last Monday, the 28th day of August, instructed staff and counsel to request this Board to amend

the zoning to C.P.-4, which is the same restrictive zoning as on the Pal-Bac lands.

Mr. Cohen wants time to negotiate with Town Council and staff on this issue which he has not been given due to the short notice of their changed position, although he did get to address Council at the meeting on the 28th.

The Board must weigh the interest of the public, particularly the citizens of the Town of Caledon, in having the appeals against this comprehensive by-law dealt with in the 18 days set for this hearing so that the by-law can come into force amended if and where necessary. Against this interest is the legitimate concern of the one land owner that the ability to discuss and negotiate with the Town has been pre-empted by the change of position of the Town on the eve of this hearing.

The Board has set aside some 18 days for the hearing encompassing 4 weeks. The Board is satisfied that discussions can take place during the earlier weeks of these proceedings and sufficient preparation time is available. The Board finds the public interest in having the by-law, which is the Town's second attempt at a comprehensive by-law, come into force outweighs the need for a long adjournment in these circumstances, particularly as the parties in this issue are not strangers having already gone through a 3 week Board hearing not long ago on similar issues.

The Board therefore denies this adjournment request and will set this matter down for hearing commencing Monday, September 25, 1989 at 10:00 a.m. in these Council Chambers.

Pal-Bac/Morsyd - Appeal 3

Grey Venture Developments Limited owns approximately 3.85 acres of land adjacent to the northeastern intersection of Queen Street South and Fifth Side Road in the Village of Bolton. These lands were acquired at a cost of some \$1,800,000 in 1983 at a time when all of these lands were designated Commercial in the Town of Caledon's Official Plan and were zoned for a variety of highway-commercial type uses in the municipal zoning by-law. The subject comprehensive zoning by-law before the Board proposes to zone these lands for a commercial plaza (CP) which would permit a wide range of commercial uses without constraint as to mandatory uses by type or function or any requirement for containment within an enclosed mall. This zoning has been appealed by Morsyd Investments Limited, Pal-Bac Homes Limited and 786523 Ontario Limited, owners or joint owners of commercial properties along Queen Street to the north of the subject lands.

Shortly before the commencement of these hearings, and as a result of a recent Board decision affecting the Official Plan designation of lands in this area, the Town of Caledon, by resolution, proposed a revision to the proposed zoning of the Grey Venture lands from CP to CP-4, a zone which would permit a more restricted range of commercial uses including at least a department store with a minimum gross floor area of 3,700 square metres. All permitted uses are to be within an enclosed shopping centre. As a consequence the Town of Caledon has effectively joined the appellants in an appeal of its own by-law.

Because of the Council's eleventh hour change in position on this zoning, Grey Venture finds itself in the position of supporting the Council approved CP zoning of its property in By-law 87-250 and in opposition to the revised Council resolution recommending to the Board the substitution of a CP-4 zone.

The original appellants were represented by the same legal counsel. Grey Venture Developments Ltd. and the Town of Caledon were each represented by counsel. All counsel had benefit of expert planning evidence.

Queen Street South in this part of the Village of Bolton is an area of predominantly commercial uses extending on the east side from Ellwood Drive on the north, past Allan Drive and Queensgate Boulevard to Fifth Side Road to the south. Various parcels within this area are currently undeveloped and this includes lands owned by Pal-Bac Homes, mid-block between Allan Drive and Queensgate Boulevard comprising approximately 6.25 acres. Immediately to the south of the Pal-Bac lands, Bolt Holdings owns a similarly vacant parcel of land. This parcel, however, does not have frontage onto Queen Street, the main north-south arterial road, but abuts Queensgate Boulevard to the south and Landsbridge Street to the east.

At the very northeastern intersection of Queen Street South and Fifth Side Road is an Ontario Hydro transformer station. There is also a Goodyear Tire Centre and automotive parts shop at the southeastern intersection of Queen Street and Queensgate Boulevard. An existing residential building is located on the southeastern corner of the Grey Venture property.

In 1987 the Town adopted Amendment 49 to the Official Plan to establish commercial policies applicable to the various commercial areas in the Town. Three major policy areas, the Bolton Core Area, the Bolton South Hill Commercial Area, and the Bolton Highway 50 Commercial Area were designated.

The specific policies for the Bolton South Hill Commercial Area within which the Grey Venture lands fall (as do the Pal-Bac lands) specify that no major development or redevelopment shall be

encouraged unless contained in an enclosed mall and unless provision is made for an indoor theatre, a department store of 3,700 square metres minimum net floor area, and a grocery store not more than 650 square metres based on demonstrated need. These specific policies, which were based in part on an earlier approved amendment, Amendment 51 for the Pal-Bac/Morsyd lands, were referred to the Board.

The referred policies identified as Section 2.5.10.22(vi) were modified by the Board in a decision of July 31, 1989, as follows:-

"The Board hereby modifies Section 2.5.10.22(vi) by adding the following at the end of the section:-

"The foregoing shall be regarded as an interim policy statement for the South Hill Commercial Area, pending completion of a review of the Bolton commercial policies. It is acknowledged that development of a full-scale enclosed mall with department store and theatre is not likely to take place within the time period contemplated by earlier Official Plan policies. Nevertheless, the South Hill Commercial Area remains the appropriate location for the introduction of higher-order Community level retail facilities.

This review shall take into account:-

- i) population growth in the Bolton Area, and
- ii) consolidation of revitalization efforts in the Bolton Core Area."

This section is hereby approved as modified.

Should an Official Plan or an amendment thereto, not be adopted within two years of the date of this decision providing revised commercial policies for the South Hill Commercial Area, the Board will amend its order and delete Section 2.5.10.22(vi) in its entirety.

The Board will not approve the amendment requested by Pal-Bac and its zoning appeal is hereby dismissed."

It was as a result of this decision and the need to establish conformity between the approved O.P.A. 49 policies and By-law 87-250 that Council revised its earlier adopted zoning of the Grey Venture lands from CP to CP-4.

Grey Venture Investments Limited has taken the position that a CP-4 zoning of the subject lands is neither appropriate nor acceptable. The evidence of the planner called in support of the company's case is that the resolution of this appeal must be based on conformity with the Official Plan. In seeking to address this issue of conformity, Grey Venture has asked the Board to consider two tests which might be applied. The first is the test of geography, that is, are the subject lands physically within the area described as the Bolton South Hill Commercial Area? The Board finds that the evidence presented supports such an inclusion, except for approximately 1 acre relating to the residential building at the southeastern corner of the site, which was omitted from this designation in Official Plan Amendment 49.

The second test raises the question of whether or not the commercial provisions for the Bolton South Hill Commercial Area properly and realistically apply to the subject lands. In this regard the evidence presented to the Board is not as conclusive.

The Ontario Municipal Board decision of 31 July 1989, in combination with the Ministry approved policies for the rest of Official Plan Amendment 49, provide the policy context for addressing this issue. The essentials of this framework are:-

- 1) A review of commercial policies for Bolton is needed to determine whether the policies approved in O.P.A. 49 should be retained or revised.
- 2) The development of an enclosed mall with department store and theatre appears to be premature at this stage.
- 3) The Bolton South Hill Commercial Area appears to be the appropriate location for community level commercial facilities.

- 4) The forthcoming commercial review should consider growth projections for the Town and efforts at revitalization of the Bolton Core Area.

This then is the policy framework together with the approved sections of the Plan, that is, the policies for the Bolton Core Area and the Bolton Highway 50 Commercial Area, being Sections 2.5.10.21 and 2.5.10.23 respectively.

Based on the arguments advanced by Grey Venture and the responses presented by Morsyd and the Town, it is the opinion of the Board that the issue of policy conformity must be related to the following questions:-

- 1) Does the moratorium on development within the Bolton South Hill Commercial Area pending completion of the commercial review and the adoption of revised policies, or alternatively, the lapsing of Section 2.5.10.22(vi) consequent in default of the required review, apply to Grey Venture?
- 2) Could development of any kind on the Grey Venture lands adversely impact the current or future functioning of the Bolton Core Area?
- 3) Could developments on the Grey Venture lands contradict or frustrate the established or planned roll of the Bolton Highway 50 Commercial Area?

With regard to the latter two questions, and after listening to the evidence presented by all the experts, the Board is not convinced that adequate information is available to reach a definitive decision on these matters. This panel notes that this and related issues formed part of the concerns during the earlier O.P.A. 49 Board hearing, and the conclusions on this question were indeterminate at that time. It is this panel's conclusion that

neither the policy description in the Official Plan document nor the permitted uses in the proposed zoning categories for the three major commercial areas are sufficiently distinctive to ensure that these two potential effects, impact on the one hand and contradiction on the other, will be avoided. Until exact development plans are presented, these matters cannot be determined. Development may or may not violate the criteria posed earlier as questions.

On the first question of whether or not Policy 2.5.10.22(vi) applies to the Grey Venture site, the conclusions of the Board, which all parties to the hearing appeared to concur in, is that although the lands, excluding the 1 acre residential parcel, are included within the Bolton South Hill Commercial Area, such inclusion is relevant only if the direct policy requirements under 2.5.10.22(vi) and the indirect policy implications of Sections 2.5.10.21 and 2.5.10.23 can be satisfied.

Considerable evidence was presented by all planning witnesses on the subject of whether or not the Grey Venture site was to be included within the ambit of a "major" development as prescribed by Section 2.5.10.22(vi). Mr. Weston, a planner called by Morsyd, advised the Board that of itself and in combination with adjacent landowners, the subject lands could be considered "major" based on their potential impact if developed in commercial use. He further advised the Board that the commercial retail market in Bolton was presently at or close to saturation so that even minimal development could adversely impact pre-existing developments and, in particular, the Bolton Core Area.

The Town's planner, Mr. Carty, could not provide a definition of "major" but felt that each application would have to be individually assessed. He did share Mr. Weston's concern regarding the apparent overstorage of retail space within the Town and

suggested that a more definitive and conclusive assessment was required before the Grey Venture lands might be excluded from the "major development" or "major redevelopment" provisions of Section 2.5.10.22(vi).

In response to questioning by the Board Mr. Sherman, a planner called by Grey Venture, agreed that the policy itself could provide its own definition of what constitutes "major" development. Specifically, any development or redevelopment which meets the requirements of subsection (a) could be considered major.

"(a) All general commercial uses shall be contained within an enclosed mall."

Subsections (b) to (d) further expand on the characteristics of such an enclosed mall.

The Board is sympathetic to this interpretation particularly in view of the fact that the CP-4 zone recognized by all the experts to be the vehicle for implementing this Official Plan policy almost exactly mirrors the policy in question. However, whereas the Board is led to this view as to what "major" means, it is not as convinced as to what "major" implies. In view of the July 1989 Board decision on O.P.A. 49 no evidence was led in the present hearing to assure this panel that:-

- 1) A development less than major, however defined, would not adversely impact the Bolton Core Area.
- 2) That a development less than major would not be contrary to the intent of the Bolton Highway 50 Commercial Area.

On the contrary, the evidence of Mr. Sherman is that the Grey Venture site of itself and even more so in combination with any

additional lands could, with some imagination, meet the requirements of Section 2.5.10.22(vi) for major development and comply with the provisions of the CP-4 zoning.

During the course of these hearings no evidence was brought forward indicating the intent of Grey Venture for the future development of its lands. A preliminary site plan outlining the pattern of development was not available. No development time frame was suggested within which the feasibility of development or its impacts could be assessed. This Board, therefore, finds that the Grey Venture lands are and should continue to remain within the policy area defined by the Bolton South Hill Commercial Area and that Policy 2.5.10.22(vi) applies to the site.

One inconsistency remains. Counsel for Grey Venture has indicated to the Board that the lands owned by Bolt Holdings, which are currently undeveloped and are zoned CP-1 thereby permitting an extensive array of commercial uses without constraint as to enclosure within a mall, are not covered by the municipality's belated attempt to bring order out of chaos in this part of the municipality. This has been partially explained by counsel for the Town and counsel for Morsyd that whether by accident or design the Bolt zoning was not appealed to this Board and consequently no vehicle existed for the Town, subsequently and in response to the July 1989 Board decision, to revise its intent for these lands before this hearing. Notwithstanding this, it is evident to the Board that the Bolt lands have sufficient potential for accommodating a major commercial development by itself and certainly as part of a redevelopment scheme with neighbouring landowners.

The Board is cognizant of the fact that on expiration of the interim control by-law now in place Bolt could request a building permit under its CP-1 zoning which could be as ruinous to the

prospects for the emergence of a major development in the Bolton South Hill Commercial Area and on the future of the Bolton Core Area as any proposal by Grey Venture under its erstwhile CP zoning. The Board concurs with the position of Grey Venture that this eventuality must be of concern and should be addressed by the municipality if it is to plan equitably and with sincerity for all of this area. However, in our view, the fact of this anomaly is not sufficient to allow us to similarly exempt Grey Venture from its responsibilities under the Official Plan.

Although the issues under appeal address potential development opportunities as a consequence of zoning, the Board rejects the intimation by Grey Venture that it is being asked by parties to this appeal to apportion the market among would-be investors. No evidence has been presented on the current and projected size of the market for the various ranges of facilities in the commercial hierarchy. The Board has not been requested to nor will it assign priority rights to any developer except insofar as to recognize the policy requirements of designations in the Official Plan and to translate these into appropriate zoning. This, in our view, is the correct exercise of our mandate.

There is, however, little doubt that whatever process or misadventures which have led to this hearing, the net result has been a postponement of development opportunities by Grey Venture for their lands. The evidence presented by Grey Venture's planner indicated that there are no current plans in process for these lands and that typically a major tenant would be secured before that process for a development proposal commences. Therefore, the assumed postponement will not in reality lead to an effective delay to the company's plans as there are none.

After listening to the evidence of Mr. Watson, the planner called by Morsyd, the Board does not accept the merits of a split zoning on the subject lands, as he proposed, that is, the zoning of the existing residential use within an R1-E () zone, and placing the rest of the property within a CP-4 zone. The Board recognizes that all of the Grey Venture lands were designated "Commercial" by O.P.A. 44. The area of the existing residential use in the southeastern corner was not covered by the subsequent O.P.A. 49 (approved in July 1989), hence the commercial designation established by O.P.A. 44 continues on this approximately 1 acre site. For this reason the Board will, for purposes of this appeal of By-law 87-250, deal with the entire 3.85 acres of the Grey Venture lands as one parcel which should have commercial zoning.

Zoning by-laws do not require that the feasibility of lands to accommodate a development proposal on the basis of existing land ownership be established. The position advanced by Grey Venture that their lands are frozen because limitations of size and access constraints would not allow them to implement a development proposal under CP-4 zone holds no sway with this Board. In fact, the Grey Venture planner, Mr. Sherman, from a practical standpoint, indicated in his evidence that with a little imagination a community commercial development could perhaps be physically located on these lands but he suggested that this would not be economically feasible at this time.

In accordance with the principle of Official Plan conformity the Board finds that all of the Grey Venture lands are designated Commercial and the Board must decide on an appropriate zoning category which implements the Official Plan designation for the Grey Venture lands. The Board has identified from the testimony of the expert witnesses three principles which will assist in determining the appropriate zoning. These are:-

- 1) Notwithstanding the current interim nature of the Official Plan policies for this area, the zoning to be placed on these lands should ensure conformity with the Official Plan and accordingly might itself be interim in nature.
- 2) Despite the transitory nature of current planning proposals in the Town, zoning should preserve opportunities for good planning by providing flexibility to accommodate emerging commercial policies being developed by the Town.
- 3) A decision of this Board should focus primarily on the public interest objectives of the municipality pertaining to good planning and the efficient provision and use of services and facilities, though not to the detriment of legitimate individual property rights.

With specified exceptions the lands designated Commercial in the Town's Official Plan are subject to an interim control by-law effective, if extended, to May 1991. The subject lands are covered by the interim Policy 2.5.10.22(vi) of the Official Plan which continues in force to July 1991 and unless replaced by a substantiated and supportable set of policies, may be expected to be nullified at that date. In view of these matters, how best can the Board ensure that in the event of discontinuation of the interim control by-law and the amendment of the Board's July 1989 order to delete Policy 2.5.10.22(vi), the legitimate development interests of Grey Venture are not unreasonably curtailed.

Four options have been presented to the Board for consideration.

OPTION 1 - Highway Commercial Type Zoning - C6

This was the initial zoning of the Grey Venture lands prior to the introduction of By-law 87-250. It allows a variety of Highway Commercial type uses now envisaged by By-law 87-250 to be better

located in the Highway 50 Commercial Area. With the approval of Official Plan Amendment 49, the Board finds that such a zoning designation on the subject lands is not in conformity with the intent of the Official Plan.

OPTION 2 - Commercial Plaza (CP) Zoning

This is a General Commercial zone covering a wide range of commercial and personal service uses within a shopping centre which need not be enclosed. Conformity of this zoning with the Official Plan is dependent on resolution of "major development" in itself and potential impact of this development on the Bolton Commercial Core Area and the Highway 50 Commercial Area.

Without knowledge as to what uses are proposed on the Grey Venture lands and the impact of such proposals on the commercial fabric of the municipality, the Board finds this zoning to be inappropriate at this time. In addition, as a development of the site could be "major" and this zoning does not require an enclosed mall, this zoning does not conform to the Official Plan policy.

OPTION 3 - Special Commercial Plaza (CP-4) Zone

This zoning covers a more restricted range of uses than those included in the CP zone but requires development within an enclosed mall. It is in conformity with the policies of the Official Plan and represents the revised position of the municipality by resolution of Council. In practical terms, however, there is some doubt, as agreed by counsel for Grey Venture and as suggested by its planner Mr. Sherman, on how easily such a development can be accommodated on the site. There is also some concern by the Town that any development of this nature could adversely affect the downtown core.

The Board finds the principle of a CP-4 zoning appropriate but only if restricted to the moratorium imposed by either the interim control by-law or the conditions imposed by the Board's July 1989 decision. Beyond that period such a zoning, particularly if it is not warranted based on the facts, would be unacceptable. In any event, the Board finds that any permanent zoning remedy would be tied to an amendment to the Official Plan, and thereby provide an opportunity for redress by Grey Venture.

OPTION 4 - Special Future Use Commercial Zone (C-1)

This is a special zone reserved in the by-law for future commercial uses and was recommended by Mr. Sherman as a means of recognizing the commercial nature of the site without the specifics of use or conditions of use. No uses are proposed and the applicable requirements would simply prohibit development in this zone until May 16, 1991 by which time Council will be obligated to include by amendment a list of permitted uses. In the event that Council defaults, Section 13 - Plaza Commercial (CP) zone, would be automatically substituted therefor.

The Board finds this option to be untenable in view of the proposal to create a zone without a permitted use.

In addition to all of the above, the Board recognizes a theoretical series of options whereby an (H) suffix might be attached to each or any of the preceding four options proposed. The purpose would be to establish beyond doubt the interim status of the zoning proposed but to specify at this stage the conditions for implementing it through the removal of the (H) suffix. The Board finds these alternatives to be unacceptable since they presume a clear and unambiguous commitment to the underlying zone on removal of the (H) suffix. Such a commitment cannot be made now in light of

the studies underway and the uncertainties both of the results of these studies and the ultimate Official Plan Policies for the area.

On the basis of the foregoing the only effective and available option to the Board is the CP-4 Special Commercial Plaza zone. This zoning should only remain in force while the Official Plan Policy 2.5.10.22(vi), continues in force.

The practical effect of this CP-4 Special Commercial Plaza zoning is to freeze development of this site which is supportable because of the Official Plan interim policy. However, once that is resolved, the Board is of the opinion that the CP-4 zoning could be changed to a zoning to reflect actual development intentions of Grey Venture at that time. While the Board is sympathetic to the position Grey Venture finds itself in, the fact is it has no definite plans and until such plans are developed there is no way to gauge the impact and appropriateness of these proposals in the context of the overall commercial development of Caledon.

In the event the Board removes Policy 2.5.10.22(vi) pursuant to its earlier decision, this panel would recommend Grey Venture request a reconsideration of this decision by this panel under Section 42 of the Board's Act. In such an eventuality it would be reasonable for every consideration to be given to substituting a CP Commercial Plaza zone as recommended by Town staff, presented to public hearing and approved by Council in this By-law 87-250 prior to the Board's July 31, 1989 decision.

However, should appropriate policies be approved in place of the interim provisions of Section 2.5.10.22(vi), Grey Venture can make application to the Town of Caledon under these policies and Council can then consider such matters as mandated under the Planning Act. In this case this essential requirement should not be

eliminated by the Board. To skip this important step and to allow Grey Venture to approach the Board directly would usurp Council's right and duty to review development applications and related zoning amendments. Had actual plans been in the works, and been reviewed by staff, the Board may have done otherwise, but here the Board is faced with, in effect, either a freeze on development (CP-4) or "carte blanche" to development (CP). On the planning evidence the Board finds the CP-4 zoning to represent the best zoning in conformity with the existing Official Plan Policies.

The Board will, therefore, allow the appeal by Morsyd Investments Limited and others, and will amend By-law 87-250 to zone the Grey Venture lands, including the lands owned by Ontario Hydro, as Commercial Plaza (CP-4) zone.

This decision should in no way prejudice any future zoning applications by Grey Venture affecting these lands once the Official Plan interim policies are finalized. This zoning is intended as an interim measure only.

City of Brampton and Flex-Mor Industries Ltd. - Appeal #21(a)

Flex-Mor Industries Ltd. is a trucking and haulage company located on 7 acres of land on the north side of Mayfield Road, being Part Lot 1, Concession 3, in the Town of Caledon. At this location the company, which has branch operations in Quebec and the United States, provides overall management and administrative services, maintains and conducts minor servicing of its equipment and rolling stock, stores inactive tractors and trailers and arranges transfers of loads between tractors as may be necessary because of equipment and driver schedules.

Overall, the company employs some 51 persons, owns and/or operates 39 tractor power units and approximately 70 trailers. On

an average weekday 3 to 4 power units and 12 to 15 trailers might be found on-site. On an average weekend the number of trailers parked in the yards could increase to 30 to 35 units.

The Flex-Mor site is located within a much fragmented section of the Town of Caledon, characterized by smaller sized rural parcels averaging 10 acres in size. Most of these parcels have a residence on them but the two parcels immediately to the east of the Flex-Mor site are vacant at this time. The lots fronting onto the next intersecting side road to the west, for the most part, also have residences. Further to the west at the next major intersection of Mayfield Road and Airport Road lies the Village of Tullamore, a designated settlement in the Town's Official Plan. Approximately at the same distance to the east from Flex-Mor is the Village of Wildfield, also a designated settlement. Towards the north of the Flex-Mor site are generally larger sized parcels in active agriculture.

Mayfield Road serves as the municipal boundary between the Town of Caledon to the north and the City of Brampton to the south. Across the municipal line the lands in Brampton are currently under corn cultivation but this is an interim use since the lands are designated, zoned and are being developed from the south and west for 2 acre lot estate residential subdivisions.

The Flex-Mor lands, like the surrounding lands in Caledon which were described earlier, are designated Agricultural in the Town's Official Plan. The Flex-Mor operation is a permitted use under the Town's Zoning By-law 840 which was enacted by the former Town of Albion in 1962. This by-law does not prohibit uses in any zone but essentially sets standards for whatever uses are desired. Under By-law 87-250 it is proposed to zone the subject lands A1-7, a special agricultural zone which would permit the following uses:-

- A one family house
- An office accessory to a trucking business
- Parking area for trucks
- A private gasoline pump island
- A shop necessary to a trucking business
- A wash rack approved by the Ministry of the Environment.

The regulations governing these uses are the same as for the unserviced industrial (MU) zone, and, except for the one family house which was not made accessory to the principal use of the trucking operation, all the uses permitted in this special A1-7 zone are permitted in the MU zone.

The proposed Flex-Mor zoning has been appealed by the City of Brampton which called expert planning evidence. The surrounding property owners, through their spokesmen Mr. C. Spano and Mr. J. Furher, also appealed the proposed Flex-Mor zoning. The Town of Caledon provided expert planning testimony. Flex-Mor was represented by counsel who called no planning evidence but took part in questioning the witnesses.

In support of its appeal the City of Brampton argues that planning approvals are now in place for residential development on 2 acre lots on lands across Mayfield Road within the City. The City planner stated that the City is concerned that these proposals will be jeopardized by the impact of the Flex-Mor operation, particularly if it is entrenched as a conforming use and on that account is permitted to expand. This concern was shared by the spokesmen for the residents on the basis of noise, dust, lighting, traffic, visual intrusion, and other environmental impacts on their properties. As indicated by the owner Mr. Black, Flex-Mor has the potential for considerable expansion of its operations at this location. The residents view the size and scale of its current operations and the

prospect for growth in the future as incompatible with surrounding uses of land and as a threat to their enjoyment of the property.

Although their lands are currently designated and zoned Agricultural, the residents perceive and anticipate the possibility of some development potential on their lands. Their spokesmen have sought some indication from the Town's planner on what these options might be. Without confirmation on how their interests might be affected by the existing Flex-Mor operations the residents have asked the Board not to approve the A1-7 zoning proposed in By-law 87-250.

During the hearing the Board was given an historical sketch of the origins and evolution of the Flex-Mor operation. In the Board's opinion this is relevant only insofar as it illustrates how, by sufferance and lack of effective enforcement, land use conflicts have arisen, which, all the evidence suggests, are undesirable and should have been avoided.

In summary, the Board was advised that this site was initially the home farmstead for much of the surrounding lands. In 1971, the land on which Flex-Mor is located was sold to Marshall Leasing, which operated a small father and son trucking business as a home occupation/cottage industry. The vendor, a Mr. Shaw and his wife, continued to have a life interest to use the farm house as a residence. The Board was told that during the 1974-1977 period this small trucking business was discontinued. In 1978 Flex-Mor entered into a 5 year lease arrangement with Marshall which was renewed in 1983. In 1988 Flex-Mor purchased the property. Over this period the trucking operation grew from 6 to 8 tractors and 12 trailers to the current size of 39 tractors and about 70 trailers.

SECTION 2**DEFINITIONS****2.26 BUILDING ENVELOPE**

"Building envelope" means the total horizontal area of a building calculated by perpendicular projection onto a horizontal plane. This definition shall not include:

- (a) sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters or similar ornamental structures unless such structure projects more than 1 metre horizontally from an exterior wall of the building; or
- (b) unenclosed porches, balconies or steps unless such structure projects more than 2 metres horizontally from an exterior wall of the building.

2.27 BUILDING HEIGHT

"Building height" means the vertical distance between the finished grade of the lot on which the building is situated and:

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

2.28 BUILDING INSPECTOR

"Building Inspector" means the officer or employee of the Corporation charged with the duty of enforcing the provisions of the *Building Code Act*, together with any Regulations made thereunder and the provisions of the Building By-law.

2.29 BUILDING PERMIT

"Building permit" means a permit required by the Building By-law.

2.30 BUILDING SEPARATION

"Building separation" means the least horizontal distance permitted between the nearest portions of any building envelopes on a lot.

Following the death of the Shaws, the farm house became available and the administrative functions of the company were moved from Tullamore to the farm house. Flex-Mor also undertook a variety of activities to improve on-site conditions and operations. These included:-

- installation of separators and catch basins to reduce undesirable seepages, to collect waste water and to redirect surface run-off;
- addition of washroom facilities for staff and crew;
- filling in of a hazardous pond towards the rear of the lot;
- heating and upgrading of the shop area and the house;
- replacement of fuel tanks with safer facilities;
- control of rats and mice;
- initiation of measures to control and reduce noise impacts. The company no longer operates refrigerated trucks and computerized switch-off systems have been installed in each truck to limit the time that each vehicle is left idling;
- construction of an earthen berm along the front of the property to reduce visibility into the site from the road. This berm is interrupted by two access driveways from Mayfield Road;
- construction of a weather tolerant wooden fence along the rear lot line and along the western lot line towards the rear;
- paving of part of the parking lot.

The evidence presented suggests that these improvements have resulted in an operation which has significantly cleaned up the appearance and the functioning of the site to the extent that it does not now offend surrounding residents in a major way.

Some of the measures noted above were requirements under By-law 840 which had never been previously enforced. The company is presently discussing a draft site plan for expansion to the main

industrial building to be used for inside vehicle storage, vehicle maintenance, truck washing, etc. The Board was advised by the Town's planner that finalization of these plans is contingent on proper zoning and the need for future site improvements provides some incentive for both the appellant and the Town to establish the zoning proposed in By-law 87-250. As stated by both the Town's planner and the company owner, one cannot expect major expenditures for continuing improvements on the site if the company does not have a more secure status through proper zoning which in turn would provide easier funding from commercial lending institutions.

The evidence presented to the Board suggests that the concerns of the appellants are of three principal kinds.

Firstly, as argued by the City of Brampton, the proposed A1-7 zoning is not in conformity with the Town's Official Plan. The uses permitted in the by-law do not include agriculture and the Board notes that those uses permitted are identified elsewhere in the by-law as being essentially industrial in nature. The Brampton planner indicated that the proposed A1-7 standards are designed to govern industrial operations and, accordingly, it is the City's opinion that the proposed A1-7 zone is a contrived recourse of the Town to circumvent a potential non-conformity issue.

The Board recognizes that the current Caledon Official Plan designation of the site is Agricultural. Policy 2.5.1.3 defines the nature of permitted uses in the agricultural area as:-

"...agriculture and associated single-family dwellings, forestry, conservation, major open space and recreation. Other uses permitted shall include limited non-farm single-family residential uses subject to consent being granted by the Land Division Committee, greenhouses, home occupation uses per Section 2.5.14, cemeteries, places of worship and public uses."

The Board finds that the Flex-Mor operation does not so qualify.

The evidence of the Town's planner is that Section 2.5.1.3(iv) and more particularly subsection (g) provides for the consideration of uses such as Flex-Mor within the agricultural area.

"(iv) Proposed severances for development purposes in the Agricultural Area which lie outside of the settlement areas and which are consistent with the general policies outlined in Section 2.5.1.2 of this Plan and subsections thereof shall be subject to the following:-

- (g) Existing uses of a commercial and industrial nature shall be included in a separate zoning category in the implementing restricted area by-law. New commercial or industrial uses shall be subject to Section 2.5.10, Commercial, and subsections thereof."
(Board's underlining).

Our understanding of the above policy leads us to conclude that it applies to proposals to sever an existing industrial use within the agricultural area. Such is not the case here and the Board finds that this policy is inapplicable in the instant case. In arriving at this conclusion the Board accepts the Brampton planner's interpretation and opinion.

On reviewing the Official Plan document it would appear that a procedure is in place for recognizing uses not normally located in an agricultural designation. Examples of notwithstanding clauses exist in Sections 2.5.1.3(a) and (b) and in 2.5.1.4. The Town's planner has stated that that device is restricted to new uses. The Board is perplexed by this assertion particularly since the Plan does not generally contemplate new industrial uses being located in the agricultural area whether by notwithstanding clauses or otherwise, as evidenced in Policy 2.5.1.3(h).

Should the municipality prefer an Official Plan Amendment and follow the notwithstanding clause route in order to establish Official Plan conformity, the Board is of the opinion that each case will be examined on its merits and that, if approved, this will be on the basis of established need, compatibility, and supportable planning justification.

As to the second concern, the Board has been advised, and it has not been contradicted, that this use came into being as a home occupational use. It is the Board's view that the provisions of Section 2.5.14.2 are relevant. Here, the issue of compatibility with surrounding uses is dominant. The concerns to be addressed in such cases have been identified almost exactly by the appellants and especially the residents during this hearing. They include such issues as the character of the area, noise, odour, storage, traffic, parking, size and scale.

Thirdly, the Board's attention was drawn to another approach identified by the City of Brampton in Section 2.5.15, that if enlargement and extension of uses in inappropriate designations are to be addressed, the Plan does anticipate that possibility. Evidence at this hearing has not demonstrated that the process of incorporating Flex-Mor into By-law 87-250 was undertaken in accordance with Policy 2.5.15.2 and particularly subsection (iii). Under provisions of this section it is the Board's opinion that Flex-Mor is a "non-conforming" use as defined by the Official Plan and would be subject to an explicit consideration of matters identified in this section. Evidence of such a consideration by Council has not been produced for review by the Board and was not convincingly adduced by the evidence presented before this Board.

The Board does not intend to undertake a detailed examination of each of the factors identified by the Plan as requiring

attention, nor to examine their impacts in this particular case. These were comprehensively addressed in evidence and cross-examination. The Board is, however, reminded that in recent years Flex-Mor has undertaken a concerted attempt to mitigate some of these impacts. The Board is concerned that such efforts, however well intentioned, require a realistic view of the future of the surrounding lands, as requested by the residents and the City of Brampton.

It is known from the testimony before this Board that the Brampton residential boundary is encroaching from the south. It is known that the uses surrounding Flex-Mor, though designated Agricultural, are, for the most part, not so used now, nor so perceived as to future potential. As admitted by the Town's planner, this location is not the preferred location for uses of this type and if it were proposed today, the Flex-Mor operation would not be recommended for approval at this site. It is consequently the Board's opinion that proposals for reviewing the acceptability of retaining Flex-Mor at its present location, for mitigating its impacts or for securing its relocation must be viewed within the changing conditions affecting this section of the municipality. The proper vehicle for undertaking this task or for setting out the policy context is the municipality's Official Plan. The Board finds that the zoning proposed has not been attentive to the existing Official Plan requirements. If these policies are not relevant to current conditions then revised policies must be brought forward by policy amendments to the Plan.

The Board has been advised that an Official Plan review is currently underway, slated for completion in the spring of 1990. Through this process the long-term prospects for Flex-Mor and surrounding lands could be assessed. Only then, in the Board's

opinion, can a realistic site plan for Flex-Mor be prepared, assuming its retention on the present site.

Notwithstanding its existence at this location, the Board accepts the City Planner's opinion that the proposed zoning of the Flex-Mor lands is not in conformity with the Town's Official Plan, does not constitute good planning, and enlargement or entrenchment of this use is premature at this time.

It is acknowledged that the foregoing position does not provide Flex-Mor with the certainty it seeks and may have financial and management implications, particularly if substantial growth is contemplated. The Board believes that these concerns, while valid, cannot be addressed only and solely from the company's viewpoint, especially when there are major planning concerns involved. The Town must, through the Official Plan Review Process, establish what the future use of this part of the Town should be, given, in part, the existing land uses within the Town and adjacent municipal proposals. This is the basis for creating the certainty needed by all. Such a course of action is not necessarily threatening to Flex-Mor which has already initiated the process for establishing compatible growth.

The Board will, therefore, allow the appeals and amends the by-law to zone this site Agricultural, A1.

City of Brampton and Tullamore - Appeal 21(b) (November 27, 1989)

The Town of Caledon and the City of Brampton have resolved their differences in regards to the zoning of three properties in the Settlement Area of Tullamore. No member of the public or any property owner appeared regarding this appeal by the City of Brampton at the commencement of the hearings on this comprehensive

by-law or at any other time including the date of the resumption of the hearing on this particular matter.

Tullamore is located at the intersection of Mayfield Road and Airport Road. Mayfield Road forms the boundary between the Town and the City. The land uses in the Town which concern the City were two highway commercial site zonings and one industrial site zoning.

The planner for the Town satisfied the Board that the increased buffering provisions and restrictions on open storage set out in the proposed amendments represented good planning and conform to the Town's Official Plan. The individual properties can be developed or redeveloped despite these increased restrictions. In his opinion, which the Board accepts, these amendments will create a compatible situation between the new residential development to the south in the City of Brampton and the highway commercial and industrial uses that could develop to the north in the Town of Caledon.

The Board, therefore, allows the appeal and amends By-law 87-250 in accordance with Exhibits 112 and 113.

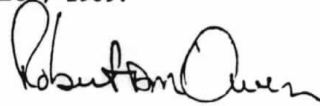
Niagara Escarpment Commission - Appeal #18 (November 27, 1989)

The Town's counsel, with the agreement of counsel for the Commission, requested this matter be further adjourned to January 15, 1990 at 11:00 a.m. He advised the Board the matter was resolved and a new by-law would be passed to incorporate the agreement but until such was accomplished the Commission preferred to adjourn the matter.

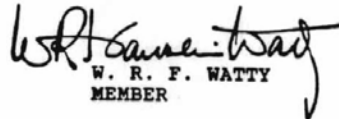
The Board will be resuming hearings on the final matter, the Caledon Ratepayers Association Inc. (Belfountain Task Force on Development) - Appeal #22, on that date. The Board, therefore adjourns the Niagara Escarpment Commission appeal to January 15,

1990 at 11:00 a.m. in the Town of Caledon Municipal Building, as requested.

DATED at TORONTO this 5th day of December, 1989.



R. D. M. OWEN
MEMBER



W. R. F. WATTY
MEMBER

THIRD REVISION

ZONING BY-LAW NO. 87-250

TOWN OF CALEDON

PROJECT: M.0070
DRAFTED: 18 September 1987
REVISED: 11 December 1987
 27 May 1988
 03 October 1988

prepared for:

**TOWN OF CALEDON PLANNING DEPARTMENT
 CALEDON EAST, ONTARIO**

prepared by:

**DAVID BARBER & ASSOCIATES
 PLANNING CONSULTANTS**

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- B WAYSIDE PIT MAP

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Schedule B

THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NO. 87-250

A BY-LAW TO REGULATE THE USE OF LANDS AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES IN THE TOWN OF CALEDON

WHEREAS the *Planning Act* provides that the council of a municipal corporation may pass by-laws to regulate the use of lands and the character, location and use of buildings and structures:

NOW THEREFORE the Council of the Corporation of the Town of Caledon ENACTS as follows:

SECTION 1. INTRODUCTION

1.1 TITLE OF BY-LAW

This By-law may be cited as the "Zoning By-law".

1.2 SCOPE OF BY-LAW

1.2.1 LANDS SUBJECT TO BY-LAW: (REVISED: 11 Dec 87 / 03 Oct 88)

The provisions of this By-law shall apply to all lands within the corporate limits of the Town of Caledon with the exception of certain lands designated on Schedule A as "NIAGARA ESCARPMENT DEVELOPMENT CONTROL AREA" and certain other lands designated on Schedule A as "SEE EXISTING BY-LAWS".

1.2.2 CONFORMITY WITH BY-LAW:

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

1.2.3 EXISTING USES CONTINUED:

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

SECTION 1**INTRODUCTION****1.2.4 BUILDING PERMIT ISSUED:**

Nothing in this By-law shall prevent the construction or use of any building or structure for a purpose prohibited by this By-law if the plans for such building or structure were approved by the Building Inspector prior to the date of passing of this By-law, provided:

- (a) when the building or structure is constructed, it shall be used and shall continue to be used for the purpose for which the building permit was issued; and
- (b) the construction of such building or structure is commenced within 2 years of the date of passing of this By-law and provided the construction of such building or structure is completed within a reasonable time after the construction thereof is commenced.

1.2.5 COMPLIANCE WITH OTHER RESTRICTIONS:

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

1.3 INTERPRETATION OF BY-LAW**1.3.1 SINGULAR AND PLURAL WORDS:**

In this By-law, unless the context requires otherwise:

- (a) words used in the singular number include the plural; and
- (b) words used in the plural include the singular number.

1.3.2 SHALL IS MANDATORY:

In this By-law, the word "shall" is mandatory.

1.3.3 USED AND OCCUPIED:

In this By-law, unless the context requires otherwise:

- (a) the word "used" shall include "designed to be used" and "arranged to be used";
and
- (b) the word "occupied" shall include "designed to be occupied" and "arranged to be occupied".

SECTION 1**INTRODUCTION****1.3.4 BUILDING, STRUCTURE AND USE CLASSIFICATION:**

In this By-law, all buildings, structures and uses named as permitted uses and classified under the headings "RESIDENTIAL USES" or "NON-RESIDENTIAL USES" may be referred to as Residential or Non-Residential buildings, structures or uses respectively.

1.4 SCHEDULES TO BY-LAW

The following Schedules, which are attached to this By-law, are hereby made a part of this By-law as fully and to all intents and purposes as though recited in full herein:

1.4.1 SCHEDULE A - ZONE MAPS (REVISED: 27 May 88 / 03 Oct 88)

Each of the Zone Maps attached to this By-law is designated as Schedule A as well as a map number which corresponds to a specific geographic area as follows:

ZONE MAP NO.	GEOGRAPHIC AREA
1	Northern portion of Zoned Area
2	Southern portion of Zoned Area
3	Alton area
4	Belfountain area
5	Caledon area
6	Mono Mills area
7	Palgrave area
8	Terra Cotta area
9	Cheltenham area
10	Inglewood area
11	Victoria - Campbells Cross area
12	Caledon East area
13	Mono Road area
14	Tullamore area
15	Albion West area
16	Albion East area
17	Bolton North area
18	Bolton South area
SE1 & SE2	Orpen Lake area
SE3 & SE4	Havencrest Subdivision
SE5	Cedar Meadows Subdivision
SE6	Albion Fairways Subdivision
SE7	Bantendale Retirement Community
SE8	Mt. Wolfe Estates

1.4.2 SCHEDULE B - WAYSIDE PIT MAP (ADDED: 03 Oct 88)

SECTION 2. DEFINITIONS

In this By-law, unless the context requires otherwise, the following definitions shall apply:

2.1 CORPORATION

"Corporation" means The Corporation of the Town of Caledon.

2.2 COUNCIL

"Council" means the Council of The Corporation of the Town of Caledon.

2.3 REGION (REVISED: 03 Oct 88)

"Region" means The Regional Municipality of Peel.

2.4 ZONED AREA

"Zoned Area" means all the lands within the corporate limits of the Town of Caledon which are affected by this By-law.

2.5 ACCESSORY BUILDING (See: BUILDING)

2.6 ACCESSORY HOUSE (See: HOUSE)

2.7 ACCESSORY DWELLING UNIT (See: DWELLING UNIT)

2.8 ACCESSORY USE (See: USE)

2.9 AIRCRAFT HANGAR

"Aircraft hangar" means a building or structure used for the storage and maintenance of aircraft.

SECTION 2**DEFINITIONS****2.10 ALTER**

"Alter", when used in reference to a building, structure or part thereof, means:

- (a) to change any 1 or more of the external dimensions of such building or structure; or
- (b) to change the type of construction of the exterior walls or roof of such building or structure; or
- (c) to change the use of such building or structure; or
- (d) to change the number of uses or dwelling units contained therein.

"Alter", when used in reference to a lot, means:

- (e) to change the boundary of such lot with respect to a street or lane; or
- (f) to change any dimension or area, relating to such lot, which is covered herein by a zone provision; or
- (g) to change the use of such lot; or
- (h) to change the number of uses located thereon.

"Altered" and "alteration" shall have corresponding meanings.

2.11 ANIMAL HOSPITAL (REVISED: 27 May 88 / 03 Oct 88)

"Animal hospital" means a building where 1 or more licensed veterinarians and any associated staff provide medical, surgical or similar services solely for household pets. This definition shall not include any facilities for the cremation or disposal of dead animals.

2.12 APARTMENT BUILDING (See: HOUSE)**2.13 ATTIC (See: STOREY)****2.14 AUDITORIUM**

"Auditorium" means a building, structure or part thereof where facilities are provided for athletic, civic, educational, political, religious or social events. This definition may include an arena, assembly hall, community center, gymnasium, stadium, theater or similar use.

SECTION 2**DEFINITIONS****2.15 AUTOMOBILE SERVICE STATION**

"Automobile service station" means an establishment primarily engaged in the retail sale of fuels or lubricants for vehicles. Accessory uses may include the sale of vehicles or accessories and minor maintenance or repair operations for such vehicles, other than bodywork or painting.

If any vehicle, other than a private automobile, a tow truck or similar service vehicle, is kept on the premises of the establishment, except while awaiting repair, maintenance or sale, then such establishment shall be classified as a commercial garage.

If more than 2 vehicles are kept on the premises for the purpose of selling such vehicles, then such establishment shall be classified as a vehicle agency.

2.16 AUTOMOTIVE STORE

"Automotive store" means an establishment primarily engaged in the retail sale of vehicle parts, accessories and tools. Accessory uses may include service bays for performing repair or maintenance work on vehicles.

2.17 BACHELOR DWELLING UNIT (See: DWELLING UNIT)**2.18 BALCONY**

"Balcony" means a partially enclosed platform attached to and extending horizontally from 1 or more main walls of a building and used as an outdoor porch or sundeck.

2.19 BASEMENT (See: STOREY)**2.20 BEVERAGE ROOM**

"Beverage room" means a building or premises, other than a restaurant, which is licensed under the *Liquor License Act*.

2.21 BOARDING HOUSE (See: HOUSE)

SECTION 2**DEFINITIONS****2.22 BODY SHOP**

"Body shop" means an establishment where vehicle bodies, exteriors or undercarriages are painted or repaired. Accessory uses may include a towing service and the rental of vehicles to customers whose vehicles are being repaired. This definition shall not include a salvage yard as defined herein.

2.23 BUILDING

"Building" means any structure, consisting of walls and a roof, which is used for shelter, accommodation or enclosure of persons, animals, equipment, goods or materials.

2.23.1 ACCESSORY BUILDING: (REVISED: 27 May 88)

"Accessory building" means a detached building which is incidental, subordinate and exclusively devoted to a main building or main use and located on the same lot therewith.

2.23.2 MAIN BUILDING:

"Main building" means the building which contains the principal use of the lot on which such building is located.

2.24 BUILDING AREA

"Building area" means that portion of the lot area of a lot permitted to be covered by 1 or more building envelopes.

2.25 BUILDING BY-LAW

"Building By-law" means any by-law of the Corporation passed pursuant to the *Building Code Act*.

SECTION 2**DEFINITIONS****2.31 BUILDING SETBACK (REVISED: 03 Oct 88)**

"Building setback" means the least horizontal distance permitted between a lot line of a lot and the nearest portion of any building envelope on such lot.

2.31.1 BUILDING SETBACK, FRONT:

"Front building setback" means the building setback on a lot measured from each front lot line of such lot.

2.31.2 BUILDING SETBACK, FLANK:

"Flank building setback" means the building setback on a lot measured from each flank lot line of such lot.

2.31.3 BUILDING SETBACK, REAR:

"Rear building setback" means the building setback on a lot measured from each rear lot line of such lot.

2.31.4 BUILDING SETBACK, SIDE:

"Side building setback" means the building setback on a lot measured from each side lot line of such lot.

2.32 BUILDING SUPPLY OUTLET

"Building supply outlet" means an establishment engaged in the selling or installing of home furnishings and building supplies (including lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning and similar items). This definition shall not include any establishment otherwise defined herein or specifically named elsewhere in this By-law.

2.33 BULK STORAGE TANK

"Bulk storage tank" means a tank for the bulk storage of petroleum, petroleum products, chemicals, gases or similar substances. This definition shall not include a storage tank which is accessory to another use on the lot where such tank is located.

SECTION 2**DEFINITIONS****2.34 BUNKHOUSE (REVISED: 27 May 88)**

"Bunkhouse" means a building, accessory to a farm, designed or used, during the planting, growing or harvesting season, for the accommodation of agricultural workers and consisting of at least 1 bathroom and not fewer than 2 rooms providing therein living, dining and sleeping accommodation in appropriate individual or combination rooms.

2.35 BUSINESS OFFICE

"Business office" means a building or part of a building where 1 or more persons are employed in administering, directing, managing or conducting business affairs. This definition shall not include any manufacturing operation or any premises used for repairing equipment, goods, materials or vehicles.

2.36 CAMPING GROUND

"Camping ground" means an open area provided for the use of outdoor camping in tents or similar facilities. This definition shall not include a tourist camp or mobile home park.

2.37 CARPORT

"Carport" means a roofed structure, supported by columns, piers or not more than 2 walls, which is used for the sheltering of permitted vehicles.

2.38 CAR WASH

"Car wash" means an establishment having facilities for washing vehicles by production line methods which may include a conveyor system or similar mechanical devices. This definition may also include a self-service operation.

2.39 CELLAR (See: STOREY)

SECTION 2**DEFINITIONS****2.40 CHURCH**

"Church" means a building owned or occupied by a religious congregation or religious organization dedicated exclusively to worship and other religious activities. Accessory uses may include a church hall, church auditorium, sunday school or parish hall.

2.41 CLINIC

"Clinic" means a building or part of a building used solely by medical doctors, dentists or drugless practitioners, as well as by their staff and their patients, for the purposes of consultation, diagnosis and office treatment. This definition shall not include a hospital or home profession.

2.42 CLUB

"Club" means a building or premises used as an athletic, recreational, service or social club. This definition may include the premises of a fraternal organization.

2.43 CLUSTER HOUSE (See: HOUSE)**2.44 COMMERCIAL GARAGE (See: GARAGE, COMMERCIAL)****2.45 COMMERCIAL NURSERY (See: NURSERY, COMMERCIAL)****2.46 COMMERCIAL SCHOOL (See: SCHOOL, COMMERCIAL)****2.47 CONSERVATION AUTHORITY (REVISED: 03 Oct 88)**

"Conservation Authority" means either the Metropolitan Toronto and Region Conservation Authority, the Credit Valley Conservation Authority, the Nottawasaga Valley Conservation Authority or the Lake Simcoe Conservation Authority.

SECTION 2**DEFINITIONS****2.48 CONSTRUCT**

"Construct" means to build, erect, place, reconstruct or relocate and, without limiting the generality of the word, also includes:

- (a) any preliminary operation such as excavating, filling or draining; or
- (b) altering any existing building or structure by an addition, enlargement, extension or other structural change; or
- (c) any work which requires a building permit.

"Constructed" and "construction" shall have corresponding meanings.

2.49 CONVERTED HOUSE (See: HOUSE)**2.50 CORNER LOT (See: LOT)****2.51 COTTAGE (See: HOUSE)****2.52 DAY CARE CENTRE (REVISED: 27 May 88)**

"Day care centre" means a day nursery as defined in the *Day Nurseries Act*.

2.53 DELIVERY SPACE

"Delivery space" means an area provided for the temporary parking of vehicles delivering or picking up equipment, goods, materials or persons.

2.54 DENSITY

"Density" means the ratio of dwelling units to 1 net hectare of lot area.

2.55 DETACHED

"Detached", when used in reference to a building, means a building which is not dependent on any other building for structural support or enclosure.

SECTION 2**DEFINITIONS****2.56 DINING ROOM**

"Dining room" means that part of a restaurant or other building, which is used for the consumption of food by persons seated at booths, counters, tables or a combination thereof.

2.56A DINING ROOM RESTAURANT (See: RESTAURANT)**2.57 DORMITORY**

"Dormitory" means a building designed or used for the accommodation of students and consisting of at least 1 bathroom and not fewer than 2 rooms providing therein living, dining and sleeping accommodation in appropriate individual or combination rooms.

2.58 DRIVE-IN RESTAURANT (See: RESTAURANT)**2.58A DRIVE-THRU RESTAURANT (See: RESTAURANT)****2.59 DRIVEWAY**

"Driveway" means an unobstructed passageway used to provide vehicular access from an entrance to a delivery space, loading space or parking space.

2.60 DRIVEWAY SETBACK (REVISED: 27 May 88)

"Driveway setback" means the least horizontal distance permitted between a lot line (other than the lot line which the driveway intersects) and the nearest portion of any driveway on such lot.

2.61 DRY CLEANING OR LAUNDRY OUTLET

"Dry cleaning or laundry outlet" means a building or part of a building used for the purpose of receiving articles or goods of fabric to be subjected elsewhere to a process of cleaning or dyeing. Such establishment may also be used for pressing and distributing any articles or goods of fabric which have been received therein.

SECTION 2**DEFINITIONS****2.62 DRY CLEANING OR LAUNDRY PLANT**

"Dry cleaning or laundry plant" means a building or part of a building where dry cleaning, dry dyeing, cleaning or pressing of articles or goods of fabric may be performed. This definition may include a dry cleaning or laundry outlet.

2.63 DUAL GARAGE (See: GARAGE, DUAL)**2.64 DUPLEX (See: HOUSE)****2.65 DWELLING UNIT (REVISED: 03 Oct 88)**

"Dwelling unit" means a suite of 2 or more habitable rooms, occupied by not more than 1 family, in which sanitary conveniences are provided and in which only 1 set of facilities are provided for cooking or for the installation of cooking equipment, and with an independent entrance either directly from outside the building or through a common corridor or vestibule inside the building. This definition shall not include any part of any vehicle as defined herein.

2.65.1 ACCESSORY DWELLING UNIT:

"Accessory dwelling unit" means a dwelling unit which is part of and accessory to a permitted Non-Residential building other than an automobile service station or a commercial garage. Such dwelling unit shall be occupied either by the family of the owner of such Non-Residential building or by the family of a person employed on the premises where such dwelling unit is located.

2.65.2 BACHELOR DWELLING UNIT:

"Bachelor dwelling unit" means a dwelling unit, consisting of 1 bathroom and not more than 2 habitable rooms, designed to provide living, dining, sleeping and kitchen accommodation in appropriate individual or combination room or rooms.

2.66 DWELLING UNIT AREA (See: FLOOR AREA)**2.67 ENTRANCE**

"Entrance", when used with reference to a lot, means an unobstructed passageway used to provide vehicular access from the travelled portion of a street or lane to a driveway.

SECTION 2**DEFINITIONS****2.68 ENTRANCE SEPARATION**

"Entrance separation" means the least horizontal distance permitted between the nearest portions of any entrances on a lot.

2.69 ENTRANCE SETBACK

"Entrance setback" means the least horizontal distance permitted between an intersection of street lines and the nearest portion of any entrance, measured along the limit of the travelled portion of the street or lane.

2.70 ENTRANCE WIDTH

"Entrance width" means the horizontal distance permitted between the extremities of an entrance, measured along the limit of the travelled portion of the street or lane.

2.71 ESTABLISHED BUILDING LINE

"Established building line" means the average distance between the street line and existing buildings on 1 side of a continuous 300 metre strip of land where 5 or more lots having street access upon the said side of the street have been built upon.

2.72 EXISTING

"Existing" means existing on the date of passing of this By-law.

2.73 EXISTING LOT (See: LOT)**2.74 FACTORY OUTLET**

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

2.75 FAMILY

"Family" means 1 or more human beings related by blood, marriage or legal adoption, or a group of not more than 3 human beings who need not be related by blood, marriage or legal adoption, living together as a single housekeeping unit. This definition may also include domestic servants and not more than 2 roomers or boarders.

SECTION 2**DEFINITIONS****2.76 FARM**

"Farm" means land used for the tillage of soil or the growing of vegetables, fruits, grains, legumes, hays, tobacco or other crops. This definition may also apply to land used for livestock raising, dairying or woodlots.

2.77 FARM PRODUCE OUTLET (REVISED: 11 Dec 87)

"Farm produce outlet" means a use, accessory to a farm, which consists of the retail sale of agricultural products produced on that farm.

2.78 FINANCIAL OFFICE (REVISED: 27 May 88)

"Financial office" means the premises of a bank, trust company, finance company, mortgage company, insurance company, investment company or credit union.

2.79 FINISHED GRADE

"Finished grade" means the median elevation between the highest and lowest points of the finished surface of the ground (measured at the base of a building or structure) but exclusive of any embankment in lieu of steps.

2.80 FIRST STOREY (See: STOREY)**2.81 FLANK LOT LINE (See: LOT LINE)****2.82 FLANK YARD (See: YARD)****2.83 FLOOR AREA**

"Floor area" means the horizontal area of a storey, measured between the exterior faces of the exterior walls at the floor level of such storey.

2.83.1 DWELLING UNIT AREA:

"Dwelling unit area" means the aggregate of the floor areas of all habitable rooms in a dwelling unit.

SECTION 2**DEFINITIONS****2.83.2 GROSS FLOOR AREA:**

"Gross floor area" means the aggregate of all floor areas of a building or structure.

2.83.3 GROSS LEASABLE AREA: (ADDED: 11 Dec 87)

"Gross leasable area" means the gross floor area of a building excluding:

- (a) any part of such building used as a dwelling unit; and
- (b) any part of such building used for the parking or storage of motor vehicles; and
- (c) any part of such building used for equipment to heat such building or a portion thereof; and
- (d) any part of such building used as a mall, if such mall serves as a common area between stores; and
- (e) the thickness of any exterior walls of such building.

2.83.4 NET FLOOR AREA:

"Net floor area" means that portion of the gross floor area of a building which is used by a Non-Residential use defined herein or specifically named elsewhere in this By-law, but excluding:

- (a) any part of such building used by another Non-Residential use which is defined herein or specifically named elsewhere in this By-law; and
- (b) any part of such building used as a dwelling unit; and
- (c) any part of such building used for the parking or storage of motor vehicles; and
- (d) any part of such building used for equipment to heat such building or a portion thereof; and
- (e) the thickness of any exterior walls of such building.

2.84 FORESTRY USE

"Forestry use" means the development, cultivation and management of timber resources.

2.85 FRONTAGE (See: LOT FRONTAGE)

SECTION 2**DEFINITIONS**

2.86 FRONT LOT LINE (See: LOT LINE)

2.87 FRONT YARD (See: YARD)

2.88 FULLY SERVICED LOT (See: LOT)

2.89 FUNERAL HOME

"Funeral home" means a building or premises used for the furnishing of funeral supplies and services to the public and may include facilities for the preparation of the dead human body for interment or cremation.

2.90 GARAGE, COMMERCIAL

"Commercial garage" means an establishment or premises where vehicles owned by the general public are repaired or maintained.

2.91 GARAGE, DUAL

"Dual garage" means the whole of a building that is divided vertically along a lot line into 2 separate private garages.

2.92 GARAGE, MAINTENANCE

"Maintenance garage" means an establishment or premises where vehicles owned or leased by the occupant of such premises are repaired or maintained.

2.93 GARAGE, PRIVATE

"Private garage" means an accessory building or portion of a house which is fully enclosed and used for the sheltering of permitted vehicles. This definition shall not include a carport or other open shelter.

SECTION 2**DEFINITIONS****2.94 GASOLINE PUMP ISLAND**

"Gasoline pump island" means a structure which is an accessory use intended to provide gasoline for vehicles or aircraft.

2.94.1 PRIVATE GASOLINE PUMP ISLAND:

"Private gasoline pump island" means a gasoline pump island used to dispense gasoline solely to vehicles owned or leased by the occupant of the lot where such gasoline pump island is located. This definition shall not include an automobile service station or any other facility for the sale of fuels.

2.95 GOLF COURSE

"Golf course" means a public or private premises which is used for the purpose of playing golf. This definition may include a par-3 golf course, a driving range, a miniature golf course or any similar use.

2.96 GRADE (See: FINISHED GRADE)**2.97 GRAVEL PIT**

"Gravel pit" means any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral to supply such material for construction, industrial or manufacturing purposes. This definition shall not include:

- (a) any excavation incidental to the construction of a building or structure for which a building permit has been issued; or
- (b) any excavation incidental to the construction of any public works; or
- (c) any asphalt plant, cement manufacturing plant or concrete batching plant; or
- (d) any wayside pit as defined herein.

2.98 GROSS FLOOR AREA (See: FLOOR AREA)**2.99 GROSS LEASABLE AREA (See: FLOOR AREA) (REVISED: 11 Dec 87)**

SECTION 2**DEFINITIONS****2.100 GROUP HOME (See: HOUSE)****2.101 GUEST ROOM**

"Guest room" means a room or suite of rooms which contains no facilities for cooking and which is used or maintained, for gain or profit, by providing accommodation to the public.

2.102 HABITABLE ROOM

"Habitable room" means a room designed to provide living, dining, sleeping or kitchen accommodation for persons. This definition may include a bathroom, den, library or enclosed sun room but shall not include any private garage, carport, porch, verandah, unfinished attic, unfinished basement or unfinished cellar.

2.103 HEIGHT (See: BUILDING HEIGHT)**2.104 HOME INDUSTRY (REVISED: 27 May 88 / 03 Oct 88)**

"Home industry" means a use located on and subordinate to a permitted farm which may include a carpentry shop, a craft shop, a metal working shop, a repair shop, a plumbing shop, an electrical shop, a welding shop, a storage building for school buses, boats or snowmobiles, or a similar use.

2.105 HOME OCCUPATION

"Home occupation" means any occupation conducted for gain or profit within a dwelling unit. This definition may include dressmaking; hairdressing; instruction in arts, crafts, dancing or music to not more than 6 pupils at any 1 lesson; molding; painting; sculpting; weaving; or the making or repairing of garden or household ornaments, clothing, personal effects or toys.

2.106 HOME PROFESSION

"Home profession" means any profession practised within a dwelling unit. This definition may include the offices of an accountant, architect, auditor, dentist, drugless practitioner, engineer, insurance agent, land surveyor, lawyer, medical practitioner, notary, realtor or town planner.

SECTION 2**DEFINITIONS**

2.107 HORTICULTURAL NURSERY (See: NURSERY) (ADDED: 11 Dec 87)

2.108 HOTEL (See: TOURIST ESTABLISHMENT)

2.109 HOUSE

"House" means a detached building occupied or capable of being occupied as the home or residence of 1 or more persons. This definition shall not include any part of any vehicle as defined herein.

2.109.1 ACCESSORY HOUSE:

"Accessory house" means a one-family house which is accessory to a permitted Non-Residential use and is occupied either by the family of the owner of such Non-Residential use or by the family of a person employed on the lot where such house is located.

2.109.2 APARTMENT BUILDING:

"Apartment building" means a house containing 3 or more separate dwelling units. This definition may include a senior citizens apartment building but shall not include any house otherwise defined herein or specifically named elsewhere in this By-law.

2.109.3 BOARDING HOUSE:

"Boarding house" means a house, constructed prior to the date of passing of this By-law, which contains not more than 4 guest rooms wherein lodgings, with or without meals, are provided to the public for gain or profit.

2.109.4 CLUSTER HOUSE: (ADDED: 03 Oct 88)

"Cluster house" means a house containing from 2 to 6 separate dwelling units, each such dwelling unit being attached to another dwelling unit by a common wall above finished grade and having an independent main entrance through a common vestibule or atrium.

2.109.5 CONVERTED HOUSE:

"Converted house" means a house, constructed prior to the date of passing of this By-law, the interior of which has been altered so as to provide therein not more than 2 dwelling units.

SECTION 2**DEFINITIONS****2.109.6 COTTAGE:**

"Cottage" means a house containing only 1 dwelling unit, which is constructed and used as a secondary place of residence, for seasonal vacation and recreational purposes and not as the principal residence of the owner or occupant thereof.

2.109.7 DUPLEX:

"Duplex" means a house divided horizontally into 2 separate dwelling units, each such dwelling unit having an independent entrance either directly from outside the building or through a common vestibule.

2.109.8 GROUP HOME:

"Group home" means a house in which 3 to 10 unrelated human beings live together as a single housekeeping unit under responsible supervision consistent with their requirements and as licensed or approved under Provincial Statute.

2.109.9 ONE-FAMILY HOUSE:

"One-family house" means a house containing only 1 dwelling unit.

2.109.10 SEMI-DETACHED HOUSE:

"Semi-detached house" means a house divided vertically by a common wall above finished grade into 2 separate dwelling units, each such dwelling unit having an independent entrance either directly from outside the building or through a common vestibule.

2.109.11 SENIOR CITIZENS APARTMENT BUILDING (REVISED: 03 Oct 88)

"Senior citizens apartment building" means an apartment building operated by or for the Corporation, the Region, the Peel Non-Profit Housing Corporation or the Ontario Housing Corporation and occupied primarily by elderly persons.

2.109.12 TOWNHOUSE:

"Townhouse" means a house divided vertically into 3 or more separate dwelling units, each such dwelling unit having 2 independent entrances directly from outside the building.

2.110 INSTITUTE

"Institute" means a building or premises used by an organized body, religious group or society for a non-profit, non-commercial purpose. This definition may include a nursing home, library, college, university, convent, monastery or similar use.

SECTION 2

DEFINITIONS

2.111 INTERIOR LOT (See: LOT)

2.112 KENNEL

"Kennel" means a building, structure or premises used for the raising or boarding of dogs, cats or other household pets.

2.113 LANDSCAPING AREA

"Landscaping area" means that portion of the lot area of a lot required for the growth and maintenance of grass, flowers, bushes, trees and other landscaping. This definition may include any surfaced walk, surfaced patio, play facility, or similar area but shall not include any driveway or ramp (whether surfaced or not) nor any curb, retaining wall, parking area, delivery space, loading space, swimming pool nor any open space beneath or within a building or structure.

2.114 LANE

"Lane" means a public thoroughfare, whether or not improved for use, which has a right-of-way width of 10 metres or less and which affords only a secondary means of access for vehicular traffic to abutting lots and which is not intended for general traffic circulation.

2.115 LAUNDROMAT

"Laundromat" means a building or part of a building containing 1 or more washers, each having a capacity not exceeding 23 kilograms, and drying, ironing, finishing and incidental equipment, provided that only water and soaps or detergents are used and provided that no such operation shall emit any noise or vibrations which cause a nuisance or inconvenience within or without the premises. This definition may include a self-service dry cleaning establishment.

2.116 LEGAL SIGN (See: SIGN)

2.117 LOADING SPACE

"Loading space" means an area provided for the temporary parking of vehicles loading or unloading animals, equipment, goods or materials.

2.118 LODGE (See: TOURIST ESTABLISHMENT)

2.119 LOT

"Lot" means a parcel of land which is capable of being legally conveyed in accordance with the provisions of the *Planning Act, 1983*.

2.119.1 CORNER LOT:

"Corner lot" means a lot having 4 or fewer lot lines and situated at the intersection of 2 street lines which contain an angle of not more than 135 degrees. Where such street lines are curved, the angle of intersection of the street lines shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the side lot lines. In the latter case, the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents.

2.119.2 EXISTING LOT:

"Existing lot" means a lot which, on the date of passing of this By-law, was held under distinct and separate ownership from adjoining lots as shown by a registered conveyance in the records of the Registry Office or Land Titles Office.

2.119.3 FULLY SERVICED LOT:

"Fully serviced lot" means a lot which is served by a public water system and a sanitary sewer system.

2.119.4 INTERIOR LOT:

"Interior lot" means a lot, other than a corner lot or a through lot, which has street access.

2.119.5 PARTLY SERVICED LOT:

"Partly serviced lot" means a lot which is served by either a public water system or a sanitary sewer system.

2.119.6 THROUGH LOT:

"Through lot" means a lot, other than a corner lot, which has street access on 2 or more street lines.

2.119.7 UNSERVICED LOT:

"Unserviced lot" means a lot which is served by neither a public water system nor a sanitary sewer system.

2.120 LOT AREA (REVISED: 11 Dec 87)

87-250

"Lot area" means the total horizontal area within the lot lines of a lot.

2.121 LOT FRONTAGE

"Lot frontage" means the horizontal distance between the 2 lot lines which intersect the front lot line of a lot, such distance being measured along a line which is parallel to the front lot line and distant from the front lot line a distance equal to the minimum front building setback required herein for the specified use in the zone where such lot is located.

2.122 LOT LINE

"Lot line" means any boundary of a lot or the vertical projection thereof.

2.122.1 FRONT LOT LINE:

"Front lot line" means, in the case of an interior lot, the lot line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting a street shall be deemed to be the front lot line except, where the lot lines abutting a street are the same length, the lot line used for the principal entrance to the lot shall be deemed to be the front lot line. In the case of a through lot, the lot line used for the principal entrance to the lot shall be deemed to be the front lot line.

2.122.2 FLANK LOT LINE:

"Flank lot line" means any lot line other than a front lot line which is also a street line.

2.122.3 REAR LOT LINE:

"Rear lot line" means any lot line which is not a front lot line, a flank lot line or a side lot line.

2.122.4 SIDE LOT LINE:

"Side lot line" means a lot line which intersects a front lot line or a flank lot line provided that, if any side lot line or portion thereof is the rear lot line on an abutting lot, such lot line or portion thereof shall be deemed to be a rear lot line.

2.123 MAIN BUILDING (See: BUILDING)

2.124 MAINTENANCE GARAGE (See: GARAGE. MAINTENANCE) 87 - 250

2.125 MAIN USE (See: USE)

2.126 MARINE FACILITY

"Marine facility" means a building or structure which is used to place a boat into or take a boat out of a waterbody; or to moor, to berth or to store a boat. This definition may include a boat launching ramp, boat lift, dock or boathouse, but shall not include any building used for human habitation or any boat service, repair or sales facility.

2.127 MERCHANDISE SERVICE SHOP (See: SERVICE SHOP.
MERCHANDISE)

2.128 MOBILE HOME

"Mobile home" means a prefabricated building, designed to be transported on its own chassis (notwithstanding that its running gear is or may be removed), or by other means, and designed and equipped for year-round occupancy, containing therein facilities for cooking or for the installation of cooking equipment as well as sanitary facilities including a flush toilet and a shower or bathtub. This definition shall not include any tourist vehicle nor any trailer which has a gross floor area of less than 30 square meters.

2.129 MOBILE HOME PARK

"Mobile home park" means land which has been provided and designed for the location thereon of 2 or more occupied mobile homes.

2.130 MOTEL (See: TOURIST ESTABLISHMENT)

2.131 NET FLOOR AREA (See: FLOOR AREA)

2.132 NON-COMPLYING

"Non-complying", when used in reference to a lot, building or structure, means a lot, building or structure which does not comply with 1 or more of the zone provisions of the zone in which such lot, building or structure is located.

SECTION 2

DEFINITIONS

2.133 NON-CONFORMING

"Non-conforming", when used in reference to a use, means a use which is not a permitted use in the zone where such use is located. When used in reference to a building or structure, "non-conforming" means a building or structure which is used for a use which is not a permitted use in the zone where such building or structure is located.

2.134 NOXIOUS USE (REVISED: 03 Oct 88)

"Noxious use" means a use which, by its nature or the materials used or produced therein, is declared to be a noxious trade, business or manufacture pursuant to the *Health Protection and Promotion Act, 1983* or any Regulations made thereunder.

2.134A NURSERY, COMMERCIAL (ADDED: 03 Oct 88)

"Commercial nursery" means land used partly as a horticultural but which also offers or keeps for wholesale or retail sale other articles, goods or materials.

2.135 NURSERY, HORTICULTURAL (REVISED: 11 Dec 87)

"Horticultural nursery" means land used for the growing of sod, flowers, bushes, trees or other gardening, landscaping or orchard stock for wholesale or retail sale.

2.136 NURSING HOME

"Nursing home" means a building wherein lodgings, with or without meals, are provided for gain or profit and wherein medical treatment or nursing care may be provided for the occupants as licensed under the *Nursing Home Act*. This definition may include a rest home or convalescent home but shall not include a hospital or clinic.

2.137 ONE-FAMILY HOUSE (See: HOUSE)

2.138 ONE-HALF STOREY (See: STOREY)

SECTION 2**DEFINITIONS****2.139 OPEN STORAGE AREA (REVISED: 27 May 88)**

"Open storage area" means land used for the outside storage of equipment, goods or materials. This definition shall not include a storage use located in a building nor a salvage yard, a parking area, a delivery space or a loading space.

2.140 PARK

"Park" means an area, consisting largely of open space, which may include a recreational area, playground, playfield or similar use but shall not include a mobile home park or a tourist camp.

2.140.1 PUBLIC PARK:

"Public park" means a park owned or operated by the Corporation or the Region, any local board of the Corporation or the Region, or any Authority, Board, Commission or Ministry established under any statute of Ontario or Canada.

2.140.2 PRIVATE PARK:

"Private park" means a park other than a public park.

2.141 PARKING AREA (REVISED: 27 May 88)

"Parking area" means an area or structure provided for the parking of vehicles and includes any related aisles and parking spaces, but shall not include any part of a street or lane. This definition may include a carport or private garage.

2.142 PARKING LOT

"Parking lot" means any parking area other than a parking area which is accessory to a permitted use and located on the same lot therewith.

2.143 PARKING SPACE (REVISED: 27 May 88)

"Parking space" means a portion of a parking area, exclusive of any aisles, which may be used for the temporary parking or storage of a vehicle.

2.144 PARTLY SERVICED LOT (See: LOT)

SECTION 2

DEFINITIONS

2.145 PERMITTED

"Permitted" means permitted by this By-law.

2.146 PERMITTED USE

"Permitted use" means a use which is permitted in the zone where such use is located.

2.147 PERSON (REVISED: 27 May 88)

"Person" means any human being, association, firm, partnership, syndicate, company, corporation, agent or trustee, and the heirs, administrators, executors, assigns or other legal representatives of a person to whom the context may apply according to law.

2.148 PERSONAL SERVICE SHOP (See: SERVICE SHOP, PERSONAL)**2.149 PLANTING STRIP**

"Planting strip" means an area which shall be used for no purpose other than planting a row of trees or a continuous unpierced hedgerow of evergreens or shrubs, not less than 1.5 metres high, immediately adjacent to the lot line or portion thereof along which such planting strip is required herein. The remainder of such planting strip shall be used for no purpose other than planting trees, shrubs, flowers, grass or similar vegetation.

2.150 PLANTING STRIP WIDTH

"Planting strip width" means the least horizontal dimension of a planting strip measured perpendicularly to the lot line abutting such planting strip.

2.151 PLAY FACILITY (REVISED: 27 May 88)

"Play facility" means a fenced or enclosed space, on or above ground, which is designed for use by children.

2.152 PLAY FACILITY AREA (REVISED: 27 May 88)

"Play facility area" means that portion of the lot area of a lot required to be used for play facilities on such lot.

SECTION 2

DEFINITIONS

- 2.153 PRIMARY ARTERIAL ROAD (See: STREET)
- 2.154 PRIMARY COLLECTOR ROAD (See: STREET)
- 2.155 PRIVACY YARD (See: YARD)
- 2.156 PRIVATE GARAGE (See: GARAGE, PRIVATE)
- 2.157 PRIVATE GASOLINE PUMP ISLAND (See: GASOLINE PUMP
ISLAND)
- 2.158 PRIVATE PARK (See: PARK)
- 2.159 PRIVATE ROAD (See: STREET)
- 2.159A PRIVATE SCHOOL (See: SCHOOL, COMMERCIAL)
- 2.160 PROVINCIAL HIGHWAY (See: STREET)
- 2.161 PUBLIC PARK (See: PARK)
- 2.162 PUBLIC USE
- "Public use" means a building, structure or lot used for public services by the Corporation or the Region, any local board of the Corporation or the Region, any Authority, Board, Commission or Ministry established under any statute of Ontario or Canada, any telephone or telegraph company, any public utility corporation or any railway company authorized under the *Railway Act*.
- 2.163 PUBLIC WATER SYSTEM (See: WATER SYSTEM, PUBLIC)
- 2.164 REAR LOT LINE (See: LOT LINE)
- 2.165 REAR YARD (See: YARD)

SECTION 2

DEFINITIONS

2.166 RECREATIONAL ESTABLISHMENT

"Recreational establishment" means a billiard or pool hall, bowling alley, curling or skating rink, or similar use.

2.167 REGIONAL ROAD (See: STREET)

2.168 RENTAL CABIN (See: TOURIST ESTABLISHMENT)

2.169 RESTAURANT (REVISED: 03 Oct 88)

"Restaurant" means a building or part of a building where meals are prepared and offered or kept for sale to the public. This definition shall not include a boarding house.

2.169.1 DINING ROOM RESTAURANT: (ADDED: 03 Oct 88)

"Dining room restaurant" means a restaurant designed for the immediate consumption of the food in the dining room of such building.

2.169.2 DRIVE-IN RESTAURANT: (REVISED: 03 Oct 88)

"Drive-in restaurant" means a restaurant designed for consumption of the food in a vehicle parked in a permitted parking space on the premises of the establishment.

2.169.3 DRIVE-THRU RESTAURANT: (ADDED: 03 Oct 88)

"Drive-thru restaurant" means a restaurant designed for delivery of the food to a vehicle parked in a waiting line on the premises of the establishment.

2.169.4 TAKE-OUT RESTAURANT: (ADDED: 03 Oct 88)

"Take-out restaurant" means a restaurant designed for consumption of the food off the premises of the establishment.

2.170 RETAIL STORE (REVISED: 03 Oct 88)

"Retail store" means a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for retail sale or rental to the public. This definition shall not include any establishment otherwise defined herein.

SECTION 2**DEFINITIONS****2.171 SALVAGE YARD**

"Salvage yard" means an establishment or premises where bones, bottles, hides, junk, rags, scrap metals, wrecked vehicles or parts therefrom are stored wholly or partly in the open.

2.172 SCHOOL

"School" means a school under the jurisdiction of a Board as defined in the *Education Act*.

2.173 SCHOOL, COMMERCIAL (REVISED: 03 Oct 88)

"Commercial school" means a school which is not under the jurisdiction of a Board as defined in the *Education Act*.

"Private school" shall have a corresponding meaning.

2.174 SECONDARY ARTERIAL ROAD (See: STREET)**2.175 SECONDARY COLLECTOR ROAD (See: STREET)****2.176 SEMI-DETACHED HOUSE (See: HOUSE)****2.177 SENIOR CITIZENS APARTMENT BUILDING (See: HOUSE)****2.178 SERVICE SHOP, MERCHANDISE**

"Merchandise service shop" means an establishment wherein articles or goods such as appliances, furniture or similar items may be repaired or serviced. This definition shall not include any manufacturing operation or establishment used for the service or repair of vehicles.

2.179 SERVICE SHOP, PERSONAL (REVISED: 03 Oct 88)

"Personal service shop" means an establishment wherein a personal service is performed. This definition may include a barber shop, a beauty salon, a dressmaking shop, a shoe repair shop, a tailor shop, a photographic studio, a copy shop or similar use.

SECTION 2

DEFINITIONS

2.180 SEWAGE TREATMENT FACILITY

"Sewage treatment facility" means a building or structure, approved by the Ministry of the Environment, where domestic or industrial waste is treated.

2.181 SEWER SYSTEM, SANITARY

"Sanitary sewer system" means a system of underground conduits, operated by the Region or by the Ministry of the Environment, which carries sewage to a sewage treatment facility.

2.182 SEWER SYSTEM, STORM

"Storm sewer system" means a sewer which carries storm surface water and storm drainage, but does not carry sewage or industrial waste.

2.183 SIDE LOT LINE (See: LOT LINE)

2.184 SIDE YARD (See: YARD)

2.185 SIGHT TRIANGLE

"Sight triangle" means the triangular space on a lot formed by 2 intersecting street lines and a line drawn from a point in 1 street line across such lot to a point in the other street line, each such point being 9 metres from the point of intersection of the street lines (measured along the street lines). Where the 2 street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangent to the street lines.

2.186 SIGN

"Sign" means a name, identification, description, device, display or illustration which is affixed to or represented directly or indirectly upon a building, structure or lot and which directs attention to an object, product, place, activity, person, institute, organization or business.

2.186.1 LEGAL SIGN:

"Legal sign" means a sign which complies with the sign by-laws of the Corporation.

SECTION 2**DEFINITIONS****2.187 SKI AREA**

"Ski area" means land used for snow skiing and may include ski lifts, tows, maintenance shops, ski equipment sales shops, dining rooms, beverage rooms and similar accessory uses. This definition shall not include a tourist establishment.

2.188 STONE QUARRY

"Stone quarry" means any open excavation made for the removal of any limestone, sandstone, shale or consolidated rock or mineral to supply such material for construction, industrial or manufacturing purposes. This definition shall not include:

- (a) any excavation incidental to the construction of a building or structure for which a building permit has been issued; or
- (b) any excavation incidental to any public works; or
- (c) any asphalt plant, cement manufacturing plant or concrete batching plant.

2.189 STOREY

"Storey" means that portion of a building or structure between any floor level of such building or structure and the floor, ceiling or roof next above such floor level.

2.189.1 FIRST STOREY:

"First storey" means the storey with its floor closest to finished grade and having its ceiling at least 1.5 metres above finished grade.

2.189.2 SECOND STOREY:

"Second storey" means that portion of a building situated above the first storey and in which there is a vertical dimension of at least 2 metres (measured from finished floor to finished ceiling) over a floor area equal to at least 75% of the floor area of the storey next below.

2.189.3 ONE-HALF STOREY:

"One-half storey" means that portion of a building situated wholly or partly within the roof and in which there is a vertical dimension of at least 2 metres (measured from finished floor to finished ceiling) over a floor area equal to at least 50% of the floor area of the storey next below.

SECTION 2**DEFINITIONS****2.189.4 ATTIC:**

"Attic" means that portion of a building situated wholly or partly within the roof but which is not a one-half storey.

2.189.5 BASEMENT:

"Basement" means any storey below the first storey which is at least 50% above finished grade (measured from finished floor to finished ceiling).

2.189.6 CELLAR:

"Cellar" means any storey below the first storey which is more than 50% below finished grade (measured from finished floor to finished ceiling).

2.190 STREET

"Street" means a public thoroughfare under the jurisdiction of either the Corporation, the Region or the Province of Ontario. This definition shall not include a lane or a private right-of-way.

"Street allowance" shall have a corresponding meaning.

2.190.1 PRIMARY ARTERIAL ROAD:

"Primary Arterial Road" means a street designated as a "PRIMARY ARTERIAL ROAD" on Schedule A.

2.190.2 SECONDARY ARTERIAL ROAD:

"Secondary Arterial Road" means a street designated as a "SECONDARY ARTERIAL ROAD" on Schedule A.

2.190.3 PRIMARY COLLECTOR ROAD:

"Primary Collector Road" means a street designated as a "PRIMARY COLLECTOR ROAD" on Schedule A.

2.190.4 SECONDARY COLLECTOR ROAD:

"Secondary Collector Road" means a street designated as a "SECONDARY COLLECTOR ROAD" on Schedule A.

SECTION 2**DEFINITIONS****2.190.5 PROVINCIAL HIGHWAY:**

"Provincial Highway" means a street designated as a "PROVINCIAL HIGHWAY" on Schedule A.

2.190.6 REGIONAL ROAD:

"Regional Road" means a street designated as a "REGIONAL ROAD" on Schedule A.

2.190.7 LOCAL ROAD: (REVISED: 03 Oct 88)

"Local Road" means a street designated as a "LOCAL ROAD" on Schedule A.

2.190.8 PRIVATE ROAD: (ADDED: 03 Oct 88)

"Private Road" means a private thoroughfare not under the jurisdiction of the Corporation, the Region or the Province of Ontario and created through the registration of a plan of condominium.

2.191 STREET ACCESS

"Street access" means, when referring to a lot, that such lot has a lot line or portion thereof which is also a street line.

2.192 STREET LINE

"Street line" means the limit of a street allowance and is the dividing line between a lot and a street.

2.193 STREET SETBACK (REVISED: 03 Oct 88)

"Street setback" means the least horizontal distance required between the centreline of a street allowance and the nearest part of any building envelope on a lot (measured at right angles to such centreline).

2.194 STRUCTURE

"Structure" means anything constructed, the use of which requires location on or in the ground, or attached to something having location on or in the ground.

2.195 TAKE-OUT RESTAURANT (See: RESTAURANT)

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SECTION 2

DEFINITIONS

2.196 THROUGH LOT (See: LOT)

2.197 TOURIST CAMP

"Tourist camp" means any land used to provide temporary accommodation for the public or members of an organization in tents, tourist trailers or tourist vehicles whether or not a fee is charged or paid for such accommodation. This definition shall not include a mobile home park.

2.198 TOURIST CAMP LOT

"Tourist camp lot" means a parcel of land within a tourist camp, occupied by a tent, tourist trailer or tourist vehicle.

2.199 TOURIST ESTABLISHMENT

"Tourist establishment" means a building or buildings designed or used for the accommodation of the travelling or vacationing public.

2.199.1 HOTEL:

"Hotel" means a tourist establishment containing therein 5 or more guest rooms served by a common building entrance. Accessory uses may include accommodation for permanent staff and 1 or more beverage rooms, dining rooms, meeting rooms or similar uses.

2.199.2 LODGE:

"Lodge" means a tourist establishment containing therein 5 or more guest rooms served by a common building entrance while additional guest rooms may have separate entrances directly from outside the building. Accessory uses may include rental cabins, accommodation for permanent staff and 1 or more beverage rooms, dining rooms, meeting rooms, recreational facilities or similar uses.

2.199.3 MOTEL:

"Motel" means a tourist establishment containing therein 5 or more guest rooms, each guest room having a separate entrance directly from outside the building. Accessory uses may include accommodation for permanent staff and 1 or more beverage rooms, dining rooms, meeting rooms or similar uses.

SECTION 2**DEFINITIONS****2.200 TOURIST TRAILER (See: TRAILER)****2.201 TOURIST VEHICLE (REVISED: 11 Dec 87)**

"Tourist vehicle" means a self-propelled vehicle capable of being used for the temporary living, sleeping or eating accommodation of persons. This definition may include a bus, motor home, truck or van.

2.202 TOWN ROAD (See: STREET)**2.203 TOWNHOUSE (See: HOUSE)****2.204 TRAILER**

"Trailer" means any vehicle designed to be towed by another vehicle.

2.204.1 TOURIST TRAILER:

"Tourist trailer" means a trailer capable of being used for the temporary living, sleeping or eating accommodation of persons (notwithstanding that its running gear is or may be removed).

2.205 TUCK SHOP (ADDED: 03 Oct 88)

"Tuck shop" means an establishment where food, tobacco, drugs, periodicals or similar items of household necessity are kept for retail sale to residents of the same lot upon which such establishment is located.

2.206 UNSERVICED LOT (See: LOT)**2.207 USE**

"Use", when used as a noun, means the purpose for which a lot, building or structure, or any combination thereof, is designed, arranged, occupied or maintained.

"Uses" shall have a corresponding meaning.

"Use", when used as a verb, "used" and "to use" shall have corresponding meanings.

SECTION 2**DEFINITIONS****2.207.1 ACCESSORY USE:**

"Accessory use" means a use which is incidental, subordinate and exclusively devoted to a main building or main use and located on the same lot therewith.

2.207.2 MAIN USE:

"Main use" means the principal use of a lot.

2.208 VEHICLE

"Vehicle" means an automobile, a boat, a commercial motor vehicle, a farm implement, a mobile home, a motorcycle, a snowmobile, a tourist vehicle or a trailer.

2.209 VEHICLE AGENCY

"Vehicle agency" means an establishment having as its main use the storage of vehicles for sale, rent or lease. Accessory uses may include facilities for the repair or maintenance of vehicles.

2.210 WAREHOUSE (REVISED: 27 May 88)

"Warehouse" means a building or part of a building used only for the bulk storage of goods, wares, merchandise or materials. This definition may include accessory office space.

2.211 WATERBODY

"Waterbody" means any bay, lake, natural watercourse or canal, other than a drainage ditch or irrigation channel.

2.212 WATER SETBACK (REVISED: 27 May 88)

"Water setback" means the horizontal distance between the high water mark of a waterbody and the nearest part of any building envelope on a lot.

2.213 WATER SUPPLY PLANT

"Water supply plant" means a building or structure, approved by the Ministry of the Environment, where water is treated for human consumption.

SECTION 2**DEFINITIONS****2.214 WATER SYSTEM, PUBLIC**

"Public water system" means a distribution system of underground piping and related storage, including pumping and purification appurtenances, owned and operated by the Region or by the Ministry of the Environment.

2.215 WAYSIDE PIT

"Wayside pit" means a temporary, open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral, opened and used by a public road authority solely for the purpose of a particular project or contract of road construction.

2.216 YARD

"Yard" means a space, appurtenant 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 as are specifically permitted.

2.216.1 FRONT YARD:

"Front yard" means a yard located between the front lot line and the nearest part of any excavation or main building on the lot and extending across the full width of the lot.

2.216.2 FLANK YARD:

"Flank yard" means a yard located between a flank lot line and the nearest part of any excavation or main building on the lot and extending for the full length of such flank lot line but excluding any front yard.

2.216.3 REAR YARD:

"Rear yard" means a yard located between a rear lot line and the nearest part of any excavation or main building on the lot and extending for the full length of such rear lot line but excluding any front yard or flank yard.

2.216.4 SIDE YARD:

"Side yard" means a yard located between a side lot line and the nearest part of any excavation or main building on the lot and extending for the full length of such side lot line but excluding any front yard, flank yard or rear yard.

SECTION 2**DEFINITIONS****2.216.5 PRIVACY YARD:**

"Privacy yard" means a yard adjoining an exterior wall of a dwelling unit or mobile home, clear and unobstructed by any public or common pedestrian access, driveway or surface parking area, other than a private driveway serving only such dwelling unit or mobile home.

2.217 ZONE

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

2.218 ZONE PROVISION

"Zone provision" means any provision of this By-law which is listed under the heading "ZONE PROVISIONS" or "SPECIAL PROVISIONS" and includes anything contained in Section 3 hereof which is applicable to the zone or use.

2.219 ZONING ADMINISTRATOR

"Zoning Administrator" means the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.

SECTION 3. GENERAL PROVISIONS**3.1 ACCESSORY USES****3.1.1 EXEMPTED USES: (ADDED: 27 May 88)**

This By-law shall not apply to any accessory building or structure in a Residential Zone which has a floor area of 9 square metres or less and a height of less than 3.5 metres.

3.1.2 RESTRICTED USES:

Any use, building or structure which is accessory to a permitted use in a zone shall be permitted in such zone. However, none of the following accessory uses shall be permitted in any zone unless such accessory use is listed as a permitted use in such zone:

- an accessory manufacturing use;
- a building or portion thereof used for human habitation;
- a gasoline pump island;
- a home industry;
- a livestock building;
- any occupation for gain or profit conducted within or accessory to a dwelling unit;
- an open storage area; or
- an outside display or sales area.

3.2 ACCESS REGULATIONS (REVISED: 27 May 88 / 03 Oct 88)**3.2.1 ACCESS REQUIRED:**

No person shall construct any building or structure in any portion of the Zoned Area unless the lot upon which such building or structure is to be constructed abuts a Primary Arterial Road, a Secondary Arterial Road, a Primary Collector Road, a Secondary Collector Road or a Local Road. This provision shall not apply to a lot on a registered plan of subdivision registered subsequent to the date of passing of this By-law.

- | | |
|--|---------------|
| 3.2.2 ENTRANCES PER LOT (maximum): | - 2 |
| 3.2.3 ENTRANCE SETBACK (minimum): | - 9 metres |
| 3.2.4 ENTRANCE SEPARATION (minimum): | - 22.5 metres |
| 3.2.5 ENTRANCE WIDTH (maximum): | - 12.5 metres |
| 3.2.6 ENTRANCE WIDTHS (minima): | |
| (a) Institutional, Commercial and Industrial zones | - 9 metres |
| (b) other zones | - 3 metres |

SECTION 3**GENERAL PROVISIONS****3.3 CONSTRUCTION USES****3.3.1 TEMPORARY USES:**

A building or structure incidental to construction on the lot where such building or structure is situated shall be permitted in any portion of the Zoned Area, but only for as long as it is necessary for the work in progress and until the work is completed or abandoned.

3.3.2 DEFINITION OF ABANDONED:

"Abandoned" in this subsection means the failure to proceed expeditiously with the construction work or the failure to undertake any construction work during any continuous 6-month period.

3.4 DELIVERY SPACE REGULATIONS**3.4.1 SIZE:**

Each delivery space shall be at least 9 metres long, 3.5 metres wide and have a vertical clearance of at least 3 metres.

3.4.2 LOCATION:

The required delivery spaces shall be provided on the lot occupied by the building, structure or use for which such delivery spaces are required and shall not form a part of any street, lane, parking space or loading space. No portion of any delivery space shall be located closer than:

- (a) 3 metres to any street line; or
- (b) 6 metres to any Residential zone.

3.4.3 ACCESS:

Access to delivery spaces shall be by means of a driveway at least 3.5 metres wide contained within the lot on which the delivery spaces are located and leading to a street or lane located within or adjoining the zone in which the use is located.

3.4.4 SURFACE:

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

SECTION 3**GENERAL PROVISIONS****3.4.5 ADDITION TO OR CHANGE OF EXISTING USE:**

When a building or structure has insufficient delivery spaces on the date of passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition if such addition does not increase the gross floor area of such building or structure by more than 10%. However, no addition may be built and no change of use may occur if the effect of an addition or change of use would be to increase such deficiency.

3.5 DWELLING UNITS**3.5.1 LOCATION ADJACENT TO RAILROAD:**

No part of any dwelling unit shall be located within 50 metres of a railroad right-of-way.

3.5.2 LOCATION IN BASEMENT:

No part of any dwelling unit shall be located in the basement of a Non-Residential building. A dwelling unit may be located in the basement of a Residential building, provided that the finished floor level of such basement is not below the level of any sanitary sewer system or storm sewer system serving the building in which such basement is located and provided further that the finished floor level of such basement is not more than 1 metre below finished grade.

3.5.3 LOCATION IN CELLAR:

No part of any dwelling unit shall be located in the cellar of any Non-Residential building. No part of any dwelling unit, except a furnace room, laundry room, recreation room, storage room, washroom or similar room, shall be located in the cellar of a Residential building.

3.6 ESTABLISHED BUILDING LINE

Notwithstanding the setback provisions of this By-law to the contrary, where a permitted building or structure is to be constructed on a lot with an established building line, such permitted building or structure may be constructed closer to the street line or the centreline of the street, as the case may be, than required by this By-law provided such permitted building or structure is not constructed closer to the street line or the centreline of the street, as the case may be, than the existing established building line.

SECTION 3**GENERAL PROVISIONS****3.7 FENCES (ADDED: 27 May 88)**

Nothing in this By-law shall apply to prevent the construction, alteration or use of any fence, provided such fence complies with the by-laws of the Corporation regulating fences and provided such fence complies with the provisions of this By-law regarding sight triangles.

3.8 GRAVEL PITTS AND STONE QUARRIES

No gravel pit or stone quarry shall be established or made in any portion of the Zoned Area except in a zone where listed as a permitted use. No gravel pit or stone quarry shall be established or made in any landscaping area or planting strip required by this By-law.

3.9 HEIGHT EXCEPTIONS

The building height provisions of this By-law shall not apply to the following uses:

- an air conditioner duct;
- a barn;
- a belfry;
- a bridge;
- a bulk storage tank;
- a chimney;
- a church spire;
- a clock tower;
- a communications tower;
- a corn crib;
- a drying elevator;
- an electric power facility other than a building;
- an elevator penthouse;
- a farm implement shed;
- a feed or bedding storage use;
- a flag pole;
- a power transmission tower;
- a radio antenna;
- a railroad signal;
- a railroad switching tower;
- a silo;
- a skylight;
- a stack;
- a television antenna;
- a ventilator;
- a water storage tank;
- a windmill.

SECTION 3**GENERAL PROVISIONS****3.10 HOME INDUSTRIES**

No home industry shall be permitted in any portion of the Zoned Area unless such home industry complies with the following provisions:

3.10.1 EMPLOYMENT:

Not more than 3 persons, other than an occupant of the premises, shall be employed in the home industry.

3.10.2 ADVERTISING:

There shall be no external display or advertising, other than a lawful sign, to indicate to persons outside that any part of the lot is being used for home industry purposes.

3.11 HOME OCCUPATIONS AND HOME PROFESSIONS

No home occupation or home profession shall be permitted in any portion of the Zoned Area unless such home occupation or home profession complies with the following provisions:

3.11.1 SIZE:

Not more than 20% of the dwelling unit area shall be used for the purpose of home occupation or home profession uses.

3.11.2 ACCESSORY BUILDINGS:

No accessory building shall be constructed, altered or used for the purposes of a home occupation or home profession.

3.11.3 OCCUPANCY: (REVISED: 27 May 88)

Any dwelling unit containing a home occupation or home profession shall be occupied as a residence by the user.

3.11.4 EMPLOYMENT: (REVISED: 27 May 88)

Not more than 1 person, other than an occupant of the dwelling unit containing the home occupation or home profession, shall be engaged in the home occupation or home profession.

SECTION 3**GENERAL PROVISIONS****3.11.5 ADVERTISING:**

There shall be no external display or advertising, other than a lawful sign, to indicate to persons outside that any part of the house, dwelling unit or lot is being used for a purpose other than residential.

3.11.6 SALES OR RENTALS:

On any lot containing a home occupation, there shall be no goods, wares or merchandise, other than those produced on the premises, offered or exposed for sale or rent on such premises.

3.11.7 OPEN STORAGE AREA:

No part of any lot containing a home occupation or home profession shall be used as an open storage area accessory to that home occupation or home profession use.

3.12 ILLUMINATION

Lighting fixtures which are not public uses and which are designed for exterior illumination shall be installed with the light directed downward and deflected away from adjacent lots and streets. Such lighting fixtures shall not be more than 9 metres above ground and no closer than 4.5 metres to any street line.

3.13 KENNELS (ADDED: 03 Oct 88)

Kennels shall be regulated by the Corporation's Kennel By-law.

3.14 LOADING SPACE REGULATIONS**3.14.1 SIZE:**

Each loading space shall be at least 14 metres long, 3.5 metres wide and have a vertical clearance of at least 4.5 metres.

3.14.2 LOCATION:

The required loading spaces shall be provided on the lot occupied by the building, structure or use for which such loading spaces are required and shall not form a part of any street, lane, parking space or delivery space. No portion of any loading space shall be located closer to any street line than the minimum front building setback for such building, structure or use in the zone where it is located.

SECTION 3**GENERAL PROVISIONS****3.14.3 ACCESS:**

Access to loading spaces shall be by means of a driveway at least 3.5 metres wide contained within the lot on which the loading spaces are located and leading to a street or lane located within or adjoining the zone in which the use is located.

3.14.4 SURFACE:

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

3.14.5 ADDITION TO OR CHANGE OF EXISTING USE:

When a building or structure has insufficient loading spaces on the date of passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition if such addition does not increase the gross floor area of such building or structure by more than 10%. However, no addition may be built and no change of use may occur if the effect of an addition or change of use would be to increase such deficiency.

3.15 LOTS CONTAINING MORE THAN ONE USE**3.15.1 LOT AREA AND LOT FRONTAGE REQUIREMENTS:**

Where a lot contains more than 1 use which is not an accessory use, the lot area requirement shall be the sum of the requirements for each separate use. The lot frontage requirement shall be the greatest of the lot frontage requirements for each separate use in the zone where such lot is located.

3.15.2 DELIVERY, LOADING AND PARKING REQUIREMENTS:

When a building, structure or lot contains more than 1 use, the delivery space requirement, loading space requirement and parking space requirement for such building, structure or lot shall be the sum of the requirements for each separate use.

3.16 LOTS DIVIDED INTO MORE THAN ONE ZONE

Where a lot is divided into more than 1 zone, each such portion of the lot shall be used in accordance with the provisions of this By-law for the zone where such portion of the lot is located. Each such portion of the lot shall be considered as a separate lot for the purpose of determining zone provisions. However, for the purposes of determining minimum lot area and minimum lot frontage, the entire lot shall be considered.

SECTION 3

GENERAL PROVISIONS

3.17 NON-COMPLYING BUILDINGS, STRUCTURES AND LOTS

3.17.1 ALTERATIONS TO NON-COMPLYING BUILDINGS AND STRUCTURES:

Nothing in this By-law shall prevent the enlargement, reconstruction, renovation or repair of an existing, non-complying building or structure or the enlargement, reconstruction, renovation or repair of an existing building or structure on an existing, non-complying lot provided such enlargement, reconstruction, renovation or repair shall not:

- (a) increase the portion of the lot area covered by building envelopes if such coverage exceeds the applicable maximum building area permitted herein;
- (b) reduce the size of any yard adjoining that portion of such building or structure which is less than the applicable minimum building setback required herein;
- (c) reduce the distance between 2 building envelopes if such distance is less than the applicable minimum building separation required herein;
- (d) increase the overall vertical dimension of such building or structure if such dimension exceeds the applicable maximum building height permitted herein;
- (e) reduce the dwelling unit area of any dwelling unit if it is less than the applicable minimum dwelling unit area required herein;
- (f) reduce the gross floor area of any building or structure if it is less than the applicable minimum gross floor area required herein;
- (g) increase the net floor area of any building or structure if it exceeds the applicable maximum net floor area permitted herein;
- (h) reduce the portion of the lot used for landscaping purposes if such portion is less than the applicable minimum landscaping area required herein;
- (i) reduce the size of any planting strip required herein; or
- (j) contravene any other zone provisions.

3.17.2 USE OF UNDERSIZED VACANT LOTS:

Nothing in this By-law shall prevent the use of a vacant lot which has a lesser lot area or lot frontage than the applicable minimum lot area or minimum lot frontage required herein provided:

- (a) such lot is an existing lot as defined herein;
- (b) the proposed use of such lot is a permitted use; and
- (c) the proposed use shall not contravene any other zone provisions.

SECTION 3**GENERAL PROVISIONS****3.18 NON-CONFORMING BUILDINGS AND STRUCTURES****3.18.1 REBUILDING OR REPAIR PERMITTED:**

Nothing in this By-law shall prevent the rebuilding or repair of an existing non-conforming building or structure that is damaged or destroyed subsequent to the date of passing of this By-law, provided that the external dimensions of the original building or structure are not increased and the use of the building or structure is not altered, unless altered to a permitted use.

3.18.2 STRENGTHENING PERMITTED:

Nothing in this By-law shall prevent the strengthening to a safe condition of an existing non-conforming building or structure, provided that the external dimensions of the original building or structure are not increased and the use of the building or structure is not altered, unless altered to a permitted use.

3.19 OUTSIDE DISPLAY OR SALES AREA REGULATIONS**3.19.1 SIZE:**

No outside display or sales area shall comprise more than 35% of the lot area.

3.19.2 LOCATION:

No outside display or sales area shall overlap with a parking area.

3.19.3 SURFACE:

Each outside display or sales area shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

3.20 PARKING AREA REGULATIONS**3.20.1 SIZE:**

Each parking space shall be at least 6 metres long, 2.5 metres wide and have an area of at least 18 square metres and a vertical clearance of at least 2 metres.

3.20.2 LOCATION:

The required parking area shall not form a part of any street, lane, delivery space or loading space. The required parking area shall be provided on the lot occupied by the building, structure or use for which such parking area is required.

SECTION 3

GENERAL PROVISIONS

3.20.3 SURFACE:

Each parking area, driveway and entrance connecting the parking area with a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

3.20.4 ADDITION TO OR CHANGE OF EXISTING USE:

When a building or structure has insufficient parking spaces on the date of passing of this by-law to comply with the requirements herein, this by-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition if such addition does not increase the gross floor area of such building or structure by more than 10%. However, no addition may be built and no change of use may occur if the effect of an addition or change of use would be to increase such deficiency.

3.20.5 RESTRICTIONS IN RESIDENTIAL ZONES: (REVISED: 03 Oct 88)

No person shall use any parking area or parking space in a Residential zone except in accordance with the following:

- (a) Not more than 1 vehicle per dwelling unit shall be a commercial motor vehicle as defined in the *Highway Traffic Act*.
- (b) Except for school buses, the gross weight of any such commercial motor vehicle shall not exceed 3,000 kilograms.

3.20.6 HANDICAPPED PARKING: (ADDED: 27 May 88)

Handicapped parking shall be provided in accordance with the Corporation's Handicapped Parking By-law.

3.21 PLANTING STRIPS

3.21.1 LANDSCAPING AREA:

A planting strip referred to in this subsection may form part of any landscaping area required by this By-law.

3.21.2 INTERRUPTION FOR DRIVEWAY OR WALKWAY:

Where a driveway or walkway extends through a planting strip, it shall be permissible to interrupt the planting strip within 3 metres of the edge of such driveway or within 1.5 metres of the edge of such walkway.

3.21.3 VEGETATION HEIGHT IN SIGHT TRIANGLE: (DELETED: 27 May 88)

SECTION 3**GENERAL PROVISIONS****3.22 PRIVACY YARDS**

Where this By-law requires a privacy yard to be provided, the size of such privacy yard shall be calculated in accordance with the following:

- (a) The minimum depth of a privacy yard shall be a distance (measured from and at right angles to the exterior wall adjoining such privacy yard) as set out herein for the applicable use in the zone where such use is located.
- (b) The minimum width of a privacy yard shall be 5 metres (measured parallel to the exterior wall adjoining such privacy yard so that, on each side of the vertical centreline of the window requiring such privacy yard, there shall be a minimum width of 2.5 metres).

3.23 PROHIBITED USES (REVISED: 27 May 88 / 03 Oct 88)

No person shall, within the Zoned Area, use any land or construct, alter or use any building or structure for any of the following purposes:

- an abattoir
- an ammonia, bleaching powder or chlorine manufacturing use
- an ammunition manufacturing or storage use
- an animal black or bone black manufacturing use
- an animal glue or fish glue manufacturing use
- an animal hide storage use
- an arsenal
- an asphalt manufacturing or refining use
- a blast furnace
- a blood boiling use
- a carbon manufacturing use
- a chemical processing use
- a coal yard
- a coal oil refining use
- a coke oven
- a concrete batching plant
- an explosives manufacturing or storage use
- a fertilizer manufacturing use
- a fireworks manufacturing or storage use
- a fish oil extraction use
- a fowl killing establishment
- a gas manufacturing use
- a grease, lard or tallow manufacturing or refining use
- an industrial liquid waste treatment or storage use
- a kerosene distillation or refining use
- a meat packing or meat processing use

SECTION 3**GENERAL PROVISIONS****3.23 PROHIBITED USES (cont'd.)**

- a metal smelting use
- a noxious use
- a noxious waste disposal area
- a petroleum distillation or refining use
- a rendering plant
- a rolling mill
- a soap boiling use
- a tannery
- a tar distillation or manufacturing use
- a tripe boiling use
- a vegetable dehydrating use

3.24 PUBLIC USES**3.24.1 ZONES WHERE PERMITTED: (REVISED: 27 May 88)**

Nothing in this By-law shall prevent the use of land in any part of the Zoned Area for the following public uses:

- a community centre
- a fire hall
- a government office
- a hospital
- a police station
- a post office
- a public library
- a public park or recreational facility
- a school

Except as provided above, the only public uses permitted in a specific zone shall be those public uses listed as permitted uses in such zone.

3.24.2 ZONE PROVISIONS: (ADDED: 27 May 88 / REVISED: 03 Oct 88)

Except for those facilities described in clause 5 of this subsection, any public use shall comply with all zone provisions for the zone in which it is located.

3.24.3 REQUIREMENTS IN RESIDENTIAL ZONES:

Any above-ground, non-recreational public use which is located in a Residential zone shall be enclosed in a building designed, located and maintained in general harmony with the Residential buildings permitted in such zone.

SECTION 3

GENERAL PROVISIONS

3.24.4 PARKING SPACES (minima): (ADDED: 27 May 88)

- | | |
|--|---|
| (a) community centre | - the greater of:
1 for each 6 fixed seats
or fraction thereof; or
1 for each
10 square metres
of net floor area
or portion thereof |
| (b) fire hall, post office or public library | - 1 for each
45 square metres
of net floor area
or portion thereof |
| (c) government office | - 1 for each
30 square metres
of net floor area
or portion thereof |
| (d) hospital | - 1 for each
1.3 beds
or fraction thereof |
| (e) police station | - 1 for each
15 square metres
of net floor area
or portion thereof |
| (f) school, elementary (up to grade 8) | - 1.5 for each classroom |
| (g) school, secondary (grades 9 through 13) | - 6 for each classroom |
| (h) other Non-Residential uses | - nil |

3.24.5 STREETS AND INSTALLATIONS: (REVISED: 27 May 88 / 03 Oct 88)

Nothing in this By-law shall prevent the use of land for a street or prevent the installation of a watermain, sanitary sewer main, storm drainage works, flood control works, gas main, pipeline, lighting fixture, or overhead or underground electrical, telephone or other supply or communication line, distribution station or structure clearly ancillary to the foregoing, provided that the location of such street, main, line, fixture or structure has been approved by the Corporation. Notwithstanding the preceding sentence, this approval by the Corporation shall not be required for any public works project where the location of the facilities which make up such project have been authorized pursuant to the *Environmental Assessment Act*.

3.25 SIGHT TRIANGLES

3.25.1 SIZE:

The distance from the point of intersection of the street lines shall be 9 metres.

(3-13)

SECTION 3**GENERAL PROVISIONS****3.25.2 USES PROHIBITED: (REVISED: 27 May 88)**

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

- (a) a building, structure or use which would obstruct the vision of drivers of vehicles;
- (b) a fence, tree, hedge, bush or other vegetation, the top of which exceeds 1 metre in height above the elevation of the street;
- (c) any portion of a parking space;
- (d) a berm or other ground surface which exceeds the elevation of the street by more than 0.5 metres;
- (e) a sign, the body of which is less than 4 metres above the elevation of the street.

The provisions of this clause shall not apply at any intersection controlled by traffic signal lights.

3.26 SIGNS

Nothing in this By-law shall apply to prevent the construction, alteration or use of any sign, provided such sign complies with the by-laws of the Corporation regulating signs and provided such sign complies with the provisions of this By-law regarding sight triangles.

3.27 STORAGE OF SPECIAL VEHICLES**3.27.1 VEHICLES PERMITTED:**

No person shall use any lot in any Residential zone for the purpose of parking or storing any vehicle other than an automobile, except for:

- (a) 1 boat which shall not exceed 8 metres in length; or
- (b) 1 mobile home which shall not exceed 15 metres in length; or
- (c) 2 snowmobiles; or
- (d) 1 tourist trailer which shall not exceed 8 metres in length, exclusive of hitch or tongue; or
- (e) 1 tourist vehicle which shall not exceed 8 metres in length.

SECTION 3**GENERAL PROVISIONS****3.27.2 YARDS WHERE PERMITTED: (REVISED: 03 Oct 88)**

In any Residential zone, the parking or storage of any vehicle listed in clause 1 of this subsection shall only be permitted in a private garage, carport or other building and not in any parking space or sight triangle, except in an RM Zone or any special zone related thereto, such vehicle may be parked or stored in a side yard or rear yard but no closer than 1 metre to any lot line.

3.27.3 TEMPORARY STORAGE OR PARKING: (REVISED: 03 Oct 88)

In a Residential zone, other than an RM Zone or any special zone related thereto, the parking or storage of any vehicle listed in clause 1 of this subsection may be permitted for a period of not more than 120 hours in any 1 calendar month in a front yard or flank yard.

3.28 STREET SETBACKS (REVISED: 03 Oct 88)

No person shall construct any building in any portion of the Zoned Area unless such building complies with the following street setback requirements:

- 3.28.1 **PRIMARY ARTERIAL ROAD:** - 22.5 metres,
plus the minimum front building setback required for such use in the zone where it is located.
- 3.28.2 **SECONDARY ARTERIAL ROAD:** - 18 metres,
plus the minimum front building setback required for such use in the zone where it is located.
- 3.28.3 **PRIMARY COLLECTOR ROAD:** - 15 metres,
plus the minimum front building setback required for such use in the zone where it is located.
- 3.28.4 **SECONDARY COLLECTOR ROAD:** - 13 metres,
plus the minimum front building setback required for such use in the zone where it is located.
- 3.28.5 **LOCAL ROAD:** - 10 metres,
plus the minimum front building setback required for such use in the zone where it is located.

Notwithstanding the provisions of this subsection, no person shall construct any building unless such building complies with any street setback requirements lawfully imposed by the Province or the Region.

SECTION 3**GENERAL PROVISIONS****3.29 SWIMMING POOLS**

Swimming pools shall be regulated by the Corporation's Swimming Pool By-law.

3.30 TOURIST TRAILERS AND MOBILE HOMES**3.30.1 LOCATION OF TOURIST TRAILERS:**

No tourist trailer shall be constructed, altered or used in any portion of the Zoned Area except in a permitted tourist camp.

3.30.2 LOCATION OF MOBILE HOMES:

No mobile home shall be constructed, altered or used in any portion of the Zoned Area except in a permitted mobile home park.

3.31 WATER SETBACKS

No building or structure, other than a marine facility, shall be located closer than 7.5 metres to the high water mark of a waterbody.

SECTION 4. ZONES**4.1 ZONE CLASSIFICATION**

In this By-law, all lands within the Zoned Area are divided into zones and are classified as Residential, Institutional, Commercial, Industrial or Restricted zones. Following each zone name is a corresponding alpha-numeric symbol referred to in this By-law as a "zone symbol".

4.1.1 RESIDENTIAL ZONES: (REVISED: 03 Oct 88)

Estate Residential Zone	RE
Rural Residential Zone	RR
One-Family Residential Zone	R1
Two-Family Residential Zone	R2
Townhouse Residential Zone	RT
Mixed-Density Residential Zone	RMD
Multiple-Family Residential Zone	RM

4.1.2 INSTITUTIONAL ZONES:

Institutional Zone	I
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4.1.3 COMMERCIAL ZONES:

General Commercial Zone	C
Plaza Commercial Zone	CP
Village Commercial Zone	CV
Highway Commercial Zone	CH
Tourist Camp Commercial Zone	CT

4.1.4 INDUSTRIAL ZONES:

Prestige Industrial Zone	MP
Serviced Industrial Zone	MS
Unserviced Industrial Zone	MU
Airport Industrial Zone	MA
Extractive Industrial Zone	MX

4.1.5 RESTRICTED ZONES: (REVISED: 27 May 88)

Waste Management Zone	MD
Hazard Lands Zone	HL
Open Space Zone	OS
Agricultural Zone	A1
Rural Zone	A2
Small Agricultural Holdings Zone	A3

SECTION 4**ZONES****4.2 ZONE SYMBOLS**

The zone symbols listed in Section 4.1 may be used to refer to buildings and structures, the uses of lots, buildings and structures permitted by this By-law in the said zones. Whenever in this By-law the word "zone" is used, preceded by any of the said zone symbols, such reference shall mean any portion of the Zoned Area delineated on Schedule A and designated thereon by the said zone symbol.

4.3 ZONE BOUNDARIES

The extent and boundaries of all zones and special zones are shown on Schedule A. When determining the location of a zone boundary on Schedule A or on any schedule which amends Schedule A, the following provisions shall apply:

4.3.1 CORPORATION BOUNDARIES:

All boundaries of the Corporation shall be zone boundaries.

4.3.2 LOT LINES OR CONCESSION LINES:

A zone boundary indicated as approximately following a lot line or concession line shall be deemed to follow such lot line or concession line.

4.3.3 STREET LINES:

A zone boundary indicated as approximately following a street line shall be deemed to follow such street line.

4.3.4 RIGHTS-OF-WAY:

A zone boundary indicated as approximately following a right-of-way for a private road, railroad, power line, pipeline, etc., shall be deemed to follow such right-of-way.

4.3.5 SHORELINES:

A zone boundary indicated as approximately following a shoreline of a waterbody shall be deemed to be the high water mark of such waterbody.

4.3.6 SUBDIVISION LOT LINES:

A zone boundary indicated as approximately following a lot line on a plan of subdivision shall be deemed to follow such lot line.

SECTION 4**ZONES****4.3.7 OTHER PROPERTY LINES:**

A zone boundary indicated as approximately following any other property line shall be deemed to follow such property line.

4.3.8 DIMENSIONS AND MEASUREMENTS:

If the location of a zone boundary cannot be determined using any of the preceding methods, its location shall be according to the dimensions shown on the Zone Map. If such dimensions are not shown, its location shall be as measured on the Zone Map at the original size and scale of such Zone Map.

4.4 PERMITTED USES AND ZONE PROVISIONS

For each zone listed in Section 4.1, there shall be a section of this By-law which sets out the permitted uses and the zone provisions for such zone.

4.5 SPECIAL ZONES

Where a zone symbol is followed by a dash and a number (for example, "RM-1"), this denotes a special zone. The permitted uses and the zone provisions for such special zone shall be set out in subsections of the section of this By-law applicable to the said zone symbol.

4.6 EXCEPTIONS

Where a zone symbol is followed by a dash, the letter "E" and a number (for example, "RJ-E(1)") this denotes an exception. The lands so designated shall be subject to all the requirements of the zone represented by such zone symbol except as otherwise provided by the specific exceptions listed in the appropriate subsection of Section 28.

4.7 FLOOD PLAINS (ADDED: 27 May 88)

Where a zone symbol is followed by a dash and the letter "F" (for example, "RR-F") this denotes land which is in a flood plain. The lands so designated shall be subject to all the requirements of the zone represented by such zone symbol except that no person shall construct or alter any building without the written approval of the Conservation Authority having jurisdiction in the area. No building permit shall be issued by the Corporation until such written approval has been given.

SECTION 4

ZONES

4.8 FILL AND CONSTRUCTION REGULATIONS (ADDED: 27 May 88)

The area which is designated "FILL AND CONSTRUCTION AREA" on Schedule A includes those lands which are subject to the Conservation Authority fill and construction regulations. The lands so designated shall be subject to all the requirements of the zone in which they are located in addition to the requirements of the Conservation Authority having jurisdiction in the area.

4.9 NIAGARA ESCARPMENT COMMISSION REGULATIONS

4.9.1 AREA DESIGNATED: (REVISED: 27 May 88)

The area which is designated "NIAGARA ESCARPMENT DEVELOPMENT CONTROL AREA" on Schedule A comprises all lands within the corporate limits of the Town of Caledon which are subject to the Niagara Escarpment Commission's development control powers pursuant to the *Niagara Escarpment Planning and Development Act*, as of May 31, 1988.

4.9.2 RETURN OF ZONING JURISDICTION: (REVISED: 27 May 88)

The provisions of the A1 Zone shall apply to any portion of the area designated "NIAGARA ESCARPMENT DEVELOPMENT CONTROL AREA" on Schedule A where the Minister of Municipal Affairs has amended Ontario Regulation 683/80 to return zoning jurisdiction to the Corporation.

SECTION 5. ESTATE RESIDENTIAL (RE) ZONE

5.1 USES PERMITTED

In any RE Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

5.1.1 RESIDENTIAL USES:

- a one-family house

5.1.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88)

- a home occupation
- a home profession

5.2 ZONE PROVISIONS (REVISED: 27 May 88 / 03 Oct 88)

In any RE Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

- | | |
|--|--|
| 5.2.1 LOT AREA (minimum): | - 0.8 hectares |
| 5.2.2 LOT FRONTAGE (minimum): | - 45 metres |
| 5.2.3 DWELLING UNITS PER LOT (maximum): | - 1 only |
| 5.2.4 BUILDING AREA (maximum): | - 8% |
| 5.2.5 BUILDING SETBACK, FRONT (minimum): | - 18 metres |
| 5.2.6 BUILDING SETBACK, FLANK (minimum): | - 18 metres |
| 5.2.7 BUILDING SETBACKS, REAR (minima): | |
| (a) main building | - 15 metres |
| (b) accessory building | - 6 metres |
| 5.2.8 BUILDING SETBACK, SIDE (minimum): | - 7.5 metres |
| 5.2.9 BUILDING SEPARATION (minimum): | - 1.5 metres |
| 5.2.10 BUILDING HEIGHTS (maxima): | |
| (a) main building | - 10.5 metres |
| (b) accessory building | - 6 metres |
| 5.2.11 DWELLING UNIT AREA (minimum): | - 165 square metres plus
35 square metres
for each additional storey |
| 5.2.12 LANDSCAPING AREA (minimum): | - 50% |

SECTION 5**RE ZONE**

- 5.2.13 DRIVEWAY SETBACK (minimum): - 4.5 metres
- 5.2.14 PARKING SPACES (minima):
- (a) Residential uses - 2 for each dwelling unit
 - (b) Non-Residential uses - the greater of:
 - 2 per lot; or
 - 1 for each
 - 20 square metres
 - of net floor area
 - or portion thereof
- 5.2.15 PARKING SPACE SETBACK (minimum): - 10 metres
- 5.2.16 GENERAL PROVISIONS:
In addition to the above, the provisions of Section 3 shall apply.

SECTION 5

RE-1 ZONE

5.3 USES PERMITTED IN RE-1 ZONES (ADDED: 03 Oct 88)

This special zone is reserved for future use.

5.4 SPECIAL PROVISIONS FOR RE-1 ZONES (ADDED: 03 Oct 88)

This special zone is reserved for future use.

SECTION 5**RE-2 ZONE****5.5 USES PERMITTED IN RE-2 ZONES (ADDED: 03 Oct 88)**

In any RE-2 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

5.5.1 RESIDENTIAL USES:

- a one-family house

5.5.2 NON-RESIDENTIAL USES:

- prohibited

5.6 SPECIAL PROVISIONS FOR RE-2 ZONES (ADDED: 03 Oct 88)

In any RE-2 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 5.2 as modified by the following special provisions:

- | | | |
|-------|--|---------------------|
| 5.6.1 | LOT FRONTAGE (minimum): | - 60 metres |
| 5.6.2 | BUILDING SETBACKS, REAR (minima): | |
| | (a) main building | - 18 metres |
| | (b) accessory building | - 6 metres |
| 5.6.3 | BUILDING SETBACK, SIDE (minimum): | - 6 metres |
| 5.6.4 | DWELLING UNIT AREAS (minima): | |
| | (a) for more than 1 storey with a habitable room | - 185 square metres |
| | (b) all others | - 165 square metres |
| 5.6.5 | GROUND FLOOR AREA (minimum): | - 130 square metres |

SECTION 5**RE-3 ZONE****5.7 USES PERMITTED IN RE-3 ZONES (ADDED: 03 Oct 88)**

In any RE-3 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

5.7.1 RESIDENTIAL USES:

- a one-family house

5.7.2 NON-RESIDENTIAL USES:

- a home profession

5.8 SPECIAL PROVISIONS FOR RE-3 ZONES (ADDED: 03 Oct 88)

In any RE-3 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 5.2 as modified by the following special provisions:

- | | | |
|-------|---|----------------------------|
| 5.8.1 | LOT AREA (minimum): | - 0.6 hectares |
| 5.8.2 | LOT FRONTAGES (minima): | |
| | (a) lots shown on Schedule A,
Zone Map SE4 | - 35 metres |
| | (b) all other lots | - 45 metres |
| 5.8.3 | BUILDING AREA (maximum): | - 25% |
| 5.8.4 | PARKING SPACES (minima): | |
| | (a) Residential uses | - 2 for each dwelling unit |
| | (b) Non-Residential uses | - 3 for each practitioner |
| 5.8.5 | BUILDING AND STRUCTURE LOCATIONS:
Notwithstanding Section 5.2, all buildings and structures, accessory buildings and structures, driveways, parking areas, swimming pools, tennis courts, septic tanks and septic tile fields shall only be located within the structure envelopes shown on Zone Maps SE3 and SE4. | |
| 5.8.6 | SEPTIC TANK AREA RESTRICTIONS:
Notwithstanding Section 5.8.5, the area shown as "STRUCTURE ENVELOPE - SEPTIC TANK AREA" on Zone Maps SE3 and SE4, shall be used only for a septic tank, septic tile field or landscaping. | |

SECTION 5**RE-4 ZONE****5.9 USES PERMITTED IN RE-4 ZONES (ADDED: 03 Oct 88)**

In any RE-4 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

5.9.1 RESIDENTIAL USES:

- a one-family house

5.9.2 NON-RESIDENTIAL USES:

- a home profession

5.10 SPECIAL PROVISIONS FOR RE-4 ZONES (ADDED: 03 Oct 88)

In any RE-4 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 5.2 as modified by the following special provisions:

5.10.1 BUILDING AND STRUCTURE LOCATIONS:

Notwithstanding Section 5.2, all buildings and structures, accessory buildings and structures, driveways, parking areas, swimming pools, tennis courts, septic tanks and septic tile fields shall only be located within the structure envelopes shown on Zone Maps SE1 and SE2.

SECTION 5**RE-5 ZONE****5.11 USES PERMITTED IN RE-5 ZONES (ADDED: 03 Oct 88)**

In any RE-5 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

5.11.1 RESIDENTIAL USES:

- a one-family house

5.11.2 NON-RESIDENTIAL USES:

- a natural area

5.12 SPECIAL PROVISIONS FOR RE-5 ZONES (ADDED: 03 Oct 88)

In any RE-5 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 5.2 as modified by the following special provisions:

- | | | |
|--------|------------------------------------|----------------|
| 5.12.1 | LOT AREA (minimum): | - 0.6 hectares |
| 5.12.2 | LOT FRONTAGE (minimum): | - 25 metres |
| 5.12.3 | BUILDING AREA (maximum): | - 15% |
| 5.12.4 | BUILDING SETBACK, FRONT (minimum): | - 12 metres |
| 5.12.5 | BUILDING SETBACK, FLANK (minimum): | - 12 metres |
| 5.12.6 | BUILDING AND STRUCTURE LOCATIONS: | |

Notwithstanding Section 5.2, all buildings and structures, accessory buildings and structures, driveways, parking areas, swimming pools, tennis courts, septic tanks and septic tile fields shall only be located within the structure envelopes shown on Zone Map SE5.

- | | | |
|--------|-----------------------------|--------------|
| 5.12.7 | DRIVEWAY SETBACKS (minima): | |
| | (a) between Lots 1 and 2 | - nil |
| | (b) all other lots | - 4.5 metres |

5.12.8 NATURAL AREA RESTRICTIONS:

Within any area shown as "NATURAL AREA" on Zone Map SE5, no person shall alter the surface of the land; or alter, disturb, destroy, remove, cut or trim any vegetation, whether living or dead; or alter, disturb, destroy or remove any wildlife habitat, whether in use or not.

SECTION 5

RE-6 ZONE

5.13 USES PERMITTED IN RE-6 ZONES (ADDED: 03 Oct 88)

In any RE-6 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

5.13.1 RESIDENTIAL USES:

- a one-family house

5.13.2 NON-RESIDENTIAL USES:

- a golf course
- a home profession
- a natural area
- a swimming pool
- a tennis court

5.14 SPECIAL PROVISIONS FOR RE-6 ZONES (ADDED: 03 Oct 88)

In any RE-6 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 5.2 as modified by the following special provisions:

- | | | |
|--------|---|----------------|
| 5.14.1 | LOT AREA (minimum): | - 0.6 hectares |
| 5.14.2 | LOT FRONTAGE (minimum): | - 35 metres |
| 5.14.3 | BUILDING SETBACK, FRONT (minimum): | - 6 metres |
| 5.14.4 | BUILDING SETBACKS, FLANK (minima): | |
| | (a) from a Provincial Highway | - 10 metres |
| | (b) from all other streets | - 6 metres |
| 5.14.5 | BUILDING SETBACKS, REAR (minima): | |
| | (a) main building | - 10 metres |
| | (b) accessory building | - 6 metres |
| 5.14.6 | BUILDING SETBACK, SIDE (minimum): | - 5 metres |
| 5.14.7 | BUILDING AND STRUCTURE LOCATIONS: | |
| | Notwithstanding Section 5.2, all buildings and structures, accessory buildings and structures, driveways, parking areas, swimming pools, tennis courts, septic tanks and septic tile fields shall only be located within the structure envelopes shown on Zone Map SE6. | |
| 5.14.8 | PARKING SPACE SETBACKS (minima): | |
| | (a) from any street line | - 6 metres |
| | (b) from all other lot lines | - 10 metres |

SECTION 5

RE-6 ZONE

5.14.9 DRIVEWAY SETBACK (minimum): - 2 metres

5.14.10 NATURAL AREA RESTRICTIONS:

Within any area shown as "NATURAL AREA" on Zone Map SE6, except for the construction, use and maintenance of golf course fairways, no person shall alter the surface of the land; or alter, disturb, destroy, remove, cut or trim any vegetation, whether living or dead; or alter, disturb, destroy or remove any wildlife habitat, whether in use or not.

SECTION 5**RE-7 ZONE****5.15 USES PERMITTED IN RE-7 ZONES (ADDED: 03 Oct 88)**

In any RE-7 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

5.15.1 RESIDENTIAL USES:

- a cluster house

5.15.2 NON-RESIDENTIAL USES:

- an accessory building

5.16 SPECIAL PROVISIONS FOR RE-7 ZONES (ADDED: 03 Oct 88)

In any RE-7 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 5.2 as modified by the following special provisions:

- 5.16.1 LOT FRONTAGE (minimum): - nil
- 5.16.2 DWELLING UNITS PER LOT (maximum): - 188
- 5.16.3 ACCESSORY BUILDINGS PER LOT (maximum): - 1 only
- 5.16.4 BUILDING SETBACK INTERPRETATION:
For the purposes of the RE-7 Zone, "front lot line" or "flank lot line" may be interpreted to mean any line dividing the building site from a private road or from a street, whichever the building setback context may require.
- 5.16.5 BUILDING SETBACKS (minima):
 - (a) all buildings from a street - 25 metres
 - (b) main building from a private road - 8 metres
 - (c) accessory building from a private road - 10 metres
- 5.16.6 BUILDING SEPARATION (minimum): - 15 metres
- 5.16.7 BUILDING HEIGHTS (maxima):
 - (a) main building - 9 metres
 - (b) accessory building - 4.5 metres
- 5.16.8 DWELLING UNIT AREA (minimum): - 75 square metres
- 5.16.9 FLOOR AREA (maximum):
 - (a) accessory building - 100 square metres
- 5.16.10 PARKING SPACES (minimum): - 1 for each dwelling unit plus 2 visitor spaces for each cluster house

SECTION 5**RE-7 ZONE****5.16.11 PARKING SPACE SETBACKS (minima):**

- (a) from any street line - 10 metres
- (b) from any private road - 6 metres

5.16.12 NATURAL AREA RESTRICTIONS:

Within any area shown as "NATURAL AREA" on Zone Map SE7, no person shall alter the surface of the land; or alter, disturb, destroy, remove, cut or trim any vegetation whether living or dead; or alter, disturb, destroy or remove any wildlife habitat, whether in use or not.

5.16.13 SITE PLAN REQUIREMENT:

All development of lands, buildings or structures in any RE-7 Zone shall be subject to a site plan approved pursuant to the provisions of Section 40 of the *Planning Act, 1983*.

SECTION 5**RE-8 ZONE****5.17 USES PERMITTED IN RE-8 ZONES (ADDED: 03 Oct 88)**

In any RE-8 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

5.17.1 RESIDENTIAL USES:

- a one-family house

5.17.2 NON-RESIDENTIAL USES:

- a home occupation
- a home profession
- a natural area

5.18 SPECIAL PROVISIONS FOR RE-8 ZONES (ADDED: 03 Oct 88)

In any RE-8 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 5.2 as modified by the following special provisions:

5.18.1 BUILDING SETBACK, FRONT (minimum): - 15 metres

5.18.2 BUILDING SETBACK, FLANK (minimum): - 15 metres

5.18.3 BUILDING AND STRUCTURE LOCATIONS:

Notwithstanding Section 5.2, all buildings and structures, accessory buildings and structures, driveways, parking areas, swimming pools, tennis courts, septic tanks and septic tile fields shall only be located within the structure envelopes shown on Zone Map SE8.

5.18.4 NATURAL AREA RESTRICTIONS:

Within any area shown as "NATURAL AREA" on Zone Map SE8, no person shall alter the surface of the land; or alter, disturb, destroy, remove, cut or trim any vegetation, whether living or dead; or alter, disturb, destroy or remove any wildlife habitat, whether in use or not.

SECTION 6. RURAL RESIDENTIAL (RR) ZONE**6.1 USES PERMITTED**

In any RR Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

6.1.1 RESIDENTIAL USES:

- a one-family house

6.1.2 NON-RESIDENTIAL USES:

- a home occupation
- a home profession

6.2 ZONE PROVISIONS (REVISED: 27 May 88 / 03 Oct 88)

In any RR Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

- | | |
|---|---|
| 6.2.1 LOT AREAS (minima): | |
| (a) unserviced lot | - 2,000 square metres |
| (b) partly serviced lot | - 1,390 square metres |
| 6.2.2 LOT FRONTAGES (minima): | |
| (a) unserviced lot | - 30 metres |
| (b) partly serviced lot | - 21 metres |
| 6.2.3 DWELLING UNITS PER LOT (maximum): | - 1 only |
| 6.2.4 BUILDING AREA (maximum): | - 25% |
| 6.2.5 BUILDING SETBACK, FRONT (minimum): | - 9 metres |
| 6.2.6 BUILDING SETBACK, FLANK (minimum): | - 9 metres |
| 6.2.7 BUILDING SETBACKS, REAR (minima): | |
| (a) main building | - 9 metres |
| (b) accessory building | - 1.5 metres |
| 6.2.8 BUILDING SETBACKS, SIDE (minima): | |
| (a) main building | - 3 metres
on driveway side;
1.5 metres on other side |
| (b) accessory building | - 1.5 metres |
| 6.2.9 BUILDING SEPARATION (minimum): | - 1.5 metres |
| 6.2.10 BUILDING HEIGHTS (maxima): | |
| (a) main building | - 10.5 metres |
| (b) accessory building | - 4.5 metres |

SECTION 6**RR ZONE**

- 6.2.11 DWELLING UNIT AREA (minimum):
 - 110 square metres
- 6.2.12 LANDSCAPING AREA (minimum):
 - 40%
- 6.2.13 DRIVEWAY SETBACK (minimum):
 - 0.5 metres
- 6.2.14 PARKING SPACES (minima):
 - (a) Residential uses
 - 2 for each dwelling unit
 - (b) Non-Residential uses
 - the greater of:
 - 2 per lot; or
 - 1 for each
 - 20 square metres
 - of net floor area
 - or portion thereof
- 6.2.15 PARKING SPACE LOCATION:

Except within a private garage or carport or on a driveway, no part of any parking space shall be located in any part of a front yard.
- 6.2.16 GENERAL PROVISIONS:

In addition to the above, the provisions of Section 3 shall apply.

SECTION 6**RR-1 ZONE****6.3 USES PERMITTED IN RR-1 ZONES (ADDED: 03 Oct 88)**

In any RR-1 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

6.3.1 RESIDENTIAL USES:

- a one-family house

6.3.2 NON-RESIDENTIAL USES:

- a home occupation
- a home profession
- a retail store in an accessory building

6.4 SPECIAL PROVISIONS FOR RR-1 ZONES (ADDED: 03 Oct 88)

In any RR-1 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 6.2 as modified by the following special provisions:

6.4.1 BUILDING SETBACKS, FLANK (minima):

- (a) main building - 5.8 metres
- (b) accessory building - 0.8 metres

6.4.2 DRIVEWAY SETBACK (minimum):

- 1.8 metres

6.4.3 PLANTING STRIP LOCATION:

A planting strip shall be required along all flank, side and rear lot lines.

6.4.4 PLANTING STRIP WIDTHS (minima):

- (a) along flank lot line - 3 metres
- (b) along side and rear lot lines - 0.3 metres

SECTION 6**RR-2 ZONE****6.5 USES PERMITTED IN RR-2 ZONES (ADDED: 03 Oct 88)**

In any RR-2 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

6.5.1 RESIDENTIAL USES:

- a one-family house
- a converted house
- a duplex

6.5.2 NON-RESIDENTIAL USES:

- a home profession

6.6 SPECIAL PROVISIONS FOR RR-2 ZONES (ADDED: 03 Oct 88)

In any RR-2 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 6.2 as modified by the following special provisions:

6.6.1 DWELLING UNIT AREAS (minima):

- | | |
|---------------------|--------------------|
| (a) converted house | - 55 square metres |
| (b) duplex | - 65 square metres |

SECTION 7. ONE-FAMILY RESIDENTIAL (R1) ZONE**7.1 USES PERMITTED**

In any R1 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

7.1.1 RESIDENTIAL USES:

- a one-family house

7.1.2 NON-RESIDENTIAL USES:

- a home occupation
- a home profession

7.2 ZONE PROVISIONS (REVISED: 27 May 88 / 03 Oct 88)

In any R1 Zone, no person shall use any lot or construct, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the following provisions:

- | | |
|--|--|
| 7.2.1 LOT AREA (minimum): | - 650 square metres |
| 7.2.2 LOT FRONTAGES (minima): | |
| (a) corner lot | - 18 metres |
| (b) other lots | - 15 metres |
| 7.2.3 DWELLING UNITS PER LOT (maximum): | - 1 only |
| 7.2.4 BUILDING AREA (maximum): | - 25% |
| 7.2.5 BUILDING SETBACK, FRONT (minimum): | - 9 metres |
| 7.2.6 BUILDING SETBACK, FLANK (minimum): | - 9 metres |
| 7.2.7 BUILDING SETBACKS, REAR (minima): | |
| (a) main building | - 7.5 metres |
| (b) accessory building | - 1 metre |
| 7.2.8 BUILDING SETBACKS, SIDE (minima): | |
| (a) main building with attached private garage or attached carport | - 1.5 metres |
| (b) other main building | - 3 metres on driveway side;
1.5 metres on other side |
| (c) accessory building | - 1.5 metres in side yard;
0.6 metres in rear yard |

SECTION 7

R1 ZONE

- 7.2.9 BUILDING SEPARATION (minimum): - 1.5 metres
- 7.2.10 BUILDING HEIGHTS (maxima):
(a) main building - 10.5 metres
(b) accessory building - 4.5 metres
- 7.2.11 DWELLING UNIT AREA (minimum): - 110 square metres
- 7.2.12 LANDSCAPING AREA (minimum): - 30%
- 7.2.13 DRIVEWAY SETBACK (minimum): - 0.5 metres
- 7.2.14 PARKING SPACES (minima):
(a) Residential uses - 2 for each dwelling unit
(b) Non-Residential uses - the greater of:
2 per lot; or
1 for each
20 square metres
of net floor area
or portion thereof
- 7.2.15 PARKING SPACE LOCATION:
Except within a private garage or carport or on a driveway, no part of any parking space shall be located in any part of a front yard.
- 7.2.16 ACCESSORY BUILDING LOCATION:
No part of any detached accessory building shall be located in any part of a front yard or flank yard.
- 7.2.17 GENERAL PROVISIONS:
In addition to the above, the provisions of Section 3 shall apply.

SECTION 7**R1-1 ZONE****7.3 USES PERMITTED IN R1-1 ZONES (ADDED: 03 Oct 88)**

In any R1-1 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

7.3.1 RESIDENTIAL USES:

- a one-family house

7.3.2 NON-RESIDENTIAL USES:

- a car restoration facility and related uses
- a home occupation
- a home profession

7.4 SPECIAL PROVISIONS FOR R1-1 ZONES (ADDED: 03 Oct 88)

In any R1-1 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 7.2 as modified by the following special provisions:

- | | |
|--|---------------------|
| 7.4.1 LOT AREA (minimum): | - 550 square metres |
| 7.4.2 BUILDING AREA (maximum): | - 30% |
| 7.4.3 BUILDING SETBACKS, FRONT (minima): | |
| (a) front wall of attached garage | - 7.5 metres |
| (b) front wall of main building | - 9 metres |
| 7.4.4 BUILDING SETBACK, FLANK (minimum): | - 7.5 metres |
| 7.4.5 BUILDING SETBACKS, REAR (minima): | |
| (a) main building | - 7.5 metres |
| (b) accessory building | - 1.2 metres |

SECTION 7**R1-2 ZONE****7.5 USES PERMITTED IN R1-2 ZONES (ADDED: 03 Oct 88)**

In any R1-2 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

7.5.1 RESIDENTIAL USES:

- a one-family house

7.5.2 NON-RESIDENTIAL USES:

- a business office
- a home occupation
- a home profession
- a parking lot
- a professional office

7.6 SPECIAL PROVISIONS FOR R1-2 ZONES (ADDED: 03 Oct 88)

In any R1-2 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 7.2 as modified by the following special provisions:

7.6.1 BUSINESS OR PROFESSIONAL OFFICE LOCATION:

Any business or professional office shall be located in an existing main building which was designed originally for Residential purposes.

7.6.2 BUSINESS OR PROFESSIONAL OFFICE SIZE:

The total floor area of all business or professional offices shall not exceed 40% of the total dwelling unit area of the existing Residential building.

SECTION 7

7.7 USES PERMITTED IN R1-3 ZONES (ADDED: 03 Oct 88)

In any R1-3 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

7.7.1 RESIDENTIAL USES:

- a one-family house

7.7.2 NON-RESIDENTIAL USES:

- a home occupation
- a home profession
- a professional office

7.8 SPECIAL PROVISIONS FOR R1-3 ZONES (ADDED: 03 Oct 88)

In any R1-3 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 7.2 as modified by the following special provisions:

7.8.1 PROFESSIONAL OFFICE LOCATION:

Any professional office shall be located in an existing main building which was originally designed for Residential purposes.

7.8.2 PROFESSIONAL OFFICE SIZE:

The total floor area of all professional offices shall not exceed the original total dwelling unit area of the existing Residential building.

SECTION 7**R1-4 ZONE****7.9 USES PERMITTED IN R1-4 ZONES (ADDED: 03 Oct 88)**

In any R1-4 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

7.9.1 RESIDENTIAL USES:

- a one-family house

7.9.2 NON-RESIDENTIAL USES:

- a home occupation
- a home profession
- a parking lot

7.10 SPECIAL PROVISIONS FOR R1-4 ZONES (ADDED: 03 Oct 88)

In any R1-4 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 7.2 as modified by the following special provisions:

7.10.1 PLANTING STRIP OR SCREENING LOCATION:

Where a lot is used for a parking lot, a planting strip or a solid fence shall be required along any portion of a lot line which abuts a residential use or is across a street from a residential use.

7.10.2 PLANTING STRIP WIDTH (minimum):

• 1.5 metres

7.10.3 SOLID FENCE HEIGHT (minimum):

• 1.5 metres

SECTION 8. TWO-FAMILY RESIDENTIAL (R2) ZONE**8.1 USES PERMITTED**

In any R2 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

8.1.1 RESIDENTIAL USES:

- a converted house
- a duplex
- a semi-detached house

8.1.2 NON-RESIDENTIAL USES:

- a home occupation
- a home profession

8.2 ZONE PROVISIONS (REVISED: 27 May 88 / 03 Oct 88)

In any R2 Zone, no person shall use any lot or construct, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the following provisions:

- | | |
|--|---------------------|
| 8.2.1 LOT AREAS (minima): | |
| (a) converted house or duplex | - 600 square metres |
| (b) semi-detached house | - 650 square metres |
| 8.2.2 LOT FRONTAGES (minima): | |
| (a) converted house or duplex on corner lot | - 21 metres |
| (b) converted house or duplex on interior lot or through lot | - 18 metres |
| (c) semi-detached house on corner lot | - 27 metres |
| (d) semi-detached house on interior lot or through lot | - 21 metres |
| 8.2.3 HOUSES PER LOT (maximum): | - 1 only |
| 8.2.4 BUILDING AREA (maximum): | - 35% |
| 8.2.5 BUILDING SETBACKS, FRONT (minima): | |
| (a) front wall of attached garage | - 7.5 metres |
| (b) front wall of main building | - 9 metres |
| 8.2.6 BUILDING SETBACK, FLANK (minimum): | - 7.5 metres |
| 8.2.7 BUILDING SETBACKS, REAR (minima): | |
| (a) main building | - 7.5 metres |
| (b) accessory building | - 1.2 metres |

SECTION 8

R2 ZONE

- 8.2.8 **BUILDING SETBACKS, SIDE (minima):**
- (a) converted house or duplex
 - 3 metres on driveway side;
1.5 metres on other side
 - (b) semi-detached house with attached private garages or attached carports
 - 1.5 metres
 - (c) semi-detached house without attached private garages or attached carports
 - 3 metres
 - (d) dual garage
 - nil
 - (e) other accessory building
 - 1.2 metres in side yard;
0.6 metres in rear yard
- 8.2.9 **BUILDING SEPARATION (minimum):**
 - 1.5 metres
- 8.2.10 **BUILDING HEIGHTS (maxima):**
- (a) main building
 - 10.5 metres
 - (b) accessory building
 - 4.5 metres
- 8.2.11 **DWELLING UNIT AREAS (minima):**
- (a) converted house
 - 74 square metres per dwelling unit
 - (b) duplex
 - 74 square metres per dwelling unit
 - (c) semi-detached house
 - 103 square metres per dwelling unit
- 8.2.12 **LANDSCAPING AREA (minimum):**
 - 30%
- 8.2.13 **DRIVEWAY SETBACKS (minima):**
- (a) from lot line bisecting dual garage
 - nil
 - (b) from other lot lines
 - 0.5 metres
- 8.2.14 **PARKING SPACES (minima):**
- (a) Residential uses
 - 2 for each dwelling unit
 - (b) Non-Residential uses
 - the greater of:
2 per lot; or
1 for each
20 square metres
of net floor area
or portion thereof
- 8.2.15 **PARKING SPACE LOCATION:**
Except within a private garage or carport or on a driveway, no part of any parking space shall be located in any part of a front yard.
- 8.2.16 **GENERAL PROVISIONS:**
In addition to the above, the provisions of Section 3 shall apply.

SECTION 9. TOWNHOUSE RESIDENTIAL (RT) ZONE**9.1 USES PERMITTED**

In any RT Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

9.1.1 RESIDENTIAL USES:

- a townhouse

9.1.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88)

- prohibited

9.2 ZONE PROVISIONS (REVISED: 11 Dec 87 / 27 May 88 / 03 Oct 88)

In any RT Zone, no person shall use any lot or construct, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the following provisions:

- | | |
|--|---|
| 9.2.1 LOT AREA (minimum): | - 220 square metres
per dwelling unit |
| 9.2.2 LOT FRONTAGES (minima): | |
| (a) townhouse on corner lot | - 6 metres plus 6 metres
per dwelling unit |
| (b) townhouse on interior lot or through lot | - 6 metres
per dwelling unit |
| 9.2.3 DWELLING UNITS PER HOUSE (maximum): | - 12 |
| 9.2.4 BUILDING AREA (maximum): | - 30% |
| 9.2.5 BUILDING SETBACKS, FRONT (minima): | |
| (a) front wall of attached garage | - 6 metres |
| (b) front wall of main building | - 7.5 metres |
| 9.2.6 BUILDING SETBACK, FLANK (minimum): | - 6 metres |
| 9.2.7 BUILDING SETBACKS, REAR (minima): | |
| (a) main building | - 7.5 metres |
| (b) accessory building | - 1.2 metres |
| 9.2.8 BUILDING SETBACKS, SIDE (minima): | |
| (a) main building | - 4.5 metres, |
| except that, where the lot abuts | |
| a lot containing a townhouse, | |
| the minimum side building setback shall be | - 1.8 metres |
| (b) accessory building | - 1.2 metres in side yard;
0.6 metres in rear yard |

SECTION 9

RT ZONE

- 9.2.9 BUILDING SEPARATIONS (minima):
- (a) between townhouses - 3.6 metres
 - (b) between townhouse and detached accessory building - 1.5 metres
 - (c) between detached accessory buildings - 1.5 metres
- 9.2.10 BUILDING HEIGHTS (maxima):
- (a) main building - 10.5 metres
 - (b) accessory building - 4.5 metres
- 9.2.11 DWELLING UNIT AREA (minimum): - 98 square metres per dwelling unit
- 9.2.12 LANDSCAPING AREA (minimum): - 30%
- 9.2.13 DRIVEWAY SETBACKS (minima):
- (a) from lot line bisecting dual garage - nil
 - (b) from other lot lines - 0.5 metres
- 9.2.14 PARKING SPACES (minima):
- (a) condominium townhouse - 2.3 for each dwelling unit
 - (b) freehold townhouse - 2 for each dwelling unit
- 9.2.15 PARKING SPACE LOCATION: (REVISED: 11 Dec 87)
Except within a private garage or carport or on a driveway or visitor parking lot, no part of any parking space shall be located in any part of a front yard.
- 9.2.16 GENERAL PROVISIONS:
In addition to the above, the provisions of Section 3 shall apply.

SECTION 9A. MIXED-DENSITY RESIDENTIAL (RMD) ZONE**9A.1 USES PERMITTED (ADDED: 03 Oct 88)**

In any RMD Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

9A.1.1 RESIDENTIAL USES:

- a one-family house
- a semi-detached house
- a townhouse

9A.1.2 NON-RESIDENTIAL USES:

- a home occupation accessory to a one-family house or a semi-detached house
- a home profession accessory to a one-family house or a semi-detached house

9A.2 ZONE PROVISIONS (ADDED: 03 Oct 88)

In any RMD Zone, no person shall use any lot or construct, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the following provisions:

9A.2.1 SCREENING PROVISIONS:

A wall or fence, not less than 2 metres high and constructed of solid, uniform material, shall be required along any lot line abutting a lot containing an auctioneer's facility.

9A.2.2 OTHER ZONE PROVISIONS:

- | | |
|--------------------------|--|
| (a) one-family house | - in accordance with the provisions of the R1 Zone |
| (b) semi-detached house | - in accordance with the provisions of the R2 Zone |
| (c) townhouse | - in accordance with the provisions of the RT Zone |
| (d) Non-Residential uses | - in accordance with the provisions of the R1 Zone |

9A.2.3 GENERAL PROVISIONS:

In addition to the above, the provisions of Section 3 shall apply.

SECTION 9A**RMD-1 ZONE****9A.3 USES PERMITTED IN RMD-1 ZONES (ADDED: 03 Oct 88)**

In any RMD-1 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

9A.3.1 RESIDENTIAL USES:

- a one-family house
- a semi-detached house
- a townhouse

9A.3.2 NON-RESIDENTIAL USES:

- an auctioneer's facility
- a home occupation accessory to a one-family house or a semi-detached house
- a home profession accessory to a one-family house or a semi-detached house
- an open storage area accessory to an auctioneer's facility

9A.4 SPECIAL PROVISIONS FOR RMD-1 ZONES (ADDED: 03 Oct 88)

In any RMD-1 Zone, no person shall use any lot or construct, alter or use any building or structure for Residential purposes except in accordance with the provisions of Section 9A.2 and no person shall use any lot or construct, alter or use any building or structure for Non-Residential purposes except in accordance with the following special provisions:

- | | | |
|--------|--------------------------------|----------------|
| 9A.4.1 | LOT AREA (minimum): | - 6.3 hectares |
| 9A.4.2 | LOT FRONTAGE (minimum): | - 255 metres |
| 9A.4.3 | BUILDING AREA (maximum): | - 10% |
| 9A.4.4 | BUILDING SETBACK (minimum): | - 15 metres |
| 9A.4.5 | BUILDING SEPARATION (minimum): | - 3 metres |
| 9A.4.6 | LANDSCAPING AREA (minimum): | - 10% |
| 9A.4.7 | PLANTING STRIP LOCATION: | |

A planting strip shall be required along any portion of a rear lot line and any portion of a side lot line which abut a Residential zone or which abut a lot containing a Residential use.

- 9A.4.8 Development may take place on partly serviced lots or unserviced lots.

SECTION 10. MULTIPLE-FAMILY RESIDENTIAL (RM) ZONE**10.1 USES PERMITTED**

In any RM Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

10.1.1 RESIDENTIAL USES:

- an apartment building

10.1.2 NON-RESIDENTIAL USES:

- prohibited

10.2 ZONE PROVISIONS (REVISED: 27 May 88 / 03 Oct 88)

In any RM Zone, no person shall use any lot or construct, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the following provisions:

- | | |
|---|--|
| 10.2.1 LOT AREA (minimum): | - 925 square metres
plus an additional
120 square metres
for each dwelling unit
in excess of 6 |
| 10.2.2 LOT FRONTAGE (minimum): | - 30 metres |
| 10.2.3 BUILDING AREA (maximum): | - 20% |
| 10.2.4 BUILDING SETBACK, FRONT (minimum): | - 9 metres |
| 10.2.5 BUILDING SETBACK, FLANK (minimum): | - 9 metres |
| 10.2.6 BUILDING SETBACKS, REAR (minima): | |
| (a) apartment building | - 7.5 metres |
| (b) accessory building | - 1.5 metres |
| 10.2.7 BUILDING SETBACKS, SIDE (minima): | |
| (a) apartment building | - 7.5 metres |
| (b) accessory building | - 1.5 metres |
| 10.2.8 BUILDING SEPARATIONS (minima): | |
| (a) between apartment buildings | - 10.5 metres |
| (b) between apartment building and
detached accessory building | - 1.5 metres |
| (c) between detached accessory buildings | - 1.5 metres |

SECTION 10

RM ZONE

- 10.2.9 BUILDING HEIGHTS (maxima):
- (a) apartment building of 7 or more dwelling units - 12.2 metres
 - (b) apartment building of 6 or less dwelling units - 10.5 metres
 - (c) accessory building - 4.5 metres
- 10.2.10 DWELLING UNIT AREAS (minima):
- (a) bachelor dwelling unit - 40 square metres
 - (b) 1-bedroom dwelling unit - 56 square metres
 - (c) 2-bedroom dwelling unit - 74 square metres
 - (d) 3-bedroom dwelling unit - 93 square metres
- 10.2.11 LANDSCAPING AREA (minimum): - 45%
- 10.2.12 PRIVACY YARDS (minimum):
- 1 for each habitable room window any portion of which is less than 2.5 metres above finished grade
- 10.2.13 PRIVACY YARD DEPTH (minimum): - 5 metres
- 10.2.14 PLAY FACILITIES (minimum):
- 1 for each lot with more than 10 dwelling units
- 10.2.15 PLAY FACILITY AREA (minimum): - 4%
- 10.2.16 PLAY FACILITY LOCATION:
- Play facilities shall only be permitted in a rear yard or side yard but not in any portion of a privacy yard.
- 10.2.17 DRIVEWAY SETBACK (minimum): - 0.5 metres
- 10.2.18 PARKING SPACES (minimum): - 2 for each dwelling unit
- 10.2.19 PARKING SPACE LOCATION:
- No part of any parking space shall be located closer to any street line than
- 6 metres
- 10.2.20 DELIVERY SPACES (minima):
- (a) apartment building of more than 10 dwelling units - 1 per lot
 - (b) other Residential uses - nil
- 10.2.21 GENERAL PROVISIONS:
- In addition to the above, the provisions of Section 3 shall apply.

SECTION 10**RM-X ZONE****10.3 USES PERMITTED IN RM-X ZONES (REVISED: 27 May 88)**

In any RM-X Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

10.3.1 RESIDENTIAL USES: (REVISED: 27 May 88)

- an apartment building
- a senior citizens apartment building

10.3.2 NON-RESIDENTIAL USES:

- prohibited

10.4 SPECIAL PROVISIONS FOR RM-X ZONES (REVISED: 27 May 88)

In any RM-X Zone, no person shall use any lot or construct, alter or use any building or structure unless such lot is served by a public water system and a Regional Health Department-approved sewage disposal system and except in accordance with the existing provisions of the existing buildings and structures on the lot.

10.5 USES PERMITTED IN RM-1 ZONES

In any RM-1 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

10.5.1 RESIDENTIAL USES:

- a senior citizens apartment building

10.5.2 NON-RESIDENTIAL USES:

- prohibited

10.6 SPECIAL PROVISIONS FOR RM-1 ZONES (REVISED: 27 May 88)

In any RM-1 Zone, no person shall use any lot or construct, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the existing provisions of the existing buildings and structures on the lot.

SECTION 10**RM-2 ZONE****10.7 USES PERMITTED IN RM-2 ZONES (ADDED: 03 Oct 88)**

In any RM-2 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

10.7.1 RESIDENTIAL USES:

- a senior citizens apartment building
- a townhouse

10.7.2 NON-RESIDENTIAL USES:

- a tuck shop

10.8 SPECIAL PROVISIONS FOR RM-2 ZONES (ADDED: 03 Oct 88)

In any RM-2 Zone, no person shall use any lot or construct, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the provisions of Section 10.2 as modified by the following special provisions:

- | | | |
|--------|---|-----------------------|
| 10.8.1 | LOT AREA (minimum): | - 5,400 square metres |
| 10.8.2 | LOT FRONTAGE (minimum): | - 21 metres |
| 10.8.3 | DWELLING UNITS PER LOT (maximum): | - 52 |
| 10.8.4 | BUILDING SETBACKS, FRONT (maxima): | |
| | (a) apartment building | - 6 metres |
| | (b) townhouse | - 9 metres |
| 10.8.5 | BUILDING SETBACKS, REAR (maxima): | |
| | (a) apartment building | - 6 metres |
| | (b) townhouse | - 5 metres |
| 10.8.6 | BUILDING SETBACKS, SIDE (maxima): | |
| | (a) apartment building | - 6 metres |
| | (b) townhouse | - 5 metres |
| 10.8.7 | BUILDING SEPARATIONS (minima): | |
| | (a) between apartment buildings | - 10.5 metres |
| | (b) between main building and detached accessory building | - 1.5 metres |
| | (c) between detached accessory buildings | - 1.5 metres |

SECTION 10

RM-2 ZONE

- 10.8.8 BUILDING HEIGHTS (maxima):
- (a) apartment building - 12.2 metres
 - (b) townhouse - 10.5 metres
 - (c) accessory building - 4.5 metres
- 10.8.9 DWELLING UNIT AREAS (minima):
- (a) bachelor dwelling unit - 40 square metres
 - (b) 1-bedroom dwelling unit - 46 square metres
 - (c) 2-bedroom dwelling unit - 68 square metres
- 10.8.10 PRIVACY YARDS:
No privacy yard shall be required on any lot containing 10 or fewer dwelling units.
- 10.8.11 PRIVACY YARD DEPTH (minimum): - 3.5 metres,
provided that, where the exterior wall of a dwelling unit contains a habitable room window any portion of which is less than 2.5 metres above finished grade, the minimum privacy yard depth shall be - 5 metres
- 10.8.12 ENTRANCES PER LOT (maximum): - 2
- 10.8.13 ENTRANCE SETBACK (minimum): - 9 metres
- 10.8.14 ENTRANCE SEPARATION (minimum): - 13.5 metres
- 10.8.15 ENTRANCE WIDTH (minimum): - 3 metres
- 10.8.16 PARKING SPACES (minimum): - 28

SECTION 11. INSTITUTIONAL (I) ZONE**11.1 USES PERMITTED**

In any I Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

11.1.1 RESIDENTIAL USES:

- an accessory dwelling unit
- an accessory house

11.1.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88 / 03 Oct 88)

- a church
- a day care centre
- a fraternal hall
- a hospital
- a museum
- a nursing home
- a parking lot
- a private school

11.2 ZONE PROVISIONS (REVISED: 27 May 88 / 03 Oct 88)

In any I Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

11.2.1 LOT AREAS (minima):

- | | |
|-------------------------|-----------------------|
| (a) fully serviced lot | - 460 square metres |
| (b) partly serviced lot | - 1,390 square metres |
| (c) unserviced lot | - 2,040 square metres |

11.2.2 LOT FRONTAGES (minima):

- | | |
|------------------------|-------------|
| (a) fully serviced lot | - 9 metres |
| (b) other lots | - 30 metres |

11.2.3 DWELLING UNITS PER LOT (maximum):

- 1 only

11.2.4 BUILDING AREA (maximum):

- 25%

11.2.5 BUILDING SETBACKS, FRONT (minima):

- | | |
|------------------------|------------|
| (a) fully serviced lot | - 3 metres |
| (b) other lots | - 9 metres |

11.2.6 BUILDING SETBACKS, FLANK (minima):

- | | |
|------------------------|------------|
| (a) fully serviced lot | - 3 metres |
| (b) other lots | - 9 metres |

SECTION 11

I ZONE

- 11.2.7 BUILDING SETBACKS, REAR (minima):
 (a) from a rear lot line abutting a Residential zone - 10.5 metres
 (b) from any other rear lot line - 7.5 metres
- 11.2.8 BUILDING SETBACKS, SIDE (minima):
 (a) fully serviced lot - nil,
 except that, where a side lot line
 abuts a Residential zone,
 the minimum side building setback shall be - 3 metres
 (b) other lots - 7.5 metres,
 except that, where a side lot line
 abuts a Residential zone,
 the minimum side building setback shall be - 10.5 metres
- 11.2.9 BUILDING SEPARATION (minimum): - 3 metres
- 11.2.10 BUILDING HEIGHT (maximum): - 10.5 metres
- 11.2.11 DWELLING UNIT AREAS (minima):
 (a) bachelor dwelling unit - 55 square metres
 (b) other dwelling units - 55 square metres
 plus an additional
 15 square metres
 for each bedroom
- 11.2.12 LANDSCAPING AREA (minimum): - 20%
- 11.2.13 PLANTING STRIP LOCATION:
 A planting strip shall be required along any portion of a rear lot line and any portion
 of a side lot line which abut a Residential zone.
- 11.2.14 PLANTING STRIP WIDTH (minimum): - 3 metres
- 11.2.15 DRIVEWAY SETBACKS (minima):
 (a) fully serviced lot - nil,
 except that, where a side lot line
 abuts a Residential zone,
 the minimum driveway setback shall be - 3 metres
 (b) other lots - 1.5 metres,
 except that, where a side lot line
 abuts a Residential zone,
 the minimum driveway setback shall be - 4.5 metres

SECTION 11

I ZONE

11.2.16 PARKING SPACES (minima):

- (a) Residential uses
- (b) church

- 1 for each dwelling unit
- the greater of:
1 for each 6 fixed seats
or fraction thereof; or

- (c) day care centre

- 1 for each
10 square metres
of net floor area
or portion thereof

- (d) fraternal hall

- 1 for each
30 square metres
of net floor area
or portion thereof
- the greater of:
1 for each 4 persons
of design capacity
or fraction thereof; or

- (e) hospital

- 1 for each
15 square metres
of net floor area
or portion thereof
- 1 for each 1.3 beds
or fraction thereof

- (f) museum

- 1 for each
45 square metres
of net floor area
or portion thereof

- (g) nursing home

- 1 for each 5 beds
or fraction thereof

- (h) parking lot

- nil

- (i) school (up to grade 8)

- 1.5 for each classroom

- (j) school (grades 9 through 13)

- 6 for each classroom

11.2.17 PARKING SPACE SETBACKS (minima):

- (a) from any street line
- (b) from any lot line which abuts a Residential zone

- 1.5 metres
- 4.5 metres

11.2.18 DELIVERY SPACES (minima):

- (a) Residential uses
- (b) church, day care centre or nursing home
- (c) fraternal hall or museum
- (d) hospital or school
- (e) parking lot

- nil
- 2 per lot
- 1 per lot
- 4 per lot
- nil

11.2.19 GENERAL PROVISIONS:

In addition to the above, the provisions of Section 3 shall apply.

SECTION 11**I-1 ZONE****11.3 USES PERMITTED IN I-1 ZONES**

In any I-1 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

11.3.1 RESIDENTIAL USES:

- an accessory dwelling unit
- an accessory house

11.3.2 NON-RESIDENTIAL USES:

- a nursing home
- a special care home

11.4 SPECIAL PROVISIONS FOR I-1 ZONES

In any I-1 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 11.2 as modified by the following special provisions:

11.4.1 PARKING SPACES (minimum):
(a) special care home

- 15

SECTION 11**11.5 USES PERMITTED IN I-2 ZONES (ADDED: 03 Oct 88)**

In any I-2 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

11.5.1 RESIDENTIAL USES:

- an accessory dwelling unit
- an accessory house

11.5.2 NON-RESIDENTIAL USES:

- an existing group home

11.6 SPECIAL PROVISIONS FOR I-2 ZONES (ADDED: 03 Oct 88)

In any I-2 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 11.2.

SECTION 11**I-3 ZONE****11.7 USES PERMITTED IN I-3 ZONES (ADDED: 03 Oct 88)**

In any I-3 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

11.7.1 RESIDENTIAL USES:

- a dwelling unit in a Non-Residential building

11.7.2 NON-RESIDENTIAL USES:

- a church
- a day care centre
- a museum
- a nursing home
- a parking lot
- a professional office

11.8 SPECIAL PROVISIONS FOR I-3 ZONES (ADDED: 03 Oct 88)

In any I-3 Zone, no person shall use any lot or construct, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the provisions of Section 11.2 as modified by the following special provisions:

11.8.1 PARKING SPACES (minima):
(a) professional office

- 1 for each
20 square metres
of net floor area
or portion thereof

SECTION 11

I-4 ZONE

11.9 USES PERMITTED IN I-4 ZONES (ADDED: 03 Oct 88)

In any I-4 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

11.9.1 RESIDENTIAL USES:

- an accessory dwelling unit
- an accessory house

11.9.2 NON-RESIDENTIAL USES:

- a day care centre
- a nursing home
- a special care home

11.10 SPECIAL PROVISIONS FOR I-4 ZONES (ADDED: 03 Oct 88)

In any I-4 Zone, no person shall use any lot or construct, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the provisions of Section 11.2 as modified by the following special provisions:

- | | | |
|---------|---|---------------|
| 11.10.1 | BUILDING AREA (maximum): | - 40% |
| 11.10.2 | BUILDING SETBACKS, REAR (minima): | |
| | (a) from a rear lot line abutting a Residential zone or
a lot containing a Residential use | - 10.5 metres |
| | (b) from any other rear lot line | - 5 metres |

SECTION 12. GENERAL COMMERCIAL (C) ZONE**12.1 USES PERMITTED**

In any C Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

12.1.1 RESIDENTIAL USES:

- a boarding house
- a dwelling unit in a Non-Residential building

12.1.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88 / 03 Oct 88)

- an auditorium
- a business office
- a clinic
- a club
- a commercial school
- a dining room restaurant
- a dry cleaning or laundry outlet
- a financial office
- a funeral home
- a hotel
- a laundromat
- a merchandise service shop
- a parking lot
- a personal service shop
- a professional office
- a recreational establishment
- a retail store
- a take-out restaurant

12.2 ZONE PROVISIONS (REVISED: 03 Oct 88)

In any C Zone, no person shall use any lot or construct, alter or use any building or structure unless such lot is a fully serviced lot or such building or structure is located on a fully serviced lot and except in accordance with the following provisions:

- | | | |
|--------|------------------------------------|----------------------------|
| 12.2.1 | LOT AREA (minimum): | - 275 square metres |
| 12.2.2 | LOT FRONTAGE (minimum): | - nil |
| 12.2.3 | DWELLING UNITS PER LOT (maximum): | - 3 for each establishment |
| 12.2.4 | BUILDING AREA (maximum): | - 75% |
| 12.2.5 | BUILDING SETBACK, FRONT (minimum): | - nil |
| 12.2.6 | BUILDING SETBACK, FLANK (minimum): | - nil |
| 12.2.7 | BUILDING SETBACK, REAR (minimum): | - 6 metres |

SECTION 12

C ZONE

- 12.2.8 BUILDING SETBACKS, SIDE (minima):
 (a) from a side lot line abutting a Residential zone - 1.5 metres
 (b) from any other side lot line - nil
- 12.2.9 BUILDING SEPARATION (minimum): - 0.5 metres
- 12.2.10 BUILDING HEIGHT (maximum): - 10.5 metres
- 12.2.11 DWELLING UNIT AREAS (minima):
 (a) boarding house - 30 square metres for each guest room
 (b) bachelor dwelling unit - 55 square metres
 (c) other dwelling units - 55 square metres plus an additional 15 square metres for each bedroom
- 12.2.12 GROSS FLOOR AREA (maximum):
 (a) retail store - 925 square metres
- 12.2.13 LANDSCAPING AREA (minimum): - nil
- 12.2.14 PLANTING STRIP LOCATION:
 A planting strip shall be required along any portion of a rear lot line and any portion of a side lot line which abut a Residential zone.
- 12.2.15 PLANTING STRIP WIDTHS (minima):
 (a) along side lot line - 1.5 metres
 (b) along rear lot line - 3 metres
- 12.2.16 DRIVEWAY SETBACKS (minima):
 (a) from a lot line abutting a Residential zone - 1.5 metres
 (b) from any other lot line - nil
- 12.2.17 PARKING SPACES (minima):
 (a) Residential uses - 2 for each dwelling unit plus 1 for each guest room
 (b) auditorium or recreational establishment - the greater of:
 1 for each 6 fixed seats or fraction thereof; or
 1 for each 10 square metres of net floor area or portion thereof

SECTION 12

C ZONE

12.2.17 PARKING SPACES (minima):

(c) clinic

- the greater of:
4 for each practitioner
or fraction thereof; or
1 for each
10 square metres
of net floor area
or portion thereof

(d) club

- the greater of:
1 for each 4 persons
of design capacity
or fraction thereof; or
1 for each
15 square metres
of net floor area
or portion thereof

(e) dining room restaurant

- the greater of:
1 for each 4 persons
of design capacity
of all dining rooms
or fraction thereof; or
1 for each
15 square metres
of net floor area
or portion thereof

(f) funeral home, office, retail store or service shop

- 1 for each
20 square metres
of net floor area
or portion thereof

(g) dry cleaning or laundry outlet or laundromat

- the greater of:
2 per establishment; or
1 for each
5 square metres
of net floor area
designed for use by
the general public

(h) hotel

- 1 per guest room
plus 1 for each
15 square metres
of net floor area
in all beverage rooms
and all dining rooms
plus 1 for each
30 square metres
of net floor area
in all meeting rooms

SECTION 12

C ZONE

12.2.17 PARKING SPACES (minima):

(i) take-out restaurant

- the greater of:
2 per establishment; or
1 for each
15 square metres
of net floor area
or portion thereof
- 1 for each
45 square metres
of net floor area
or portion thereof

(j) other Non-Residential uses

12.2.18 PARKING SPACE SETBACKS (minima):

(a) from any street line

- 1.5 metres

(b) from any lot line which abuts a Residential zone

- 4.5 metres

12.2.19 DELIVERY SPACES (minima):

(a) Residential uses

- nil

(b) auditorium, clinic or funeral home

- 2 per lot

(c) club, office or restaurant

- 1 per lot

(d) hotel

- 1 for each

20 guest rooms
or portion thereof

(e) other Non-Residential uses

- nil

12.2.20 LOADING SPACES (minima):

(a) Residential uses

- nil

(b) clinic, office, personal service shop or restaurant

- nil

(c) other Non-Residential uses

- 1 for each

2,800 square metres
of net floor area
or portion thereof
in excess of
280 square metres

12.2.21 GENERAL PROVISIONS:

In addition to the above, the provisions of Section 3 shall apply.

SECTION 12

C-1 ZONE

12.3 USES PERMITTED IN C-1 ZONES (REVISED: 03 Oct 88)

This special zone is reserved for future use.

12.4 SPECIAL PROVISIONS FOR C-1 ZONES (REVISED: 03 Oct 88)

This special zone is reserved for future use.

SECTION 12**C-2 ZONE****12.5 USES PERMITTED IN C-2 ZONES (ADDED: 03 Oct 88)**

This special zone is reserved for future use.

12.6 SPECIAL PROVISIONS FOR C-2 ZONES (ADDED: 03 Oct 88)

This special zone is reserved for future use.

SECTION 12

C-3 ZONE

12.7 USES PERMITTED IN C-3 ZONES (ADDED: 03 Oct 88)

This special zone is reserved for future use.

12.8 SPECIAL PROVISIONS FOR C-3 ZONES (ADDED: 03 Oct 88)

This special zone is reserved for future use.

SECTION 12**C-4 ZONE****12.9 USES PERMITTED IN C-4 ZONES**

In any C-4 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

12.9.1 RESIDENTIAL USES:

- prohibited

12.9.2 NON-RESIDENTIAL USES:

- an automobile service station
- a car wash
- a gasoline pump island
- a retail store

12.10 SPECIAL PROVISIONS FOR C-4 ZONES

In any C-4 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 15.2.

SECTION 13. PLAZA COMMERCIAL (CP) ZONE**13.1 USES PERMITTED**

In any CP Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except a shopping centre containing 1 or more of the following uses:

13.1.1 RESIDENTIAL USES:

- prohibited

13.1.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88 / 03 Oct 88)

- an auditorium
- a business office
- a clinic
- a club
- a commercial school
- a dry cleaning or laundry outlet
- a financial office
- a laundromat
- a merchandise service shop
- a parking lot
- a personal service shop
- a professional office
- a recreational establishment
- a restaurant
- a retail store

13.2 ZONE PROVISIONS (REVISED: 27 May 88)

In any CP Zone, no person shall use any lot or construct, alter or use any building or structure unless such lot is a fully serviced lot or such building or structure is located on a fully serviced lot and except in accordance with the following provisions:

- | | | |
|--------|--|----------------|
| 13.2.1 | LOT AREA (minimum): | - 0.8 hectares |
| 13.2.2 | LOT FRONTAGE (minimum): | - 30 metres |
| 13.2.3 | BUILDING AREA (maximum): | - 25% |
| 13.2.4 | BUILDING SETBACK, FRONT (minimum): | - 15 metres |
| 13.2.5 | BUILDING SETBACK, FLANK (minimum): | - 15 metres |
| 13.2.6 | BUILDING SETBACKS, REAR (minima): | |
| | (a) from a rear lot line abutting a Residential zone or a lot containing a Residential use | - 19.5 metres |
| | (b) from any other rear lot line | - 15 metres |

SECTION 13

CP ZONE

- 13.2.7 BUILDING SETBACKS, SIDE (minima):
(a) from a side lot line abutting a Residential zone or a lot containing a Residential use - 12 metres
(b) from any other side lot line - 7.5 metres
- 13.2.8 BUILDING SEPARATION (minimum): - 10.5 metres
- 13.2.9 BUILDING HEIGHT (maximum): - 10.5 metres
- 13.2.10 LANDSCAPING AREA (minimum): - 10%
- 13.2.11 PLANTING STRIP LOCATION:
A planting strip shall be required along any portion of a rear lot line and any portion of a side lot line which abut a Residential zone or which abut a lot containing a Residential use.
- 13.2.12 PLANTING STRIP WIDTH (minimum): - 4.5 metres
- 13.2.13 DRIVEWAY SETBACK (minimum): - 4.5 metres
- 13.2.14 PARKING SPACES (minimum):
- 1 for each
15 square metres
of gross leasable area
or portion thereof
- 13.2.15 PARKING SPACE SETBACKS (minima):
(a) from any street line - 1.5 metres
(b) from any lot line which abuts a Residential zone or abuts a lot containing a Residential use - 4.5 metres
- 13.2.16 LOADING SPACES (minimum):
- 1 for each
3,000 square metres
of gross leasable area
or portion thereof
in excess of
300 square metres
- 13.2.17 GENERAL PROVISIONS:
In addition to the above, the provisions of Section 3 shall apply.

SECTION 13**CP-1 ZONE****13.3 USES PERMITTED IN CP-1 ZONES**

In any CP-1 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except a shopping centre containing 1 or more of the following uses:

13.3.1 RESIDENTIAL USES:

- prohibited

13.3.2 NON-RESIDENTIAL USES: (REVISED: 03 Oct 88)

- an auditorium
- an automobile service station
- an automotive store
- a car wash
- a clinic
- a club
- a financial office
- a gasoline pump island
- a hotel
- a restaurant
- a retail store selling 1 or more of the following:
 - flooring
 - furniture
 - hardware
 - home improvement items
 - nursery stock
 - paints
 - sporting goods
 - wallcoverings

13.4 SPECIAL PROVISIONS FOR CP-1 ZONES

In any CP-1 Zone, no person shall use any lot or construct, alter or use any building or structure unless such lot is a fully serviced lot or such building or structure is located on a fully serviced lot and except in accordance with the provisions of Section 13.2 as modified by the following special provisions:

- | | | |
|--------|--------------------------|-------------|
| 13.4.1 | LOT FRONTAGE (minimum): | - 40 metres |
| 13.4.2 | BUILDING AREA (maximum): | - 30% |

SECTION 13

CP-1 ZONE

- 13.4.3 BUILDING SETBACKS, REAR (minima):
- (a) from a rear lot line abutting a Residential zone or a lot containing a Residential use - 10.5 metres
 - (b) from any other rear lot line - 7.5 metres
- 13.4.4 BUILDING SETBACKS, SIDE (minima):
- (a) from a side lot line abutting a Residential zone or a lot containing a Residential use - 10.5 metres
 - (b) from any other side lot line - 7.5 metres
- 13.4.5 PLANTING STRIP WIDTH (minimum): - 3 metres
- 13.4.6 PARKING SPACES (minima):
- (a) automobile service station or gasoline pump island - 10 per lot
 - (b) drive-in restaurant - the greater of:
10 per establishment; or
1 for each
2.5 square metres
of gross floor area
or portion thereof
 - (c) hotel - 1 per guest room
plus 1 for each
15 square metres
of net floor area
in all beverage rooms
and all dining rooms
plus 1 for each
30 square metres
of net floor area
in all meeting rooms
 - (d) other Non-Residential uses - 1 for each
15 square metres
of gross leasable area
or portion thereof
- 13.4.7 DELIVERY SPACES (minima):
- (a) drive-in restaurant - 1 per lot
 - (b) hotel - 1 for each
20 guest rooms
or portion thereof
 - (c) other Non-Residential uses - nil

SECTION 13

CP-1 ZONE

- 13.4.8 **LOADING SPACES (minima):**
- (a) drive-in restaurant - nil
 - (b) gasoline pump island - 1 per lot
 - (c) other Non-Residential uses - 1 for each 3,000 square metres of gross leasable area or portion thereof in excess of 300 square metres
- 13.4.9 **GASOLINE PUMP ISLAND SETBACKS (minima):**
- (a) from any lot line - 6 metres
 - (b) from any sight triangle - 3 metres
- 13.4.10 **VEHICLE WAITING LINES FOR CAR WASHES:**
Vehicle waiting lines shall be reserved for vehicles awaiting access to car wash facilities. Vehicle waiting lines and the area between the end of the washing bay and the street line shall be paved with a concrete or asphalt surface. Vehicle waiting lines shall be clearly marked on the paved surface.
- 13.4.11 **VEHICLE WAITING LINES:**
- (a) mechanical car wash (maximum) - 2
 - (b) self-service car wash (minimum) - 1 per washing bay
- 13.4.12 **VEHICLE WAITING SPACES (minima):**
- (a) mechanical car wash - 10
 - (b) self-service car wash - 5 per washing bay
- 13.4.13 **VEHICLE WAITING SPACE SIZES (minima):**
- (a) length - 6 metres
 - (b) width - 2.5 metres
 - (c) inside radius - 6 metres

SECTION 13**CP-2 ZONE****13.5 USES PERMITTED IN CP-2 ZONES**

In any CP-2 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

13.5.1 RESIDENTIAL USES:

- prohibited

13.5.2 NON-RESIDENTIAL USES: (REVISED: 03 Oct 88)

- an automotive store
- a gasoline pump island

13.6 SPECIAL PROVISIONS FOR CP-2 ZONES (REVISED: 03 Oct 88)

In any CP-2 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 13.2 as modified by the following special provisions:

13.6.1	LOT AREA (minimum):	- 1.5 hectares
13.6.2	LOT FRONTAGE (minimum):	- 75 metres
13.6.3	BUILDING SETBACK, FRONT (minimum):	- 30 metres
13.6.4	BUILDING SETBACK, FLANK (minimum):	- 21 metres
13.6.5	BUILDING SETBACK, REAR (minimum):	- 10.5 metres
13.6.6	BUILDING SETBACK, SIDE (minimum):	- 7.5 metres
13.6.7	ENTRANCES PER LOT (maximum):	- 3
13.6.8	ENTRANCE WIDTH (minimum):	- 3.5 metres
13.6.9	ENTRANCE WIDTH (maximum):	- 18 metres
13.6.10	DELIVERY SPACES (minimum):	- 2
13.6.11	GASOLINE PUMP ISLAND SETBACKS (minima):	
	(a) from any lot line	- 6 metres
	(b) from any sight triangle	- 3 metres

SECTION 13**CP-3 ZONE****13.7 USES PERMITTED IN CP-3 ZONES (ADDED: 03 Oct 88)**

In any CP-3 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

13.7.1 RESIDENTIAL USES:

- prohibited

13.7.2 NON-RESIDENTIAL USES:

- a professional office
- a restaurant

13.8 SPECIAL PROVISIONS FOR CP-3 ZONES (ADDED: 03 Oct 88)

In any CP-3 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 13.2.

SECTION 13

CP-4 ZONE

13.9 USES PERMITTED IN CP-4 ZONES (ADDED: 03 Oct 88)

In any CP-4 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except an enclosed shopping centre which shall contain a department store and may contain 1 or more of the following uses:

13.9.1 RESIDENTIAL USES:

- prohibited

13.9.2 NON-RESIDENTIAL USES:

- an auditorium
- a business office
- a financial office
- a merchandise service shop
- a parking lot
- a personal service shop
- a professional office
- a recreational establishment
- a restaurant
- a retail store

13.10 SPECIAL PROVISIONS FOR CP-4 ZONES (ADDED: 03 Oct 88)

In any CP-4 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 13.2 as modified by the following special provisions:

13.10.1 DEPARTMENT STORE DEFINITION:

For the purposes of this zone, "department store" means an establishment primarily engaged in retail sales in a general line of merchandise which shall include wearing apparel, furniture, appliances and home furnishings and may also include paint, hardware, toiletries, cosmetics, photographic equipment, jewellery, toys, sporting goods and similar items with no one line of merchandise representing more than 50% of total revenue and having a minimum gross floor area of 3,700 square metres.

13.10.2 SUPERMARKET DEFINITION:

For the purposes of this zone, "supermarket" means a retail establishment engaged in the business of selling groceries, meat, fruit and vegetables to the general public and having a minimum gross floor area of 600 square metres.

13.10.3 GROSS FLOOR AREA (maximum):

- (a) supermarket

- 650 square metres

SECTION 14. VILLAGE COMMERCIAL (CV) ZONE**14.1 USES PERMITTED**

In any CV Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

14.1.1 RESIDENTIAL USES:

- an accessory house
- a dwelling unit in a Non-Residential building

14.1.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88 / 03 Oct 88)

- an animal hospital
- an auditorium
- an automobile service station
- a business office
- a clinic
- a club
- a commercial garage
- a commercial school
- a dining room restaurant
- a dry cleaning or laundry outlet
- a financial office
- a funeral home
- a gasoline pump island
- a merchandise service shop
- a parking lot
- a personal service shop
- a professional office
- a recreational establishment
- a retail store
- a take-out restaurant
- a vehicle agency

14.2 ZONE PROVISIONS (REVISED: 03 Oct 88)

In any CV Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

- | | | |
|--------|------------------------------------|----------------------------|
| 14.2.1 | LOT AREA (minimum): | - 2,000 square metres |
| 14.2.2 | LOT FRONTAGE (minimum): | - 30 metres |
| 14.2.3 | DWELLING UNITS PER LOT (maximum): | - 1 for each establishment |
| 14.2.4 | BUILDING AREA (maximum): | - 25% |
| 14.2.5 | BUILDING SETBACK, FRONT (minimum): | - 9 metres |
| 14.2.6 | BUILDING SETBACK, FLANK (minimum): | - 9 metres |

SECTION 14

CV ZONE

- 14.2.7 BUILDING SETBACKS, REAR (minima):
 (a) from a rear lot line abutting a Residential zone - 10.5 metres
 (b) from any other rear lot line - 7.5 metres
- 14.2.8 BUILDING SETBACKS, SIDE (minima):
 (a) from a side lot line abutting a Residential zone - 4.5 metres
 (b) from any other side lot line - 3 metres
- 14.2.9 BUILDING SEPARATION (minimum): - 3 metres
- 14.2.10 BUILDING HEIGHT (maximum): - 10.5 metres
- 14.2.11 DWELLING UNIT AREAS (minima):
 (a) accessory house - 80 square metres
 (b) bachelor dwelling unit - 55 square metres
 (c) other dwelling units - 55 square metres plus an additional 15 square metres for each bedroom
- 14.2.12 GROSS FLOOR AREA (maximum):
 (a) retail store - 925 square metres
- 14.2.13 LANDSCAPING AREA (minimum): - 20%
- 14.2.14 PLANTING STRIP LOCATION:
 A planting strip shall be required along any portion of a rear lot line and any portion of a side lot line which abut a Residential zone.
- 14.2.15 PLANTING STRIP WIDTH (minimum): - 3 metres
- 14.2.16 DRIVEWAY SETBACKS (minima):
 (a) from a lot line abutting a Residential zone - 4.5 metres
 (b) from any other lot line - 1.5 metres
- 14.2.17 PARKING SPACES (minima):
 (a) Residential uses - 1 for each dwelling unit
 (b) animal hospital or clinic - the greater of:
 4 for each practitioner; or
 1 for each
 10 square metres
 of net floor area
 or portion thereof
 (c) auditorium or recreational establishment - the greater of:
 1 for each 6 fixed seats
 or fraction thereof; or
 1 for each
 10 square metres
 of net floor area
 or portion thereof

SECTION 14

CV ZONE

14.2.17 PARKING SPACES (minima):

- (d) automobile service station or commercial garage
- (e) club

- 10 per lot
- the greater of:
 - 1 for each 4 persons of design capacity or fraction thereof; or
 - 1 for each 15 square metres of net floor area or portion thereof

- (f) dining room restaurant

- the greater of:
 - 1 for each 4 persons of design capacity of all dining rooms or fraction thereof; or
 - 1 for each 15 square metres of net floor area or portion thereof

- (g) dry cleaning or laundry outlet

- the greater of:
 - 2 per establishment; or
 - 1 for each 5 square metres of net floor area designed for use by the general public

- (h) funeral home, office, retail store or service shop

- 1 for each 20 square metres of net floor area or portion thereof

- (i) take-out restaurant

- the greater of:
 - 2 per establishment; or
 - 1 for each 15 square metres of net floor area or portion thereof

- (j) vehicle agency

- 1 for each 5 square metres of net floor area or portion thereof

- (k) other Non-Residential uses

- 1 for each 45 square metres of net floor area or portion thereof

SECTION 14

CV ZONE

- 14.2.18 PARKING SPACE SETBACKS (minima):
- (a) from any street line - 1.5 metres
 - (b) from any lot line which abuts a Residential zone - 4.5 metres
- 14.2.19 DELIVERY SPACES (minima):
- (a) Residential uses - nil
 - (b) auditorium, clinic or funeral home - 2 per lot
 - (c) club, office or restaurant - 1 per lot
 - (d) other Non-Residential uses - nil
- 14.2.20 LOADING SPACES (minima):
- (a) Residential uses - nil
 - (b) clinic, office, personal service shop or restaurant - nil
 - (c) other Non-Residential uses - 1 for each
2,800 square metres
of net floor area
or portion thereof
in excess of
280 square metres
- 14.2.21 GASOLINE PUMP ISLAND SETBACKS (minima):
- (a) from any lot line - 4.5 metres
 - (b) from any sight triangle - 3 metres
- 14.2.22 GENERAL PROVISIONS:
In addition to the above, the provisions of Section 3 shall apply.

SECTION 14**CV-1 ZONE****14.3 USES PERMITTED IN CV-1 ZONES**

In any CV-1 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

14.3.1 RESIDENTIAL USES:

- an accessory house
- an accessory dwelling unit

14.3.2 NON-RESIDENTIAL USES:

- a lodge
- a parking lot
- a restaurant
- a stone mill converted to a restaurant, meeting facilities, guest rooms and retail stores
- a warehouse converted to a restaurant, meeting facilities and retail stores

14.4 SPECIAL PROVISIONS FOR CV-1 ZONES

In any CV-1 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2 as modified by the following special provisions:

- | | | |
|---------|---|---|
| 14.4.1 | LOT AREA (minimum): | - 2.5 hectares |
| 14.4.2 | LOT FRONTAGE (minimum): | - 20 metres |
| 14.4.3 | DWELLING UNITS (maximum): | - 3 |
| 14.4.4 | BUILDING AREA (maximum): | - 35% |
| 14.4.5 | BUILDING SETBACK, FRONT (minimum): | - 6 metres |
| 14.4.6 | BUILDING SETBACK, FLANK (minimum): | - 6 metres |
| 14.4.7 | BUILDING SEPARATION (minimum): | - 1.5 metres |
| 14.4.8 | BUILDING HEIGHT (maximum): | - 15.5 metres |
| 14.4.9 | BUILDING OPENING ELEVATIONS (minimum): | - 422.15 metres,
Canadian Geodetic Datum |
| 14.4.10 | DWELLING UNIT AREA (minimum): | - 55 square metres |
| 14.4.11 | NET FLOOR AREAS: | |
| | (a) guest rooms in lodge (minimum) | - 37 square metres |
| | (b) guest rooms in lodge (maximum) | - 56 square metres |
| | (c) restaurant, except for a restaurant in converted
stone mill or converted warehouse (minimum) | - 102 square metres |
| | (d) retail store in converted stone mill (maximum) | - 51.5 square metres |

SECTION 14**CV-1 ZONE**

- 14.4.12 **NUMBER OF GUEST ROOMS:**
- (a) in converted stone mill (maximum) - 24
 - (b) in lodge (minimum) - 16
 - (c) in lodge (maximum) - 20
- 14.4.13 **PARKING SPACES (minimum):** - 145
- 14.4.14 **PARKING SPACE LOCATION:**
- No part of any parking space shall be located
closer to any lot line than - 20 metres
- 14.4.15 **DELIVERY SPACES (minimum):** - 2

SECTION 14**CV-2 ZONE****14.5 USES PERMITTED IN CV-2 ZONES**

In any CV-2 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

14.5.1 RESIDENTIAL USES:

- prohibited

14.5.2 NON-RESIDENTIAL USES: (REVISED: 03 Oct 88)

- an auditorium
- an automobile service station
- a business office
- a clinic
- a club
- a commercial garage
- a financial office
- a merchandise service shop
- a parking lot
- a personal service shop
- a professional office
- a recreational establishment
- a retail store
- a storage building accessory to a CV-2 use
- a vehicle agency

14.6 SPECIAL PROVISIONS FOR CV-2 ZONES

In any CV-2 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2 as modified by the following special provisions:

- | | | |
|--------|---|--------------------|
| 14.6.1 | BUILDING SETBACK, FRONT (minimum): | - 3 metres |
| 14.6.2 | BUILDING SETBACK, FLANK (minimum): | - 3 metres |
| 14.6.3 | BUILDING SETBACKS, SIDE (minima): | |
| | (a) from a side lot line abutting a Commercial zone | - nil |
| | (b) from any other side lot line | - 2 metres |
| 14.6.4 | NET FLOOR AREAS (maxima): | |
| | (a) bakery | - 75 square metres |
| | (b) storage building | - 50 square metres |

SECTION 14

CV-2 ZONE

14.6.5 PARKING SPACES (minima):

(a) auditorium

(b) office

(c) other Non-Residential uses

- 1 for each 5 fixed seats or fraction thereof
- 1 for each 30 square metres of net floor area or portion thereof
- 1 for each 6 square metres of net floor area or portion thereof

SECTION 14**CV-3 ZONE****14.7 USES PERMITTED IN CV-3 ZONES**

In any CV-3 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

14.7.1 RESIDENTIAL USES:

- prohibited

14.7.2 NON-RESIDENTIAL USES: (REVISED: 03 Oct 88)

- an automobile service station
- a business office
- a clinic
- a club
- a commercial garage
- a farm implement sales and supply establishment
- a financial office
- a gasoline pump island
- an outside display or sales area accessory to a CV-3 use
- a parking lot
- a professional office
- a retail store
- a vehicle agency

14.8 SPECIAL PROVISIONS FOR CV-3 ZONES (REVISED: 03 Oct 88)

In any CV-3 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2 as modified by the following special provisions:

- | | | |
|--------|--|-----------------------|
| 14.8.1 | LOT AREA (minimum): | - 3,500 square metres |
| 14.8.2 | LOT FRONTAGE (minimum): | - 39 metres |
| 14.8.3 | BUILDING AREA (maximum): | - 30% |
| 14.8.4 | BUILDING SETBACKS, FRONT (minima): | |
| | (a) buildings | - 18 metres |
| | (b) gasoline pump island canopy | - 5 metres |
| 14.8.5 | BUILDING SETBACK, FLANK (minimum): | - 13.5 metres |
| 14.8.6 | BUILDING SETBACK, REAR (minimum): | - 7.5 metres |
| 14.8.7 | BUILDING SETBACK, SIDE (minimum): | - 6 metres |
| 14.8.8 | BUFFER LOCATION: | |
| | A planting strip or a solid fence, at least 1.5 metres high, shall be required along any portion of a rear lot line and any portion of a side lot line which abut a Residential zone or abut a lot containing a Residential use. | |

SECTION 14

CV-3 ZONE

14.8.9 PARKING SPACES (minima):

- (a) farm implement sales and supply establishment,
retail store or vehicle agency

- 1 for each
10 square metres
of net floor area
or portion thereof

14.8.10 PARKING SPACE SETBACKS (minima):

- (a) from any lot line which abuts a Residential zone
or a lot containing a Residential use
- (b) from any lot line which has a solid fence,
at least 1.5 metres high

- 4.5 metres

- nil

SECTION 14**CV-4 ZONE****14.9 USES PERMITTED IN CV-4 ZONES**

In any CV-4 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

14.9.1 RESIDENTIAL USES:

- an accessory dwelling unit

14.9.2 NON-RESIDENTIAL USES: (REVISED: 03 Oct 88)

- an auditorium
- an automobile service station
- a business office
- a clinic
- a commercial garage
- a dry cleaning or laundry outlet
- a financial office
- a funeral home
- a laundromat
- a merchandise service shop
- a parking lot
- a personal service shop
- a professional office
- a restaurant
- a retail store
- a vehicle agency

14.10 SPECIAL PROVISIONS FOR CV-4 ZONES

In any CV-4 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2 as modified by the following special provisions:

- | | | |
|---------|---|---------------|
| 14.10.1 | BUILDING SETBACK, FRONT (minimum): | - 13.4 metres |
| 14.10.2 | BUILDING SETBACK, REAR (minimum): | - 4 metres |

SECTION 14**CV-5 ZONE****14.11 USES PERMITTED IN CV-5 ZONES**

In any CV-5 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

14.11.1 RESIDENTIAL USES:

- an accessory dwelling unit

14.11.2 NON-RESIDENTIAL USES: (REVISED: 03 Oct 88)

- an auditorium
- an automobile service station
- a business office
- a commercial garage
- a financial office
- a merchandise service shop
- a parking lot
- a personal service shop
- a professional office
- a retail store
- a take-out restaurant
- a vehicle agency

14.12 SPECIAL PROVISIONS FOR CV-5 ZONES

In any CV-5 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2 as modified by the following special provisions:

- | | | |
|---------|---|-------------|
| 14.12.1 | DWELLING UNITS PER LOT (maximum): | - 1 only |
| 14.12.2 | BUILDING SETBACKS, FRONT (minima): | |
| | (a) existing lots | - nil |
| | (b) other lots | - 21 metres |
| 14.12.3 | PARKING SPACES (minimum): | - 10 |

SECTION 14**CV-6 ZONE****14.13 USES PERMITTED IN CV-6 ZONES**

In any CV-6 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

14.13.1 RESIDENTIAL USES:

- prohibited

14.13.2 NON-RESIDENTIAL USES: (REVISED: 03 Oct 88)

- an automobile service station
- a car wash
- a commercial garage
- a gasoline pump island
- a restaurant
- a retail store

14.14 SPECIAL PROVISIONS FOR CV-6 ZONES (REVISED: 03 Oct 88)

In any CV-6 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2 as modified by the following special provisions:

- | | | |
|---------|--|-----------------------|
| 14.14.1 | LOT AREA (minimum): | - 1,390 square metres |
| 14.14.2 | LOT FRONTAGE (minimum): | - 21 metres |
| 14.14.3 | BUILDING AREA (maximum): | - 50% |
| 14.14.4 | BUILDING SETBACK, FRONT (minimum): | - 7.5 metres |
| 14.14.5 | BUILDING SETBACK, FLANK (minimum): | - 7.5 metres |
| 14.14.6 | BUILDING SETBACKS, SIDE (minima): | |
| | (a) from a side lot line abutting a Residential zone | - 10.5 metres |
| | (b) from any other side lot line | - 7.5 metres |
| 14.14.7 | RESTAURANT SIZE (maximum): | - 110 seat capacity |
| 14.14.8 | PLANTING STRIP LOCATION: | |
| | A planting strip shall be required along any portion of a front lot line and flank lot line which abut a Provincial Highway and along any portion of a side lot line which abuts a Residential zone or which abuts a lot containing a Residential use. | |
| 14.14.9 | PLANTING STRIP WIDTHS (minima): | |
| | (a) along a front lot line or flank lot line | - 1.5 metres |
| | (b) along a side lot line | - 3 metres |

SECTION 14

CV-7 ZONE

14.15 USES PERMITTED IN CV-7 ZONES

In any CV-7 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

14.15.1 RESIDENTIAL USES:

- a dwelling unit in a Non-Residential building

14.15.2 NON-RESIDENTIAL USES: (REVISED: 03 Oct 88)

- a business office
- a commercial school
- a financial office
- a merchandise service shop
- a parking lot
- a personal service shop (but excluding a beauty salon)
- a professional office
- a retail store

14.16 SPECIAL PROVISIONS FOR CV-7 ZONES (REVISED: 03 Oct 88)

In any CV-7 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2 as modified by the following special provisions:

14.16.1	LOT AREA (minimum):	- 1,390 square metres
14.16.2	LOT FRONTAGE (minimum):	- 21 metres
14.16.3	BUILDING AREA (maximum):	- 50%
14.16.4	BUILDING SETBACK, FRONT (minimum):	- 7.5 metres
14.16.5	BUILDING SETBACK, FLANK (minimum):	- 7.5 metres
14.16.6	BUILDING SETBACK, REAR (minimum):	- 1 metre

SECTION 14

CV-8 ZONE

14.17 USES PERMITTED IN CV-8 ZONES

In any CV-8 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

14.17.1 RESIDENTIAL USES:

- a dwelling unit in a Non-Residential building

14.17.2 NON-RESIDENTIAL USES: (REVISED: 03 Oct 88)

- an automobile service station
- a business office
- a dry cleaning or laundry outlet
- a financial office
- a gasoline pump island
- a merchandise service shop
- a parking lot
- a personal service shop
- a professional office
- a retail store

14.18 SPECIAL PROVISIONS FOR CV-8 ZONES (REVISED: 03 Oct 88)

In any CV-8 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2 as modified by the following special provisions:

14.18.1	LOT AREA (minimum):	- 1,390 square metres
14.18.2	LOT FRONTAGE (minimum):	- 21 metres
14.18.3	BUILDING AREA (maximum):	- 50%
14.18.4	BUILDING SETBACK, FRONT (minimum):	- 7.5 metres
14.18.5	BUILDING SETBACK, FLANK (minimum):	- 7.5 metres
14.18.6	BUILDING SETBACKS, SIDE (minima):	
	(a) main building, north side	- 7.5 metres
	(b) main building, south side	- 6.8 metres
	(c) accessory building, north side	- 3.8 metres

SECTION 14

CV-9 ZONE

14.19 USES PERMITTED IN CV-9 ZONES

In any CV-9 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

14.19.1 RESIDENTIAL USES:

- prohibited

14.19.2 NON-RESIDENTIAL USES: (REVISED: 03 Oct 88)

- an auditorium
- a business office
- a commercial school
- a dry cleaning or laundry outlet
- a financial office
- a merchandise service shop
- a parking lot
- a personal service shop (but excluding a beauty salon)
- a professional office
- a recreational establishment
- a retail store
- a take-out restaurant

14.20 SPECIAL PROVISIONS FOR CV-9 ZONES (REVISED: 03 Oct 88)

In any CV-9 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2 as modified by the following special provisions:

- | | | |
|---------|--------------------------|-----------------------|
| 14.20.1 | LOT AREA (minimum): | - 1,625 square metres |
| 14.20.2 | BUILDING AREA (maximum): | - 30% |

SECTION 14**CV-10 ZONE****14.21 USES PERMITTED IN CV-10 ZONES**

In any CV-10 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

14.21.1 RESIDENTIAL USES:

- an accessory house

14.21.2 NON-RESIDENTIAL USES: (REVISED: 03 Oct 88)

- a business office
- a financial office
- a merchandise service shop
- a personal service shop
- a professional office
- a retail store

14.22 SPECIAL PROVISIONS FOR CV-10 ZONES

In any CV-10 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2 as modified by the following special provisions:

- | | | |
|----------|---|----------------------------|
| 14.22.1 | LOT AREA (minimum): | - 1,040 square metres |
| 14.22.2 | LOT FRONTAGE (minimum): | - 18 metres |
| 14.22.3 | DWELLING UNITS PER LOT (maximum): | - 1 only |
| 14.22.4 | BUILDING SETBACK, FRONT (minimum): | - 18.3 metres |
| 14.22.5 | BUILDING SETBACK, FLANK (minimum): | - 0.4 metres |
| 14.22.6 | BUILDING SETBACK, REAR (minimum): | - 5.8 metres |
| 14.22.7 | BUILDING SETBACK, SIDE (minimum): | - 1.5 metres |
| 14.22.8 | BUILDING SEPARATION (minimum): | - 4.5 metres |
| 14.22.9 | DWELLING UNIT AREA (minimum): | - 110 square metres |
| 14.22.10 | HOUSE LOCATION:
An accessory house may be located behind the Non-Residential building on the lot. | |
| 14.22.11 | BUFFER LOCATION:
A planting strip or solid wood fence shall be required along any portion of a rear lot line and any portion of a side lot line which abut a Residential zone. | |
| 14.22.12 | PARKING SPACES (minima): | |
| | (a) Residential uses | - 1 for each dwelling unit |
| | (b) Non-Residential uses | - 4 |

SECTION 14

CV-11 ZONE

14.23 USES PERMITTED IN CV-11 ZONES (ADDED: 03 Oct 88)

In any CV-11 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

14.23.1 RESIDENTIAL USES:

- an accessory house

14.23.2 NON-RESIDENTIAL USES:

- a business office
- a dry cleaning or laundry outlet
- a financial office
- a funeral home
- a merchandise service shop
- a parking lot
- a professional office
- a restaurant
- a retail store

14.24 SPECIAL PROVISIONS FOR CV-11 ZONES (ADDED: 03 Oct 88)

In any CV-11 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2 as modified by the following special provisions:

- | | | |
|---------|--|---|
| 14.24.1 | BUILDING AREA (maximum): | - 1,390 square metres |
| 14.24.2 | BUILDING SETBACK, FRONT (minimum): | - nil |
| 14.24.3 | BUILDING SETBACK, FLANK (minimum): | - 1.5 metres |
| 14.24.4 | BUILDING SETBACK, REAR (minimum): | - 19 metres |
| 14.24.5 | BUILDING SETBACK, SIDE (minimum): | - 20 metres |
| 14.24.6 | PARKING SPACES (minimum): | - 105 |
| 14.24.7 | PARKING SPACE SETBACKS (minima): | |
| | (a) from any street line | - 0.3 metres |
| | (b) from any lot line which abuts a Residential zone or abuts a lot containing a Residential use | - 1 metre |
| 14.24.8 | LOADING SPACES (minima): | |
| | (a) Residential uses | - nil |
| | (b) dry cleaning or laundry outlet, merchandise service shop or office | - nil |
| | (c) other Non-Residential uses | - in accordance with Section 14.2.19(c) |

SECTION 14

CV-12 ZONE

14.25 USES PERMITTED IN CV-12 ZONES (ADDED: 03 Oct 88)

This special zone is reserved for future use.

14.26 SPECIAL PROVISIONS FOR CV-12 ZONES (ADDED: 03 Oct 88)

This special zone is reserved for future use.

SECTION 14

CV-13 ZONE

14.27 USES PERMITTED IN CV-13 ZONES (ADDED: 03 Oct 88)

In any CV-13 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

14.27.1 RESIDENTIAL USES:

- a dwelling unit in a Non-Residential building

14.27.2 NON-RESIDENTIAL USES:

- a gift boutique

14.28 SPECIAL PROVISIONS FOR CV-13 ZONES (ADDED: 03 Oct 88)

In any CV-13 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2 as modified by the following special provisions:

- | | | |
|----------|--|---|
| 14.28.1 | LOT AREA (minimum): | - 275 square metres |
| 14.28.2 | LOT FRONTAGE (minimum): | - nil |
| 14.28.3 | DWELLING UNITS PER LOT (maximum): | - 1 only |
| 14.28.4 | BUILDING AREA (maximum): | - 75% |
| 14.28.5 | BUILDING SETBACK, FRONT (minimum): | - nil |
| 14.28.6 | BUILDING SETBACK, FLANK (minimum): | - nil |
| 14.28.7 | BUILDING SETBACK, REAR (minimum): | - 6 metres |
| 14.28.8 | BUILDING SETBACKS, SIDE (minima): | |
| | (a) from a side lot line abutting a Residential zone | - 1.5 metres |
| | (b) from any other side lot line | - nil |
| 14.28.9 | BUILDING SEPARATION (minimum): | - 0.5 metres |
| 14.28.10 | PARKING SPACES (minimum): | |
| | (a) gift boutique | - 1 for each
45 square metres
of net floor area
or portion thereof |

SECTION 14**CV-14 ZONE****14.29 USES PERMITTED IN CV-14 ZONES (ADDED: 03 Oct 88)**

In any CV-14 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

14.29.1 RESIDENTIAL USES:

- an accessory house
- a dwelling unit in a Non-Residential building

14.29.2 NON-RESIDENTIAL USES:

- an animal hospital
- an auditorium
- a business office
- a clinic
- a club
- a commercial school
- a dining room restaurant
- a dry cleaning or laundry outlet
- a financial office
- a funeral home
- a laundromat
- a merchandise service shop
- a parking lot
- a personal service shop
- a professional office
- a recreational establishment
- a retail store
- a take-out restaurant

14.30 SPECIAL PROVISIONS FOR CV-14 ZONES (ADDED: 03 Oct 88)

In any CV-14 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2.

SECTION 14**CV-15 ZONE****14.31 USES PERMITTED IN CV-15 ZONES (ADDED: 03 Oct 88)**

In any CV-15 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

14.31.1 RESIDENTIAL USES:

- a dwelling unit in a Non-Residential building

14.31.2 NON-RESIDENTIAL USES:

- a professional office
- a retail store

14.32 SPECIAL PROVISIONS FOR CV-15 ZONES (ADDED: 03 Oct 88)

In any CV-15 Zone, no person shall use any lot or construct, alter or use any building or structure unless such lot is served by a Regional Health Department-approved water system and sewage disposal system and except in accordance with the existing provisions of Section 14.2 as modified by the following special provisions:

14.32.1 LOCATION OF PERMITTED USES:

All permitted uses shall be located in existing buildings or structures.

14.32.2 DWELLING UNITS PER LOT (maximum): - 3**14.32.3 NON-RESIDENTIAL USES PER LOT (maximum): - 2****14.32.4 FENCING REQUIREMENT:**

Where the lot abuts a railway right-of-way, a chain link fence shall be constructed along such lot line with a minimum height of 1.8 metres.

SECTION 14**CV-16 ZONE****14.33 USES PERMITTED IN CV-16 ZONES (ADDED: 03 Oct 88)**

In any CV-16 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except an existing house and driveway converted to 1 or more of the following uses:

14.33.1 RESIDENTIAL USES:

- a one-family house

14.33.2 NON-RESIDENTIAL USES:

- a business office accessory to a CV-16 use
- a conference room
- a dining room and serving kitchen
- a guest room
- a retail store to serve the convenience and gift needs of the patrons of the facilities in the CV-1 and CV-16 Zones

14.34 SPECIAL PROVISIONS FOR CV-16 ZONES (ADDED: 03 Oct 88)

In any CV-16 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2 as modified by the following special provisions:

- | | | |
|---------|--|---------------|
| 14.34.1 | DWELLING UNITS PER LOT (maximum): | - 1 only |
| 14.34.2 | RETAIL STORES PER LOT (maximum): | - 1 only |
| 14.34.3 | GUEST ROOMS (maximum): | - 10 |
| 14.34.4 | BUILDING SETBACKS, REAR (minima): | |
| | (a) existing driveway | - nil |
| | (b) other buildings | - 9 metres |
| 14.34.5 | NET FLOOR AREA (maximum): | |
| | (a) retail store | - 46.5 metres |
| 14.34.6 | PARKING SPACE LOCATION: | |
| | Parking spaces shall be permitted only in front of the building adjacent to John Street. | |

SECTION 14

14.35 USES PERMITTED IN CV-17 ZONES (ADDED: 03 Oct 88)

In any CV-17 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

14.35.1 RESIDENTIAL USES:

- a dwelling unit in a Non-Residential building

14.35.2 NON-RESIDENTIAL USES:

- an auditorium
- a business office
- a club
- a commercial school
- a dry cleaning or laundry outlet
- a financial office
- a merchandise service shop
- a parking lot
- a personal service shop
- a professional office
- a retail store

14.36 SPECIAL PROVISIONS FOR CV-17 ZONES (ADDED: 03 Oct 88)

In any CV-17 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2 as modified by the following special provisions:

- | | | |
|---------|--|-----------------------|
| 14.36.1 | LOT AREA (minimum): | - 1,390 square metres |
| 14.36.2 | LOT FRONTAGE (minimum): | - 21 metres |
| 14.36.3 | BUILDING AREA (maximum): | - 50% |
| 14.36.4 | BUILDING SETBACK, FRONT (minimum): | - 7.5 metres |
| 14.36.5 | BUILDING SETBACK, FLANK (minimum): | - 7.5 metres |
| 14.36.6 | BUILDING SETBACKS, SIDE (minima): | |
| | (a) from a side lot line abutting a Residential zone | - 10.5 metres |
| | (b) from any other side lot line | - 7.5 metres |
| 14.36.7 | DWELLING UNIT AREA (minimum): | - 65 square metres |
| 14.36.8 | DWELLING UNIT LOCATION: | |
| | No part of any dwelling unit shall be located in any part of a building, except on the second storey of a 2-storey building or to the rear of the Non-Residential use. | |

SECTION 14

14.37 USES PERMITTED IN CV-18 ZONES (ADDED: 03 Oct 88)

In any CV-18 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

14.37.1 RESIDENTIAL USES:

- an accessory dwelling unit

14.37.2 NON-RESIDENTIAL USES:

- an auditorium
- a business office
- a clinic
- a commercial school
- a financial office
- a funeral home
- a merchandise service shop
- a parking lot
- a professional office
- a retail store

14.38 SPECIAL PROVISIONS FOR CV-18 ZONES (ADDED: 03 Oct 88)

In any CV-18 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2 as modified by the following special provisions:

- | | | |
|---------|------------------------------------|-----------------------|
| 14.38.1 | LOT AREA (minimum): | - 1,000 square metres |
| 14.38.2 | LOT FRONTAGE (minimum): | - 25 metres |
| 14.38.3 | BUILDING SETBACK, FRONT (minimum): | - 2.3 metres |
| 14.38.4 | BUILDING SETBACK, FLANK (minimum): | - 2.5 metres |

SECTION 14**CV-19 ZONE****14.39 USES PERMITTED IN CV-19 ZONES (ADDED: 03 Oct 88)**

In any CV-19 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

14.39.1 RESIDENTIAL USES:

- prohibited

14.39.2 NON-RESIDENTIAL USES:

- a guest room
- an inn
- a restaurant

14.40 SPECIAL PROVISIONS FOR CV-19 ZONES (ADDED: 03 Oct 88)

In any CV-19 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2.

SECTION 14**CV-20 ZONE****14.41 USES PERMITTED IN CV-20 ZONES (ADDED: 03 Oct 88)**

In any CV-20 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

14.41.1 RESIDENTIAL USES:

- a dwelling unit in a Non-Residential building

14.41.2 NON-RESIDENTIAL USES:

- a beauty parlour
- a clothing store

14.42 SPECIAL PROVISIONS FOR CV-20 ZONES (ADDED: 03 Oct 88)

In any CV-20 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2 as modified by the following special provisions:

- | | | |
|---------|--|-----|
| 14.42.1 | DWELLING UNITS PER LOT (maximum): | - 2 |
| 14.42.2 | NON-RESIDENTIAL ESTABLISHMENTS
PER LOT (maximum): | - 2 |

SECTION 15. HIGHWAY COMMERCIAL (CH) ZONE**15.1 USES PERMITTED**

In any CH Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

15.1.1 RESIDENTIAL USES: (REVISED: 03 Oct 88)

- an accessory house
- a dwelling unit in a Non-Residential building

15.1.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88 / 03 Oct 88)

- an animal hospital
- an auditorium
- an automobile service station
- a clinic
- a club
- a commercial garage
- a gasoline pump island
- a motel
- an open air farmers' market
- an open storage area accessory to a CH use
- an outside display or sales area accessory to a CH use
- a parking lot
- a recreational establishment
- a restaurant
- a retail store
- a vehicle agency

15.2 ZONE PROVISIONS (REVISED: 03 Oct 88)

In any CH Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

15.2.1 LOT AREAS (minima):

- | | |
|---------------------------------------|-----------------------|
| (a) automobile service station | - 2,000 square metres |
| (b) motel | - 2,750 square metres |
| (c) other uses on unserviced lot | - 2,040 square metres |
| (d) other uses on partly serviced lot | - 1,390 square metres |
| (e) other uses on fully serviced lot | - 460 square metres |

15.2.2 LOT FRONTAGES (minima):

- | | |
|---|-------------|
| (a) automobile service station or motel | - 40 metres |
| (b) other uses on fully serviced lot | - 9 metres |
| (c) other uses on any other lot | - 30 metres |

SECTION 15

CH ZONE

- 15.2.3 DWELLING UNITS PER LOT (maximum): - 1 only
- 15.2.4 BUILDING AREA (maximum): - 30%
- 15.2.5 BUILDING SETBACK, FRONT (minimum): - 18 metres
- 15.2.6 BUILDING SETBACK, FLANK (minimum): - 18 metres
- 15.2.7 BUILDING SETBACKS, REAR (minima):
 - (a) from a rear lot line abutting a Residential zone or a lot containing a Residential use - 10.5 metres
 - (b) from any other rear lot line - 7.5 metres
- 15.2.8 BUILDING SETBACKS, SIDE (minima):
 - (a) from a side lot line abutting a Residential zone or a lot containing a Residential use - 10.5 metres
 - (b) from any other side lot line - 7.5 metres
- 15.2.9 BUILDING SEPARATIONS (minima):
 - (a) between tourist establishment buildings - 10.5 metres
 - (b) between other buildings - 3 metres
- 15.2.10 BUILDING HEIGHT (maximum): - 10.5 metres
- 15.2.11 DWELLING UNIT AREAS (minima):
 - (a) accessory house - 80 square metres
 - (b) bachelor dwelling unit - 55 square metres
 - (c) other dwelling units - 55 square metres plus an additional 15 square metres for each bedroom
- 15.2.12 GROSS FLOOR AREA (maximum):
 - (a) retail store - 925 square metres
- 15.2.13 LANDSCAPING AREA (minimum): - 20%
- 15.2.14 PLANTING STRIP LOCATION:

A planting strip shall be required along any portion of a rear lot line and any portion of a side lot line which abut a Residential zone or which abut a lot containing a Residential use.
- 15.2.15 PLANTING STRIP WIDTH (minimum): - 3 metres
- 15.2.16 DRIVEWAY SETBACKS (minima):
 - (a) from a lot line abutting a Residential zone or abutting a lot containing a Residential use - 4.5 metres
 - (b) from any other lot line - 1.5 metres

SECTION 15

15.2.17 PARKING SPACES (minima):

- (a) Residential uses
- (b) animal hospital or clinic

- (c) auditorium or recreational establishment

- (d) automobile service station, commercial garage or gasoline pump island
- (e) club

- (f) dining room restaurant

- (g) drive-in restaurant

- (h) drive-thru restaurant

- 1 for each dwelling unit
- the greater of:
 - 4 for each practitioner; or
 - 1 for each 10 square metres of net floor area or portion thereof
- the greater of:
 - 1 for each 6 fixed seats or fraction thereof; or
 - 1 for each 10 square metres of net floor area or portion thereof
- 10 per lot
- the greater of:
 - 1 for each 4 persons of design capacity or fraction thereof; or
 - 1 for each 15 square metres of net floor area or portion thereof
- the greater of:
 - 1 for each 4 persons of design capacity of all dining rooms or fraction thereof; or
 - 1 for each 15 square metres of net floor area or portion thereof
- the greater of:
 - 10 per establishment; or
 - 1 for each 2.5 square metres of gross floor area or portion thereof
- the greater of:
 - 10 per establishment; or
 - 1 for each 6 square metres of gross floor area or portion thereof

SECTION 15

CH ZONE

15.2.17 PARKING SPACES (minima):

(i) motel

- 1 per guest room plus 1 for each 15 square metres of net floor area in all beverage rooms and all dining rooms plus 1 for each 30 square metres of net floor area in all meeting rooms

(j) office or retail store

- 1 for each 20 square metres of net floor area or portion thereof

(k) take-out restaurant

- the greater of:
2 per establishment; or
1 for each 15 square metres of net floor area or portion thereof

(l) vehicle agency

- 1 for each 5 square metres of net floor area or portion thereof

(m) other Non-Residential uses

- 1 for each 45 square metres of net floor area or portion thereof

15.2.18 PARKING SPACE SETBACKS (minima):

(a) from any street line

- 1.5 metres

(b) from any lot line which abuts a Residential zone or abuts a lot containing a Residential use

- 4.5 metres

15.2.19 DELIVERY SPACES (minima):

(a) Residential uses

- nil

(b) auditorium or clinic

- 2 per lot

(c) club, office or restaurant

- 1 per lot

(d) motel

- 1 for each 20 guest rooms or portion thereof

(e) other Non-Residential uses

- nil

SECTION 15

15.2.20 LOADING SPACES (minima):

- (a) Residential uses
- (b) clinic, office or restaurant
- (c) other Non-Residential uses

- nil
- nil
- 1 for each
2,800 square metres
of net floor area
or portion thereof
in excess of
280 square metres

15.2.21 GASOLINE PUMP ISLAND SETBACKS (minima):

- (a) from any lot line
- (b) from any sight triangle

- 6 metres
- 3 metres

15.2.22 OPEN STORAGE AREA REGULATIONS:

Except for an open storage area accessory to a vehicle agency, no open storage area shall be located:

- (a) in a front yard, side yard or flank yard; or
- (b) closer than 7.5 metres to a rear lot line; or
- (c) in a rear yard adjacent to a rear lot line of such lot which abuts a Residential zone or abuts a lot containing a Residential use unless that open storage area is enclosed by a wall or fence not less than 2 metres in height and constructed of uniform material; or
- (d) closer than 6 metres to any lot line if combustible materials are stored there.

15.2.23 OUTSIDE DISPLAY OR SALES AREA REGULATIONS:

No outside display or sales area shall be permitted in:

- (a) a rear yard adjacent to a rear lot line of such lot which abuts a Residential zone or abuts a lot containing a Residential use; or
- (b) a side yard adjacent to a side lot line of such lot which abuts a Residential zone or abuts a lot containing a Residential use.

15.2.24 GENERAL PROVISIONS:

In addition to the above, the provisions of Section 3 shall apply.

SECTION 15**CH-1 ZONE****15.3 USES PERMITTED IN CH-1 ZONES**

In any CH-1 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

15.3.1 RESIDENTIAL USES:

- a one-family house

15.3.2 NON-RESIDENTIAL USES:

- a dairy bar

15.4 SPECIAL PROVISIONS FOR CH-1 ZONES

In any CH-1 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 15.2.

SECTION 15**CH-2 ZONE****15.5 USES PERMITTED IN CH-2 ZONES**

In any CH-2 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

15.5.1 RESIDENTIAL USES:

- prohibited

15.5.2 NON-RESIDENTIAL USES:

- a secondhand shop

15.6 SPECIAL PROVISIONS FOR CH-2 ZONES

In any CH-2 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 15.2.

SECTION 15**CH-3 ZONE****15.7 USES PERMITTED IN CH-3 ZONES**

In any CH-3 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

15.7.1 RESIDENTIAL USES:

- an accessory house

15.7.2 NON-RESIDENTIAL USES:

- an art gallery

15.8 SPECIAL PROVISIONS FOR CH-3 ZONES

In any CH-3 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 15.2.

SECTION 15**CH-4 ZONE****15.9 USES PERMITTED IN CH-4 ZONES**

In any CH-4 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

15.9.1 RESIDENTIAL USES:

- prohibited

15.9.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88 / 03 Oct 88)

- a dining room restaurant
- a motel

15.10 SPECIAL PROVISIONS FOR CH-4 ZONES (REVISED: 03 Oct 88)

In any CH-4 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 15.2 as modified by the following special provisions:

15.10.1 LOT AREAS (minima):

- | | |
|----------------------------|-----------------------|
| (a) dining room restaurant | - 2 hectares |
| (b) motel | - 2,750 square metres |

15.10.2 GROSS FLOOR AREAS (maxima):

- | | |
|------------------------|----------------------|
| (a) main building | - 837 square metres |
| (b) accessory building | - 37.5 square metres |

15.10.3 PARKING SPACES (minimum):

- 100

15.10.4 PARKING SPACES (maximum):

- 120

SECTION 15**CH-5 ZONE****15.11 USES PERMITTED IN CH-5 ZONES**

In any CH-5 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

15.11.1 RESIDENTIAL USES: (REVISED: 03 Oct 88)

- an accessory house
- a cottage

15.11.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88 / 03 Oct 88)

- a beverage room
- a dance pavillion
- a restaurant

15.12 SPECIAL PROVISIONS FOR CH-5 ZONES (REV: 27 May 88 / 03 Oct 88)

In any CH-5 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 15.2 as modified by the following special provisions:

15.12.1 DWELLING UNITS PER LOT (maximum): - 5

SECTION 15**CH-6 ZONE****15.13 USES PERMITTED IN CH-6 ZONES**

In any CH-6 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

15.13.1 RESIDENTIAL USES:

- prohibited

15.13.2 NON-RESIDENTIAL USES:

- shops for the assembly, distribution and repair of and showrooms for the display and sale of:
 - boats
 - camping equipment
 - Christmas tree ornaments
 - garden nursery stock
 - lawn and garden furniture
 - power garden equipment
 - snowmobiles

15.14 SPECIAL PROVISIONS FOR CH-6 ZONES

In any CH-6 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 15.2.

SECTION 15**CH-7 ZONE****15.15 USES PERMITTED IN CH-7 ZONES (ADDED: 27 May 88)**

In any CH-7 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

15.15.1 RESIDENTIAL USES:

- prohibited

15.15.2 NON-RESIDENTIAL USES:

- a business office
- a clinic
- a commercial school
- a day care centre
- a professional office
- a retail store

15.16 SPECIAL PROVISIONS FOR CH-7 ZONES (ADDED: 27 May 88)

In any CH-7 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 15.2.

SECTION 15**CH-8 ZONE****15.17 USES PERMITTED IN CH-8 ZONES**

In any CH-8 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

15.17.1 RESIDENTIAL USES:

- an accessory dwelling unit in a motel

15.17.2 NON-RESIDENTIAL USES:

- an animal hospital
- an auditorium
- an automobile service station
- a body shop accessory to a vehicle agency
- a clinic
- a club
- a commercial garage
- a drive-in restaurant
- a farm implement sales and supply establishment
- a gasoline pump island
- a motel
- an open storage area accessory to a CH-8 use
- a restaurant
- a vehicle agency

15.18 SPECIAL PROVISIONS FOR CH-8 ZONES

In any CH-8 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 15.2 as modified by the following special provisions:

15.18.1 BUILDING SETBACKS, FLANK (minima):

- (a) existing buildings - 3 metres
- (b) new buildings - 18 metres

15.18.2 ENTRANCE SEPARATION (minimum):

- 14 metres

SECTION 15

CH-9 ZONE

15.19 USES PERMITTED IN CH-9 ZONES

In any CH-9 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

15.19.1 RESIDENTIAL USES:

- an accessory dwelling unit

15.19.2 NON-RESIDENTIAL USES:

- a furniture manufacturing shop
- a gasoline pump island
- a restaurant

15.20 SPECIAL PROVISIONS FOR CH-9 ZONES

In any CH-9 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 15.2 as modified by the following special provisions:

15.20.1 GROSS FLOOR AREA (maximum):

- (a) workshop and showroom - 450 square metres

15.20.2 PARKING SPACES (minima):

- (a) Residential uses - 1 for each dwelling unit
- (b) furniture manufacturing shop - 1 for each 30 square metres of net floor area or portion thereof
- (c) restaurant - the greater of:
 - 1 for each 4 persons of design capacity of all dining rooms or fraction thereof; or
 - 1 for each 15 square metres of net floor area or portion thereof

SECTION 15

CH-10 ZONE

15.21 USES PERMITTED IN CH-10 ZONES (ADDED: 03 Oct 88)

In any CH-10 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

15.21.1 RESIDENTIAL USES:

- prohibited

15.21.2 NON-RESIDENTIAL USES:

- an open storage area accessory to a CH-10 use
- an outside display or sales area accessory to a CH-10 use
- a retail store

15.22 SPECIAL PROVISIONS FOR CH-10 ZONES (ADDED: 03 Oct 88)

In any CH-10 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 15.2 as modified by the following special provisions:

15.22.1 PARKING SPACES (minimum):

- 1 for each
40 square metres
of gross floor area
or portion thereof

15.22.2 PARKING SPACE SETBACKS (minima):

- (a) from any street line - 1.5 metres
- (b) from any lot line which abuts a Residential zone
or abuts a lot containing a Residential use - 3 metres

SECTION 15**CH-11 ZONE****15.23 USES PERMITTED IN CH-11 ZONES (ADDED: 03 Oct 88)**

In any CH-11 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

15.23.1 RESIDENTIAL USES:

- prohibited

15.23.2 NON-RESIDENTIAL USES:

- an animal hospital
- a clinic
- a parking lot
- a retail store

15.24 SPECIAL PROVISIONS FOR CH-11 ZONES (ADDED: 03 Oct 88)

In any CH-11 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 15.2 as modified by the following special provisions:

- | | | |
|---------|---|--|
| 15.24.1 | BUILDING SETBACK, FRONT (minimum): | - 11 metres |
| 15.24.2 | BUILDING SETBACKS, REAR (minima): | |
| | (a) from a lot line abutting a Residential zone
or a lot containing a Residential use | - 10.5 metres |
| | (b) from any other rear lot line | - 5 metres |
| 15.24.3 | BUILDING SETBACKS, SIDE (minima): | |
| | (a) from a side lot line abutting a Residential zone
or a lot containing a Residential use | - 10.5 metres |
| | (b) from any other side lot line | - 3 metres on 1 side;
4 metres on other side |
| 15.24.4 | PARKING SPACES (minima): | |
| | (a) retail store | - 1 for each
25 square metres
of net floor area
or portion thereof. |
| | (b) other uses | - in accordance with
Section 15.2.16 |

SECTION 16. TOURIST CAMP COMMERCIAL (CT) ZONE**16.1 USES PERMITTED**

In any CT Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

16.1.1 RESIDENTIAL USES:

- an accessory house
- an accessory dwelling unit

16.1.2 NON-RESIDENTIAL USES: (REVISED: 03 Oct 88)

- a tourist camp

16.2 ZONE PROVISIONS (REVISED: 03 Oct 88)

In any CT Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

- | | | |
|---------|---|-----------------------|
| 16.2.1 | LOT AREA (minimum): | - 8,000 square metres |
| 16.2.2 | LOT FRONTAGE (minimum): | - 45 metres |
| 16.2.3 | DWELLING UNITS PER LOT (maximum): | - 1 only |
| 16.2.4 | TOURIST VEHICLES PER LOT (maximum): | - 80 |
| 16.2.5 | BUILDING AREA (maximum): | - 25% |
| 16.2.6 | BUILDING SETBACKS (minimum): | - 9 metres |
| 16.2.7 | BUILDING SEPARATIONS (minima): | |
| | (a) between tourist vehicles | - 6 metres |
| | (b) between tourist vehicle and management office | - 9 metres |
| | (c) between tourist vehicle and recreation building | - 12 metres |
| | (d) between main building and detached accessory building | - 2 metres |
| | (e) between detached accessory buildings | - 1 metre |
| 16.2.8 | BUILDING HEIGHTS (maxima): | |
| | (a) main building or accessory house | - 10.5 metres |
| | (b) any other accessory building | - 4.5 metres |
| 16.2.9 | DWELLING UNIT AREA (minimum): | - 110 square metres |
| 16.2.10 | GROSS FLOOR AREA (maximum): | |
| | (a) tourist vehicle | - 30 square metres |
| 16.2.11 | LANDSCAPING AREA (minimum): | - 30% |

SECTION 16

CT ZONE

- 16.2.12 PLAY FACILITY AREA (minimum): - 4%
- 16.2.13 PLAY FACILITY LOCATION:
No part of any play facility shall be located
closer to any lot line than - 6 metres
- 16.2.14 PLANTING STRIP LOCATION:
A planting strip shall be required along every lot line except that no planting strip shall
be required for a length of 15 metres along a front lot line between a tourist camp
management office and a street.
- 16.2.15 PLANTING STRIP WIDTH (minimum): - 6 metres
- 16.2.16 DRIVEWAY SETBACK (minimum): - 6 metres
- 16.2.17 PARKING SPACES (minima):
- (a) Residential uses - 1 for each dwelling unit
 - (b) management office - 5 for each
 - (c) recreation building - 2 for each
 - (d) tourist vehicle - 1 for each
- 16.2.18 PARKING SPACE LOCATION:
No part of any parking space shall be located
closer to any lot line than - 6 metres
- 16.2.19 DELIVERY SPACES (minima):
- (a) Residential uses - nil
 - (b) management office - 1 for each
 - (c) recreation building - 1 for each
 - (d) other Non-Residential uses - nil
- 16.2.20 GENERAL PROVISIONS:
In addition to the above, the provisions of Section 3 shall apply.

SECTION 17. PRESTIGE INDUSTRIAL (MP) ZONE**17.1 USES PERMITTED**

In any MP Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

17.1.1 RESIDENTIAL USES:

- prohibited

17.1.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88 / 03 Oct 88)

- an assembly plant
- an auditorium
- a business office
- a club
- a commercial school
- a dining room restaurant
- an equipment storage building
- a factory outlet
- a financial office
- a maintenance garage
- a manufacturing plant
- a merchandise service shop
- a printing plant
- a private gasoline pump island
- a processing plant
- a take-out restaurant
- a warehouse

17.2 ZONE PROVISIONS (REVISED: 27 May 88 / 03 Oct 88)

In any MP Zone, no person shall use any lot or construct, alter or use any building or structure unless such lot is a fully serviced lot or such building or structure is located on a fully serviced lot and except in accordance with the following provisions:

- | | | |
|--------|---|---------------------|
| 17.2.1 | LOT AREA (minimum): | - 925 square metres |
| 17.2.2 | LOT FRONTAGE (minimum): | - 30 metres |
| 17.2.3 | BUILDING AREA (maximum): | - 50% |
| 17.2.4 | BUILDING SETBACKS, FRONT (minima): | |
| | (a) from a front lot line abutting a Residential zone | - 20 metres |
| | (b) from a front lot line abutting a Provincial Highway | - 14 metres |
| | (c) from any other front lot line | - 9 metres |

SECTION 17

MP ZONE

- 17.2.5 **BUILDING SETBACKS, FLANK (minima):**
- (a) from a flank lot line abutting a Residential zone - 15 metres
 - (b) from a flank lot line abutting a Provincial Highway - 14 metres
 - (c) from any other flank lot line - 7.5 metres
- 17.2.6 **BUILDING SETBACKS, REAR (minima):**
- (a) from a rear lot line abutting a Residential zone - 15 metres
 - (b) from a rear lot line abutting a Provincial Highway - 14 metres
 - (c) from any other rear lot line - 7.5 metres
- 17.2.7 **BUILDING SETBACKS, SIDE (minima):**
- (a) from a side lot line abutting a Residential zone or a lot containing a Residential use - 15 metres
 - (b) from any other side lot line - 3 metres on one side
6 metres on other side
- 17.2.8 **BUILDING SETBACK EXEMPTION:**
Notwithstanding any building setback provisions to the contrary, no building setback shall be required from any portion of a lot line which abuts a railroad right-of-way.
- 17.2.9 **BUILDING SEPARATION (minimum):** - 3 metres
- 17.2.10 **BUILDING HEIGHT (maximum):** - 12.2 metres
- 17.2.11 **NET FLOOR AREA (maximum):**
- (a) factory outlet - 20% of the net floor area of the industrial use to which it is accessory
- 17.2.12 **LANDSCAPING AREA (minimum):** - 15%
- 17.2.13 **PLANTING STRIP LOCATION:**
A planting strip shall be required along any portion of a rear lot line and any portion of a side lot line which abut a Residential zone.
- 17.2.14 **PLANTING STRIP WIDTH (minimum):** - 6 metres
- 17.2.15 **DRIVEWAY SETBACKS (minima):**
- (a) from a lot line abutting a Residential zone - 4.5 metres
 - (b) from any other lot line - 1.5 metres
- 17.2.16 **PARKING SPACES (minima):**
- (a) auditorium - the greater of:
1 for each 6 fixed seats or fraction thereof; or
1 for each 10 square metres of net floor area or portion thereof

SECTION 17

17.2.16 PARKING SPACES (minima):

(b) club

- the greater of:
1 for each 4 persons
of design capacity
or fraction thereof; or
1 for each
15 square metres
of net floor area
or portion thereof

(c) dining room restaurant

- the greater of:
1 for each 4 persons
of design capacity
of all dining rooms
or fraction thereof; or
1 for each
15 square metres
of net floor area
or portion thereof

(d) office or service shop

- 1 for each
20 square metres
of net floor area
or portion thereof

(e) take-out restaurant

- the greater of:
2 per establishment; or
1 for each
15 square metres
of net floor area
or portion thereof

(f) other Non-Residential uses

- 1 for each
45 square metres
of net floor area
or portion thereof

17.2.17 PARKING SPACE SETBACKS (minima):

- (a) from any front lot line
- (b) from any other lot line

- 6 metres
- 3 metres

SECTION 17

17.2.18 DELIVERY SPACES (minima):

- (a) auditorium - 2 per lot
- (b) club, office or restaurant - 1 per lot
- (c) other Non-Residential uses - nil

17.2.19 LOADING SPACES (minima):

- (a) office or restaurant - nil
- (b) other Non-Residential uses having a building with a gross floor area of less than 420 square metres - nil
- (c) other Non-Residential uses having a building with a gross floor area of 420 square metres or more
 - 1 for the first 2,325 square metres of gross floor area or portion thereof;
 - plus 1 for the second 2,325 square metres of gross floor area or portion thereof;
 - plus 1 for each other 4,650 square metres of gross floor area or portion thereof

17.2.20 GENERAL PROVISIONS:

In addition to the above, the provisions of Section 3 shall apply.

SECTION 17**MP-1 ZONE****17.3 USES PERMITTED IN MP-1 ZONES (ADDED: 03 Oct 88)**

In any MP-1 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

17.3.1 RESIDENTIAL USES:

- prohibited

17.3.2 NON-RESIDENTIAL USES:

- a business office
- a dry cleaning or laundry plant
- an equipment storage building
- a factory outlet
- a light assembly plant
- a maintenance garage
- a merchandise service shop
- a parking lot
- a professional office
- a warehouse

17.4 SPECIAL PROVISIONS FOR MP-1 ZONES (ADDED: 03 Oct 88)

In any MP-1 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 17.2 as modified by the following special provisions:

- 17.4.1 LOT AREA (minimum): - 0.4 hectares
- 17.4.2 LOT FRONTAGE (minimum): - 50 metres
- 17.4.3 BUILDING AREA (maximum): - 10%
- 17.4.4 BUILDING SETBACKS (minima):
 - (a) from a front lot line abutting a Residential zone or a lot containing a Residential use - 20 metres
 - (b) from any other lot line - 15 metres
- 17.4.5 BUILDING SETBACK EXEMPTION:

Notwithstanding any building setback provisions to the contrary, no building setback shall be required from any portion of a lot line which abuts a railroad right-of-way.
- 17.4.6 Development may take place on partly serviced lots or unserviced lots.

SECTION 17**MP-2 ZONE****17.5 USES PERMITTED IN MP-2 ZONES (ADDED: 03 Oct 88)**

In any MP-2 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

17.5.1 RESIDENTIAL USES:

- prohibited

17.5.2 NON-RESIDENTIAL USES:

- a business office
- a dry cleaning or laundry plant
- an equipment storage building
- a factory outlet
- a light assembly plant
- a maintenance garage
- a merchandise service shop
- a parking lot
- a professional office
- a warehouse

17.6 SPECIAL PROVISIONS FOR MP-2 ZONES (ADDED: 03 Oct 88)

In any MP-2 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 17.2 as modified by the following special provisions:

- | | | |
|--------|--|---------------------|
| 17.6.1 | LOT AREA (minimum): | - 925 square metres |
| 17.6.2 | LOT FRONTAGE (minimum): | - 30 metres |
| 17.6.3 | BUILDING AREA (maximum): | - 50% |
| 17.6.4 | BUILDING SETBACKS, FRONT (minima): | |
| | (a) from a front lot line abutting a Residential zone or a lot containing a Residential use | - 20 metres |
| | (b) from any other front lot line | - 9 metres |
| 17.6.5 | BUILDING SETBACK EXEMPTION: | |
| | Notwithstanding any building setback provisions to the contrary, no building setback shall be required from any portion of a lot line which abuts a railroad right-of-way. | |

SECTION 18. SERVICED INDUSTRIAL (MS) ZONE**18.1 USES PERMITTED**

In any MS Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

18.1.1 RESIDENTIAL USES:

- prohibited

18.1.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88 / 03 Oct 88)

- an assembly plant
- a body shop
- a bulk storage tank
- a commercial garage
- a contractors yard
- a dry cleaning or laundry plant
- an equipment storage building
- a factory outlet
- a maintenance garage
- a manufacturing plant
- a merchandise service shop
- an open storage area accessory to a Non-Residential building
- an outside display or sales area accessory to a Non-Residential building
- a printing plant
- a private gasoline pump island
- a processing plant
- a truck terminal
- a warehouse

18.2 ZONE PROVISIONS (REVISED: 27 May 88)

In any MS Zone, no person shall use any lot or construct, alter or use any building or structure unless such lot is a fully serviced lot or such building or structure is located on a fully serviced lot and except in accordance with the following provisions:

- | | | |
|--------|---|---------------------|
| 18.2.1 | LOT AREA (minimum): | - 925 square metres |
| 18.2.2 | LOT FRONTAGE (minimum): | - 30 metres |
| 18.2.3 | BUILDING AREA (maximum): | - 50% |
| 18.2.4 | BUILDING SETBACKS, FRONT (minima): | |
| | (a) from a front lot line abutting a Residential zone or a lot containing a Residential use | - 20 metres |
| | (b) from any other front lot line | - 9 metres |

SECTION 18

- 18.2.5 BUILDING SETBACKS, FLANK (minima):
(a) from a flank lot line abutting a Residential zone or a lot containing a Residential use - 15 metres
(b) from any other flank lot line - 7.5 metres
- 18.2.6 BUILDING SETBACKS, REAR (minima):
(a) from a rear lot line abutting a Residential zone or a lot containing a Residential use - 15 metres
(b) from any other rear lot line - 7.5 metres
- 18.2.7 BUILDING SETBACKS, SIDE (minima):
(a) from a side lot line abutting a Residential zone or a lot containing a Residential use - 15 metres
(b) from any other side lot line - 3 metres on one side:
6 metres on other side
- 18.2.8 BUILDING SETBACK EXEMPTION:
Notwithstanding any building setback provisions to the contrary, no building setback shall be required from any portion of a lot line which abuts a railroad right-of-way.
- 18.2.9 BUILDING SEPARATION (minimum): - 3 metres
- 18.2.10 BUILDING HEIGHT (maximum): - 12.2 metres
- 18.2.11 NET FLOOR AREA (maximum):
(a) factory outlet - 20% of the gross floor area of the industrial use to which it is accessory
- 18.2.12 LANDSCAPING AREA (minimum): - 10%
- 18.2.13 PLANTING STRIP LOCATION:
A planting strip shall be required along each front lot line.
- 18.2.14 PLANTING STRIP WIDTH (minimum): - 6 metres
- 18.2.15 DRIVEWAY SETBACKS (minima):
(a) from a lot line abutting a Residential zone or abutting a lot containing a Residential use - 4.5 metres
(b) from any other lot line - 1.5 metres
- 18.2.16 PARKING SPACES (minimum):
- 1 for each 45 square metres of gross floor area or portion thereof
- 18.2.17 PARKING SPACE SETBACKS (minima):
(a) from any front lot line - 6 metres
(b) from any other lot line - 3 metres

SECTION 18

MS ZONE

18.2.18 LOADING SPACES (minima):

- (a) building with less than 420 square metres of gross floor area
- (b) any other building

- nil
- 1 for the first 2,325 square metres of gross floor area or portion thereof; plus 1 for the second 2,325 square metres of gross floor area or portion thereof; plus 1 for each other 4,650 square metres of gross floor area or portion thereof

18.2.19 GASOLINE PUMP ISLAND SETBACKS (minima):

- (a) from any street line
- (b) from any other lot line

- 6 metres
- 4.5 metres

18.2.20 OPEN STORAGE AREA REGULATIONS:

No open storage area shall be located:

- (a) in a front yard or flank yard; or
- (b) closer than 6 metres to any lot line unless a chain-link fence, at least 1.8 metres high, is constructed along that lot line.

18.2.21 OUTSIDE DISPLAY OR SALES AREA SETBACK (minimum):

- (a) from any street line

- 9 metres

18.2.22 GENERAL PROVISIONS:

In addition to the above, the provisions of Section 3 shall apply.

SECTION 18**MS-1 ZONE****18.3 USES PERMITTED IN MS-1 ZONES**

In any MS-1 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

18.3.1 RESIDENTIAL USES:

- prohibited

18.3.2 NON-RESIDENTIAL USES:

- an assembly plant
- a manufacturing plant

18.4 SPECIAL PROVISIONS FOR MS-1 ZONES

In any MS-1 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 18.2.

SECTION 18**MS-2 ZONE****18.5 USES PERMITTED IN MS-2 ZONES**

In any MS-2 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

18.5.1 RESIDENTIAL USES:

- prohibited

18.5.2 NON-RESIDENTIAL USES: (REVISED: 03 Oct 88)

- an assembly plant
- a body shop
- a bulk storage tank
- a car wash
- a commercial garage
- a contractors yard
- a dry cleaning or laundry plant
- an equipment storage building
- a factory outlet
- a maintenance garage
- a manufacturing plant
- an outside display or sales area accessory to a Non-Residential building
- a private gasoline pump island
- a processing plant
- a truck terminal
- a warehouse

18.6 SPECIAL PROVISIONS FOR MS-2 ZONES

In any MS-2 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 18.2.

SECTION 18**MS-3 ZONE****18.7 USES PERMITTED IN MS-3 ZONES (ADDED: 03 Oct 88)**

In any MS-3 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

18.7.1 RESIDENTIAL USES:

- prohibited

18.7.2 NON-RESIDENTIAL USES:

- an open storage area accessory to a Non-Residential building
- an outside display or sales area accessory to a Non-Residential building
- a parking lot
- a retail store with an accessory garden centre
- a warehouse

18.8 SPECIAL PROVISIONS FOR MS-3 ZONES (ADDED: 03 Oct 88)

In any MS-3 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 18.2 as modified by the following special provisions:

- | | | |
|--------|--------------------------|------------------------|
| 18.8.1 | LOT AREA (maximum): | - 19,000 square metres |
| 18.8.2 | LOT FRONTAGE (minimum): | - 90 metres |
| 18.8.3 | BUILDING AREA (maximum): | - 15% |

SECTION 18**MS-4 ZONE****18.9 USES PERMITTED IN MS-4 ZONES (ADDED: 03 Oct 88)**

In any MS-4 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

18.9.1 RESIDENTIAL USES:

- prohibited

18.9.2 NON-RESIDENTIAL USES:

- a restaurant

18.10 SPECIAL PROVISIONS FOR MS-4 ZONES (ADDED: 03 Oct 88)

In any MS-4 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 15.2 as modified by the following special provisions:

- 18.10.1 RESTAURANTS PER LOT (maximum):
- 18.10.2 GROSS FLOOR AREA (maximum):
- 18.10.3 PARKING SPACES (minimum):

- 1 only
- 146 square metres
- the greater of:
 - 1 for each 4 persons of design capacity of all dining rooms; or
 - 1 for each 15 square metres of net floor area or portion thereof

SECTION 18**MS-5 ZONE****18.11 USES PERMITTED IN MS-5 ZONES (ADDED: 03 Oct 88)**

In any MS-5 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

18.11.1 RESIDENTIAL USES:

- prohibited

18.11.2 NON-RESIDENTIAL USES:

- an office accessory to an MS-5 use
- a warehouse

18.12 SPECIAL PROVISIONS FOR MS-5 ZONES (ADDED: 03 Oct 88)

In any MS-5 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 18.2 as modified by the following special provisions:

- | | |
|--|---------------------|
| 18.12.1 BUILDING SETBACK, REAR (minimum): | - 4.5 metres |
| 18.12.2 PARKING SPACES (minimum): | - 6 per lot |

SECTION 19. UNSERVICED INDUSTRIAL (MU) ZONE**19.1 USES PERMITTED**

In any MU Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

19.1.1 RESIDENTIAL USES:

- prohibited

19.1.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88 / 03 Oct 88)

- an assembly plant
- a body shop
- a bulk storage tank
- a commercial garage
- a contractors yard
- an equipment storage building
- a factory outlet
- a maintenance garage
- a manufacturing plant
- a merchandise service shop
- an open storage area accessory to a Non-Residential building
- an outside display or sales area accessory to a Non-Residential building
- a private gasoline pump island
- a processing plant
- a truck terminal
- a warehouse

19.2 ZONE PROVISIONS (REVISED: 27 May 88 / 03 Oct 88)

In any MU Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

- | | | |
|--------|---|-----------------------|
| 19.2.1 | LOT AREA (minimum): | - 4,000 square metres |
| 19.2.2 | LOT FRONTAGE (minimum): | - 50 metres |
| 19.2.3 | BUILDING AREA (maximum): | - 10% |
| 19.2.4 | BUILDING SETBACKS (minimum): | - 15 metres |
| 19.2.5 | BUILDING SETBACK EXEMPTION:
Notwithstanding any building setback provisions to the contrary, no building setback shall be required from any portion of a lot line which abuts a railroad right-of-way. | |
| 19.2.6 | BUILDING SEPARATION (minimum): | - 3 metres |
| 19.2.7 | BUILDING HEIGHT (maximum): | - 12.2 metres |
| 19.2.8 | LANDSCAPING AREA (minimum): | - 10% |

SECTION 19

MU ZONE

- 19.2.9 **PLANTING STRIP LOCATION:**
A planting strip shall be required along any portion of a rear lot line and any portion of a side lot line which abut a Residential zone or which abut a lot containing a Residential use.
- 19.2.10 **PLANTING STRIP WIDTH (minimum):** - 3 metres
- 19.2.11 **DRIVEWAY SETBACKS (minima):**
(a) from a lot line abutting a Residential zone or abutting a lot containing a Residential use - 4.5 metres
(b) from any other lot line - 1.5 metres
- 19.2.12 **PARKING SPACES (minimum):** - the greater of:
5 per lot; or
1 for each
45 square metres
of gross floor area
or portion thereof
- 19.2.13 **PARKING SPACE SETBACKS (minima):**
(a) from any street line - 1.5 metres
(b) from any lot line which abuts a Residential zone or abuts a lot containing a Residential use - 4.5 metres
- 19.2.14 **LOADING SPACES (minimum):** - 1 for each
2,800 square metres
of net floor area
or portion thereof
in excess of
280 square metres
- 19.2.15 **GASOLINE PUMP ISLAND SETBACKS (minima):**
(a) from any street line - 6 metres
(b) from any other lot line - 4.5 metres
- 19.2.16 **OPEN STORAGE AREA REGULATIONS:**
No open storage area shall be located:
(a) in a front yard or a flank yard; or
(b) in a rear yard adjacent to a rear lot line of such lot which abuts a Residential zone or abuts a lot containing a Residential use; or
(c) in a side yard adjacent to a side lot line of such lot which abuts a Residential zone or abuts a lot containing a Residential use; or
(d) closer than 6 metres to any lot line if combustible materials are stored there.
- 19.2.17 **GENERAL PROVISIONS:**
In addition to the above, the provisions of Section 3 shall apply.

SECTION 19

MU-1 ZONE

19.3 USES PERMITTED IN MU-1 ZONES

In any MU-1 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

19.3.1 RESIDENTIAL USES:

- prohibited

19.3.2 NON-RESIDENTIAL USES: (REVISED: 03 Oct 88)

- an assembly plant
- a body shop
- a commercial garage
- a contractors yard
- an equipment storage building
- a maintenance garage
- a manufacturing plant
- a merchandise service shop
- an open storage area accessory to a Non-Residential building
- a private gasoline pump island
- a warehouse

19.4 SPECIAL PROVISIONS FOR MU-1 ZONES

In any MU-1 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 19.2 as modified by the following special provisions:

19.4.1 LOT AREA (minimum): - 3.6 hectares

19.4.2 LOT FRONTAGE (minimum): - 150 metres

19.4.3 PLANTING STRIP LOCATION:

A planting strip shall be required along the rear (northwest) lot line.

19.4.4 BUFFER CONTENTS:

A buffer shall consist of:

- at least 2 staggered rows (spaced not more than 5 metres apart) of coniferous trees, at least 1.5 metres high, planted along the side lot line from the front lot line to the rear lot line and not more than 2 metres apart; and
- a chain-link fence, at least 1.8 metres high, placed along the northwest and southwest lot lines; and
- at least 20 shrubs planted along and immediately outside the southwest lot lines.

SECTION 19

MU-1 ZONE

19.4.5 OPEN STORAGE AREA REGULATIONS:

- (a) No land shall be used as an open storage area until the buffer described above has been installed.
- (b) No land shall be used as an open storage area for derelict vehicles or equipment nor waste nor scrap material.
- (c) No open storage area shall be located:
 - in a front yard, side yard or flank yard; or
 - closer than 6 metres to a rear lot line.

SECTION 19**MU-2 ZONE****19.5 USES PERMITTED IN MU-2 ZONES**

In any MU-2 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

19.5.1 RESIDENTIAL USES:

- prohibited

19.5.2 NON-RESIDENTIAL USES:

- a water processing and packaging facility

19.6 SPECIAL PROVISIONS FOR MU-2 ZONES

In any MU-2 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 19.2 as modified by the following special provisions:

- | | | |
|--------|------------------------------------|-------------|
| 19.6.1 | LOT FRONTAGE (minimum): | - 45 metres |
| 19.6.2 | BUILDING SETBACK, FRONT (minimum): | - 15 metres |
| 19.6.3 | BUILDING SETBACK, REAR (minimum): | - 15 metres |
| 19.6.4 | BUILDING SETBACK, SIDE (minimum): | - 3 metres |

SECTION 19**MU-3 ZONE****19.7 USES PERMITTED IN MU-3 ZONES**

In any MU-3 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

19.7.1 RESIDENTIAL USES:

- prohibited

19.7.2 NON-RESIDENTIAL USES:

- an equipment storage building
- a guardhouse
- a warehouse

19.8 SPECIAL PROVISIONS FOR MU-3 ZONES

In any MU-3 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 19.2 as modified by the following special provisions:

- | | | |
|--------|------------------------------------|---------------|
| 19.8.1 | BUILDING AREA (maximum): | - 35% |
| 19.8.2 | BUILDING SETBACK, FRONT (minimum): | - 7.55 metres |
| 19.8.3 | BUILDING SETBACK, REAR (minimum): | - 15 metres |
| 19.8.4 | BUILDING SETBACK, SIDE (minimum): | - 15 metres |
| 19.8.5 | PARKING SPACES (minimum): | - 41 |

SECTION 19**MU-4 ZONE****19.9 USES PERMITTED IN MU-4 ZONES (ADDED: 03 Oct 88)**

In any MU-4 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

19.9.1 RESIDENTIAL USES:

- prohibited

19.9.2 NON-RESIDENTIAL USES:

- a body shop

19.10 SPECIAL PROVISIONS FOR MU-4 ZONES (ADDED: 03 Oct 88)

In any MU-4 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 19.2.

SECTION 19**MU-5 ZONE****19.11 USES PERMITTED IN MU-5 ZONES (ADDED: 03 Oct 88)**

In any MU-5 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

19.11.1 RESIDENTIAL USES:

- prohibited

19.11.2 NON-RESIDENTIAL USES:

- a body shop
- a commercial garage

19.12 SPECIAL PROVISIONS FOR MU-5 ZONES (ADDED: 03 Oct 88)

In any MU-5 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 19.2 as modified by the following special provisions:

19.12.1	LOT AREA (minimum):	- 1,885 square metres
19.12.2	LOT FRONTAGE (minimum):	- 49 metres
19.12.3	BUILDING SETBACK, FRONT (minimum):	- 13.7 metres
19.12.4	BUILDING SETBACK, SIDE (minimum):	- 3 metres
19.12.5	PARKING SPACE SETBACK (minimum):	- 1.5 metres

SECTION 19**MU-6 ZONE****19.13 USES PERMITTED IN MU-6 ZONES (ADDED: 03 Oct 88)**

In any MU-6 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

19.13.1 RESIDENTIAL USES:

- prohibited

19.13.2 NON-RESIDENTIAL USES:

- an assembly plant
- a body shop
- a commercial garage
- a construction equipment sales and service establishment
- an equipment storage building
- a maintenance garage
- a manufacturing plant
- a merchandise service shop
- an outside display or sales area accessory to a Non-Residential building
- a private gasoline pump island
- a warehouse

19.14 SPECIAL PROVISIONS FOR MU-6 ZONES (ADDED: 03 Oct 88)

In any MU-6 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 19.2.

SECTION 20. AIRPORT INDUSTRIAL (MA) ZONE

20.1 USES PERMITTED

In any MA Zone no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

20.1.1 RESIDENTIAL USES:

- an accessory house

20.1.2 NON-RESIDENTIAL USES:

- an aircraft hanger
- an aircraft museum
- an airstrip
- a dormitory accessory to a flying school
- a flying school
- a gasoline pump island
- an open storage area
- a parking lot
- a restaurant accessory to an airstrip

20.2 ZONE PROVISIONS

In any MA Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

- | | |
|--|---|
| 20.2.1 LOT AREA (minimum): | - nil |
| 20.2.2 LOT FRONTAGE (minimum): | - 30 metres |
| 20.2.3 DWELLING UNITS PER LOT (maximum): | - 1 only |
| 20.2.4 DORMITORY ROOMS PER LOT (maximum): | - 12 |
| 20.2.5 BUILDING AREA (maximum): | - the lesser of:
5% or
0.4 hectares |
| 20.2.6 BUILDING SETBACKS (minima): | |
| (a) from a lot line abutting a zone
other than an industrial zone | - 30 metres |
| (b) from any other lot line | - 21 metres |
| 20.2.7 BUILDING SEPARATION (minimum): | - 10 metres |
| 20.2.8 BUILDING HEIGHTS (maxima): | |
| (a) residential buildings | - 10.5 metres |
| (b) non-residential buildings | - 12.2 metres |

20.2.9 PLANTING STRIP LOCATION:

A planting strip shall be required along each front lot line.
 A planting strip shall also be required along any portion of
 a rear lot line and any portion of a side lot line which abuts
 a Residential zone.

- 20.2.10 PLANTING STRIP WIDTH (minimum): - 15 metres
- 20.2.11 DRIVEWAY SETBACKS (minima):
- (a) from a lot line abutting a zone other than an Industrial zone - 9 metres
 - (b) from any other lot line - 3 metres
- 20.2.12 PARKING SPACES (minima):
- (a) aircraft hangar - 1 for each 100 square metres of net floor area or portion thereof
 - (b) other Non-Residential uses - the greater of: 5 per lot; or 1 for each 90 square metres of net floor area or portion thereof
- 20.2.13 PARKING SPACE SETBACKS (minima):
- (a) from any street line - 3 metres
 - (b) from any lot line abutting a zone other than an Industrial zone - 9 metres
- 20.2.14 LOADING SPACES (minima):
- (a) aircraft hanger, airstrip, or gasoline pump island - the greater of 1 per lot; or 1 for each 2,800 square metres of gross floor area or portion thereof in excess of 280 square metres
 - (b) other Non-Residential uses - nil

- 20.2.15 GASOLINE PUMP ISLAND SETBACK (minimum):
No open storage area shall be located
closer to any lot line than

- 30 metres

20.2.16 OPEN STORAGE AREA REGULATIONS:

No open storage area shall be located:

- (a) in a front yard or a flank yard; or
- (b) in a rear yard adjacent to a rear lot line of such lot which abuts a Residential zone or abuts a lot containing a Residential use; or
- (c) in a side yard adjacent to a side lot line of such lot which abuts a Residential zone or abuts a lot containing a Residential use; or
- (d) closer than 30 metres to any lot line if combustible materials are store there.

20.2.17 GENERAL PROVISIONS:

In addition to the above, the provision of Section 3 shall apply.

SECTION 21. EXTRACTIVE INDUSTRIAL (MX) ZONE**21.1 USES PERMITTED**

In any MX Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

21.1.1 RESIDENTIAL USES:

- prohibited

21.1.2 NON-RESIDENTIAL USES:

- a farm
- a gravel pit
- an open storage area accessory to a permitted MX use
- a stone quarry
- a wayside pit

21.2 ZONE PROVISIONS

In any MX Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

- | | | |
|---------|---|---------------------|
| 21.2.1 | LOT AREA (minimum): | - 1 hectare |
| 21.2.2 | LOT FRONTAGE (minimum): | - 10 metres |
| 21.2.3 | BUILDING AREA (maximum): | - 900 square metres |
| 21.2.4 | BUILDING SETBACK, FRONT (minimum): | - 30 metres |
| 21.2.5 | BUILDING SETBACK, FLANK (minimum): | - 30 metres |
| 21.2.6 | BUILDING SETBACKS, REAR (minima): | |
| | (a) from a rear lot line abutting a Residential zone | - 90 metres |
| | (b) from any other rear lot line | - 30 metres |
| 21.2.7 | BUILDING SETBACKS, SIDE (minima): | |
| | (a) from a side lot line abutting a Residential zone | - 90 metres |
| | (b) from any other side lot line | - 30 metres |
| 21.2.8 | BUILDING SETBACK EXEMPTION: | |
| | Notwithstanding any building setback provisions to the contrary, no building setback shall be required from any portion of a lot line which abuts a railroad right-of-way or abuts another lot in an MX Zone. | |
| 21.2.9 | BUILDING SEPARATION (minimum): | - 3 metres |
| 21.2.10 | BUILDING HEIGHT (maximum): | - 25 metres |
| 21.2.11 | LANDSCAPING AREA (minimum): | - 5% |

SECTION 21

MX ZONE

21.2.12 PLANTING STRIP LOCATION:

A planting strip shall be required along each front lot line. A planting strip shall also be required along any portion of a rear lot line and any portion of a side lot line which abut a Residential zone.

21.2.13 PLANTING STRIP WIDTH (minimum):

- 15 metres

21.2.14 DRIVEWAY SETBACKS (minima):

- (a) from a lot line abutting a zone other than an MX or MD Zone
- (b) from any other lot line

- 9 metres
- 3 metres

21.2.15 PARKING SPACES (minimum):

- the greater of:
5 per lot; or
1 for each
90 square metres
of gross floor area
or portion thereof

21.2.16 PARKING SPACE SETBACKS (minima):

- (a) from any street line
- (b) from any lot line which abuts a Residential zone or abuts a lot containing a Residential use

- 3 metres
- 9 metres

21.2.17 LOADING SPACES (minimum):

- the greater of:
3 per lot; or
1 for each
4 hectares of lot area
or portion thereof

21.2.18 EXCAVATION SETBACKS (minima):

- (a) from any lot line
- (b) from any street line

- 15 metres
- 30 metres

21.2.19 OPEN STORAGE AREA SETBACKS (minima):

- (a) from any lot line
- (b) from any lot line which abuts a Residential zone

- 30 metres
- 90 metres

21.2.20 GENERAL PROVISIONS:

In addition to the above, the provisions of Section 3 shall apply.

SECTION 21**MX-1 ZONE****21.3 USES PERMITTED IN MX-1 ZONES**

In any MX-1 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

21.3.1 RESIDENTIAL USES:

- an existing one-family house

21.3.2 NON-RESIDENTIAL USES:

- an existing livestock building
- an existing shed
- a farm
- a gravel pit
- an open storage area accessory to a permitted MX-1 use
- a portable processing plant
- a stone quarry
- a wayside pit

21.4 SPECIAL PROVISIONS FOR MX-1 ZONES

In any MX-1 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 21.2 as modified by the following special provisions:

- | | | |
|--------|---|--------------|
| 21.4.1 | HOUSES PER LOT (maximum): | - 2 |
| 21.4.2 | BUILDING SETBACKS, FRONT (minima): | |
| | (a) existing house | - 8 metres |
| | (b) portable processing plant | - 200 metres |
| | (c) other uses | - 30 metres |
| 21.4.3 | EXCAVATION SETBACKS (minima): | |
| | (a) from south lot line | - nil |
| | (b) from First Line West in Lot 17, Concession II WHS | - 155 metres |

SECTION 21**MX-2 ZONE****21.5 USES PERMITTED IN MX-2 ZONES (ADDED: 03 Oct 88)**

In any MX-2 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

21.5.1 RESIDENTIAL USES:

- an existing one-family house

21.5.2 NON-RESIDENTIAL USES:

- an aggregate processing structure
- a farm
- a gravel pit
- an open storage area accessory to a permitted MX-2 use
- a stone quarry
- a wayside pit

21.6 SPECIAL PROVISIONS FOR MX-2 ZONES (ADDED: 03 Oct 88)

In any MX-2 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 21.2 as modified by the following special provisions:

- 21.6.1 BUILDING SETBACKS, FRONT (minima):**
- | | |
|---|--------------|
| (a) existing dwelling fronting on the Tenth Line | - 15 metres |
| (b) existing dwelling fronting on Highway No. 9 | - 5 metres |
| (c) aggregate processing fronting on the Tenth Line | - 150 metres |
| (d) other uses | - 30 metres |
- 21.6.2 BUILDING SETBACKS, SIDE (minima):**
- | | |
|--|-------------|
| (a) aggregate processing structure from south lot line | - 70 metres |
| (b) other uses | - 15 metres |
- 21.6.3 PLANTING STRIP WIDTHS (minima):**
- | | |
|---------------------------|-------------|
| (a) along the 10th Line | - 75 metres |
| (b) along other lot lines | - 15 metres |
- 21.6.4 ENTRANCES PER LOT (maximum):** - 3, provided
there shall be no new entrance along the Tenth Line.
- 21.6.5 EXCAVATION SETBACKS (minima):**
- | | |
|--|-------------|
| (a) gravel pit from the Tenth Line | - 90 metres |
| (b) gravel pit from the south lot line | - 35 metres |
| (c) other uses in other locations | - 30 metres |

SECTION 22. WASTE MANAGEMENT (MD) ZONE**22.1 USES PERMITTED**

In any MD Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

22.1.1 RESIDENTIAL USES:

- prohibited

22.1.2 NON-RESIDENTIAL USES: (REVISED: 03 Oct 88)

- a sanitary landfill site
- a sewage treatment facility
- a waste processing plant

22.2 ZONE PROVISIONS (REVISED: 03 Oct 88)

In any MD Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

- | | |
|---|---------------------|
| 22.2.1 LOT AREAS (minima): | |
| (a) sanitary landfill site | - 4 hectares |
| (b) other Non-Residential uses | - 1 hectare |
| 22.2.2 LOT FRONTAGE (minimum): | - 10 metres |
| 22.2.3 BUILDING AREAS (maxima): | |
| (a) sanitary landfill site | - 180 square metres |
| (b) sewage treatment facility | - 20% |
| (c) other Non-Residential uses | - 35% |
| 22.2.4 BUILDING SETBACK, FRONT (minimum): | - 18 metres |
| 22.2.5 BUILDING SETBACK, FLANK (minimum): | - 18 metres |
| 22.2.6 BUILDING SETBACKS, REAR (minima): | |
| (a) from a rear lot line abutting a zone
other than an MD or MX Zone | - 15 metres |
| (b) from any other lot line | - 3 metres |
| 22.2.7 BUILDING SETBACKS, SIDE (minima): | |
| (a) from a side lot line abutting a zone
other than an MD or MX Zone | - 15 metres |
| (b) from any other lot line | - 3 metres |

SECTION 22

MD ZONE

22.2.8 BUILDING SETBACK EXEMPTION:

Notwithstanding any building setback provisions to the contrary, on a lot used for a sewage treatment facility, no building setback shall be required from any portion of a lot line which abuts an HL Zone.

22.2.9 BUILDING SEPARATION (minimum): - 3 metres

22.2.10 BUILDING HEIGHT (maximum): - 12.2 metres

22.2.11 LANDSCAPING AREA (minimum): - 25%

22.2.12 PLANTING STRIP LOCATION:

A planting strip shall be required along any portion of a rear lot line and any portion of a side lot line which abut a zone other than an MD or MX Zone.

22.2.13 PLANTING STRIP WIDTH (minimum): - 7.5 metres

22.2.14 DRIVEWAY SETBACKS (minima):

(a) from a lot line abutting a zone other than an MD or MX Zone - 9.5 metres

(b) from any other lot line - 3 metres

22.2.15 PARKING SPACES (minima):

(a) sanitary landfill site - 2 per lot

(b) other Non-Residential uses - 5 per lot

22.2.16 PARKING SPACE SETBACKS (minima):

(a) from any street line - 3 metres

(b) from a lot line abutting a zone other than an MD or MX Zone - 9 metres

22.2.17 LOADING SPACES (minima):

(a) sanitary landfill site - 3 per lot

(b) sewage treatment facility - 1 per lot

(c) other Non-Residential uses - 2 per lot

22.2.18 LANDFILL AREA SETBACKS (minima):

No dumping or disposal of any waste material on a sanitary landfill site shall be permitted within:

(a) 30 metres of any street line; or

(b) 90 metres of any lot line which abuts a zone other than an MD or MX Zone.

22.2.19 GENERAL PROVISIONS:

In addition to the above, the provisions of Section 3 shall apply.

SECTION 22**MD-1 ZONE****22.3 USES PERMITTED IN MD-1 ZONES (ADDED: 03 Oct 88)**

In any MD-1 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

22.3.1 RESIDENTIAL USES:

- prohibited

22.3.2 NON-RESIDENTIAL USES:

- an automobile salvage yard
- uses accessory to an automobile salvage yard, including the removal, storage and sale of automobile parts

22.4 SPECIAL PROVISIONS FOR MD-1 ZONES (ADDED: 03 Oct 88)

In any MD-1 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 22.2 as modified by the following special provisions:

- | | | |
|--------|--|--------------|
| 22.4.1 | LOT FRONTAGE (minimum): | - 43 metres |
| 22.4.2 | BUILDING SETBACK, FRONT (minimum): | - 40 metres |
| 22.4.3 | BUILDING SETBACK, REAR (minimum): | - 30 metres |
| 22.4.4 | BUILDING SETBACK, NORTH SIDE (minimum): | - 8 metres |
| 22.4.5 | BUILDING SETBACK, SOUTH SIDE (minimum): | - 1.5 metres |
| 22.4.6 | PLANTING STRIP WIDTH (minimum): | - 1.5 metres |
| 22.4.7 | ENTRANCES PER LOT (maximum): | - 1 only |
| 22.4.8 | PARKING SPACE SETBACKS (minima): | |
| | (a) from front lot line | - 7 metres |
| | (b) from any other lot line | - 1.5 metres |
| 22.4.9 | OPEN STORAGE AREA REGULATIONS: | |
| | No open storage area shall be located: | |
| | (a) in a front yard; or | |
| | (b) in any other yard unless a solid, maintenance-free fence, at least 1.8 metres high, is constructed along the lot line adjacent to the open storage area. | |

SECTION 22**MD-2 ZONE****22.5 USES PERMITTED IN MD-2 ZONES (ADDED: 03 Oct 88)**

In any MD-2 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

22.5.1 RESIDENTIAL USES:

- prohibited

22.5.2 NON-RESIDENTIAL USES:

- a vehicle salvage yard
- uses accessory to a vehicle salvage yard, including the wrecking or dismantling of vehicles and the salvaging of parts for sale or other disposal

22.6 SPECIAL PROVISIONS FOR MD-2 ZONES (ADDED: 03 Oct 88)

In any MD-2 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 22.2 as modified by the following special provisions:

22.6.1 OPEN STORAGE AREA REGULATIONS:

No open storage area shall be located:

- (a) in a front yard; or
- (b) in any other yard unless a solid, maintenance-free fence, at least 1.8 metres high, is constructed along the lot line adjacent to the open storage area.

SECTION 23. HAZARD LANDS (HL) ZONE**23.1 USES PERMITTED**

In any HL Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

23.1.1 RESIDENTIAL USES:

- prohibited

23.1.2 NON-RESIDENTIAL USES: (REVISED: 03 Oct 88)

- a beach
- a farm
- a flood control use
- a forestry use
- a golf course
- a horticultural nursery
- a marine facility
- a park
- a parking area

23.2 ZONE PROVISIONS (REVISED: 03 Oct 88)

In any HL Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

- | | | |
|--------|--------------------------------|--------------------|
| 23.2.1 | BUILDING AREA (maximum): | - 30 square metres |
| 23.2.2 | BUILDING SEPARATION (minimum): | - 1.5 metres |
| 23.2.3 | BUILDING HEIGHT (maximum): | - 10.5 metres |
| 23.2.4 | GENERAL PROVISIONS: | |

In addition to the above, the provisions of Section 3 shall apply.

SECTION 24. OPEN SPACE (OS) ZONE

24.1 USES PERMITTED

In any OS Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

24.1.1 RESIDENTIAL USES:

- an accessory dwelling unit

24.1.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88 / 03 Oct 88)

- a beach
- a camping ground
- a cemetery
- a conservation school
- a dormitory accessory to a conservation school
- a fairground
- a fishing club
- a forestry use
- a golf course
- a horticultural nursery
- a hunt club
- a park
- a parking lot
- a ski area

24.2 ZONE PROVISIONS (REVISED: 27 May 88)

In any OS Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

24.2.1 LOT AREAS (minima):

- | | |
|-----------------|--------------|
| (a) golf course | - 4 hectares |
| (b) other uses | - nil |

24.2.2 LOT FRONTAGES (minima):

- | | |
|-----------------|-------------|
| (a) golf course | - 60 metres |
| (b) other uses | - 9 metres |

24.2.3 DWELLING UNITS PER LOT (maximum):

- 1 only

24.2.4 BUILDING AREA (maximum):

- the greater of:
10%; or
20 square metres

SECTION 24

OS ZONE

- 24.2.5 BUILDING SETBACK (minimum): - 7.5 metres
24.2.6 BUILDING SEPARATION (minimum): - 3 metres
24.2.7 BUILDING HEIGHT (maximum): - 10.5 metres
24.2.8 DWELLING UNIT AREA (minimum): - 55 square metres
24.2.9 LANDSCAPING AREA (minimum): - 50%
24.2.10 DRIVEWAY SETBACKS (minima):
 (a) fully serviced lot - nil,
 except that, where a side lot line
 abuts a Residential zone,
 the minimum driveway setback shall be - 3 metres
 (b) other lots - 1.5 metres,
 except that, where a side lot line
 abuts a Residential zone,
 the minimum driveway setback shall be - 4.5 metres
24.2.11 PARKING SPACES (minima):
 (a) Residential uses - 2 for each dwelling unit
 (b) Non-Residential uses - in accordance with
 the provisions of
 the C Zone
24.2.12 PARKING SPACE SETBACKS (minima):
 (a) from a lot line abutting a Residential zone - 4.5 metres
 (b) from any other lot line - 1.5 metres
24.2.13 GENERAL PROVISIONS:
 In addition to the above, the provisions of Section 3 shall apply.

SECTION 24

OS-1 ZONE

24.3 USES PERMITTED IN OS-1 ZONES (REVISED: 03 Oct 88)

This special zone is reserved for future use.

24.4 SPECIAL PROVISIONS FOR OS-1 ZONES (REVISED: 03 Oct 88)

This special zone is reserved for future use.

SECTION 24

OS-2 ZONE

24.5 USES PERMITTED IN OS-2 ZONES (REVISED: 03 Oct 88)

This special zone is reserved for future use.

24.6 SPECIAL PROVISIONS FOR OS-2 ZONES (REVISED: 03 Oct 88)

This special zone is reserved for future use.

SECTION 24**OS-3 ZONE****24.7 USES PERMITTED IN OS-3 ZONES**

In any OS-3 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

24.7.1 RESIDENTIAL USES: (REVISED: 27 May 88)

- a cottage

24.7.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88)

- a bowling green
- a church
- a community centre
- a golf course
- a picnic area
- a playground
- a private park
- a swimming pool
- a tennis court

24.8 SPECIAL PROVISIONS FOR OS-3 ZONES (REVISED: 27 May 88)

In any OS-3 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 25.2 as modified by the following special provisions:

- 24.8.1 COTTAGES PER LOT (maximum):** - 105

SECTION 24

OS-4 ZONE

24.9 USES PERMITTED IN OS-4 ZONES

In any OS-4 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

24.9.1 RESIDENTIAL USES:

- prohibited

24.9.2 NON-RESIDENTIAL USES: (REVISED: 03 Oct 88)

- a driveway
- a parking space including related aisles

24.10 SPECIAL PROVISIONS FOR OS-4 ZONES (REVISED: 03 Oct 88)

In any OS-4 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 24.2 as modified by the following special provisions:

24.10.1 BERM LOCATION:

Subject to Section 24.10.4, a landscaped berm shall be required along any portion of a lot line which abuts the Sixth Line or abuts any lot abutting the Sixth Line.

24.10.2 BERM WIDTH (minimum):

- 16.8 metres

24.10.3 BERM HEIGHT (minimum):

- 1.8 metres

24.10.4 PLANTING STRIP LOCATION:

A planting strip shall be required along any portion of a lot line which abuts any lot abutting the Sixth Line, north of Healey Road, other than a lot which also abuts Healey Road.

24.10.5 PLANTING STRIP WIDTH (minimum):

- 4.4 metres

SECTION 24

OS-5 ZONE

24.11 USES PERMITTED IN OS-5 ZONES (REVISED: 03 Oct 88)

In any OS-5 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

24.11.1 RESIDENTIAL USES:

- an accessory house
- an accessory dwelling unit

24.11.2 NON-RESIDENTIAL USES:

- an arena
- a barn
- a business office accessory to a sports camp
- a dining hall accessory to a sports camp
- a dormitory accessory to a sports camp
- a forestry use
- a horticultural garden
- a meeting hall accessory to a sports camp
- a museum
- a sports camp
- a stable
- a truck shop accessory to a sports camp

24.12 SPECIAL PROVISIONS FOR OS-5 ZONES (REVISED: 03 Oct 88)

In any OS-5 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 24.2 as modified by the following special provisions:

- | | | |
|---------|------------------------------------|------|
| 24.12.1 | DWELLING UNITS PER LOT (maximum): | - 8 |
| 24.12.2 | DORMITORY ROOMS PER LOT (maximum): | - 40 |

SECTION 24**OS-6 ZONE****24.13 USES PERMITTED IN OS-6 ZONES (REVISED: 03 Oct 88)**

In any OS-6 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

24.13.1 RESIDENTIAL USES:

- an accessory house
- an accessory dwelling unit

24.13.2 NON-RESIDENTIAL USES:

- a farm
- a farm equipment storage building
- a horticultural garden
- a park
- a produce storage building

24.14 SPECIAL PROVISIONS FOR OS-6 ZONES (REVISED: 03 Oct 88)

In any OS-6 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 24.2.

SECTION 24**OS-7 ZONE****24.15 USES PERMITTED IN OS-7 ZONES (REVISED: 03 Oct 88)**

In any OS-7 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

24.15.1 RESIDENTIAL USES:

- an accessory house
- an accessory dwelling unit

24.15.2 NON-RESIDENTIAL USES:

- a business office accessory to a recreational camp
- a camping ground accessory to a recreational camp
- a forestry use
- a meeting hall accessory to a recreational camp
- a park
- a recreational camp
- a tuck shop accessory to a recreational camp

24.16 SPECIAL PROVISIONS FOR OS-7 ZONES (REVISED: 03 Oct 88)

In any OS-7 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 24.2 as modified by the following special provisions:

- 24.16.1 DWELLING UNITS PER LOT (maximum):** - 1 only

SECTION 24

OS-8 ZONE

24.17 USES PERMITTED IN OS-8 ZONES (ADDED: 03 Oct 88)

In any OS-8 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

24.17.1 RESIDENTIAL USES:

- prohibited

24.17.2 NON-RESIDENTIAL USES:

- a dining room, snack bar, lounge and bar accessory to a golf course
- a golf cart storage area
- a golf course
- a golf course clubhouse and pro shop
- an indoor recreational facility accessory to a golf course
- a swimming pool
- a tennis court

24.18 SPECIAL PROVISIONS FOR OS-8 ZONES (ADDED: 03 Oct 88)

In any OS-8 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 24.2 as modified by the following special provisions:

- | | | |
|---------|---|---|
| 24.18.1 | LOT AREA (minimum): | - 2 hectares |
| 24.18.2 | ACCESSORY BUILDINGS PER LOT (maximum): | - 2 only |
| 24.18.3 | BUILDING AREA (maximum): | - 25% |
| 24.18.4 | BUILDING HEIGHT (maximum): | - 10.5 metres |
| 24.18.5 | GROSS FLOOR AREA (maximum): | |
| | (a) accessory building | - 300 square metres
for each building |
| 24.18.6 | LANDSCAPING AREA (minimum): | - 20% |
| 24.18.7 | PARKING SPACES (minimum): | - 1 for each
90 square metres
of gross floor area
or portion thereof |
| 24.18.8 | NATURAL AREA RESTRICTIONS: | |
| | Within any area shown as "NATURAL AREA" on Zone Map SE6, except for the construction, use and maintenance of golf course fairways, no person shall alter the surface of the land; or alter, disturb, destroy, remove, cut or trim any vegetation, whether living or dead; or alter, disturb, destroy or remove any wildlife habitat, whether in use or not. | |

SECTION 24

OS-9 ZONE

24.19 USES PERMITTED IN OS-9 ZONES (ADDED: 03 Oct 88)

In any OS-9 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

24.19.1 RESIDENTIAL USES:

- prohibited

24.19.2 NON-RESIDENTIAL USES:

- a landscaping area

24.20 SPECIAL PROVISIONS FOR OS-9 ZONES (ADDED: 03 Oct 88)

In any OS-9 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 24.2 as modified by the following special provisions:

24.20.1 LANDSCAPING AREA (minimum): - 100%

SECTION 24**OS-10 ZONE****24.21 USES PERMITTED IN OS-10 ZONES (ADDED: 03 Oct 88)**

In any OS-10 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

24.21.1 RESIDENTIAL USES:

- prohibited

24.21.2 NON-RESIDENTIAL USES:

- an accessory building
- a clubhouse
- a golf course
- a private club
- a park

24.22 SPECIAL PROVISIONS FOR OS-10 ZONES (ADDED: 03 Oct 88)

In any OS-10 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 24.2 as modified by the following special provisions:

24.22.1 GOLF COURSE DEFINITION:

For the purposes of the OS-10 Zone, "golf course" means lands which are used for the purpose of playing golf by the owner thereof and its guests or by members of a non-profit organization and their guests or by persons participating in a golf tournament.

24.22.2 LOT FRONTAGE (minimum): - nil

24.22.3 ACCESSORY BUILDINGS PER LOT (maximum): - 1 only

24.22.4 BUILDING AREAS (maxima):

- | | |
|------------------------|-----------------------|
| (a) all main buildings | - 1,200 square metres |
| (b) accessory building | - 100 square metres |

24.22.5 BUILDING SETBACK INTERPRETATION:

For the purposes of the OS-10 Zone, "front lot line" or "flank lot line" may be interpreted to mean any line dividing the building site from a private road or from a street, whichever the building setback context may require.

24.22.6 BUILDING SETBACKS (minima):

- | | |
|--|--------------|
| (a) all buildings from a street | - 7.5 metres |
| (b) all main buildings from a private road | - 20 metres |
| (c) accessory building from a private road | - 10 metres |

SECTION 24

OS-10 ZONE

- 24.22.7 BUILDING SEPARATION (minimum): - 15 metres
- 24.22.8 BUILDING HEIGHTS (maxima):
(a) all main buildings - 9 metres
(b) accessory building - 4.5 metres
- 24.22.9 FLOOR AREAS (maxima):
(a) all main buildings - 1,200 square metres
(b) accessory building - 100 square metres
- 24.22.10 PARKING SPACES (minimum):
- the greater of:
1 for each 4 persons
of design capacity
or fraction thereof; or
1 for each
15 square metres
of floor area
or portion thereof
- 24.22.11 PARKING SPACE SETBACKS (minima):
(a) from any street line - 10 metres
(b) from any private road - 5 metres
- 24.22.12 NATURAL AREA RESTRICTIONS:
Within any area shown as "NATURAL AREA" on Zone Map SE7, except for the construction, use and maintenance of golf course fairways, no person shall alter the surface of the land; or alter, disturb, destroy, remove, cut or trim any vegetation, whether living or dead; or alter, disturb, destroy or remove any wildlife habitat, whether in use or not.
- 24.22.13 SITE PLAN REQUIREMENT:
All development of lands, buildings or structures in any OS-10 Zone shall be subject to a site plan approved pursuant to the provisions of Section 40 of the *Planning Act, 1983*.

SECTION 25. AGRICULTURAL (A1) ZONE**25.1 USES PERMITTED**

In any A1 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

25.1.1 RESIDENTIAL USES:

- an accessory house
- a one-family house

25.1.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88)

- a bunkhouse
- an existing home industry
- a farm
- a farm equipment storage building
- a farm produce outlet
- a home occupation
- a home profession
- a horticultural nursery
- a livestock building
- a private gasoline pump island
- a produce storage building
- a wayside pit
- a woodlot

25.2 ZONE PROVISIONS (REVISED: 27 May 88 / 03 Oct 88)

In any A1 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

- | | | |
|--------|---|---|
| 25.2.1 | LOT AREA (minimum): | - 8 hectares |
| 25.2.2 | LOT FRONTAGE (minimum): | - 120 metres |
| 25.2.3 | HOUSES PER LOT (maximum): | - 1 only |
| 25.2.4 | BUILDING AREA (maximum): | - the lesser of:
5% or
0.4 hectares |
| 25.2.5 | BUILDING SETBACK, FRONT (minimum): | - 18 metres |
| 25.2.6 | BUILDING SETBACK, FLANK (minimum): | - 18 metres |
| 25.2.7 | BUILDING SETBACK, REAR (minimum): | - 10 metres |
| 25.2.8 | BUILDING SETBACKS, SIDE (minima): | |
| | (a) existing lots of less than 8 hectares | - 3 metres |
| | (b) other lots | - 15 metres |

SECTION 25

A1 ZONE

- 25.2.9 BUILDING SEPARATIONS (minima):
- (a) between main building and detached accessory building - 2 metres
 - (b) between detached accessory buildings - 1.5 metres
- 25.2.10 BUILDING HEIGHTS (maxima):
- (a) Residential uses - 10.5 metres
 - (b) Non-Residential uses - 12.2 metres
- 25.2.11 DWELLING UNIT AREA (minimum): - 110 square metres
- 25.2.12 LANDSCAPING AREA (minimum): - 10%
- 25.2.13 DRIVEWAY SETBACK (minimum): - 3 metres
- 25.2.14 PARKING SPACES (minima):
- (a) Residential uses - 2 for each dwelling unit
 - (b) farm produce outlet, home industry, home occupation or home profession - the greater of:
2 per lot; or
1 for each
20 square metres
of net floor area
or portion thereof
 - (c) other Non-Residential uses - nil
- 25.2.15 PARKING SPACE SETBACK (minimum):
No part of any parking space shall be located closer to any street line than - 3 metres
- 25.2.16 HOUSE LOCATION:
No part of any Residential building shall be located closer to any feedlot, any manure storage area or any livestock building on another lot than - 150 metres
- 25.2.17 FARM USE LOCATION:
No part of any feedlot, manure storage area or livestock building shall be located closer to:
- (a) any Residential use on another lot than - 150 metres
 - (b) any boundary of a Residential zone than - 150 metres
 - (c) the centreline of any street than - 90 metres
 - (d) any rear lot line than - 18 metres
 - (e) any side lot line than - 15 metres
- 25.2.18 WAYSIDE PIT LOCATION:
No part of any wayside pit shall be located south of Regional Road 12 or east of the First Line East as shown on Schedule B.
- 25.2.19 GASOLINE PUMP ISLAND SETBACK (minimum): - 9 metres

SECTION 25**A1 ZONE****25.2.20 LAND DIVISION COMMITTEE CONSENT FOR RESIDENTIAL LOT:**

Notwithstanding any provisions of Section 25.2 to the contrary, where a consent is or has been given by the Land Division Committee to create a Residential lot, such lot may be used for a one-family house, provided that such lot complies with the provisions of the RR Zone and further provided that the residual lot complies with the provisions of the A1 Zone.

25.2.21 GENERAL PROVISIONS:

In addition to the above, the provisions of Section 3 shall apply.

25.3 USES PERMITTED IN A1-X ZONES

In any A1-X Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

25.3.1 RESIDENTIAL USES: (REVISED: 03 Oct 88)

- a one-family house

25.3.2 NON-RESIDENTIAL USES:

- an existing Non-Residential use

25.4 SPECIAL PROVISIONS FOR A1-X ZONES (REV: 27 May 88 / 03 Oct 88)

In any A1-X Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following special provisions:

25.4.1 NON-RESIDENTIAL BUILDING OR USE EXPANSION (maximum):

- 10%

25.4.2 ALL OTHER ZONE PROVISIONS:**(a) Residential uses**

- in accordance with the provisions of the RR Zone

(b) commercial uses

- in accordance with the provisions of the CV Zone

(c) industrial uses

- in accordance with the provisions of the MU Zone

SECTION 25**A1-1 ZONE****25.5 USES PERMITTED IN A1-1 ZONES**

In any A1-1 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

25.5.1 RESIDENTIAL USES:

- an accessory house
- a one-family house

25.5.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88)

- a bunkhouse
- an existing home industry
- a farm
- a farm equipment storage building
- a farm produce outlet
- a home occupation
- a home profession
- a horticultural nursery
- a kennel
- a livestock building
- a private gasoline pump island
- a produce storage building
- a wayside pit
- a woodlot

25.6 SPECIAL PROVISIONS FOR A1-1 ZONES

In any A1-1 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 25.2 as modified by the following special provisions:

- | | | |
|--------|-------------------------|---------------|
| 25.6.1 | LOT AREA (minimum): | - 40 hectares |
| 25.6.2 | LOT FRONTAGE (minimum): | - 300 metres |

SECTION 25

A1-2 ZONE

25.7 USES PERMITTED IN A1-2 ZONES

In any A1-2 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

25.7.1 RESIDENTIAL USES:

- a one-family house

25.7.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88)

- an automotive repair building
- a bunkhouse
- an existing home industry
- a farm
- a farm equipment storage building
- a farm produce outlet
- a home occupation
- a home profession
- a horticultural nursery
- a livestock building
- a private gasoline pump island
- a produce storage building
- a wayside pit
- a woodlot

25.8 SPECIAL PROVISIONS FOR A1-2 ZONES

In any A1-2 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 25.2 as modified by the following special provisions:

- | | | |
|--------|---|----------------|
| 25.8.1 | LOT AREA (minimum): | - 0.9 hectares |
| 25.8.2 | LOT FRONTAGE (minimum): | - 60 metres |
| 25.8.3 | AUTOMOTIVE REPAIR BUILDINGS
PER LOT (maximum): | - 1 only |
| 25.8.4 | BUILDING AREA (maximum): | - 6 % |
| 25.8.5 | BUILDING SEPARATION (minimum): | - 1 metre |
| 25.8.6 | DRIVEWAY SETBACK (minimum): | - nil |
| 25.8.7 | PARKING SPACES (minimum): | - 10 |
| | (a) automotive repair building | |

SECTION 25**A1-3 ZONE****25.9 USES PERMITTED IN A1-3 ZONES**

In any A1-3 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

25.9.1 RESIDENTIAL USES:

- a one-family house

25.9.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88 / 03 Oct 88)

- a crane operation
- an office accessory to a crane operation
- a private gasoline pump island

25.10 SPECIAL PROVISIONS FOR A1-3 ZONES (REVISED: 03 Oct 88)

In any A1-3 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 19.2 as modified by the following special provisions:

25.10.1 BUILDING AREAS (maxima):

- | | |
|-------------------------|---------------------|
| (a) all buildings | - 25% |
| (b) accessory buildings | - 930 square metres |

25.10.2 BUILDING SETBACK, REAR (minimum):

- 5 metres

25.10.3 BUILDING SETBACK, SIDE (minimum):

- 5 metres

SECTION 25

A1-4 ZONE

25.11 USES PERMITTED IN A1-4 ZONES (ADDED: 27 May 88)

In any A1-4 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

25.11.1 RESIDENTIAL USES:

- a one-family house

25.11.2 NON-RESIDENTIAL USES: (REVISED: 03 Oct 88)

- a commercial greenhouse
- a farm
- a farm equipment storage building
- a garden centre sales establishment accessory to a horticultural nursery
- a home occupation
- a home profession
- a horticultural nursery
- a livestock building
- a produce storage building
- a woodlot

25.12 SPECIAL PROVISIONS FOR A1-4 ZONES (REVISED: 03 Oct 88)

In any A1-4 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 25.2 as modified by the following special provisions:

25.12.1 PARKING SPACES (minimum):

- (a) garden centre sales establishment

- 1 for each
20 square metres
of net floor area
or portion thereof
used for retail sales

25.12.2 PARKING SPACE SETBACK (minimum):

- 6 metres

SECTION 25**A1-5 ZONE****25.13 USES PERMITTED IN A1-5 ZONES (ADDED: 27 May 88)**

In any A1-5 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

25.13.1 RESIDENTIAL USES:

- an accessory house
- a one-family house

25.13.2 NON-RESIDENTIAL USES:

- a farm
- a farm equipment storage building
- a farm produce outlet
- a garden centre sales establishment accessory to a horticultural nursery
- a home occupation
- a home profession
- a horticultural nursery
- a livestock building
- a produce storage building
- a woodlot

25.14 SPECIAL PROVISIONS FOR A1-5 ZONES (REVISED: 03 Oct 88)

In any A1-5 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 25.2 as modified by the following special provisions:

25.14.1 BUILDING SETBACKS, FRONT (minima):

- | | |
|--------------------------|-------------|
| (a) Residential uses | - 18 metres |
| (b) Non-Residential uses | - 30 metres |

25.14.2 BUILDING SETBACK, SIDE (minimum):

- 15 metres

25.14.3 PARKING SPACES (minimum):

- | | |
|---------------------------------------|--|
| (a) garden centre sales establishment | - 1 for each
20 square metres
of net floor area
or portion thereof
used for retail sales |
|---------------------------------------|--|

25.14.4 PARKING SPACE SETBACK (minimum):

- 6 metres

SECTION 25**A1-6 ZONE****25.15 USES PERMITTED IN A1-6 ZONES (ADDED: 03 Oct 88)**

In any A1-6 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

25.15.1 RESIDENTIAL USES:

- a one-family house

25.15.2 NON-RESIDENTIAL USES:

- a machinery storage area
- an office accessory to a trucking or machinery business
- a parking area for trucks
- a private gasoline pump island
- a shop accessory to a trucking or machinery business
- a wash rack

25.16 SPECIAL PROVISIONS FOR A1-6 ZONES (ADDED: 03 Oct 88)

In any A1-6 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 19.2 but the outside storage of scrap shall be prohibited.

SECTION 25**A1-7 ZONE****25.17 USES PERMITTED IN A1-7 ZONES (ADDED: 03 Oct 88)**

In any A1-7 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

25.17.1 RESIDENTIAL USES:

- a one-family house

25.17.2 NON-RESIDENTIAL USES:

- an office accessory to a trucking business
- a parking area for trucks
- a private gasoline pump island
- a shop accessory to a trucking business
- a wash rack approved by the Ministry of the Environment

25.18 SPECIAL PROVISIONS FOR A1-7 ZONES (ADDED: 03 Oct 88)

In any A1-7 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 19.2 .

SECTION 25

A1-8 ZONE

25.19 USES PERMITTED IN A1-8 ZONES (ADDED: 03 Oct 88)

This special zone is reserved for future use.

25.20 SPECIAL PROVISIONS FOR A1-8 ZONES (ADDED: 03 Oct 88)

This special zone is reserved for future use.

SECTION 25

A1-9 ZONE

25.21 USES PERMITTED IN A1-9 ZONES (ADDED: 03 Oct 88)

This special zone is reserved for future use.

25.22 SPECIAL PROVISIONS FOR A1-9 ZONES (ADDED: 03 Oct 88)

This special zone is reserved for future use.

SECTION 25**A1-10 ZONE****25.23 USES PERMITTED IN A1-10 ZONES (ADDED: 03 Oct 88)**

In any A1-10 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

25.23.1 RESIDENTIAL USES:

- prohibited

25.23.2 NON-RESIDENTIAL USES:

- a truck repair garage

25.24 SPECIAL PROVISIONS FOR A1-10 ZONES (ADDED: 03 Oct 88)

In any A1-10 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2 as modified by the following special provisions:

- | | | |
|---------|-------------------------|----------------|
| 25.24.1 | LOT AREA (minimum): | - 0.8 hectares |
| 25.24.2 | LOT FRONTAGE (minimum): | - 60 metres |

SECTION 25**A1-11 ZONE****25.25 USES PERMITTED IN A1-11 ZONES (ADDED: 03 Oct 88)**

In any A1-11 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

25.25.1 RESIDENTIAL USES:

- prohibited

25.25.2 NON-RESIDENTIAL USES:

- a parking area accessory to a permitted CV-6 use
- a water recycling system accessory to a permitted CV-6 use

25.26 SPECIAL PROVISIONS FOR A1-11 ZONES (ADDED: 03 Oct 88)

In any A1-11 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2.

SECTION 25**A1-12 ZONE****25.27 USES PERMITTED IN A1-12 ZONES (ADDED: 03 Oct 88)**

In any A1-12 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

25.27.1 RESIDENTIAL USES:

- prohibited

25.27.2 NON-RESIDENTIAL USES:

- a parking area accessory to an existing sales area on an abutting lot

25.28 SPECIAL PROVISIONS FOR A1-12 ZONES (ADDED: 03 Oct 88)

In any A1-12 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 15.2.

SECTION 25**A1-13 ZONE****25.29 USES PERMITTED IN A1-13 ZONES (ADDED: 03 Oct 88)**

In any A1-13 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

25.29.1 RESIDENTIAL USES:

- an accessory dwelling unit

25.29.2 NON-RESIDENTIAL USES:

- a body shop
- a commercial garage
- a gasoline pump island
- a retail store
- a take-out restaurant
- a vehicle agency

25.30 SPECIAL PROVISIONS FOR A1-13 ZONES (ADDED: 03 Oct 88)

In any A1-13 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 15.2.

SECTION 26. RURAL (A2) ZONE**26.1 USES PERMITTED**

In any A2 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

26.1.1 RESIDENTIAL USES:

- an accessory house
- a one-family house

26.1.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88)

- a bunkhouse
- an existing home industry
- a farm
- a farm equipment storage building
- a farm produce outlet
- a home occupation
- a home profession
- a horticultural nursery
- a livestock building
- a private gasoline pump island
- a produce storage building
- a wayside pit
- a woodlot

26.2 ZONE PROVISIONS (REVISED: 27 May 88 / 03 Oct 88)

In any A2 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

- | | | |
|--------|---|---|
| 26.2.1 | LOT AREA (minimum): | - 6 hectares |
| 26.2.2 | LOT FRONTAGE (minimum): | - 90 metres |
| 26.2.3 | HOUSES PER LOT (maximum): | - 1 only |
| 26.2.4 | BUILDING AREA (maximum): | - the lesser of:
5% or
0.4 hectares |
| 26.2.5 | BUILDING SETBACK, FRONT (minimum): | - 18 metres |
| 26.2.6 | BUILDING SETBACK, FLANK (minimum): | - 18 metres |
| 26.2.7 | BUILDING SETBACK, REAR (minimum): | - 10 metres |
| 26.2.8 | BUILDING SETBACKS, SIDE (minima): | |
| | (a) existing lots of less than 8 hectares | - 3 metres |
| | (b) other lots | - 15 metres |

SECTION 26

A2 ZONE

- 26.2.9 BUILDING SEPARATIONS (minima):
- (a) between main building and detached accessory building - 2 metres
 - (b) between detached accessory buildings - 1.5 metres
- 26.2.10 BUILDING HEIGHTS (maxima):
- (a) Residential uses - 10.5 metres
 - (b) Non-Residential uses - 12.2 metres
- 26.2.11 DWELLING UNIT AREA (minimum): - 110 square metres
- 26.2.12 LANDSCAPING AREA (minimum): - 10%
- 26.2.13 DRIVEWAY SETBACK (minimum): - 3 metres
- 26.2.14 PARKING SPACES (minima):
- (a) Residential uses - 2 for each dwelling unit
 - (b) farm produce outlet, home industry, home occupation or home profession - the greater of:
2 per lot; or
1 for each
20 square metres
of net floor area
or portion thereof
 - (c) other Non-Residential uses - nil
- 26.2.15 PARKING SPACE SETBACK (minimum):
No part of any parking space shall be located closer to any street line than - 3 metres
- 26.2.16 HOUSE LOCATION:
No part of any Residential building shall be located closer to any feedlot, any manure storage area or any livestock building on another lot than - 150 metres
- 26.2.17 FARM USE LOCATION:
No part of any feedlot, manure storage area or livestock building shall be located closer to:
- (a) any Residential use on another lot than - 150 metres
 - (b) any boundary of a Residential zone than - 150 metres
 - (c) the centreline of any street than - 90 metres
 - (d) any rear lot line than - 18 metres
 - (e) any side lot line than - 15 metres
- 26.2.18 WAYSIDE PIT LOCATION:
No part of any wayside pit shall be located south of Regional Road 12 or east of the First Line East as shown on Schedule B.
- 26.2.19 GASOLINE PUMP ISLAND SETBACK (minimum): - 9 metres

SECTION 26**26.2.20 LAND DIVISION COMMITTEE CONSENT FOR RESIDENTIAL LOT:**

Notwithstanding any provisions of Section 26.2 to the contrary, where a consent is or has been given by the Land Division Committee to create a Residential lot, such lot may be used for a one-family house, provided that such lot complies with the provisions of the RR Zone and further provided that the residual lot complies with the provisions of the A2 Zone.

26.2.21 GENERAL PROVISIONS:

In addition to the above, the provisions of Section 3 shall apply.

26.3 USES PERMITTED IN A2-X ZONES

In any A2-X Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

26.3.1 RESIDENTIAL USES: (REVISED: 03 Oct 88)

- a one-family house

26.3.2 NON-RESIDENTIAL USES:

- an existing Non-Residential use

26.4 SPECIAL PROVISIONS FOR A2-X ZONES (REV: 27 May 88 / 03 Oct 88)

In any A2-X Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following special provisions:

**26.4.1 NON-RESIDENTIAL BUILDING
OR USE EXPANSION (maximum):**

- 10%

26.4.2 ALL OTHER ZONE PROVISIONS:**(a) Residential uses**

- in accordance with the provisions of the RR Zone

(b) commercial uses

- in accordance with the provisions of the CV Zone

(c) industrial uses

- in accordance with the provisions of the MU Zone

SECTION 26

A2-1 ZONE

26.5 USES PERMITTED IN A2-1 ZONES

In any A2-1 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

26.5.1 RESIDENTIAL USES:

- an accessory house
- a converted house
- a one-family house

26.5.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88)

- a bunkhouse
- an existing home industry
- a farm
- a farm equipment storage building
- a farm produce outlet
- a home occupation
- a home profession
- a horticultural nursery
- a kennel
- a livestock building
- a private gasoline pump island
- a produce storage building
- a wayside pit
- a woodlot

26.6 SPECIAL PROVISIONS FOR A2-1 ZONES

In any A2-1 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 26.2 as modified by the following special provisions:

- | | | |
|--------|-------------------------|---------------|
| 26.6.1 | LOT AREA (minimum): | - 40 hectares |
| 26.6.2 | LOT FRONTAGE (minimum): | - 300 metres |

SECTION 26

A2-2 ZONE

26.7 USES PERMITTED IN A2-2 ZONES

In any A2-2 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

26.7.1 RESIDENTIAL USES:

- a one-family house

26.7.2 NON-RESIDENTIAL USES:

- a home occupation
- a home profession

26.8 SPECIAL PROVISIONS FOR A2-2 ZONES

In any A2-2 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 26.2 as modified by the following special provisions:

- | | | |
|--------|-----------------------------------|-------------|
| 26.8.1 | LOT AREA (minimum): | - 1 hectare |
| 26.8.2 | BUILDING SETBACKS, SIDE (minima): | |
| | (a) from east side lot line | - 60 metres |
| | (b) from west side lot line | - 15 metres |

SECTION 26**A2-3 ZONE****26.9 USES PERMITTED IN A2-3 ZONES (ADDED: 03 Oct 88)**

In any A2-3 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

26.9.1 RESIDENTIAL USES:

- an existing one-family house

26.9.2 NON-RESIDENTIAL USES:

- a business office within an existing one-family house
- a home occupation
- a home profession

26.10 SPECIAL PROVISIONS FOR A2-3 ZONES (ADDED: 03 Oct 88)

In any A2-3 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 26.2.

SECTION 26

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A2-4 ZONE

26.11 USES PERMITTED IN A2-4 ZONES (ADDED: 03 Oct 88)

In any A2-4 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

26.11.1 RESIDENTIAL USES:

- a one-family house

26.11.2 NON-RESIDENTIAL USES:

- a commercial greenhouse
- a farm
- a farm equipment storage building
- a garden centre sales establishment accessory to a horticultural nursery
- a home occupation
- a home profession
- a horticultural nursery
- a livestock building
- a produce storage building
- a woodlot

26.12 SPECIAL PROVISIONS FOR A2-4 ZONES (ADDED: 03 Oct 88)

In any A2-4 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 26.2 as modified by the following special provisions:

26.12.1 PARKING SPACES (minimum):

- (a) garden centre sales establishment

- 1 for each
20 square metres
of net floor area
or portion thereof
used for retail sales

26.12.2 PARKING SPACE SETBACK (minimum):

- 6 metres

SECTION 26

A2-5 ZONE

26.13 USES PERMITTED IN A2-5 ZONES (ADDED: 03 Oct 88)

In any A2-5 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

26.13.1 RESIDENTIAL USES:

- an accessory dwelling unit

26.13.2 NON-RESIDENTIAL USES:

- a business office
- a professional office
- an exclusive retail store

26.14 SPECIAL PROVISIONS FOR A2-5 ZONES (ADDED: 03 Oct 88)

In any A2-5 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 14.2 as modified by the following special provisions:

- | | | |
|---------|--|----------|
| 26.14.1 | DWELLING UNITS PER LOT (maximum): | - 1 only |
| 26.14.2 | NON-RESIDENTIAL USES PER LOT (maxima): | |
| | (a) business office | - 2 |
| | (b) professional office | - 1 only |
| | (c) retail store | - 3 |

SECTION 26

A2-6 ZONE

26.15 USES PERMITTED IN A2-6 ZONES (ADDED: 03 Oct 88)

In any A2-6 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

26.15.1 RESIDENTIAL USES:

- prohibited

26.15.2 NON-RESIDENTIAL USES:

- a theatre

26.16 SPECIAL PROVISIONS FOR A2-6 ZONES (ADDED: 03 Oct 88)

In any A2-6 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 26.2 as modified by the following special provisions:

26.16.1 BUILDING SETBACKS, REAR (minima):

- | | |
|---|---------------|
| (a) from a rear lot line abutting a Residential zone
or a lot containing a Residential use | - 10.5 metres |
| (b) from any other rear lot line | - 7.5 metres |

26.16.2 BUILDING SETBACKS, SIDE (minima):

- | | |
|---|--------------|
| (a) from a side lot line abutting a Residential zone
or a lot containing a Residential use | - 4.5 metres |
| (b) from any other side lot line | - 3 metres |

26.16.3 PLANTING STRIP LOCATION:

A planting strip shall be required along any portion of a rear lot line and any portion of a side lot line which abut a Residential zone or a lot containing a Residential use.

26.16.4 DRIVEWAY SETBACKS (minima):

- | | |
|--|--------------|
| (a) from a lot line abutting a Residential zone
or a lot containing a Residential use | - 4.5 metres |
| (b) from any other lot line | - 1.5 metres |

26.16.5 PARKING SPACES (minimum):

- the greater of:
- 1 for each
- 3.5 fixed seats
- or fraction thereof

SECTION 26

A2-6 ZONE

- 26.16.6 **PARKING SPACE SETBACKS (minima):**
- (a) from any street line - 1.5 metres
 - (b) from any lot line which abuts a Residential zone or abuts a lot containing a Residential use - 3 metres
- 26.16.7 **PARKING SPACE DIMENSIONS (minima):**
- (a) area for not less than 67% of parking spaces - 17.4 square metres for each space
 - (b) area for other parking spaces - 15.6 square metres for each space
 - (c) length - 6 metres
 - (d) width for not less than 67% of parking spaces - 2.9 metres
 - (e) width for other parking spaces - 2.6 metres
 - (f) vertical clearance - 2 metres
- 26.16.8 **PARKING SPACE REGULATIONS:**
Those parking spaces which are less than 17.4 square metres in area shall be posted for use by small vehicles only.
- 26.16.9 **LOADING SPACE DIMENSIONS (minima):**
- (a) length - 12 metres
 - (b) width - 3.5 metres
 - (c) vertical clearance - 4.5 metres

SECTION 27. SMALL AGRICULTURAL HOLDINGS (A3) ZONE**27.1 USES PERMITTED**

In any A3 Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

27.1.1 RESIDENTIAL USES:

- a one-family house

27.1.2 NON-RESIDENTIAL USES: (REVISED: 27 May 88)

- an existing home industry
- a farm equipment storage building
- a farm produce outlet
- a hobby farm
- a home occupation
- a home profession
- a horticultural nursery
- a livestock building
- a produce storage building
- a woodlot

27.2 ZONE PROVISIONS (REVISED: 27 May 88 / 03 Oct 88)

In any A3 Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

- | | | |
|---------|---|---------------|
| 27.2.1 | LOT AREA (minimum): | - 4 hectares |
| 27.2.2 | LOT FRONTAGE (minimum): | - 55 metres |
| 27.2.3 | HOUSES PER LOT (maximum): | - 1 only |
| 27.2.4 | BUILDING AREA (maximum): | - 5% |
| 27.2.5 | BUILDING SETBACK, FRONT (minimum): | - 18 metres |
| 27.2.6 | BUILDING SETBACK, FLANK (minimum): | - 18 metres |
| 27.2.7 | BUILDING SETBACKS, REAR (minima): | |
| | (a) main building | - 15 metres |
| | (b) accessory building | - 10 metres |
| 27.2.8 | BUILDING SETBACK, SIDE (minimum): | - 10 metres |
| 27.2.9 | BUILDING SEPARATIONS (minima): | |
| | (a) between main building and detached accessory building | - 2 metres |
| | (b) between detached accessory buildings | - 1.5 metres |
| 27.2.10 | BUILDING HEIGHTS (maxima): | |
| | (a) Residential uses | - 10.5 metres |
| | (b) Non-Residential uses | - 12.2 metres |

SECTION 27

A3 ZONE

- 27.2.11 DWELLING UNIT AREA (minimum):
- 165 square metres plus 35 square metres for each additional storey
- 27.2.12 LANDSCAPING AREA (minimum):
- 50%
- 27.2.13 DRIVEWAY SETBACK (minimum):
- 3 metres
- 27.2.14 PARKING SPACES (minima):
- (a) Residential uses
 - 2 for each dwelling unit
 - (b) farm produce outlet, home industry, home occupation or home profession
 - the greater of:
 - 2 per lot; or
 - 1 for each 20 square metres of net floor area or portion thereof
 - (c) other Non-Residential uses
 - nil
- 27.2.15 PARKING SPACE SETBACKS (minimum):
- No part of any parking space shall be located closer to any street line than
- 3 metres
- 27.2.16 HOUSE LOCATION:
- No part of any Residential building shall be located closer to any feedlot, any manure storage area or any livestock building on another lot than
- 150 metres
- 27.2.17 FARM USE LOCATION:
- No part of any feedlot, manure storage area or livestock building shall be located closer to:
- (a) any Residential use on another lot than
 - 150 metres
 - (b) any boundary of a Residential zone than
 - 150 metres
 - (c) the centreline of any street than
 - 90 metres
 - (d) any rear lot line than
 - 18 metres
 - (e) any side lot line than
 - 15 metres
- 27.2.18 ANIMAL UNITS PER LOT (maxima):
- (a) lots of less than 2 hectares
 - nil
 - (b) lots from 2 hectares to 4 hectares
 - 1 animal unit
 - (c) lots of more than 4 hectares
 - 1 animal unit plus 1 animal unit for each 0.5 hectares of lot area in excess of 4 hectares

SECTION 27**27.2.19 ANIMAL UNITS CALCULATION:**

For the purposes of this section of the By-law, 1 animal unit is equal to:

- (a) 2 horses or ponies (plus foals); or
- (b) 2 sheep (plus lambs); or
- (c) 2 goats (plus kids); or
- (d) 10 rabbits (plus litters); or
- (e) 10 fowl.

27.2.20 LAND DIVISION COMMITTEE CONSENT FOR RESIDENTIAL LOT:

Notwithstanding any provisions of Section 27.2 to the contrary, where a consent is or has been given by the Land Division Committee to create a Residential lot, such lot may be used for a one-family house, provided that such lot complies with the provisions of the RR Zone and further provided that the residual lot complies with the provisions of the A3 Zone.

27.2.21 GENERAL PROVISIONS:

In addition to the above, the provisions of Section 3 shall apply.

SECTION 28. EXCEPTIONS**28.1 RR-E(1) (REVISED: 03 Oct 88)**

On the lands designated RR-E(1) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the RR zone provisions, subject to the following exceptions:

- | | | |
|--------|-----------------------------------|--------------|
| 28.1.1 | LOT FRONTAGE (minimum): | - 18 metres |
| 28.1.2 | BUILDING SETBACK, REAR (minimum): | - 9 metres |
| 28.1.3 | BUILDING SETBACK, SIDE (minimum): | - 1.5 metres |

28.2 RR-E(2) (REVISED: 03 Oct 88)

On the lands designated RR-E(2) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the RR zone provisions, subject to the following exceptions:

- | | | |
|--------|-------------------------------|-----------------------|
| 28.2.1 | LOT AREA (minimum): | - 3,100 square metres |
| 28.2.2 | LOT FRONTAGE (minimum): | - 40 metres |
| 28.2.3 | DWELLING UNIT AREA (minimum): | - 165 square metres |

28.3 RR-E(3) (REVISED: 03 Oct 88)

On the lands designated RR-E(3) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the RR zone provisions, subject to the following exceptions:

- | | | |
|--------|-------------------------------|-----------------------|
| 28.3.1 | LOT AREA (minimum): | - 2,200 square metres |
| 28.3.2 | LOT FRONTAGE (minimum): | - 30 metres |
| 28.3.3 | DWELLING UNIT AREA (minimum): | - 165 square metres |

28.4 RR-E(4) (REVISED: 03 Oct 88)

On the lands designated RR-E(4) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the RR zone provisions, subject to the following exceptions:

- | | | |
|--------|-------------------------------|-----------------------|
| 28.4.1 | LOT AREA (minimum): | - 2,700 square metres |
| 28.4.2 | LOT FRONTAGE (minimum): | - 45 metres |
| 28.4.3 | DWELLING UNIT AREA (minimum): | - 165 square metres |

SECTION 28

EXCEPTIONS

28.5 R1-E(5) (REVISED: 03 Oct 88)

On the lands designated R1-E(5) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R1 zone provisions, subject to the following exceptions:

- | | | |
|--------|-------------------------------|---------------------|
| 28.5.1 | LOT FRONTAGE (minimum): | - 16.5 metres |
| 28.5.2 | DWELLING UNIT AREA (minimum): | - 120 square metres |

28.6 R1-E(6) (REVISED: 03 Oct 88)

On the lands designated R1-E(6) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R1 zone provisions, subject to the following exceptions:

- | | | |
|--------|-------------------------|---------------------|
| 28.6.1 | LOT AREA (minimum): | - 460 square metres |
| 28.6.2 | LOT FRONTAGE (minimum): | - 12 metres |

28.7 CH-E(7) (REVISED: 03 Oct 88)

On the lands designated CH-E(7) on Schedule A, no person shall use any lot or construct, alter or use any building or structure for any purpose except in accordance with the CH zone provisions, subject to the following exceptions:

- | | | |
|--------|------------------------------------|-----------------------|
| 28.7.1 | LOT AREA (minimum): | - 6,000 square metres |
| 28.7.2 | LOT FRONTAGE (minimum): | - 90 metres |
| 28.7.3 | BUILDING SETBACK, FRONT (minimum): | - 13.5 metres |
| 28.7.4 | BUILDING SETBACK, REAR (minimum): | - 12 metres |
| 28.7.5 | BUILDING SETBACK, SIDE (minimum): | - 6 metres |

28.8 RR-E(8) (REVISED: 03 Oct 88)

On the lands designated RR-E(8) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the RR zone provisions, subject to the following exceptions:

- | | | |
|--------|-------------------------------|---------------------|
| 28.8.1 | LOT FRONTAGE (minimum): | - 48 metres |
| 28.8.2 | DWELLING UNIT AREA (minimum): | - 165 square metres |

SECTION 28**EXCEPTIONS****28.9 R1-E(9)**

On the lands designated R1-E(9) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R1 zone provisions, subject to the following exceptions:

- | | | |
|--------|-------------------------------|---------------------|
| 28.9.1 | LOT FRONTAGE (minimum): | - 16.5 metres |
| 28.9.2 | DWELLING UNIT AREA (minimum): | - 120 square metres |

28.10 R1-E(10) (ADDED: 03 Oct 88)

On the lands designated R1-E(10) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R1 zone provisions, subject to the following exceptions:

- | | | |
|---------|---|---------------------|
| 28.10.1 | LOT AREAS (minima): | |
| | (a) lots with frontage or flankage on Bond Street, King Road or Eighth Line | - 900 square metres |
| | (b) other lots with more than 15 metres of frontage | - 525 square metres |
| | (c) other lots with 14 to 15 metres of frontage | - 490 square metres |
| | (d) other lots with less than 14 metres of frontage | - 455 square metres |
| 28.10.2 | LOT FRONTAGES (minima): | |
| | (a) lots with frontage or flankage on Bond Street, King Road or Eighth Line | - 24.5 metres |
| | (b) other corner lots | - 15 metres |
| | (c) other lots | - 13 metres |
| 28.10.3 | BUILDING AREA (maximum): | - 30% |
| 28.10.4 | BUILDING SETBACKS, FRONT (minima): | |
| | (a) habitable room wall | - 9 metres |
| | (b) attached or unattached garage | - 7.5 metres |
| 28.10.5 | BUILDING SETBACK, FLANK (minimum): | - 6 metres |
| 28.10.6 | BUILDING SETBACKS, REAR (minima): | |
| | (a) main building | - 9 metres |
| | (b) accessory building with a gross floor area of more than 9 square metres | - 7.5 metres |
| | (c) other accessory building | - 1 metre |

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EXCEPTIONS

- 28.10.7 BUILDING SETBACKS, SIDE (minima):
- (a) main building with unattached private garage in a front yard or side yard or with attached private garage - 1.3 metres
 - (b) other main building - 3 metres on garage side; 1.3 metres on other side
 - (c) accessory building with a gross floor area of more than 9 square metres - 1 metre
 - (d) other accessory building - nil
- 28.10.8 BUILDING SETBACK, EMBANKMENT (minimum):
- (a) main building from top or bottom of embankment - 9 metres
- 28.10.9 REAR YARD REQUIREMENTS:
The following provisions apply to rear yards abutting an HL Zone:
- (a) area (minimum) - 135 square metres
 - (b) length (minimum) - 10 metres
 - (c) width (minimum) - 6 metres
 - (d) overall slope (maximum) - 6%
- 28.10.10 LANDSCAPING AREA (minimum): - 35%
- 28.11 R2-E(11) (ADDED: 03 Oct 88)
- On the lands designated R2-E(11) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R2 zone provisions, subject to the following exceptions:
- 28.11.1 BUILDING AREA (maximum): - 30%
 - 28.11.2 BUILDING SETBACKS, FRONT (minima):
 - (a) habitable room wall - 9 metres
 - (b) attached or unattached garage - 7.5 metres
 - 28.11.3 BUILDING SETBACK, FLANK (minimum): - 6 metres
- 28.12 RM-E(12) (ADDED: 03 Oct 88)
- On the lands designated RM-E(12) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the RM zone provisions, subject to the following exceptions:
- 28.12.1 BUILDING HEIGHT (maximum): - 12.2 metres
 - 28.12.2 LANDSCAPING AREA (maximum): - 35%

SECTION 28

EXCEPTIONS

28.13 RE-E(13) (ADDED: 03 Oct 88)

On the lands designated RE-E(13) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the RE zone provisions, subject to the following exceptions:

- 28.13.1 LOT AREAS (minima):
- (a) lots south of King East, north of the River (having Region and Conservation Authority approval) - 1,390 square metres
 - (b) other lots - 0.8 hectares
- 28.13.2 LOT FRONTAGE (minimum): - 30 metres
- 28.13.3 BUILDING SETBACK, FRONT (minimum): - 15 metres
- 28.13.4 BUILDING SETBACK, FLANK (minimum): - 15 metres
- 28.13.5 BUILDING SETBACKS, SIDE (minima):
- (a) main building - 5 metres
 - (b) accessory building - 1.5 metres
- 28.13.6 DWELLING UNIT AREA (minimum): - 165 square metres

28.14 RT-E(14) (ADDED: 03 Oct 88)

On the lands designated RT-E(14) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the RT zone provisions, subject to the following exceptions:

- 28.14.1 DWELLING UNITS PER HOUSE (maximum): - 6

28.15 R1-E(15)

On the lands designated R1-E(15) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R1 zone provisions, subject to the following exception:

- 28.15.1 LOT AREA (minimum): - 464 square metres

28.16 R1-E(16)

On the lands designated R1-E(16) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R1 zone provisions, subject to the following exceptions:

- 28.16.1 LOT AREA (minimum): - 371 square metres
- 28.16.2 LOT FRONTAGE (minimum): - 12 metres

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EXCEPTIONS

28.17 R1-E(17) (ADDED: 03 Oct 88)

On the lands designated R1-E(17) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R1 zone provisions, subject to the following exceptions:

- | | | |
|---------|--|--|
| 28.17.1 | LOT AREA (minimum): | - 530 square metres |
| 28.17.2 | BUILDING AREA (maximum): | - 35% |
| 28.17.3 | BUILDING SETBACKS, FRONT (minima): | |
| | (a) main building | - 9 metres |
| | (b) attached or unattached garage | - 7.5 metres |
| 28.17.4 | BUILDING SETBACK, FLANK (minimum): | - 6 metres |
| 28.17.5 | BUILDING SETBACK, SIDE (minimum): | |
| | (a) main building with unattached private garage in a front yard or in a side yard or with attached private garage | - 1 metre on garage side plus 0.6 metres for each additional storey above the garage ;
1.8 metres on other side |

28.18 R1-E(18)

On the lands designated R1-E(18) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R1 zone provisions, subject to the following exception:

- | | | |
|---------|---------------------|---------------------|
| 28.18.1 | LOT AREA (minimum): | - 557 square metres |
|---------|---------------------|---------------------|

28.19 R2-E(19) (ADDED: 03 Oct 88)

On the lands designated R2-E(19) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R2 zone provisions, subject to the following exceptions:

- | | | |
|---------|------------------------------------|---------------------|
| 28.19.1 | LOT AREA (minimum): | - 800 square metres |
| 28.19.2 | LOT FRONTAGES (minima): | |
| | (a) corner lot | - 28 metres |
| | (b) other lots | - 24 metres |
| 28.19.3 | BUILDING SETBACKS, FRONT (minima): | |
| | (a) main building | - 9 metres |
| | (b) attached or unattached garage | - 7.5 metres |

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EXCEPTIONS

- 28.19.4 BUILDING SETBACK, FLANK (minimum): - 6 metres
 28.19.5 BUILDING SETBACK, SIDE (minimum):
 (a) main building with unattached private garage
 in a front yard or in a side yard or
 with attached private garage
 - 1 metre on garage side
 plus 0.6 metres
 for each additional storey
 above the garage ;
 1.8 metres on other side

28.20 R1-E(20)

On the lands designated R1-E(20) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R1 zone provisions, subject to the following exceptions:

- 28.20.1 LOT AREA (minimum): - 464 square metres
 28.20.2 LOT FRONTAGE (minimum): - 13.5 metres

28.21 R1-E(21)

On the lands designated R1-E(21) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R1 zone provisions, subject to the following exceptions:

- 28.21.1 LOT AREA (minimum): - 408 square metres
 28.21.2 LOT FRONTAGE (minimum): - 12 metres

28.22 R1-E(22) (ADDED: 03 Oct 88)

On the lands designated R1-E(22) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R1 zone provisions, subject to the following exceptions:

- 28.22.1 LOT AREA (minimum): - 560 square metres
 28.22.2 BUILDING AREA (maximum): - 28%
 28.22.3 BUILDING SETBACKS, FRONT (minima):
 (a) habitable room wall - 9 metres
 (b) attached or unattached garage - 7.5 metres
 28.22.4 BUILDING SETBACK, FLANK (minimum): - 6 metres
 28.22.5 BUILDING SETBACKS, REAR (minima):
 (a) Lots 121 to 128, inclusive - 10 metres
 (b) Lots 142 to 160, inclusive - 10 metres

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EXCEPTIONS

- 28.22.6 BUILDING SETBACK, SIDE (minimum):
 (a) main building with unattached private garage
 in a front yard or side yard or
 with attached private garage - 1.5 metres

28.23 R1-E(23) (ADDED: 03 Oct 88)

On the lands designated R1-E(23) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R1 zone provisions, subject to the following exceptions:

- 28.23.1 LOT AREA (minimum): - 560 square metres
 28.23.2 LOT FRONTAGES (minima):
 (a) corner lot - 17 metres
 (b) other lots - 14 metres
 28.23.3 BUILDING AREA (maximum): - 28%
 28.23.4 BUILDING SETBACKS, FRONT (minima):
 (a) habitable room wall - 9 metres
 (b) attached or unattached garage - 7.5 metres
 28.23.5 BUILDING SETBACK, FLANK (minimum): - 6 metres
 28.23.6 BUILDING SETBACKS, REAR (minima):
 (a) Lots 1 to 27, inclusive - 10 metres
 (b) Lots 129 to 141, inclusive - 10 metres
 28.23.7 BUILDING SETBACK, SIDE (minimum):
 (a) main building with unattached private garage
 in a front yard or side yard or
 with attached private garage - 1.4 metres

28.24 R1-E(24) (ADDED: 03 Oct 88)

On the lands designated R1-E(24) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R1 zone provisions, subject to the following exceptions:

- 28.24.1 LOT AREA (minimum): - 465 square metres
 28.24.2 LOT FRONTAGES (minima):
 (a) corner lot - 17 metres
 (b) other lots - 13 metres
 28.24.3 BUILDING AREA (maximum): - 30%

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EXCEPTIONS

- 28.24.3 BUILDING SETBACKS, FRONT (minima):
 (a) habitable room wall - 9 metres
 (b) attached or unattached garage - 7.5 metres
- 28.24.4 BUILDING SETBACK, FLANK (minimum): - 6 metres
- 28.24.5 BUILDING SETBACKS, REAR (minima):
 (a) Lots 28 to 47, inclusive - 10 metres
 (b) Lots 161 to 168, inclusive - 10 metres
- 28.24.6 BUILDING SETBACK, SIDE (minimum):
 (a) main building with unattached private garage in a front yard or side yard or with attached private garage - 1.3 metres

28.25 R1-E(25) (ADDED: 03 Oct 88)

On the lands designated R1-E(25) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R1 zone provisions, subject to the following exceptions:

- 28.25.1 LOT AREA (minimum): - 540 square metres
- 28.25.2 BUILDING AREA (maximum): - 40%
- 28.25.3 BUILDING SETBACKS, FRONT (minima):
 (a) habitable room wall - 9 metres
 (b) attached or unattached garage - 7.5 metres
- 28.25.4 BUILDING SETBACK, FLANK (minimum): - 6 metres
- 28.25.5 BUILDING SETBACK, SIDE (minimum): - 1.5 metres
- 28.25.6 BUILDING SEPARATION (minimum): - 3 metres

28.26 R1-E(26) (ADDED: 03 Oct 88)

On the lands designated R1-E(26) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R1 zone provisions, subject to the following exceptions:

- 28.26.1 LOT AREA (minimum): - 465 square metres
- 28.26.2 LOT FRONTAGES (minima):
 (a) corner lot - 18 metres
 (c) other lots - 14 metres
- 28.26.3 BUILDING AREA (maximum): - 45%
- 28.26.4 BUILDING SETBACKS, FRONT (minima):
 (a) habitable room wall - 9 metres
 (b) attached or unattached garage - 7.5 metres

(28-9)

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EXCEPTIONS

28.26.5	BUILDING SETBACK, FLANK (minimum):	- 6 metres
28.26.6	BUILDING SETBACK, SIDE (minimum):	- 1.2 metres
28.26.7	BUILDING SEPARATION (minimum):	- 2.4 metres

28.27 R1-E(27) (ADDED: 03 Oct 88)

On the lands designated R1-E(27) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R1 zone provisions, subject to the following exceptions:

28.27.1	LOT AREA (minimum):	- 576 square metres
28.27.2	LOT FRONTAGES (minima):	
	(a) corner lot	- 18 metres
	(b) other lots	- 16 metres
28.27.3	BUILDING AREA (maximum):	- 40%
28.27.4	BUILDING SETBACKS, FRONT (minima):	
	(a) habitable room wall	- 9 metres
	(b) attached or unattached garage	- 7.5 metres
28.27.5	BUILDING SETBACK, FLANK (minimum):	- 6 metres
28.27.6	BUILDING SEPARATION (minimum):	- 3 metres
28.27.7	BUILDING HEIGHTS (maxima):	
	(a) main building	- 10.5 metres
	(b) accessory building	- 3 metres

28.28 R1-E(28) (ADDED: 03 Oct 88)

On the lands designated R1-E(28) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R1 zone provisions, subject to the following exceptions:

28.28.1	LOT AREA (minimum):	- 550 square metres
28.28.2	LOT FRONTAGE (minimum):	- 13.7 metres
28.28.3	BUILDING SETBACK, FRONT (minimum):	- 7.5 metres
28.28.4	BUILDING SETBACK, REAR (minimum):	- 10 metres

SECTION 28

EXCEPTIONS

28.29 R2-E(29) (ADDED: 03 Oct 88)

On the lands designated R2-E(29) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R2 zone provisions, subject to the following exceptions:

28.29.1	LOT AREA (minimum):	- 700 square metres
28.29.2	LOT FRONTAGE (minimum):	- 19.8 metres
28.29.3	BUILDING AREA (maximum):	- 50%
28.29.4	BUILDING SETBACK, FRONT (minimum):	- 7.5 metres
28.29.5	BUILDING SETBACK, REAR (minimum):	- 10 metres
28.29.6	BUILDING SETBACK, SIDE (minimum):	
	(a) main building with attached private garage	- 1 metre, plus 0.5 metres for each storey or portion thereof above the first storey

28.30 R2-E(30) (ADDED: 03 Oct 88)

On the lands designated R2-E(30) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R2 zone provisions, subject to the following exceptions:

28.30.1	LOT AREA (minimum):	- 700 square metres
28.30.2	LOT FRONTAGE (minimum):	- 24.5 metres
28.30.3	BUILDING AREA (maximum):	- 50%
28.30.4	BUILDING SETBACK, FRONT (minimum):	- 6 metres
28.30.5	BUILDING SETBACK, REAR (minimum):	- 10 metres
28.30.6	BUILDING SETBACK, SIDE (minimum):	
	(a) main building with attached private garage	- 1 metre, plus 0.5 metres for each storey or portion thereof above the first storey

28.31 I-E(31) (ADDED: 03 Oct 88)

On the lands designated I-E(31) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the I zone provisions, subject to the following exceptions:

28.31.1	BUILDING AREA (maximum):	- 45%
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SECTION 28

EXCEPTIONS

28.32 MS-E(32) (ADDED: 03 Oct 88)

On the lands designated MS-E(32) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the MS zone provisions, subject to the following exceptions:

28.32.1 OPEN STORAGE AREA REGULATIONS:

- (a) No open storage area shall be located in a front yard or a flank yard.
- (b) Any open storage area shall be screened by a solid fence, at least 1.8 metres high, along the lot lines.

28.33 RE-E(33) (REVISED: 03 Oct 88)

On the lands designated RE-E(33) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the RE zone provisions, subject to the following exceptions:

- | | | |
|---------|-----------------------------------|--------------|
| 28.33.1 | LOT FRONTAGE (minimum): | - 44 metres |
| 28.33.2 | BUILDING SETBACK, SIDE (minimum): | - 6 metres |
| 28.33.3 | SETBACKS FROM OS ZONE (minima): | |
| | (a) fence | - nil |
| | (b) other buildings or structures | - 7.5 metres |

28.34 CV-E(34) (ADDED: 03 Oct 88)

On the lands designated CV-E(34) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the CV zone provisions, subject to the following exceptions:

- | | | |
|---------|-----------------------------------|-----------------------|
| 28.34.1 | LOT AREA (minimum): | - 1,039 square metres |
| 28.34.2 | LOT FRONTAGE (minimum): | - 17.2 metres |
| 28.34.3 | BUILDING SETBACK, SIDE (minimum): | - 3.5 metres |

28.35 RE-E(35) (ADDED: 03 Oct 88)

On the lands designated RE-E(35) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the RE zone provisions, subject to the following exceptions:

- | | | |
|---------|-----------------------------------|----------------|
| 28.35.1 | LOT AREA (minimum): | - 0.6 hectares |
| 28.35.2 | LOT FRONTAGE (minimum): | - 40 metres |
| 28.35.3 | BUILDING SETBACK, SIDE (minimum): | - 6 metres |

SECTION 28

EXCEPTIONS

28.36 RE-E(36) (REVISED: 03 Oct 88)

On the lands designated RE-E(36) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the RE zone provisions, subject to the following exceptions:

28.36.1	LOT AREA (minimum):	- 0.17 hectares
28.36.2	LOT FRONTAGE (minimum):	- 27 metres
28.36.3	BUILDING SETBACK, FRONT (minimum):	- 7.5 metres
28.36.4	BUILDING SETBACK, FLANK (minimum):	- 7.5 metres
28.36.5	BUILDING SETBACKS, REAR (minimum):	
	(a) main building	- 7.5 metres
	(b) accessory building	- 3 metres
28.36.6	BUILDING SETBACK, SIDE (minimum):	- 3 metres
28.36.7	DWELLING UNIT AREAS (minima):	
	(a) house containing more than 1 storey above finished grade	- 185 square metres
	(b) other houses	- 150 square metres
28.36.8	DRIVEWAY SETBACK (minimum):	- 3 metres
28.36.9	SETBACKS FROM OS ZONE (minima):	
	(a) fence	- nil
	(b) other buildings or structures	- 7.5 metres

28.37 A2-E(37) (ADDED: 03 Oct 88)

On the lands designated A2-E(37) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the A2 zone provisions, subject to the following exceptions:

28.37.1	LOT AREA (minimum):	- 4,030 square metres
28.37.2	LOT FRONTAGE (minimum):	- 60 metres
28.37.3	BUILDING AREA (maximum):	- 10%

28.38 A2-E(38) (ADDED: 03 Oct 88)

On the lands designated A2-E(38) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the A2 zone provisions, subject to the following exceptions:

28.38.1	LOT AREA (minimum):	- 0.8 hectares
28.38.2	BUILDING AREA (maximum):	- 10%

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EXCEPTIONS

28.39 A1-E(39) (ADDED: 03 Oct 88)

On the lands designated A1-E(39) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the A1 zone provisions, subject to the following exceptions:

- | | | |
|---------|--------------------------|-------------|
| 28.39.1 | LOT FRONTAGE (minimum): | - 30 metres |
| 28.39.2 | BUILDING AREA (maximum): | - 25% |

28.40 A2-E(40)

On the lands designated A2-E(40) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the A2 zone provisions, subject to the following exceptions:

- | | | |
|---------|-------------------------|-------------|
| 28.40.1 | LOT FRONTAGE (minimum): | - 79 metres |
|---------|-------------------------|-------------|

28.41 RE-E(41) (REVISED: 03 Oct 88)

On the lands designated RE-E(41) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the RE zone provisions, subject to the following exceptions:

- | | | |
|---------|---|---------------------|
| 28.41.1 | BUILDING SETBACK, REAR (minimum): | - 18 metres |
| 28.41.2 | BUILDING SETBACK, SIDE (minimum): | - 6 metres |
| 28.41.3 | DWELLING UNIT AREAS (minima): | |
| | (a) house containing more than
1 storey above finished grade | - 185 square metres |
| | (b) other houses | - 165 square metres |

28.42 RE-E(42)

On the lands designated RE-E(42) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the RE zone provisions, subject to the following exceptions:

- | | | |
|---------|------------------------------------|----------------|
| 28.42.1 | LOT AREA (minimum): | - 0.6 hectares |
| 28.42.2 | LOT FRONTAGE (minimum): | - 36 metres |
| 28.42.3 | BUILDING SETBACK, FRONT (minimum): | - 15 metres |
| 28.42.4 | BUILDING SETBACK, SIDE (minimum): | - 6 metres |
| 28.42.5 | SETBACKS FROM OS ZONE (minima): | |
| | (a) fence | - nil |
| | (b) other buildings or structures | - 7.5 metres |

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EXCEPTIONS

28.43 MU-E(43) (ADDED: 03 Oct 88)

On the lands designated MU-E(43) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the MU zone provisions, subject to the following exceptions:

- 28.43.1 BUILDING AREA (maximum): - 18%

28.44 CH-E(44) (ADDED: 03 Oct 88)

On the lands designated CH-E(44) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the CH zone provisions, subject to the following exceptions:

- 28.44.1 WATER SETBACK (minimum): - 10 metres
- 28.44.2 PARKING SPACES (minima):
- (a) retail store - 1 for each 17 square metres of net floor area or portion thereof
 - (b) secondhand shop - 1 for each 5 square metres of net floor area or portion thereof

28.45 R1-E(45) (ADDED: 03 Oct 88)

On the lands designated R1-E(45) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R1 zone provisions, subject to the following exceptions:

- 28.45.1 LOT AREA (minimum): - 540 square metres
- 28.45.2 BUILDING AREA (maximum): - 40%
- 28.45.3 BUILDING SETBACKS, FRONT (minima):
- (a) habitable room wall - 9 metres
 - (b) attached or unattached garage - 7.5 metres
- 28.45.4 BUILDING SETBACK, FLANK (minimum): - 6 metres
- 28.45.5 BUILDING SETBACKS, REAR (minima):
- (a) main building - 7.5 metres
 - (b) accessory building with a gross floor area of more than 9 square metres - 7.5 metres
 - (c) other accessory building - 1 metre

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- 28.45.6 BUILDING SETBACK, SIDE (minimum): - 1.2 metres, plus
0.3 metres for each
storey above the first
- 28.45.7 BUILDING SEPARATION (minimum): - 3 metres
- 28.45.8 BUILDING HEIGHTS (maxima):
(a) main building - 9.5 metres
(b) accessory building - 4.5 metres
- 28.45.9 PARKING SPACES (minima):
(a) Residential uses - 1 for each dwelling unit
(b) other Non-Residential uses - the greater of:
2 per lot; or
1 for each
20 square metres
of net floor area
or portion thereof
- 28.46 R1-E(46) (ADDED: 03 Oct 88)
- On the lands designated R1-E(46) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R1 zone provisions, subject to the following exceptions:
- 28.46.1 LOT AREA (minimum): - 1,200 square metres
- 28.46.2 LOT FRONTAGE (minimum): - 23 metres
- 28.46.3 DWELLING UNIT AREA (minimum): - 200 square metres
- 28.47 RE-E(47) (REVISED: 03 Oct 88)
- On the lands designated RE-E(47) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the RE zone provisions, subject to the following exceptions:
- 28.47.1 LOT FRONTAGE (minimum): - 45 metres

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28.48 RE-E(48) (REVISED: 03 Oct 88)

On the lands designated RE-E(48) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the RE zone provisions, subject to the following exceptions:

28.48.1 DWELLING UNIT AREAS (minima):

- | | |
|--|-----------------------|
| (a) 1-storey house constructed of solid brick, brick veneer or stone | - 165 square metres |
| (b) 1.5-storey house constructed of solid brick, brick veneer or stone | - 152.5 square metres |
| (c) 2-storey house constructed of solid brick, brick veneer or stone | - 222.5 square metres |
| (d) other 1-storey houses | - 165 square metres |
| (e) other houses of more than 1 storey | - 185 square metres |

28.48.2 GROUND FLOOR AREA (minimum):

- 102 square metres

28.49 R1-E(49) (ADDED: 03 Oct 88)

On the lands designated R1-E(49) on Schedule A, no person shall use any lot or construct, alter or use any building or structure except in accordance with the R1 zone provisions, subject to the following exceptions:

28.49.1 BUILDING SETBACK, REAR (minimum):

- 18 metres

28.49.2 BUILDING SETBACK, SIDE (minimum):

- 3 metres

28.49.1 DWELLING UNIT AREAS (minima):

- | | |
|--|---------------------|
| (a) 1-storey house constructed of solid brick, brick veneer or stone | - 130 square metres |
| (b) other houses constructed of solid brick, brick veneer or stone | - 139 square metres |
| (c) other houses | - 110 square metres |

SECTION 29. ADMINISTRATION

29.1 ZONING ADMINISTRATOR

This By-law shall be administered by the Zoning Administrator.

29.2 ISSUANCE OF BUILDING PERMITS AND LICENSES

Notwithstanding any provision of the Building By-law or any other by-law of the Corporation to the contrary, no building permit or license shall be issued if the proposed building, structure or use would violate any provision of this By-law.

29.3 REQUESTS FOR AMENDMENTS

Every request for an amendment to this By-law shall be accompanied by 3 copies of the Corporation's "APPLICATION FOR AMENDMENT TO ZONING BY-LAW".

29.4 NIAGARA ESCARPMENT COMMISSION REGULATIONS (ADDED: 27 May 88)

Within the area designated "NIAGARA ESCARPMENT DEVELOPMENT CONTROL AREA" on Schedule A, the Niagara Escarpment Commission administers a system of development controls. No development shall be permitted in such area unless a development permit has been issued or unless such development is of a class exempted by Ontario Regulation 685/80.

29.5 INSPECTION

29.5.1 CONDITIONS FOR ENTRY:

Subject to Section 29.5.2, the Zoning Administrator, Building Inspector or any other officer or employee of the Corporation, acting under the direction of Council, is authorized to enter, at all reasonable hours, upon any property or premises for the purpose of carrying out his duties under this By-law.

29.5.2 RESTRICTIONS FOR ENTRY TO DWELLING UNITS:

Notwithstanding any provision of Section 29.5.1, no officer or employee of the Corporation shall enter any room or place being used as a dwelling unit or part thereof without the consent of the occupant except under the authority of a search warrant issued pursuant to the *Summary Convictions Act*.

SECTION 29**ADMINISTRATION****29.6 VIOLATIONS AND PENALTIES**

Every person who violates any provision of this By-law or causes or permits a violation shall be guilty of an offence and, upon conviction, shall be liable for the penalties set out in Section 66 of the *Planning Act, 1983*.

29.7 REMEDIES

In case any building or structure is to be constructed or altered or any part thereof is to be used, or any lot is to be used, in contravention of any requirement of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation pursuant to the provisions of the *Planning Act, 1983* or the *Municipal Act* in that behalf. Any building or structure which contravenes any requirement of this By-law may be removed or altered at the instance of the Corporation, pursuant to the provisions of the *Municipal Act*.

29.8 VALIDITY

If any section, clause or provision of this By-law, including anything contained in Schedule A, 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 declared to be invalid. It is intended 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 shall have been declared to be invalid.