

TAY VALLEY TOWNSHIP
ZONING BY-LAW NO. 02-121
Adopted by Council on December 10, 2002

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IMPORTANT NOTICE

This document is an office consolidation of the Township's Comprehensive Zoning By-law No. 02-121, as amended, and has been prepared for ease of reference. While every attempt has been made to ensure the accuracy of this consolidation, in the event of a discrepancy between it and Zoning By-law No. 02-121 and amendments thereto, the original by-laws shall prevail.

**THE CORPORATION OF
TAY VALLEY TOWNSHIP
BY-LAW NO. 02-121**

**A by-law to regulate the use of lands and the character,
location and the use of buildings and structures in Tay Valley Township**

WHEREAS the *Planning Act, R.S.O., 1990, Chapter P.13*, as amended, provides that the council of a municipal corporation may pass by-laws to regulate the use of land and the character, location, density, size and use of buildings and structures;

NOW THEREFORE, the Council of the Corporation of Tay Valley Township enacts as follows:

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SCHEDULES

- A1 - Bathurst Ward
- A2 - Burgess Ward
- A3 - Sherbrooke Ward

SECTION 1 – APPLICATION & INTERPRETATION

1.1 Title of By-law

This By-law may be cited as the “Zoning By-law” of Tay Valley Township.

1.2 Scope of By-law

1. The provisions of this By-law shall apply to all lands within the geographic limits of the Corporation of Tay Valley Township, as shown on Schedules A1, A2 and A3 attached hereto.
2. No building or structure shall hereafter be erected, altered or enlarged, nor shall the use of any building, structure or lot hereafter be changed, in whole or in part, except in conformity with the provisions of this By-law.
3. Nothing in this By-law shall prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this By-law, provided that it continues to be used for such purpose.
4. Nothing in this By-law shall prevent the erection of any building or structure for a purpose prohibited by this By-law if the plans for such building or structure were approved by the Chief Building Official prior to the date of passing of this By-law, provided that:
 - When the building or structure is erected, it continues to be used for the purpose for which the building permit was issued; and
 - The building or structure is commenced within six (6) months of the date of the passing of this By-law and is completed within a reasonable time of the commencement.
5. This By-law shall not be effective to reduce or mitigate any restrictions imposed by a governmental authority having jurisdiction to make such restrictions.
6. All references to Provincial Acts or Regulations shall refer to the current Act or Regulation. All references to the *Planning Act* shall refer to the *Planning Act, R.S.O., 1990, Chapter P.13*, as amended.

1.3 Interpretation of By-law

1. In this By-law, unless the context requires otherwise, words used in the singular shall include the plural and words used in the plural shall include the singular.
2. In this By-law, the word “shall” is mandatory and “may” is permissive.
3. In this By-law, unless the context requires otherwise, the word “used” shall include “designed to be used” and “arranged to be used”, and the word “occupied” shall include “designed to be occupied” and “arranged to be

occupied”.

1.4 Schedules to By-law

The following schedules which are attached hereto are hereby incorporated into and are declared to form part of this By-law to the same extent as if fully described herein:

- Schedule A1 – Bathurst Ward
- Schedule A2 – Burgess Ward
- Schedule A3 – Sherbrooke Ward

1.5 Zoning Administrator

This By-law shall be administered by the Zoning Administrator.

1.6 Issuance of Building Permits, Certificates and Licenses

1. Notwithstanding any provisions of the Building By-law or any other by-law of the Corporation to the contrary, no building permit, certificate or license shall be issued where the proposed building, structure or use would be in violation of any of the provisions of this By-law.
2. Notwithstanding the generality of (1) above, where the approval of another agency or authority is required, this shall mean that the approval of such shall be obtained by the applicant and submitted to the Zoning Administrator at such time as an application is made for a building permit.

1.7 Certificate of Occupancy

No change shall be made in the type of use of land, buildings or structures within any zone without first obtaining a Certificate of Occupancy from the Corporation, pursuant to the Township’s Occupancy Permit By-law.

1.8 Request for Amendment to Zoning By-law

Every request for an amendment to this Zoning By-law shall be accompanied by the Corporation's “Application for an Amendment to Zoning By-law”.

1.9 Inspection

The Zoning Administrator, the Chief Building Official or any other officer or employee of the Corporation acting under the direction of Council is hereby authorized to enter at all reasonable hours upon any property or premises for the purpose of carrying out his duties under this By-law. Notwithstanding the foregoing, a dwelling unit shall not be entered without the consent of the occupant except under the authority of a search warrant.

1.10 Violations and Penalties

Any person convicted of a breach of any of the provisions of this By-law shall be liable to a fine in accordance with the provisions of the *Planning Act* and every penalty shall be

recoverable under the *Provincial Offences Act*.

1.11 Remedies

Where any building or structure is to be erected or altered, or any part thereof is to be used, or any lot is to be used, in contravention of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation pursuant to the provisions of the *Planning Act* or the *Municipal Act*.

1.12 Validity

If any section, clause or provision of this By-law, including anything contained in Schedules A1, A2 and A3 attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the section, clause or provision(s) so declared to be invalid. It is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

1.13 Typographical Corrections

No amendment to this By-law shall be required in order for the Corporation to make typographical corrections such as spelling, punctuation and section numbering changes where, in the opinion of the Corporation, such corrections do not affect the intent of the By-law.

1.14 Existing By-laws

All other by-laws of the Corporation enacted pursuant to Section 34 or predecessors thereof of the *Planning Act* are hereby repealed and, without limiting the generality of the foregoing, existing by-laws that are repealed include:

- By-law No. 88-22 of the former Township of South Sherbrooke;
- By-law No. 90-03 of the former Township of Bathurst;
- By-law No. 94-24 of the former Township of North Burgess; and
- All by-laws of the former Township of South Sherbrooke, former Township of Bathurst, former Township of North Burgess and Township of Bathurst Burgess Sherbrooke which amend the foregoing by-laws.

SECTION 2 - DEFINITIONS

For the purpose of this by-law, the definitions and interpretations in this section shall govern.

ACCESSORY shall mean a use, building or structure which is incidental, subordinate and exclusively devoted to a main use and located on the same lot therewith.

AGGREGATE PROCESSING OPERATION shall mean a facility that processes material derived from a pit or quarry and shall include activities such as screening, washing, crushing and associated storage of raw or processed material.

AGRICULTURAL USE shall mean the use of land, buildings or structures for the growing of crops, including nursery, biomass, and horticultural crops; raising, breeding, boarding, training and keeping of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including but not limited to livestock facilities, manure storages, value-retaining facilities and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

This definition shall include livestock facilities, as herein defined, but shall not include commercial or industrial activities such as abattoirs, tanneries, kennels or manufacturing activities involving crops, animal products or wood products.

AGRICULTURAL PRODUCTS PROCESSING FACILITY shall mean an establishment engaged in the storage, grading, processing and wholesale distribution of agricultural products such as meat, fish, poultry, eggs and dairy, vegetable, fruit, honey, wool, fur and wood products.

AGRICULTURE-RELATED USES shall mean those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

ALTER when used in reference to a building or part thereof, shall mean to change any one or more of the internal or external dimensions of such building or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word “alter” shall mean the change to the width, depth or area thereof or to change the width, depth or area of any required yard, open space or parking area or to change the location of any boundary of such lot with respect to a public highway or laneway, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise. The words “altered” and “alteration” shall have a corresponding meaning.

ANTIQUÉ SHOP shall mean a retail store offering antiques, second hand goods and used collectable items.

ASPHALT PLANT shall mean a facility designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process.

- **PORTABLE ASPHALT PLANT** shall mean an asphalt plant which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

ATTACHED, when used in reference to the relationship of a deck, porch or stairs to a main building or structure, shall include any deck, porch or stairs that is unattached but is situated within 1 m of the main building or structure.

AUTOMOBILE BODY SHOP shall mean a building or part of a building used for the painting or repairing of automobile bodies and chassis, provided that all activities shall be undertaken within an enclosed building, and provided further that it shall not include a salvage yard.

AUTOMOBILE SERVICE STATION shall mean a building or place where automotive fuels, lubricants or parts are kept for sale and/or where mechanical repairs to vehicles are performed and/or where vehicles are washed or cleaned, but it shall not include a salvage yard.

BANK shall mean an establishment where money is deposited, kept, lent or exchanged or where other retail financial services are provided and includes a chartered bank, trust company or similar financial institution.

BASEMENT shall mean that portion of the building between two floor levels which is partly underground but, which has at least one-half (1/2) of its height from finished floor to finished ceiling above adjacent finished grade as approved.

BED AND BREAKFAST shall mean a business conducted in a detached dwelling in which the resident owner supplies for financial gain a maximum of three guest bedrooms for the purpose of providing temporary lodging on a daily basis to the travelling public.

BOARDING HOUSE shall mean a dwelling in which the proprietor supplies for financial gain, lodging with or without meals, but it does not include a bed and breakfast, hotel, hospital, foster home, home for the aged or other establishment otherwise classified or defined in this By-law.

BOATHOUSE shall mean an accessory building or structure that is intended to shelter, house or protect a boat or other watercraft and which is located such that more than 50% of the building or structure is situated beyond the high water mark over the bed of the water body.

BUILDING shall mean any structure consisting of walls or columns and a roof which is used for the shelter, accommodation or enclosure of persons, animals or chattels.

- **ACCESSORY BUILDING** shall mean a building customarily incidental and subordinate to the main building and located on the same lot with such main building and not used for human habitation.
- **MAIN BUILDING** shall mean a building serving the principal or primary uses for which the lots was purchased, leased or rented.
- **TEMPORARY BUILDING** shall mean a building or structure intended for removal or demolition within a prescribed time as set out in a building permit.

BUILDING LINE shall mean a line within a lot drawn parallel to a lot line and establishing the minimum distance between that lot line and any building or structure which may be erected.

BUILDING SUPPLY CENTRE shall mean an establishment engaged in the selling or installing of building supplies including lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning and similar items.

CARPORT shall mean an attached or detached structure which is accessory to a dwelling and which is covered but open on at least two sides and used for the sheltering of permitted vehicles and storage of household equipment incidental to the residential occupancy.

CELLAR shall mean that portion of a building between two floor levels, which is partly underground and which has more than one-half (1/2) of its height from finished floor to finished ceiling below finished grade.

CEMETERY shall mean land used as a place of interment for the dead within the meaning of the *Cemeteries Act*.

CHIEF BUILDING OFFICIAL shall mean the officer or employee of the Corporation charged with the duty of enforcing the provisions of the Building by-law of the Corporation.

CLINIC shall mean a building or part thereof where health services are provided to the public in the form of medical, paramedical, dental, surgical, physiotherapeutic or other human health services including associated technician and laboratory facilities, and may also include an incidental pharmaceutical outlet for the sale of prescription and therapeutic drugs and medication and other drug store products, and optical equipment.

COMMERCIAL PARKING LOT shall mean the use of a vacant lot for parking as the principal or main use.

COMMUNITY SERVICE shall mean the use of land, buildings or structures by a not-for-profit, non-commercial body or society such as a service club or charitable organization for promoting athletic, cultural, educational, health, recreational, social, philanthropic or other similar objectives.

CONCRETE PLANT shall mean a facility which produces concrete for immediate use in the construction of buildings, structures, roadways, curbs, sidewalks and similar applications. It shall also include a facility which manufactures finished concrete products.

CONSERVATION USE shall mean the preservation, improvement and enhancement of natural resources or the natural environment.

CONTRACTOR'S YARD shall mean a yard where materials, equipment and vehicles are stored in association with any building trade or contractor such as excavators, road builders, roofers, landscapers, snow removal and similar contractors, but shall not include a salvage yard.

CORPORATION shall mean the Corporation of Tay Valley Township.

COUNCIL shall mean the Council of the Corporation of Tay Valley Township.

CUSTOM WORKSHOP shall mean a business in which an artist or craftsperson produces and sells goods such as jewellery, leatherwork, wood crafts, metal crafts or pottery, or fine art such as paintings and sculptures, in small quantity or on a custom order basis. A custom workshop does not include any establishment where mass production of goods is carried on nor any shop or factory otherwise defined in this by-law.

DAY NURSERY shall mean a day care facility licensed under the *Child Care and Early Years*

Act and which provided care for six (6) or more children.

DWELLING shall mean a building occupied or capable of being occupied as the home or the residence of one or more persons. This definition shall not include any vehicle defined herein.

- **ACCESSORY DWELLING** shall mean a Single Dwelling, the use and occupancy of which is accessory to a permitted non-residential use occurring on the same Lot.
- **DUPLEX DWELLING** shall mean a dwelling which is divided horizontally into two dwelling units.
- **MULTIPLE DWELLING** shall mean a dwelling which contains three or more dwelling units and which is not a townhouse dwelling as herein defined.
- **SEASONAL DWELLING** shall mean a dwelling which contains one dwelling unit and which is used for vacation, recreation, rest and relaxation purposes from time to time, but which is not occupied or used as a year-round, permanent home or residence.
- **SECOND DWELLING** shall mean an accessory building which contains one or more habitable rooms designed and occupied as an independent dwelling in which living, kitchen and bathroom facilities are provided and which is located on the same lot as a single dwelling, semi-detached dwelling or townhouse dwelling, as defined herein.
- **SEMI-DETACHED DWELLING** shall mean a dwelling which is divided vertically into two dwelling units.
- **SINGLE DWELLING** shall mean a dwelling which contains only one dwelling unit.
- **TINY HOUSE DWELLING** shall mean a single dwelling or a seasonal dwelling, as herein defined, which does not meet the minimum dwelling unit area requirements of the zone in which it is located but which otherwise meets all of the provisions of the Ontario Building Code.
- **TOWNHOUSE DWELLING** shall mean a dwelling which contains three or more dwelling units which are divided vertically, each of which has a separate entrance, and fully independent front and rear yards.

DWELLING UNIT shall mean one or more habitable rooms designed for use and occupied by persons in which separate kitchen and sanitary facilities are provided for the exclusive use of such persons with an independent entrance from outside the building or from a common hallway or stairway inside the building.

- **ACCESSORY DWELLING UNIT** shall mean a Dwelling Unit, the use and occupancy of which is within and accessory to a permitted non-residential building use occurring on the same Lot.
- **SECOND DWELLING UNIT** shall mean one or more habitable rooms designed and occupied as an independent dwelling in which living, kitchen and bathroom facilities are provided and which is located entirely within a single dwelling, semi-detached dwelling

or townhouse dwelling, as defined herein.

EQUIPMENT RENTAL OUTLET shall mean the use of land and buildings for the rental of equipment, machinery, furniture and fixtures which are primarily of a size and type which would be used for home improvement or household purposes and which would generally be transportable by the general public.

ERECT shall mean build, construct, reconstruct or relocate and shall include any preliminary physical operations such as cutting, grading, excavating, filling, or draining or any altering of an existing building by an addition, extension or other structural change or the doing of any work for which a building permit is required under the building by-laws of the Corporation. The words “erected” and “erection” shall have a corresponding meaning.

EXISTING shall mean existing as of the date of passing of this By-law.

FLOOD LINE shall mean the line showing the limit of the 1:100 year flood level as established by flood plain mapping of the relevant Conservation Authority.

FLOOD PLAIN shall mean the area below the 1:100 year flood line.

FLOOR AREA shall mean:

- For a dwelling or dwelling unit, the total area of the storeys contained within the exterior walls of the dwelling or dwelling unit, exclusive of any garage, carport, porch, veranda, unfinished attic, unfinished basement or unfinished cellar where such basement or cellar has a height of less than 2.1 m measured between its floor surface and the underside of the joists of the storey above it;
- For a building other than a dwelling or dwelling unit, the total area of all floors contained within the outside walls of the building.

FLOOR SPACE INDEX shall mean the ratio of the floor area of a dwelling to the area of the lot on which the dwelling is situated, expressed as a percentage.

FUEL STORAGE FACILITY shall mean an establishment primarily engaged in the bulk storage and distribution of petroleum, gasoline, fuel oil, gas or other similar products in fuel storage tanks.

GARDEN CENTRE shall mean an establishment primarily used for the retail sale of gardening equipment, products and planting materials, including greenhouses for the cultivation of such materials.

GARDEN SUITE shall mean a portable detached dwelling located on the same lot as the principal dwelling which provides for the housing needs of the family residing in the principal dwelling, and for which a temporary use by-law has been adopted, pursuant to the provisions of the *Planning Act*.

GOLF COURSE shall mean a public or private area operated for the purpose of playing golf and includes a driving range and accessory uses such as a club house, a putting green and similar uses.

GRADE shall mean the median elevation between the highest and lowest points of the finished

surface of the ground (measured at the base of the building or structure), but exclusive of any embankment in lieu of steps.

GROUP HOME shall mean a single dwelling which is occupied by 3 to 10 unrelated residents who, by reason of their emotional, mental, social or physical condition or legal status, require a supervised family living arrangement for their well-being. A group home may be occupied as the residence by the staff or receiving family. A group home does not include foster homes, boarding houses or other uses defined herein.

HEAVY EQUIPMENT SALES OR RENTAL ESTABLISHMENT shall mean an establishment having as its main use the storage of heavy trucks and/or excavation or construction equipment for sale, rent or lease. Accessory uses may include facilities for the repair or maintenance of such heavy equipment.

HEIGHT, when used with reference to a building, shall mean the vertical distance between grade and:

- The highest point of the roof surface on a flat roof;
- The deck line on a mansard roof;
- The mean level between the eaves and ridge of a gable, hip or gambrel roof.

HIGH WATER MARK shall mean the mark made on the shore or bank of a water body through the natural action of water, which action has continued over such a long period of time that it has created a difference between the character of the vegetation or soil below the mark and that above the mark.

HOME-BASED BUSINESS shall mean an occupation, trade, profession or craft conducted as an accessory use to the use of a dwelling.

INDUSTRIAL USES shall refer to lands, buildings, or structures used in conjunction with any process carried on in the course of trade or business for or incidental to any of the following purposes:

- The making of any article of any description, or part of any article;
- The altering, repairing, ornamenting, furnishing, cleaning, washing, packing, canning, refurbishing or adapting for sale, or breaking up or demolition of any article;
- The obtaining, dressing, or treating of minerals or aggregates.

INTAKE PROTECTION ZONE (IPZ) shall mean the area upstream of a surface water intake where land use activities have the potential to affect the quality of water that flows into the intake.

KENNEL shall mean a building or structure where animals other than livestock are bred, boarded or trained for financial compensation.

LANE shall mean a driveway providing access from within a property to a public street.

LIVESTOCK FACILITIES shall mean livestock and poultry barns, buildings or structures where agricultural animals are housed and shall include feed lots and associated manure storage.

LOADING SPACE shall mean a space or bay located on a lot which is used or intended to be

used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise or materials used in connection with the use of the lot or any building thereon.

LOT shall mean a parcel or tract of land which is capable of being legally conveyed in accordance with the provisions of the *Planning Act*.

- **CORNER LOT** shall mean a lot situated at the intersection of two streets, of which two adjacent sides that abut the intersecting streets contain an angle of not more than 135 degrees.
- **INTERIOR LOT** shall mean a lot situated between adjacent lots and which has frontage on one street.
- **THROUGH LOT** shall mean a lot bounded on two opposite sides by streets, provided that if any lot qualifies as being both a corner lot and a through lot, the lot shall be deemed a corner lot for the purposes of this By-law.
- **WATERFRONT LOT** shall mean a lot which has no street access, but has water access on a shoreline.

LOT AREA shall mean the total horizontal area within the lot lines of a lot.

LOT COVERAGE shall mean that portion of the area of a lot covered by all buildings and structures, exclusive of automobile service station pump island canopies, entrance canopies, balconies and overhanging eaves which are more than 2.5 m above finished grade.

LOT FRONTAGE shall mean the width of a lot measured between the intersections of the side lot lines with a line that is continuously 6 m back from and parallel to the front lot line.

LOT LINE shall mean any boundary of a lot or the vertical projection thereof.

- **FRONT LOT LINE** shall mean the following:
 - In the case of an interior lot, the line dividing the lot from the street;
 - In the case of a corner lot or through lot, the shorter lot line abutting a street, or where access is gained to the lot regardless of the length of the line.
 - In the case of a waterfront lot, the high water mark shall be deemed to be the front lot line.
- **REAR LOT LINE** shall mean in the case of a lot having 4 or more lot lines, the lot line farthest from and opposite to the front lot line. If a lot has less than 4 lot lines, there shall be no rear lot line.
- **SIDE LOT LINE** shall mean a lot line other than a front or rear lot line.

MARINA shall mean an establishment or premises containing facilities and located on a water body where boats and boat accessories are berthed, stored, serviced, repaired, maintained or kept for sale or rent and where facilities for marine fuels and lubricants are provided.

MARINE FACILITY shall mean an accessory building or structure which is used to place a

boat in or out of a water body, or to moor, berth or store a boat. This definition shall include a boat launching ramp or equipment, boat lift, dock, slip and boathouse, but shall not include any building used for human habitation, any building that is not a boathouse as defined in this By-law, or any boat repair, service or sales facility.

MOBILE HOME shall mean a prefabricated building which bears a CSA Z240 approval and which is designed to be towed on its own chassis (notwithstanding that its running gear is or may be removed), designed and equipped for year round occupancy and containing therein facilities for cooking or for the installation of cooking equipment, as well as sanitary facilities including a flush toilet and shower or bathtub. This definition shall not include a travel trailer or tent trailer or trailer otherwise defined in this By-law.

MOBILE HOME SITE shall mean a portion of a mobile home park designed to accommodate one mobile home.

MOBILE HOME PARK shall mean land which has been provided and designed for the location of two or more occupied mobile homes.

NON-COMPLYING when applied to a use, building or structure shall mean a use, building or structure which is listed as a permitted use in the zone in which it is located but which contravenes one or more of the provisions of this By-law for the zone in which it is located, as of the date of the passing of this By-law.

NON-CONFORMING shall mean a use, building or structure which, on the date of the passing of this By-law, is not within the list of permitted uses for the zone in which it is located.

ON-FARM DIVERSIFIED USES shall mean uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.

OPEN MARKET shall mean a building or open air facility where individual vendors operating from stalls, booths or other defined areas offer the following for sale: Fresh fruit, vegetables and herbs, poultry, fish, meat, eggs, cheese, honey, cider, maple products, cut flowers, bedding plants, shrubs and trees, baked foodstuffs, second hand furniture and other items, handicrafts and other hand-made products.

OPEN SPACE shall mean unoccupied space open to the sky on the same lot with the building.

OPEN STORAGE shall mean the storage of goods, merchandise or equipment outside a building or structure on a lot or portion thereof, but does not include the outdoor display of a limited number of samples of the goods, merchandise or equipment for the purposes of sales and advertisement, nor does it include the open storage of a limited quantity of operative or licensed vehicles and equipment that are normally associated with residential occupancy.

OUTDOOR WOODBURNING FURNACE shall mean an accessory building or structure which operates as a heat source for associated main buildings.

PARK shall mean an area consisting largely of open space, which may include a recreational area, playground, playing field, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, curling rinks, athletic field, picnic areas, swimming pools, day camps, community centres

or other similar use, but it shall not include a mobile home park or tourist campground.

- **PUBLIC PARK** shall mean a park owned or controlled by the Corporation or by any ministry, board, commission or authority established under any statute of Ontario or Canada.
- **PRIVATE PARK** shall mean a park other than a public park.

PARKING AREA shall mean a lot or lots or portions thereof required in accordance with the provisions of this by-law for the temporary parking of motor vehicles and includes any related aisles, parking spaces, entrance and exit lanes, but, it shall not include any part of a public street.

PARKING SPACE shall mean an area for the temporary parking or storage of motor vehicles.

PERSON shall mean an individual, an association, a chartered organization, a firm, a partnership or a corporation.

PERSONAL SERVICE shall mean an establishment where a personal service related to the grooming or health of persons is provided, or where the maintenance or repair of personal wardrobe articles is performed. A personal service may include a hair stylist, an aesthetician, a tailor, a shoe repair shop, a laundromat, a dry cleaning distribution outlet or similar use.

PIT shall mean any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral in order to supply material for construction, manufacturing or industrial purposes but, it shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation, or an excavation incidental to the construction of any public works.

- **WAYSIDE PIT** shall mean a temporary pit opened and used by or for a public road authority solely for the purpose of a particular project or contract of road construction.

PLACE OF ASSEMBLY shall mean a building or structure used for the operation of arts and craft shows, trade fairs, fashion shows, public meetings, banquets, community activities or events, conferences, auctions and similar activities.

PLACE OF WORSHIP shall mean a place which is owned or occupied by a religious congregation or religious organization and dedicated exclusively to worship and related religious, social and charitable activities, and may include churches, chapels, temples, parish halls, mosques and synagogues. It also includes a convent, a seminary, a monastery, rectory, manse, parsonage, as well as a place of assembly and cemetery, as herein defined, and offices for the administration of the religious institution.

PRIVATE GARAGE shall mean an attached or detached building which is accessory to a dwelling and which is fully enclosed and designed or used for the sheltering of permitted vehicles and storage of household equipment incidental to the residential occupancy.

PRINTING ESTABLISHMENT shall mean a business primarily engaged in the reproduction or duplication of printed materials and/or the production of books, newspapers and similar publications.

PROFESSIONAL OR BUSINESS OFFICE shall mean a building or part of a building in

which any business is conducted or profession is practiced, but which does not include any establishment otherwise defined herein.

PUBLIC USE shall mean the use of land, buildings or structures for the supply of public services by the Corporation, the County of Lanark, the Governments of Ontario or Canada, any agencies, boards commissions or authorities thereof, and any company providing electricity, natural gas, wired or wireless communications or rail transportation.

QUARRY shall mean any open excavation made for the removal of consolidated rock or mineral including limestone, sandstone or shale in order to supply material for construction, industrial or manufacturing purposes.

- **WAYSIDE QUARRY** shall mean a temporary quarry opened and used by or for a public road authority solely for the purpose of a particular project or contract of road construction.

RECREATIONAL ESTABLISHMENT shall mean any building or part of a building used for the purposes of a bowling alley, curling rink, skating rink, billiard parlour, health or athletic club, swimming pool, theatre or other similar use.

RESIDENTIAL CARE HOME shall mean a residence for the elderly which provides ancillary health and social services to the residents of the home and has communal dining and recreational facilities.

RESTAURANT shall mean a building or part of a building where food is prepared and offered for sale or sold to the public for consumption on or off the premises.

RETAIL STORE shall mean a building or part of a building where goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail and includes rental of consumer goods and storage of limited inventory on or about the store premises.

RISK MANAGEMENT OFFICIAL shall mean a person appointed by the Corporation that is responsible for the enforcement of Part IV of the Clean Water Act, and who has the qualifications prescribed in Ontario Regulation 287/07, as may be amended.

SALVAGE YARD shall mean a junk yard, an automobile wrecking yard or premises and premises where goods, wares, merchandise or articles are processed for further use or for the storage, keeping or abandonment of junk including scrap metals or other scrap material from the dismantling, demolition or abandonment of vehicles or machinery parts.

SCHOOL shall mean an educational establishment under the jurisdiction of a Board as defined in the *Education Act*.

SELF-STORAGE FACILITY shall mean a building which is divided into spaces which may be rented for the purpose of storing goods, wares, merchandise, equipment or materials.

SERVICE OUTLET shall mean an establishment where articles, goods or materials, excluding vehicles, may be repaired or serviced.

SEWAGE DISPOSAL SYSTEM shall mean a privy, a greywater system, a cesspool, a leaching bed system, a holding tank or any other privately-owned individual or communal

system for the on-site holding and/or treatment of sanitary sewage.

SHORELINE shall mean any lot line or portion thereof which is the shore of a water body.

SIGHT TRIANGLE shall mean the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 9 m from the point of intersection of the street lines, measured along the street lines. Where two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

SIGN shall mean a name, identification, description, device, display or illustration which is affixed to a building, structure or lot which directs attention to an object, product, place, activity, person, institute, organization or business and which does not contravene any by-law of the Corporation.

SLEEPING CABIN shall mean a single storey building which provides accessory sleeping accommodation, but which shall not contain washroom, kitchen or other food preparation facilities.

SOURCE PROTECTION PLAN shall mean the Mississippi-Rideau Source Protection Plan prepared pursuant to the Clean Water Act, 2006.

STOREY shall mean that portion of a building other than a cellar, basement or attic included between the surface of any floor level and the surface of the floor, ceiling or roof above it.

STREET shall mean a public thoroughfare under the jurisdiction of either the Corporation, the County or the Province of Ontario. This definition does not include a lane, a private road or private right-of-way.

- **IMPROVED STREET** shall mean a street which has been assumed by the Corporation, the County or the Province and is maintained on a regular, year-round basis.

STREET ACCESS shall mean, when referring to a lot that such lot has a lot line or portion thereof which is also a street line.

STREET LINE shall mean the limit of the road or street allowance and is the dividing line between a lot and a street.

STREET SETBACK shall mean with reference to a street, the distance between the centreline of a street allowance and the nearest building line.

STRUCTURE shall mean anything constructed or erected, the use of which requires location on the ground or attached to something having its location on the ground and, without limiting the foregoing, includes a trailer or a mobile home.

TERTIARY SEPTIC SYSTEM shall mean a system as approved in Supplementary Standard 5 of the Ontario Building Code.

TOURIST CAMPGROUND shall mean any parcel of land which is used to provide temporary accommodation for the public or members of an organization in tents, trailers, tourist trailers or

recreational vehicles.

TOURIST LODGING ESTABLISHMENT shall mean an establishment which provides temporary accommodation in one or more buildings for members of the public or organizations who are vacationing or travelling and shall include a seasonal camp, a cabin, a hotel, a lodge and a motel.

- **SEASONAL CAMP** shall mean an establishment which provides meals, sleeping accommodation and recreational opportunities to individuals and groups who are under the supervision of camp staff and shall include children's camps, church camps, scouting movement camps, YM/YWCA camps and other similar uses.
- **CABIN** shall mean an establishment designed to accommodate one or more persons in a detached or semi-detached building.
- **HOTEL** shall mean an establishment containing four or more guest rooms served by a common entrance. Accessory uses may include dining rooms, meeting rooms and similar uses.
- **LODGE** shall mean an establishment containing four or more guest rooms served by a common entrance, generally from ground level. Accessory uses may include accommodation for permanent staff, dining room, meeting rooms and similar uses.
- **MOTEL** shall mean an establishment containing four or more guest rooms each of which has a separate entrance directly from outside the building. Accessory uses may include dining rooms, meeting rooms and similar uses.

TRADEPERSON'S ESTABLISHMENT shall mean a building or part of a building which, in addition to or as well as serving as an office, serves as a storage facility for the materials and equipment of, and/or a workshop for the undertaking of repairs, the preparation of materials, or the production of items on a custom order basis by, one of the following tradespersons: Heating and cooling systems specialist, cabinet maker, carpenter, chimney sweep, drywaller or plasterer, electrician, exterminator, fence installer, furniture refinisher, glass installer, grounds maintenance person and landscaper, handyman, janitor, mason, painter, plumber, printer, snow plough operator, upholsterer, window cleaner and similar tradespersons whose activities are not otherwise defined in this By-law.

TRANSPORTATION DEPOT shall mean an establishment where more than two commercial vehicles are kept for hire, stored or parked and/or dispatched and may include accessory loading and warehouse uses and truck or bus fuelling and repair facilities.

UNENCLOSED, when used in relation to an attached or unattached porch, deck or other structure, shall mean open except for a roof, supporting columns, safety railings, screens, curtains or shades. The word unenclosed shall exclude partial or full solid walls or other solid materials such as glass and synthetic glass substitutes normally intended to provide protection from the elements.

USE when used as a noun means the purpose for which a parcel of land, lot, building or structure or any combination thereof is designed, arranged, occupied or maintained and "uses" shall have a corresponding meaning. "Use" when used as a verb, or "to use" shall also have a corresponding meaning.

VEHICLE shall mean an all-terrain vehicle, an automobile, a boat, a commercial motor vehicle, a farm implement, a mobile home, a motorcycle, a snowmobile, a recreational vehicle or a trailer.

VEHICLE SALES OR RENTAL ESTABLISHMENT shall mean an establishment having as its main use the storage of vehicles for sale, rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles.

VETERINARY CLINIC shall mean a building where one or more licensed veterinarians and any associated staff provide medical, surgical, grooming or similar services to animals, but does not include boarding services except those essential to recovery from medical treatment.

WAREHOUSE shall mean a building used for the bulk storage of commodities, goods, materials, merchandise or wares.

WASTE DISPOSAL SITE shall mean a place where garbage, refuse, domestic or industrial waste is disposed of or dumped and shall include a sewage treatment plant, lagoon or sludge disposal area.

WASTE RECYCLING FACILITY shall mean an operation engaged in the processing and recycling of non-hazardous solid wastes including but not limited to wood, drywall, cardboard, metal and other construction wastes. Radioactive, pathological and/or asbestos-contaminated materials or any other hazardous materials are not permitted to be processed.

WASTE TRANSFER FACILITY shall mean an operation wherein waste materials collected from surrounding areas are stored on a temporary basis entirely within a building and then shipped to the appropriate disposal site.

WATER BODY shall mean any bay, lake, river, watercourse or canal, but excluding a drainage or irrigation channel.

WATERCOURSE shall mean a natural drainage channel that contains water either permanently or intermittently, including creeks and streams.

WATER SETBACK shall mean, in reference to a water body, the horizontal distance between the high water mark and the nearest building line.

WHOLESALE ESTABLISHMENT shall mean a business engaged in the bulk storage and sale of commodities, goods, materials, merchandise or wares for resale or business use.

WINERY shall mean buildings or structures, or parts thereof, secondary to the agricultural use of a vineyard and/or fruit farm, where wines are produced and includes display, processing of fruit, fermentation, production, bottling, aging and storage of wine and wine related products for use in on-site tasting areas, retail, administrative facilities, and indoor events and shall include an on-site restaurant. Wine tasting and the offering for sale of locally-grown product samples are considered part of the Winery activity.

YARD shall mean an open, uncovered space appurtenant to a building or structure

- **FRONT YARD** shall mean a yard extending across the full width of the lot between the

front lot line and the nearest part of any main building or structure on the lot.

- **REAR YARD** shall mean a yard extending across the full width of the lot between the rear lot line and the nearest part of any main building or structure on the lot.
- **SIDE YARD** shall mean a yard extending from the front yard to the rear yard between the side lot line and nearest part of any main building or structure on the lot.
 - **EXTERIOR SIDE YARD** shall mean a side yard abutting a street.
 - **INTERIOR SIDE YARD** shall mean a side yard other than an exterior side yard.

ZONE shall mean:

- A land use category as defined and regulated in this By-law; or
- A designated area of land shown on the zoning schedules to this By-law.

ZONING shall mean the demarcation of an area into zones and the establishment of regulations to govern the use of the land within these zones and the location, bulk, height, shape, use and coverage of structures within each zone. The terms “zone provisions” and “zone requirements” shall have a corresponding meaning.

ZONING ADMINISTRATOR shall mean the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.

SECTION 3 - GENERAL PROVISIONS

3.1 Accessory Uses

Accessory uses, buildings or structures shall be permitted in any zone, provided that:

1. Accessory buildings or structures, other than sleeping cabins, shall not be used for human habitation and shall not include kitchen or sanitation facilities, except as specifically permitted elsewhere in this By-law.
2. Accessory buildings shall be included for the purposes of compliance with maximum lot coverage provisions.
3. There shall be no minimum yard or water setback provisions applicable to a marine facility, except that the minimum side yard shall be 3 m.
4. The minimum separation distance between a detached accessory building and the main building shall be 1 m.
5. Any building or structure that is attached to the main building shall not be considered as accessory.
6. In any Residential zone, buildings or structures accessory to a residential use shall be subject to the following special provisions:
 1. The lot coverage of all accessory buildings or structures shall not exceed 10%.
 2. The maximum height of an accessory building or structure shall be 5.0 m.
 3. Notwithstanding the yard provisions of this By-law to the contrary an accessory building or structure may be located in a required interior side or rear yard, provided that the minimum yard shall be 1 m, except as otherwise provided in this section for marine facilities.
7. Except as otherwise provided in this section, accessory buildings and structures shall conform to the zone provisions applicable to main buildings.
8. Notwithstanding the foregoing provisions, an outdoor woodburning furnace shall only be permitted in a Rural or Agricultural zone and shall be a minimum of 100m from any property line, unless the woodburning furnace meets Canadian Standard Association standard B415.1 relating to the control of emissions, in which case such standards shall be set back from any property line a distance that is greater of 46 metres or is recommended by the manufacturer or required by the Building Code.
9. Notwithstanding any provision of this By-law to the contrary, in the case of a wind turbine all yards shall be a minimum of two times the height of the highest point of the area swept by the rotor blades.
10. On a lot which both abuts a water body and is situated in a Residential or Rural zone, one sleeping cabin shall be permitted accessory use, provided that:

1. The maximum floor area, including attached decks, of a sleeping cabin shall be 25m².
2. The minimum water setback of a sleeping cabin shall be 30m, or the water setback of the existing dwelling, whichever is greater.

3.2 Existing Non-Complying Lots

Where, on the date of passing of this By-law, a lot exists with less than the minimum lot frontage and/or lot area required by this By-law, or is increased in lot frontage and/or lot area but is still undersized, such non-complying lot may be used and a building or structure may be erected, altered or used for a purpose permitted in the zone in which it is located on the date of the passing of this By-law without the requirement to obtain relief from the applicable lot area and/or lot frontage provisions of this By-law. This provision shall not be construed as granting relief from any other provisions of this By-law.

3.3 Front Yard Reduction Within Hamlets

Notwithstanding any minimum front yard requirement of this By-law to the contrary, on a lot within the **Hamlet** designation of the *Official Plan of Tay Valley Township*, the front yard may be reduced to 4.5 m or the average of the front yards of existing main buildings located on the abutting lots, whichever is greater.

3.4 Frontage on an Improved Street

No lot shall be used and no building or structure shall be erected on a lot in any zone unless such lot has sufficient frontage on an improved street to provide driveway access. Notwithstanding the foregoing, this provision shall not apply to:

- A non-residential building or structure accessory to an agricultural or conservation use;
- A lot on a registered plan of subdivision and with frontage on a street which will become an improved street pursuant to provisions in, and financial security associated with, a subdivision agreement that is registered on the title to the lot;
- A lot on a plan of subdivision registered before December 10, 2002, that has frontage on a street that is not an improved street, where the owner has entered into a Road Access Agreement to the satisfaction of the Township;
- A lot located in a Limited Services Residential zone;
- A existing seasonal dwelling in a Seasonal Residential zone

3.5 Group Homes

Group homes shall be permitted in the General Residential, Rural and Institutional zones in accordance with the following:

1. The maximum number of group homes in the Township shall not exceed 1 per 1,000 permanent resident population.
2. The minimum separation distance between two group homes shall be 500 m.

3. A group home shall be located a minimum of 30 m from any dwelling on another lot.

3.6 Height Exceptions

The maximum height restrictions of this By-law shall not apply to the following:

- Air conditioning, heating or similar mechanical equipment
- Antenna
- Barn
- Belfry, spire or dome associated with a place of worship
- Chimney
- Clock tower
- Communications tower
- Electrical supply structure
- Elevator or mechanical penthouse
- Farm implement storage building
- Flag pole
- Grain elevator
- Silo
- Solar collector
- Water tower
- Wind turbine

3.7 Home-Based Businesses

A home-based business, as herein defined, shall be permitted as an accessory use to a residential use, unless specifically listed below as a prohibited use, in accordance with the following provisions.

1. Residential Character

The home-based business use(s) shall not cause any individual or cumulative effects that change the residential character of the main residential use. The use(s) shall not:

- be visible or apparent from adjacent properties, other than due to permitted signage if any;
- cause a nuisance or annoyance or loss of enjoyment to neighbours;or,
- cause a significant increase in traffic on street serving the dwelling.

2. Compatibility

The home-based business use(s) shall not generate noise, vibration, fumes, dust, effluent, odour, glare, magnetic fields or radiation, which is evident outside of the

dwelling or which exceeds limits established by existing By-laws and Provincial or Federal legislation or policy.

3. Maximum Size

The amount of floor area deemed separate and exclusively dedicated for the home-based business use(s) shall not exceed 25% of the total floor area of the dwelling, or 50m², whichever is the lesser.

4. Location

- the floor area of the home-based business use(s) may be located in any portion of the dwelling unit.
- not more than 15 m² of the floor area may be located in a private garage or in an accessory building, provided these structures comply with all other provisions of this By-law.

5. Employees

The home-based business use(s) may have no more than 2 employees at a time working on the premises, in addition to the residents of the dwelling unit, provided that employee parking, if required, shall be provided on the lot.

6. Exterior Effects

The home-based business use(s), including the storage or display of goods or materials, shall be located entirely within the dwelling or accessory building(s) and shall not be visible from adjacent properties.

7. Radio, Television and Satellite

The home-based business use(s) shall not interfere with telephone, television, radio, or satellite reception.

8. Health/Life/Fire Safety Hazard

The home-based business use(s) shall not be deemed to present a health, life or fire safety hazard, as regulated by the Ontario Building Code, the National Fire Code, the Ministry of the Environment and Climate Change, the Ontario Ministry of Health and Long-Term Care, or other provincial or federal legislation.

9. Water and Sewer Services

The applicant shall obtain a sewage system approval and shall demonstrate to the satisfaction of the Township that there is a sufficient supply of well water where the proposed home-based business use(s) may place demands on the existing sewage disposal and water supply systems that exceed normal domestic usage.

10. Retail Sales and Rental

The retail sales or rental of merchandise shall only be permitted as part of the home-based business use(s) where the merchandise:

- is produced, assembled, repaired, or otherwise has value added to it on the property;
- is associated with a service that is provided as the primary component of the home-based business use(s); or
- is a transaction where the customer contacts the business to place an order to purchase or rent the merchandise, and the merchandise is either picked up by the customer or delivered to the customer.

11. Instruction or Education

The permitted home-based business use(s) may include instructional or educational activities including private day cares, in accordance with the following provisions.

- The use(s) shall be limited to a maximum of 6 students at a time.
- The teaching of music, dance, or other physical activity that is likely to create noise or vibration shall be permitted only where it can be ensured that noise or vibration will not be detectable to the occupants of adjacent dwellings.

12. Delivery Vehicles

Home-based business use(s) that require the receipt or delivery of merchandise, goods, or equipment shall only be permitted where the delivery vehicles are typical of those vehicles used in residential deliveries. No deliveries (drop offs or pick-ups) are permitted between the hours of 7:00 PM and 7:00 AM.

13. Specifically Prohibited Uses

The following uses do not fall within the definition of home-based business:

- any use which does not comply with the preceding provisions;
- any use which has not received a license under any other municipal by-law, as may be required;
- kennel, veterinary clinic or any other animal-related use;
- licensed day nursery;
- any residential use, except as permitted in the Zone in which the home-based business use is located;
- home for the aged, residential care home or nursing home;
- laundromat or dry-cleaning use;
- restaurant;
- retail store;
- any automobile-related use, heavy equipment sales or rental use, equipment retail outlet use and transportation depot use, as herein defined;
- commercial yard sale and open market.

14. Special Provisions for Rural and Agricultural Zones

Where a lot is located in the Rural or Agricultural Zones, the following additional provisions shall apply, provided that the lot is a minimum of 4 ha.

- All of the provisions of the foregoing subsections shall apply, except as provided below.
- The home-based business use(s) shall also be permitted in an accessory building or structure to a maximum floor area of 100 m².
- The home-based business use(s) may include accessory open uses and storage, provided such open uses and storage are limited to 200m² and are not located within any required yard.

3.8 Loading Space Requirements

1. Number of Loading Spaces Required

Any commercial or industrial use which involves the transfer of goods, wares, merchandise or raw materials to and from the site shall provide and maintain loading facilities on the lot in accordance with the following regulations:

<u>Floor Area of Building</u>	<u>Number of Loading Spaces</u>
less than 200 m ²	0
200 m ² - 1,000 m ²	1
over 1,000 m ²	1 plus 1 additional loading space per each 1,000 m ² of floor area or part thereof

2. Loading Space Size

A required loading space shall be a minimum of 9.0 m long, 3.5 m wide and have a vertical clearance of at least 4.5 m.

3. Loading Area Surface

A loading area shall be maintained with a stable surface such as concrete, asphalt or crushed stone.

4. Cumulative Loading Requirements

Where a lot, building or structure accommodates more than one use, the loading space requirement shall be the sum of the requirements for the uses.

3.9 Lots Containing More Than One Use

Where a lot accommodates more than one use and the provisions of this By-law for the uses are different, the more restrictive provisions shall apply.

3.10 Lots Divided Into More Than One Zone

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.

3.11 Moving of Buildings

No building or structure shall be moved into the Township or onto any lot unless its use and location comply with the By-law.

3.12 Non-Conforming Uses and Non-Complying Uses, Buildings and Structures

1. Buildings Accessory to Non-Conforming Uses

An accessory building may be erected for an existing legal non-conforming use, provided it complies with the provisions of this By-law.

2. Change of Non-Conforming Use

A non-conforming use may not be changed to another use unless it is to a permitted use in the zone in which it is located. Pursuant to the provisions of the *Planning Act* and the *Official Plan of Tay Valley Township*, a non-conforming use may only be changed to another non-conforming use with the permission of the Committee of Adjustment.

3. Repair, Restoration and Reconstruction of Non-Conforming Uses or Non-Complying Uses, Buildings or Structures

1. A legal non-conforming use or non-complying use, building or structure may be repaired or restored provided that:

- Such repair, or restoration does not increase the height, size, volume or extent of non-conformity or non-compliance of the use, building or structure, except as required to comply with the requirements of the *Ontario Building Code* or to floodproof a building located in a flood plain.

2. A legal non-conforming use or a non-complying use, building or structure may be reconstructed provided that:

- A demolition permit establishing the original footprint must be obtained prior to demolition and a building permit must be obtained prior to reconstruction;
- Such reconstruction does not increase the height, size, volume or extent of non-conformity or non-compliance of the use, building or structure beyond that existing prior to the demolition, except as required to comply with the requirements of the *Ontario Building Code* or to flood proof a building located in a floodplain.

- If no building permit is obtained and no construction is undertaken within two years of demolition, then the owner shall be deemed to have abandoned his/her legal non-conforming or legal non-complying use.

4. **Replacement of Non-Complying Sewage Disposal Systems**

Notwithstanding any provision of this By-law to the contrary, a sewage disposal system which was legally constructed under the regulations governing sewage disposal systems that were in force and effect at the time of such construction but that is non-complying with respect to the water setback provisions, may be replaced in accordance with the following:

- The minimum water setback of the replacement sewage disposal system shall be 30m or as shown on a site plan approved by the Township pursuant to Section 41 of the *Planning Act*, whichever is lesser.
- Notwithstanding the above, no site plan is required in the case where the existing legally constructed sewage disposal system is less than 30m from the water and is to be replaced by an approved tertiary septic system, then the replacement tertiary sewage system shall be setback as close to 30m as is physically possible but in no case shall the setback be less than the setback of the former system and a minimum 15m setback from the water shall be maintained.

5. **Enlargements of Non-Conforming Uses**

A non-conforming use may not be enlarged or extended, except with the permission of the Committee of Adjustment for the Township, pursuant to the provisions of the *Planning Act* and the *Official Plan of Tay Valley Township*.

6. **Enlargements of Non-Complying Uses, Buildings or Structures**

A non-complying use, building or structure may not be enlarged, except in accordance with the following:

- The enlargement or addition is constructed as a vertical enlargement (ie. additional storey) to the existing non-complying building or structure so that the extent of any existing non-compliance with respect to all yard, street setback and water setback provisions is not increased and, further, so that no portion of the vertical enlargement has a water setback of less than 15 m; or
- The enlargement or addition is constructed as a horizontal enlargement to the existing non-complying building or structure in a manner so that the enlargement or addition complies with all yard, street setback and water setback provisions;

Provided that in either case all other applicable provisions of this By-law are complied with for the enlarged building or structure.

3.13 **Occupancy Restrictions**

None of the following shall be used as a dwelling or for the purposes of human habitation:

1. Any truck, bus, coach, railway or streetcar body;
2. Any marine facility or building or structure accessory to a residential use, other than a sleeping cabin;
3. Any recreational vehicle, travel trailer or tent trailer, except in a tourist campground or as a temporary use in accordance with Section 3.24 of this By-law.

3.14 Open Storage

Open storage shall be permitted as an accessory use to a permitted use within any zone other than a Residential zone, provided that:

1. No part of an open storage area shall be located within a minimum yard or water setback required by this By-law;
2. Open storage shall not occupy any driveway or parking or loading area required by this By-law;
3. Where open storage is situated less than 30 m from a street or a dwelling on another lot, a continuous buffer strip consisting of a berm, fence or landscaping having a minimum combined height of 1.5 m shall be provided so as to screen the open storage area from the street or dwelling. Such buffer strip shall be broken only by a driveway or walkway from the street.

3.15 Parking Requirements

1. Number of Parking Spaces Required

In any zone, the owner or occupant of any lot or building or structure erected, enlarged or changed in use after the passing of this By-law, shall provide off-street parking in accordance with the following:

<u>Type of Use</u>	<u>Number of Parking Spaces Required</u>
One and two-unit dwellings	2 parking spaces per dwelling unit, provided that 1 of the 2 required spaces may be in tandem
Dwellings of three units or more	1 parking space per dwelling unit
Mobile home park or campground	1 parking space per site
Group home	1 parking space in addition to the applicable dwelling requirement
Residential Care Home	1 parking space, plus 1 parking space per 4

	rooming units
Home-based business	1 parking space in addition to the applicable dwelling requirement
Bed and breakfast	1 parking space per guest room in addition to the applicable dwelling requirement
Tourist Lodging Establishment	1 parking space per guest room or cabin plus 1 parking space per 20m ² of floor area devoted to dining or meeting uses
Restaurant, banquet hall	1 parking space per 12 m ² of floor area
Place of worship or assembly	1 parking space per 12 m ² of floor area devoted to public assembly
Recreational use	1 parking space per 4 persons design capacity or 1 parking space per 20 m ² of floor area, whichever is greater
Retail store, personal service, merchandise service outlet	1 parking space per 20 m ² of floor area
Clinic	1 parking space per 20 m ² of floor area
Marina	1 parking space per boat slip or 1 parking space per 20 m ² of floor area, whichever is greater
Commercial use not defined	1 parking space per 20 m ² of floor area
Professional or business office	1 parking space per 25 m ² of floor area
School - elementary	1.5 parking spaces per classroom
School - secondary	4 parking spaces per classroom
Institutional or public use	1 parking space per 40 m ² of floor area
Industrial, warehouse or storage use	1 parking space per 70 m ² of floor area

2. **More than One Use on a Lot**

Where a building or lot accommodates more than one use, the number of parking spaces required shall be the sum of the requirements for each of the uses.

3. **Parking Space Size and Access**

Each parking space shall have minimum dimensions of 2.75 m by 6 m, except that a parking space for the physically-disabled shall have minimum dimensions of 3.7

m by 6 m. A parking space shall have unobstructed access, except where tandem parking is specifically permitted by this By-law.

4. Parking for the Physically-Disabled

Where a required parking area contains 10 or more parking spaces, reserved parking spaces for the physically-disabled shall be provided at the rate of 1 parking space for the physically-disabled per 30 required parking spaces or fraction thereof, subject to the provision of a minimum of 1 parking space for the physically-disabled.

5. Driveway Access to Parking Areas

The maximum width of any driveway shall be 9.0 m. Driveways designated for two-way traffic shall have a minimum width of 6 m. One-way driveways and driveways serving only one dwelling unit shall have a minimum width of 3.0 m. For portions of a driveway that directly abut a parking space, the minimum driveway width shall be as follows:

<u>Angle of Parking Space to Driveway</u>	<u>Minimum Driveway Width</u>
0 degrees	3 m
30 degrees	3.4 m
45 degrees	3.7 m
60 degrees	5.4 m
90 degrees	6 m

Parking Area Surface

A parking area shall be maintained with a stable surface such as concrete, asphalt or crushed stone.

6. Parking Area Location

Required parking for any residential use or Residential zone shall be provided on the same lot as the dwelling unit.

Required parking for non-residential uses shall be provided within 150 m of the building that it is intended to serve and no part of any parking area shall be permitted on lands not zoned for the use with which the parking is associated. Where required parking is not provided on the same lot, the lot where the parking is located shall be under the same ownership and shall be retained for the duration of the use.

7. Parking Requirements for Additions to Existing Buildings

Where an existing building or structure has insufficient parking spaces to comply with the provisions of this By-law, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition, provided that no addition may be built and no change of use may occur within the existing building or structure, the effect of which would be to increase the extent of such

deficiency.

3.16 Pits, Quarries, Wayside Pits, Wayside Quarries and Portable Asphalt Plants

No pit, quarry, wayside pit, wayside quarry or portable asphalt plant shall be permitted except in a zone where such uses are specifically listed as permitted.

3.17 Public Uses

Any land may be used and any building or structure erected or used for the purpose of a public use as defined in this By-law, provided that:

- Lot coverage, setback and yard requirements of the zone in which such land, building or structure is located shall be complied with, except in the case of towers, poles, lines and transmission facilities for natural gas, electricity, cable, water, storm and sanitary sewage and wired and wireless communications.
- Any building or structure erected or used shall be designed, maintained and used in a manner compatible with the buildings and structures permitted in the zone in which it is located.

3.18 Residential Separation Distances from Other Land Uses

Notwithstanding any other provisions of this By-law, any new dwelling shall be located minimum distances from certain zones or land uses on other lots as follows:

- From a Class “B” Pit with no excavation below the water table 150 m
- From any other Pit 300 m
- From a Quarry 500 m
- From land zoned Salvage Yard Industrial 300 m
- From land zoned Disposal Industrial 500 m
- From Livestock Facilities as per the Minimum Distance Separation I (MDS I) formula, as issued by the Ontario Ministry of Agriculture and Food, except that MDS I shall not apply to a new dwelling to be located on a lot of less than 1 ha in area

3.19 Second Dwelling Unit and Second Dwelling

Notwithstanding any provision of this By-law to the contrary, where a single dwelling, a semi-detached dwelling or townhouse dwelling is permitted as a principal use in a zone, a second dwelling unit or a second dwelling, as herein defined, but not both, are permitted on the same lot in accordance with the following provisions:

1. General

- The second dwelling unit or second dwelling shall comply with the provisions of the Building Code Act.
- The second dwelling unit or second dwelling shall be connected to the same water supply and sewage disposal systems as the principal dwelling.

- Prior to obtaining a building permit for a second dwelling unit or a second dwelling, the applicant shall obtain a septic system approval.
- The maximum floor area of the second dwelling unit or second dwelling shall not exceed 50% of the floor area of the principal dwelling, to a maximum of 80m² in the Residential and Limited Services Residential Zones and 95m² in the Rural and Agricultural Zones.
- The second dwelling unit or second dwelling shall share the driveway entrance to the lot with the principal dwelling.
- A minimum of one parking space shall be provided for the second dwelling unit or second dwelling, in addition to the minimum parking requirements for the principal dwelling.
- The second dwelling unit or second dwelling shall be included in the calculation of lot coverage.

Prior to obtaining a building permit for a second dwelling unit or second dwelling, the applicant shall demonstrate to the satisfaction of the Township, that there is adequate access for Emergency Services provided by private roads in accordance with the Township policy for assumption of private roads.

2. Additional Provisions for Second Dwelling Unit

- The second dwelling unit shall not occupy the whole of a storey.
- The second dwelling unit shall share two of the following with the principal dwelling:
 - building entrance
 - parking area
 - outdoor amenity space
- No enlargement or extension to the principal dwelling shall be permitted unless the enlargement or extension conforms to all other applicable provisions of this By-law.

3. Additional Provisions for Second Dwelling

- An existing accessory building may be partially or fully converted to a second dwelling, except that no habitable room window shall face an interior side lot line or a rear lot line unless the existing accessory building conforms to the minimum side lot line setback and rear lot line setback as is required for the principal dwelling, as the case may be.
- A new accessory building may be constructed as a second dwelling provided that it conforms to all applicable provisions for the principal dwelling.
- The maximum permitted height of a new second dwelling shall be 5m.

- A new accessory building which is constructed as a second dwelling shall be separated by less than 12m from the principal dwelling.

3.20 Setbacks from Environmental Protection (EP) Zones

Notwithstanding any other provisions of this By-law, the minimum setback of any building or structure from lands zoned Environmental Protection shall be as follows:

- In the case where the Environmental Protection zone has been assigned on the basis of a Wetland, the setback shall be 120 m;
- In the case where the Environmental Protection zone has been assigned on the basis of an Area of Natural or Scientific Interest (ANSI), the setback shall be 50 m in the case of an Earth Science ANSI and 120m in the case of a Life Science ANSI;

Provided that in either case the setback may be reduced to a lesser setback in accordance with the recommendations of an Environmental Impact Study undertaken to the satisfaction of the Township.

3.21 Sewage Disposal Systems and the Applicability of this By-law

Except in relation to water setbacks, sewage disposal systems shall not be subject to the provisions of this By-law.

3.22 Sight Triangles

Notwithstanding any provisions of this By-law to the contrary, within any area defined as a sight triangle, the following uses shall be prohibited:

- A building, structure or use which would obstruct the visions of motorists;
- A fence or any vegetation of a height which is more than 1 m above the elevation of the centrelines of abutting streets;
- A parking area.

3.23 Shoreline Area Occupancy

Notwithstanding any provisions of this By-law to the contrary, on any lot abutting a water body and used for purposes other than a marina, a maximum of 25% or 15 m of the shoreline area, whichever is lesser, may be occupied by marine facilities, pump houses, stairs, decks, patios, gazebos and all other accessory buildings and structures. For the purposes of this section, the shoreline area shall include that portion of the lot lying within 3 m of the shoreline.

3.24 Source Water Protection

The Intake Protection Zones, IPZ-9 and IPZ-8, as shown on Schedule A-1 are overlay zones. Notwithstanding any provisions of the underlying zones to the contrary, the

following additional provisions shall apply.

1. General

All development applications and all building permit applications for land uses within the IPZ-9 and IPZ-8 overlay zones, as shown on Schedule A-1, other than for single dwellings, semi-detached dwellings and duplex dwellings, shall be reviewed by the Risk Management Official and may require a risk management plan prepared to the satisfaction of the Township.

2. IPZ-9 Overlay Zone

In the IPZ-9 overlay zone, the following are prohibited uses and activities:

- waste disposal site, including land application of hauled sewage
- sewage treatment plant, including activities such as effluent discharge from a sewage treatment plant or industrial use, discharge from a combined sewer or sewage treatment plant by-pass and storage of sewage
- salt storage
- snow dump
- storage and handling of pesticides

3. IPZ-8 Overlay Zone

In the IPZ-8 overlay zone, the following are prohibited uses and activities:

- waste disposal site, including land application of hauled sewage
- sewage treatment plant, including activities such as effluent discharge from a sewage treatment plant or industrial use, discharge from a combined sewer or sewage treatment plant by-pass, and storage of sewage

3.25 Street Setbacks

The following setbacks shall be required:

- County Streets 13 m from the centre line of the street plus the minimum required front yard for the appropriate zone
- Township Streets 10 m from the centre line of the street plus the minimum required front yard for the appropriate zone

3.26 Temporary Uses

The following shall be permitted in any zone, except Environmental Protection (EP) and Flood Plain (FP) zones:

- Construction facilities such as sheds, scaffolds and other structures incidental to the construction on the premises for so long as the work is in progress;
- A temporary real estate sales and/rental office;

- A travel trailer, tent trailer or recreational vehicle occupied on a temporary basis during the course of construction of a dwelling on the same lot, provided that:
 - Temporary connection to an approved on-site sewage disposal system is provided;
 - A building permit for a dwelling has been issued and remains in force;
 - The trailer or vehicle is located in accordance with the required yards and water setbacks applicable to a dwelling;
 - In no event shall the trailer or vehicle be located on the lot for a period exceeding two years from the date of issuance of the building permit.

3.27 Through Lots

On a through lot, the minimum front yard requirement shall apply to each yard abutting a street.

3.28 Tiny House

Notwithstanding any other provisions of this By-law to the contrary, a tiny house dwelling, as herein defined, is permitted as a single dwelling in all zones where a residential use is a permitted principal use, provided that the applicant shall obtain a sewage system approval and that the tiny house dwelling meets all of the zone standards of the applicable zone.

Where the tiny house dwelling is located on a lot, no accessory buildings or structures shall exceed 10 m², except for a detached garage.

3.29 Water Setbacks

Except as otherwise permitted this By-law, the minimum water setback shall be 30 m for all buildings and structures, including all sewage disposal systems but excluding the following:

- Decks and gazebos which are unattached to a main building and which have a combined floor surface area of less than 14 m²;
- Marinas, pump houses, marine facilities and stairs.

3.30 Yard and Water Setback Encroachments

Notwithstanding the yard and setback provisions of this By-law, the following encroachments are permitted:

- Sills, belt courses, chimneys, cornices, eaves, parapets, bay windows and other ornamental features may project into any existing or minimum required yard or water setback by not more than 0.6 m, provided that in no case shall they be located closer than 1 m to any lot line;
- Where an existing or new building is compliant with the required water setback, an attached unenclosed porch, open and unroofed porch, deck, balcony, exterior stairs and landing may project from the main building into any minimum required

yard or water setback by not more than 3m.

- An attached unenclosed porch, open and unroofed porch, deck, balcony, exterior stairs or landing may project from the main building into the existing water setback by a maximum of 2m provided:
 - The water setback of the existing building is equal to or greater than 15m,
 - The combined horizontal surface area is 28m² or less, and
 - There is no unattached deck or gazebo on the property.
- An attached open and unroofed porch, deck, balcony, exterior stairs or landing (excluding unenclosed porch) may project from the main building into the existing water setback by a maximum of 1.25m provided:
 - The water setback of the existing building is equal to or greater than 6m and
 - The combined horizontal surface area is 14m² or less.
- Open patios, awnings, clothes poles, flag poles, garden trellises, fences, plant materials and similar accessory structures shall be permitted in any minimum required yard or water setback;
- Swimming pools shall be permitted in any required yard, but shall not encroach into the minimum required water setback.

SECTION 4 - ZONES

4.1 General

For the purposes of this By-law, the land area of the Township is divided into various generalized and specific zones to which the provisions and regulations herein shall apply.

4.2 Zones and Zone Symbols

<u>Zone Name</u>	<u>Symbol</u>
Residential Zones	
• General Residential	R
• Seasonal Residential	RS
• Limited Services Residential	RLS
• Mobile Home Park Residential	RMH
Commercial Zones	
• General Commercial	C
• Local Commercial	CL
• Tourist Commercial	CT
Industrial Zones	
• General Industrial	M
• Salvage Yard Industrial	MS
• Disposal Industrial	MD
Institutional Zones	
• Institutional	I
Open Space Zones	
• Open Space	OS
Rural Zones	
• Rural	RU
Agriculture Zones	
• Agriculture	A
Mineral Resource Zones	
• Mineral Aggregate Extraction	EX
Natural Heritage Zones	
• Environmental Protection	EP
Natural Hazard Zones	
• Flood Plain	FP

4.3 Boundaries of Zones

The location and boundaries of the zones established by this By-law and certain requirements applicable to such zones are shown on the maps hereto attached as Schedules A1, A2 and A3. Where any uncertainty as to the boundary of any zone as shown on the zoning schedules, the following provisions shall apply:

1. Where a zone boundary is indicated as following and is within the boundary of a street, lane, railway right-of-way, other right-of-way or watercourse, the boundary shall be the centre of such street, lane, railway right-of-way, right-of-way or watercourse.
2. Where a zone boundary is indicated as approximately following lot lines on a registered plan of subdivision, deposited reference plan or original Township survey, the boundary shall follow such lot lines. No amendment to the By-law shall be required for minor adjustments to zone boundaries shown on Schedules A1, A2 and A3 where, in the opinion of the Township, such adjustments are merely for the purpose of more accurately reflecting surveyed information.
3. Where a zone boundary is indicated as following a shoreline of a watercourse, the boundary shall follow such shoreline and in the event that the shoreline changes, the boundary shall be taken as having moved with the shoreline.
4. Where a zone boundary as indicated follows the 1:100 flood line, the boundary shall be the 1:100 flood line.
5. Where any street, lane, right-of-way, railway right-of-way or watercourse as shown on the schedules is hereby closed or diverted, the object of such closure or diversion shall be included within the zone of the abutting property on either side thereof.
6. Where any zone boundary is left uncertain after the application of clauses (1) through (5) above, the boundary shall be determined by scale from the original full size zoning schedules.
7. Wherever it occurs, the municipal boundary is the limit of the zone adjacent to it.

4.4 Holding Zones

Where a zone symbol is followed by a hyphen and the letter “h”, this denotes a holding zone. Within such zones, only existing uses shall be permitted unless specifically stated otherwise in the by-law, until the “h” has been removed. The removal of the holding provision shall require an amendment to the By-law. Such amendment shall only be passed by Council when any applicable servicing, phasing or financial conditions or agreements for the lands have been satisfied in accordance with the requirements of the *Official Plan of Tay Valley Township*.

4.5 Special Zones

Where a zone symbol is followed by a hyphen and a letter or a number other than “-h”, (for example, “-x” or “-1”), the lands so zoned shall be subject to all the provisions of the zone represented by such symbol except as otherwise provided by the special provisions

of that zone.

4.6 Temporary Zones

Where a temporary zone is established for the purpose of accommodating a temporary use pursuant to the provisions of the *Planning Act*, the lands so zoned shall be subject to all the provisions of the zone, except that a temporary use shall be permitted for a certain limited period of time. The zone symbol shall be followed by a hyphen, the letter “T” and a letter or a number other than “-h”, (for example, “-Tx” or “-T1”).

Temporary zones in force and effect are as follows:

1. RU-T1 (*Part Lot 1, Concession 7, North Burgess*)

Notwithstanding the provisions of Section 10.1.1, to the contrary, on the lands zoned RU-T1, a Garden Suite shall be an additional permitted use from August 8, 2006 until August 8, 2016. Upon expiry of said period, this subsection and the associated RU-T1 zoning on Schedule ‘A2’ are repealed.

SECTION 5 - RESIDENTIAL ZONES

5.1 General Residential (R)

1. Permitted Uses

single dwelling
bed and breakfast

2. Zone Provisions

- Lot Area (minimum) 4050 m²
- Lot Frontage (minimum)
 - Lots in **Hamlet** designation in Official Plan 45 m
 - All other lots 60 m
- Yards (minimum)
 - Front 10 m
 - Exterior Side 10 m
 - Interior Side 6 m
 - Rear 7.5 m
- Dwelling Unit Area (minimum) 75 m²
- Dwelling Height (maximum) 9 m
- Lot Coverage (maximum) 20%
- Dwellings per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Exception Zones

1. *R-1 (Part Lots 2 & 3, Concessions 1 & 2, South Sherbrooke)
(Plan 23, Sherbrooke Bluffs Sub-Division)*

Notwithstanding the provisions of Section 5.1.2 to the contrary, on the lands zoned R-1, the following provision shall prevail:

- Lot Area (minimum) 1.0 ha

2. **R-2** (Part Lots 2 & 3, Concessions 1 & 2, South Sherbrooke)
(Plan 23, Sherbrooke Bluffs Sub-Division)

Notwithstanding the provisions of Section 5.1.2 and 3.26 to the contrary, on the lands zoned R-2, the following provisions shall prevail:

- Lot Area (minimum) 1.0 ha
- Water Setback (minimum) 40 m

3. **R-3a and R-3b** (Part Lots 2 & 3, Concessions 1 & 2, South Sherbrooke)
(Plan 23, Sherbrooke Bluffs Sub-Division)

Notwithstanding the provisions of Section 5.1.2 and 3.26 to the contrary, on the lands zoned R-3a and R-3b, the following provisions shall prevail:

- Lot Area (minimum) 1.0 ha
- Water Setback (minimum) 75 m

Further, on the lands zoned R-3b, the following additional provision shall also prevail:

- Northwest side yard (minimum) 30 m

4. **R-4** (Part Lot 10, Concession 10, North Burgess)
By-Law 1990-27, Roll # 911-010-33900

Notwithstanding the provisions of Section 5.1.1 to the contrary, on the lands zoned R-4, the following additional use shall be permitted:

- A multiple dwelling containing a maximum of 12 dwelling units.

5. **R-5** (Part Lot 5, Concession 8, North Burgess)
By-Law 2005-026, Roll # 911-010-27052

Notwithstanding the provisions of Sections 3.26 and 3.27, on the lands zoned R-5, the following provisions shall prevail:

- Water Setback (minimum) 23.0 m
- Deck Encroachment into Water Setback (maximum) 3.0 m

6. **R-6** (Part Lot 2, Concession 3, Bathurst)
By-Law 2007-059, Roll # 916-010-12600

Notwithstanding the provisions of Section 3.26, 3.27 and 5.1.2, on the lands zoned R-6, the following provisions shall prevail:

- Lot Frontage (minimum) 46 m
- Water Setback – Dwelling (minimum) 29.7 m
- Deck Encroachment into Water Setback (maximum) 2.4 m

7. **R-7 (Part Lot 6, Concession 3, South Sherbrooke)**
By-law 2008-056, Roll # 914-015-44500

Notwithstanding the provisions of Section 5.1.2, on the lands zoned R-7, the following provisions shall prevail:

- Lot Area (minimum) 0.12 ha
- Lot Frontage (minimum) 34.6 m
- Interior Side Yard - west (minimum) 5.5 m
- Front Yard (minimum) 4.6 m

8. **R-8 (Part Lot 13, Concession 6, South Sherbrooke)**
By-law 2008-057, Roll # 914-010-01555

Notwithstanding the provisions of Section 3.4, on the lands zoned R-8, a lot may be used and a building or structure may be erected where driveway access to an improved street is obtained from the unmaintained municipal road allowance between Concession 6 and 7.

9. **R-9 (Part Lot 13, Concession 9, South Sherbrooke)**
By-law 2008-063, Roll # 914-010-36800

Notwithstanding the provisions of Sections 3.15, 5.1.1 and 5.1.2 to the contrary, on lands zoned R-9, the following provisions shall prevail:

- The following uses are permitted:
 - Residential Care Home
 - Residential Treatment Centre
- Parking Requirements: 1 parking space, plus
1 parking space per 4
rooming units
- Front Yard (minimum): 4.98 m
- In relation to a Residential Treatment Centre use, an opaque privacy fence shall be provided along the southern property line and such fence shall have a minimum height of 2.13 metres.

For the purposes of this subsection, a Residential Treatment Centre is defined as a residence occupied by not more than eight residents, exclusive of staff, who require 24-hour residential, specialized or group care for treatment and rehabilitation for addiction to drugs and/or alcohol.

10. **R-10 (Part Lot 13, Concession 6, South Sherbrooke)**
By-Law 2010-002, Roll # 0911-914-010-01549

Notwithstanding the provisions of Section 3.4, on the lands zoned R-10, the following provisions shall prevail:

- Lot 49 PL 21 – Maberly Pines Subdivision shall be exempt from the requirement for frontage on an improved road as the Township is satisfied that suitable arrangements have been made for dependable

access to the property from County Rd 36 across the 0.3m reserve.

11. **R-11** (Part Lot 13, Concession 6, South Sherbrooke)
By-law 2011-061, Roll # 0911-914-010-01501

Notwithstanding the provisions of section 5.11, on the lands zoned R-11, the following additional use shall be permitted:

- A personal observatory

12. **R-12** (Lots 1 and 2, Concession 5 Part Lot 7, North Burgess)
By-law 2012-049

Notwithstanding the provisions of Sections 3.26 and 5.1.2, on the lands zoned R-12, the following provisions shall prevail:

- Water Setback (minimum) 40 m
- Lot Frontage (minimum) 45 m

13. **R-13** (Lot 3, Concession 5 Part Lot 7, North Burgess)
By-law No. 2012-049

Notwithstanding the provisions of Sections 3.26 and 5.1.2, on the lands zoned R-13, the following provisions shall prevail:

- Water Setback (minimum) 40 m
- Lot Frontage (minimum) 45 m
- Dwelling Unit Area (minimum) 66.9 m²

14. **R-14** (Lot 4, Concession 5 Part Lot 7, North Burgess)
By-law No. 2012-049

Notwithstanding the provisions of Sections 3.26 and 5.1.2, on the lands zoned R-14, the following provisions shall prevail:

- Water Setback (existing swimming pool, maximum) 5m
- Lot Frontage (minimum) 45 m

15. **R-15** (Lots 5 and 6, Concession 5 Part Lot 7, North Burgess)
By-law No. 2012-049

Notwithstanding the provisions of Section 5.1.2, on the lands zoned R-15, the following provisions shall prevail:

- Lot Frontage (minimum) 45m

16. **R-16** (Subdivision Lots 1, 2, 3, 12, 14, 15, Concession 2 Part East Half Lot 20, Part Lot 21, Part Northeast Half and West Half Lot 22, Part of Closed Road Allowance between Lots 20, 21, and Parts of Lots 31,32 R-Plan 97 Bathurst)

By-Law 2013-019 and 2015-045, Roll # 916-015-12634, -12635, -12636, -12645, -12647, -12648 (respectively Plan 27M70 Lots 1,2,3,12,14,15)

Notwithstanding the provisions of Section 5.1.2 on the lands zoned R-16, the following provisions shall prevail:

- Lot Frontage (minimum) 45m

17. **R-17** (*Subdivision Lot 16, Concession 2 Part East Half Lot 20, Part Lot 21, Part Northeast Half and West Half Lot 22, Part of Closed Road Allowance between Lots 20, 21, and Parts of Lots 31,32 R-Plan 97 Bathurst*)
By-Law 2013-019 and 2015-045, Roll # 916-015-12649 (Plan 27M70 Lot 16)

Notwithstanding the provisions of Section 5.1.2 on the lands zoned R-17, the following provisions shall prevail:

- Lot Frontage (minimum) 45m
- Rear Yard Setback (minimum) 20m

18. **R-18** (*Subdivision Lot 17, Concession 2 Part East Half Lot 20, Part Lot 21, Part Northeast Half and West Half Lot 22, Part of Closed Road Allowance between Lots 20, 21, and Parts of Lots 31,32 R-Plan 97 Bathurst*)
By-Law 2013-019 and 2015-045, Roll # 916-015-12650 (Plan 27M70 Lot 17)

Notwithstanding the provisions of Section 5.1.2 on the lands zoned R-18, the following provisions shall prevail:

- Interior Side Yard Setback from Wetland (minimum) 20m

19. **R-19** (*Subdivision Lot 18, Concession 2 Part East Half Lot 20, Part Lot 21, Part Northeast Half and West Half Lot 22, Part of Closed Road Allowance between Lots 20, 21, and Parts of Lots 31,32 R-Plan 97 Bathurst*)
By-Law 2013-019 and 2015-045, Roll # 916-015-12651 (Plan 27M70 Lot 18)

Notwithstanding the provisions of 5.1.2 on the lands zoned R-19, the following provisions shall prevail:

- Rear Yard Setback (minimum) 20m

20. **R-20** (*Subdivision Lots 19, 20, 21, 22 Concession 2 Part East Half Lot 20, Part Lot 21, Part Northeast Half and West Half Lot 22, Part of Closed Road Allowance between Lots 20, 21, and Parts of Lots 31,32 R-Plan 97 Bathurst*) *By-Law 2013-019 and 2015-045, Roll # 916-015-12652, -12653, -12654, -12655 (respectively Plan 27M70 Lots 19,20,21,22)*

Notwithstanding the provisions of Section 5.1.2 on the lands zoned R-20, the following provisions shall prevail:

- Rear Yard Setback (minimum) 40m

21. **R-21** (Part Lot 27, Concession 3, Bathurst)
By-Law 2011-039, Roll # 0911-916-015-43810

Notwithstanding the provisions of section 5.1.1, on the lands zoned R-21, the following minimum standards shall apply:

- The lot may be used for a semi-detached dwelling.

Notwithstanding the provisions of section 5.1.2, on the lands zoned R-21, the following minimum standards shall apply:

- Minimum Distance from Glen Tay Transportation 70m

22. **R-22** (Part Lot 21, Concession 2, Bathurst)
By-Law 2012-024 and 2017-012, Roll# 916-015-09839

Notwithstanding the provisions of sections 5.1, on the lands zoned R-22, the following additional use shall be permitted:

- A Duplex

23. **R-23** (Part Lot 14, Concession 8, South Sherbrooke)
By-Law 2017-006, Roll# 914-010-21400

Notwithstanding the provisions of Section 5.1.2, on the lands zoned R-23, the following provisions shall prevail:

- Lot size (minimum) 1214m²
- Road frontage (minimum) 37m

5.2 Seasonal Residential (RS)

1. Permitted Uses: Seasonal dwelling

2. Zone Provisions

- Lot Area (minimum) 4050 m²
- Lot Frontage (minimum)
 - Lot with frontage on Adams Lake 91 m
 - All other lots 60 m
- Yards (minimum)
 - Front 10 m
 - Exterior Side 10 m
 - Interior Side 6 m
 - Rear 7.5 m
- Dwelling Unit Area (minimum) 75 m²
- Dwelling Height (maximum) 9 m
- Lot Coverage (maximum) 10%
- Floor Space Index (maximum) 12%
- Dwellings per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Exception Zones

1. *RS-1 (Part Lot 16, Concession 2, South Sherbrooke)* *By-Law 1998-43*

Notwithstanding the provisions of Section 5.2.1 to the contrary, on the lands zoned RS-1, a bed and breakfast shall be an additional permitted use, provided that its annual period of operation shall be restricted to May to October, inclusive.

2. *RS-2 (Part Lots 3 and 4, Concession 7, North Burgess)* *By-Law 2003-018, Roll # 911-025-38400*

Notwithstanding the provisions of Sections 5.2.2, 3.26 and 3.27 to the contrary, the following provisions shall prevail:

- Lot Area (minimum) 0.39 ha
- Water Setback (minimum)
 - for addition to existing dwelling 15.8 m
- Permitted encroachment into Water Setback wall (maximum for a deck, stairs and porch) of existing dwelling 2.0 m from main

3. **RS-3** (Part Lot 11, Concession 4, South Sherbrooke)
By-Law 1992-26 (updated in general revisions in 2017),
Roll # 914-015-58001

Notwithstanding the provisions of Sections 3.26 and 3.27 to the contrary,
the following provisions shall prevail:

- Water Setback (minimum)
 - existing dwelling 9 m
 - new accessory building 18 m

5.3 Limited Services Residential (RLS)

1. Permitted Uses

single dwelling

2. Zone Provisions

- Lot Area (minimum) 4050 m²
- Lot Frontage (minimum)
 - Lot with frontage on Adams Lake 91 m
 - All other lots 60 m
- Yards (minimum)
 - Front 10 m
 - Exterior Side 10 m
 - Interior Side 6 m
 - Rear 7.5 m
- Dwelling Unit Area (minimum) 75 m²
- Dwelling Height (maximum) 9 m
- Lot Coverage (maximum) 10%
- Floor Space Index (maximum) 12%
- Dwellings per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Exception Zones

1. ***RLS-1 (Part Lots 18 & 19, Concession 3, North Burgess)***
By-Law 1999-35, Roll # 091191102019205 and 091191102019500
Replaced by By-Law 2016-051, Roll #091191102019500 only

Notwithstanding the provisions of Section 5.3.1 to the contrary, on the lands zoned RLS-1, the following provision shall prevail:

- Permitted uses and the number of dwellings shall include a maximum of 8 dwelling units, comprised of a multiple dwelling containing a maximum of 6 units and 2 single dwellings accessory to the multiple dwelling

2. **RLS-2** (Part Lot 1, Concession 1, South Sherbrooke)
By-Law 2002-98, Roll # 914-015-01110

Notwithstanding the provisions of Section 3.26 to the contrary, on the lands zoned RLS-2, the following provision shall prevail:

- Water Setback (minimum) 40 m

3. **RLS-3** (Part Lot 2, Concession 8, North Burgess)
By-Law 2002-059, Roll # 911-010-22200

Notwithstanding the provisions of Section 3.26 to the contrary, on the lands zoned RLS-3, the following provision shall prevail:

- Water Setback (minimum) 22 m

4. **RLS-4** (Part Lots 5, 6 and 7, Concessions 9 and 10, Bathurst)
By-Law 2002-66 (Special Districts 51 and 52 created by this by-law became RLS-4 in 2002-121), multiple roll numbers

Notwithstanding the provisions of Section 5.3.2 and 3.26 to the contrary, on the lands zoned RLS-4, the following provisions shall prevail:

- Lot Frontage and Lot Area (minimums)
 - PIN 765, 2021, 2029, 2036, 2046, 2050, 2056, 2083 as per Plan 27R-8077
 - PIN 729, 725, 641, 646, 648, 237 as per Plan 27R-8081
 - PIN 2116, 2123, 2146, 2159 as per Plan 27R-8083
 - PIN 813, 811, 802, 926 as per Plan 27R-8082
 - PIN 2488 as per Plan 27R-8076
- Water Setback (minimum) The 154.0 m geodetic elevation or 30 m from the high water mark, whichever is greater.

5. **RLS-5** (Part Lot 10, Concession 2, South Sherbrooke)
By-Law 2002-51, Roll # 914-015-36024

Notwithstanding the provisions of Section 3.26 to the contrary, on the lands zoned RLS-5, the following provision shall prevail:

- Water Setback (minimum) 45 m

6. **RLS-6** (Part Lot 24, Concession 8, North Burgess)
By-Law 2003-020, Roll # 911-015-37600

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-6, the following provision shall prevail:

- Lot Area (minimum) 0.34 ha

7. **RLS-7** (reserved)

8. **RLS-8** (Part Lot 16, Concession 6, North Burgess)
By-Law 2003-032, Roll # 911-020-40002

Notwithstanding the provisions of Section 3.26, on the lands zoned RLS-8, the following provision shall prevail:

- Water Setback (minimum) 50 m

9. **RLS-9** (Part Lot 24, Concession 8, North Burgess)
By-Law 2003-043, Roll # 911-015-37200

Notwithstanding the provisions of Section 3.26 and 5.3.2, on the lands zoned RLS-9, the following provisions shall prevail:

- Water Setback (minimum – existing dwelling only) 15.5 m
- Lot area (minimum) 0.33 ha

10. **RLS-10** (Part Lot 25, Concession 3, North Burgess)
By-Law 2003-046, Roll # 911-020-22007

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-10, the following provision shall prevail:

- Lot Frontage (minimum) 51.6 m

11. **RLS-11** (Part Lots 5 & 6 and Part of the Road Allowance between Lots 5 & 6, Concession 10, Bathurst)
By-law 2003-075, Roll # 916-030-06410

Notwithstanding the provisions of Section 3.26 and 3.27, on the lands zoned RLS-11, the following provision shall prevail:

- Water Setback (minimum) 14.3 m
- Deck encroachment permitted into Water Setback 1.9 m

12. **RLS-12** (Part Lot 7, Concession 8, South Sherbrooke)
By-Law 2003-072, Roll # 914-010-13807

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-12, the following provision shall prevail:

- Lot Area (minimum) 0.29 ha
- Lot Frontage (minimum) 33 m
- Dwelling Unit Area (minimum) 66 m²

13. **RLS-13** (Part Lot 26, Concession 3, North Burgess)
By-Law 2003-086, Roll # 911-020-07003

Notwithstanding the provisions of Sections 3.26, 3.27 and 5.3.2, on the lands zoned RLS-13, the following provisions shall prevail:

- Lot Frontage (minimum) 51.5 m
- Water Setback (minimum for existing dwelling) 26 m
- Deck Encroachment (maximum for existing deck) 6.7 m

14. **RLS-14** (Part Lot 3, Concession 5, North Burgess)
By-Law 2003-096, Roll # 911-025-07104 and 911-025-07150

Notwithstanding the provisions of Section 3.26, on the lands zoned RLS-14, the following provision shall prevail:

- Water Setback (minimum) 40 m

15. **RLS-15** (Part Lot 25, Concession 3, Part of the road allowance (now closed) between Concessions 2 & 3, North Burgess)
By-Law 2003-092, Roll # 911-020-22006

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-15, the following provision shall prevail:

- Lot Frontage (minimum) 51.6 m

16. **RLS-16** (Part Lots 17 & 18, Concession 6, North Burgess)
By-Law 2003-095, Roll # 911-020-43701

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-16, the following provision shall prevail:

- Lot Area (minimum) 0.30 ha
- Lot Frontage (minimum) 40.4 m

17. **RLS-17** (Part Lot 3, Concession 5, North Burgess)
By-Law 2003-096, Roll # 911-025-07120

Notwithstanding the provisions of Sections 5.3.1 and 3.26, on the lands zoned RLS-17, the following provisions shall prevail:

- Permitted uses shall include an existing semi-detached dwelling
- Water Setback (minimum) 40 m

18. **RLS-18** (Part Lot 18, Concession 6, North Burgess)
By-Law 2003-100, Roll # 911-020-45000

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-18, the following provisions shall prevail:

- Lot Area (minimum) 0.23 ha
- Lot Frontage (minimum) 59 m

19. **RLS-19** (Part Lot 6, Concession 3, South Sherbrooke)
By-Law 2004-003, Roll # 91401546201

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-19, the following provision shall prevail:

- Lot Frontage (minimum) 32 m

20. **RLS-20** (Part Lot 3, Concession 7, North Burgess)
By-Law 2004-014, Roll # 911-025-36500

Notwithstanding the provisions of Sections 3.26 and 5.3.2, on the lands zoned RLS-20, the following provisions shall prevail:

- Lot Area (minimum) 0.18 ha
- Lot Frontage (minimum) 43.0 m
- Water Setback (minimum) 20.4 m

21. **RLS-21** (Part Lot 19, Concession 3, & Part of the Road Allowance between Concessions 2 & 3, North Burgess)
By-Law 2004-013, Roll # 911-020-19204

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-21, the following provision shall prevail:

- East Interior Side Yard (minimum) 30 m

22. **RLS-22** (Part Lot 26, Concession 2, North Burgess)
By-Law 2004-021, Roll # 911-020-06802

Notwithstanding the provisions of Section 3.27, on the lands zoned RLS-22, the following provisions shall prevail:

- Deck Encroachment (maximum for existing deck) 3.7 m

23. **RLS-23** (Part Lot 5, Concession 6, North Burgess)
By-Law 2004-065, Roll # 91102531100; also By-Law 2005-056 removed addition and deck setbacks

Notwithstanding the provisions of Sections 3.26 , 3.27 and 5.3.2 , on the lands zoned RLS-23, the following provisions shall prevail:

- Lot Area (minimum) 0.29 ha
- Lot Frontage (minimum) 59 m

- Water Setback (minimum)
 - existing building 12.5 m
 - proposed addition 16.3 m
- Deck Encroachment into Existing Water Setback
 - deck into existing water setback 2.5 m

24. **RLS-24** (Part Lot 20, Concessions 2 & 3, North Burgess)
By-Law 2004-041, Roll # 911-020-00106

Notwithstanding the provisions of Sections 3.26 and 3.27, on the lands zoned RLS-24, the following provisions shall prevail:

- Water Setback (minimum)
 - existing building 14.6 m
 - proposed addition to existing building 20.9 m
- Deck Encroachment into Existing Water Setback
 - existing deck into existing water setback 1.8 m
 - enlargement into proposed addition setback 2.7 m

25. **RLS-25** (reserved)

26. **RLS-26** (Part Lot 16, Concession 3, North Burgess)
By-Law 2004-060, Roll # 911-020-10838

Notwithstanding the provisions of Sections 3.26 and 5.3.2, on the lands zoned RLS-26, the following provisions shall prevail:

- Lot Area (minimum) 0.38 ha
- Lot Frontage (minimum) 39 m
- Water Setback (minimum) 40 m

27. **RLS-27** (Part Lots 9 and 10, Concession 10, South Sherbrooke)
By-Law 2004-078, Roll # 914-010-41200

Notwithstanding the provisions of Sections 3.26, 3.27 and 5.3.2, on the lands zoned RLS-27, the following provisions shall prevail:

- Lot Area (minimum) 0.098 ha
- Lot Frontage (minimum) 14 m
- South Interior Side Yard (minimum) 4.5 m
- North Interior Side Yard (minimum) 3.3 m
- Floor Space Index (maximum) 12.5 %
- Water Setback (minimum) 20.4 m
- Deck encroachment into water setback (maximum) 2 m

28. **RLS-28** (Part Lots 9 and 10, Concession 10, South Sherbrooke)

Notwithstanding the provisions of Sections 3.26, 3.27 and 5.3.2, on the lands zoned RLS-28, the following provisions shall prevail:

- Lot Area (minimum) 0.095 ha
- Lot Frontage (minimum) 15.2 m
- South Interior Side Yard (minimum for existing dwelling) 0.03 m
- Lot Coverage (maximum) 10.9 %
- Water Setback (minimum) 14.0 m
- Deck encroachment into existing building water setback (maximum) 2.4 m

29. **RLS-29** (Part Lot 23, Concession 2 & 3, North Burgess)
By-Law 2004-084, Roll # 911-020-02826

Notwithstanding the provisions of Sections 3.26, 3.27 and 5.3.2, on the lands zoned RLS-29, the following provisions shall prevail:

- Lot Frontage (minimum) 52 m
- Water Setback (minimum)
 - Existing Building 16.1m
 - Proposed Addition 22.3m
 - Accessory Storage Shed 17.9m
- Deck encroachment into water setback (maximum)
- Deck into existing building watersetback 3.9m

30. **RLS-30** (Lot 23, Concession 2, North Burgess)
By-Law No. 04-104, Roll # 911-020-00610

Notwithstanding the provisions of Sections 3.26, 3.27 and 5.3.2, on the lands zoned RLS-30, the following provisions shall prevail:

- Lot Frontage (minimum) 45 m
- Water Setback (minimum) 21.3 m
- Deck encroachment into water setback (maximum) 1.9 m

31. **RLS-31** (Part Lots 11 and 12, Concession 4, South Sherbrooke)
By-Law 2004-100, Roll # 914-020-73103

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-31, the following provisions shall prevail:

- Lot Area (minimum) 0.39 ha

32. **RLS-32** (Part Lot 18, Concession 3, North Burgess)
By-Law 2005-022, Roll # 911-020-11600

Notwithstanding the provisions of Sections 3.26, 3.27 and 5.3.2, on the lands zoned RLS-32, the following provisions shall prevail:

- Lot Area (minimum) 0.36 ha
- Water Setback (minimum) 17.17 m
- Rear Yard 2.29 m

33. **RLS-33** (Part Lot 20, Concession 3, South Sherbrooke)
By-Law 2004-102, Roll # 914-020-59700

Notwithstanding the provisions of Sections 3.1.7, 3.26 and 5.3.2, on the lands zoned RLS-33, the following provisions shall prevail:

- Lot Area (minimum) 0.32 ha
- Water Setback (minimum)
 - Existing Dwelling 10.6 m
 - Proposed Garage 21.3 m

34. **RLS-34** (Part Lot 26, Concession 3, North Burgess)
By-Law 2005-040, Roll # 911-020-07010

Notwithstanding the provisions of Sections 3.26, 3.27 and 5.3.2, on the lands zoned RLS-34, the following provisions shall prevail:

- Lot Frontage (minimum) 37.9 m
- Water Setback (minimum) 25 m
- Deck encroachment into
 - water setback (maximum) 1.2 m
- Water Setback of a Sewage Disposal System (minimum)
- from Big Rideau Lake 40 m
 - from watercourse on north portion of lot 19 m

35. **RLS-35** (Part Lot 2, Concession 2, South Sherbrooke)
By-Law 2005-24, Roll # 914-015-09650

Notwithstanding the provisions of Sections 3.26, and 3.27, on the lands zoned RLS-35, the following provisions shall prevail:

- Water Setback (minimum) 26 m
- Deck Encroachment into water setback (maximum) 3.3 m

36. **RLS-36** (Part Lot 16, Concession 3, North Burgess)
By-Law 2005-029, Roll # 911-020-11302

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-36, the following provisions shall prevail:

- Lot Frontage (minimum) 55 m

37. **RLS-37** (Part Lot 7, Concession 6, North Burgess)
By-Law 2005-047, Roll 911-010-03300

Notwithstanding the provisions of Sections 5.3.2, on the lands zoned RLS-37, the following provisions shall prevail:

- Lot Frontage (minimum) 30 m
- Lot Area (minimum) 0.19 ha

38. **RLS-38** (Part Lot 5, Concession 7, North Burgess)
By-Law 2006-024, Roll # 911-010-07400

Notwithstanding the provisions of Sections 3.26, 3.27 and 5.3.2, on the lands zoned RLS-38, the following provisions shall prevail:

- Lot Area (minimum) 0.1 ha
- Lot Frontage (minimum) 31.7 m
- Northwest Interior Side Yard (minimum) 3.9 m
- Southeast Interior Side Yard (minimum) 4.5 m
- Existing Deck encroachment into Southeast
 - Interior Side Yard (minimum) 0.9 m
- Rear Yard (minimum)
 - Existing Building 6.1 m
 - Proposed Addition 2.4 m
- Water Setback (minimum) 28.9 m
- Encroachment into Water Setback (maximum)
 - Existing Deck into existing building water setback (maximum) 3.05
- Lot Coverage (maximum) 15.0 %

39. **RLS-39** (Part Lot 1, Concession 1, South Sherbrooke)
By-Law 2005-066, Roll # 914-015-03700

Notwithstanding the provisions of Section 3.26 and 5.3.2, on the lands zoned RLS-39, the following provisions shall prevail:

- Lot Area (minimum) 0.36 ha
- Lot Frontage (minimum) 35.0 m
- Water Setback
 - Existing Dwelling 3.0 m
 - Proposed Addition 12.1 m
- Interior Side Yard (West) (minimum)
 - Existing Dwelling 2.4 m
 - Proposed Addition 2.4 m

40. **RLS-40** (Part Lot 4, Concession 3, South Sherbrooke)
By-Law 2005-065, Roll # 914-015-40501

Notwithstanding the provisions of Section 3.26 on the lands zoned RLS-40, the following provisions shall prevail:

- Water Setback –Existing Dwelling (minimum) 19 m

41. **RLS-41** (Part Lots 20 & 21, Concession 3, South Sherbrooke)
By-Law 2005-059, Roll # 914-020-55000

Notwithstanding the provisions of Sections 5.3.2, on the lands zoned RLS-41, the following provisions shall prevail:

- Lot Frontage (minimum) 13.7 m
- Existing Interior Side Yard west (minimum) 5.8 m

42. **RLS-42** (Part Lot 22, Concession 6, North Burgess)
By-Law 2005-075, Roll # 911-020-70000

Notwithstanding the provisions of Sections 3.26, 3.27 and 5.3.2, on the lands zoned RLS-42, the following provisions shall prevail:

- Lot Frontage (minimum) 48 m
- Water Setback (minimum) 18.9 m
- Deck Encroachment (maximum) 3.7 m

43. **RLS-43** (Part Lot 20, Concession 9, North Burgess)
By-Law 2005-083, Roll # 911-015-63000

Notwithstanding the provisions of Sections 3.26 and 5.3.2, on the lands zoned RLS-43, the following provisions shall prevail:

- Lot Area (minimum) 0.09 ha
- Lot Frontage (minimum) 30.4 m
- Water Setback (minimum) 23.1 m
- Rear Yard (minimum) 7.3 m
- Building Height (maximum) 6.8 m

44. **RLS-44** (Part Lot 4, Concession 6, North Burgess)
By-Law 2005-091, Roll # 911-025-26500

Notwithstanding the provisions of Sections 3.26, 3.27 and 5.3.2 on the lands zoned RLS-44, the following provisions shall prevail:

- Lot Area (minimum) 0.35 ha
- Lot Frontage (minimum) 30.7 m
- Water Setback Dwelling (minimum) 7 m
- Encroachment into south Interior Side Yard (maximum) 0.5 m

45. **RLS-45** (Part Lot 17, Concession 3, North Burgess)
By-Law 2005-086, Roll # 911-020-16106

Notwithstanding the provisions of Sections 3.26, 3.27 and 5.3.2 on the lands zoned RLS-45, the following provisions shall prevail:

- Water Setback (minimum)
 - Dwelling 16.1 m
 - Sewage Disposal System 27.5 m
 - Deck Encroachment into Water Setback (maximum) 0.3 m

46. **RLS-46** (Part Lot 3, Concession 8, North Burgess)
By-law 2005-093, Roll # 911-010-24400

Notwithstanding the provisions of Sections 3.26 and 5.3.2, on the lands zoned RLS-46, the following provisions shall prevail:

- Lot Area (minimum) 0.32 ha
- Lot Frontage 48 m
- Water Setback (minimum) 24.9 m

47. **RLS-47** (Part Lot 9, Concession 10, Bathurst)
By-Law 2006-061, Roll # 916-030-14100

Notwithstanding the provisions of Sections 3.26 and 5.3.2, on the lands zoned RLS-47, the following provisions shall prevail:

- Lot Area (minimum) 0.29 ha
- Water Setback (minimum) 16.0 m

48. **RLS-48** (Part Lot 4, Concession 6, North Burgess)
By-Law 2006-034, Roll # 911-025-27800

Notwithstanding the provisions of Sections 3.26, 3.27 and 5.3.2, on the lands zoned RLS-48, the following provisions shall prevail:

- Lot Area (minimum) 0.23 ha
- Lot Frontage (minimum) 30.0 m
- Water Setback (minimum) 22.2 m
- Encroachment into Water Setback (maximum) 2.5 m

49. **RLS-49** (Part Lot 22, Concession 6, North Burgess)
By-Law No. 06-057, Roll # 911-020-67800

Notwithstanding the provisions of Sections 3.26, 3.27 and 5.3.2, on the lands zoned RLS-49, the following provisions shall prevail:

- Lot Area (minimum) 0.1 ha
- Lot Frontage (minimum) 42 m
- Water Setback (minimum) 13.8 m
- Rear Yard 6.3 m

- Encroachment into Water Setback (maximum) 2.0 m
- Floor Space Index (maximum) 12.4 %

50. **RLS-50** (Part Lot 20, Concession 6, North Burgess)
By-Law 2006-055, Roll # 911-020-58007

Notwithstanding the provisions of Sections 3.26 and 5.3.2, on the lands zoned RLS-50, the following provisions shall prevail:

- Lot Area (minimum) 0.26 ha
- Lot Frontage (minimum) 49 m
- Water Setback (minimum) 22.8 m

51. **RLS-51** (Part Lot 22, Concession 6, North Burgess)
By-Law 2006-074, Roll # 911-020-66000

Notwithstanding the provisions of Sections 3.26 and 3.27, on the lands zoned RLS-51, the following provisions shall prevail:

- Water Setback - Dwelling (minimum) 3.5 m
- Deck Encroachment into Water Setback (maximum) 4.3 m

52. **RLS-52** (Part Lot 2 and 3, Concession 5, North Burgess)
By-Law 2006-077, Roll # 911-025-05300

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-52, the following provision shall prevail:

- Lot frontage (minimum) 78.1m

53. **RLS-53** (Part Lot 20, Concession 8, North Burgess)
By-Law 2006-088, Roll # 911-015-22850

Notwithstanding the provisions of Section 3.26, on the lands zoned RLS-53, the following provisions shall prevail:

- Water Setback (minimum)
 - Dwelling 29m
 - Sewage Disposal System 24m

54. **RLS-54** (Part Lot 5 and 6, Concession 6, North Burgess)
By-Law No. 07-043, Roll # 911-025-30200

Notwithstanding the provisions of Section 3.26 and 3.27 on the lands zoned RLS-54, the following provisions shall prevail:

- Water Setback (minimum)
 - Existing Dwelling and proposed additions to existing dwelling 10.4m

- Deck Encroachment into existing water setback (maximum) 0m

55. **RLS-55** (Part Lot 12, Concession 3, North Burgess)
By-Law 2007-005, Roll # 911-020-09200

Notwithstanding the provisions of Section 3.26, 3.27 and 5.3.2, on the lands zoned RLS-55, the following provisions shall prevail:

- Lot Area (minimum) 0.21 ha
- Lot Frontage (minimum) 35 m
- Water Setback - Dwelling (minimum) 21.1 m
- Stairs Encroachment into Water Setback (maximum) 1.8 m

56. **RLS-56** (Part Lot 3, Concession 2, South Sherbrooke)
By-Law 2007-030, Roll # 914-015-10300

Notwithstanding the provisions of Section 5.3.2 and 3.26, on the lands zoned RLS-56, the following provisions shall prevail:

- Lot Area (minimum) 0.32 ha
- Water Setback – Dwelling (minimum) 21 m
- Rear Yard (minimum) 7 m

57. **RLS-57** (Part Lot 21 and 22, Concession 2, South Sherbrooke)
By-Law No. 07-031, Roll # 914-020-36000

Notwithstanding the provisions of Section 5.3.2, 3.26 and 3.27, on the lands zoned RLS-57, the following provisions shall prevail:

- Lot Frontage (minimum) 55 m
- Water Setback (minimum) 25 m
- Deck Encroachment into Water Setback (maximum) 2.6 m

58. **RLS-58** (Part Lot 7, Concession 10, Bathurst)
By-Law 2007-042, Roll # 916-030-09500

Notwithstanding the provisions of Sections 3.26 and 5.3.2, on the lands zoned RLS-58, the following provisions shall prevail:

- Water Setback – Dwelling (minimum) 24.4 m
- West Interior Side Yard (minimum) 1.5 m

59. **RLS-59** (Part Lot 11, Concession 6, North Burgess)
By-Law 2007-046, Roll # 911-010-05604

Notwithstanding the provisions of Section 3.26, on the lands zoned RLS-59, the following provisions shall prevail:

- Water Setback – Dwelling (minimum) 26 m
- Deck Encroachment into Water Setback 0 m

60. **RLS-60** (Part Lot 19, Concession 3, South Sherbrooke)
By-Law 2007-047, Roll # 914-020-46900

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-60, the following provisions shall prevail:

- Lot Frontage (minimum) 43 m

61. **RLS-61** (Part Lot 23, Concession 8, North Burgess)
By-Law 2007-060, Roll # 911-015-32500

Notwithstanding the provisions of Section 3.26, 3.27 and 5.3.2, on the lands zoned RLS-61, the following provisions shall prevail:

- Lot Area (minimum) 0.25 ha
- Water Setback – Dwelling (minimum)
 - South 12.6 m
 - East 15.6 m
- Deck Encroachment into Water Setback (maximum)
 - Stairs - south 1.4 m
 - Deck - east 3.0 m
- Deck Area – east (maximum) 14 m²
- Dwelling Height (maximum) 6.5 m

62. **RLS-62** (Part Lot 17, Concession 6, North Burgess)
By-Law 2007-051, Roll # 911-020-40501

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-62, the following provisions shall prevail:

- Lot Frontage (minimum) 48 m

63. **RLS-63** (Part Lot 20, Concession 6, North Burgess)
By-Law 2008-024, Roll # 911-020-48011

Notwithstanding the provisions of Section 3.26, 3.27 and 5.3.2, on the lands zoned RLS-63, the following provisions shall prevail:

- Lot Area (minimum) 0.16 ha
- Lot Frontage (minimum) 37.6 m
- Water Setback – Dwelling (minimum) 20.28 m
- Deck Encroachment (maximum) 0 m

64. **RLS-64** (Part Lot 25, Concession 3, North Burgess)
By-Law 2008-026, Roll # 911-020-22008

Notwithstanding any provisions of this by-law to the contrary, on the lands zoned RLS-64, the following additional provision shall apply:

- Special Water Setback from watercourse (minimum) 18 m

65. **RLS-65** (Part Lot 13, Concession 2, South Sherbrooke)
By-Law 2008-052, Roll # 914-020-03904

Notwithstanding the provisions of Section 3.26, on the lands zoned RLS-65, the following provisions shall prevail:

- Water Setback (minimum)
 - Existing Dwelling 15.4 m
 - Proposed Addition 13.2 m

66. **RLS-66** (Part Lot 17, Concession 6, North Burgess)
By-Law 2008-032, Roll # 911-020-42200

Notwithstanding the provisions of Section 3.26 and 3.27, on the lands zoned RLS-66, the following provisions shall prevail:

- Water Setback (minimum)
 - Existing dwelling 14.4 m
 - Proposed addition 19.3 m
- Deck Encroachment in relation to Existing Dwelling (max) 1.6 m
- Deck Encroachment in relation to Proposed Addition (maximum) 1.6 m

67. **RLS-67** (Part Lot 18, Concession 6, North Burgess)
By-Law 2008-054, Roll # 911-020-46300

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-67, the following provisions shall prevail:

- Lot Area (minimum) 1692 m²
- Lot Frontage (minimum) 38.5 m
- Interior Side Yard – south (minimum) 5.3 m

68. **RLS-68** (Part Lot 15, Concession 3, North Burgess)
By-Law 2008-046, Roll # 911-020-08007

Notwithstanding the provisions of Section 5.3.2 and 3.27, on the lands zoned RLS-68, the following provisions shall prevail:

- Existing Interior Side Yard – east (minimum) 4.9 m
- Water Setback (minimum)
 - Existing Dwelling 16.8 m
 - Proposed Addition 26.8 m
- Existing Deck Encroachment (maximum) 2.2 m

69. **RLS-69** (Part Lot 21, Concession 8, North Burgess)
By-Law 2009-008, Roll # 911-015-25900

Notwithstanding the provisions of Section 5.3.2, 3.26 and 3.27 n the lands zoned RLS-69, the following provisions shall prevail:

- Lot Area (minimum) 0.3 ha
- Rear Yard (minimum) 6.5 m
- Water Setback (minimum) 16 m
- Water Setback of a Sewage Disposal System (minimum) 19 m
- Deck Encroachment into existing Water setback (maximum) 2.44 m

70. **RLS-70** (Part Lot 7, Concession 8, South Sherbrooke)
By-Law 2008-061, Roll # 914-010-17601

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-70, the following provisions shall prevail:

- Lot Area (minimum) 0.14 ha
- Lot Frontage 45 m
- Water Setback (minimum) 21.3 m
- Deck Encroachment (maximum) 2.43 m

71. **RLS-71** (Part Lot 5, Concession 6, North Burgess)
By-Law 2008-066, Roll # 911-025-30700

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-71, the following provisions shall prevail:

- Lot Area (minimum) 0.13 ha
- Lot Frontage (minimum) 30.5 m
- Water Setback (minimum) 20.1 m

72. **RLS-72** (Part Lot 20, Concession 9, North Burgess)
By-Law 2009-014, Roll # 911-015-63500

Notwithstanding the provisions of Sections 3.26, 3.27 and 5.3.2, on the lands zoned RLS-72, the following provisions shall prevail:

- Lot Area (minimum) 0.18 ha
- Lot Frontage 53.3 m
- Water Setback (minimum) 12.5 m
- Deck Encroachment (maximum) 0 m
- Rear Yard (minimum) 6.1 m

73. **RLS-73** (Part Lot 10, Concession 2, South Sherbrooke)
By-Law 2008-072, Roll # 914-015-37500

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-73, the following provisions shall prevail:

- Lot Area (minimum) 0.2 ha
- Lot Frontage (minimum) 41 m

74. **RLS-74 – NOT USED**

75. **RLS-75 (Part Lot 5, Concession 6, North Burgess)**
By-Law 2009-001, Roll # 911-010-00100 and 911-010-00105

In addition to all applicable provisions of this By-law, on the lands zoned RLS-75, no portion of any main or accessory building shall be located more than 50m from the southwest interior side lot line.

76. **RLS-76 (Part Lot 5, Concession 7, North Burgess)**
By-Law 2009-010, Roll # 911-010-06606

Notwithstanding the provisions of Sections 3.26 and 5.3.2, on the lands zoned RLS-76, the following provisions shall prevail:

- Lot Area (minimum) 0.4 ha
- Water Setback (minimum)
 - Existing Building
 - North 12.4 m
 - East 19.5 m
 - West 12 m
- Existing Deck Encroachment – East 3.6 m
- Proposed Addition
 - North 20 m
 - East 12.5 m
 - West 18 m
- Sewage Disposal System 14.6 m

77. **RLS -77 (Part Lot 18, Concession 9, North Burgess)**
By-Law 2009-012, Roll # 911-015-61000

Notwithstanding the provisions of Sections 3.26 and 5.3.2, on the lands zoned RLS-77, the following provisions shall prevail:

- Lot Area (minimum) 0.1 ha
- Lot Frontage (minimum) 32 m
- Water Setback (minimum) 11.6 m
- Rear Yard (minimum) 3.9 m

78. **RLS-78 (Part Lots 17 and 18, Concession 3, North Burgess)**
By-Law No. 09-042, Roll # 911-020-16700

Notwithstanding the provisions of Sections 3.26 and 3.27, on the lands

zoned RLS-78, the following provisions shall prevail:

- Water Setback (minimum)
 - Existing Dwelling 14.1 m
 - Proposed Addition 21.4 m
- Existing Deck Encroachment into existing Water setback (maximum) 3.1 m

79. **RLS-79** (*Pt Lot 17, Concession 9, North Burgess*)
By-Law 2009-044, Roll # 911-015-56635

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-79, the following provisions shall prevail:

- Water Setback (minimum) 13m
(existing cottage and 13m² addition)
- Deck Encroachment (maximum) 2.4 m

80. **RLS-80** (*Part Lot 4, Concession 6, North Burgess*)
By-Law 2009-043, Roll # 911-025-28300

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-80, the following provisions shall prevail:

- Lot Area (minimum) 0.25 ha
- Water Setback (minimum) 15.9 m
- Deck Encroachment (maximum)
 - 18m² deck 8m
 - 3m² deck 0.6m
- Septic Tank setback (minimum) 27m

81. **RLS-81** (*Part Lot 11, Concession 6, North Burgess*)
By-Law 2009-053, Roll # 911-010-05603

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-81, the following provisions shall prevail:

- Lot Area (minimum) 0.30 ha
- Frontage 57.3 m

82. **RLS-82** (*Part Lot 2, Concession 1, South Sherbrooke*)
By-Law 2009-057, Roll # 914-015-02000

Notwithstanding the provisions of Section 3.26, 3.27 and 5.3.2, on the lands zoned RLS-82, the following provisions shall prevail:

- Lot area (minimum) 0.13 ha
- Lot frontage (minimum) 39.6 m
- Water Setback (minimum)
 - existing building 5.5 m
 - proposed addition 12 m

- North Interior Side Yard setback (minimum)
 - existing building 1.2 m
 - proposed addition 5.2 m
- Deck encroachment into existing water setback
 - existing deck into existing water setback (maximum) 2.4 m
 - size of existing deck (maximum) 16.4 m²
- Water setback of a Sewage Disposal System (minimum) 20 m

83. **RLS-83** (Part Lot 2&3, Concession 2, Bathurst)
By-Law 2009-062, Roll # 916-010-07610

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-83, the following provisions shall prevail:

- Water setback (minimum)
 - Existing dwelling 29 m
- Dwelling area 61.3 m²

84. **RLS-84** (Lot 14 Concession 5, South Sherbrooke)
By-Law 2009-070, Roll # 914-020-81100

Notwithstanding the provisions of Section 3.26, on the lands zoned RLS-84, the following provisions shall prevail:

- Water setback (minimum)
- Dwelling
 - Southeast side 18.9 m
 - Northeast side 20.4 m
- Unenclosed deck encroachment 2.6 m.

85. **RLS-85** (Lot 25, Concession 3, North Burgess)
By-Law 2010-001, Roll # 911-020-22002

Notwithstanding the provisions of Section 5.3.2 on the lands zoned RLS-85, the following provisions shall prevail:

- Lot frontage (minimum) 47m

86. **RLS-86** (Pt Lot 20 Concession 9, North Burgess)
By-Law 2010-01, Roll # 911-015-63200

Notwithstanding the provisions of Section 3.26, 3.27 on the lands zoned RLS-86, the following provisions shall prevail:

- Lot frontage 53.3 m
- Lot area 0.22 ha
- Water setback (minimum)
 - Dwelling 19.2 m
 - Carport 26.2 m

- Deck encroachment 2.0 m
- Floor Space Index 12.7%

87. **RLS-87** (*Pt Lot 3 Concession 5, North Burgess*)
By-Law 2011-053, Roll # 911-025-07800

Notwithstanding the provisions of Section 3.26, 3.27 on the lands zoned RLS-87, the following provisions shall prevail:

- Water setback (minimum)
 - Dwelling 19m Big Rideau Lake
30.1m Adams Lake
34m Adams Creek
 - Garage 30.6m Big Rideau Lake
21.3m Adams Lake
28m Adams Creek

88. **RLS-88** (*Part Lot 4 Concession 5, South Sherbrooke*)
By-Law 2010-054, Roll # 911-025-08003

Notwithstanding the provisions of Section 3.26, 3.27 on the lands zoned RLS-88, the following provisions shall prevail:

- Setback from Water (minimum)
Dwelling 40 m

89. **RLS-89** (*Part Lot 17 Concession 2, South Sherbrooke*)
By-Law 2010-059, Roll # 914-020-13204

Notwithstanding the provisions of Section 3.26, 3.27 on the lands zoned RLS-89, the following provisions shall prevail:

- Lot frontage 40 m
- Lot area 0.21 ha
- Setback from land zoned Disposal Industrial (minimum)
 - Dwelling 376 m

90. **RLS-90** (*Part Lot 7&8, Concession 2, South Sherbrooke*)
By-law 2010-061, Roll # 914-015-20106

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-90, the following provisions shall prevail:

- Water Setback (minimum) from Dwelling to:
 - Farren Lake 26 m
 - Wetland at the rear of the property 26 m

91. **RLS-91** (*Part Lot 17, Concession 9, North Burgess*)
By-Law 2010-060, Roll # 911-015-56812

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-91, the following provisions shall prevail:

- Water Setback from Dwelling (minimum) 12 m
- Dwelling size 72 m²

92. **RLS-92** (Lot 22, Concession 6, North Burgess)
By-Law 2010-062, Roll # 911-020-68800

Notwithstanding the provisions of Section 5.3.2, on the lands zoned RLS-92, the following provisions shall prevail:

- Lot Area (minimum) 0.13 ha
- Lot Frontage (minimum) 30 m
- Water Setback (minimum) Dwelling 16.5 m

93. **RLS-93** (Pt Lot 3, Concession 5, North Burgess)
By-Law 2010-072, Roll # 914-020-12500

Notwithstanding the provisions of Section 3.26, 3.27 on the lands zoned RLS-93, the following provisions shall prevail:

- Water setback (minimum)
 - Dwelling from Christie Lake 15.7m
- Lot Area 0.4 ha

94. **RLS-94** (Pt Lot 12 Concession 4, South Sherbrooke)
By-Law 2010-073, Roll # 914-020-73702

Notwithstanding the provisions of Section 3.26, 3.27 on the lands zoned RLS-94, the following provisions shall prevail:

- Water setback (minimum)
 - Dwelling from Little Silver Lake 18.2m
- Lot Area 0.17 ha

95. **RLS-95** (Part Lot 5, Concession 7, North Burgess)
By-Law 2010-087, Roll # 911-010-09500

Notwithstanding the provisions of Section 3.26, 3.27 on the lands zoned RLS-95, the following provisions shall prevail:

- Dwelling area 72 m²
- Lot area 0.36 ha
- Setback from Water- Otty Lake (minimum)
 - Dwelling 16.8 m
- Setback from Side Yard- East (minimum)
 - Dwelling 5.2 m

96. **RLS-96** (Part Lot 20, Concession 2 & 3, North Burgess)
By-Law 2010-093, Roll #911-020-00105

Notwithstanding the provisions of Section 5.3 on the lands zoned RLS-96, the following provisions shall prevail:

- Lot frontage (minimum) 47m
- North side yard setback (minimum) 3m

97. **RLS-97** (Part Lot 15 Concession 2, South Sherbrooke)
By-Law 2011-030, Roll # 914-020-07900

Notwithstanding the provisions of Section 5.3 and 3.26 on the lands zoned RLS-97, the following provisions shall prevail:

- Lot frontage (minimum) 42m
- Lot area 0.11 ha
- Side Yard Setback (minimum) 3m
- Rear Yard Setback (minimum) 4.5m
- Water setback for septic (minimum) 15m

98. **RLS-98** (Part Lot 10 Concession 10, Bathurst)
By-Law 2010-094, Roll # 916-030-13300

Notwithstanding the provisions of Sections 3.27 and 5.3 on the lands zoned RLS-98, the following provisions shall prevail:

- Lot frontage (minimum) 30 m
- Lot area 1277 m²
- Rear yard setback 4.9 m
- Water setback for garage (minimum) 24 m
- Lot coverage 14.2 %

99. **RLS-99** (Part Lot 8, Concession 2, South Sherbrooke)
By-Law 2010-092, Roll # 914-015-19000

Notwithstanding the provisions of Section 3.26, 3.27 on the lands zoned RLS-99, the following provisions shall prevail:

- Water setback on east side (minimum)
Septic & Dwelling from Farren Lake 40m

100. **RLS-100** (Part Lot 12 Concession 2, South Sherbrooke)
By-Law 20 11-015, Roll # 914-020-02803

Notwithstanding the provisions of Section 5.3.2 on the lands zoned RLS-100, the following provisions shall prevail:

- Frontage 26 m
- Lot Area 0.16 ha
- Water Setback (minimum)
 - Existing Dwelling 18.5 m
 - Addition 26 m

- Lot coverage 12 %

101. **RLS-101** (Part Lot 9 Concession 5, North Burgess)
By-Law 2011-028, Roll # 911-025-18900

Notwithstanding the provisions of Section 5.3 on the lands zoned RLS-101, the following provisions shall prevail:

- Side Yard (North) Setback Minimum 3m

102. **RLS-102** (Part Lot 12 Concession 2, South Sherbrooke)
By-Law 2011-029, Roll # 914-020-02801

Notwithstanding the provisions of Section 5.3 on the lands zoned RLS-102, the following provisions shall prevail:

- Rear Yard (North) Setback Minimum 5.5m

103. **RLS-103** (Part Lot 3 Concession 5, North Burgess)
By-Law 2011-037, Roll # 911-025-07002

Notwithstanding the provisions of Section 3.26, on the lands zoned RLS-103, the following provision shall prevail:

- Minimum Water Setback 27m

104. **RLS-104 – NOT USED**

105. **RLS-105** (Part Lot 4-5 Concession 5, North Burgess)
By-Law 2011-046, Roll # 911-025-09200

Notwithstanding the provisions of section 3.26, on the lands zoned RLS-105, the following provisions shall prevail:

- Minimum Water Setback (east side of parcel)
 - Existing Dwelling 10m
- Minimum Water Setback (west side of parcel)
 - Existing Dwelling 25m

106. **RLS-106** (Part Lot 4-5 Concession 5, North Burgess)
By-Law 2011-043, Roll # 911-025-09220

Notwithstanding the provisions of section 3.26 on the lands zoned RLS-106, the following provisions shall prevail:

- Minimum Water Setback (east side of parcel)
 - Existing Dwelling 27m

107. **RLS-107** (Part Lot 3 Concession 5, North Burgess)
By-Law 2011-042, Roll # 911-025-07900

Notwithstanding the provisions of section 3.26 on the lands zoned RLS-107, the following provision shall apply:

- Water Setback (minimum)
 - Existing Dwelling 20.77m

108. **RLS-108** (Part Lot 19 & 20 Concession 8, North Burgess)
By-Law 2012-006, Roll # 911-015-21000

Notwithstanding the provisions of section 3.26, on the lands zoned RLS-108, the following provisions shall prevail:

- Minimum Water Setback (side yards) 10.7m

109. **RLS-109** (Part Lot 18 Concession 6, Burgess)
By-Law No. 2012-010

Notwithstanding the provisions of section 3.26 and 5.3 on the lands zoned RLS-109, the following provisions shall prevail:

- Minimum Water Setback (front yard) 24m
- Minimum Frontage 30m

110. **RLS-110** (Part Lot 2 Concession 1, South Sherbrooke)
By-Law 2012-015, Roll # 914-015-01900

Notwithstanding the provisions of sections 5.3 and 3.26 on the lands zoned RLS-110, the following provisions shall prevail:

- Lot Area (Minimum) 0.18ha
- Lot Frontage (Minimum) 39.6m
- Minimum Water Setback (addition) 13m

111. **RLS-111** (Part Lot 7, Concession 10, Bathurst) By-Law 2012-016, Roll # 916-030-09100

Notwithstanding the provisions of sections 5.3 and 3.26 on the lands zoned RLS-111, the following provisions shall prevail:

- Lot Area (Minimum) 2027m²
- Lot Frontage (Minimum) 38m
- Minimum Water Setback 15m

112. **RLS-112** (Part Lot 26, Concession 2 & 3, North Burgess) By-Law No. 2012-018

Notwithstanding the provisions of section 5.3 on the lands zoned RLS-112, the following provisions shall prevail:

- Lot Frontage (minimum) 47m

113. **RLS-113** (Part Lot 23, Concession 2, North Burgess)
By-Law No. 2012-048, Roll # 911-020-02601

Notwithstanding the provisions of section 5.3 on the lands zoned RLS-113, the following provisions shall prevail:

- Lot Frontage (minimum) 56.46 m
- Water Setback (cottage) 15.3 m
- Water Setback (deck) 14 m
- Deck area 105 m²

114. **RLS-114** (Part Lot 24, Concession 2&3, North Burgess)
By-Law 2012-054, Roll # 911-020-03705

Notwithstanding the provisions of Sections 3.26 and 5.3.2, on the lands zoned RLS-114 the following provisions shall prevail:

- Water frontage 54.1 m
- Water Setback (house) 45 m
- Water Setback (septic system) 70 m

115. **RLS-115** (Part Lot 25, Concession 8, North Burgess)
By-Law 2012-057, Roll # 911-015-39500

Notwithstanding the provisions of Section 3.26 and Section 5.2.2 on the lands zoned RLS-115, the following provisions shall prevail:

- Frontage 49 m
- Lot Size 1515.5 m²
- Side Yard Setback (minimum)
 - West side 3.7 m
- Water setback (minimum)
 - Dwelling 12m
 - Addition west side 16m

116. **RLS-116** (Part Lot 9, Concession 5, North Burgess)
By-Law 2013-013, Roll # 911-025-18010

Notwithstanding the provisions of Section 3.26 and Section 5.3.2 on the lands zoned RLS-116, the following provisions shall prevail:

- Water setback (minimum) 40 m

117. **RLS-117** (Part Lot 7, Concession 10, Bathurst)
By-Law 2013-023, Roll # 916-030-10500 (portion at 2492 Burton Rd)

Notwithstanding the provisions of Sections 3.26 and 5.3.2, on the lands zoned RLS-117 the following provisions shall prevail:

- Lot Area (minimum) 1507m²
- Frontage (minimum) 40 m
- Water Setback - Existing Dwelling 24 m

118. **RLS-118** (Lot 24, Concession 8, North Burgess)
By-Law 2013-030, Roll # 911-015-46001

Notwithstanding the provisions of Section 3.26 and Section 5.3.2, on the lands zoned RLS-118, the following provisions shall prevail:

- Water setback (minimum)
 - Existing Dwelling 18.5 m
 - Addition to the rear 26 m

119. **RLS-119** (Pt Lot 2, Concession 3, Bathurst)
By-Law 2013-031, Roll # 916-010-12500

Notwithstanding the provisions of Section 3.26 and Section 5.3.2 on the lands zoned RLS-119, the following provisions shall prevail:

- Lot Frontage (minimum) 43 m
- Water setback (minimum)
 - Existing Dwelling and addition to the east 24.5 m

120. **RLS-120** (Lot 5, Concession 9, Bathurst)
By-Law 2013-039, Roll # 916-020-24703

Notwithstanding the provisions of Section 3.26 and Section 5.3.2 on the lands zoned RLS-120, the following provisions shall prevail:

- Cottage size (minimum) 56m²
- Water setback (minimum)
 - Existing cottage 21 m
 - Addition 27.3 m

121. **RLS-121** (Lots 25,26 Concession 2, North Burgess)
By-Law 2013-040, Roll # 911-020-06800

Notwithstanding the provisions of Section 3.26 and Section 5.3.2 on the lands zoned RLS-121, the following provisions shall prevail:

- Water setback (minimum)
 - Existing Dwelling 8.8 m
 - Addition to the rear 17.6 m

122. **RLS-122** (Lot 3, Concession 5, North Burgess)
By-Law 2013-041, Roll # 911-025-06000

Notwithstanding the provisions of Section 3.26 and Section 5.3.2 on the lands zoned RLS-122, the following provisions shall prevail:

- Lot frontage 30.4 m
- Lot area 1597 m²
- East side lot setback 5.5 m
- West side lot setback 5.3 m

123. **RLS-123** (Part Lot 21, Concession 3 in the South Sherbrooke) By-Law No. 2013-048

Notwithstanding the provisions of Sections 3.26 and 5.3.2 on the lands zoned RLS-123, the following provisions shall prevail:

- Lot Area (minimum) 0.2 ha
- Lot Frontage (minimum) 32 m
- South Side Yard Setback (minimum) 3.5 m
- Water Setback - Existing Dwelling 10 m

124. **RLS-124** (Part Lot 6, Concession 2, South Sherbrooke) By-Law 2013-050, Roll # 914-015-16400

Notwithstanding the provisions of Sections 3.26 and 5.3.2 on the lands zoned RLS-124, the following provisions shall prevail:

- Lot Frontage minimum 56 m
- Water setback minimum 26.2 m
- Dwelling size minimum 52 m²

125. **RLS-125** (Part Lot 11, Concession 5, North Burgess) By-Law 2013-044, Roll # 911-025-21708

Notwithstanding the provisions of Section 5.3.2 on the lands zoned RLS-125, the following provisions shall prevail:

- Lot Frontage (minimum) 38 m

126. **RLS-126** (Part Lot 19, Concession 8, North Burgess) By-Law 2013-051, Roll # 911-015-16500

Notwithstanding the provisions of Sections 3.26 and 5.3.2 on the lands zoned RLS-126, the following provisions shall prevail:

- Lot Area (Minimum) 0.2 ha
- Lot Frontage (Minimum) 29.8 m
- Water Setback - Existing Dwelling 5 m

127. **RLS-127** (Part Lot 12, Concession 4, South Sherbrooke) By-Law 2013-053, Roll # 914-020-73800

Notwithstanding the provisions of Sections 3.26 and 5.3.2 on the lands zoned RLS-127, the following provisions shall prevail:

- Water Setback
- Existing Cottage (minimum)
 - South 21 m
 - East 25 m
- Addition (minimum)
 - South 21 m
 - East 25 m

128. **RLS-128** (Part Lot 21, Concession 2, North Burgess)
By-Law 2013-049, Roll # 911-020-00210

Notwithstanding the provisions of Section 5.3.2 on the lands zoned RLS-128, the following provisions shall prevail:

- Lot Frontage (minimum) 46 m

129. **RLS-129** (Part Lot 23 & 24, Concession 2 & 3, North Burgess)
By-Law 2013-066, Roll # 911-020-03000

Notwithstanding the provisions of Sections 3.26 and 5.3.2 on the lands zoned RLS-129, the following provisions shall prevail:

- Water Setback (Lake)
Cottage & Garage (minimum) 40 m
- Water Setback (Creek) - Garage (minimum) 20 m

30. **RLS-130** (Part Lot 23, Concession 2 & 3, North Burgess)
By-Law 2014-009, Roll # 911-020-02822

Notwithstanding the provisions of Sections 3.26 and 5.3.2 on the lands zoned RLS-130, the following provisions shall prevail:

- Lot Area (minimum) 2297 m²
- Lot Frontage (minimum) 32 m
- Water Setback (Lake) - Cottage (minimum) 28.76 m
- Water Setback (Lake) - Deck (minimum) 25.16 m
- Interior Side (West) (minimum) 4.2 m
- Interior Side (East) (minimum) 3.3 m

131. **RLS-131** (Part Lot 20 & 21, Concession 3, South Sherbrooke)
By-Law 2014-015 for RLS-131-h, By-Law 2015-014 for RLS-131, By-Law 2015-015 to extend RLS-131 to both original and lot addition, Roll # 914-020-52500

Notwithstanding the provisions of Section 5.3.2 on the lands zoned RLS-131, the following provisions shall prevail:

- Lot Frontage (minimum) 16 m

132. **RLS-132** (Part Lot 20 & 21 Concession 3 in the South Sherbrooke, the

retained land from severance B13/114) By-Law No. 2014-015 for RLS-132-h, By-Law 2015-014 for RLS-132

Notwithstanding the provisions of 5.3.2 on the lands zoned RLS-132, the following provisions shall prevail:

- Minimum Water Setback (West Side) 40m

133. ***RLS-133 (Part Lot 19, Concession 6, North Burgess)***
By-Law 2014-019, Roll # 911-020-48019

Notwithstanding the provisions of Sections 3.26 and 5.3.2 on the lands zoned RLS-133, the following provisions shall prevail:

- Lot Area (minimum) 1810 m²
- Lot Frontage (minimum) 28.47 m
- Water Setback (Lake) - Cottage (minimum) 17.07 m
- Interior Side (East) (minimum) 5.09 m
- Septic system (minimum) 22 m

134. ***RLS-134 (Part Lot 12, Concession 4, South Sherbrooke)***
By-Law 2014-020, Roll # 914-020-73703

Notwithstanding the provisions of Sections 3.26 and 5.3.2 on the lands zoned RLS-134, the following provisions shall prevail:

- Lot Area (minimum) 1944 m²
- Lot Frontage (minimum) 30 m
- Water Setback (Lake)
 - Cottage (minimum) 26 m
 - Addition (minimum) 30 m
 - Interior Side (East) (minimum) 3 m

135. ***RLS-135 (Part Lot 7, Concession 2, South Sherbrooke)***
By-Law 2015-040, Roll # 914-015-20105

Notwithstanding the provisions of Section 3.26 on the lands zoned RLS-135, the following provisions shall prevail:

- Water Setback – cottage to Farren Lake 26m
- Water Setback – cottage to creek 15m
- Water Setback – septic system to Farren Lake 26m
- Water Setback – septic system to creek 30m

136. ***RLS-136 (Part Lot 17, Concession 3, North Burgess)***
By-Law 2014-032, Roll # 911-020-17500

Notwithstanding the provisions of Section 3.26 on the lands zoned RLS-136, the following provisions shall prevail:

- Water Setback (East Side – Existing Cottage) 8m
- Water Setback (West Side – Existing Cottage) 9m
- Water Setback – Addition 19m

137. **RLS-137** (Part Lot 20, Concession 8, North Burgess)
By-Law 2014-036, Roll # 911-015-22900

Notwithstanding the provisions of Sections 5.3.2 and 3.26, on the lands zoned RLS-137, the following provisions shall prevail:

- Lot Area (minimum) 1775m²
- Lot Frontage (minimum) 32.3m
- Water Setback (Lake) - Cottage (minimum) 17.6m
- Interior Side (East) (minimum) 2.6m

138. **RLS-138** (Part Lot 16, Concession 3, North Burgess)
By-Law 2014-048, Roll # 911-020-10806

Notwithstanding the provisions of Sections 5.3.2 and 3.26, on the lands zoned RLS-138, the following provisions shall prevail:

- Lot Area 3800m²
- Lot Frontage 42m
- Water Setback – Dwelling 18.6m
- Water Setback – Deck 14.9m

139. **RLS-139** (Part Lot 5, Concession 7, North Burgess)
By-Law 2015-004, Roll # 911-010-07800

Notwithstanding the provisions of Sections 3.26 and 5.3.2 on the lands zoned RLS-139, the following provisions shall prevail:

- Lot Area (minimum) 2050 m²
- Water Setback - Dwelling (minimum) 11.3 m
- Deck encroachment into water setback (maximum) 1.83 m
- Water Setback - Accessory Building (minimum) 14.1 m
- Water Setback – Septic System (minimum) 22.8 m
- Deck area on accessory building (maximum) 15m²

141. **RLS-141** (Part Lot 13, Concession 1, South Sherbrooke)
By-Law 2015-016, Roll # 914-020-00700

Notwithstanding the provisions of Sections 5.3.2 and 3.26, on the lands zoned RLS-141, the following provisions shall prevail:

- Lot Area (minimum) 3816m²
- Lot Frontage 34m
- Water Setback – Existing Dwelling (minimum) 15.24m
- Water Setback – Existing Deck (minimum) 13m
- Side Yard Setback (south minimum) 4m

142. **RLS-142** (Part Lot 9, Concession 1 and 2, South Sherbrooke)
By-Law 2015-031, Roll # 914-015-29000

NOTWITHSTANDING the provisions of Sections 5.3.2 on the lands zoned RLS-142, the following provisions shall prevail:

- Lot size 1861 m²
- Lot frontage 30.48m
- Water setback – dwelling and septic 25m

143. **RLS-143** (Part Lot 14, Concession 5, South Sherbrooke)
By-Law 2015-056, Roll # 0911-914-020-80309

NOTWITHSTANDING the provisions of Sections 3.26 and 5.3.2 on the lands zoned RLS-143, the following provisions shall prevail:

- Lot frontage 53.34m
- Water setback – dwelling 16m
- Water setback – addition 18m
- Water setback – garage 28.5m

144. **RLS-144** (Part Lot 5, Concession 6, North Burgess)
By-Law 2016-005, Roll # 911-025-29900

NOTWITHSTANDING the provisions of Sections 3.26 and 5.3.2 on the lands zoned RLS-144, the following provisions shall prevail:

- Lot area 2318.9m²
- Lot frontage 45.11m
- Setback to Otty Lake for dwelling 8.09m
- Setback to Otty Lake for deck 9.38m
- Side yard – dwelling 5.91m
- Side yard – deck 3.74m
- Setback to Otty Lake for septic 1m

145. **RLS-145** (Part Lot 9, Concession 5, North Burgess)
By-Law 2016-012, Roll # 911-025-18600

NOTWITHSTANDING the provisions of Sections 3.26 and 5.3.2 on the lands zoned RLS-145, the following provisions shall prevail:

- Setback to Long Lake for dwelling 25m
- Side yard setback (south) 3.7m

146. **RLS-146** (Part Lot 26, Concession 3, North Burgess)
By-Law 2016-013, Roll # 911-020-07009

NOTWITHSTANDING the provisions of Section 5.3.2 on the lands zoned RLS-146, the following provisions shall prevail:

- Lot Area 3723m²
- Lot Frontage 36.6 m

147. **RLS-147 (Part Lot 17, Concession 6, North Burgess)**
By-Law 2016-029, Roll # 911-020-40202

NOTWITHSTANDING the provisions of Section 3.26, on the lands zoned RLS-147, the following provisions shall prevail:

- Water setback minimum (addition “C”) 12m
- Water setback minimum (1.2mx1.2m shower) 7m

148. **RLS-148 (Part Lot 10, Concession 1, South Sherbrooke)**
By-Law 2016-022, Roll # 914-015-08303

NOTWITHSTANDING the provisions of Section 5.3.2, on the lands zoned RLS-148, the following provisions shall prevail:

- Lot Area 1457m²
- Water frontage 30.5m

149. **RLS-149 (Part Lot 10, Concession 1, South Sherbrooke)**
By-Law 2016-023, Roll # 914-015-08305

NOTWITHSTANDING the provisions of Section 5.3.2, on the lands zoned RLS-149, the following provisions shall prevail:

- Lot Area 1255m²
- Water frontage 30.5m

150. **RLS-150 (Part Lot 8, Concession 10, Bathurst)**
By-Law 2016-025, Roll # 916-030-11800

NOTWITHSTANDING the provisions of Section 3.26, on the lands zoned RLS-150, the following provisions shall prevail:

- Water setback minimum (cottage) 12.95m
- Water setback minimum (addition) 16.78m

151. **RLS-151 (Part Lot 17, Concession 6, North Burgess)**
By-Law 2016-032, Roll # 911-020-41300

NOTWITHSTANDING the provisions of Section 3.26, on the lands zoned RLS-151, the following provisions shall prevail:

- Water setback minimum (cottage) 15m
- Side yard (south) 3m

152. **RLS-152 (Part Lot 20, Concession 8, North Burgess)**

NOTWITHSTANDING the provisions of Section 5.3, on the lands zoned RLS-152, the following provisions shall prevail:

- Lot size 2600m²
- Lot frontage 45.7m

153. **RLS-153** (Part Lot 4, Concession 6, North Burgess)
By-Law 2016-047, Roll # 911-025-26900

NOTWITHSTANDING the provisions of Section 5.3.2 and 3.26, on the lands zoned RLS-153, the following provisions shall prevail:

- Lot size 1942m²
- Lot frontage 48m
- Water setback (cottage and addition) 5.4m
 - North 5.4m
 - West 5.5m
- Water setback (addition) 16.5m

154. **RLS-154** (Part Lot 8, Concession 10, Bathurst)
By-Law 2016-046, Roll # 916-030-11100

NOTWITHSTANDING the provisions of Section 5.3.2 and 3.26, on the lands zoned RLS-154, the following provisions shall prevail:

- Lot size (minimum) 1837m²
- Water frontage 38m
- Lot coverage 11.6%
- Water setback (minimum, cottage and addition) 7.6m

155. **RLS-155 –NOT USED**

156. **RLS-156** (Part Lot 8, Concession 9, North Burgess)
By-Law 2017-007, Roll # 911-015-60800

NOTWITHSTANDING the provisions of Section 5.3.2, Section 3.26 and Section 3.27, on the lands zoned RLS-156, the following provisions shall prevail:

- Lot size (minimum) 1012m²
- Water frontage 32m
- Lot coverage 10.3%
- Water setback (minimum, cottage and deck)
 - West Corner 15m
 - East Corner 21m
- Side yard (east, minimum) 4.6m
- Rear yard (minimum) 2.7m
- Deck encroachment (maximum width of deck) 2.4m

- Deck size (maximum) 19.5m²

157. **RLS-157** (Part Lot 18, Concession 3, North Burgess)
By-Law 2016-049, Roll # 911-020-20000

NOTWITHSTANDING the provisions of Section 5.3.2, on the lands zoned RLS-157, the following provisions shall prevail:

- Lot size (minimum) 3950m²

158. **RLS-158** (Part Lot 18, Concession 3, North Burgess)
By-Law 2016-050, Roll # 911-020-19800

NOTWITHSTANDING the provisions of Section 5.3.2, on the lands zoned RLS-157, the following provisions shall prevail:

- Lot size (minimum) 1587m²
- Water frontage (minimum) 23m

159. **RLS-159** (Part Lot 25, Concession 8, North Burgess)
By-Law 2017-039, Roll # 911-015-39800

NOTWITHSTANDING the provisions of Section 5.3.2 and Section 3.26, on the lands zoned RLS-159 the following provisions shall prevail:

- Water setback (minimum, dwelling) 15m

160. **RLS-160** (Part Lot 9, Concession 6, North Burgess)
By-Law 2017-044, Roll # 091191101004702

NOTWITHSTANDING the provisions of Section 5.3.2, on the lands zoned RLS-160 the following provisions shall prevail:

- Lot size (minimum) 2590m²
- Water frontage (minimum) 38.4m

161. **RLS-161** (Part Lots 6 and 7, Concession 2, South Sherbrooke)
By-Law 2018-038, Roll # 914-015-20102

Notwithstanding the provisions of Sections 3.26 to the contrary, the following provisions shall prevail:

- Water Setback (minimum) 24m

By-Law 2018-039, Roll#914-015-20103

Notwithstanding the provisions of Sections 3.26 to the contrary, the following provisions shall prevail:

- Water Setback (minimum) 20m

162. **RLS-162** (Part Lot 26, Concession 2 and 3, North Burgess)
By-Law 2017-067, Roll # 091191102007004

- Water Frontage (minimum) 50.3m

163. **RLS-163** (Part Lot 16, Concession 7, North Burgess)
By-Law 2018-001, Roll # 0911911010070010

NOTWITHSTANDING the provisions of Section 3.26, on the lands zoned RLS-163 the following provision shall prevail:

- Water setback on north side (minimum, dwelling) 25 m

164. **RLS-164** (Part Lot 19, Concession 8, North Burgess)
By-Law 2018-002, Roll # 091191101518500

NOTWITHSTANDING the provisions of Sections 3.26 and 3.27, on the lands zoned RLS-164 the following provisions shall prevail:

- Lot Area (minimum) 0.13 ha
- Lot Frontage (minimum) 25 m
- Water Setback (minimum, dwelling) 8 m
- Deck encroachment into water setback (maximum) 1.9 m
- Deck encroachment surface area (maximum) 20 m²

166. **RLS-166**(Part Lot7, Concession 8, South Sherbrooke)
By-Law No. 2018.037, Roll #914-010-13801

NOTWITHSTANDING the provisions of Section 10.1.2, on the lands zoned RLS-166 the following provisions shall prevail:

- Lot Area (minimum) 3416m²
- Lot Frontage (minimum) 47.2m

5.4 Mobile Home Park Residential (RMH)

1. Permitted Uses

mobile home
mobile home park
mobile home park management office
recreational facilities accessory to a mobile home park
accessory dwelling or accessory dwelling unit

2. Zone Provisions

1. Mobile Home Park

- Lot Area (minimum) 2 ha
- Lot Frontage (minimum) 60 m
- Yards (minimum)
- Front 15 m
- Exterior Side 15 m
- Interior Side 7.5 m
- Rear 15 m
- Dwelling Unit Area (minimum) 75 m²
- Dwelling Height (maximum) 9 m
- Lot Coverage (maximum) 20%
- Accessory Dwellings per Lot (maximum) 1

2. Mobile Home Site

- Site Area (minimum) 700 m²
- Site Frontage (minimum) 20 m
- Site Yards (minimum)
 - Front 7.5 m
 - Exterior Side 7.5 m
 - Interior Side 3.0 m
 - Rear 4.5 m
- Site Coverage (maximum) 30%
- Mobile Homes per Site (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Exception Zones (*reserved*)

SECTION 6 - COMMERCIAL ZONES

6.1 General Commercial (C) Zone

1. Permitted Uses

accessory dwelling
accessory dwelling unit
automobile service station
bank
building supply centre
clinic
commercial parking lot
community service
custom workshop
equipment rental outlet
garden centre
hotel
motel
open market
personal service
place of assembly
private park
professional or business office
service outlet
recreational establishment
retail store
restaurant
tradesperson's establishment
vehicle sales or rental establishment
veterinary clinic

2. Zone Provisions

- Lot Area (minimum) 4050 m²
- Lot Frontage (minimum)
 - Lots in **Hamlet** designation in Official Plan 45 m
 - All other lots 60 m
- Yards (minimum)
 - Front 10 m
 - Exterior Side 10 m
 - Interior Side
 - Lots in **Hamlet** designation in Official Plan 6 m
 - All other lots 10 m
 - Rear
 - Lots in **Hamlet** designation in Official Plan 7.5 m
 - All other lots 10 m
- Dwelling Unit Area (minimum) 75 m²
- Building Height (maximum) 9 m
- Lot Coverage (maximum) 20%
- Dwellings per Lot (maximum) 1

3. **Additional Provisions**

1. **General Provisions**

In accordance with Section 3 hereof.

2. **Automobile Service Station Pump Islands and Canopies**

Notwithstanding any other provisions of this By-law to the contrary, the minimum front or exterior side yard for an automobile service station pump island or canopy shall be 4.5 m.

4. **Exception Zones**

1. *C-1 (Part Lot 15, Concession 5, Bathurst)*

Notwithstanding the provisions of Section 6.1.1 and 6.1.2 to the contrary, on the lands zoned C-1, the following provisions shall prevail:

- Permitted commercial uses shall be restricted to the following:
 - A sales, repair and maintenance facility for motorcycles and accessories;
 - A bait shop.
- The total maximum commercial floor area shall be 200 m².
- Open storage related to commercial uses shall not be permitted, except in relation to licensed or operative vehicles for sale.

2. *C-2 (Part Lot 20, Concession 7, Bathurst)
By-Law 2014-008, Roll # 916-025-08501*

Notwithstanding the provisions of Sections 6.2.2, on the portion of lands zoned C-2, the following provisions shall prevail:

- Interior Side Yard Setback - Accessory (minimum) 8m

6.2 Local Commercial (CL) Zone

1. Permitted Uses

accessory dwelling
accessory dwelling unit
antique shop
bank
bed and breakfast
clinic
community service
custom workshop
personal service
professional or business office
retail store
restaurant

2. Zone Provisions

- Lot Area (minimum) 4050 m²
- Lot Frontage (minimum)
 - Lots in **Hamlet** designation in Official Plan 45 m
 - All other lots 60 m
- Yards (minimum)
 - Front 10 m
 - Exterior Side 10 m
 - Interior Side
 - Lots in **Hamlet** designation in Official Plan 6 m
 - All other lots 10 m
 - Rear
 - Lots in **Hamlet** designation in Official Plan 7.5 m
 - All other lots 10 m
- Commercial Floor Area (maximum) 200 m²
- Dwelling Unit Area (minimum) 75 m²
- Building Height (maximum) 9 m
- Lot Coverage (maximum) 20%
- Dwellings per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Exception Zones

1. CL -1 (Part Lot 27, Concession 8, Bathurst)

By-Law 2004-059, Roll # 916-025-13500 (repealed September 22, 2015)

By-Law 2006-037, Roll # 916-025-13500 (amended September 22, 2015, below)

Notwithstanding the provisions of Sections 6.2.1 to the contrary, on the lands zoned CL-1 the following additional use shall be permitted:

- Open Market
- Service Outlet
- Veterinary Clinic
- Recreational Establishment

Furthermore, notwithstanding the provisions of Sections 6.2.2, on the lands zoned CL-1, the following provisions shall prevail:

- | | |
|---|--------------------|
| • Front Yard Setback (minimum) | 1.6 m |
| • Deck Encroachment into Front Yard (maximum) | 1.6 m |
| • Lot Coverage (maximum) | 22 % |
| • Commercial Floor Area (maximum) | 760 m ² |

CL -1-h (Part Lot 27, Concession 8, Bathurst)

By-Law 2015-046, Roll # 916-025-13500

NOTWITHSTANDING the provisions of Sections 2.1 of By-Law No. 2006-037, on the lands zoned CL-1-h, the following additional use shall be permitted:

- Maximum of six (6) Residential Units

THAT, an amendment to this By-Law to remove the holding provision denoted by the “h” suffix shall be conditional upon the following:

- a) That the maximum number of Residential units on each parcel be reduced to five(5); OR
- b) All of the following conditions be met:
 - i) That the Township receives from the Owner a Municipal Responsibility Agreement with regard to the communal sewage system(s);
 - ii) That the Township receives from the Owner sufficient securities to replace the communal sewage system(s);
 - iii) That the property complies with all other municipal and provincial requirements in effect at the time of the building application.

THAT, on the lands zoned CL-1-h and CL-2-h no person shall use any building or land for any purpose other than that for which it was used on the date of the passing of this By-Law.

2. **CL -2** (*Part Lot 27, Concession 8, Bathurst*)
By-Law 2004-059, Roll # 916-025-13400 (repealed September 22, 2015)
By-Law 2006-037, Roll # 916-025-13400 (amended September 22, 2015, below)

Notwithstanding the provisions of Sections 6.2.1 to the contrary, on the lands zoned CL-2 the following additional use shall be permitted:

- Open Market
- Service Outlet
- Veterinary Clinic
- Recreational Establishment

Furthermore, notwithstanding the provisions of Sections 6.2.2, on the lands zoned CL-2, the following provisions shall prevail:

- Front Yard (minimum for addition) 1.8 m
- Commercial Floor Area (maximum) 550 m²

CL -2-h (*Part Lot 27, Concession 8, Bathurst*)
By-Law 2015-046, Roll # 916-025-13400

Notwithstanding the provisions of Sections 2.1 of By-Law No. 2006-037, on the lands zoned CL-2-h, the following additional use shall be permitted:

- Maximum of six (6) Residential Units

THAT, an amendment to this By-Law to remove the holding provision denoted by the “h” suffix shall be conditional upon the following:

- a) That the maximum number of Residential units on each parcel be reduced to five(5); OR
- b) All of the following conditions be met:
 - i) That the Township receives from the Owner a Municipal Responsibility Agreement with regard to the communal sewage system(s);
 - ii) That the Township receives from the Owner sufficient securities to replace the communal sewage system(s);
 - iii) That the property complies with all other municipal and provincial requirements in effect at the time of the building application.

THAT, on the lands zoned CL-1-h and CL-2-h no person shall use any building or land for any purpose other than that for which it was used on

the date of the passing of this By-Law.

3. **CL-3** (*Part Lot 27, Concession 7, Bathurst*)

Notwithstanding the provisions of Section 6.2.2 and 3.15.5, on the lands zoned CL-3, the following provisions shall prevail:

- Lot Area (minimum) 4006m²
- Lot Frontage (minimum) 30.4m
- South Interior Side Yard (minimum) 5.4m
- Driveway width two-way traffic (minimum) 5.2m

6.3 Tourist Commercial (CT) Zone

1. Permitted Uses

accessory dwelling
accessory dwelling unit
antique shop
bed and breakfast
community service
golf course
marina
marine facility
park
tourist campground
tourist lodging establishment

2. Zone Provisions

- Lot Area (minimum)
 - Tourist Campground 2 ha
 - Other uses 1 ha
- Lot Frontage (minimum) 60 m
- Yards (minimum)
 - Front 15 m
 - Exterior Side 15 m
 - Interior Side 10 m
 - Rear 15 m
- Accessory Dwelling Unit Area (minimum) 75 m²
- Building Height (maximum) 9 m
- Tourist Campground Site (minimum) 230 m²
- Lot Coverage (maximum) 20%
- Accessory Dwellings per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Exception Zones

1. **CT-1** (*Part Lot 8, Concession 10, South Sherbrooke*)
By-Law 2000-05, Roll # 914-010-39800

Notwithstanding the provisions of Sections 6.3.1 and 6.3.2 to the contrary, on the lands zoned CT-1 the following provisions shall prevail:

- A seasonal dwelling shall be an additional permitted use;
- A maximum of 42 seasonal dwellings shall be permitted, in addition to one single dwelling accessory to a tourist campground or tourist lodging establishment.

2. **CT-2** (*Part Lot 21, Concession 9, North Burgess*)

Notwithstanding the provisions of Section 6.3.2, on the lands zoned CT-2, the following additional provision shall apply to a tourist campground:

- Campsites (maximum) 50 sites

3. **CT-3** (*Part Lots 2 and 3, Concession 1, South Sherbrooke*)

Notwithstanding the provisions of Section 6.3.2, on the lands zoned CT-3, the following provision shall prevail:

- Lot Frontage (minimum) 20 m

4. **CT-4** (*Part Lots 8 and 9, Concession 5, North Burgess*)
By-Law 2017-049, Roll # 911-025-18000

Notwithstanding the provisions of Section 6.3, on the lands zoned CT-4 the following provisions shall prevail:

- Number of campsites (maximum) 5
- Size of individual campsite (maximum) 93m²
- Type of structure Autonomous tents, one small office
- One small office building (maximum) 30m²

SECTION 7 - INDUSTRIAL ZONES

7.1 General Industrial (M) Zone

1. Permitted Uses

accessory dwelling
accessory dwelling unit
agricultural products processing facility
automobile body shop
automobile service station
building supply centre
contractor's yard
custom workshop
equipment rental outlet
feed supply outlet
fuel storage facility
garden centre
heavy equipment sales or rental establishment
kennel
printing establishment
self-storage facility
service outlet
tradesperson's establishment
transportation depot
vehicle sales or rental establishment
veterinary clinic
warehouse
wholesale establishment

2. Zone Provisions

- Lot Area (minimum) 1 ha
- Lot Frontage (minimum) 60 m
- Yards (minimum)
 - Front 15 m
 - Exterior Side 15 m
 - Interior Side 10 m
 - Rear 15 m
- Dwelling Unit Area (minimum) 75 m²
- Building Height (maximum) 15 m
- Lot Coverage (maximum) 20%
- Dwellings per Lot (maximum) 1

3. **Additional Provisions**

1. **General Provisions**

In accordance with Section 3 hereof.

2. **Automobile Service Station Pump Islands and Canopies**

Notwithstanding any other provisions of this By-law to the contrary, the minimum front or exterior side yard for an automobile service station pump island or canopy shall be 4.5 m.

3. **Minimum Separation Distance for a Kennel**

- From a residential use on another lot 150 m

4. **Exception Zones**

1. **M-1** (*Part Lot 27, Concession 3, Bathurst*)
By-Law 2011-038, Roll # 916-015-43801

Notwithstanding the provisions of Section 7.1.1 to the contrary, on the lands zoned M-1, the following additional uses shall be permitted:

- A professional or business office
- A horse stable.

Notwithstanding the provisions of Section 7.1.2 on the lands zoned M-1, the following provisions shall prevail:

- Minimum Lot Frontage 20.03m

2. **M-2** (*Part Lot 25, Concession 3, Bathurst*)
By-Law 2014-008, Roll # 916-025-08501

Notwithstanding the provisions of Sections 6.2.2, on the portion of lands zoned M-2 the following provisions shall prevail:

- Interior Side Yard Setback - Accessory (minimum) 8 m

3. **M-3** (*Part Lot 25, Concession 3, Bathurst*)
By-Law 2014-028, Roll # 916-015-38500

Notwithstanding the provisions of Sections 7.1.1 on the lands zoned M-3, the following additional uses shall be permitted:

- Café
- Retail Store

Notwithstanding the provisions of Sections 7.1.2 on the lands zoned M-3,

the following provisions shall prevail:

- Lot Area (minimum) 0.89 ha
- Front Yard Setback (minimum) 3.4 m

7.2 Salvage Yard Industrial (MS) Zone

1. Permitted Uses

accessory dwelling
accessory dwelling unit
salvage yard

2. Zone Provisions

- Lot Area (minimum) 2 ha
- Lot Frontage (minimum) 60 m
- Yards (minimum)
 - Front 15 m
 - Exterior Side 15 m
 - Interior Side 15 m
 - Rear 15 m
- Dwelling Unit Area (minimum) 75 m²
- Building Height (maximum) 15 m
- Lot Coverage (maximum) 20%
- Dwellings per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Minimum Separation Distance for a Salvage Yard

- From a residential use on another lot 300 m
- From a non-residential use on another lot 100 m
- From a watercourse or water body 300 m

4. Exception Zones

(reserved)

7.3 Disposal Industrial (MD) Zone

1. Permitted Uses

portable asphalt plant
waste disposal site
waste recycling facility
waste transfer facility
wayside pit
wayside quarry

2. Zone Provisions

- Lot Area (minimum) 2 ha
- Lot Frontage (minimum) 60 m
- Yards (minimum)
 - Front 30 m
 - Exterior Side 0 m
 - Interior Side 30 m
 - Rear 30 m
- Building Height (maximum) 15 m
- Lot Coverage (maximum) 20%

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Minimum Separation Distance for a Waste Disposal Facility

- From a residential use on another lot 500 m
- From a non-residential use on another lot 200 m
- From a watercourse or water body 500 m

4. Exception Zones

(reserved)

SECTION 8 – INSTITUTIONAL ZONES

8.1 Institutional (I) Zone

1. Permitted Uses

accessory dwelling
accessory dwelling unit
cemetery
community service
day nursery
park
place of assembly
place of worship
school
residential care home

2. Zone Provisions

- Lot Area (minimum) 4050 m²
- Lot Frontage (minimum)
 - Lots in **Hamlet** designation in Official Plan 45 m
 - All other lots 60 m
- Yards (minimum)
 - Front 10 m
 - Exterior Side 10 m
 - Interior Side 6 m
 - Rear 7.5 m
- Dwelling Unit Area (minimum) 75 m²
- Building Height (maximum) 9 m
- Lot Coverage (maximum) 20%
- Dwellings per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Exception Zones

1. **I-1** (*Part Lot 27, Concession 2, Bathurst*)
By-Law 2006-033, Roll # 916-015-18900

Notwithstanding the provisions of Sections 8.3.1 to the contrary, on the lands zoned I-1 the following additional use shall be permitted:

- Open Market

SECTION 9 - OPEN SPACE ZONES

9.1 Open Space (OS) Zone

1. Permitted Uses

accessory dwelling
accessory dwelling unit
agricultural use, excluding buildings
conservation use
golf course
park

2. Zone Provisions

Yard requirements (minimum) 15 m

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Exception Zones

1. OS-1 (*Part Lots 2 & 3, Concessions 1 & 2, South Sherbrooke*)

Notwithstanding the provisions of Section 9.1.1 to the contrary, on the lands zoned OS-1, the following provisions shall prevail:

- Permitted uses shall be restricted to the following uses:
 - Uses accessory to residential uses located on other lots owned by individual owners-in-common of the lot zoned OS-1, such uses to be restricted to outdoor recreation, storage of equipment and supplies, and parking of licensed motor vehicles.
 - Pedestrian/vehicular right-of-way in favour of adjacent residential lots owned by others.
- A maximum of two buildings or structures may be erected on the lot for the purpose of accommodating permitted uses.
- The floor area or lot coverage, whichever is greater, of all buildings and structures shall not exceed 100 m².

2. OS-2 (*Part Lots 2 & 3, Concessions 1 & 2, South Sherbrooke*)

Notwithstanding the provisions of Section 9.1.1 to the contrary, on the lands zoned OS-2, the following provisions shall prevail:

- Permitted uses shall be restricted to the following uses:
 - Uses accessory to residential uses located on other lots owned by

individual owners-in-common of the lot zoned OS-2, such uses to be restricted to outdoor recreation and parking of licensed motor vehicles during daylight hours.

- Pedestrian/vehicular right-of-way in favour of adjacent residential lots owned by others.
- No buildings or structures shall be permitted.

3. **OS-3** (*Part Lots 19 & 20, Concessions 6, North Burgess*)

Notwithstanding the provisions of Section 9.1.1 to the contrary, on the lands zoned OS-3, the following provisions shall prevail:

- Permitted uses shall be restricted to uses accessory to residential uses located on adjacent lots owned by owners of the lots zoned OS-3, such uses to be restricted to outdoor recreation, storage of equipment and supplies, parking of licensed motor vehicles, and individual wells and sewage disposal systems.
- All buildings and structures shall be erected and used in accordance with the provisions of Section 3.1 (Accessory Uses) of this By-law. For the purposes of applying this section to the OS-3 zone, the provisions of subsection 3.1.6 governing buildings and structures accessory to a residential use in a Residential zone shall apply.

4. **OS-4** (*Part Lot 19, Concession 3, North Burgess*)
By-Law 2004-013, Roll # 911-020-19202

Notwithstanding the provisions of Sections 9.1.1 and 9.1.2, on the lands zoned OS-4, the following provisions shall prevail:

- Permitted uses shall be restricted to a conservation use
- West Interior Side Yard (minimum) 3 m

5. **OS-5** (*Part Lot 3, Concession 7, North Burgess*)
By-Law 2006-038, Roll # 911-025-35600

Notwithstanding the provisions of Sections 3.1 and 9.1.2 on the lands zoned OS-5, the following provisions shall prevail:

- Water Setback for Accessory Structure (minimum) 18 m
- Rear Yard for Accessory Structure (minimum) 13.1 m

6. **OS-6** (*Part Lot 7, Concession 7, North Burgess*)
By-Law 2006-076, Roll # 911-010-10610 (RLS) and 10615 (OS-6)

Notwithstanding the provisions of Section 9.1.1 and 9.1.2 to the contrary, on the lands zoned OS-6, the following provisions shall prevail:

- Permitted uses shall be restricted to the following uses:
 - Uses accessory to a residential use located on another lot owned by the owner of the lot zoned OS-6, such uses to be restricted to outdoor recreation, storage of equipment and supplies, and parking of licensed motor vehicles.
 - Interior Side Yard (minimum) 3m
 - Rear Yard (minimum) 3m
 - Water Setback (minimum)
 - Building and parking area 40m
 - The maximum area of any accessory building shall not exceed 10m².

7. **OS-7** (*Blocks 26 and 27, 27M97, Pt Lots 20-21-22, Con 2, Bathurst*)
By-Law 2013-019 and 2015-045, Tayside Estates Sub-Division

Notwithstanding the provisions of Section 9.1.1 on the lands zoned OS-7, the following provisions shall prevail:

Permitted uses shall be restricted to the following uses:

- Park
- Conservation use, excluding buildings
- Use of existing building

SECTION 10 - RURAL ZONES

10.1 Rural (RU) Zone

1. Permitted Uses

accessory dwelling
accessory dwelling unit
agricultural use
bed and breakfast
conservation use
existing cemetery
kennel
on-farm diversified uses
place of worship
portable asphalt plant
single dwelling
wayside pit
wayside quarry

2. Zone Provisions

- Lot Area (minimum)
 - Lot in **Hamlet** designation in Official Plan 4050 m²
 - All other lots
 - Single dwelling 1 ha
 - Other permitted uses 2 ha
- Lot Frontage (minimum)
 - Lot in **Hamlet** designation in Official Plan 45 m
 - All other lots 60 m
- Yards (minimum)
 - Front 10 m
 - Exterior Side 10 m
 - Interior Side 6 m
 - Rear 7.5 m
- Dwelling Unit Area (minimum) 75 m²
- Dwelling Height (maximum) 9 m
- Lot Coverage (maximum) 20%
- Dwellings per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Minimum Separation Distance of a New or Expanding Livestock Facility from a Dwelling

Notwithstanding any other provisions of this By-law, new or expanding

livestock facilities shall comply with the Minimum Distance Separation II (MDS II), as issued by the Ministry of Agriculture and Food.

3. Minimum Separation Distance for a Kennel

- From a residential use on another lot 150 m

4. Exception Zones

1. RU-1 (Part Lot 4, Concession 5, North Burgess)

Notwithstanding the provisions of Section 10.1.1 to the contrary, on the lands zoned RU-1, permitted uses shall be restricted to the following:

- A marine facility
- A garage for boat storage

2. RU-2 (Rural Co-operative) By-Law 2015-018

Notwithstanding the provisions of Section 10.1 to the contrary, on the lands zoned RU-2, the following provisions shall prevail:

1. Part Lot 2, Concession 4, Bathurst (Roll No. 916-010-20400)

Dwellings per lot (max)	4
Additional uses permitted	private school

2. Part Lot 3, Concession 4, (Bathurst) (Roll No. 916-010-20501)

Dwellings per lot (max)	5
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3. Part Lot 2, Concession 5, (Bathurst) (Roll No. 916-020-20500)

Dwellings per lot (max)	4
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**3. RU-3 (Part Lot 20, Concession 9, North Burgess)
By-Law 2005-080, Roll # 911-015-64501**

Notwithstanding the provisions of Sections 10.1.2, on the lands zoned RU-3, the following provision shall prevail:

- Lot Frontage (minimum) 45.7 m
- Water Setback (minimum) 40m

**4. RU-4 (Part Lot 27, Concession 4, Bathurst)
By-Law 2006-036, Roll # 916-015-51500**

Notwithstanding the provisions of Sections 10.3.1 to the contrary, on the lands zoned RU-4 the following additional shall be permitted:

- Archery Clinic

For the purposes of this section, an ‘Archery Clinic’ shall mean the use of land and buildings for archery training and the sales and repair of archery equipment.

5. ***RU-5 (Part Lot 19, Concession 7, North Burgess)***
By-Law 2007-036, Roll # 911-015-02100 and 911-015-02200

Notwithstanding the provisions of Section 10.1.1, on the lands zoned RU-5, the following additional uses shall be permitted:

- Place of worship
- Meditation cabins and comfort station, accessory to a place of worship
- Administrative office, accessory to a place of worship

For the purposes of this By-law, a meditation cabin means a building for meditation and sleep purposes, with an area of approximately 20m², which does not provide kitchen, sanitary or water facilities, and which is intended to be occupied on a temporary basis by members of a religious order in a monastery setting. Sanitary and water facilities are to be provided in an accessory comfort station, and shared with other meditation cabins.

6. ***RU-6 (Lot 10, Concession 1, Bathurst)***
By-Law 2009-038, Roll # 916-010-02600

Notwithstanding the provisions of Sections 10.1.1 to the contrary, on the lands zoned RU-6 the following additional uses shall be permitted:

- Seasonal workshop, meetings and events

7. ***RU-7 (Part Lot 4, Concession 1, South Sherbrooke)***
By-Law 2011-065, Roll # 914-015-06100

Notwithstanding the provisions of Section 10.1.1 on the lands zoned RU-7 the following additional use shall be permitted:

- Operation of a Boat and RV storage

8. ***RU-8 (Part Lot 18&19, Concession 10, Bathurst)***
By-Law 2012-031, Roll # 916-030-25750

Notwithstanding the provisions of sections 10.2 and 3.26, on the lands zoned RU-8, the following provisions shall prevail:

- Minimum Water Setback (addition) 22.5m

9. ***RU-9 (Part Lot 22, Concession 12, Bathurst)***
By-Law 2012-050, Roll # 916-030-44700

Notwithstanding the provisions of Sections 3.26 and 10.1.2, on the lands zoned RU-9, the following provisions shall prevail:

- Lot area(minimum) 0.33 ha
- Water Setback (house) 23 m
- No encroachment of decks, porches, etc into water setback.

10. **RU-10** (Part Lot 20, Concession 6, North Burgess)
By-Law 2013-034, Roll # 911-020-53001

Notwithstanding the provisions of Sections 3.26 and 5.3.2, on the lands zoned RU-10, the following provisions shall prevail:

- Water Setback
 - House 13 m
 - Addition 23 m
- Rear Yard Setback 5.5 m

11. **RU-11** (Part Lot 20 & 21 Concession 3 in the South Sherbrooke, as severed by B13/115) By-Law 2014-015 for RU-11-h, By-Law 2015-014 for RU-11

Notwithstanding the provisions of Section and 10.1.2 on the lands zoned RU-11, the following provisions shall prevail:

- Lot Frontage (minimum) 39.6 m

12. **RU-12** (Part Lot 20 & 21 Concession 3 in the South Sherbrooke, as severed by B13/112) By-Law 2014-015 for RU-12-h, By-Law 2015-014 for RU-12

Notwithstanding the provisions of Section 10.1.2 on the lands zoned RU-12, the following provisions shall prevail:

- Minimum Water Setback (West Side) 40m

13. **RU-13** (Part Lot 22, Concession 3, Bathurst)
By-Law 2014-035, Roll # 916-015-28000

Notwithstanding the provisions of Section 10.1.1 to the contrary, on the portion of the lands zoned RU-13 the following additional uses shall be permitted:

- Blacksmith forge and workshops or courses

14. **RU-14** (Part Lot 8, Concession 5, Bathurst)
By-Law 2015-038, Roll # 916-020-04000

Notwithstanding the provisions of Section 3.4 to the contrary, on the portion of the lands zoned RU-14 the following provisions shall prevail:

- Shall be exempt from the requirement for frontage on an improved road as the Township is satisfied that suitable arrangements have been made for dependable access to the property from Highway 7 across deeded rights-of-way.

15. **RU-15** (*Part Lot 3, Concession 6, North Burgess*)
By-Law 2016-004, Roll # 911-025-24012

Notwithstanding the provisions of Section 10.1 to the contrary, on the portion of the lands zoned RU-15 the following provisions shall prevail:

- Additional permitted use – Children’s Day Camp (more than six (6) children attending activities during school breaks and summer holidays)

16. **RU-16-h**(*Part Lot 9, Concession 3, South Sherbrooke*)
By-Law 2018-036, Roll #914-015-48200

Notwithstanding the provisions of Section 10.1, on the lands zoned RU-16-h the following additional uses shall be permitted:

- Winery

The following provisions shall also be permitted for the Winery on the lands zoned RU-16-h:

- The retail sale of alcohol shall be permitted, subject to Provincial regulations;
- As an accessory use to the Winery, a separate area shall be permitted where food and beverages are offered for consumption for event purposes by the general public under license from the Alcohol and Gaming Commission of Ontario, provided that such use is secondary and accessory to the Winery use.
- Lands zoned for Winery uses shall be places in a holding designation until such time that any required supportive studies are completed to the satisfaction of the Township and other commenting agencies.

SECTION 11 - AGRICULTURE ZONES

11.1 Agriculture (A) Zone

1. Permitted Uses

accessory dwelling
accessory dwelling unit
agricultural use
bed and breakfast
conservation use
on-farm diversified uses
portable asphalt plant
single dwelling
wayside pit
wayside quarry

2. Zone Provisions

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Requirements for Residential Lots Created by Consent

Notwithstanding the zone provisions of Section 11.1.2 to the contrary, where a lot is severed for residential purposes, such lot may be used for a single dwelling in accordance with the zone provisions of Section 5.1.2 and the retained lot shall be exempt from the lot area provision of Section 11.1.2

3. Minimum Separation Distance for a New or Expanding Livestock Facility from a Dwelling

Notwithstanding any other provisions of this By-law, new or expanding

livestock facilities shall comply with the Minimum Distance Separation II (MDS II), as issued by the Ministry of Agriculture and Food.

4. **Exception Zones**

1. **A-1** (*Part Lot 11, Concession 2, Bathurst*)
By-Law 2007-048, Roll # 916-010-10110

Notwithstanding the provisions of Section 11.1.2, on the lands zoned A-1, the following provisions shall prevail:

- Lot Area (minimum) 32.5 ha

2. **A-2** (*Part Lot 22, Concession 1, Bathurst*)
By-Law 2015-039, Roll #0911-916-015-02200

Notwithstanding the provisions of Section 11.1.1, on the lands zoned A-2, the following provisions shall prevail:

Permitted uses of the portion of the property occupied by the farm store building shall include select agricultural commercial uses including: antique shop, agriculture commercial retail store (e.g., a garden store), agri-tourism, spa, crafts store, a community service, or a café.

3. **A-3** (*Part Lot 1-2, Concession 10, North Burgess*)
By-Law 2017-048, Roll #0911-911-010-31700, 31600 and 31601

Notwithstanding the provisions of Section 11.1.2, on the lands zoned A-3 the following provisions shall prevail:

- Dwellings per Lot 0

• **SECTION 12 – MINERAL RESOURCE ZONES**

12.1 Mineral Aggregate Extraction (EX) Zone

1. Permitted Uses

aggregate processing operation
agricultural use, excluding buildings
asphalt plant
concrete plant
conservation use, excluding buildings
pit
portable asphalt plant
quarry
wayside pit
wayside quarry

2. Zone Provisions

- Yards (minimum)
 - Front 30 m
 - Exterior Side 30 m
 - Interior Side 15 m
 - Rear 15 m

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Minimum Separation Distance From a Dwelling on Another Lot

- Class “B” Pit, with no excavation below the water table 150 m
- All other Pits 300 m
- Quarry 500 m

4. Exception Zones

1. **EX-1, EX-1a, EX-1b and EX-1c** (*Part Lots 17, 18, 19 & 20, Concession 3, & Part Lot 18, Concession 2, Bathurst*)
By-Law 1999-30 & 1997-11, Roll #916-015-90000

Notwithstanding the provisions of Section 12.1.2, on the lands zoned EX-1, EX-1a, EX-1b and EX-1c, the following additional provision shall apply:

- Building Height (maximum)
 - EX-1 zone 46 m
 - EX-1a and EX-1b zones 35 m
 - EX-1c zone 6 m

Furthermore, notwithstanding the provisions of Sections 12.1.1 to the contrary, on the portions of the lands zoned EX-1a, EX-1b and EX-1c permitted uses shall be restricted to uses accessory to an aggregate processing operation as follows:

- On lands zoned EX-1a, uses shall be restricted to rail sidings;
- On lands zoned EX-1b, uses shall be restricted to rail sidings, a turning circle for trucks and a parking lot for construction workers' vehicles;
- On lands zoned EX-1c, uses shall be restricted to a water supply pump house facility, including a water intake and upstream gauging station.

SECTION 13 – NATURAL HERITAGE ZONES

13.1 Environmental Protection (EP) Zone

1. Permitted Uses

existing agricultural use
conservation use, excluding buildings

2. Zone Provisions

Yards (minimum) 15 m

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Exception Zones

1. EP-1 (Part Lot 17, Concession 6, North Burgess)
By-Law 2017-022, Roll # 911-020-40202

NOTWITHSTANDING the provisions of Section 3.19, on the lands zoned EP-1, the following provisions shall prevail:

- Setback from wetland (minimum) 30m

14.1 Flood Plain (FP) Zone

1. Permitted Uses

agricultural use, excluding buildings
conservation use, excluding buildings
golf course, excluding buildings
marine facility
park, excluding buildings

2. Zone Provisions

1. No fill shall be placed except with the written approval of the relevant Conservation Authority.
2. No building or structure shall be erected, altered or used except with the written approval of the relevant Conservation Authority.

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Exception Zones

(reserved)

SECTION 15 - APPROVAL

This By-law shall become effective on the date of approval hereof.

This By-law given its first reading on December 10, 2002.

This By-law given its second reading on December 10, 2002.

This By-law given its third and final reading and passed under the Corporate Seal on December 10, 2002.

CORPORATE SEAL OF TOWNSHIP

(original signed by)

M. Mosher

Mayor

(original signed by)

K. Coulthart-Dewey

Clerk

SECTION 16 – METRIC CONVERSION CHART

Imperial Units	Multiplied By	Equals Metric Units	Metric Units	Multiplied By	Equals Imperial Units
L E N G T H					
Inches	2.54	Centimetres	Centimetres	0.3937	Inches
Feet	0.3048	Metres	Metres	3.2808	Feet
A R E A					
Square feet	0.0929	Square metres	Square metres	10.764	Square feet
Acres	0.4047	Hectares	Hectares	2.471	Acres

Sample Conversions

AREA

Metric	Imperial
10 m ²	107.6 sq ft
12 m ²	129.2 sq ft
14 m ²	150.6 sq ft
20 m ²	215.3 sq ft
25 m ²	269.1 sq ft
40 m ²	430.6 sq ft
70 m ²	753.5 sq ft
75 m ²	807.3 sq ft
200 m ²	2,152.8 sq ft
230 m ²	2,475.7 sq ft
700 m ²	7,534.7 sq ft
4050 m ²	43,593.8 sq ft
1 ha	2.47 acres
2 ha	4.94 acres
40 ha	98.84 acres

LENGTH

Metric	Imperial
1 m	3.28 ft
2.75 m	9.02 ft.
3 m	9.84 ft
4.5 m	14.76 ft
6 m	19.69 ft
7.5 m	24.61 ft
9 m	29.53 ft
10 m	32.81 ft
15 m	49.21 ft
20 m	65.62 ft
30 m	98.43 ft
or 1 ac	45 m 147.64 ft
60 m	196.85 ft
120 m	393.7 ft
150 m	492.1 ft
300 m	984.3 ft
500 m	1,640.4 ft

The foregoing metric conversion chart and sample conversions provide approximate conversions for the convenience of the reader and do not form part of the Zoning By-law.