

Township of Edwardsburgh/Cardinal

Zoning By-law No. 2012-35

June 25, 2012

**The Corporation of the Township of Edwardsburgh/Cardinal
By-law N° 2012-35**

BEING A BY-LAW TO REGULATE THE
USE OF LAND, BUILDINGS AND
STRUCTURES WITHIN THE TOWNSHIP
OF EDWARDSBURGH/CARDINAL

WHEREAS authority is granted pursuant to
Section 34 of the *Planning Act*, R.S.O.
1990, to Councils of Municipalities to enact
by-laws regarding the use and the erection
and use of buildings or structures within the
municipality;


AND WHEREAS the Council of the
Corporation of the Township of
Edwardsburgh/Cardinal has adopted an
Official Plan and deems it appropriate to
implement the plan;

NOW THEREFORE the Council of the
Corporation of the Township of
Edwardsburgh/Cardinal enacts as follows:

(Text of Zoning By-law)

Read a first and second time this 28 day of May, 2012.


William Sloan
Mayor

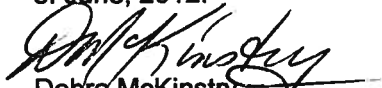

Debra McKinstry
Clerk

Read a third time and adopted this 25 day of June, 2012.


William Sloan
Mayor


Debra McKinstry
Clerk

Certified that the above is a true copy of By-law No. 2012-35 as enacted and passed by
the Council of the Corporation of the Township of Edwardsburgh/Cardinal on the 25 day
of June, 2012.


Debra McKinstry
Clerk

Township of Edwardsburgh/Cardinal

Zoning By-law 2012-35

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Section 1.0 ADMINISTRATION

Explanatory Note

Section 1 identifies the administrative controls and requirements of the By-law. It names the By-law, states its relationship with other by-laws, defines the area to which it applies, how it is to be enforced, etc. In essence, it identifies the legal parameters within which the By-law functions.

1.1 Title

This By-law shall be known as the Zoning By-law or By-law N° 2012-35 of the Corporation of the Township of Edwardsburgh/Cardinal.

1.2 Applications and Plans

In addition to the requirements of any Building By-law, every application for a building permit shall be accompanied by a plan in triplicate, drawn to scale and showing the following:

- (a) the true dimensions and/or legal description of the lot to be built upon or otherwise used;
- (b) the proposed location and dimensions of any building, structure or use proposed for such lot;
- (c) the proposed location, height and dimensions of yards, landscaping, parking areas and loading spaces required by this By-law;
- (d) the location of all existing buildings or structures on the lot, including the lot area, lot coverage of existing and proposed structures;
- (e) the proposed grading or changes in elevation or contours of the land and the proposed method for disposal of storm and surface water run off from the land and all existing and proposed buildings or structures thereon;
- (f) a statement, signed by the owner disclosing the exact use of all existing and proposed uses of land, buildings or structures and such other information as may be required to determine whether the uses conform with the requirements of this by-law.

1.3 Defined Area

The provisions of this By-law shall apply to all lands within the municipal boundaries of the Corporation of the Township of Edwardsburgh/Cardinal.

1.4 Illustrations

The illustrations contained in this By-law are intended solely for the convenience of the user in order to facilitate interpretation and do not form part of the By-law.

1.5 Enforcement

This By-law shall be administered by the Chief Building Official or such other person as may from time to time be designated by Council, and no permit for the use of land or for the erection or use of any building or structure or approval of application for any municipal license within the jurisdiction of the Council shall be issued or given where the proposed building, structure or use would be a violation of any provision of this By-law.

(a) Subject to Section 49 of the Planning Act, 1990, where an officer believes on reasonable grounds that a by-law passed under Section 34 or 38 (of the Planning Act) is being contravened, the officer or any person acting under his or her instructions, may at all reasonable times, and upon producing proper identification, enter and inspect any property on or in respect of which he or she believes the contravention is occurring.

(b) Except under the authority of a search warrant issued under Section 49.1 (of the Planning Act), an officer or any person acting under his or her instructions shall not enter any room or

place actually used as a dwelling unit without requesting and obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused and entry made only under the authority of a search warrant.

(c) No person shall obstruct or attempt to obstruct an officer or person acting under the officer's instructions in the exercise of a power under this Section.

1.6 Inspection of Land, Buildings and Structures

(a) Subject to Section 49 of the Planning Act, the Chief Building Official or any other officer or any person acting under his or her instructions, and upon producing proper identification, is hereby authorized to enter, at all reasonable times, upon any property or premises for the purpose of carrying out his duties under this By-law.

(b) Notwithstanding any provisions of Section 1.6 (a) hereof to the contrary, no officer or employee of the Corporation shall enter any room or place actually being used as a dwelling unit without obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused, except under the authority of a search warrant issued under the Provincial Offenses Act.

1.7 Penalty

(a) Every person who violates any of the provisions of this By-law is guilty of an offense and upon conviction thereof shall forfeit and pay a penalty not exceeding Twenty Five Thousand Dollars (\$25,000.00), on a first conviction, add Ten Thousand Dollars (\$10,000.00) on a subsequent conviction for each day or part thereof upon which the contravention has continued after the day of the first conviction.

(b) Where a corporation is convicted under subsection (a), the maximum penalty that may be imposed is Fifty Thousand Dollars (\$50,000.00) on a first conviction and Twenty Five Thousand Dollars (\$25,000.00) on a subsequent conviction for each day or part thereof upon which the contravention has continued after the day of the first conviction.

(c) In the case where any building or structure is erected or altered, or any part thereof is used, or any lot is used, in contravention of any of the requirements of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation pursuant to the provisions of the Municipal Act or the Planning Act in that behalf.

1.8 Repeal and Relationship to Former By-laws

Insofar as it applies to the lands affected by this By-law, any By-laws passed under Section 34 of the Planning Act, R.S.O. 1990, or its predecessor, are hereby repealed. The adoption of this By-law shall not prevent any pending or future prosecution of, or action to abate any existing violation of the said By-laws if the violation is also a violation of any of the provisions of this By-law.

1.9 Validity

Should any Section or part of a Section of this By-law or Schedule hereto be declared by a court of competent jurisdiction to be invalid, the same shall not affect the provisions of this By-law as a whole or any part thereof other than the part declared to be invalid.

1.10 Other By-laws, Licenses, Permits and Regulations

Nothing in this By-law shall exempt any person from complying with the requirements of any other By-law in force within the area affected by this By-law, or from applying for and obtaining any permit, license, permission, authority or approval required by this or any other By-law or regulation of the Corporation or by any other law in force from time to time.

1.11 Conflict

In the event of conflict between this By-law and amendments thereto, and any general or special By-law, the most restrictive By-law shall prevail.

1.12 Interpretation

(a) Interpretation Act: The Interpretation Act, R.S.O. 1990 applies to this By-law.

(b) Definitions: Definitions are given in this By-law to aid in the understanding and implementation of the true spirit, intent and meaning of the By-law. They are not to be used to avoid an obligation imposed by the By-law or any requirement enacted in a substantive provision of the By-law.

(c) Citation: This By-law may be cited by its long title ("A By-law to Regulate the Use of Land, Buildings and Structures within the Township of Edwardsburgh/Cardinal"), its short title ("Township of Edwardsburgh/Cardinal Zoning By-law") or its by-law number, and any such citation is to be taken as meaning the By-law as amended.

(d) Gender Neutrality: This By-law is gender neutral and, accordingly, any reference to one gender includes the other.

(e) Plural and Singular: In this By-law, words in the singular include the plural, and words in the plural include the singular.

(f) Terms Mutually Exclusive: Whether or not a word or term used in this By-law is defined, it is not included within the meaning of any other word or term used in this By-law, whether or not that other word or term is defined.

(g) References: Appendices, footnotes, glossaries, headings, indices, marginal notes and references to former enactments or enabling legislation after a section or other division of the By-law, do not form part of the By-law and are inserted for convenience of reference only.

(h) Measurement Units: This By-law utilizes the metric system to establish measurements when such measurements form part of a regulation or a requirement.

1.13 Effective Date

This By-law shall take effect from the date of its passage by Council, subject to the provisions of the Planning Act.

Section 2.0 CONFORMITY REQUIREMENTS

Explanatory Note

This short section establishes the authority and legitimacy of the By-law. It is composed of statements which establish the primacy of the regulations stated within.

2.1 No land, building or structure shall be used and no building or structure shall be erected or enlarged or placed for any purpose within the area defined by this By-law, except as specifically, or by necessary implication, authorized by this By-law and in conformity with all the applicable provisions of this By-law.

2.2 Subject to the granting of such minor variances as may be necessary, no lands shall be severed from any existing lot if the effect of such action is to cause the original, adjoining, remaining or new building, structure, lot or use of land to be in contravention of any provision of this By-law.

2.3 Where a use does not take place within a building but a regulation in this By-law imposes a requirement premised on the use being in a building, the requirement applies as though the actual area occupied by the use was in a building.

2.4 Committee of Adjustment

Pursuant to the provisions of Sections 44 and 45 of the Planning Act, a duly appointed Committee of Adjustment is authorized to grant relief to any of the provisions of this By-law, by way of granting a minor variance or by giving a permission for the enlargement or extension of a non-conforming use or to permit a change of use of a non-conforming use to a similar or more compatible use.

Explanatory Note

The Committee of Adjustment, as appointed by Council, is duly authorized under Section 45 of the Planning Act, upon the application of the owner of any land, building or structure affected by this by-law, to grant a minor variance from the provisions of this by-law as in its opinion is desirable for the appropriate use of the land, building or structure if the general intent of the Zoning By-Law and Official Plan are maintained. Minor variances may, for example, be granted to the lot area, lot frontage, setbacks, height of buildings, parking provisions or any other standard set out in this By-Law. Minor generally means a variation that is less than a 25% difference to a zoning standard.

Section 3.0 DEFINITIONS

Explanatory Note

For the purpose of this By-law, the definitions and interpretations given in this Section shall govern. In this By-law, the word "shall" is mandatory and not directory; words in the singular include the plural, words in the plural include the singular; the word "used" includes "arranged", "designed" or "intended to be used". The word "occupied" shall include "designed to be occupied" and "arranged to be occupied".

Abattoir means a building or structure where animals are killed for market but shall not include a rendering plant.

Accessory when used to describe a use, building or structure, means a use, building or structure naturally or normally incidental, subordinate and exclusively devoted to a main use, building or structure and located on the same lot therewith, but does not include a building or structure used for human habitation. Examples of accessory buildings or structures are a detached garage, a storage shed or a swimming pool. Examples of accessory uses are a home based business, an apartment above a store, or a retail outlet within a manufacturing plant.

Adult Entertainment Parlour means any premises or part thereof in which are provided, in pursuance of a trade, calling, business or occupation, any goods or services appealing or designed to appeal to erotic or sexual appetites or inclinations as defined in subsection 154[2] of the Municipal Act.

Adult Entertainment/Video Parlour means either an Adult Entertainment Parlour or an Adult Video Rental Outlet as defined in this By-Law.

Adult Video Rental Outlet means an establishment where pre-recorded video tape, video discs, game cartridges, video cameras or video players/recorders are offered for rent or rented as a principal or accessory business activity and includes the sale of electronic home entertainment products, computer disks, software, CD-ROMs or other computerized systems designed or advertised as designed to appeal to erotic or sexual appetites or inclinations.

Adventure Game means an outdoor sport or recreation operated commercially in which participants attempt to capture a flag or some other object and return it to their home base, and may carry one or more of the following equipment: paint pellet pistols with a CO2 cartridge, paint pellets, safety goggles to prevent pellets from striking participants' eyes, and armbands to identify team participants. This includes courses, blinds and structures, or similar related uses.

Advertising Use means the use of land, of a building exterior or of a structure or device for the advertising or promotion, by visible means, of a product, service, place or event which is for sale, rent, available, held, assembled, grown or manufactured elsewhere than on the same lot.

Aggregate means gravel, sand, clay, earth, shale, limestone, dolostone, sandstone, marble, granite, rock other than metallic ores or other prescribed material.

Agricultural Code of Practice see Minimum Distance Separation (M.D.S.).

Agricultural Use means a use of land, building(s) or structure(s) for:

- (a) the growing of crops, including all related activities such as soil preparation, manure or fertilizer spreading, planting, spraying, grain drying, irrigating, harvesting and also including the storage and sale of the crops;
- (b) animal husbandry including the raising, boarding, and keeping of all forms of livestock and fish, and all related activities such as breeding, training, feeding and grazing;
- (c) the production of animal products such as milk, eggs, wool, fur, or honey, including related activities such as the collection, storage and sale of the products;
- (d) forestry activities as defined herein;
- (e) the use and storage of all forms of equipment or machinery needed to accomplish the foregoing activities.

It shall not be construed to include commercial activities related to agriculture such as abattoirs, tanneries and retail sales outlets, or manufacturing and processing activities involving farm crops or animal products such as cheese factories, grain mills or retail seed sales but may include the production and incidental sale of maple syrup and a farm produce outlet.

Agriculturally Related Commercial/Industrial Use means the use of land, buildings or structures related to agriculture and necessary in close proximity to farm operations, such as animal husbandry services, produce or grain storage facilities, farm machinery outlets, a fertilizer depot, but does not include any manufacturing, assembling, processing, warehousing or construction uses.

Agricultural Co-op means a building or premise for the retail or wholesale sale of seed, fertilizer, farm related products, hardware and other similar goods or services and where the provision of such goods or services is by a company with public share ownership.

Airfield, Private means land used for the purpose of landing, storing, taxiing or taking-off of private aircraft and uses, buildings or structures accessory thereto, but shall not include a commercial airport or airport governed by the Aeronautics Act and/or Transport Canada.

Alter

- (a) When used in reference to a building, structure or part thereof, means:
 - [i] to change any one or more of the external dimensions of such building or structure; or
 - [ii] to change the type of construction of the exterior walls or roof of such building or structures;or
 - [iii] to change the use of such building or structure or the number or types of uses or dwelling units contained therein.
- (b) When used in reference to a lot means:
 - [i] to change the boundary of such lot with respect to a street or lane; or
 - [ii] to change any dimension or area, relating to such lot; or
 - [iii] to change the use of such lot or the number of uses located thereon.

Amusement Machine means a mechanical or electronic machine or device intended for use as a game, entertainment or amusement offered for use to the public for profit or gain, and shall include, but not be limited to, a pinball machine, video game, shooting gallery, video pokers, video lottery terminals or any slot machine that dispenses any form of prize, but shall not include a machine used only for the purpose of vending merchandise or services or playing recorded music, not any billiard, pool or bagatelle table or any machine that would render the premises a common gaming house within the meaning of the appropriate statute.

Animal Husbandry Service means a professional service designed to provide health related care, breeding, feeding or management of livestock and may include a building, structure or use of land for that purpose.

Apartment - see Dwelling, Apartment.

Arcade means an establishment where more than three amusement machines are available for public use and are operated for commercial gain, but does not include premises licensed to serve alcohol, a seasonal agricultural fair, an amusement park or the premises on a non-profit organization, association, institution or club which is operated for social, educational, recreational, religious or fraternal purposes. [see also Amusement Machine]

Assembly Hall means a building or part of a building in which facilities are provided for such purposes as meetings for civic, political, social or religious purposes, and may include a banquet hall, a private club or a fraternal organization. [see also Place of Assembly]

Attached means a building or structure otherwise complete in itself which is connected to, and which depends for structural support upon a division wall or walls shared in common with an adjacent building or buildings.

Attic means that portion of a building immediately below the roof and wholly or partly within the roof framing.

Auction Room means a building, a structure or parts thereof, or any lands or premises used for the storage of goods or materials which are to be sold on the premises by public auction, and for the sale of the said goods and materials by public auction. An auction barn shall be included within this definition.

Auto Body Shop means a building having at least one (1) service bay, where painting, refinishing, restoration or repairs to the coachwork of motor vehicles are performed for gain or profit.

Auto Repair Garage means a building used for the storage repair and servicing of motor vehicles, having at least one (1) service bay where repairs essential to the actual operation of a motor vehicle are performed, but does not include the sale of gasoline or an auto body shop.

Automobile Service Station means a place for supplying fuel, oil and minor accessories for motor vehicles at retail, direct to the consumer and having at least one (1) service bay where minor repairs essential to the actual operation of motor vehicles may be performed. If more than two (2) motor vehicles are kept on the premises for the purpose of selling such vehicles, then such establishment shall be classified as an automotive sales establishment.

Automobile Sales Establishment means a building and/or lot used principally for the display and sale of new and/or used motor vehicles and may include the servicing, repair, cleaning, body repair and repainting of motor vehicles, the sale of automotive accessories and related products and the leasing or renting of motor vehicles, but shall not include any other defined automotive uses.

Automobile Service Station - Gas Bar means one or more pump islands, each consisting of one or more gasoline pumps, and a shelter having a floor area of not more than 10 m² which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles.

Automobile Service Station - Card Lock Facility means one or more pump islands designed for the retail sale of gasoline or diesel fuel using pumps which are operated automatically by credit or debit cards.

Bakery means a factory for producing, mixing, compounding or baking bread, biscuits, ice cream cones, cakes, pies, buns, or any other bakery product of which flour or meal is the principal ingredient, but does not include a restaurant or other premises where any such product is made for consumption on the premises.

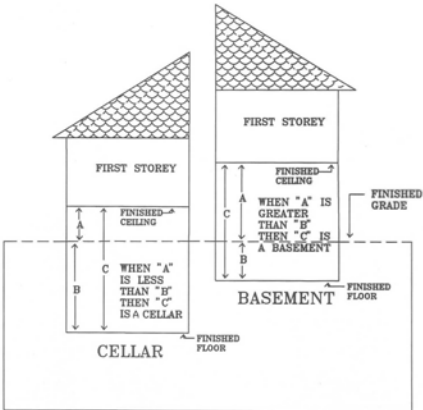
Balcony means an open platform projecting from the face of a building's wall, cantilevered or supported by columns or brackets and surrounded by a balustrade or railing.

Bank means a chartered bank, finance company office, co-op, trust company, loan company or similar establishment.

Bar means an establishment licensed under the Liquor License Act, the principal business of which is to serve any sort of beverage or alcohol to the public for consumption of the premises.

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

BASEMENT AND CELLAR DEFINITIONS



Bed and Breakfast Establishment means a private dwelling designed to be used in part for the accommodation of the travelling or vacationing public, containing therein four (4) or fewer suites or guest rooms and other related services and facilities within the occupant's dwelling. A Bed and Breakfast Establishment shall not include a restaurant or Tourist Establishment.

Bingo Hall means a building or premise or part thereof used for bingo or a bingo event and is duly registered under the Gaming Control Act and is in compliance with municipal by-laws and approvals.

Boarding House means a dwelling within which a live-in proprietor supplies for gain, lodging with or without meals, but does not include a bed and breakfast establishment, a hotel, a hospital, a children's home, a home for the aged, a rooming house or other establishment otherwise classified or defined in this by-law.

Boathouse means an accessory building to a Residential or Tourist Commercial use used for the storage of a boat or boats and accessory equipment, no part which shall be used for human habitation purposes.

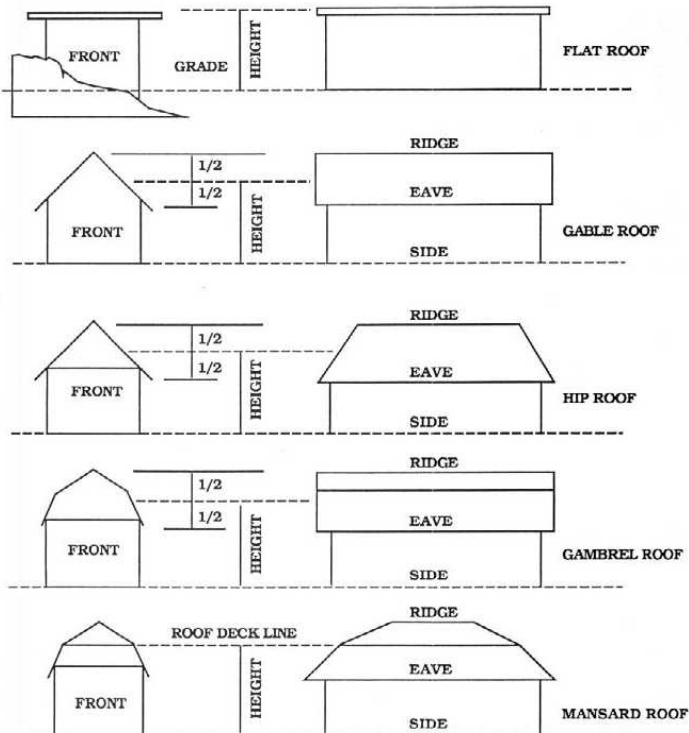
Building means any structure used or intended for sheltering any use or occupancy. The word "building" shall include the whole of such structure or part thereof.

Building Contractor's Shop means a place of business for persons employed in building trades such as painting, plumbing, electrical work, masonry, metal working and carpentry, or truck, bulldozer, loader and backhoe operating and such place of business may be used for the storage of equipment, materials and vehicles which are used on construction sites and may include such related uses as office space or maintenance facilities, but shall not include a retail business sales counter nor a wholesale business.

Building Envelope means the buildable area on a lot, as defined by all of the required yards and setbacks and the maximum height provisions, within which a building can be erected.

Building Height means the vertical distance between the average finished grade at the base of the building and in the case of a flat roof, the highest point of the roof surface or parapet wall, whichever is the highest, or in the case of all other types of roofs, the mean height level between the base of the roof and highest point of the roof.

GUIDE TO HEIGHT DEFINITIONS



Building Line means a line within a lot drawn parallel or concentric to a lot line establishing the minimum distance between that lot line and any portion of a building or structure which may be erected.

Building, Main means a building in which are conducted the principal uses of the lot on which it is situated.

Building Supply Store means a building where building supplies such as lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning, home improvement and similar goods are stored, displayed, or kept for retail sale. This definition shall not include a lumber yard nor a salvage yard.

Building, Temporary means a building or structure intended for removal or demolition within a prescribed time not exceeding two years or as set out in a building permit.

Bus Depot means a building or structure or land where commercial motor vehicles pick up and discharge fare paying passengers, and without limiting the foregoing, may include ticket offices, confections, luggage checking facilities, parcel shipping facilities, storage facilities for the parking of the vehicles and ancillary offices.

By-law Enforcement Officer means the officer or employee of the Corporation of the Township of Edwardsburgh/Cardinal charged with the duty of administering and enforcing the provisions of municipal by-laws.

Cabin Establishment means a tourist establishment comprised of two or more cabins arranged singly or in pairs and which does not provide cooking facilities.

Campground means an area of land, managed as a unit, providing short term accommodation for tents, tent trailers, recreational vehicles or campers and may include accessory uses such as a laundromat, convenience store or recreational uses for persons using the campground.

Canal means an artificial waterway designed and constructed for transportation or irrigation purposes.

Canopy means a roof free of enclosing walls over an entrance to a building, structure or gasoline pump island.

Car Port means a structure open on at least two sides and intended to be used for the sheltering of one or more motor vehicles.

Car Washing Establishment means a building or portion thereof used for washing or cleaning of motor vehicles for gain, and may include the sale of gas and oil to its customers.

Casino means any place where games such as blackjack, roulette, and approved forms of wheel of fortune, video lottery terminals, slot machines, amusement machines are played by the public and supervised by an organization licensed to carry out such a function by the gaming commission and in which accessory uses may include an eating establishment, parking lot and similar support facilities.

Catering Establishment means an establishment in which food and beverages are prepared for consumption off the premises and are not served to customers on the premises.

Cellar means any storey below the first storey which is more than 50% below finished grade (measured from finished floor to finished ceiling). [see also Basement and illustration]

Cemetery means a cemetery within the meaning of, and as regulated by, the Cemeteries Act.

Chief Building Official means the officer or employee of the Corporation of the Township of Edwardsburgh/Cardinal charged with the duty of enforcing the provisions of the Building Code Act.

Church see Place of Worship.

Cinema means a building or part of a building where motion pictures are screened for public viewing. [see also Theatre].

Clinic means a building used solely for the purpose of consultations, diagnosis and treatment of patients, by two (2) or more legally qualified physicians, dentists, optometrists, chiropractors, chiropractors, massage therapists, physiotherapists, or drugless practitioners, together with their qualified assistants and without limiting the generality of the foregoing, the building may include administrative offices, waiting rooms, laboratories, pharmacies or dispensaries directly

associated with the clinic, but shall not include accommodation for in-patient care or operating rooms for major surgery.

Club means premises used as a meeting place by an association of dues-paying members which owns, hires leases such premises for social, recreational, artistic or athletic purposes.

Commercial Club means a building or premises used as an athletic, recreational or social club operated for gain or profit.

Commercial Greenhouse see Nursery.

Commercial Use means the use of land, buildings or structures for the purpose of buying and selling commodities and supplying of services as distinguished from such uses as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.

Commercial Vehicle means any commercial vehicle as defined under the Highway Traffic Act.

Communications Facility means an installation which transmits, receives and/or relays communications such as a microwave relay tower, telephone or telegraph line, cellular telephone tower, radio or television broadcast tower or similar facility.

Community Centre means any parcel of land or building(s) used for community activities whether used for commercial purposes or not, and the control of which is vested in the municipality, a local board or agent thereof.

Condominium means land and/or buildings under the control of a corporation under the Condominium Act in which land or the units and their appurtenant common interests are held in fee simple or by leasehold by the owners.

Conservation Authority means the South Nation Conservation.

Conservation Use means the use of lands which are intended to remain open in character with the priority use given to preservation of their ecological uniqueness, wildlife production and their natural features and may include non-commercial recreational uses only if conservation of the resource is not jeopardized.

Construction Yard see Equipment and Vehicle Storage Yard, Industrial.

Contractor's Shop see Building Contractor's Shop.

Convenience Store means a building or part of a building used primarily for the sale of grocery and confectionary items and incidentally for the sale of such other merchandise as is required to fulfill the day-to-day needs of a surrounding community.

Corporation means the Corporation of the Township of Edwardsburgh/Cardinal.

Correctional Facility means any lands, buildings and associated accessory uses and services which are maintained and operated primarily for persons who are incarcerated or admitted for correctional purposes, or who are remanded by the courts and which is licensed, approved or supervised by a government authority under a specific Act or Acts.

Council means the Council of the Corporation of the Township of Edwardsburgh/Cardinal.

Counties means the Corporation of the United Counties of Leeds and Grenville.

Coverage means the percentage of the lot area covered or occupied by all the buildings and structures.

Custom Workshop means a building or part thereof where individual custom productions of goods or materials are made but does not include any establishment where the manufacture of goods or materials is performed on a mass production or assembly line basis nor any shop or factory otherwise defined in this by-law.

Day Care in a Private Home means the temporary care and custody for gain or compensation of five (5) children or less who are under the age of ten (10) years of age, where such care is provided in a private residence other than the home of a parent or guardian of any such child, for a continuous period not exceeding twenty-four (24) hours in accordance with the Day Nurseries Act.

Day Nursery, Licensed means a place wherein the temporary care of children is provided in facilities and by staff licensed by the Province of Ontario and operated in accordance with the provisions of the Day Nurseries Act.

Day Nursery, Private Home means a place wherein the temporary care of children is provided, which is operated as an accessory use within a residential dwelling unit and is not required to be licensed by the Province but shall comply with the applicable provisions of the Day Nurseries Act.

Deck means a structure abutting a dwelling or building with no roof or walls except for visual partitions and railings which is constructed on piers or a foundation for use as an outdoor living area.

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

Dock, Floating means an accessory structure used for the mooring of marine vessels which is designed to float freely on the surface of the waterbody and which may be secured to the shoreline.

Dock, Permanent means an accessory structure used for the mooring of marine vessels which is secured to the shoreline and/or the bottom of the waterbody by concrete, metal or wood pillars or such other foundation, the design of which facilitates the construction of a more or less permanent structure.

Drive-Through Facility means a building or part thereof where food is prepared and/or cooked for sale to the public, either within the building or while in motor vehicles, by means of an order or window service which vehicles approach in designated stacking lanes. A drive-through facility is accessory to a restaurant. A drive-through facility does not include a vehicle washing establishment or a vehicle fuel station.

Driveway means a vehicular access connected to only one public street or thoroughfare, which provides ingress to and/or egress from a lot, but shall not include a lane as defined herein.

Dry Cleaning Laundry Establishment means a building where dry cleaning, dry dyeing, cleaning, minor repairs or pressing of articles or goods of fabric is carried on and (1) in which non-flammable solvents are or can be used which emit no odours or fumes and, (2) in which no noise or vibration causes a nuisance within or without the premises.

Dry Cleaning Distribution Establishment means a building used for the purpose of receiving goods of fabric primarily for distribution to a Dry Cleaning and Laundry Establishment.

Dwelling means a building or part of a building occupied or capable of being occupied, in whole or in part as the home or residence of one or more persons either continuously, permanently or temporarily, but does not include living quarters for a caretaker, watchman or other supervisor that are accessory to a non-residential building or structure, nor does it include a mobile home, house trailer, travel trailers or recreational vehicles that are towed behind vehicles, motor home, motor coach, bus, or a boarding house, hotel, motel or similar commercial use of a private or semi-private institution.

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

Dwelling, Apartment

(a) **Apartment Building** means a building which, at the time of construction, contained four or more independent dwelling units having common corridors and/or stairways and having shared exit and entrance facilities, but shall not include a townhouse, or converted dwelling or a quadruplex.

(b) **Apartment Unit** means a dwelling unit as defined herein, which is not the principal use, either residential or non-residential, of the building within which it is located.

Dwelling, Boarding see Boarding House.

Dwelling, Converted means a building altered to contain a greater number of dwelling units.

Dwelling, Duplex means a building divided horizontally into two (2) dwelling units.

Dwelling, Maisonette means a dwelling containing dwelling units, each unit having two separate means of access. One (1) of the said means of access is from a common first storey corridor and the other directly from an outside landscaped yard or amenity area adjacent to the dwelling unit.

Dwelling, Modular means a prefabricated single detached dwelling built in accordance with the Building Code being so constructed or assembled that the shortest side of such dwelling is not less than 6 m in width.

Dwelling, Park Model Trailer means a manufactured building designed and constructed in conformance with CAN/CSA - Z241 "Park Model Trailer", as set out in the Building Code, and is used or intended to be used for seasonal accommodation.

Dwelling, Permanent means a single detached dwelling which is the principle residence of the occupant thereof and is normally occupied year round.

Dwelling, Quadruplex [or Fourplex] means a dwelling that is divided vertically by common party walls into four separate dwelling units, each of which has two common party walls.

Dwelling, Rooming see Rooming House and Rooming Unit.

Dwelling, Semi Detached means a building on a single foundation divided vertically into two (2) separate dwelling units by a common wall.

Dwelling, Single Detached means a detached building containing one (1) dwelling unit.

Dwelling, Townhouse means a building divided vertically into three (3) or more dwelling units but not more than six (6) units, attached by common walls extending from the base of the foundation to the roof line, each dwelling unit having a separate entrance at grade.

Dwelling, Triplex means a building or structure on a single foundation divided horizontally into three separate single dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.

Dwelling Unit means a habitable room or suites of two or more rooms, designed or intended for use by one or more individuals in which culinary and sanitary conveniences are provided for the exclusive use of such individual or individuals and with a private entrance from outside the building or from a common hallway or stairway inside.

Easement means the legal right acquired by contract to pass over, along, upon or under the lands of another.

Eating Establishment means a building or part of a building where prepared food is offered for sale or sold to the public for immediate consumption therein and may include a restaurant, café, tea or lunchroom, dairy bar and refreshment room or stand, but does not include a boarding or lodging house.

Ecclesiastical Residence means the dwelling used as a residence by a member of the clergy.

Equipment Rental Establishment, Domestic means a building or part of a building wherein the primary use is the rental of machinery, equipment, furniture and fixtures, only of a size and type which would be used for a specific home improvement or household purpose and which could be transported by the individual household user.

Equipment Rental Establishment, Industrial means an establishment primarily engaged in the rental of machinery, equipment, furniture, fixtures and other goods, of a size and type which would be used for business, industrial and major construction undertakings or which may involve bulk shipping of such goods, large catering undertakings, or similar non-household oriented rental functions.

Equipment Sales Establishment, Industrial means a building or part of a building or place where machinery or equipment for use in industrial and major construction undertakings, commercial vehicles, and other similar goods are kept for sale at retail or wholesale.

Equipment Service and Repair Establishment, Industrial means a building or part of a building where any equipment, vehicle, including commercial vehicles, and/or trailers may be serviced, washed or repaired and may include an auto body shop.

Equipment and Vehicle Storage Yard, Industrial means an uncovered area which is used for the storage and machinery and equipment for use in industrial and major construction undertakings, commercial vehicles, and other similar goods requiring large areas for outside storage. Limited repair of such machinery, equipment, vehicles and goods may be permitted in a building provided such repair is clearly incidental and secondary to the storage use.

Erect means to build, construct, reconstruct, alter or relocate and without limiting the generality of the foregoing shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

Established Building Line, Rural means the median setback from the centre line of a street line of existing buildings in either Agricultural, Rural or Hamlet Residential Zones when at least five buildings have been erected on any one side of a continuous 200 metres of land with frontage on an improved street.

Established Building Line, Urban means the median setback from the centre line of a street line of existing buildings on one side of one block where more than one-half of the frontage of the said side of the block has been built on.

Established Grade means the median elevation of the finished level of the ground adjoining all of the walls of the building exclusive of any artificial embankments or berms. [see also Grade]

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

Factory Outlet means a building or part of a building accessory to a permitted industrial use where the products manufactured are kept for wholesale or retail sale.

Fairground shall mean lands where fairs, livestock shows, horseracing, demolition derbies, other sports events, circuses, or exhibitions are held primarily outdoors, and includes any accessory and temporary buildings.

Farm means land used for the tillage of soil and the growing of vegetables, fruits, grains, and other staple crops. This definition shall also apply to land used for animal husbandry, dairying, production of animal products such as milk, eggs, wool, fur or honey, or wood lots.

Farmer means an individual whose primary occupation consists of working on a farm and has been involved in cropping and/or animal husbandry. A farmer shall own, lease and/or operate and live on the farming operation from which he/she derives such primary occupation.

Farmer's Market means an establishment or premises where the farm products of a local farming community are sold at retail from covered or uncovered areas designed for individual retailers.

Farming Operation means all of the lands normally and usually associated with the operation of a farm which is corporately considered to be one operation for income tax purposes. A farming operation may include one or more legally conveyable lots which may or may not be contiguous.

Farm Produce Outlet means a use accessory to a farm which consists of the retail sale of agricultural products produced on the farm where such outlet is located.

Farm Supply Sales or Farm Implement Dealer means an establishment for the sale and service of agricultural equipment including the sale of fuel, lubricants and accessory items.

Fence means any barrier constructed of chain link metal, wood, stone, metal, brick or other similar materials or combinations of such materials which is erected for the purpose of screening, safeguarding, retaining or enclosing property, persons, livestock, pets or material, or for delineating property lines.

Fertilizer Plant means a building, structure or area where liquid or organic fertilizer is produced, processed or refined.

Flea Market means:

- (a) a building or part of a building where second hand goods, articles and antiques are offered or kept for sale at retail to the general public but shall not include any other retail establishment otherwise defined herein;
- (b) an occasional or periodic market or sales event held in an open area, which may include a street, or within a building or structure where independent sellers offer goods, new and used, for sale to the public, but not including private garage sales;
- (c) a building or open area in which stalls or sales areas are set aside and rented or otherwise provided, and which are intended for use by various unrelated individuals to sell articles that are either home grown, home made, handcrafted, old, obsolete, or antique and may include the selling of goods at retail by businesses or individuals who are generally engaged in retail trade.

Flood means a temporary rise in the water level resulting in the inundation of areas adjacent to a watercourse not ordinarily covered by water.

Flood, One Hundred Year for a river, stream and small inland lake system means the flood calculated as having a 1% chance of being equalled or exceeded in any given year or having an annual return period of 100 years on average. The one hundred year flood is the regulatory flood level in eastern Ontario.

Flood Plain means the area at or below the engineered flood line elevation as approved by the Conservation Authority.

Flood Proofing means a combination of structural changes and/or adjustments incorporated into the basic design and/or construction or alteration of individual buildings, structures or properties subject to flooding so as to reduce or eliminate flood damages.

Floor Area, Gross means:

- (a) for a dwelling, or a dwelling unit, the total area of all storeys measured between the exterior faces of the outside walls of the dwelling, or dwelling unit, exclusive of unfinished basements, unfinished cellars, unfinished attic, garages, carport, sunrooms, unenclosed verandas or porches; and
- (b) for a building other than a dwelling, or dwelling unit, the total area of all storeys measured between the exterior faces of the outside walls of the building; and
- (c) only that floor area having a clear height to the ceiling of at least 2 m shall be calculated for floor area purposes.

Floor Area, Net means usable or habitable space above or below grade, measured from the exterior face of the exterior walls of the building or structure but shall not include:

- (a) any private garage, porch, veranda, and unfinished basement, cellar or attic;
- (b) any part of the building or structure below grade which is used for building services, storage or laundry facilities;
- (c) any part of the building or structure used for the storage or parking of motor vehicles.

Food Premise means a building or part of a building where food is offered for sale to the public for consumption therein and includes a restaurant, café, tea or lunch room, cafeteria, diner ice cream parlour, coffee shop, snack bar, dairy bar and refreshment room or stand, but does not include a boarding or rooming house.

Forestry Use means the general raising, management and harvesting of wood and shall include the raising and cutting of fuel wood, pulpwood, lumber, Christmas trees, other forestry products and silviculture practices.

Fuel Depot means land, building or structures used for the bulk storage, distribution and sale of gasoline, propane, heating oil or motor oil.

Funeral Parlour means a building or part of a building wherein undertaking services are offered and may include subsidiary activities such as a chapel and the sale of caskets and funeral accessories, provided such activities are clearly secondary and incidental to the main undertaking service.

Garage, Commercial means a building where all functions of an automobile service station may take place and where major repairs of motor vehicles are performed. Such repairs may include all mechanical repairs as well as body work but shall not include dismantling of motor vehicles for scrap or the storage of motor vehicles awaiting scrapping.

Garage, Municipal means a building which is used for the storage or servicing or minor repairs of equipment essential to the actual operation of motor vehicles owned and maintained by the Township of Edwardsburgh/Cardinal, the United Counties of Leeds and Grenville and any department of the Government of Ontario or Canada.

Garage, Parking means an enclosed structure used for the temporary parking of more than four vehicles and available for public use either free, for compensation or as an accommodation to customers.

Garage, Private means an accessory building or portion of a main building including a carport which is designed or used for parking or storage of motor vehicles of the occupants of the premises and in which there are no facilities for repairing or servicing of such vehicles for remuneration or commercial use.

Garden Centre means an outdoor area primarily used for the retail of gardening equipment, products and planting materials provided it is clearly accessory to a retail store and is enclosed by a wall, a fence or other form of visual screen constructed of materials which will blend with the associated retail store.

Garden Suite means a temporary, detached, single housing unit containing sanitary and kitchen facilities that is accessory to an existing permanent residential structure and that is designed to be portable, but does not include a mobile home, a travel trailer or any other type of recreational vehicle. [also known as a Granny Flat]

Golf Course means a public or private area operated for the purpose of playing golf and includes a par 3 golf course but does not include a miniature course.

Grade means the average elevation of the ground level [see also Established Grade]

Grain Drying Plant means a building or structure of variable size that may use heat and a forced air blowing device to force moisture out of grains, cereals or other crops.

Granny Flat see Garden Suite.

Group Home means a single housekeeping unit in a residential dwelling in which three (3) to ten (10) persons (exclusive of supervisory staff or receiving family) live under supervision consistent with the particular needs of its residents and which is licensed and/or approved under Provincial Statutes and in compliance with municipal by-laws.

Guest Room means a room or suite of rooms, which contains no facilities for cooking and which is used or maintained for gain or hire by providing accommodation.

Habitable Room means a room in a dwelling used or intended to be used primarily for human occupancy.

Hereafter means after the date of the passing of this By-law.

Herein means in this By-law, and shall not be limited to any particular section of this By-law.

High Water Mark means the mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.

Hobby Farm means a lot used primarily for residential purposes where accessory uses may include small market gardening for retail sale at a Farm Produce Outlet and/or the keeping of farm animals for the personal use of the residents thereon.

Home for the Aged means a nursing or convalescent home for elderly people.

Home Industry; Home Based Business; Rural Home Occupation

(a) **Home Industry** means any occupation or enterprise which is carried out as a use accessory to the main residential use of a property and only by a person or persons residing on the property, and shall include:

(i) such uses as arts and crafts, pottery, weaving, wood working, painting, sculpting, sewing, repairs of small appliances, radios, televisions and similar items, skate or knife sharpening, tailoring, dressmaking, or hairdressing;

(ii) business involving work primarily conducted in other locations, such as those operated by electricians, plumbers, carpenters or operators of commercial vehicles including school buses.

(b) **Home Based Business** means any occupation or enterprise which is carried out as a use accessory to the main residential use of a property and only by a person or persons residing on the property, and shall include:

- (i) instruction businesses or studios for music, academic subjects, dancing or other liberal arts provided that a maximum of six (6) pupils is in attendance of any such instruction session at any one time;
- (ii) an office used by a physician, dentist or other medical practitioner, an insurance agent, accountant, engineer, sales person or a person engaged in a similar professional occupation;
- (iii) businesses which provide professional or technical services principally to off-site clients, which use computer based or information based technologies and which have a consulting function;
- (iv) a daycare in a private home.

(c) **Rural Home Occupation** means any occupation or enterprise which is carried out as a use accessory to the main agricultural use of a property and only by a person or persons residing on the property, and shall include:

- (i) all uses permitted in (a) and (b) above;
- (ii) a seasonal retail outlet for farm produce produced on the same farm, a retail outlet for farm supplies and machinery, or similar activities.

Hospital means a hospital as defined by the Public Hospitals Act.

Hotel means a building designed or used for the accommodation of the travelling or vacationing public, containing therein (5) or more guest rooms served by a common building entrance, and includes a motor hotel. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms, or similar uses.

Hunting Camp means a small scale structure intended to provide basic shelter on an occasional basis for a person or persons engaged in hunting or fishing activities. Such structure may be described as being a light frame construction, without electricity, without a basement, without an interior finish on its walls and ceilings, and having Class II sanitary facilities (leaching pit).

Industrial Use means the use of land, building(s) or structure(s) for the purpose of manufacturing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, or storage or adapting for sale of any goods, substances, article or thing, or any part thereof and the storage of building and construction equipment and materials as distinguished from the buying and selling of commodities and the supplying of personal services.

Industrial Uses, Light (Class I Industry) means a place of business for a small scale, self contained plant or building which produces, manufactures, assembles or stores a product which is contained in a package and has a low probability of fugitive emissions e.g. noise, odour, dust and vibration. Such industries operate in the daytime only with infrequent movement of products and/or heavy trucks and no outside storage. Examples include: electronics manufacturing and repair, high technology industries, furniture repair and refinishing, beverage bottling, package and crafting services, small scale assembly, auto parts supply.

Industrial Uses, Medium (Class II Industry) means a place of business for medium scale process and manufacturing with outdoor storage of wastes or materials (e.g. it has an open process) and where there are periodic or occasional outputs of fugitive emissions e.g. noise, odour, dust and/or vibration. Shift operations occur and there is frequent movement of products and/or heavy trucks during daytime hours. Examples include dry cleaning services, printing establishments, paint spray booths, welding shops, courier and transport services, heavy vehicle repairs, bulk fuel storage, raw product storage (aggregates, logs/lumber), warehousing, contractors yard.

Industrial Uses, Heavy (Class III) means a place of business for uses characterized as having emissions such as noise, smoke, odour, fumes or vibrations or extensive outside storage as part of their normal operations. Such uses include sawmills, pulp and paper mills, refineries, smelting operations and similar uses which are intended to be secluded from residential or other sensitive land uses in order to limit any potential adverse effects on the environment or the surrounding areas and public health.

Industry, Dry means an industrial use for which no water is required for processing purposes.

Industry, Manufacturing means an industrial manufacturing or processing plant that is conducted within an enclosed building and is engaged primarily in the processing, finishing, refinishing assembly or similar production of various articles and commodities, and may include a laboratory and/or pharmaceutical plant, a plant for the assembly of scientific components, electronic and/or electrical equipment, custom workshops, industrial shops, factories, mills and similar production facilities.

Influence Area means an area adjacent to an industrial use, waste management facility, septage site, waste water treatment facility, mineral aggregate extraction use (pit or quarry) where a sensitive land use may be subject to one or more adverse effects.

Institution means land, building, structure or part thereof used by any government agency, organization, group or association, for the promotion of religious, charitable, educational, benevolent objectives or public service and which is not operated for profit or gain, but shall not include a public utility as defined herein.

Kennel means a building or structure where more than five dogs intended or used as domestic household pets are raised, kept, boarded or trained and shall include a Humane Society shelter or a pound.

Kennels for dogs are classified as follows:

(a) **Purebred Kennel** means a kennel which is restricted to purebred dogs, where the owners are current members of the Canadian Kennel Club and where the primary purpose of the facility is to house registered dogs for breeding purposes. Boarding is limited to dogs bred at the facility.

(b) **Hobby Kennel** means a kennel where dogs are housed for the primary purpose of pleasure or hunting, and where there is no boarding and little revenue derived for the sale of pups from these dogs.

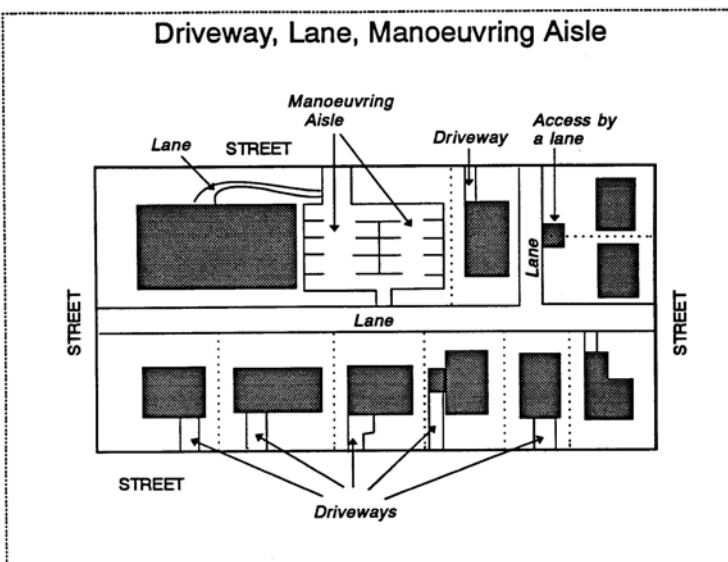
(c) **Commercial Kennel** means a kennel used primarily for boarding dogs, where the majority of kennel space is devoted to the boarding of dogs that are not owned by the owner of the kennel.

Land means any ground, soil or earth whatsoever regarded as the subject of ownership and everything annexed to it whether by nature (such as trees or water) or by humankind (such as buildings or fences).

Landscaped Open Space means any combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity of a property and/or to provide a screen to mitigate any visually unappealing adjacent land use. Landscaped open space does not include parking areas, patios, walkways, sidewalks, driveways or ramps. [see also Open Space]

Lane means:

- (a) a public or private minor right-of-way linking two or more streets from within a block, which affords a secondary means of vehicular access to the lots abutting thereon, including access to parking or loading facilities, but does not include a driveway as defined herein; or
- (b) a subsidiary public or private thoroughfare for the sole use of pedestrians and connecting public streets, open space or public buildings.



Laundromat means a building or structure where coin-operated laundry machines using only water and soaps or detergents are used and are made available to the public for the purpose of laundry cleaning, and provided that no such operation shall emit any noise, fumes, or vibration which may cause a nuisance or inconvenience within or without the premises.

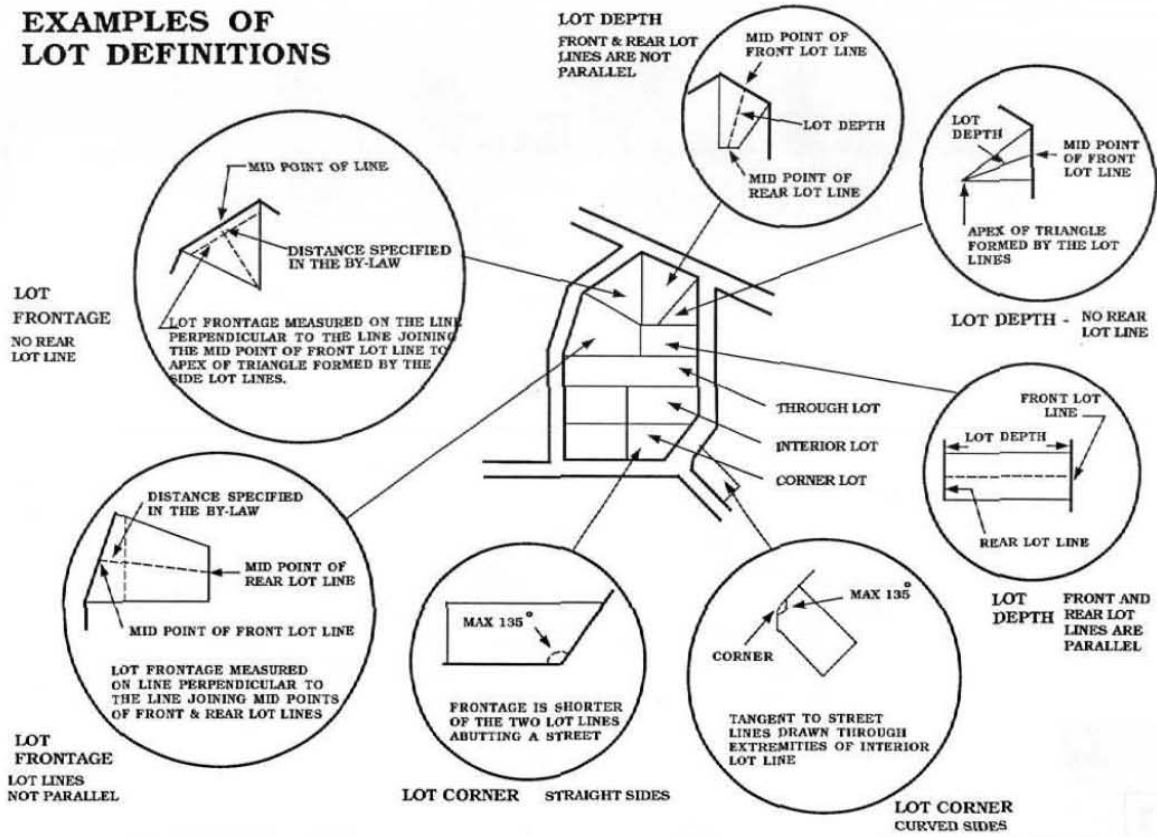
Licensed Refreshment Sales Vehicle means a vehicle which is currently licensed pursuant to the Highway Traffic Act and which is equipped for the preparation, storage, heating, cooking, cooling or sale of foodstuffs or beverages within or from the vehicle and may include exterior seating e.g. picnic tables.

Livestock Sales Outlet means a building or structure where livestock such as cattle, goats, sheep, horses or the young thereof are bought and sold.

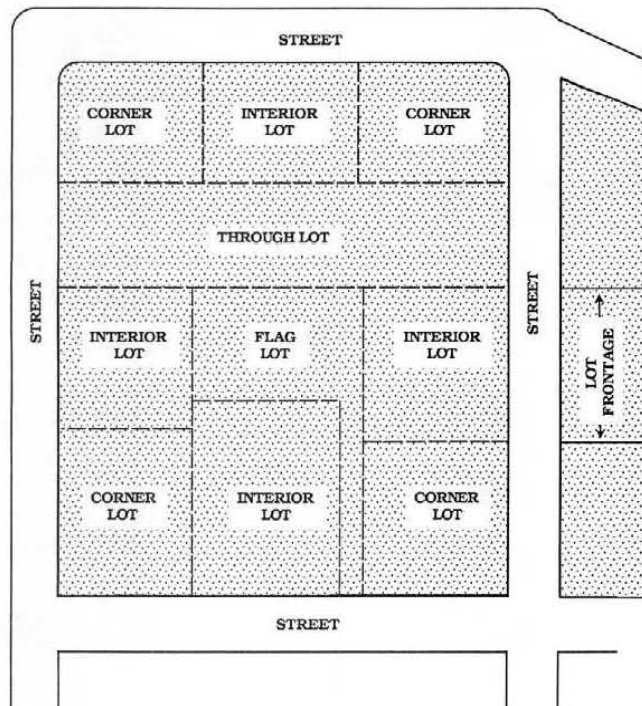
Loading Space means a space or bay located on a lot or within a building which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise, or materials in connection with the use of the lot or any building thereon, and which has unobstructed access not necessarily in a straight line to a street.

Lot means a parcel of land which is capable of being legally conveyed in accordance with the Planning Act.

EXAMPLES OF LOT DEFINITIONS



DEFINITION OF TYPES OF LOTS



Lot Area means the total horizontal area measured within the limits of the lot lines of the lot.

Lot, Corner means a lot situated at an intersection of two or more streets, or at the intersection of two parts of the same street which have an interior angle or intersection of not more than one hundred and thirty-five (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.

Lot Coverage means the combined areas of all the buildings on the Lot measured at the level of the lowest floor above grade in relationship to the area of the Lot and expressed as a percentage.

Lot Depth means the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, "lot depth" means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line. If there is no rear lot line, "lot depth" means the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

Lot Frontage means the horizontal distance between the side lot lines. Where such side lot lines are not parallel, it shall be the width of a lot measured between the intersections of the side lot lines with a line seven and one half metres back from and parallel to the front lot line. Arc distances shall apply on curved lines.

Lot, Interior means a lot other than a corner or a through lot which has frontage on a public street.

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

Lot Line, Exterior Side means a side lot line which abuts the street on a corner lot.

Lot Line, Front means:

- (a) in the case of an interior lot, the line dividing the lot from the street or private right-of-way;
- (b) In the case of a corner lot, the shorter lot line abutting a street or private right-of-way shall be deemed to be the front lot line;
- (c) in the case of a corner or through lot where the lot lines abutting the street or private right-of-way are the same length, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.

Lot Line, Rear means, in the case of a lot having four (4) or more lot lines, the lot line furthest from, and opposite to, the front lot line. If the lot has less than four (4) lot lines, there shall be deemed to be no rear lot line.

Lot Line, Side Interior means a lot line other than a front, rear or side exterior lot line.

Lot, Through means a lot having a frontage on two parallel or approximately parallel streets.

Lot Width means the average horizontal dimension between the two longest opposite sides.

Lumber Yard means a lot and accessory buildings where the primary use is the storage of construction grade wood and building supplies for sale at retail or wholesale.

Main Building means the building designed or used for the principal use on the lot.

Main Wall means any exterior wall of a building and all structural members essential to the support of a fully enclosed space of roof exclusive of permitted projections.

Manoeuvring Aisle means a space which services four (4) or more parking spaces in a parking lot, such as the area between two rows of parking spaces.

Maple Syrup Processing Establishment means land, buildings and/or structures used to collect, manufacture and store maple syrup products produced on the property where such use is established. This definition shall also encompass the retail sale of maple syrup products, small-scale educational or recreational services such as sleigh rides or outdoor hiking tours, as well as an accessory pancake house style restaurant.

Marina means a lot, building or structure with or without docking facilities where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rent and where the facilities for the sale of marine fuels and lubricants may be provided.

Marine Facility means an accessory building or structure which is used to moor, berth or store a boat. This definition may include a boat launching ramp, boat lift, dock or boat house but does not include any building or structure for human habitation or any boat service, repair or sales facility.

Market Garden means the use of land for the intensive commercial cultivation of vegetables, fruits or flowers.

Maximum means the greatest number or amount permitted.

Medical Practitioner means a doctor, dentist, chiropractor, osteopath, optometrist, oculist or acupuncturist duly qualified and licensed to practice medicine but does not include a veterinarian.

Miniature Golf Course means an area of land, a building, structure or premises or part thereof operated for profit or gain as a commercial place of amusement in which facilities are provided to simulate the game of golf or any aspect of the game on a small scale, but does not include a golf ball driving range.

Minimum Distance Separation (M.D.S.) means the "Minimum Distance Separation Formulae I and II" as issued under the Provincial Policy Statement and any subsequent amendments thereto. [formerly the Agricultural Code of Practice]

Mini Warehouse and Public Storage means a commercial building or part of a building wherein general merchandise, vehicles, furniture and household goods are all stored in separate, secured storage areas or lockers which are generally accessible by means of individual loading doors.

Mixed Commercial/Residential Development means a building or structure which is used for a mixture of commercial and residential uses which may include use by a public authority, the ground floor of which building or structure shall be primarily used for a commercial or public authority use.

Mobile Home means any dwelling which is manufactured under the standards defined under the Building Code for mobile homes, that is designed to be made mobile, and constructed to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer or trailer otherwise designed.

Mobile Home Park means a parcel of land under single ownership of land which has been provided and designed for the location thereon of two (2) or more occupied mobile homes for non-transient use.

Mobile Home Site means that portion of land located within a Mobile Home Park intended for the location of a mobile home.

Motel means an establishment that consists of one or more than one rental units used mainly for the purpose of catering to the travelling public, to whom the motor vehicle is the principal means of transportation, by furnishing temporary sleeping and related housekeeping accommodation and facilities, with or without meals, may include permanent staff accommodation, may or may not be licensed under the Liquor License Act, but does not include any dwelling or any other establishment otherwise defined or classified in this By-law.

Museum shall mean the use of land, buildings or structures for the purposes of assembling, preparing and displaying a collection of articles and artifacts illustrating science, art, ancient life or other subjects and includes accessory uses such as facilities for repair, renewing and storage and may include retail outlets for souvenirs and refreshments.

Multiple Occupancy Industrial Building means a building within an industrial zone wherein a combination of two or more uses permitted in the zone occupy separate homogenous floor areas and where no individual occupant is identifiable as a dominant occupant of the building.

Municipality means the Municipality of the Township of Edwardsburgh/Cardinal.

Noise Control Barrier means any wall or berm, or combination thereof, which is solely used to reflect or absorb sound and reduce the noise level from a roadway on an incompatible land use.

Non-Complying means any existing use, building, structure or lot which does not conform with the zone requirements and standards of this By-law. [see also Non-Conforming]

Non-Conforming means any existing use, building, structure or lot which does not conform with the permitted use provisions of this By-law. [see also Non-Complying]

Nursery means land and structures used for the growing of sod, flowers, bushes, trees, or other gardening, landscaping, or orchard stock for wholesale or retail sale.

Nursing Home, Home for the Aged, Convalescent Home or a Long Term Care Facility means a building or premises used in accordance with the provisions of the Nursing Homes Act, or the Homes for the Aged and Rest Homes Act, the Long-Term Care Act or a home for the aged as provided for under the Charitable Institutions Act respectively, and amendments thereto.

Obnoxious Uses means any use which is a nuisance to the occupant or owner of any neighbouring lands or buildings by reason of the emission from the said land or building or any part thereof, or the creation thereon, of odours, gases, dirt, radiation, smoke, noise, vibration, fumes, cinders, soot, waste or water carried waste, or depositing or leaving unsightly objects or chattels thereon.

Occupy shall mean to be established in, dwell in, be in residence in, establish yourself in, ensconce yourself in, tenant, reside in, lodge in, take up residence in, make your home, abide in or arranged to be inhabited.

Office means a building, structure or part thereof in which one or more persons are employed in the management, performance, transaction, direction or conducting of any agency, business, brokerage, labour or fraternal organization, including administrative and clerical activities as well as professional offices, but not including the use of manual labour. An office also includes any premises where clients or patients go for advice, consultation, services or treatment but shall not include a clinic as defined herein.

Official Plan means the Official Plan of the Township of Edwardsburgh/Cardinal or parts thereof and amendments thereto.

Open Space means the open, unobstructed space on a lot including landscaped areas, pedestrian walkways, patios, pools or similar areas but not including any driveway, ramp, parking spaces or aisles, loading spaces or manoeuvring areas and similar areas. [see also Landscaped Open Space].

Open Storage means storage or display of goods, merchandise or equipment outside of a building or structure on a lot or portion thereof. [see also Outdoor Sales and Displays]

Outdoor Café means an outdoor area adjoining a restaurant, a bar or a tavern, consisting of outdoor tables, chairs and related decorations and fixtures, and where meals or beverages are served to the public for consumption on the premises. An outdoor café may only be located within the public right-of-way where an encroachment agreement exists between the operator and the Municipality.

Outdoor Sales and Displays means the temporary display of wares, merchandise, articles or things outside of any building or structure where they are normally displayed, for the purpose of offering such wares, merchandise, articles or things for sale to the general public. [see also Flea Market, Open Storage and Seasonal Outdoor Display and Sales Area]

Park, Public means an area of land in public ownership dedicated to recreational, cultural or conservation uses.

Park, Private see Recreational Commercial Establishment.

Parking Area means a lot or portion thereof required in accordance with the provisions of this By-law for the temporary storage or parking of motor vehicles accessory or incidental to uses in all zones, and shall not include the storage or parking of motor vehicles for hire and gain, display or for sale.

Parking Lot, Commercial means a lot or portion thereof used for the temporary storage or parking of five (5) or more vehicles for hire and gain but does not include the sale of new or used vehicles or the storing of impounded or wrecked vehicles.

Parking Spaces means an area used for the temporary parking of one motor vehicle.

Patio means an unenclosed open space of land at grade, featuring a hard surface and adjacent to a residential dwelling unit. [see also Outdoor Café]

Permitted means permitted by this By-law and any amendments thereto.

Person means an individual, an association, a chartered organization, a firm, a partnership, a corporation, an agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

Personal Service Establishment means an establishment wherein a personal service is performed. This definition may include a barber shop, beauty salon, shoe repair, photographic store, a laundromat or a dry cleaning distribution station or a similar use.

Pet Cemetery means a parcel of land utilized for the interment of deceased domestic animals, operated for gain or profit. For the purposes of this Bylaw, pet cemeteries shall be subject to all applicable requirements of the Ministry of the Environment or its agent and any other government body having jurisdiction.

Pet Shop means a shop or place where domestic animals or birds for use as pets are sold, kept for sale or groomed, but does not include a kennel or a shop or place for the breeding or overnight boarding of pets.

Pit shall mean any open excavation other than a Quarry made for the removal of unconsolidated aggregate such as soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral in order to supply material for construction, manufacturing or industrial purposes but shall not include rehabilitated land or an excavation incidental to the erection of a building or a structure for which a building permit has been granted by the Municipality, or an excavation incidental to the construction of any public works and includes accessory uses such as screening, washing and storage of such materials.

Place of Amusement means an establishment operated for commercial gain or profit wherein amusement facilities are provided such as amusement machines or billiard or pool tables, but shall not include a drive-in theatre, any establishment for the viewing, sale or rental of erotica or pornography or an adult entertainment parlour as defined herein. [see also Amusement Machine, Arcade and Adult Entertainment Parlour]

Place of Assembly means a building specifically set aside for and primarily engaged in the operation of arts and craft shows, trade fairs, fashion show, public meetings, banquets, conference meetings and similar activities. [see also Assembly Hall]

Place of Worship means a building or an open area dedicated to religious worship.

Playground means a park or part thereof which is equipped with active recreational facilities oriented to children.

Porch means a structure abutting a dwelling, generally by the front entrance facing the street, having a roof but with walls that are open and unenclosed to the extent of at least 50% thereof, except for removable screens, and which is used as an outdoor living area.

Power Centre means a group of at least two warehouse retailers which constitute a retailing unit and provide off-street parking, and may include ancillary small-scale eating establishments. A power centre may be comprised of one or more contiguous lots of record. [see also Warehouse Retailer].

Printing and Publishing Establishment means a building or part thereof used primarily for printing, regardless of the method, and publishing of newspapers, periodicals, books, maps and similar publications and also includes the sale and servicing of printing and duplicating equipment.

Private Stable means an accessory building where horses are lodged, treated, kept or raised for the private use of the owners or residents of the lot where the private stable is located.

Professional Office see Office.

Public Authority means the Township of Edwardsburgh/Cardinal and any Boards or Commissions thereof, the Counties and any Board or Commission thereof, a Conservation Authority, and any Ministries or Commissions of the Governments of Ontario or Canada, or other similarly recognized public utility or agencies established or exercising any power or authority under any special or general statute and includes any committee or local authority established by By-law of Council.

Public Stable means a building where horses are lodged, treated, kept, boarded, raised or hired out for profit or gain.

Public Street see Street.

Public Use see Institution.

Quarry shall mean land or land under water other than a Pit from which consolidated aggregate (such as shale, stone, limestone, dolestone, sandstone, marble, granite, rock or other prescribed material) is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site and includes accessory uses.

Recreational Commercial Establishment means an establishment, premises, land or building(s) where any recreational, social or cultural uses are operated commercially for profit on lands in private ownership, such as health clubs, golf courses, open or enclosed skating or curling rinks, open or enclosed pools, open or enclosed badminton or tennis courts, squash courts, bowling alleys, gymnasias, band shell or open theatre, and other similar uses. [see also Place of Amusement]

Recreational Vehicle means any vehicle so constructed that is suitable for being attached to a motor vehicle for the purpose of being drawn or is self-propelled, and is capable of being used on a short term basis for living, sleeping or eating accommodation of persons. The term recreational vehicle includes, but is not limited to, the following: motor homes, travel trailers, tent trailers, campers and boats. [see also Trailer]. A recreational vehicle shall not be deemed to include a mobile home or a manufactured home.

Recreational Vehicle Sales and Storage means an uncovered area which is used for the display, storage and/or sale of boats, trailers, campers and other recreational vehicles.

Recycling Depot or Transfer Station means a special waste disposal site which serves as a temporary storage site for clean materials such as glass, paper, cardboard, plastic, metal and other similar products which will be transferred to another location for reuse. This definition does not include any other type of waste management system. [See also Waste Disposal Site]

Recycling Facility means a building, structure or land which is used for the reclamation, processing, or salvage of waste paper, cardboard, glass and plastic bottles, or other recyclable materials, on the same lot or within any building used as a recycling facility.

Recycling Yard means a fenced yard area in which solid recyclable material is collected, sorted and/or processed and may include materials from construction and demolition projects such as wood, drywall, brick, concrete, asphalt shingles and glass.

Redevelopment means the removal or rehabilitation of buildings or structures and the construction, reconstruction or erection of other buildings or structures in their place.

Registered Plan means a plan legally registered as per the Registry Act or the Land Titles Act.

Restaurant means an eating establishment where food is prepared and offered for sale to the public, and where dining tables and table service is offered.

Restaurant, Drive-In means an eating establishment where food is prepared and offered for sale to the public for consumption outside the premises, and where such food is ordered and received by the public while remaining inside a motor vehicle.

Restaurant, Take-Out means an eating establishment where food is prepared and offered for sale to the public to be taken out and/or delivered for consumption off the premises.

Retail Outlet means a building or part of a building accessory to a permitted industrial use, in which goods, ware, merchandise, articles or things which are produced by the principal industrial use are offered or kept for retail sale to the public. This definition shall not include any establishment otherwise defined or specifically named herein.

Retail Store means a building or part of a building wherein goods, wares, merchandise, substances, articles or things are offered for sale to the general public, and may include the limited storage of such goods, wares, merchandise, substances, articles or things, but shall not include any other use defined herein.

Road shall have an identical meaning as, and see, Street.

Rooming House means a building designed, built or converted to contain four (4) or more rooming units as defined herein. [see also Rooming Unit].

Rooming Unit means a room or suite of rooms constituting a separate, independent occupancy in which an individual sleeps, and which may have either a kitchen or a washroom, but does not have both.

Rural Home Occupation see Home Industry; Home Based Business; Rural Home Occupation.

Salvage Yard means a lot and/or building or portion thereof where used goods, wares, merchandise, articles, motor vehicles, machinery or parts thereof are processed or sold for further use, dismantled or abandoned. This definition may include a junk yard, a scrap metal yard, a recycling depot and an automobile wrecking yard on the premises.

Satellite Dish/Receiver means a structure designed, used or intended to be used to send or receive signals to or from the satellite.

Sauna means an accessory building or structure wherein facilities are provided for the purpose of a bath in which the occupants or users are exposed to very hot, relatively dry air produced by heated stones and may include a change room and shower and may be constructed as part of a boat house.

Sawmill or Planing Mill means a building, structure or area where timber is cut or sawed, either to finished lumber or as an intermediary step.

Sawmill, Portable means equipment which is portable (e.g. may be drawn by a vehicle) and is used on a temporary basis for the cutting of saw logs.

School means a public educational establishment operated by a Board of Education.

School, Commercial means an educational establishment other than a School wherein teaching or instruction is offered for gain in such fields as academics, dancing, music, art, sports, business or trade, and any other such specialized school conducted for gain, and also includes such fields as a studio for photography and arts and crafts.

School, Private means an educational establishment other than a School, wherein academic subjects are taught generally at the private expense of those enrolled in the establishment.

Seasonal Outdoor Display and Sales Area means a portion of a lot set aside outside a building or structure, used in conjunction with a business located within the building or structure on the same property, for the display or sale in an orderly manner of seasonal products or seasonal produce, and may be contained within a temporary overhead structure such as a tent or canopy. [see also Outdoor Sales and Displays]

Seat means a place on or in which one sits. Where provided by benches, forms or pews, each 0.6 linear metre of seating space shall be the equivalent of one (1) seat.

Seating Capacity means the number of persons which can be accommodated in a building or structure or part thereof in a seat as defined herein.

Seed Cleaning Plant means a building or structure of variable size that contains a sorting device through which a seed crop drops, thereby removing chaff and other unwanted parts of the seed.

Senior's Home or Residence means a dwelling for senior citizens which may be sponsored and administered by any public agency or may be privately operated and may include a converted dwelling. Such home may include accessory uses such as recreational and laundry facilities.

Seniors' Non-residential Care Facility means a building or part of a building where amenities, activities and recreational facilities are provided for seniors under the supervision of a nurse or medical care giver, but does not include any residential accommodation nor any facilities for occupancy of the premises by clients beyond purely incidental and occasional visits.

Service Outlet means a building, whether in conjunction with a retail store or not, used for the repair or servicing of goods, commodities, articles or materials, but not the manufacturing thereof. Automotive repairs and services are not included under this definition.

Setback means:

- (a) With reference to a road or street, the least horizontal distance between the front lot line and the nearest building line;
- (b) With reference to a water body, the least horizontal distance between the top of the bank of the water body or the highwater mark and the nearest building line;
- (c) With reference to an interior lot or a through lot, the space between the front building line and the street line;
- (d) With reference to a corner lot, the space between the front building line and the street line, and the space between the side lot line abutting the flanking street and the nearest side building line.

Sewage and Water Systems

(a) **Full Municipal Sewage and Water Services or Full Service** means piped sewage and water services that are connected to a centralized water and waste water treatment facility.

(b) **Communal Services** means sewage works and sewage systems and water works that provide for the distribution, collection or treatment of sewage or water but which:

- are not connected to full municipal sewage and water services;
- are for the common use of more than five residential units/lots;
- are owned, operated, and managed by a municipality or, another public body, or a condominium corporation or single owner which has entered into an agreement with the municipality or public body, pursuant to Section 51 of the Planning Act, providing for municipal/public body assumption of the communal services in the event of default by the owner.

(c) **Individual On-Site Systems** means individual autonomous water supply and sewage disposal systems, that are owned, operated and managed by the owner of the property upon which the system is located and which do not serve more than five residential units/lots.

(d) **Partial Services** means connection to one communal service or full municipal service where the other connection will be to an individual on-site system.

Shopping Centre means a group of commercial or service establishments conceived, designed, developed and managed as a unit, located within the same building and providing off-street parking.

Shooting Range means land, buildings, structures or premises used for recreational target practice, skeet shooting, gun or hunter safety instruction and is operated by a club or organization.

Shoreline means those lands extending from the average annual water level which have potential and direct significant impact on near shore waters and the shore ecosystem through run-off, and where land use activity is primarily water oriented.

Shoreline Structure means any building or structure such as a boat house (wet or dry), a boat port, a float plane hanger, a sauna or steam bath, a dock or wharf, a gazebo, a utility or storage shed or a viewing deck in any yard abutting a water body.

Showroom means a part of a building primarily used for the display of samples, patterns or other goods and wherein orders are taken for merchandise which is stored in bulk or manufactured in part of the same building, generally for future delivery to its consumers.

Sight Triangle means a triangular space free of buildings, structures and obstructions, formed by two street lines abutting a corner lot and a third line drawn from a point on the first street line to another point on the second street line, each such point being the required sight distance from the point of intersection of the street lines as specified in this by-law.

Sign means any writing, letter work or numeral, any pictorial representation, illustration, drawing, image or decoration, any emblem, logo, symbol or trademark or any device with similar characteristics which:

- (a) is a structure, or part of a structure, or which is attached, mounted, painted or imprinted thereon; and
- (b) which is used to advertise, inform, announce, claim, give publicity or attract attention.

Solarium means a glassed-in structure or room projecting from an exterior or main wall of a building which may be used for sunning, therapeutic exposure to sunlight, or for a use where the intent is to optimize exposure to sunlight.

Stable, Private or Public see Private Stable or Public Stable.

Stacking Lane means an on-site lane for motorized vehicles which accommodates vehicles using a drive-through facility that is separated from other vehicular traffic and pedestrian circulation. Stacking lanes may be separated from other vehicles by any combinations of barrier, markers or signage.

Storey means that portion of a building other than a cellar or basement included between the surface of any floor and the surface of the floor, roof deck, ceiling or roof immediately above it.

Storey, First means the lowest storey of a building, where the floor is generally at grade elevation.

Street means a public or common highway affording principal means of access to abutting properties which has been assumed by a public authority.

Street Allowance means the total width or length of a public street right-of-way, including the travelled and non-travelled portions thereof.

Street Allowance, Unopened means a street which is not maintained by the Municipality as a public thoroughfare.

Street Line means the limit of the road or street allowance and is the dividing line between a lot and a Public Street.

Structure means anything constructed or erected, the use of which requires location on the ground or attached to something having location on the ground, and without limiting the generality of the foregoing, includes a recreational vehicle, a sewage disposal system, a swimming pool, but does not include a fence.

Studio means a building or part thereof used,
(a) as the workplace of a photographer, artist, or artisan or
(b) for the instruction of art, music, languages or similar disciplines.

Sugar Bush see Maple Syrup Processing Establishment.

Sunroom means a glass enclosed porch or living area with a sunny exposure.

Swimming Pool means an open or covered pool which is at least 60 cm in depth, and may include a hot tub or whirlpool.

Tavern see Bar.

Taxi Dispatch means a building or part thereof used as an office to dispatch taxis to their fares but shall not include a taxi stand.

Taxi Stand means land, building or a structure used for the parking, cleaning and minor maintenance of a taxi fleet. A taxi dispatch is an accessory use to a taxi stand.

Technical Manufacturing means any industrial manufacturing or processing plant that is conducted within an enclosed building which does not emit obnoxious smoke, sound, odour, dust, fumes, or vibration and may include a laboratory and/or pharmaceutical plant, a plant for the assembly of components for scientific, electronic and/or electrical equipment and which does not require any outdoor storage.

Tent and Trailer Park means a parcel of land which is used to provide temporary accommodation for the public in tents or recreational vehicles.

Tent and Trailer Site means a parcel of land within a tent and trailer park designed to be occupied by a tent or recreational vehicle.

Textile Shop means any premise or location where woven fabrics or other similar materials are fashioned into garments.

Theatre means a building or part of a building which is used for the presentation of live, dramatic or musical performances or entertainment. [see also Cinema]

Theatre, Drive-in means a lot which is used commercially for the purpose of showing motion pictures which are viewed by patrons from the confines of a motor vehicle. A drive-in theatre also includes accessory uses and structures such as a refreshment stand, a projector building, speaker stands and ticket offices.

Tot Lots means a small area of land in public or private ownership dedicated to recreational uses for young children.

Tourist Establishment means a building or buildings designed or used for the accommodation of the travelling or vacationing public and may include self-contained cabins, cottages or housekeeping units as well as camping facilities.

Township means the Corporation of the Township of Edwardsburgh/Cardinal.

Trailer means any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle and capable of being used for living, sleeping or eating accommodation of persons notwithstanding that such vehicle is jacked up or that its running gear is removed. [see also Recreational Vehicle]

Transportation Depot means land, or a structure or a building where commercial vehicles are kept for hire, rental and/or lease, or stored and/or parked for remuneration and/or from which such vehicles are dispatched for hire as common carriers and where such land, structure or building may be used for the storage and/or distribution of goods, wares, and merchandise.

Truck Terminal means the use of land, buildings or structures for storing, servicing, repairing or loading trucks, transport trailers and/or buses, and may include an open storage area, a warehouse or a fuel depot.

Use means the purpose for which a lot or a building or a structure is designed, arranged, occupied or maintained.

Utility means a water works or water supply system, sewage works, electrical power or energy generating transmission or distribution system, street lighting system, natural or artificial gas works or supply system, a transportation system or a telephone system, scientific research system, and includes any lands, buildings or equipment required for the administration or operation of any such system and which is operated by a public authority or a publicly governed company or operates them on their behalf. It shall also include any telephone corporation, any pipeline facility, natural gas distribution system, any cable company or any other utility.

Vehicle means any type or variety of automobile, motorcycle, truck, boat, commercial motor vehicle, farm implement, recreational vehicle, locomotive, wagon, airplane, helicopter, snowmobile or trailer.

Veterinary Clinic means a building or part of a building used by a veterinary surgeon where small domestic animals and/or birds may be kept for treatment and/or boarded.

Veterinary Establishment means a building or part of a building used by a veterinary surgeon where animals, birds or other livestock including farm livestock are treated and/or boarded and where domestic animals and/or birds may be kept for treatment and/or boarded.

Video Rental Outlet means a building or part of a building wherein the primary use is the rental of video tapes and may include the rental of video cassette recorders, video cameras and video games.

Vocational Training Centre means a place, building or structure where employment counseling, training and retraining seminars are provided.

Warehouse means a building or structure or portion thereof used or intended to be used for the bulk storage of goods, merchandise, or materials.

Warehouse Retailer means a retail store as defined herein having a minimum leasable floor area of 3,500 m² [37,675 sq. ft.]. A warehouse retailer may occupy a stand alone building or may be located within a building having two or more warehouse retail tenants.

Waste Disposal Site means any land or land covered by water or a building or structure used for the depositing or processing of waste and shall include any equipment or operation required for the treatment or disposal of waste. Notwithstanding the above, a waste disposal site shall not include the disposal or treatment of hazardous or radioactive materials.

Water Body means any bay, lake, river, natural watercourse or canal and includes a drainage or irrigation channel.

Watercourse means an identifiable depression in the ground in which a flow of water regularly or continuously occurs.

Water Frontage means a lot which has one or more lot lines abutting a navigable watercourse, bay or lake.

Wayside Pit or Wayside Quarry means a temporary open excavation made for the removal of any consolidated aggregate such as soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral, opened and used for the construction or maintenance of a public road solely for the purpose of a particular project or contract for which no alternative source of aggregate under provincial license or permit is readily available in the vicinity. This definition may include an associated washing, screening or weighing operation but shall not include any excavation incidental to the erection of a building or structure for which a building permit has been issued or any excavation incidental to the construction of any public works.

Welding Shop means the use of land, buildings or structures where pieces of metal are welded or fabricated.

Wetlands means lands seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The four categories of wetlands are: swamps, marshes, bogs and fens.

Wholesale means the sale of goods to persons other than the private consumer or the sale of goods in larger than retail quantities.

Wholesale Establishment means a building, structure or part thereof used or intended to be used for the bulk storage and sale of quantities of goods, commodities, wares, merchandise, or materials for resale or business use.

Workshop means a building, structure or part thereof where manufacturing is performed by a tradesman, requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a commercial welder's shop or similar uses.

Wrecking Yard see Salvage Yard.

Yard means a space appurtenant to a building, structure or excavation, located on the same lot as the building or structure, and which space is open, uncovered and unoccupied from the ground to the sky except for such buildings, structures or uses as are specifically permitted by this Bylaw.

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

Yard, Rear means a yard located between the rear lot line of a lot and the nearest part of the main building on the lot, and extending across the full width of the lot. If there is no rear lot line, there shall be deemed to be no rear yard.

Yard, Side means a yard extending from the front yard to the rear yard between the side lot line and the nearest part of the main building on the lot, and extending from the front yard to the rear yard. In the case of a lot which has no rear lot line, side yards shall be deemed to extend from the front yard to the opposite side yard.

Yard, Side Exterior means a side yard adjacent to a public street.

Yard, Side Interior means a side yard other than an exterior side yard.

Zone means: (a) a land use category as defined and regulated in this By-law; or (b) a designated area of land use shown on the Zoning Schedules of this By-law.

Zoning Administrator means the officer, employee or such other person as may from time-to-time be designated by Council, charged with the duty of enforcing the provisions of this By-law.

Zoning Schedules means the detailed maps titled Schedule A, B, C and D which are attached hereto and which form an integral part of this By-law.

Section 4.0 GENERAL PROVISIONS

Explanatory Note

The General Provisions section of the By-law states the regulations which apply regardless of the specific zoning. Whereas the zones provide site specific controls corresponding to such items as permitted uses and locational restrictions, the General Provisions provide regulations more general in nature, applying to a variety of uses regardless of zoning.

4.1 Accessory Buildings, Structures and Uses

4.1.1 Where a lot is devoted to a permitted use, accessory uses, buildings and structures are authorized subject to the following provisions:

(a) All accessory uses, buildings and structures to a permitted principal use shall be located on the same lot and in the same zone as the principal use. Where a lot has been severed by a public roadway or a natural feature such as watercourse or ravine, such a lot may be used for an accessory use provided that the lot is under the same registered ownership as the lot upon which the principal use is located.

(b) The use of any accessory building for human habitation is not permitted except where specifically listed as a permitted use. e.g. accessory dwelling.

(c) No accessory use shall be erected closer to the front line or the exterior side lot line than the minimum front yard and exterior side yard setbacks required for the main building.

(d) No accessory building or structure shall be erected closer than 1.5 m (4.9 ft.) to any interior side lot line or rear lot line. This provision shall be exempted:

- i) for lots with water frontage under Section 4.1.1 (i),
- ii) for a partially enclosed shelter for use by children waiting for a school bus,
- iii) any farm produce outlet having a gross floor area of less than 9.3 sq.m (100 sq.ft.),
- iv) for a gate house in an industrial zone provided the minimum front yard setback is 3 m (9.84 ft.).

(e) Accessory dwelling units shall conform to the setback requirements of the main permitted use(s).

(f) Common semi-detached garages or carports may be centered on the mutual side lot line.

(g) Accessory buildings, structures and uses, excluding open swimming pools, shall be comprised within the calculation of total lot coverage for the purposes of conformity to Zone Requirements.

(h) The use of an accessory building or structure for the keeping of animals, other than domestic pets, is not permitted in any residential zone.

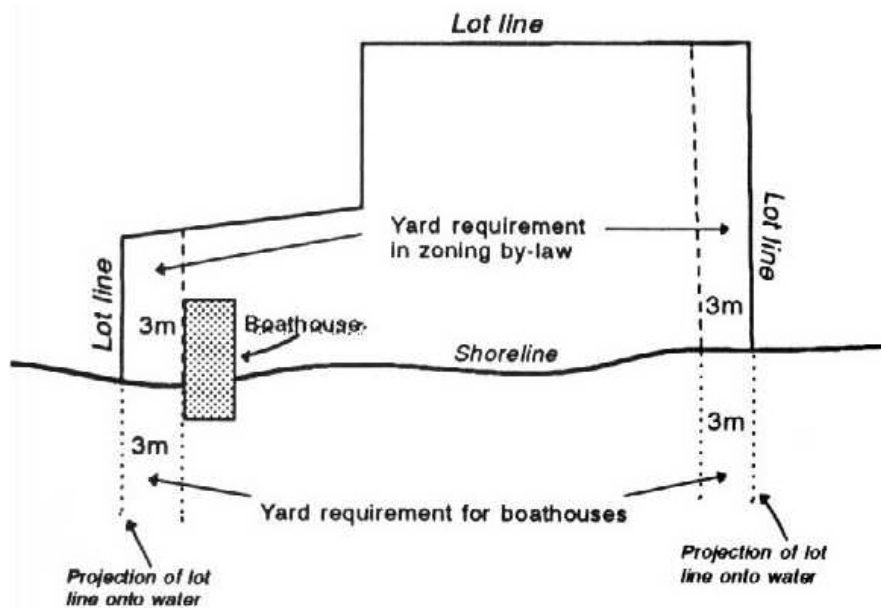
(i) Despite Section 4.1.1 (c) and (d) above, a marine facility, a boat house, boat port, float plane hangar, dock or wharf may be located in the front yard, side yard or rear yard where a lot abuts a navigable waterway, provided that the approval of applicable authority having jurisdiction has been obtained and provided that the boat house, boat port, float plane hangar, dock or wharf is located not closer than 3 m (9.8 ft.) to the nearest adjacent lot line and does not encroach on

adjacent frontage when the lot boundaries are extended into the water (see also Section 4.3 - Boathouse). (See illustration)

(j) Despite Section 4.1.1 (c), a shoreline structure other than a boat house, boat port, float plane hangar, dock or wharf shall be set back a minimum of 15 m (49.2 ft.) from any high water mark or shoreline in any yard adjacent to a navigable water body (see also Section 4.3 - Boathouse).

(k) The minimum separation distance between an accessory building and any other building on the property shall be 2 m (6.56 ft.) or as may otherwise be required as the limiting distance under the Ontario Building Code.

(Note: See individual zones for the maximum height and setbacks of accessory buildings.)



4.1.2 Private swimming pools, both above-ground and in-ground, both open and covered, shall be permitted subject to the Building By-law of the Municipality and the following requirements:

(a) Open Pools

[i] The maximum height of an above-ground pool shall not be more than 2 m (6.56 ft.) above grade.

[ii] Any building or structure, other than a dwelling, required for changing clothing or pumping, filtering or storage or any similar purposes shall comply with the provisions respecting accessory uses and structures.

[iii] No part of an Open Pool including an associated apron or platform which is in a front or side yard shall be constructed closer to a street line than the requirements for a main building in the zone within which it is located nor closer to the lot line in a rear yard than the minimum distance required for an accessory use or structure.

[iv] Open private swimming pools shall be allowed to cover up to 15% of a lot in addition to the maximum lot coverage provisions of the corresponding zone.

(b) Covered Pools

Covered pools shall conform with the accessory building requirements contained in subsection 4.1.1.

4.1.3 Buildings constituted as cloth, plastic or vinyl materials supported by structural frames are not permitted in the R1, R2, CC or HC zones. In all other zones, these buildings shall meet the requirements of Section 4.1.1. The legal non-conforming status of temporary garage enclosures in existence prior to the date of passing of this By-law will expire five (5) years from the date of passing of this By-law.

4.1.4 Notwithstanding any other provision of this By-law, where a building or structure incorporates a drive-through facility, the following provisions shall apply:

- (a) The minimum dimensions of a vehicle space in a stacking lane shall be 2.7 m by 6.0 m (8.8 ft. by 19.7 ft.);
- (b) No part of an order board shall be located closer than 10 m (32.8 ft.) from the property boundary of any property zoned Residential.

4.2 Automobile Service Station, Gasoline Bar, Car Washing Establishment

Despite any other provisions contained in this By-law, for all zones within which an automobile service station, gasoline bar, and/or car washing establishment is permitted the following shall apply:

(a) Pump Island Location

The minimum distance between the pump island, pumps and their related overhead canopies and any lot line shall be 10 m (32.8 ft.) from the rear or side lot line and 4.5 m (14.7 ft.) from any front lot line.

(b) Overhead Canopy Setback

Overhead pump island canopies shall be located so as to ensure that a minimum separation distance of 2 m (6.56 ft.) exists between any lot line and the vertical overhead projection onto the ground of any such canopy.

(c) Propane Tanks

[i] No person shall erect or use a bulk propane storage tank at an auto service station or gas bar, or on any other property where vehicle fuel may be dispensed, unless a license has been obtained from the provincial body having jurisdiction and provided the location is in compliance with the requirements of the provincial regulations governing propane tanks.

[ii] In addition to the above requirement, no propane storage tank may be located closer than 10 m [32.8 ft.] from the property line of any residential use, unless the said tank is separated by an unpierced wall or fence of non-combustible construction having a height of 1.75 m (5.74 ft.) above the level of the ground adjoining the tank.

(d) Separation of Car Wash from Residential Zone

Where a car washing establishment abuts a Residential Zone, the following requirements will apply:

[i] Despite any other requirements of this By-law for a lot abutting lands zoned for residential use, a drive-through mechanical car washing establishment shall not be permitted on any lot having a lot area of less than 3,000 sq.m (0.74 ac.) and shall not be located closer than 20 m (65.6 ft.) to any lot line abutting such Residential Zone;

[ii] No washing or drying operations will be permitted except within the building designed for the purpose of the car washing establishment;

[iii] For drive-through mechanical car washing establishments, the building shall be so designed that drying machinery and equipment within the building is furthest removed from the lot line(s) abutting a residential zone, and that cars exiting the building do so also from the side of the building which is furthest removed from the lot line(s) abutting a residential zone;

[iv] A landscaped area of not less than 3 m (9.84 ft.) in depth from the lot line(s) which abut lands which are zoned for residential use shall be used for no other purpose than landscaping, including the planting of trees and shrubs and the erection and maintenance of screening, walls and fences.

(e) Required Vehicle Queue Space

On lots where a mechanical, drive-through car washing establishment is to be erected, off-street vehicle queue spaces shall be provided in accordance with the following provisions:

[i] Required number and location of queue spaces:

Type of Car Wash	Before each wash bay	After each wash bay
Conveyor type	15	2
Automatic type	10	2
Manual type	5	1

Each required queue space shall be at least 2.6 m (8.53 ft.) in width and 5.75 m (18.86 ft.) in length.

[ii] Arrangement of waiting lines

Queue spaces shall be arranged in a single waiting line in advance of the car washing building in accordance with the following provisions:

Type of Car Wash	In a single waiting line	In a double waiting line
Conveyor type	8 queue spaces	7 queue spaces
Automatic type	6 queue spaces	4 queue spaces
Manual type	3 queue spaces	2 queue spaces

(f) Landscaping

Where any lot which is used or intended to be used for the purpose of an automobile service station adjoins a street, then a strip of landscaped open space of a minimum width of 1.5 m (4.92 ft.) shall be provided along any lot line abutting a street and said landscaped open space shall be continuous except for aisles or driveways required for access to the lot.

(g) Entrance and Exit Separation

The minimum distance between any entrance or exit and an adjacent street line shall be 10 m (32.8 ft.).

4.3 Boathouse

An accessory boathouse may not exceed 4 m (13.1 ft.) in height and may not exceed 10% of the gross ground floor area of the principal residential use or 55 sq.m (592 sq. ft.), whichever is the smallest.

4.4 Buildings to be Moved

No building or structure shall be moved within the limits of the Municipality, or shall be moved from outside the Municipality into the Municipality, unless the building or structure is a permitted use and satisfies all the requirements of the zone in which it is to be located, and then only after a permit has been obtained from the Chief Building Official.

4.5 Canals

No canal shall be constructed, extended or altered without the prior approval of South Nation Conservation, the Ministry of Natural Resources or its agent and, if applicable, the Ministry of Environment.

4.6 Change of Use

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

4.7 Cumulative Standards

- (a) Despite anything contained in this By-law, where any land, building or structure is used for more than one purpose, all provisions of this By-law relating to each use shall be complied with.
- (b) When a building, structure or lot accommodates more than one use, the delivery space requirements, loading space requirements and parking space requirements for such a building, structure or lot shall be the sum of the requirements for the separate uses thereof, unless exempted elsewhere in this by-law.

4.8 Day Nurseries

Day nurseries for more than five (5) children at any one time shall be a permitted use in all zones which permit community halls, schools, places of worship or buildings specifically designed for day nursery use. Despite these provisions, a day nursery facility for five (5) or fewer children is permitted in any zone where residential uses are permitted.

4.9 Double Zoning

- (a) Where a slash line appears (/) between two zone symbols, this indicates that the uses and zone requirements of either zone are permitted.
- (b) Where a building, structure or lot accommodates more than one use as permitted by more than one of the zones indicated for that lot, the more restrictive zone standards shall apply.

4.10 Established Building Line in Built-up Area

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

4.11 Exception Zone

Where a zone symbol is followed by a dash and a numeral (ie. "-6"), this shall mean that a specific exception is being made to one or more of the standards or requirements of that zone for a specific area governed by the By-law. All other provisions of the By-law shall continue to apply. The number after the dash (ie. RU-6) indicates the order of the various exception zones.

4.12 Fences

(a) Fences or similar barriers constructed in any side or rear yard in any residential use property shall be no higher than 1.83 m (6 ft), with the exception of a fence or similar barrier constructed in any side or rear yard in any residential use property adjacent to the St. Lawrence River where a fence or similar barrier shall be no higher than 1.2 m (4 ft) within 15.2 m (50 ft) of the water's edge.

(b) Fences or similar barrier constructed in any front yard in any residential use property shall be no higher than 0.91 m (3 ft).

(c) Barbed wire, spire tips, sharp objects, electrically charged fences or any other fence material which poses a safety hazard shall not be on or adjacent to any residential use property.

4.13 Flood Plain

Modification of the flood plain through filling, excavation or by other means is prohibited unless otherwise permitted by the Conservation Authority.

For the purposes of this By-law, the flood elevation is all land below the elevation of:

(a) 75.3 m G.S.C. along the St. Lawrence River from the western limit of the Village of Cardinal, as shown on Schedule B, to the eastern corporate limit of the Township.

(b) 75.4 m G.S.C. along the St. Lawrence River from the western limit of the Village of Cardinal, as shown on Schedule B, to the downstream end of the old canal opposite the west end of Galop Island.

(c) 75.5 m G.S.C. along the St. Lawrence River from the downstream end of the old canal opposite the west end of Galop Island to the elevator upstream of the Prescott-Ogdensburg Bridge.

(d) 75.6 m G.S.C. along the St. Lawrence River from the elevator upstream of the Prescott-Ogdensburg Bridge to the western corporate limit of the Township.

(e) 75.3 m G.S.C. along Sawmill Creek.

(d) the 1:100 year flood plain along the South Nation River. Mapping along the South Nation River is provided by South Nation Conservation and reference should be made to original documents for the precise elevation.

4.13.1 Defining Areas Subject to Floods and Erosion

The floodplain area shown on the Zoning Schedules includes all areas known to be subject to 1 in 100 year flood events. These areas have been identified and mapped by the South Nation Conservation and by the Ministry of Natural Resources (in those areas which are outside the South Nation River watershed).

It is recognized that flood plains and erosion hazards may exist which are not designated on the Zoning Schedules, particularly along the St. Lawrence River and the South Nation River and its tributaries. In reviewing development applications, the approval authority shall require that the proponent of a development demonstrate that there are no flood hazards and erosion hazards prior to the submission of the development application for formal review and processing. Where it is determined that flood hazards or erosion hazards exist, the policies in this section shall apply regardless of the fact that the flood hazard or erosion hazard may not be identified on the Zoning Schedules.

4.14 Flood Proof Zone

Where a zone classification is followed by a dash and the letter “f” (eg. R2-f), this denotes a flood proof zone. The lands so zoned shall be subject to all of the requirements the zone represented by the classification and in addition, must meet the following provision:

(a) No buildings or structures shall be erected, altered, enlarged or used below the flood line as defined in this By-law and shown on the attached Zoning Schedules unless it is flood proofed.

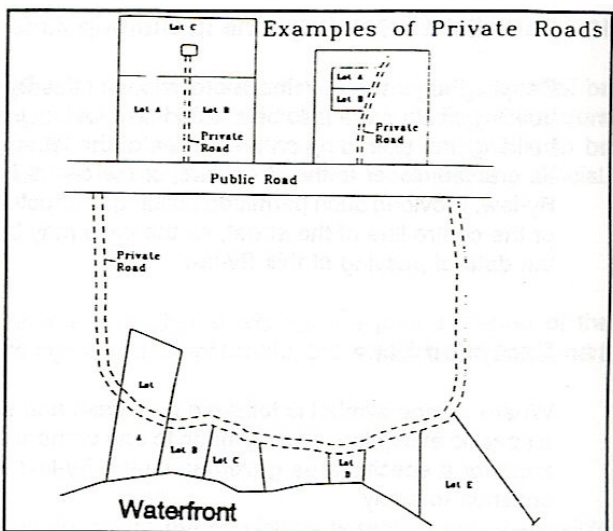
4.15 Frontage on a Public Street

(a) Except where specifically permitted in this By-law, no person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected has sufficient frontage on a public street as per the requirements of the respective zone within which the lot is situated.

(b) Despite subsection (a) above, within the RLS Zone and any subzones or exceptions thereto, frontage on a private road shall be deemed to conform with the provisions of this section, provided that such frontage is in conformity with the standards set out in the RLS Zone or any subzone or exception thereto.

(c) Despite subsection (a) above, where a maintenance agreement exists before the date of passing of this By-law between the municipality and a land owner and is registered on title, frontage on an unopened or unmaintained public right-of-way shall be deemed to conform to the provisions of this section, provided that such frontage is in conformity with the standards set out in the corresponding zone or any exception thereto.

(d) In addition to all the municipal requirements, any development adjacent to County Roads or Provincial Highways is also subject to the requirements and permits of the United Counties of Leeds and Grenville and/or the Ministry of Transportation.



4.16 Group Homes

- (a) Group Homes shall be permitted in all zones that allow residential uses, provided they are licensed by the Province and/or approved under Provincial Statutes and in compliance with municipal by-laws.
- (b) No group home shall be located closer than 300 m (984 ft.) in straight line distance to any other group home.
- (c) A group home shall be permitted in a single detached dwelling or a semi-detached or duplex dwelling provided that both units are occupied by a single group home operation.

4.17 Hobby Farms

A maximum of five (5) nutrients units, as defined by the Minimum Distance Separation Formulae I and II, are permitted on a Hobby Farm provided that such animal(s) is/are housed in a building or structure specifically designed for such purposes. For six (6) or more nutrient units, a permitted Hobby Farm is subject to the MDS calculation as developed by the Ontario Ministry of Agriculture, Food and Rural Affairs, as amended from time to time.

4.18 Holding Zones

Any parcel or area of land in any Zone may be further classified as a holding zone with the addition of the suffix "-H." The holding classification added to a given zone shall prohibit development of land until such time as the policies of the Official Plan related to holding zones are compiled with, at which time, the H may be removed by an amendment under Section 36 of the Planning Act. While a holding zone is in effect, no lands shall be used and no buildings or structures shall be erected or used for any purpose other than those uses existing for such land, building or structure on the date of passing of this By-law and for the uses specifically permitted in the particular holding zone.

4.19 Home Industries, Home-based Businesses or Rural Home Occupations

Despite any other provisions contained in this By-law, for all zones within which home industries, home-based businesses or rural home occupations are permitted, the following provisions shall apply:

(a) General Criteria

- [i] The home industry, home-based business or rural home occupation shall be clearly secondary to the main permitted residential or agricultural use as the case may be, and shall not create nor become a public nuisance with regard to noise, traffic, parking or health and safety;
- [ii] The business shall be conducted entirely within the practitioner's own residence;
- [iii] There shall not be more than two (2) businesses conducted within any one dwelling which, in combination, shall not occupy more than 35% of the net floor area of the residential dwelling;
- [iv] No machinery or equipment shall be used that is not compatible with a residential area;
- [v] There shall be no on-site outside storage;
- [vi] Home based businesses which exceed any or all of the criteria contained in this Section will be encouraged to relocate to a Main Street or other commercial area.

(b) Employees, Hours and Parking

- [i] The business shall be operated by the owner or occupant of the dwelling within which it is located and shall not employ more than two (2) employees;
- [ii] Not more than 15% of the lot area shall be used for parking, and off-street parking shall not be accommodated on a front lawn or yard;

- [iii] The business shall not generate excessive traffic and shall not create a traffic hazard;
- [iv] All deliveries to the business shall take place on the same lot as the business, and in no case shall any on-street delivery be permitted;
- [v] There shall not be more than two (2) commercially licensed vehicles parked at one time on the property;
- [vii] the business shall maintain reasonable hours of business, and shall be subject to full compliance with the Municipality's Noise By-law as may from time to time be enacted by the municipality under the Municipal Act;
- [vii] the business shall not receive clients or deliveries between the hours of 23:00 and 07:00.

(c) Signage

- [i] There shall be no external signage or advertising anywhere on the property to indicate the nature of the business, other than a professional office sign having a total display area not exceeding 1 sq.m (10.76 sq.ft.) within Villages or Hamlets, and 1.5 sq.m (16.15 sq.ft.) in rural and agricultural areas;
- [ii] Permitted signs may be mounted, affixed, painted or imprinted onto the building where the business is being conducted, or erected perpendicular to a street or road up to a maximum height of 2 m (6.56 ft.). A permitted sign erected along a street or road shall be set back at least 3 m (9.84 ft) from the street line;
- [iii] Signs may be illuminated by an external source of light pointed directly onto the sign. Backlit signs, or neon, flashing, animated or intermittent illumination, are strictly prohibited;
- [iv] In addition to the above provisions, any sign shall conform to the provisions of any Signs By-law as may from time to time be enacted by the municipality under the Municipal Act.

(d) Permits

- [i] The business shall be legal and must have obtained the necessary permits or licenses from the municipality and any other applicable government body having jurisdiction;
- [ii] Businesses must have the approval of the Ministry of Environment or its agent for the on-site water and sewage disposal systems.

(e) Provisions for Rural and Agricultural Areas

- [i] Within rural or agricultural areas, a home based business may be located within an accessory building or in a residential dwelling, or a combination of both, provided that not more than 50 sq.m (538 sq.ft.) is utilized for the business (outside storage may be permitted in rural and agricultural areas subject to appropriate screening);
- [ii] Within rural and agricultural areas, home-based retail will be permitted as accessory to a home-based business provided that the sale of goods is not the sole nor principal purpose of the home-based business.

4.20 Illumination

Illumination of buildings and grounds shall be permitted provided that:

- (a) Illumination shall not cause direct or indirect glare on a street that may interfere with traffic or pedestrian safety.
- (b) Illumination shall not consist of a colour or be so designed or located that it may be confused with traffic signals.
- (c) Illumination shall not cause direct or indirect glare on land or buildings in a residential zone.

4.21 Keeping of Animals and Kennels

(a) No animals other than those permitted by the Municipality's Animal Control By-law, as may from time to time be enacted by the municipality under the Municipal Act, shall be kept in any Residential Zone.

(b) Despite any provisions in this By-Law to the contrary, kennels shall only be permitted in the Agricultural (A) or the Rural (RU) Zones. The minimum separation distance between a kennel facility and any neighbouring residential dwelling in any zone shall be 300 m (984 ft.). The distance shall be measured as the shortest horizontal distance from the nearest point of a kennel or pen or runway to the nearest main wall of the residence. Only the principle residence of the owner/operator of the kennel facility shall be exempt from these provisions. In addition, all kennels must be a minimum of 300 m (984 ft.) from any existing vacant lot of record of 2 ha (4.9 ac.) or less in size.

4.22 Land Suitability For Use

Despite any other provision of this By-law, no habitable building or structure shall be erected, altered or used on land which, by reason of its rocky, low lying, marshy, or unstable character is unsuitable for the provision of satisfactory water supply, sewage disposal or drainage facilities.

4.23 Licenses, Permits and Other By-laws

Nothing in this By-law shall exempt any person from complying with requirements of the Building By-law or any other By-law in force within the Municipality or from obtaining any permit, license, permission, authority or approval required by this or any other By-law of the Municipality or the Counties or public authority.

4.24 Loading Requirements

For every building or structure hereafter erected for a commercial, institutional or industrial use, involving the frequent shipping, loading or unloading of persons, animals, wares, merchandise or other goods, there shall be provided and maintained loading facilities or spaces in accordance with the following requirements:

(a) Each loading space shall have a minimum height clearance of 4 m (13.1 ft.) and shall be at least 4 m (13.1 ft.) wide by 7.5 m (24.6 ft.) long if situated inside of or at right angles to a building or structure, or 14 m (45.9 ft.) long if situated parallel to the wall of a building or structure.

(b) Loading spaces shall be located in a rear or side yard, on the same lot on which the main use is located, and each such space shall be in an area whose distance from lot line to building or structure is not less than 14 m (45.9 ft.) and shall have unobstructed ingress and egress to and from a public street by means of a driveway, lane or manoeuvring aisle of a minimum width of 6 m (19.7 ft.).

(c) The number of required loading spaces shall be based on net floor area of the building or structure as follows:

[i] Commercial and Institutional Uses

Net Floor Area	Loading Spaces Required
0 – 250 sq.m (0-2,691 sq.ft)	0
251 – 1,000 sq.m (2,691-10,764 sq.ft)	1
Over 1,000 sq.m (over 10,764 sq.ft)	2, plus one (1) additional space for each additional 1000 sq.m or part thereof

[ii] Industrial

Net Floor Area	Loading Spaces Required
0 – 500 sq.m (0-5,382 sq.ft)	0
501 – 2,000 sq.m (5,382-21,528 sq.ft)	1
Over 2,000 sq.m (over 21,528 sq.ft)	3, plus one (1) additional space for each additional 1000 sq.m or part thereof

(d) The loading space requirements stated in (c) shall not apply to buildings or structures in existence as of the date of passing of this By-law but shall apply to areas of any expansion or enlargement to such buildings or structures for which building permits have been issued after the date of passing of this By-law.

(e) The loading spaces and lanes shall be surfaced with a stable material such as concrete, asphalt, crushed stone, or gravel.

(f) Exception for MCR Zone

Uses in the Main Street Commercial/Residential (MCR) Zone shall not be required to provide loading spaces in accordance with the provisions of this Section.

4.25 Mobile Homes

Mobile homes as defined herein shall be prohibited in all zones, except:

- (a) where specifically permitted on a site-specific basis by way of an exception zone; or
- (b) as permitted in the Agricultural (A) Zone, in accordance with the corresponding provisions.

4.26 Non-Conforming Uses

(a) Continuance of Existing Uses

Nothing in this By-law shall prevent the use of any land, building or structure for any purpose prohibited by the By-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the By-law, so long as it continues to be used for that purpose. The non-conforming use of any land, building or structure, including non-conforming accessory buildings or structures, shall not be changed except to a use which is in conformity with the provisions of the zone in which the land, building or structure is located, or without permission from the Committee of Adjustment pursuant to the Planning Act.

(b) Reconstruction of Existing Use

If a non-conforming building should be damaged, destroyed or demolished, nothing in this By-law shall prevent the reconstruction or strengthening to a safer condition of any such non-conforming building or structure or any part thereof, provided that:

- [i] the non-conforming features of the original building are not aggravated by the strengthening or reconstruction;

(c) Prior Building Permits

Nothing in this By-law shall prevent the erection or use of any building or structure for which a building permit has been issued under the Building Code Act prior to the passing of this By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under the Building Code Act.

(d) Road Widenings

Nothing in this By-law shall prevent the use of any land, building or structure or the erection of any building or structure on a lot which does not conform to the minimum lot frontage and/or lot area and/or front yard setback, and in the case of a corner lot, the side yard setback, as a result of a road widening taken by the Municipality, the Counties or the Ministry of Transportation of Ontario, provided all other requirements of this By-law are complied with.

(e) Addition to Existing Building or Structure

Nothing in this By-law shall prevent the renovation, extension or addition to a building or structure which is used for a purpose specifically permitted within the zone in which such building or structure is located and which building or structure existed at the date of passing of this By-law, but which building or structure does not comply with one or more of the zone requirements of this By-law, provided such renovation, extension or addition does not further reduce the requirements of this By-law and does not contravene any other requirements of this By-law.

(f) Existing Undersized Lots

Despite anything else contained in this By-law, where a vacant lot having a lesser frontage and/or area than is required by this By-law is held under distinct and separate ownership from adjoining lots, according to the Register for Land in the Land Titles Office, on the date of the passing of this By-law, it may be used for a purpose permitted in the zone in which the said lot is located, provided that such lot can be adequately serviced with water and sewage services and provided all other applicable provisions in this By-law are complied with.

(g) Less than Minimum Yard Requirements

Where a building or structure which is a permitted use in the zone has been erected prior to the date of passing of this By-law on a lot having less than the minimum front, side or rear yard required by this By-law, the building or structure may be enlarged, reconstructed, repaired or renovated provided that:

[i] the enlargement, reconstruction, repair or renovation does not further reduce the front, side or rear yard having less than the minimum required by this By-law; and

[ii] all other applicable provisions of this By-law are complied with;

[iii] where an existing common garage is reconstructed by removing half of the garage, the remaining half shall be renovated to comply with this by-law. The remaining garage shall be renovated to a complete finish in compliance with the building permit.

[iv] where any part of an existing common garage is enlarged, reconstructed, repaired or renovated, such enlargement, reconstruction, repair or renovation shall be in a manner which is acceptable to the Township and is in keeping with the architectural treatment of the existing common garage.

unless specific permission to the contrary has been granted by the Committee of Adjustment. These provisions shall be deemed to apply to accessory buildings and accessory uses.

(h) Change of Use

The use of any lot, building or structure which is not permitted in the zone in which it is located shall not be changed except to a use which is listed as a permitted use in such zone or to a use which is authorized by the Committee of Adjustment pursuant to its powers under the Planning Act, as amended.

4.27 Open Storage, Outdoor Sales and Displays

No person shall use any lot or part thereof for open storage, sales or display except as permitted by this By-law, is fully integrated with the main use of the lot and is in accordance with the following:

(a) Open Storage

- [i] Open storage shall not be permitted within any required front yard or exterior side yard, and within 5 m (16.4 ft.) of any side or rear lot line;
- [ii] Where open storage areas abut a Residential Zone, the required setback of the open storage area shall be increased to 10 m (32.8ft.);
- [iii] A buffer strip shall be provided around all open storage areas except for a limited number of access points. This buffer strip may consist of a minimum yard or the minimum distance between any lot line and the open storage area;
- [iv] Any areas used for open storage shall be in addition to any minimum off-street parking or loading areas required by this By-law;
- [v] In Industrial Zones, the open storage provisions shall also apply to any exterior waste containers required for industrial wastes of all types;
- [vi] No open storage shall be permitted in a Community Commercial or Main Street Commercial/Residential Zone, except for commercial vehicles in operating condition which are essential to the permitted use.
- [vii] New open storage areas shall be subject to site plan control.

(b) Outdoor Sales and Displays

- [i] Where outdoor sales and displays are permitted as an accessory use, such sales and displays may take place on a required front or side yard provided that no encroachment of a public right-of-way (sidewalk or roadway) results therefrom.
- [ii] Outdoor sales and displays are not permitted on required parking areas.
- [iii] Outside sales and displays shall be temporary in nature and shall be removed at the end of each business day. Permanent outside sales or display structures shall only be permitted by way of a minor variance.

4.28 Parking and Storage of Vehicles

(a) Parking for Residential Uses

- [i] Except as provided herein, no vehicles shall be parked or stored in conjunction with a residential use unless the vehicle is located within a garage, carport, driveway, designated parking area, or on a street as may be permitted by Municipal By-law.
- [ii] No parking space for a residential use shall be used for the outdoor parking or storage of a motor vehicle unless such vehicle is used in operations incidental to the residential use of the lot on which it is parked or stored, and bears a motor vehicle license plate and sticker which is currently valid.
- [iii] Residential garages shall not exceed 100 sq.m (1,076 sq.ft.) in gross floor area.

(b) Parking of Commercial Vehicles in Residential Zones

No commercial vehicle having a gross vehicle weight in excess of 5,000 kg shall be parked in a Residential Zone unless such a vehicle is solely used in the conduct of delivery, pick-up or service call activities.

(c) Parking of Recreational Vehicles in Residential Zones

Any recreational vehicle which is self-propelled or does not require to be transported on a trailer shall be permitted in a Residential Zone provided it is parked in a permitted parking space or is located in an internal side yard or rear yard and is screened from view.

(d) Construction and Coverage of Parking Areas in Residential Zones

The driveway and parking space for single detached, semi-detached, converted dwellings and row or town houses in Residential Zones shall be constructed of crushed stone, asphalt paving, concrete, paver stones or similar materials and shall be maintained and treated so as to reduce dust, scattering of stones and similar potentially undesirable effects on adjoining properties;

(e) Driveways

Motor vehicle access from a residential lot to a street shall be over a driveway conforming with the following:

[i] Maximum width:

If the lot frontage measures:	The maximum permitted driveway width is:
9.9 m (32.4 ft) or less	4.5 m (14.76 ft)
Between 10 m (32.5 ft) and 19.9 m (65.3 ft)	5.5 m (18.04 ft)
Between 20 m (65.4 ft) and 29.9 m (98.1 ft)	6.5 m (21.33 ft)
30 m (98.2 ft) or more	6.5 m (21.33 ft)

Driveway Width shall mean the width of the driveway as measured from the street to its termination, and shall apply to the entirety of the length of the driveway.

[see also definition of Driveway]

- [ii] Parking spaces required for any apartment building shall not be provided in any required front yard, or any required side yard abutting a public street.
- [iii] Minimum angle of intersection between a driveway and the street line..... 60 degrees
- [iv] Minimum distance between a driveway and intersecting street lines, measured along the street line intersected by such driveway 8 m (26.2 ft.)

[v] Maximum number of driveways per lot:

Type of Residential Lot	Maximum Number of Driveways
Lots having a single detached dwelling	One driveway for every 30 m of frontage
Lots used for two-unit residential dwellings (duplex, semi-detached, with garden suite, etc)	One driveway per dwelling unit having a private entrance
Lots used for multiple residential dwellings (triplex, quadraplex, semi-detached duplex or quadraplex or other)	One driveway per dwelling unit having a private entrance at grade
Lots used for row or town houses or stacked townhouses	One driveway per dwelling unit having a private entrance at grade
Lots used for apartment buildings that are purpose-built with five (5) or more dwelling units	Two driveways for the building, connecting with tenants' parking lot or parking area

[vi] In addition to the above, all driveways shall be subject to the Municipality's Entranceways By-law, as may from time to time be enacted by the municipality under the Municipal Act, and to County and Ministry of Transportation requirements.

(f) Parking area for more than four vehicles

In any zone, where a parking area is designed to accommodate more than four vehicles, the following provisions shall apply:

[i] The parking area shall be constructed of crushed stone, asphalt paving, concrete, paving stones, or similar materials and shall be maintained and treated so as to reduce the raising of dust and scattering of stones and similar undesirable effects on adjoining properties and shall incorporate drainage facilities that comply with the requirements of the Municipality.

[ii] Ingress and egress directly to and from every parking space shall be by means of a manoeuvring aisle having a width of at least 6 m (19.7ft.) for two-way traffic and 4 m (13.1 ft.) for one-way traffic where parking is angled.

[iii] A lane which does not provide ingress and egress directly to a parking space, shall have a minimum width of 3.5 m (11.48 ft.) where designed for one-way vehicular circulation or 6 m (19.7 ft.) where designed for two-way vehicular circulation.

[iv] Scale drawings shall be submitted with the application for the building permit, showing entrances and exits and such parking facilities, and all proposed and existing parking spaces and manoeuvring aisles.

[v] Where a new parking area is proposed, the site development shall be subject to site plan control.

[vi] For Drive-Through Facilities, stacking lanes shall accommodate a minimum of twelve (12) vehicles.

(g) Dimension of parking space

Each standard parking space shall have a minimum width of 2.6 m (8.53 ft.) and a minimum length of 5.5 m (18.04 ft.). Each barrier-free parking space shall have a minimum width of 3.66 m (12 ft.) and a minimum length of 6 m (19.7 ft.).

(h) Parking Requirements for Mixed-Use Buildings

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

(i) Parking Requirements for Existing Buildings

The parking space requirements shall not apply to any building in existence at the date of passing of this By-law so long as the gross floor area, as it existed at such date, is not increased and no change in use occurs. If an addition is made to the building or structure which increases the gross floor area, or a change in use occurs, then parking spaces for the addition or area changed in use shall be provided.

(j) Parking Requirements in Cardinal and Spencerville's Main Street Core

Despite the provisions of subsections 4.28(g), 4.28(h) and 4.29(d), within the Main Street Commercial/Residential (MCR) Zone as identified in the Zoning Schedules, the following parking space requirements shall apply:

[i] MINIMUM

Within the MCR zone, the provision of at least one off-street space per lot, for any use within any zone, shall be considered adequate.

[ii] CHANGE OF USE WITHIN EXISTING BUILDINGS

Where the use of an existing building zoned MCR is changed, either in conformity with the applicable zoning provisions or through an amendment to this By-law, no new parking spaces shall be required.

[iii] ENLARGEMENT OF EXISTING BUILDINGS

Where an existing building zoned MCR is enlarged, either in conformity with the applicable zoning provisions, through an amendment to this By-law or through a minor variance, the parking requirements as set out in subsection 4.29(d) shall apply for the enlargement or addition, only if such enlargement or addition has the effect of creating a new dwelling or a new use which is additional to any existing dwelling(s) or use(s).

[iv] INFILL BUILDINGS

Despite subsection (a), within the MCR zone, where an infill building is constructed, the parking requirements set out in Section 4.29(d) shall apply.

[v] CASH-IN-LIEU OF PARKING

Where site configuration or other constraints prevent or render undesirable the provision of all required spaces, cash-in-lieu of parking may be provided by the applicant. The parking fund so established shall be devoted to assist in the provision of additional parking facilities in the Village core. The fee for cash-in-lieu of parking shall be determined from time to time by resolution of Council and may be included within the Tariff of Fees By-law.

(k) Location of parking space(s)

Except where permitted elsewhere in this By-law, the required parking in a Residential Zone shall be provided on the same lot as the dwelling unit. In all other zones, parking shall be provided within 100 m (328 ft.) of the building or lot it is intended to serve, subject to an agreement, deed or renewable lease which provides for same.

4.29 Parking Requirements

(a) Provision of Parking

In any zone, the owner or occupant of any building or structure erected, enlarged or changed in use after the date of passing of this By-law shall provide off-street parking in accordance with the schedule at Subsection (d).

(b) Calculation

Where the application of ratios result in a fraction of a parking space, the required number of spaces shall be the nearest whole number.

(c) Barrier-free Parking

Wherever barrier-free access to a building is required under the Building Code, one barrier-free parking space shall be provided for every 20 standard parking spaces or part thereof and shall be included in the total number of parking spaces required under the Schedule for Parking Requirements.

(d) Schedule for Parking Requirements

Use	Minimum number of required parking spaces
Residential: single detached; semi-detached or duplex; converted dwelling; triplex or fourplex; row or townhouse; mobile home; park model trailer; seasonal dwelling; accessory dwelling; quadraplex	1 space per dwelling unit
Residential: apartment dwellings; multiples dwellings	In the MCR zone, 1 space per dwelling unit. In all other zones, 1.25 spaces per dwelling unit; 15% of which shall be dedicated as visitor parking
General business: convenience store; retail store; grocery store; service outlet; personal service establishment; funeral parlour; office; bank; professional office; business office; and any other commercial use other than those specified.	In the MCR zone, there is no requirement for retail spaces under 55 sq.m of gross floor area. For retail space larger than 55 sq.m, 1 space per 35 sq.m of gross floor area; minimum 1 space. In all other commercial zones, 1 space per 35 sq.m of gross floor area; minimum of 1 space
Autobody shop, auto repair shop, auto service station, gas bar and other automotive uses other than those specified	2 spaces per service bay plus 1 space per employee; minimum of 3 spaces
Assembly hall, private clubs, auditorium, halls, place of worship, recreational establishment, stadium, cinema, theatre and similar places of public assembly	1 space for every 6 seats, fixed or otherwise; or where there are no seats, 1 space for every 30 sq.m of assembly space
Bed & Breakfast establishment	1 space per guest unit in addition to parking spaces required for dwelling unit
Boarding or Rooming house	1 space for every 4 persons to be accommodated according to the maximum permitted capacity
Building supply store, garden centre, nursery	1 space for each 30 sq.m of gross floor area and 1 space for each 35 sq.m of open storage
Car washing establishment	3 spaces minimum plus queue requirements set out in Section 4.2 (e)
Clinic	3 spaces per doctor

Day nursery - licensed	1 space per employee and 1 space per 5 children
Equipment rental, sales or service establishment: Agricultural or Industrial	1 space per 50 sq.m of open storage or gross sales area plus 1 space per employee
Farmer's market, flea market	2.5 spaces per individual outdoor or indoor vendor table or booth
Group Home	2 spaces minimum
Hotel, motel	1 space per guest unit, plus 1 space for each 6 persons of designated seating capacity of any accessory food premise, beverage room or meeting room
Manufacturing, industrial storage or wholesale, warehouse	1 space per 100 sq.m of gross floor area up to 2000 sq.m, plus 1 additional space for every 200 sq.m gross floor area thereafter
Marina	1 space for every seasonal boat slip, plus 1 space for every 4 transient boat slips plus 1 trailer space for every 10 boat slips
Nursing home, convalescent home, home for the aged, hospital, retirement home, long term care facility	2 spaces for every 7 patient beds and 1 space for every 4 employees
Physician, dentist or other professional person, who has established an office for consultation or emergency treatment in their residence	3 spaces in addition to parking spaces required for a dwelling unit
Place of amusement, bowling or billiard establishment	1 space for every 5 persons that can be accommodated
Restaurant, restaurant-drive-in, beverage establishment, tavern	1 space for 20 sq.m of dining room gross floor area excluding outdoor cafes
School – Elementary	1 space per teaching classroom
School – Secondary or commercial	4 spaces per teaching classroom
Uses not otherwise specified	1 space per 25 sq.m of gross floor area

4.30 Parts of Buildings or Structures Permitted Above Height Level

The height regulations herein set forth shall not apply to any of the following:

Chimney

Church spire or belfry

Drying tower

Elevator or stairway enclosure

Farm buildings and structures such as a barn, silo or windmill

Flag pole

Heating, Venting and Air Conditioning Systems

Hydro electric transmission tower

Lighting standards

Lightning rods

Mechanical and electrical equipment penthouse occupying less than twenty-five percent (25%) of the area of the roof of the building on which it is located

Ornamental dome, cupola, turret or tower

Receiving and transmitting antenna

Receiving stations and communications or cellular towers

Satellite dish

School gymnasium
 Solar panels
 Theatre or cinema auditorium
 Ventilating fan or skylight
 Water storage tower or tank
 Windmill

Despite the foregoing, limitations prescribed by Transport Canada or practices recommended by the Ministry with respect to height limitations and appropriate lighting in the vicinity of airfields shall prevail.

4.31 Permitted Projections

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

Structure	Maximum Projection into Required Yard
Bay windows, belt courses, chimney breasts, cornices, eaves, gutters, pilasters, sills, or other ornamental structures	0.75 m (2.46 ft) into any minimum required yard
Canopies which are at least 2.15 m in vertical clearance above the established grade, with or without supporting posts	2.0 m (6.56 ft) into any required yard
Canopies or marquees for entrances to apartment buildings and commercial buildings	Despite any other provisions to this by-law, a canopy, marquee or portico over a major entrance to an apartment building or commercial building may project into the required yard at a distance equal to one-half the setback of the building from the streetline
Steps, ramps for use by the disabled and walkways	No maximum into any required yard
Fire escapes, antennae towers, satellite dishes	1.5 m (4.92 ft) into any required rear yard
Open or roofed porches, sundecks, balconies, stoops, exterior stairs, landings	1.5 m (4.92 ft) into any required front or rear yard
Sunroom	2.5 m (8.2 ft) into a required rear or side yard
Awnings, fences, garden trellises and similar landscaping features, all plant materials, clothes poles, flag poles	No maximum into any yard
Accessory building	As permitted by and as specified in this By-law

4.32 Prohibited Uses

Except as specifically permitted in this By-law, the following uses are prohibited:

(a) The keeping or raising of any horse, bull, ox, sheep, goat, pig or other cattle, or any poultry in any residential zone, or any reptile, or any wild animal including any tamed or domesticated wild animal in any building or structure in any zone unless otherwise stated.

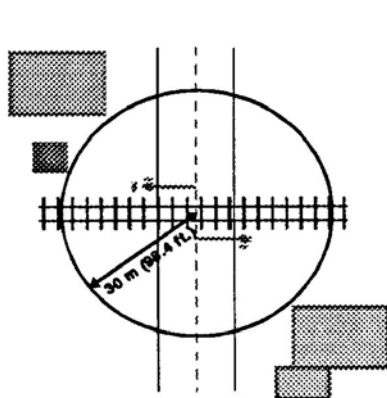
(b) Except as otherwise specifically permitted in this By-law, no land shall be used and no building or structure shall be erected, altered or used for any obnoxious use, trade, business or manufacture.

(c) Recreational vehicles used as seasonal dwellings on vacant lots are forbidden.

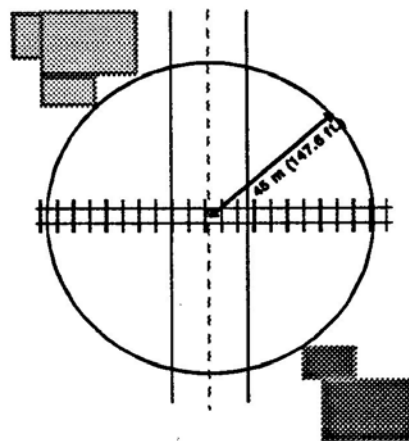
4.33 Railway Crossings and Sight Distances

Where any road or street crosses a railway at the same grade, no building or structure shall hereafter be erected closer to the point of intersection of the centreline of both the railway and the road or street than 30 m (98.4 ft.) where automatic signal protection is provided and 45 m (147.6 ft.) where no automatic signals are provided.

RAILWAY CROSSINGS SETBACKS



**30 metres (98.4 ft.)
With Automatic Signals**



**45 metres (147.6 ft.)
Without Automatic Signals**

4.34 Rooming Houses

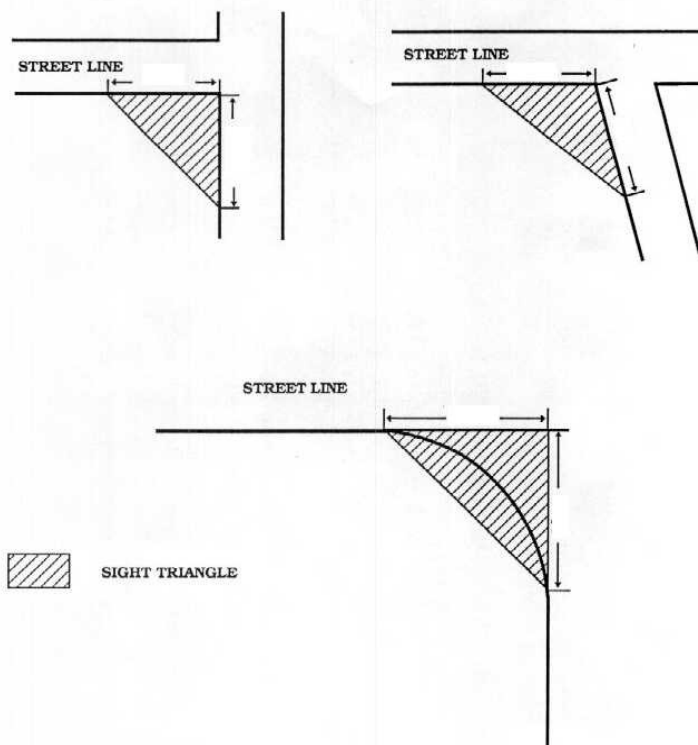
(a) A rooming house may only be permitted by way of an amendment to this By-law and only in residential zones or in the rural zone.

(b) No rooming house shall be located closer than 300 m (984 ft.) in straight line distance to any other rooming house.

(c) Dwellings being converted to rooming houses shall be permanent one or two unit dwellings only. Rooming units in mobile homes are strictly prohibited.

4.35 Sight Triangle

ILLUSTRATION OF SIGHT TRIANGLES



(a) Prohibited Uses

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

- [i] a building, structure, or use which would obstruct the vision of drivers of motor vehicles;
- [ii] a fence, tree, hedge, bush or other vegetation, other than agricultural crops greater than 0.75 m (2.46 ft.) except a chain link or wire fence;
- [iii] any portion of a delivery space, loading space, driveway or parking space;
- [iv] a berm or other ground surface which exceeds the elevation of the street by more than 0.6 m (1.97 ft.).

(b) Sight Distances

For the purposes of this By-law, the following sight distances shall apply:

- [i] no distance requirement in lands zoned MCR;
- [ii] Five (5) metres (16.4 ft.) in all other zones.

4.36 Signs

(a) No private advertising signs or devices shall be permitted where a residential use is the principal use of the lot, other than a sign denoting Home Industries, Home-based Businesses or Rural Home Occupations as outlined in Section 4.20(c), or a temporary sign advertising premises for sale, lease or rent, or a temporary sign related to federal, provincial, municipal or school board elections, or a name plate not larger than 0.5 sq.m (5.38 sq.ft.) indicating the name of the occupant, or a traffic or directional sign erected by a public authority.

(b) All signs erected hereafter within the Municipality shall conform with the provisions of any Signs By-law as may from time to time be enacted by the Municipality under the Municipal Act, or the regulations of the Ministry of Transportation or the County.

4.37 Special Setbacks

The following minimum setbacks from the closest edge of the travelled portion of the road to above or below ground structures shall be required:

(a) 20 m (65.6 ft.) from all property lines adjacent to County Roads, except within Villages;

(b) 15 m (49.2 ft.) from the limits of any Environmental Protection Zone (EP);

(c) with the exception of a boat house, dock or wharf, 30 m (98.3 ft) from the top of bank or high water mark whichever is applicable of any adjacent water body or watercourse as defined herein;

(d) Highway 401 and Highway 416

A Building and Land Use Permit shall be required from the Ministry of Transportation to place, erect or alter any above or below ground structure, fence, berm, gasoline pump, tree, shrub, hedge or land use of any kind within 45 m (147.6 ft.) from a highway right-of-way limit or within 395 m (1,295.9 ft.) radius of the center point of an intersecting road of Highway 401 or Highway 416, or for any land use within 800 m (2,624.6 ft.) of the highway right-of-way limit that causes persons to congregate in large numbers, or to place, erect, or alter any power line, pole line or other transmission within 400 m (1,312.3 ft.) of the highway right-of-way limit. A sign permit shall be required from the Ministry of Transportation for any sign on private property within 400 m (1,312.3 ft.) of the highway right-of-way limit.

(e) No development or land use shall be permitted within 30 m (98.4 ft.) of the boundary or perimeter of the (licensed) fill area of an active waste disposal site.

(f) No waste disposal site shall be permitted within 50 m (164 ft.) from any water body.

(g) Industrial Uses

[i] Class I Industrial Use: The minimum separation distance from a sensitive land use and a Class I Industrial use shall be 20 m (65.6 ft.) and shall be measured as per MOE Guideline D-6.

[ii] Class II Industrial Use: The minimum separation distance from a sensitive land use and Class II Industrial use shall be 70 m (230 ft.) and shall be measured as per MOE Guideline D-6.

[iii] Class III Industrial Use: The minimum separation distance from a sensitive land use and a Class III Industrial use shall be 300 m (984 ft.) and shall be measured as per MOE Guideline D-6.

Note: Sensitive land use as defined by the relevant MOE Guidelines.

(h) Agricultural Use

Any livestock facility or dwelling shall comply with the Ministry of Agriculture Minimum Distance Separation Formulae I and II, where applicable.

(i) Pits and Quarries

[i] The minimum separation distance between a sensitive land use and the boundary of the licensed limit of excavation of a pit shall be 70 m (230 ft.) and shall be 300 m (984 ft.) from the licensed limit of excavation of a quarry.

[ii] Bedrock Reserve Constraints Overlay in the Official Plan

It is the intent of the Official Plan that mineral aggregate bedrock resources be protected by directing permanent development away from these areas. In areas identified as "Bedrock Reserves Constraints Overlay" on Schedule B to the Official Plan, and on lands within 500 metres (influence area), development and activities which would preclude or hinder the establishment of new extractive operations or access to the resources shall only be permitted according to the policies of Section 3.6.4 to the Official Plan.

(j) Septage or Communal Sewage Disposal System

[i] No dwelling or associated well shall be erected within 200 m (656.1 ft.) of the boundary of any land zoned or proposed for septage disposal, a waste stabilization pond or wastewater treatment plant or vice versa.

[ii] No septage or communal sewage disposal system or waste stabilization pond or wastewater plant shall be located:

Within 150 m (492.1 ft.) of any uncased well or abandoned well

Within 75 m (246 ft.) of any land proposed for non-residential development requiring the installation of a well

Within 180 m (590.5 ft.) of the high water mark of any surficial water body.

Within 60 m (496.8 ft.) of any land used for livestock pasturing.

Within 30 m (98.4 ft.) of any right-of-way limit of a street or road.

(k) Hydro Electric Power Transmission Corridor

No dwelling shall be erected within 30 m (98.4 ft.) of the right-of-way limit of a power transmission corridor carrying a 250 KV line or greater.

(l) Rail Line/Yard

No new dwelling shall be permitted within 300 m (984.2 ft.) of a rail yard or 120 m (393.7 ft.) of the right-of-way limit of a rail line.

4.38 Streets and Parks

In any zone established by this By-law, public streets, walkways, bike paths and parks are permitted.

4.39 Temporary Buildings or Structures During Construction

(a) Nothing in this By-law shall prevent the use of land or the use or erection of a temporary building or structure or a scaffold or other equipment essential to the construction in progress for which a building permit has been granted, but only until such time as the work has been finished or abandoned or such equipment is no longer required.

(b) In addition, temporary accommodation for a business or other use which is intended to occupy a building which is under construction with the work in progress on such building, may be temporarily permitted on the same lot in the form of a mobile, relocatable, portable or transportable building provided such temporary accommodation is removed from the lot immediately upon completion of construction, abandonment of construction, or at such time as, in the opinion of the Municipality, it is no longer required.

4.40 Temporary Zones “- t”

Other temporary uses, including garden suites, may be authorized from time to time by Zoning By-law amendment pursuant to Section 39 of the Planning Act. These are listed separately at the end of the appropriate zone category and are identified with the symbol "- t" because of their temporary nature.

4.41 Through Lots

Where a lot is a through lot, the requirements for front yards contained in this by-law shall apply to each yard abutting a street.

4.42 Truck, Bus, Coach, Streetcar Bodies and Marine Vessels

No truck, bus, coach or streetcar body, structure or vehicle of any kind other than a dwelling unit erected and used in accordance with this and all other by-laws of the Municipality, shall be used for human habitation within the Municipality, whether or not the same is mounted on wheels. Marine vessels or structures of any kind shall not be used for the purposes of permanent human habitation except as customarily associated with marine recreational uses.

4.43 Use by Public Authority or Utility

The provisions of this By-law shall not apply to prevent the use of any land or to the erection or use of any utility installation for the purpose of public service by a Public Authority, or a publicly governed company or a company which operates them on their behalf any public utility including any Hydro One Networks, Ontario Power Generation facilities pursuant to the Planning Act, provided that where such land, building or structure is located in a Residential Zone or on a lot adjacent to a Residential Zone:

- (a) no goods, materials or equipment shall be stored in the open except in accordance with relevant zone provisions;
- (b) the lot coverage, setback and yard requirements of the zone in which such land, building or above ground structure is located shall be complied with, except for gas, telephone, cable and electric power (ie. poles, towers, lines and similar elements);
- (c) any building or structure erected under the authority of this section shall not be used for the purpose of an office;
- (d) any building or structure erected in a Residential Zone under the authority of this section shall be designed and maintained in general harmony with the residential buildings of the type permitted in the zone;
- (e) parking and loading requirements as contained in this By-law shall be complied with.
- (f) Natural Gas Pipelines
Protection of any natural gas pipeline corridor shall be maintained in accordance with the following:
 - [i] No structures or excavations shall be allowed on the pipeline right-of-way.
 - [ii] Grades adjacent to the right-of-way shall be matched with that of surrounding lands during any adjacent development to prevent uncontrolled drainage subject to the approval of the natural gas utility.

- [iii] A setback of 7.0 m (22.9 ft) shall be maintained from the pipeline right-of-way for all permanent structures and excavations.
- [iv] Any crossings of the pipeline by roads or above or below ground services shall require the approval of the National Energy Board.
- [v] Special uses of the corridor will only be permitted where authorized or dedicated by easement between the natural gas utility and the municipality provided such uses are compatible with the pipeline operations.
- [vi] The natural gas utility shall be notified 48 hours in advance of any construction adjacent to the pipeline and if heavy equipment must move across or along the easement.

4.44 Water and Sewage Disposal Services (Private or on-site services)

No building permit shall be issued for any building or structure which requires private or on-site sanitary sewage services unless the building permit application is accompanied by a Certificate of Approval from the Ministry of the Environment or the appropriate approval authority for the proposed method of sewage disposal. Wells shall be constructed in accordance with the requirements of Ontario Regulation 903.

No building permit shall be issued for any building or structure within the Settlement Policy Area of Cardinal in the Official Plan unless the development can be serviced by Full Municipal Sewage and Water Services. No building permit shall be issued for any building or structure within the Settlement Policy Area of Spencerville in the Official Plan unless the development can be serviced by Partial Services north of the South Nation River or on individual on-site services south of the river. This provision shall be exempted for Cardinal or Spencerville where services are not required by the Building Code.

4.45 Wayside Pits or Quarries

Despite the provisions of this By-law, where wayside pits and quarries are permitted in a specific zone, the development of such a pit or quarry shall not be restricted by the zone provisions but shall conform to the requirements of the Aggregates Resources Act.

4.46 Wetlands (Development Adjacent to)

On lands adjacent to a Provincially Significant Wetland, legally existing uses as of the date of passing of this By-law shall be permitted. New development shall be permitted in accordance with the provisions of this By-law and subject to the approval of the Ministry of Natural Resources. Adjacent lands shall be interpreted as defined by Provincial Policy.

4.47 Yard Requirements when Waterways are Involved

Where in this By-law a front, side or rear yard is required, and part of the area of the lot is usually covered by water or marsh, or is beyond the rim of a river bank or watercourse, or between the top and toe of a cliff or embankment having a slope of thirty degrees or more from the horizontal, then the required yard shall be measured from the nearest main wall of the main building or structure on the lot to the edge of said area covered by water or marsh or high water mark, or to the rim of said river bank or water course, or to the top of the said cliff or embankment if such area is closer than the lot line.

Section 5.0 ZONES

5.1 Zone Classification

For the purposes of this By-law, the Township of Edwardsburgh/Cardinal is divided into the following zones as named and described in the following sections, the boundaries of which are shown on the attached Schedules which are attached to and form part of this By-law.

5.2 Zones

Residential Zones:

Residential First Density	R1
Residential Second Density	R2
Residential Third Density	R3
Limited Services Residential	RLS
Hamlet Residential	HR

Commercial Zones:

Main Street Commercial/Residential	MCR
Community Commercial	CC
Highway Commercial.....	HC
Rural Commercial	RC

Industrial Zones

General Industrial	MG
Industrial Park.....	MP
Rural Industrial	MR
Mineral Extraction	MX
Waste Disposal	WD

Institutional Zone:

Institutional	In
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Rural Zones:

Rural	RU
Agricultural Resource	A
Open Space	OS
Environmental Protection	EP

5.3 Interpretation of Zone Boundaries

5.3.1 When determining the boundary of any zone as shown on any Schedule forming part of this By-law, the following provisions shall apply:

(a) A boundary indicated as following a highway, street or lane shall be the centre line of such highway, street or lane;

(b) A boundary indicated as following a watercourse, creek, stream or the right-of-way of a railway or an electrical, gas or oil transmission line shall be the centre line of such watercourse, creek, stream or right-of-way;

(c) A boundary indicated as following the shoreline shall follow such shoreline, and in the event of a change in the shoreline, the boundary shall be construed as moving with the actual shoreline;

(d) A boundary indicated as approximately following lot lines shown on a Registered Plan of Subdivision, or Reference Plan, or Township lot lines shall follow such lot lines;

(e) Where a boundary is indicated as approximately parallel to a street line or other feature, indicated in clause (a), (b), and (c) above, and the distance from such street line or other feature is not indicated, and clause (d) above is not applicable, such boundary shall be construed as being parallel to such street line or other feature, and the distance thereto shall be determined according to the scale shown on the appropriate Schedule;

(f) A boundary indicated as following the limits of the Municipality shall follow such limits;

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

(h) Where a lot is divided into more than one zone, each 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 portion of the lot shall be considered as a separate lot for the purpose of determining zone provisions.

SECTION 6.0 RESIDENTIAL ZONES

6.1 RESIDENTIAL FIRST DENSITY (R1)

No person shall use any land or erect, alter or use any building or structure in the Residential First Density (R1) zone except in accordance with the following provisions:

(a) Permitted Uses

- Dwelling, Apartment Unit
- Dwelling, Single Detached
- Home Based Business
- Home Industry
- Public Parks or Open Space
- Accessory Uses to the Foregoing

(b) Zone Requirements

Minimum Lot Area/Dwelling:

Full Service	465 sq.m (5,005 sq.ft)
Partial service	700 sq.m (7,535 sq.ft)
On-site service	0.4 ha (0.98 ac)

Minimum Lot Frontage:

Full service	15.0 m (49.2 ft)
Partial service	18 m (59 ft)
On-site service	30 m (98.4 ft)

Minimum Yard Requirements – Main Building:

Front Yard	7.5 m (24.6 ft)
Exterior Side Yard	7.5 m (24.6 ft)
Interior Side Yard	2.0 m (6.56 ft)
Rear Yard	7.0 m (22.9 ft)

Minimum Yard Requirements – Accessory Building:

Front Yard	7.5 m (24.6 ft)
Exterior Side Yard	7.5 m (24.6 ft)
Interior Side Yard	1.5 m (4.92 ft)
Rear Yard	1.5 m (4.92 ft)

Maximum Building Height:

Main Building	11.0 m (36.1 ft)
Accessory Building	6.0 m (19.7 ft)

Maximum Lot Coverage:

Full service	30%
Partial service	25%
On-site service	15%

Maximum Number of Dwellings per Lot: 1

(c) Additional Provisions

[i] Requirements for Parks and Open Space shall meet the minimum lot area, frontage, setbacks and height requirements of the zone in which the park/open space is located.

(d) Exception Zones

[i] R1-1, Prosser Subdivision, Lots 22-28, 30-32, 34-36, 56-62 - REG. Plan No. 1071, Village of Cardinal

Despite provisions to the contrary, a single unit dwelling and home occupation are the only permitted uses in the R1-1 Zone.

[ii] R1-2 Zone, Part of Lots 414 and 415 Plan 25, in the Township of Edwardsburgh/Cardinal [By-law 2004-11]

Despite provisions to the contrary, on lands zoned R1-2 Zone, the following exceptions to this By-law shall apply:

Permitted Use: 2 single detached dwellings

Zone Standards

The buildings setbacks shall be the existing setbacks for the front, rear, interior side, and exterior side yards respectively, as of the date of passing of this by-law.

(e) Temporary Zones

Reserved.

(f) Holding Zones

Reserved.

6.2 RESIDENTIAL SECOND DENSITY (R2)

No person shall use any land or erect, alter or use any building or structure in the Residential Second Density (R2) zone except in accordance with the following provisions:

(a) Permitted Uses

- Dwelling, Apartment Unit
- Dwelling, Converted
- Dwelling, Duplex
- Dwelling, Semi Detached
- Dwelling, Single Detached
- Home Based Business
- Home Industry
- Public Parks or Open Space
- Accessory Uses to the Foregoing

(b) Zone Standards

Minimum Lot Area/Dwelling:

- Full service 465 sq.m (5,005 sq.ft) for a Single Detached Dwelling and 550 sq.m (5,920 sq.ft) for Two-Unit, Converted
- Partial service 700 sq.m (7,535 sq.ft)
- On-site service 0.4 ha (0.98 ac)

Minimum Lot Frontage:

- Full service 15 m (49.2 ft)
- Partial service 18 m (59 ft)
- On-site service 30 m (98.4 ft)

Minimum Yard Requirements – Main Building:

- Front Yard 6.0 m (19.6 ft)
- Exterior Side Yard 4.5 m (14.7 ft)
- Interior Side Yard 1.5 m (4.92 ft)
- Rear Yard 7.0 m (22.9 ft)

Minimum Yard Requirements – Accessory Building:

- Front Yard 6.0 m (19.6 ft)
- Exterior Side Yard 4.5 m (14.7 ft)
- Interior Side Yard 1.5 m (4.92 ft)
- Rear Yard 1.5 m (4.92 ft)

Maximum Building Height:

- Main Building 11.0 m (36.1 ft)
- Accessory Building 6.0 m (19.7 ft)

Maximum Lot Coverage:

- Full service 30%
- Partial service 25%
- On-site service 15%

Maximum Number of Dwellings per Lot: 1

(c) Additional Provisions

[i] Requirements for Parks and Open Space shall meet the minimum lot area, frontage, setbacks and height requirements of the zone in which the park/open space is located.

[ii] Garden Suites

A garden suite may be permitted only where a Temporary Use by-law has been enacted, provided all Health Unit requirements for on-site private services have been fulfilled.

[iii] Apartments in Houses

A second residential dwelling in a house in the form of an apartment unit is permitted, subject to the following provisions:

- The minimum area of an apartment in a house shall be 40 sq.m (431 sq.ft.).
- All applicable provisions of the Building Code shall be strictly complied with and such compliance shall be verified by the municipal Chief Building Official.
- All Health Unit requirements for on-site private services must have been fulfilled.

[iv] Provisions for Semi-detached Dwelling

- Despite the above requirements for lot area, lot frontage and dwelling units per lot, a semi-detached dwelling may be severed and sold as an individual unit.
- The minimum interior side yard shall not apply to the party wall of a semi-detached dwelling or shared garage appurtenant thereto.

(d) Exception Zones

[i] R2-1 [By-law 2008-70]

Despite provisions to the contrary, on lands zoned R2-1, the following provisions shall apply:

- a. 11 South Street

Minimum Lot Area	420.5 m ²
Minimum Lot Frontage	14.9 m
Minimum Rear Yard	4.3 m
- b. 9 South Street

Minimum Lot Area	449.4 m ²
Minimum Lot Frontage	17.9 m
Minimum Front Yard	5.7 m

(e) Temporary Zones

Reserved.

(f) Holding Zones

[i] Notwithstanding the provisions of Section 6.2(a) to the contrary, for the lands zoned R2-h, the holding (h) symbol will not be lifted until the Municipality deems that there is sufficient capacity to provide municipal services to the site.

6.3 RESIDENTIAL THIRD DENSITY (R3)

No person shall use any land or erect, alter or use any building or structure in the Residential Third Density (R3) zone except in accordance with the following provisions:

(a) Permitted Uses

- Dwelling, Apartment Building
- Dwelling, Apartment Unit
- Dwelling, Converted
- Dwelling, Duplex
- Dwelling, Maisonette
- Dwelling, Modular
- Dwelling, Quadruplex
- Dwelling, Semi Detached
- Dwelling, Single Detached
- Dwelling, Townhouse
- Dwelling, Triplex
- Home Based Business
- Home Industry
- Public Parks or Open Space
- Rooming House
- Accessory Uses to the Foregoing

(b) Zone Requirements

Minimum Lot Area/Dwelling:

- [i] Single Detached Dwelling, Modular Dwelling 700 sq.m (7,535 sq.ft)
- [ii] Semi Detached Dwelling, Duplex
 - Full service 550 sq.m (5,920 sq.ft)
 - Partial service 700 sq.m (7,535 sq.ft)
- [iii] Triplex, Converted, Quadruplex, Townhouse, Maisonette
 - Full service 250 sq.m (5,920 sq.ft) per unit
 - Partial service 350 sq.m (1,148 sq.ft) per unit
- [iv] Apartment Building, Rooming House (full or partial service):
 - 2 storeys (Type 1) 1,000 sq.m (10,764 sq.ft) for 1st 4 units plus 50 sq.m (538 sq.ft) for each additional unit
 - 3 storeys or more (Type 2) 5,000 sq.m (53,821 sq.ft)

Minimum Lot Frontage:

- [i] Single Detached Dwelling, Modular Dwelling 15.0 m (49.2 ft)
- [ii] Semi Detached Dwelling, Duplex
 - Full service 18 m (59.0 ft)
 - Partial service 23 m (75.4 ft)
- [iii] Triplex, Converted, Quadruplex, Townhouse, Maisonette: 23 m (75.4 ft) or 6 m (19.6 ft) for street townhouse (full service and partial service)
- [iv] Apartment building, Rooming house: 30 m (98.4 ft)

Minimum Yard Requirements – Main Building:

[i] Apartment Building

Front Yard	8.0 m (26.2 ft)
Exterior Side Yard	7.5 m (24.6 ft)
Interior Side Yard	5.0 m (6.4 ft)
Rear Yard	6.0 m (19.6 ft)

[ii] All Other Uses

Front Yard	6.0 m (19.6 ft)
Exterior Side Yard	8.0 m (26.2 ft)
Interior Side Yard	3.0 m (9.28 ft)
Rear Yard	6.0 m (19.6 ft)

Minimum Yard Requirements – Accessory Building:

Front Yard	6.0 m (19.6 ft)
Exterior Side Yard	6.0 m (19.6 ft)
Interior Side Yard	1.5 m (4.92 ft)
Rear Yard	1.5 m (4.92 ft)

Maximum Building Height:

[i] Apartment

Main Building	2 storeys for Type 1 and 18 m (59 ft) for Type 2
Accessory Building	5 m (16.4 ft)

[ii] All Other Uses

Main Building	10.5 m (34.4 ft)
Accessory Building	6.0 m (19.7 ft)

Maximum Lot Coverage: 35%

Maximum Number of Dwellings per Lot: 1

(c) Additional Provisions

[i] Requirements for Parks and Open Space shall meet the minimum lot area, frontage, setbacks and height requirements of the zone in which the park/open space is located.

[ii] Garden Suites

A garden suite may be permitted on a lot where the principal use is a one or two unit dwelling, only where a Temporary Use by-law has been enacted, provided all Health Unit requirements for on-site private services have been fulfilled.

[iii] Apartments in Houses

A second residential dwelling in a house in the form of an apartment unit is permitted, only within one and two unit dwellings and subject to the following provisions:

- The minimum area of an apartment in a house shall be 40 sq.m (431 sq.ft.).
- All applicable provisions of the Building Code shall be strictly complied with and such compliance shall be verified by the municipal Chief Building Official.
- All Health Unit requirements for on-site private services must have been fulfilled.

[iv] Provisions for Semi Detached Dwelling

- Despite the above requirements for lot area, lot frontage and dwelling units per lot, a semi-detached dwelling may be severed and sold as an individual unit.
- The minimum interior side yard shall not apply to the party wall of a semi detached dwelling or shared garage appurtenant thereto.

[v] Condominiums

Where a townhouse or maisonette is developed as a condominium, the zone standards shall apply to any internal street as if the street were considered to be a public street.

Despite the maximum number of dwellings on a lot, a group housing project shall be permitted i.e. more than one dwelling, provided that the following additional standards shall be met:

The minimum separation distance between any two dwellings where opposing walls have no windows to habitable space shall be 3.0 m (9.84 ft.). ! The minimum separation distance between any two dwellings where opposing walls have windows to habitable space shall be 7.5 m (24.6 ft.).

The minimum separation distance between any dwelling and any detached accessory building shall be 7.5 m (24.6 ft.).

[vi] Amenity Areas

For any townhouse or maisonette dwelling, a designated external fenced amenity area shall be provided for each dwelling unit of not less than 37 m2 (398.2 sq.ft.).

(d) Exception Zones

[i] R3-1, 45 William Street, Lot 266, Plan 25, Village of Cardinal [By-law 898/94-11]
Despite provisions to the contrary, on lands zoned R3-1, the following provisions shall apply:
Permitted Use Triplex

Zone Requirements

- Minimum front Yard 2.7 m (8.85 ft.)
- Minimum Interior Side Yard 0.6 m (1.96 ft.)
- Minimum Exterior Side Yard 2.4 m (7.87 ft.)
- Minimum Rear Yard 0.3 m (0.98 ft.)

[ii] R3-2 [By-law 2007-63]

Despite provisions to the contrary, on lands zoned R3-2, the following provisions shall apply:

- Minimum Lot Area - 580.6 m²
- Minimum Lot Frontage - 15.24 m
- Minimum Exterior Side Yard - 1.5 m
- Minimum Interior Side Yard - 1.5 m
- Maximum Number of dwelling units - 4

That a screened privacy area be provided for an external living or activity area and shall have a minimum area of 16 m².

[iii] R3-3, 3018 County Road 21 [By-law 89-43]

Despite provisions to the contrary, on lands zoned R3-3, the following permitted uses apply in addition to all other uses permitted under the R3 zone: Feed Store, Garden Centre, Laundromat and Hardware Store.

The following requirements shall apply in addition to those outlined in the R3 zone:

- Minimum Lot Area1.09 ha (2.69ac.)
- Minimum Lot Frontage.....49 m (160.7ft.)
- Minimum Yard Requirements – Main Building:
 - Exterior Side Yard 8.0 m (26.2 ft)
 - Interior Side Yard 6.0 m (19.6 ft)
 - Rear Yard 8.0 m (26.2 ft)
- Minimum Yard Requirements – Accessory Building:
 - Exterior Side Yard 8.0 m (26.2 ft)
- Maximum Building Height:
 - Main Building 11.0 m (36.1 ft)

[iv] R3-4, 2048 Dundas Street North, Lot 292, Plan 25, Village of Cardinal [Bylaw 89-15/ 94-11 / MV2005]

Despite provisions to the contrary, on lands zoned R3-4, the following provisions shall apply:

- Minimum Lot Area 778 sq.m (8,374 sq.ft.)
- Minimum No. of parking Spaces..... 6 spaces

[v] R3-5, 2039 Dundas Street South, Lot 281, Plan 25, Village of Cardinal [Bylaw 87-7/ 94-11]

Despite provisions to the contrary, on lands zoned R3-5, the following provisions shall apply:

- Permitted Use4 unit apartment building
- Minimum Lot Frontage 18.18 m (60 ft.)
- Maximum Height..... 10.5 m (34.4 ft.)

(e) Temporary Zones

Reserved.

(f) Holding Zones

Reserved.

6.4 LIMITED SERVICE RESIDENTIAL (RLS)

In the Limited Services Residential zone, there is no intent by Council to maintain roads. Other municipal services may not be available or may be restricted, and there is no intent by Council to upgrade such levels of service.

No person shall use any land or erect, alter or use any building or structure in the Limited Service Residential (RLS) zone except in accordance with the following provisions:

(a) Permitted Uses

- Bed and Breakfast Establishment, fronting on a public road which is maintained year round
- Public park
- Single detached dwelling, fronting on a public road which is maintained year round
- Single detached dwelling, fronting onto a private road
- Tot lots
- A home based business or home industry as an accessory use to a permitted permanent dwelling on a public road
- Accessory uses to the foregoing.

(b) Zone Requirements

Minimum lot size for any dwelling: 1.0 ha (2.47 ac)
 * If an engineering report, prepared by a qualified engineer licensed to practice in Ontario, demonstrates that private on-site sanitary services are environmentally sustainable on a smaller lot, the minimum lot size may be reduced to 4,000 sq.m.

Minimum Lot Frontage 30 m (98.4 ft.)

Minimum Yard Requirements:

- Front Yard 10 m (32.8 ft.)
- Rear Yard 15 m (49.2 ft.)
- Interior Side Yard 3 m (9.8 ft.)
- Exterior Side Yard 8 m ([26.2 ft.)

Maximum Building Height:

- Main Building 11 m (36.1 ft.)
- Accessory Building 6 m (19.6 ft.)

Maximum Lot Coverage 20%

Maximum Number of Dwellings per Lot: 1

(c) Additional Provisions

[i] Guest Cottages
 A second dwelling in the form of a guest cottage shall not be permitted in the RLS zone.

[ii] Apartment and Garden Suites

Apartments in houses and garden suites shall not be permitted on lands zoned RLS unless the detached dwelling fronts onto a public road maintained year-round.

(d) Exception Zones

[i] RLS-1, Part of Lots 15 and 16, Concession 1, RP 15R7979, Parts 1 to 3, Geographic Township of Edwardsburgh, 1529 County Road 2 [By-law 2003-40]
Despite provisions to the contrary, on lands zoned RLS-1 Zone, the following exceptions to this By-law shall apply:

Zone Standards

- Minimum Front Yard 7.62 m (25 ft.)
Minimum Rear Yard..... 10.6 m (35 ft.)
Minimum Setback from an EP Zone 4.8 m (16 ft.)
Minimum Setback from a County Road 10.6 m (35 ft.)
Minimum Elevation of Top of Foundation.....76.9 m (252.3 ft.)

Additional Provisions

- (a) No building opening i.e. door or window, shall be constructed below a minimum elevation of 76.9 m (252.3 ft.). Any foundation below the elevation of 76.9 m (252.3 ft.) shall be flood proofed in accordance with acceptable engineering standards and practices.
(b) A landscaped strip shall be maintained along the north property line of the RLS-1 Zone except where interrupted by the access driveway.

[ii] RLS-2, Part of Lot 15, Concession 1 [By-law 2004-63]

Despite provisions to the contrary, on lands zoned RLS-2, the following provisions shall apply:
Permitted Uses: All uses in RLS zone.

Accessory Uses: All uses in RLS zone.

Zone Requirements:

- Minimum lot area (existing) 0.26 ha (0.64 ac)
Minimum front yard to accessory building 9.1 m (30 ft)
Maximum building size- accessory building:
Garden Shed (RP 15R6697) 149 sq.m (160 sq.ft)
Garden Shed (RP 15R8016) 13 sq.m (140 sq.ft)

[iii] RLS-3, Part Lots 16 & 17, Concession 1, in the Township of Edwardsburgh/Cardinal, 1701 County Road 2 [By-law 2006-30]

Despite provisions to the contrary, on lands zoned RLS-3, the following exceptions to this By-law shall apply:

Permitted Uses:

A permanent single detached dwelling, only where the lot fronts onto a public road which is maintained year-round.
Accessory uses to the foregoing.

Zone Requirements:

- Minimum Lot Area 0.22 ha (0.55 ac)
Minimum Lot Frontage 45 m (147.6 ft.)
Minimum Lot Depth 49.7 m (163 ft.)

[iv] RLS-4, Part Lots 16 & 17, Concession 1, in the Township of Edwardsburgh/Cardinal, 1701 B County Road 2 [By-law 2006-30]

Despite provisions to the contrary, on lands zoned RLS-4 Zone, the following exceptions to this By-law shall apply:

Permitted Uses:

A seasonal dwelling fronting onto a private road
Accessory uses to the foregoing

Minimum Lot Area	0.32 ha (0.78 ac)
Minimum Lot Frontage (water)	56.39 m (185 ft.)
Minimum Lot Frontage (road)	8 m (26.2 ft.)
Minimum Yards	
Front	3.66 m (12 ft.)
Interior Side	8.5 m (28 ft.)
Minimum Setback from an EP Zone	3.66 m (12 ft.)

Additional Provisions

- a) Despite the requirements of this By-law, access may be gained via a shared driveway onto County Road 2.
- b) No building opening i.e., door or window, shall be constructed below a minimum elevation of 76.6 m (251.3 ft). Any foundation below the elevation of 76.6 m (251.3 ft) shall be flood proofed in accordance with acceptable engineering standards and practices.

(e) Temporary Zones

Reserved.

(f) Holding Zones

Reserved.

6.5 HAMLET RESIDENTIAL (HR)

No person shall use any land or erect, alter or use any building or structure in the Hamlet Residential (HR) zone except in accordance with the following provisions:

(a) Permitted Uses

All uses permitted in the R2 subzone
All uses permitted in the CC zone
Existing institutional uses

(b) Zone Requirements

Minimum Lot Area 1 ha (2.47 ac.)

Minimum Lot Frontage 20 m (65.6ft.)

Minimum Yard Requirements:

Front Yard 4 m (13.1 ft.)
Rear Yard 10 m (32.8 ft.)
Interior Side Yard 4 m (13.1 ft.)
Exterior Side Yard 8 m (26.2 ft.)

Maximum Building Height:

Main Building 11 m (36.1 ft.)
Accessory Building 6 m (19.6 ft.)

Maximum Lot Coverage 35%

Maximum Number of Dwellings per Lot: 1

(c) Additional Provisions

[i] Lot Size Reduction

If an engineering report, prepared by a qualified engineer licensed to practice in Ontario, demonstrates that private on-site sanitary services are environmentally sustainable on a smaller lot, the minimum lot size may be reduced to 4,000 sq.m [0.99 ac.] with the approval of the Health Unit.

[ii] Apartments in Houses

A second unit in the form of an apartment within a single detached dwelling shall be subject to the following requirements:

The minimum area of an apartment in house shall be 40 sq.m [431 sq.ft.]

All applicable provisions of the Building Code shall be strictly complied with and such compliance shall be verified by the municipal Chief Building Official.

All Health Unit requirements for on-site private services must have been fulfilled.

[iii] Garden Suites

A garden suite may be permitted only where a Temporary Use by-law has been enacted, provided all Health Unit requirements for on-site private services have been fulfilled.

(d) Exception Zones

[i] HR-1 [By-law 1994-33]

Despite provisions to the contrary, on lands zoned HR-1, a mini warehouse and public storage shall be permitted in addition to all other permitted uses.

All buildings and structures within the HR-1 zone shall be set back a minimum horizontal distance of 15 m [49.2 ft.] from the high water mark of the tributary of the South Branch River. Within this setback area, all natural soil and vegetation shall be maintained.

[ii] HR-2, Part of Lot 15, Concession 8, 7238 Connell Road [By-law 2012-14]

Despite the provisions to the contrary, on lands zoned HR-2, the following provisions apply:

Zone Standards:

Minimum Lot Area: 0.49 ha (1.2 acres)

Minimum Front Yard: 0 m

(e) Temporary Zones

Reserved.

(f) Holding Zones

Reserved.

SECTION 7.0 COMMERCIAL ZONES

7.1 MAIN STREET COMMERCIAL / RESIDENTIAL (MCR)

No person shall use any land or erect, alter or use any building or structure in the Main Street Commercial/Residential (MCR) zone except in accordance with the following provisions:

(a) Permitted Uses

All uses permitted in the R3 subzone

All uses permitted in the CC zone

All uses permitted in the In zone

(b) Zone Requirements

Minimum Lot Area:

Full Service 465 sq.m (5,005 sq.ft.)

Partial Services 700 sq.m (7,535 sq.ft.)

Minimum Lot Frontage:

Full Service 15 m (49.2 ft.)

Partial Services 18 m (59.1 ft.)

On-Site Services 30 m (98.4 ft.)

Yard Requirements:

Front Yard Minimum 1 m (3.28 ft.)

Front Yard Maximum 6 m (19.7 ft.)

Interior Side Yard Minimum 0 m (0 ft.)

Interior Side Yard Maximum 3 m (9.84 ft.)

Exterior Side Yard Minimum 1 m (3.28 ft.)

Exterior Side Yard Maximum 3 m (9.84 ft.)

Rear Yard Minimum 6 m (19.7 ft.)

Maximum Building Height:

Main Building 15 m (49.2 ft.)

Accessory Building 6 m (19.6 ft.)

Maximum Lot Coverage No maximum, subject to the above provisions

(c) Additional Provisions

[i] More Than One Use

A building located within the MCR zone may encompass one or more of the permitted uses.

[ii] More Than One Building

More than one building on a lot is permitted in the MCR zone. Maximum front yard requirements will only apply to those buildings having direct frontage onto a street. Buildings located at the rear of lots shall be subject to all other yard requirements.

[iii] Apartment Dwellings

There shall be no set limits on the number of apartment dwelling units permitted within a residential or mixed use building, so long as all other zoning requirements and the provisions of the Building Code are complied with.

[iv] Screening or Buffering

Within the MCR zone, there shall be no screening or buffering between buildings or uses along the main street sidewalks.

Screening in the form of landscaping and/or fencing between commercial and residential uses, or between a commercial use and a residential zone, shall be confined to the rear of the lot.

(d) Exception Zones**[i] MCR-1, 5 Centre St., 16 Spencer St.[By-law 93-11]**

Despite the provisions to the contrary, on lands zoned MCR-1 the following provisions shall apply:

Minimum Lot Area.....390 m² [4,198sq.ft.]

Minimum Lot Frontage18m [59.1ft.]

Yard Requirements:

Front Yard Minimum 0m [0ft.]

Rear Yard Minimum 0m [0ft.]

Side Yard Minimum 0m [0ft.]

N^o of Required Parking Spaces..... 3

[ii] MCR-2, 205 Bridge Street East, Lot 316, Plan 25 Village of Cardinal [By-law 89-23/94-11/2004-38]

Despite the provisions to the contrary, on lands zoned MCR-2, the following provisions shall apply:

Minimum Rear Yard 9.0 m (29.5 ft.)

Minimum No. of Parking Spaces 8

Permitted uses shall include an Automobile Sales Establishment as defined under Section 3 of the Zoning By-law.

Additional Provisions

Notwithstanding the provisions of this By-law, no more than 10 vehicles may be stored on this property with the intent to sell at any time.

[iii] MCR-3, 323 Walter Street East, Lot 337, Plan 25 Village of Cardinal

Despite the provisions to the contrary, on lands zoned MCR-3, the following provisions shall apply:

Permitted uses shall include the commercial uses permitted in the MCR Zone, three residential dwelling units above the commercial use and two residential dwelling units on the ground level.

Parking may be accommodated off-site with a long term lease agreement for as long as the building is used for residential purposes.

Minimum Yard Requirements 0 m (0 ft.)

(e) Temporary Zones

Reserved.

(f) Holding Zones

Reserved.

7.2 COMMUNITY COMMERCIAL (CC)

No person shall use any land or erect, alter or use any building or structure in the Community Commercial (CC) zone except in accordance with the following provisions:

(a) Permitted Uses

- Antique or Craft Shop
- Assembly Hall
- Auction Room
- Auto Repair Garage
- Automobile Service Station
- Automobile Service station
- Bakery
- Bank
- Bar
- Barber Shop
- Beauty Salon
- Bed and Breakfast Establishment
- Bus Depot
- Butcher Shop
- Catering Establishment
- Cinema
- Clinic
- Club
- Convenience Store
- Custom Workshop
- Day Nursery
- Dry Cleaning and Laundry Establishment
- Dwelling, Accessory
- Eating Establishment
- Farmers' Market
- Fire Station
- Flea Market
- Florist
- Funeral Parlour
- Garden Centre
- Gas Bar

Hotel
 Laundromat
 Mixed Commercial/Residential Development
 Municipal Administration Building
 Office
 Outdoor Café
 Parking Area
 Personal Service Establishment
 Pet Shop
 Place of Amusement
 Place of Assembly
 Post Office
 Printing and Publishing Establishment
 Private Club
 Professional Offices
 Public Utility Installation
 Recreational Commercial Establishment
 Restaurant
 Restaurant, Take-out
 Retail Store
 School , Commercial
 Seasonal Outdoor Display and Sales Area
 Seniors' Non-Residential Care Facility
 Service Outlet
 Studio
 Taxi stand
 Textile Shop
 Theatre
 Veterinary Clinic
 Video Rental Outlet
 Vocational Training Centre
 Workshop
 Accessory Uses to the Foregoing
 Apartment Units [including apartments above storefronts]

(b) Zone Requirements

Minimum Lot Area:

Full Service	1,000 sq.m (10,764 sq.ft.)
Partial Service	2,000 sq.m (21,529 sq.ft.)

Minimum Lot Frontage	20 m (65.6 ft.)
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Minimum Yard Requirements:

Front Yard	3 m (9.84 ft.)
Rear Yard	8 m (26.2 ft.)
Side Yard Interior	3 m (9.84 ft.)
Side Yard Exterior	6 m (19.7 ft.)

Despite the foregoing, no interior side yard shall be required if the property adjacent to the subject side is also zoned Community Commercial (CC).

Maximum Building Height:	
Main Building	11 m (36.1 ft.)
Accessory Building	6 m (19.7 ft.)

(c) Additional Provisions

Reserved.

(d) Exception Zones

[i] CC-1, 3005 County Road 21 [By-law 92-42]

Despite the provisions to the contrary, on lands zoned CC-1, only the following uses shall be permitted: Automobile Sales Establishment, Automobile Service Station, Bakery Bank, Barber Shop, Beauty Salon, Building Contractor's Shop, Clinic, Dry Cleaning and Laundry Establishment, Funeral Home, Institution, Personal Service Establishment, Printing and Publishing Establishment, Restaurant, Retail Store, Wholesale Establishment, Accessory building or structure incidental to any of the above uses

No residential uses are permitted within lands zoned CC-1.

[ii] CC-2, 173 Shanly Road, Lots 394-395, Plan 25 Village of Cardinal [By-law 90-11/94-11]

Despite the provisions to the contrary, on lands zoned CC-2, the following provisions shall apply:

Permitted uses:

a convenience store

a service outlet

a laundromat

a day nursery

a restaurant

Minimum Interior Side Yard 1.7 m (5.57 ft.)

Minimum Rear Yard..... 2.8 m (9.18 ft.)

Minimum No. of parking Spaces 11

[iii] CC-3, 3000 Walker Street, Village of Cardinal [By-law 2009-34]

Despite the provisions to the contrary, on lands zoned CC-3, the following provisions shall apply:

Permitted Uses:

Dwelling Townhouse

Dwelling Apartment

Zone Requirements:

[a] Townhouse

Minimum Lot Area 250 m²/unit

Minimum Lot Frontage 6 metres

Minimum Yard Requirements

Front Yard 6 metres

Rear Yard	6 metres
Interior Side Yard	3 metres
Exterior Side Yard	6 metres
[b] Apartment Dwelling	
Minimum Lot Area	1,000 m ² for 1 st four units and 50 m ² for additional unit
Minimum Lot Frontage	20 metres
Minimum Yard Requirements	
Front Yard	6 metres
Rear Yard	6 metres
Interior Side Yard	3 metres
Exterior Side Yard	6 metres
[c] Accessory Building	
Minimum Yard Requirements	
Front Yard	6 metres
Rear Yard	6 metres
Interior Side Yard	3 metres
Exterior Side Yard	6 metres

(e) Temporary Zones

Reserved.

(f) Holding Zones

Reserved.

7.3 HIGHWAY COMMERCIAL (HC)

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

(a) Permitted Uses

Auction Room
 Auto or Marine Craft Body Shop
 Auto or Marine Craft Repair Garage
 Auto or Marine Craft Rental Establishment
 Auto or Marine Craft Sales Establishment
 Auto Service Station
 Auto Service Station, Card Lock Facility
 Auto Service Station, Gas Bar
 Bar
 Bed and Breakfast Establishment
 Building Contractor's Shop
 Building Supply Store
 Car Washing Establishment
 Catering Establishment
 Convenience Store

Custom Workshop
 Dry Cleaning Distribution Establishment
 Dwelling, Accessory
 Eating Establishment
 Equipment Rental Establishment, Domestic
 Farm Produce Outlet
 Flea Market
 Fuel Depot
 Furniture and Home Supply Store
 Garage, Commercial
 Garden Centre
 Hotel
 Miniature Golf Course
 Mini Warehouse and Public Storage
 Motel
 Nursery
 Office
 Parking Lot, Commercial
 Personal Service Establishment
 Place of Amusement
 Place of Assembly
 Public or Private Park
 Recreational Commercial Establishment
 Recreational Vehicle Sales and Storage
 Restaurant
 Restaurant, Drive-in
 Restaurant, Take-out
 School, Commercial
 Service Outlet
 Showroom
 Transportation Depot
 Truck Terminal
 Veterinary Clinic
 Video Rental Outlet
 Warehouse
 Welding Shop
 Wholesale Establishment
 Retail Store Accessory to a Permitted Use
 Accessory Office
 Accessory Uses to the Foregoing

(b) Zone Requirements

Minimum Lot Area:	
Full Service	1,000 sq.m (10,764 sq.ft.)
Partial Service	2,000 sq.m (21,529 sq.ft.)
Private Services	1 ha (2.47 ac.)

Minimum Lot Frontage:

Full or Partial Service	20 m (65.6 ft.)
Private Services	30 m (98.4 ft.)

Minimum Yard Requirements:

Front Yard	8 m (26.2 ft.)
Rear Yard	10 m (32.8 ft.)
Side Yard Interior	6 m (19.7 ft.)
Side Yard Exterior	6 m (19.7 ft.)

Maximum Lot Coverage 35%

Maximum Building Height:

Main Building	14 m (45.9 ft.)
Accessory Building	10 m (32.8 ft.)

(c) Additional Provisions**[i] Advertising Use**

Advertising Uses shall be permitted in the Highway Commercial Zone subject to a Temporary Use By-law.

[ii] Industrial Park Policy Area in Official Plan

The following provisions apply to lands located within the lands designated Industrial Park Policy Area in the Official Plan:

[a] Permitted uses shall include those uses listed at subsection (a) above and, in addition, the following uses shall be permitted subject to Site Plan Control in accordance with Section 6.3.9 of the Official Plan:

Bingo Hall
Power Centre
Retail Outlet
Shopping Centre
Warehouse Retailer

[b] All uses listed in paragraph [a] above may only be permitted if the appropriate arrangements are made for servicing with municipal water and sewer services.

[c] Phasing and layout of development in the Industrial Park shall be in accordance with the policies of the Official Plan.

[d] All development shall be consistent with the development criteria stated at Section 6.3.10 of the Official Plan.

(d) Exception Zones**[i] HC-1**

Despite provisions to the contrary, on lands zoned H-1, the following provisions shall apply:

i) The only permitted uses are as follows: Cabin Establishment, Campground, Eating Establishment, Marine Facility, Miniature Golf Course, Place of Amusement, Tent and Trailer Park, Tourist Establishment, Accessory Retail Store to the foregoing permitted uses, Accessory uses to the foregoing permitted uses

ii) Special Provisions

Permitted uses south of County Road 2 within Grenville Park which provide for accommodation, shall only be used on a seasonal basis and no over-wintering or storage of recreational vehicles shall be permitted i.e., October 30 to April 1. This shall not prevent the occasional use (seven days or less) of a permitted use during the fall-winter season.

Permitted uses north of County Road 2 within Grenville Park which provide for accommodation, may be used during any season provided that between October 30 and April 1, occupancy of any permitted use providing accommodation shall be occasional only i.e., limited to seven days or less.

iii) Definitions

A marine facility, as defined in Section 3.0, which is located south of County Road 2 in Grenville Park, shall be deemed to exclude the winter storage of boats.

[ii] HC-2, 2025 County Road 21 [By-law 94-32]

Despite the provisions to the contrary, on lands zoned HC-2 the following provisions shall apply:

Permitted Uses:

- Building Contractor's Shop
- Custom Workshop
- Retail Sales of Home Improvement and Wood Products
- Accessory Dwelling

[iii] HC-3

In addition to the provisions to the contrary, on lands zoned HC-3 the following provisions shall apply:

Permitted Use

One Church (Accessory Uses to the foregoing.)

[iv] HC-4, Part of Lots 11 and 12, Plan 6, Edwardsburgh [By-law 2004-12]

Despite the provisions to the contrary, on lands zoned HC-4, the following provisions shall apply:

Permitted Use: Mini Warehouse and Public Storage Zone Standards

Minimum Setback from any Lot Line 20 m (65.6 ft.)

Additional Provisions

The warehousing and/or storage of petroleum products (oils and fuels), petroleum solvents, pesticides, herbicides, fungicides, chemicals or hazardous substances in any mini warehouse and public storage facility is prohibited.

[v] HC-5, 632 Pittston Road [By-law 2004-25]

Despite the provisions to the contrary, on lands zoned HC-5 the . . . following provisions shall apply:

Minimum Lot Area0.5 ha (1.26 ac)

Maximum Building Size - office 11.15 m2 (120 sq.ft)

Additional Provisions Notwithstanding the provisions of this By-law, no more than 5 vehicles may be stored or parked on this property with the intent to sell at any time.

[vi] HC-6 [By-law 2007-56]

Despite provisions to the contrary, on lands zoned HC-6, the list of Permitted Uses shall not include an 'Accessory Dwelling.'

[vii] HC-7 [By-law 2008-58]

Despite provisions to the contrary, on lands zoned HC-7, the scope of permitted uses shall be limited to a Building Contractor's Shop, a Custom Workshop, an Accessory Dwelling and Existing Uses. Furthermore, Site Plan Control shall apply to development on these lands. All other applicable provisions of the By-law shall continue to apply.

[viii] HC-8

Despite the provisions to the contrary, on lands zoned HC-8, Customs Clearance Facilities, Government Offices and facilities, Inspection and Security Facilities, an Outdoor Picnic Area, a Retail Tax Free Establishment and a Tourist Information Centre are also permitted uses. No zone provisions apply.

(e) Temporary Zones

Reserved.

(f) Holding Zones

Reserved.

7.5 RURAL COMMERCIAL (RC)

No person shall use any land or erect, alter or use any building or structure in the Rural Commercial (RC) zone except in accordance with the following provisions:

(a) Permitted Uses

Adventure Game
Agricultural Machinery Sales and Service
Antique or Craft Shop
Auction Room
Auto Body Shop
Auto Repair Garage
Bed and Breakfast Establishment
Campground
Custom Workshop
Equestrian Establishment
Farm Implement Dealer
Farm Produce Sales, Storage or Processing
Garden Centre
Golf Course
Home Based Business
Kennel or Cattery
Livestock Exchange
Maple Syrup Processing Establishment
Market Garden

Miniature Golf Course
Outdoor Recreational Facilities
Nursery
Private or Public Stable
Recreational Commercial Establishment
Restaurant
Sawmill
Small Engine Repair Shop
Studio
Textile Shop
Tourist Establishment
Veterinary Establishment
Accessory Single Detached Dwelling or other Dwelling Unit
Accessory Retail Uses
Accessory Uses to the Foregoing

(b) Zone Requirements

Minimum Lot Area 1 ha (2.47 ac.)

Minimum Lot Frontage 50 m (164 ft.)

Minimum Yard Requirements:

All Yards 10 m (32.8 ft.)

Maximum Lot Coverage 15%

Maximum Building Height:

Main Building 12 m (39.4 ft.)

Accessory Building 10 m (32.8 ft.)

(c) Additional Provisions

[i] Bed and Breakfast Establishment

Despite the provisions above, the Minimum Lot Area for a Bed and Breakfast Establishment, or Restaurant may be reduced to 4,000 sq.m (0.99 ac.) and the Maximum Lot Coverage may be increased to 20%, provided the Health Unit approves the reduced lot size for private on-site sewage systems

(d) Exception Zones

[i] RC-1 [By-law 2008-32]

Despite provisions to the contrary, on lands zoned RC-1, an agricultural machinery sales and service type use is the only permitted use.

[ii] RC-2, Part of Lot 29, Concession 6 [By-law 2011-79]

Despite the provisions to the contrary, on lands zoned RC-2, the sale and servicing of heating and air conditioning equipment, hot water heaters and accessory uses are permitted.

Zone Requirements:

Minimum Lot Area	the existing lot area
Minimum Lot Frontage	the existing lot frontage
Minimum Front Yard	10 m (32.8 ft.)
Minimum Rear Yard	8 m (26.2 ft.)
Minimum Side Yard (one side)	1.5 m (4.9 ft)
Minimum Side Yard (other side)	20 m (65.6 ft.)
Maximum Lot Coverage	the existing lot coverage
Maximum Building Height	5 m (16.4 ft.)

All other applicable standards and requirements of the By-Law shall continue to apply to the subject property.

(e) Temporary Zones

Reserved.

(f) Holding Zones

Reserved.

SECTION 8.0 INDUSTRIAL ZONES

8.1 GENERAL INDUSTRIAL (MG)

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

(a) Permitted Uses

Auto Body Shop
Auto Repair Garage
Auto Service Station, Card Lock Facility
Building Contractor's Shop
Custom Workshop
Equipment Rental Establishment, Domestic
Equipment Rental Establishment, Industrial
Equipment Sales Establishment, Industrial
Equipment Service and Repair Establishment
Equipment and Vehicle Storage Yard, Industrial
Fuel Depot
Industrial Use, Light (Class I)
Industry, Dry
Lumber Yard
Mini Warehouse and Public Storage
Multiple-Occupancy Industrial Building
Nursery
Open Storage
Park
Recreational Vehicle Sales and Storage
Retail or Wholesale Outlet accessory to a permitted MG use
Showroom
Technical Manufacturing
Textile Shop
Transportation Depot
Truck Terminal
Warehouse
Wholesale Establishment
Workshop
Accessory Office
Accessory Uses to the Foregoing

(b) Zone Requirements

Minimum Lot Area	1 ha (2.47 ac.)
Minimum Lot Frontage	45 m (147.6 ft.)
Minimum Yard Requirements:	
All Yards	10 m (32.8 ft.)

Maximum Lot Coverage 35%

Maximum Building Height 15 m (49.2 ft.)

(c) Additional Provisions

[i] Advertising Use

Advertising Uses shall be permitted in the General Industrial Zone subject to a Temporary Use By-law.

(d) Exception Zones

[i] MG-1

Despite the provisions to the contrary, on lands zoned MG-1, an Industrial Use, Heavy (Class III) is a permitted use.

[ii] MG-2, 170 Henry Street, Cardinal Investors Inc, Village of Cardinal [Bylaw 92-13/94-11]

Despite the provisions to the contrary, on lands zoned MG-2, the following provisions shall apply:

Maximum Height for the following structures shall be:

- Generation Building 25 m (82 ft.)
- Water treatment Building including boiler area, shop, emergency generator, fire pump facilities..... 11 m (36 ft.)
- River Water Intake Structures 8 m (26.2 ft.)
- Heat Recovery Steam Generator Stack 54 m (177.1 ft.)
- Auxiliary Boiler Stack 54 m (177.1 ft.)
- Chlorination Building 8 m (26.2 ft.)
- De-chlorination Building..... 8 m (26.2 ft.)
- Raw/Fire Water Storage tank 12 m (39.3 ft.)
- Demineralized Water Storage Tank..... 12 m (39.3 ft.)
- Fuel Oil Storage Tank 9 m (29.5 ft.)
- Lighting Fixtures..... 10 m (32.8 ft.)
- Gas Letdown Station 6 m (19.6 ft.)

- Maximum Lot Coverage60%
- Main Building32%
- Accessory Building and Structures and Gas Letdown Station 28%

- Minimum No. Loading Spaces 1 internal loading area
- Minimum No. Parking Spaces 10
- Minimum Lot Frontage on Henry Street 33.5 m (109.9 ft.)
- Construction Laydown: To be permitted off the subject site.

Minimum Yard Requirements:

- Front Yard 4.6 m (15 ft.)
- Interior Side Yard 0 m (0 ft.)
- Exterior Side Yard:
- River Water Intake Structure 0 m (o ft.)

- Chlorination Building 1 m (3.28 ft.)
- Substation 3 m (9.84 ft.)
- Gas Letdown Station 0 m (0 ft.)
- Rear Yard 0 m (0 ft.)

Accessory Uses Location:

Substation, river water intake structure, chlorination building, dechlorination building and gas letdown station shall be permitted within the exterior side yard.

[iii] MG-3, Lots 116-120, Plan 25, Village of Cardinal [By-law 86-5]

Despite the provisions to the contrary, on lands zoned MG-3, the following provisions shall apply:

Parking: The parking of private passenger vehicles only is permitted.

A planting strip of 3.65 m (11.97 ft.) in width, being a hedge of coniferous trees, shall be planted along the southerly limit of Lots 116, 117 and the east half of Lot 118, Plan 25, Village of Cardinal.

A planting strip of 1 m (3.28 ft.) in width, being a hedge of coniferous trees, shall be planted along the northerly limit of Lots 116, 117, 118, 119 and 120, Plan 25, Village of Cardinal.

(e) Temporary Zones

Reserved.

(f) Holding Zones

Reserved.

8.2 INDUSTRIAL PARK (MP)

No person shall use any land or erect, alter or use any building or structure in the Industrial Park (MP) zone except in accordance with the following provisions:

(a) Permitted Uses

- Auto Body Shop
- Auto Repair Garage
- Auto Service Station, Card Lock Facility
- Building Contractor's Shop
- Custom Workshop
- Equipment Rental Establishment, Domestic
- Equipment Rental Establishment, Industrial
- Equipment Sales Establishment, Industrial
- Equipment Service and Repair Establishment
- Equipment and Vehicle Storage Yard, Industrial
- Feedmill
- Fuel Depot
- Industrial Use, Light (Class I)

Industrial Use, Medium (Class II)
Industry, Dry
Lumber Yard
Mini Warehouse and Public Storage
Multiple-Occupancy Industrial Building
Nursery
Open Storage
Park
Recreational Vehicle Sales and Storage
Recycling Plant
Retail or Wholesale Outlet accessory to a permitted MP use
Showroom
Sawmill
Technical Manufacturing
Textile Shop
Transportation Depot
Truck Terminal
Vocational Training Centre
Warehouse
Wholesale Establishment
Workshop
Accessory Office
Accessory Uses to the Foregoing

(b) Zone Requirements

Minimum Lot Area 1 ha (2.47 ac.)
Minimum Lot Frontage 45 m (147.6 ft.)
Minimum Yard Requirements:
All Yards 10 m (32.8 ft.)
Maximum Lot Coverage 35%
Maximum Building Height 15 m (49.2 ft.)

(c) Additional Provisions

[i] Advertising Use

Advertising Uses shall be permitted in the Industrial Park subject to a Temporary Use By-law.

[ii] Industrial Park Policy Area in the Official Plan

The following provisions apply to lands designated Industrial Park Policy Area in the Official Plan:

[a] Permitted uses shall include those uses listed at subsection (a) above and, in addition, the following uses shall be permitted subject to Site Plan Control in accordance with Section 6.3.9 of the Official Plan:

Bioresearch Facilities
 High Technology Facilities
 Laboratories
 Office
 Office Park
 Research Facilities
 Retail Outlet

[b] All uses listed in paragraph [a] above may only be permitted if the appropriate arrangements are made for servicing with municipal water and sewer services.

[iii] Phasing and layout of development in the Industrial Park Policy Area shall be in accordance with the policies of the Official Plan.

[iv] All development shall be consistent with the development criteria stated at Section 6.3.10 of the Official Plan.

[v] Existing residential land uses on leased land along the St. Lawrence River
 Despite the permitted uses stated in Section 8.2 (a), approval from Council is required prior to any expansion, extension, addition or renovation of buildings or structures used for residential purposes existing on the day of passing of this by-law.

(d) Exception Zones:

[i] MP-1

Despite the provisions to the contrary, on lands zoned MP-1, the following provisions shall apply:

a. Permitted Uses

- i) An ethanol facility, including but not limited to a grain receiving and storage (stockpiling) area, a processing plant for the fermentation of corn to produce ethanol, a product storage and out-loading area, including a tank farm, a distiller grain dryer and thermal oxidizer/heat recovery steam generator (TO/HRSG) area;
- ii) A carbon dioxide plant;
- iii) Administration and maintenance facilities;
- iv) Utilities and services such as storage tanks, cooling towers, emergency fire suppression equipment, a rail spur line, loading facilities, employee parking, stacking lanes, a storm water retention pond, a purge water retention pond;
- v) Accessory uses, buildings and structures to the foregoing permitted uses.

b. Zone Requirements

Minimum Lot Frontage	30 m (98.4 ft.)
Maximum Building Height	68.5 m (225 ft.)
Minimum Number of Loading Spaces	5
Minimum Number of Parking Spaces	30

c. Additional Provisions

That the minimum separation distance of 300 m (984.2 ft.) set out in Section 4.37(h)(iii) of By-law 97-30 be measured from the nearest property line of any sensitive use to the nearest incompatible component or element of a Class III industry excluding employee parking.

[ii] MP-2, Port of Prescott

Despite the provisions to the contrary, on lands zoned MP-2, the uses in the Highway Commercial zone, a grain elevator and a shipping terminal, including the storage of goods, are also permitted.

(e) Temporary Zones

Reserved.

(f) Holding Zones

Reserved.

8.3 RURAL INDUSTRIAL (MR)

No person shall use any land or erect, alter or use any building or structure in the Rural Industrial (MR) zone except in accordance with the following provisions:

(a) Permitted Uses

Abattoir
Auto Body Shop
Auto Repair Garage
Custom Workshop
Dwelling, Accessory
Equipment Rental Establishment, Industrial
Equipment Sales Establishment, Industrial
Equipment Service and Repair Establishment, Industrial
Equipment and Vehicle Storage Yard, Industrial
Fertilizer Plant
Fuel Depot
Grain Drying Plant
Livestock Sales Outlet
Lumber Yard
Printing and Publishing Establishment
Public Works Facility
Rural Commercial Uses in accordance with Section 7.5
Sawmill
Seed Cleaning Plant
Textile Shop
Wayside Pit or Quarry
Accessory Uses to the Foregoing

(b) Zone Requirements

Minimum Lot Area 1 ha (2.47 ac.)

Minimum Lot Frontage 45 m (148 ft.)

Minimum Yard Requirements:

All Yards 15 m (49.2 ft.)

Maximum Lot Coverage 35%

Maximum Building Height 15 m (49.2 ft.)

(c) Additional Provisions

[i] Abattoir

No part of an abattoir shall be built or established within 300 m (984 ft.) from the property line of a residential use.

(d) Exception Zones

[i] MR-1, Part of Lots 27 and 28, Concession 10, Edwardsburgh Township, 2722 Totem Ranch Road [By-law 2006-13]

Despite the provisions to the contrary, on lands zoned MR-1, the following provisions shall apply: Permitted Uses shall be restricted to a salvage yard

[ii] MR-2, Part of Lots 8-10, Concession 2, Edwardsburgh Township, 2085 Wynands Road [By-law 2004-11]

Despite the provisions to the contrary, on lands zoned MR-1, the following provisions shall apply: Permitted Uses shall be restricted to a salvage yard

[iii] MR-3, 3307 Hands Road [By-law 91-10]

Despite the provisions to the contrary, on lands zoned MR-3, the following provisions shall apply:

A business engaged in the manufacture of pyrotechnic products and the on-site testing of these products shall be permitted in addition to all other uses permitted in the Rural Industrial (MR) zone.

All materials stored on the subject lands shall be approved and stored in accordance with the requirements of the appropriate public body having jurisdiction.

All buildings and structures located on the subject lands shall be located on accordance with the Revised British Quantity-Distance Tables or other such tables of separation distances as may from time to time be approved by the appropriate public body having jurisdiction.

(e) Temporary Zones

Reserved.

(f) Holding Zones

Reserved.

8.4 MINERAL EXTRACTION (MX)

No person shall use any land or erect, alter or use any building or structure in the Mineral Extraction (MX) zone except in accordance with the following provisions:

(a) Permitted Uses

- Agricultural uses but not including buildings or structures
- Dwelling, Accessory
- Forestry uses but not including building or structures
- Licensed pit or quarry
- Manufacturing of cement, concrete, pavement, brick or granular, or other similar materials including an asphalt or ready mix concrete plant
- Wayside pit or quarry
- Accessory Uses to the Foregoing

(b) Zone Requirements

Minimum Lot Area	1 ha (2.47ac.)
Minimum Lot Frontage	25 m (82 ft.)
Minimum Yard Requirements:	
Yards adjacent to a public road	30 m (98.4 ft.)
All other yards	15 m (49.2 ft.)

(c) Additional Provisions

Reserved.

(d) Exception Zones

[i] MX-1, 2408 Buckwheat Road [By-law 92-17]
Despite the provisions to the contrary, lands zoned MX-1 may only be used for the following:

sand, gravel and rock quarrying, including the extraction and processing of the material by such means as blasting, dewatering, crushing, storage, washing and screening;

accessory operations such as offices, weigh scales equipment, conveyors, parking and garage area for equipment excluding trucks;

(e) Temporary Zones

Reserved.

(f) Holding Zones

Reserved.

8.5 WASTE DISPOSAL (WD)

No person shall use any land or erect, alter or use any building or structure in the Waste Disposal (WD) zone except in accordance with the following provisions:

(a) Permitted Uses

Recycling Depot or Transfer Station
Sanitary Landfill Site
Sewage Lagoon
Waste Disposal Site
Accessory Uses to the Foregoing

(b) Zone Requirements

Minimum Yard Requirements:
All Yards 30 m (98.4 ft.)

(c) Additional Provisions

[i] No waste disposal or sanitary landfill site or recycling depot shall operate without a currently valid Certificate of Approval issued by the Ministry of Environment.

[ii] Despite any of the above, no part of any waste disposal or sanitary landfill site shall be established within 500 m (1,640 ft) of any lot line which abuts an existing dwelling or commercial operation.

[iii] All permitted uses are subject to Ministry of Environment approval.

(d) Exception Zones

Reserved.

(e) Temporary Zones

Reserved.

(f) Holding Zones

Reserved.

SECTION 9.0 INSTITUTIONAL ZONES

9.1 INSTITUTIONAL (In)

No person shall use any land or erect, alter or use any building or structure in the Institutional - In zone except in accordance with the following provisions:

(a) Permitted Uses

Arena
Assembly Hall ☐
Cemetery
Club
Club, Commercial
Community Centre ☐
Correctional Facility ☐
Day Nursery ☐
Ecclesiastical Residence
Facilities for Charitable Organizations ☐
Fairgrounds
Home for the Aged ☐
Hospital
Institution
Library
Ministry offices (Provincial or Federal)
Municipal Offices or Garage
Museum, Heritage Centre, or Public Art Gallery ☐
Nursing or Convalescent Home ☐
Place of Assembly
Place of Worship
Playground
Police and Fire Station
Post Office ☐
Public Authority Buildings and Structures
Public Utility Installation or Public Use
Public Clinic ☐
Public Park
Public Parking Lot
School
School, Commercial
School, Private
Seniors' Non-Residential Care Facility
Tot Lots
Vocational Training Centre
Accessory Uses to the Foregoing

(b) Zone Requirements

Minimum Lot Area 4,000 sq.m (0.99 ac.)

Minimum Lot Frontage 45 m (147.6 ft.)

Minimum Yard Requirements:

Front Yard 5 m (16.4 ft.)

Rear Yard 8 m (26.2 ft.)

Side Yard - Interior 3 m (9.84 ft.)

Side Yard - Exterior 6 m (19.7 ft.)

Maximum Lot Coverage 40%

Maximum Building Height 12 m (39.4 ft.)

(c) Additional Provisions

[i] Municipal Water and Sewer Service

Despite the minimum lot area requirement stated in Section 9.0 (b), where municipal water and sanitary sewer services are available, the minimum Lot Area may be reduced to 500 sq.m (5,382 sq.ft.) for full servicing and 700 sq.m (7,534 sq.ft) for partial servicing.

[ii] Accessory Dwellings

For permitted uses denoted with a 'α', an accessory dwelling is a permitted use.

[iii] Where Adjacent to Residential Uses

Notwithstanding the yard requirements stated in Section 9.0 (b) above, where an institutional zone abuts a residential zone, the yard that so abuts shall be increased to 7.5 m (24.6 ft.).

[iv] Cemeteries

Cemeteries shall not be governed by the above standards but shall conform with the Cemeteries Act.

(d) Exception Zones

[i] In-1, Spencerville Mill

Despite the provisions to the contrary, on lands zone In-1, the permitted uses shall include: museum, private school, arts and/or craft shows and sales, heritage conservation activities, studio, place of assembly, farmer's market.

(e) Temporary Zones

Reserved.

(f) Holding Zones

Reserved.

SECTION 10.0 RURAL ZONES

10.1 RURAL (RU)

No person shall use any land or erect, alter or use any building or structure in the Rural (RU) zone except in accordance with the following provisions:

(a) Permitted Uses

Agricultural Use
Bed and Breakfast Establishment
Cemetery
Dwelling, Apartment Unit
Dwelling, Converted
Dwelling, Single Detached
Farm Produce Outlet
Forestry Use
Garden Centre
Garden Suite
Golf Course
Hobby Farm
Home Industry
Home Based Business
Kennel or Cattery
Maple Syrup Processing Establishment
Nursery
Open Space
Place of Worship
Public Park
Public Stable and Private Stable
Rural Home Occupation
Veterinary Establishment
Wayside Pit or Quarry
Use Accessory to any of the Foregoing

(b) Zone Requirements

[i] Agricultural Use

Minimum Lot Area 40 ha (98.8 ac.)

Minimum Lot Frontage 70 m (229 ft.)

Minimum Yard Requirements:

Front Yard 20 m (65.6 ft.)

All Other Yards 10 m (32.8 ft.)

Maximum Building Height:

Main Building	12 m (39.4 ft.)
Accessory Building	7 m (22.9 ft.)

Maximum Number of Dwellings per Lot: 1

[ii] Hobby Farm, Kennel, Nursery, Public and Private Stable, Veterinary Establishment

Minimum Lot Area 5 ha (12.3 ac.)

Minimum Lot Frontage 70 m (229 ft.)

Minimum Yard Requirements:

Front Yard	20 m (65.6 ft.)
All Other Yards	10 m (32.8 ft.)

Maximum Lot Coverage 25%

Maximum Building Height:

Main Building	12 m (39.4 ft.)
Accessory Building	7 m (22.9 ft.)

[iii] All Other Permitted Uses

Minimum Lot Area 1.0 ha (2.47 ac)

Minimum Lot Frontage 70 m (229 ft.)

Minimum Yard Requirements:

Front Yard	20 m (65.6 ft.)
Rear Yard	10 m (32.8 ft.)
Interior Side Yard	5 m (16.4 ft.)
Exterior Side Yard	20 m (65.6 ft.)

Maximum Lot Coverage 20%

Maximum Building Height:

Main Building	11 m (36.1 ft.)
Accessory Building	6 m (19.6 ft.)

(c) Additional Provisions

[i] Minimum Distance Separation Formulae

All development in the Rural (RU) Zone must be in accordance with the Minimum Distance Separation Formulae I and II as issued under the Provincial Policy Statement.

In the case of an intensive agricultural operation such as broiler chickens, egg production or beef feed lots, the minimum lot area may be reduced in accordance with Minimum Distance Separation Formulae guidelines on area requirements and manure disposal. The absolute minimum lot area for such operations shall be 5 ha (12.3 ac.).

[ii] Accessory Dwellings

An accessory dwelling unit may consist of a second single detached dwelling or the addition of an apartment unit to an existing single detached dwelling and is permitted only on operating farms which have a minimum area of 40 ha (98.8 ac.).

[iii] Garden Suites

A garden suite may be permitted only where a Temporary Use by-law has been enacted, provided all Health Unit requirements for on-site private services have been fulfilled.

[iv] Stables

No part of any public or private stable shall be located closer than 50 m (164 ft.) to any part of a residential unit or another lot.

[v] Apartment Dwelling

An apartment dwelling within an existing house is permitted subject to the following: The minimum area of an apartment shall be 40 sq.m (431 sq.ft). All applicable provisions of the Building Code shall be strictly complied with and such compliance shall be verified by the Chief Building Official. All requirements for on-site private services must have been fulfilled. Provisions for off-street parking shall be in accordance to the parking provisions of this Bylaw

[vi] Hunting Camps

Hunting Camps as defined herein may only be permitted with an amendment to this By-law.

(d) Exception Zones

[i] RU-1, Part of Lot 18, Concession 10, Township of Edwardsburgh/Cardinal, 1812 Totem Ranch Road East. [By-law 2004-39]

Despite provisions to the contrary, on lands zoned RU-1, the following provisions shall apply:

Permitted Uses

All uses in the RU Zone Accessory Uses

Wood Shed

Oversized Garage with Hobby Shop Zone Requirements

Minimum Lot Area (existing).....0.4 ha (1 ac)

Minimum Yard Requirements Accessory Building

Front Yard.....11.6 m (38 ft.)

Maximum Building Size – Accessory Building

Oversized Garage with Hobby Shop.....104 m² (1120 ft²)

[ii] RU-2, Pt Lot 19, Concession 9, Hyndman Road [By-law 2004-62]

Despite provisions to the contrary, on lands zoned RU-2, the minimum front yard setback is 50 m (164 ft).

[iii] RU-3, 1026 Hyndman Road [By-law 2005-26]

Despite provisions to the contrary, on lands zoned RU-3, the following provisions apply:

Minimum distance from barn at 1019 Hyndman Road 89 m (292 ft)

Minimum distance from manure storage 103 m (338 ft)

No accessory use within minimum separation distance.

[iv] RU-4, 1020 Hyndman Road [By-law 2005-27]

Despite provisions to the contrary, on lands zoned RU-4, the following provisions apply:

Minimum distance from barn at 1019 Hyndman Road	89 m (292 ft)
Minimum distance from manure storage	103 m (338 ft)

No accessory use within minimum separation distance.

[v] RU-5 [By-law 1999-26]

Despite provisions to the contrary, on lands zoned RU-5, the following provisions apply:

A marina shall be permitted in addition to other permitted uses in the Rural (RU) zone. All other provisions of the Rural Zone shall continue to apply to the lands zoned RU-5.

[vi] RU-6, 2163 County Road 22 [By-law 2012-15]

Despite the provisions to the contrary, on lands zoned RU-6, the following provisions apply:

Zone Standards:

Minimum Lot Area: 0.6 ha (1.48 acres)

Minimum Front Yard: 1.0 m (3.3 ft)

[vii] RU-7, 1610 Hyndman Road, RR#3, Spencerville [By-law 2012-29]

Despite the provisions to the contrary, on lands zoned RU-7, the following provisions apply:

Zone Standards:

Minimum Front Yard: 70.0 m (230 ft)

[viii] RU-8, 2913 County Road 21 [By-law 2012-34]

Despite provisions to the contrary, on lands zoned RU-8 Zone, an auction room is a permitted use.

(e) Temporary Zones

Reserved.

(f) Holding Zones

Reserved.

10.2 AGRICULTURAL (A)

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

(a) Permitted Uses

Agricultural Use
Agricultural Machinery Sales and Service
Agricultural Coop
Animal Husbandry Service
Bed and Breakfast Establishment
Conservation Use
Custom Work Agent
Dwelling, Accessory
Dwelling, Single Detached
Existing Cemetery
Existing Place of Worship
Farm Produce Sales, Storage or Processing
Farm Supply Sales
Forestry Use
Grain Drying Plant
Hobby Farm
Home Based Business
Home Industry
Kennel or Cattery
Maple Syrup Processing Establishment
Nursery
Open Space
Public and Private Stable
Rural Home Occupation
Seed Cleaning Plant
Veterinary Establishment
Wayside Pit or Quarry
Yard for Livestock Assembly or Sale
Accessory Uses to the Foregoing

(b) Zone Requirements

[i] Agricultural Use

Minimum Lot Area 40 ha (98.8 ac.)

Minimum Lot Frontage 70 m (229 ft.)

Minimum Yard Requirements:

Front Yard 20 m (65.6 ft.)

All other Yards 10 m (32.8 ft.)

Maximum Building Height:

Main Building . 12 m (39.4 ft.)

Accessory Building 7 m (22.9 ft.)

Maximum Number of Dwellings per Lot: 1

[ii] Hobby Farm, Kennel, Nursery, Public and Private Stable, Veterinary Establishment

Minimum Lot Area 5 ha (12.3 ac.)

Minimum Lot Frontage 70 m (229 ft.)

Minimum Yard Requirements:

Front Yard 20 m (65.6 ft.)

All Other Yards 10 m (32.8 ft.)

Maximum Lot Coverage 25%

Maximum Building Height:

Main Building 12 m (39.4 ft.)

Accessory Building 7 m (22.9 ft.)

[ii] All Other Permitted Uses

Minimum Lot Area 1.0 ha (2.47 ac)

Minimum Lot Frontage 70 m (229 ft.)

Minimum Yard Requirements:

Front Yard 20 m (65.6 ft.)

Rear Yard 20 m (65.6 ft.)

Interior Side Yard 10 m (32.8 ft.)

Exterior Side Yard 10 m (32.8 ft.)

Maximum Building Height:

Main Building 11.0 m (36.1 ft.)

Accessory Building 6.0 m (19.7 ft.)

(c) Additional Provisions

[i] Accessory Dwellings

An accessory dwelling unit may consist of one mobile home unit, a second single detached dwelling or the addition of a second dwelling unit to an existing single detached dwelling, and is permitted only on operating farms which have a minimum area of 40 ha (98.8 ac.).

[ii] Vacant Lot of Record

Where a vacant lot is held under distinct and separate ownership according to the Land Titles or Land Registry Office on the date of passing of this By-law, such vacant lot may be used for the purpose of one (1) single detached dwelling, provided that the dwelling does not contravene the Minimum Distance Separation Formulae and that all other applicable provisions of this By-law are met.

[iii] Intensive Agriculture

In the case of an intensive agricultural operation such as broiler chickens, egg production or beef feed lots, the minimum lot area may be reduced in accordance with Minimum Distance Separation Formulae guidelines on area requirements and manure disposal. The absolute minimum lot area for such operations shall be 5 ha (12.3 ac.).

[iv] Non-agricultural Development

All non-agricultural development must conform to the Minimum Distance Separation Formulae I and II as issued under the Provincial Policy Statement.

[v] Hunting Camps

Hunting Camps as defined herein may only be permitted with an amendment to this By-law.

(d) Exception Zones

[i] A-1, 624 Chambers Road [By-law 93-02 and 1998-04]

Despite the provisions to the contrary, on lands zoned A-1, a transportation depot shall be permitted in addition to all other permitted uses under the Agricultural (A) zone.

[ii] A-2, 1300 Brouseville Road [By-law 93-37]

Despite the provisions to the contrary, on lands zoned A-2, a hunting camp shall be permitted in addition to all other permitted uses under the Agricultural (A) zone.

[iii] A-3, Part of Lots 36 and 37, Concession 6 [By-law 2010-10]

Despite the provisions to the contrary, on lands zoned A-3, a Special Event: and a Petting Zoo are permitted in addition to all other permitted uses under the Agricultural, 'A' zone and are defined as:

Special Event: An event, the duration of which is temporary in nature and which is limited to one or more of the following uses: an exhibition, celebration, carnival or recreational competition.

Petting Zoo: The use of land for the purposes of live domesticated farm animals for public exhibition and interaction.

The following provisions shall apply:

Zone Requirements:

Minimum Lot Area 7.9 ha

[iv] A-4, Part of Lot 8, Concession 6 [By-law 2011-78]

Despite the provisions to the contrary, on lands zoned A-4, a retirement apartment building is permitted in addition to all other permitted uses under the Agricultural (A) Zone.

[v] A-5, 917 Crowder Road [By-law 2012-33]

Despite provisions to the contrary, on lands zoned A-5 Zone, the following uses are not permitted:

Dwelling, Accessory;
Dwelling, Single Detached.

(e) Temporary Zones

Reserved.

(f) Holding Zones

Reserved.

10.3 OPEN SPACE (OS)

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

(a) Permitted Uses

Cemetery
Conservation Use
Community Centre
Fairground
Forestry Uses
Golf Course
Heritage or Historical Site
Place of Worship
Public Park
Recreational, athletic and cultural facilities such as an arena, baseball field, basketball, tennis courts or hiking trails
Tot Lots
Accessory Buildings
Uses Accessory to the Foregoing

(b) Zone Requirements

[i] Place of Worship

Minimum Lot Area 4,000 sq.m (0.99 ac.)

Minimum Lot Frontage 45 m (147.6 ft.)

Minimum Yard Requirements:

Front Yard 5 m (16.4 ft.)
Rear Yard 8 m (26.2 ft.)
Side Yard - Interior 3 m (9.84 ft.)
Side Yard - Exterior 6 m (19.7 ft.)

Maximum Lot Coverage 40%

Maximum Building Height 12 m (39.4 ft.)

[ii] All Other Uses

Lot Area no minimum

Lot Frontage no minimum

Minimum Yard Requirements:

All Yards 10 m (32.8 ft.)

(c) Additional Provisions

[i] Open Space - Wetland Overlay Constraint (OS-W)

Despite the provisions to the contrary, on lands zoned OS-W, only conservation uses and nature preserves shall be permitted.

(d) Exception Zones

Reserved.

(e) Temporary Zones

Reserved.

(f) Holding Zones

Reserved.

10.4 ENVIRONMENTAL PROTECTION (EP)

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

(a) Permitted Uses

Agricultural Uses
Buildings or Structures Intended for Flood or Erosion Control or Slope Stabilization
Conservation Use
Existing Accessory Uses to the Foregoing
Forestry Uses
Nature Preserves
Public and/or Private Open Space Uses without Buildings or Structures

(b) Zone Requirements

Minimum Lot Area	4,000 sq.m (0.99 ac.)
Minimum Lot Frontage	30 m (98.4 ft.)
All Yards	10 m (32.8 ft.)

(c) Additional Provisions

[i] Separation Distances

Despite the above, no new permitted structures or buildings or any extensions or enlargements of permitted structures or buildings shall be located closer to the top of bank of any water course than 15 m (49.2 ft.), subject to the approval of the Ministry of Natural Resources and South Nation Conservation.

[ii] Buildings for Flood or Erosion Control

Buildings or structures intended for flood or erosion control are exempt from minimum setback or coverage requirements.

[iii] Lot Coverage

Permitted buildings may cover a maximum of ten percent (10%) of the lot area.

[iv] Expansion and Redevelopment

Despite the permitted uses stated in Section 10.4 (a), the expansion, extension, addition or redevelopment of buildings or structures existing on the day of passing of this by-law are permitted. The development must incorporate appropriate engineered construction techniques which reduce or eliminate the risks of flood damage. The specific approval of the Conservation Authority for development within the Environmental Protection Zone must be obtained prior to the issuance of a building permit.

[v] Flood Plain and/or Wetland

The addition of an "f" to the EP Zone designation (i.e. EP-f) means that a flood plain is the distinguishing feature of the particular environmentally sensitive area. Similarly, the addition of a "W" to the EP Zone designation (i.e. EP-W) denotes a provincially significant wetland.

[vi] Wetland

Despite the provisions of Section 10.4 (a), in areas zoned EP-W, agricultural uses shall not be permitted.

(d) Exception Zones

Reserved.

(e) Temporary Zones

Reserved.

(f) Holding Zones

Reserved.