

MUNICIPALITY OF TWEED
ZONING BY-LAW

November 2011

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THE CORPORATION OF THE MUNICIPALITY OF TWEED
ZONING BY-LAW
(By-law No. _____)

SECTION 1 - PURPOSE

The purpose of this comprehensive Zoning By-law is to regulate lands, buildings, structures, and uses, in accordance with Section 34 and related sections of the Planning Act; to regulate the erection or use of buildings on land which is subject to flooding, or on land by reason of its rocky, marshy or unstable character the cost of construction of satisfactory waterworks, sewage, or drainage facilities is prohibitive; to regulate the height, bulk, location, size, floor area, spacing, character and use of buildings or structures; to regulate the minimum frontage and depth of a parcel of land and the portion of the area thereof that any building or structure may occupy; to require loading and parking facilities for buildings or structures erected or used for certain purposes; to regulate the making or establishment of pits and quarries within defined areas of the municipality and to regulate the use of land and the erection, location, or use of any classes of buildings or structures on land that contains a sensitive groundwater feature.

SECTION 2 - TITLE

This By-law shall be cited as "Zoning By-law No. ____" and shall apply to all land included within the Municipality of Tweed as shown on the attached schedules.

BY-LAW 93-19 OF THE VILLAGE OF TWEED AND ALL AMENDMENTS HERETO ARE HEREBY REPEALED.

BY-LAW 81-18 OF THE TOWNSHIP OF HUNGERFORD AND ALL AMENDMENTS HERETO ARE HEREBY REPEALED.

BY-LAW 81-7 OF THE TOWNSHIP OF ELZEVIR AND GRIMSTHORPE AND ALL AMENDMENTS HERETO ARE HEREBY REPEALED.

READ A FIRST TIME THIS ____ DAY OF _____, 2012.

READ A SECOND TIME THIS ____ DAY OF _____, 2012.

READ A THIRD TIME AND FINALLY PASSED THIS ____ DAY OF _____, 2012.

Original Signed by:
Reeve

Original Signed by:
Clerk-Treasurer

I hereby certify that the following is a true copy of By-law No. ____ as enacted by the Council of the Corporation of the Municipality of Tweed.

____ day of _____, 2012.

Clerk-Treasurer, Municipality of Tweed

SECTION 3 - DEFINITIONS

For the purposes of this By-law, the definitions and interpretations in this Section shall govern unless the context indicates otherwise. The word "shall" is mandatory and not directory. Words used in the present tense include the future tense and the reverse. Words used in the plural number include the singular number and the reverse.

- 3.1** "ABANDONED" shall mean the failure to proceed expeditiously with the construction of a work, specifically held in abeyance of construction for six months.
- 3.2** "ABATTOIR" shall mean a slaughter-house designed for the purpose of killing animals for the purpose of producing edible meat, skinning, dressing and cutting up of carcasses, wrapping for sale for human consumption with cooler and freezer storage and may include indoor confinement of animals while awaiting slaughter but shall not include the manufacturing of meat by-products or any process related to rendering plants such as the manufacture of tallow, grease, glue, fertilizer, or any other inedible product.
- 3.3** "ACCESSORY BUILDING" shall mean a detached building or structure, the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith and includes, but is not limited to, the following: sauna, boathouse, gazebo, pumphouse and deck, detached private garage and detached carport.
- 3.4** "ACCESSORY USE" shall mean a use customarily incidental and subordinate to, and exclusively devoted to the main use of the lot, building or structure and located on the same lot as such main use.
- 3.5** "ADJACENT LANDS (WETLAND)" shall mean those lands within 120 metres (393.7 ft.) of an individual Environmentally Sensitive - Evaluated Wetland (EP-EW).
- 3.6** "ADULT ENTERTAINMENT PARLOUR" shall mean any premise or part thereof in which, in pursuance of a business, trade, calling or occupation, services appealing to or designated to appeal to erotic or sexual appetites or inclinations, are provided. This definition includes a body-rub parlour but does not include the exhibition, rental, or sale of film or videos approved for distribution to the Theatres Act, or the sale of magazines or other printed material provided such sale does not contravene any law.
- 3.7** "AGRICULTURE/AGRICULTURAL USE" shall mean the use of land, buildings or structures for the purposes of the growing of field crops, flower gardening, market gardening, berry crops, tree crops, nurseries, aviaries, apiaries or farms for the grazing, breeding, raising, boarding of livestock or any other similar uses carried on in the field of general agriculture, including the sale of such produce, crops or livestock on the same lot.
- 3.8** "AGRICULTURAL COMMERCIAL ESTABLISHMENT" shall mean the use of land, buildings or structures for the wholesale or retail sales of goods that are necessary to support agricultural uses. Without limiting the generality of the foregoing, these include such goods as farm machinery, and equipment, products used for the housing and husbandry of livestock, poultry and fur bearing animals, and subsurface drainage materials and equipment. This definition shall also include such goods and services as the selling, processing and storage of seed, feed, fertilizer, and chemical products.
- 3.9** "AGRICULTURE, INTENSIVE" shall mean lands which are used for the purposes of accommodating livestock which either exceed 150 livestock units, or exceed 50 livestock units with a livestock density of greater than 5 livestock units per tillable hectare.

- 3.10** “**AGRICULTURAL LIVESTOCK EXCHANGE**” shall mean a commercial establishment for the sale and marketing of livestock. Livestock assembly area shall have the same meaning.
- 3.11** "**AGRICULTURAL PRODUCE SALES OUTLET**" shall mean a seasonal use accessory to a farm which consists of the retail sale of agricultural products such as fruit, vegetables, flower or farm produce, the majority of which are produced on the farm where such outlet is located.
- 3.12** "**ALTER**" shall mean any alteration in a bearing wall or partition, column, beam, girder or other supporting member of a building or structure or any increase in the area or cubic contents of a building or structure. When used in reference to a lot, the word “alter” means to decrease the width, depth or area of any required yard, setback, landscaped 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.
- 3.13** “**APIARY**” Shall mean a place where bees, bee hives or bee colonies are kept for the purpose of producing honey.
- 3.14** "**AMUSEMENT ARCADE**" shall mean a building or place of amusement containing games of chance and/or skill, including pinball/video games and billiards to be used by the general public for recreational purposes and operated for a profit. This definition does not include an establishment, the primary use of which is not an amusement arcade and in which not more than 3 such games of chance are located.
- 3.15** "**ARENA**" shall mean a building or structure constructed around an ice rink, including spectator seating, two or more seating areas for visiting teams and provisions made for storage and access of ice cleaning equipment and all other required equipment used for the purpose of organized activities including sports and other group functions.
- 3.16** "**ASSEMBLY HALL**" shall mean a building, or part of a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social purposes and shall include a banquet hall, private club or fraternal organization.
- 3.17** "**ASSEMBLY OPERATION**" shall mean the assembling of finished parts or materials into a final product but shall not include any operation discharging large amounts of liquids, fumes, odours or other emissions.
- 3.18** "**AUCTION OUTLET**" shall mean a building or part of a building where goods, merchandise, substances, articles or things are sold at a public sale to the person who bids or offers a higher price than any other is willing to pay.
- 3.19** "**AUTOMOBILE**" shall mean any vehicle, including a motor vehicle, propelled or driven otherwise than by muscular power, but does not include railway cars powered by steam, electricity or diesel fuel or other vehicles running upon rails or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of the Highway Traffic Act.
- 3.20** "**AUTOMOBILE BODY SHOP**" shall mean a building where automotive cleaning, polishing, body repair and repainting is conducted but shall not include any other automotive use.

- 3.21 "AUTOMOBILE SALES AGENCY (New and Used)"** shall mean a building and/or lot used for the display and sale of new and/or used automobiles and may include the servicing, repair and repainting of automobiles, the leasing or renting of utility or boat trailers and automobiles and the sale of automotive accessories and related products, but shall not include any other defined automotive use.
- 3.22 "AUTOMOBILE SERVICE STATION"** shall mean a building or place where gasoline, propane, natural gas, diesel, oil, grease, anti-freeze, tires, tubes, tire accessories, spark plugs, batteries and other related items for automobiles, trucks, motorcycles, and snowmobiles are stored or kept for sale, or where such vehicles may be oiled, greased, washed or have their ignitions or brakes adjusted, tires inflated, batteries charged or more generally where repair or equipping of automobiles is executed or performed. An automobile service station may operate on a self-serve basis.
- 3.23 "BASEMENT"** shall mean that portion of a building or structure which is partly underground and below the first floor and which is more than 1.98 metres (6'5" ft.) in height from finished floor to ceiling and which has at least one half of its clear height above the adjoining ground level.
- 3.24 "BASEMENT, WALKOUT"** shall mean that portion of a building which is partly underground, but which has more than 50% of the floor area not greater than .5 metres below grade, and which has an entrance and exit at grade level.
- 3.25 "BAKE SHOP"** shall mean the commercial use of land, buildings or structures for the purposes of processing, baking and retail sale of baked goods.
- 3.26 "BED AND BREAKFAST ESTABLISHMENT"** shall mean a single detached dwelling containing not more than 4 guest rooms used or maintained for the short-term accommodation of the public, in which the owner or head lessee supplies, for hire or gain, lodgings with or without meals for 4 or more persons but does not include other establishments otherwise defined or classified herein.
- 3.27 "BOARDING OR ROOMING HOUSE"** shall mean a dwelling in which long-term lodging with or without meals is supplied for gain to not more than 4 guest rooms but does not mean or include a motel, hotel, hospital or similar commercial, community facility or institutional use, an apartment building or a bed and breakfast establishment.
- 3.28 "BOATHOUSE, PRIVATE"** shall mean a detached accessory building or structure which is designed or used for the sheltering of a boat or other form of water transportation and storage of household equipment incidental to the residential occupancy, which does not exceed 4.1 m (13.45 ft.) in height, as defined in this by-law.
- 3.29 "BODY RUB PARLOUR"** shall mean any premise or part thereof where a body-rub is performed, offered, or solicited in pursuance of a trade, calling, business, or occupation, but does not include any premises or part thereof where the body-rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario. Body-Rub shall mean the kneading, manipulating, rubbing, massaging, touching or stimulating, by any means of a person's body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered under the laws of the Province of Ontario.
- 3.30 "BUILDING (when used as a noun)"** shall mean any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials, or equipment. Any awning, silo, vessel or vehicle used for any of the said purposes shall be deemed a building.

3.31 "BUILDING HEIGHT" shall mean the vertical distance between the established grade and:

- i) the highest point of a flat roof;
- ii) the deck line of a mansard roof;
- iii) the mean height between the eaves and ridges of a gabled or hip roof;

but exclusive of: a roof or penthouse structure accommodating an elevator, staircase, tank, ventilating fan, smoke stack or other similar equipment; or other utilitarian structure which does not provide habitable living space.

3.32 "BUILDING SUPPLY OUTLET" shall mean an establishment involved in the storage, display and sales of building supplies including lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning and similar items.

3.33 "BUILDING, PRINCIPAL" shall mean a building or structure in which the primary use is conducted.

3.34 "BUFFER " shall mean a method of control used to prevent or minimize the adverse effects of incompatible land uses and may be in the form of:

- i) a land use or intervening open space sufficient to provide the necessary distance separation; or
- ii) a natural or man-made feature such as a berm, vegetation, wall, barrier, planting, topography, trench, fence, or other structure or technical control (i.e. solid brick walls, triple-glazed windows, an active or passive gas venting system, etc.) the purpose of which is to lessen the effect of noise, odour, vibrations or visual impacts, or
- iii) a land use different from the conflicting ones but compatible with both; or
- iv) any combination of the aforementioned sufficient to accomplish the intended purpose.

3.35 "BULK STORAGE YARD" shall mean a place where land is used for the storage in the open of goods and materials, machinery, petroleum products and/or equipment, but does not include the storage of such items as would require approval under the Health Promotion and Protection Act, as amended, nor does it include a salvage yard as defined by this by-law.

3.36 "BUSINESS, ADMINISTRATIVE OR PROFESSIONAL OFFICE" shall mean any building or part of a building in which one or more persons are employed in the management or direction of any agency, business, brokerage, labour or fraternal organization and shall include offices for doctors, dentists, optometrists, chiropractors, drugless practitioners, barristers, solicitors, engineers, architects, land surveyors or chartered accountants and for any purpose incidental thereto the administrative office or offices of a non-profit organization or a business, administrative or professional office or offices.

3.37 "BY-LAW ENFORCEMENT OFFICER" shall mean the officer or employee of the municipality appointed by the Corporation with the duty of administering and enforcing the provisions of all municipal by-laws.

3.38 "CABIN, SLEEPING" shall mean an accessory and subordinate detached building or structure with a maximum of 29.7 sq. m (320 sq. ft.) designed as sleeping accommodation only, to permit the better or more convenient enjoyment of the limited service dwelling and shall not contain any plumbing or sanitary waste disposal systems. In no case shall the definition of a sleeping cabin be deemed to include premises for the temporary accommodation of members of the public for a fee. In the case of a sleeping cabin to be located on a lot which is at least two times the minimum lot frontage and lot area required by this By-law, a maximum of 55.7 sq. m (600 sq. ft.) may be permitted.

- 3.39 "CABIN, TOURIST"** shall mean a detached building in a tourist establishment for the sleeping accommodation of guests in which sanitary facilities may be provided but shall not contain any facilities for the preparation or cooking of food.
- 3.40 "CAMP, CHARITABLE"** shall mean a seasonal camp operated by a charitable corporation approved under the Charitable Institutions Act.
- 3.41 "CAMPER TRAILER"** shall mean any vehicle in which the assembly can be erected, while stationary, using the trailer body and related components for support and utilized for temporary living, shelter and sleeping accommodation with or without cooking facilities, which is collapsible and compact while being drawn by an automobile.
- 3.42 "CAMPING ESTABLISHMENT"** shall mean a tourist establishment consisting of at least five (5) camping lots and comprising land used or maintained as grounds for the camping or temporary parking of travel trailers, motorized mobile homes, recreational vehicles, truck campers, camper trailers or tents but does not include parks or camping grounds maintained by any ministry or department of the Government of Ontario or Canada or any Crown corporation, commission or board.
- 3.43 "CARPORT"** shall mean a building or structure of which is used for the parking or storage of private passenger automobiles or commercial vehicles of less than one tonne capacity and wherein neither servicing nor repairing of automobiles is carried on for remuneration.
- 3.44 "CAR WASH"** shall mean a building or structure for the operation of automobile washing.
- 3.45 "CAR WASH, AUTOMATIC"** shall mean a car wash where the labour is not supplied by the patron.
- 3.46 "CAR WASH, COIN OPERATED"** shall mean a car wash where the patron supplies the labour.
- 3.47 "CARTAGE OR EXPRESS TRUCK TERMINAL"** shall mean a building, structure or place where trucks or tractor trailers are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers, and which may include a warehouse.
- 3.48 "CELLAR"** shall mean the portion of a building or structure which is partly underground and below the first floor and which has at least one half of its clear height below the adjoining ground level.
- 3.49 "CHIEF BUILDING OFFICIAL"** shall mean the officer or employee of the municipality and appointed by the Corporation with the duty of administering the provisions of the Ontario Building Code, Building By-law and Zoning By-law.
- 3.50 "CEMETERY"** shall mean a cemetery, columbarium or mausoleum within the meaning of the Cemetery Act, as amended.
- 3.51 "CHURCH"** shall mean a building which may include a church hall, auditorium, Sunday school, convent, monastery or other related uses, dedicated to public worship by a recognized religion that is:
- i) charitable according to the laws of Ontario;
 - i) organized for the conduct of religious worship; and

- ii) permanently established both as to the continuity of its existence and as to its religious beliefs and practices.
- 3.52** "**CLINIC**" shall mean a building or part thereof used by qualified medical practitioners, dentists, osteopaths, or drugless practitioners, numbering more than two for public or private medical, surgical, physiotherapeutic or other human health purposes, but does not include a private or public hospital.
- 3.53** "**CLUB**" see "PRIVATE CLUB" and "COMMERCIAL CLUB".
- 3.54** "**COMMERCIAL**" shall mean the use of land, buildings or structures for the purpose of buying and selling commodities and supplying services as distinguished from such uses as the manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.
- 3.55** "**COMMERCIAL CLUB**" shall mean a building or part of a building where a club is operated for gain or profit and may include facilities for physical fitness and recreation.
- 3.56** "**COMMERCIAL COMPOST FACILITY**" shall mean a facility for the receiving and processing compostable materials from off-site for the principal intended purpose of compositing and shall not include a processing facility as otherwise defined in this By-Law.
- 3.57** "**COMMERCIAL VEHICLE**" shall mean any automobile having permanently attached thereto a truck or delivery body and includes ambulances, hearses, fire apparatus, police patrols, motor busses including school busses and tractor trailers used for hauling purposes on the highway.
- 3.58** "**COMMUNITY CENTRE**" shall mean any tract of land, building or structures used for community activities whether used for commercial purposes or not, the control of which is operated under the Community Centres Act, as amended from time to time.
- 3.59** "**CONSERVATION/CONSERVATION USES**" shall mean the preservation, protection, improvement and use of land and/or water for the purpose of planned management of these natural resources.
- 3.60** "**CONSTRUCTION**" shall mean the act, process or manner of building.
- 3.61** "**CONTRACTOR'S YARD**" shall mean a place where land is used for the storage in the open, of goods and materials, machinery and/or equipment normally utilized by the construction industry and may include the repair of machinery, but does not include the storage of such items as would require approval under the Health Promotion and Protection Act, R.S.O. 1980, Chapter 400, as amended, nor does it include a salvage yard as defined by this by-law nor equipment or materials used for blasting.
- 3.62** "**CONVERTED DWELLING**" see "DWELLING, CONVERTED".
- 3.63** "**CORNER LOT**" see "LOT, CORNER".
- 3.64** "**CORPORATION**" shall mean the Corporation of the Municipality of Tweed.
- 3.65** "**COTTAGE, HOUSEKEEPING**" shall mean a temporary dwelling unit in a tourist establishment designed for human habitation and equipped with a kitchen, and having a water supply in common with the other buildings in a group, should the cottage be part of a group of similar cottages.

- 3.66** **"COUNCIL"** shall mean the Municipal Council of the Corporation of the Municipality of Tweed.
- 3.67** **"CRAFT SHOP"** shall mean a building or structure where manufacturing is performed by tradesmen or craftsmen requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a potter's shop, a jeweler's shop, sculptor's studio or similar uses. A craft shop may also involve the sale of goods or materials manufactured on the premises.
- 3.68** **"CRAWL SPACE"** shall mean an enclosed space between the underside of a floor assembly and the ground cover directly below, with a clearance less than 1.8 metres (5 ft. 9 in.) in height.
- 3.69** **"DAY NURSERY"** shall mean day nursery as defined in The Day Nurseries Act, as amended, and shall include a day care centre.
- 3.70** **"DECK"** shall mean a horizontal surface supported on piers, free of any roof or other covering and which may be surrounded by a railing, the height of which is governed by the Ontario Building code.
- 3.71** **"DEER YARD"** shall mean any area where deer concentrate in the winter months.
- 3.72** **"DERELICT VEHICLE"** shall mean an automobile, whether or not intact or operable, which:
- i) is not currently licensed or is not exempt from licensing for operation on a highway under the provisions of the Highway Traffic Act; and
 - ii) has not been moved under its own power; and
 - iii) is not located in an enclosed building or other location so as not to be visible from any adjacent lands which are not occupied by the owner of the vehicle,
- but shall not include an automobile which is kept for sale or repair upon premises which are lawfully used hereunder for an automobile body shop, automobile service station or an automobile sales agency.
- 3.73** **"DEVELOPMENT"** shall mean the construction, erection, or placing of a building or structure of any kind or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes such related activities as site grading and the placing or dumping of fill and/or any other operations that disrupt the natural environment in, on, over or under land or water.
- 3.74** **"DOCK"** shall mean a structure built at or anchored to the shore at which boats or other floating vessels are berthed or secured to and which may provide a foundation for a boathouse.
- 3.75** **"DOCK, COMMUNAL"** shall mean any dock owned and/or used by more than one interest.
- 3.76** **"DRY CLEANING SHOP"** see "LAUNDRY AND DRY CLEANING SHOP".
- 3.77** **"DRIVE-IN RESTAURANT"** see "RESTAURANT, DRIVE-IN".
- 3.78** **"DRIVEWAY"** shall mean an area of land which provides vehicular access from the traveled portion of a street to a parking aisle.
- 3.79** **"DRY INDUSTRY"** shall mean an industry where the only water required is for domestic purposes for the use of employees and for visitors.
- 3.80** **"DUPLEX"** see "DWELLING, DUPLEX".

- 3.81 "DWELLING"** shall mean a building or structure or part of a building or structure occupied and capable of being occupied for human habitation, and includes a building that would be or could be intended to be used for such purpose except for its state of disrepair and shall include any mobile dwelling unit.
- 3.82 "DWELLING, ACCESSORY"** shall mean a single detached dwelling which is accessory to a permitted non-residential use, located on the same lot therein and is occupied by either the owner or the person employed on the lot where such dwelling is located.
- 3.74 "DWELLING UNIT"** shall mean a suite of two or more rooms, designed or intended for use by one or more persons, in which sanitary conveniences are provided, in which facilities are provided for cooking, or the installation of cooking equipment, in which a heating system is provided and containing a private entrance from outside the building or from a common hall or stairway inside.
- 3.75 "DWELLING UNIT, ACCESSORY"** shall mean a dwelling unit which is part of and accessory to a permitted non-residential building other than an automobile service station or commercial garage. Such dwelling unit shall be occupied by the owner of the non-residential building or by a person employed on the lot where such dwelling unit is located.
- 3.76 "DWELLING, CONVERTED"** shall mean a dwelling erected prior to passing of this By-law altered to contain not more than 2 dwelling units.
- 3.77 "DWELLING, DUPLEX"** shall mean a building that is divided horizontally into two dwelling units, each of which has an independent entrance either directly or through a common vestibule.
- 3.78 "DWELLING, FOURPLEX"** shall mean a separate building containing four dwelling units.
- 3.79 "DWELLING, LIMITED SERVICE"** shall mean a single detached dwelling which:
- i) does not front on a municipally owned and maintained public street; and
 - ii) does not receive municipal street services, such as snow clearing and road maintenance, and where the owner is responsible for services such as snow clearing and road maintenance and ensuring that the road condition is adequate for access by emergency vehicles, including fire, ambulance and police, and
 - iii) the means of access to the lot is not part of the municipal street network.
- 3.80 "DWELLING, LOW-RISE APARTMENT COMPLEX"** shall mean the whole of a building not otherwise defined herein, which contains five (5) or more dwelling units served by a common entrance or by an independent entrance directly from the outside in which the occupants the right to use in common any corridors, stairs or elevators contained therein, and the yards appurtenant thereto.
- 3.81 "DWELLING, MULTIPLE"** shall mean a separate building containing three or more dwelling units which are horizontally and/or vertically attached with masonry walls and which have separate private entrances from the exterior of the building or from a common hallway.
- 3.82 "DWELLING, SENIOR CITIZEN MULTIPLE"** shall mean any multiple dwelling for senior citizens sponsored and administered by any public agency or any service club, church or non-profit organization, either of which obtains its financing from Federal, Provincial or Municipal governments, or by public subscription or donation, or by any combination thereof, and such multiple

dwellings shall include auxiliary uses such as club and lounge facilities, usually associated with senior citizens' development.

- 3.83 "DWELLING, SEMI-DETACHED"** shall mean a separate building containing two single dwelling units separated vertically by a common wall, each unit having separate entrance and exit facilities.
- 3.84 "DWELLING, SINGLE DETACHED"** shall mean a dwelling in a separate building designed and intended to be occupied as a single housekeeping unit.
- 3.85 "DWELLING, TRIPLEX"** shall mean a dwelling in a separate building designed and intended to be occupied as a single housekeeping unit.
- 3.86 "DWELLING, TOWNHOUSE"** Shall mean a building that is divided vertically into four or more dwelling units, each of which has a separate independent entrance at finished grade and separated from adjoining unit or units by a common pierced wall with no interior access between each dwelling unit and shall also include a rows house or multiple attached dwelling.
- 3.87 "DWELLING UNIT, BACHELOR"** shall mean a dwelling unit consisting of one bathroom and not more than two habitable rooms providing therein living, dining, sleeping and kitchen accommodation in appropriate individual or combination room or rooms.
- 3.88 "EATING ESTABLISHMENT"** shall mean a building or part of a building where food is prepared and/or cooked for sale to the public, and includes a restaurant, a drive-in restaurant, a take-out restaurant, a snack bar, a dairy bar, coffee shop, dining room, café, ice cream parlour, tea or lunch room or refreshment stand but does not include a boarding or rooming house or a chip wagon or chip truck.
- 3.89 "ENVIRONMENTAL IMPACT STATEMENT (EIS)"** shall mean a study prepared in accordance with established procedures, as outlined in the County of Hasings Official Plan.
- 3.90 "EQUIPMENT SALES/RENTAL AND REPAIR ESTABLISHMENT"** shall mean a building or part of a building, structure or yard in which articles, machinery and equipment, including heavy machinery are offered for rent or sale and may be serviced or repaired, and may be offered or kept for rent or sale under agreement for compensation.
- 3.91 "ERECT"** when used in this By-law includes construction, reconstruction, and relocation of buildings and structures, and without limiting the generality of the work, also includes:
- i) any preliminary physical operation such as excavating, filling, re-grading or draining;
 - ii) altering any existing building or structure by adding, enlarging, extending, remodeling, renovating, moving, demolishing, or effecting other structural changes;
 - iii) any work for the doing of which a building permit is required under the Building By-law of the Corporation; and
 - iv) erect, erected or erection shall have a corresponding meaning.
- 3.92 "ESTABLISHED BUILDING LINE"** shall mean the average setback of all existing buildings from the street line on one side of a continuous 300 metres (984.3 ft.) strip of land where five or more of the lots having street access on the same side of the lot have been built upon.
- 3.93 "ESTABLISHED GRADE"** shall mean the average elevation of the ground level or sidewalk adjoining the front wall of the building or structure facing the front lot line.

- 3.94** "EXISTING" unless otherwise described shall mean existing as of the date of the passing of this By-law.
- 3.95** "EXTENDED CARE FACILITY" see "NURSING HOME".
- 3.96** "EXTERIOR SIDE LOT LINE" see "LOT LINE, EXTERIOR SIDE".
- 3.97** "EXTERIOR SIDE YARD" see "YARD, SIDE".
- 3.98** "FARM IMPLEMENT AND SUPPLY DEALER" shall mean an establishment for the repair and/or sale of agricultural implements including the sale of fuel, lubricants and related items for agricultural equipment on the same premises.
- 3.99** "FARM PRODUCE OUTLET" shall mean a use accessory to a permitted agriculture use, which consists of the retail sale of agricultural products.
- 3.97** "FACTORY OUTLET" shall mean a building or part of a building in which the wholesale sale of products to the general public is carried on. The outlet may or may not be in the factory in which the goods were produced nor must the outlet be located on the same property in which the factory is located.
- 3.98** "FAIRGROUND" shall mean a place, building, or part of a building, used for the purpose of outdoor fairs, shows, displays, exhibitions, sporting events, bingos, horse racing, day nursery and other general assembly types of uses.
- 3.99** "FLEA MARKET" shall mean a building or part of a building where second hand goods, articles and antiques are offered or kept for sale at retail to the general public but shall not include any other establishment otherwise defined or classified herein.
- 3.100** "FLOOD PLAIN" shall mean:
- i) for river, stream, and small inland lake systems, means the area, usually low lands, adjoining a watercourse which has been, or may be subject to flooding hazards.
- 3.101** "FLOOR AREA, GROSS" shall mean the total floor area of all the storeys of a building and shall include the floor area of any apartment or areas common to the tenants, which floor areas are measured between exterior faces of the exterior walls of the building at each floor level, but excluding car parking areas within the building and any finished or unfinished basement, crawl space, or cellar. For the purpose of this definition, the walls of an inner court are and shall be deemed to be exterior walls.
- 3.102** "FLOOR, GROUND" shall mean the lowest storey of a building, approximately at or first above the finished grade level.
- 3.103** "FLOOR AREA, GROUND" shall mean the floor area of the lowest storey of a building, approximately at or first above the finished grade level, of which the area is measured between the exterior faces of the exterior walls at the floor level of such storey, but excludes car parking areas within the building and any finished or unfinished basement or cellar. For the purpose of this paragraph, the walls of an inner court are and shall be deemed to be exterior walls.
- 3.104** "FOOD MARKET" shall mean a building or part of a building wherein food and other household items are kept for sale at retail to the general public and which operates on a self-service, cash and

carry basis.

- 3.105 "FORESTRY/FORESTRY USES"** shall mean the management, development, cultivation and harvesting of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection and production of water supplies, and preservation of the recreation resource.
- 3.106 "FOUNDATION"** shall mean a system or arrangement of structural members including footings, rafts or piles through which the loads from a building are transferred to supporting soil or rock.
- 3.107 "FRONT LOT LINE"** see "LOT LINE, FRONT".
- 3.108 "FRONT YARD"** see "YARD, FRONT".
- 3.109 "FUEL STORAGE TANK"** shall mean a tank for the bulk storage of petroleum, gasoline, fuel, oil, gas or flammable liquid or fluid but does not include a container for flammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.
- 3.110 "FUNERAL HOME"** shall mean a building, or a portion of a building, designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation.
- 3.111 "FUR FARMING"** shall mean the breeding and/or raising of animals for their fur.
- 3.112 "GARAGE, COMMERCIAL"** shall mean a building, structure or lot where commercial motor vehicles are stored or where vehicles are repaired or maintained.
- 3.113 "GARAGE, PRIVATE"** shall mean a separate building or a part of the principal building used for the parking or storage of private passenger motor vehicles or commercial vehicles of less than one tonne capacity and wherein neither servicing nor repairing is carried on for remuneration.
- 3.114 "GARAGE, PUBLIC"** see "AUTOMOBILE SERVICE STATION".
- 3.115 "GARDEN SUITE"** shall mean a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable. Under no circumstances shall a garden suite be defined to include a single wide or double wide mobile home, a motorized mobile home, a travel trailer, tent trailer or trailer otherwise designed.
- 3.116 "GAS BAR"** shall mean one or more pump islands, each consisting of one or more gasoline pumps and shelter having a floor area of not more than 9.3 square metres (100 square feet), excluding washrooms, which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles and shall not be used for repairs, oil changes or greasing, but this definition shall not include a kiosk on a pump island.
- 3.117 "GASOLINE PUMP ISLAND"** shall mean a structure which is an accessory use intended to provide gasoline for vehicles.
- 3.118 "GAZEBO"** shall mean a freestanding, roofed accessory structure which is not enclosed, except for screening or glass and which is utilized for the purposes of relaxation in conjunction with a residential dwelling but shall not include any other use or activity otherwise defined or classified in

this By-law.

- 3.119 "GIFT SHOP"** shall mean a building or part of a building where crafts, souvenirs, gifts or similar items are offered or kept for sale at retail to the general public but shall not include any other establishment otherwise defined or classified in this By-law.
- 3.120 "GOLF COURSE"** shall mean a public or private area operated for the purpose of playing golf and includes a par 3 or larger golf course, a miniature golf course, driving range, restaurant and snack bar.
- 3.121 "GUEST ROOM"** shall mean a room design, used, or intended to be used as a temporary sleeping accommodation for any person, and which does not contain a sink and/or gas, electrical or water outlets designed or intended to be used for cooking facilities.
- 3.122 "HEALTH SPA"** shall mean a building or buildings and associated land, facilities and accessory buildings and uses which provide for the physical and emotional treatment of the human body.
- 3.123 "HEREAFTER"** shall mean after the date of the passing of this By-law.
- 3.124 "HEREIN"** shall mean in this By-law and shall not be limited to any particular section of this By-law.
- 3.125 "HIGH WATER MARK"** shall mean the mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.
- 3.126 "HOME INDUSTRY"** shall mean an industry which is clearly incidental or secondary to the residential use of a single detached dwelling and is conducted either entirely within a single detached dwelling or in an accessory building to a single detached dwelling, by an inhabitant thereof. Such industries shall include: a woodworking shop; a welding shop; a small engine repair shop, a blacksmith shop or similar use.
- 3.127 "HOME OCCUPATION"** shall mean a use which is clearly incidental or secondary to the residential use of a dwelling and is conducted entirely within such a dwelling by an inhabitant thereof and shall not use more than 25% of the gross floor area of the dwelling. Such uses may, among others, include an outlet or office for a real estate agent; hairdresser; dressmaker; dentist; doctor; chiropractor; physiotherapist; licensed masseur or masseuse or osteopath or other professional; or a bed and breakfast establishment.
- 3.128 "HOSPITAL, PRIVATE"** shall mean a hospital as defined by the Private Hospitals Act, as amended from time to time.
- 3.129 "HOSPITAL, PUBLIC"** shall mean a hospital as defined by the Public Hospitals Act, as amended from time to time.
- 3.130 "HOTEL"** shall mean a building or structure used for the purpose of catering to the needs of the traveling public by supplying sleeping accommodations, and may or may not include food and refreshments and which may include permanent staff accommodation and may or may not be licensed under the Liquor License Act.
- 3.131 "HUNTING OR FISHING CAMP"** shall mean a building or structure intended to provide basic shelter and temporary accommodation for a person or group of persons engaged in hunting or fishing

activities or other outdoor recreation activities on an occasional or seasonal basis in a remote location where municipal or community services are usually not available. Such structure may be described as being of light frame construction without any water or wash facilities. A hunting or fishing camp does not include a dwelling or a commercial use and shall not be used for human habitation on a permanent basis.

- 3.132 "INTENSIVE AGRICULTURE"** see "AGRICULTURE, INTENSIVE".
- 3.133 "INTERIOR SIDE YARD"** see "YARD, SIDE".
- 3.134 "KENNEL"** shall mean any place or confinement where more than 3 and less than 21 dogs over 16 weeks of age are bred, raised and kept.
- 3.135 "LANE"** shall mean a thoroughfare or way, which affords only a secondary means of access to abutting property.
- 3.136 "LANDSCAPED"** shall mean an area not built upon and not used for any purpose other than as a landscaped area and which shall include at least a hedgerow of vegetation not less than .3 metres (1 ft.) in height at the time of planting and which, when fully grown, will reach a height of not less than 2 metres (6.6 ft.), extending the full length of the landscaped area and be maintained in a healthy growing condition. A landscaped area does not include driveways, parking spaces or parking aisles.
- 3.137 "LAUNDRY AND DRY CLEANING SHOP"** shall mean a building or part of a building used for the purpose of receiving articles or goods of fabric to be subjected to a commercial process of laundering, dry cleaning, dry dyeing or cleaning elsewhere and for the pressing and distribution of any such articles or goods which have been subjected to any such process and shall include self-service laundry, coin operated, and/or self-service dry cleaning establishments.
- 3.138 "LIBRARY"** shall mean a building or part thereof where educational material (e.g. books, films, music, audio-visual, magazines) are made available for public display and are lent to the public.
- 3.139 "LIVESTOCK"** shall mean dairy, beef, swine, ratites, poultry, turkeys, horses, mink, rabbits, sheep, goats, deer & elk, birds, fur bearing animals or any other domesticated animal used for consumption.
- 3.140 "LIVESTOCK ASSEMBLY AREA"** see definition of "AGRICULTUREAL LIVESTOCK EXCHANGE".
- 3.141 "LIVESTOCK FACILITY"** shall mean a farm unit which includes the raising or keeping of livestock as defined herein.
- 3.142 "LOADING SPACE"** shall mean an unencumbered area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area:
- i) is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle, and such parking shall not be for the purpose of sale or display;
 - ii) is suitable for the temporary parking of one commercial motor vehicle;
 - iii) is not upon or partly upon any street, lane or alley; and
 - iv) has adequate access to permit ingress and egress of a commercial motor vehicle from a street by means of driveways, aisles, manoeuvring areas or similar areas, no part of which shall be used for the temporary parking or storage of one or more motor vehicles.

- 3.143 "LODGE"** shall mean an establishment catering to the vacationing public by providing meals and sleeping accommodation to at least five (5) guests in rooms or cabins, but shall not include any establishment otherwise defined herein.
- 3.144 " LOGGING"** shall mean the removal or cutting of merchantable timber either by strip or clear or total cutting operations but does not include the selective harvesting of mature timber nor does it include the clearing of land incidental to putting the land into a condition necessary for the *bona fide* exercise of a use specifically permitted herein and selective harvesting as used herein means the harvesting of mature timber while causing a minimum of damage to adjacent growth in accordance with good forestry practice.
- 3.145 "LOT"** shall mean a parcel of land, the boundaries of which are defined in the last registered instrument by which legal or equitable title to the said parcel was lawfully and effectively conveyed or which is a whole lot as shown on a Registered Plan of Subdivision subject to the provisions of the Planning Act.
- 3.146 "LOT AREA"** shall mean the total horizontal area within the lot line of a lot, and in the case of a corner lot having street lines rounding at the corner with a radius of 6 metres (19.7 ft.) or less, the lot area of such lot is to be calculated as if the lot lines were projected to their point of intersection.
- 3.147 "LOT, CORNER"** shall mean a lot situated at the intersection of two or more streets or private roads, having an angle of intersection of not more than 135 degrees. The front lot line on a corner lot is deemed to be the shorter of the two lot lines abutting the street.
- 3.148 "LOT COVERAGE"** shall mean that percentage of the lot area covered by all buildings or structures but excluding any part of a building or structure which is constructed entirely below grade. For the purposes of calculating lot coverage, the lot coverage of each zone shall be deemed to apply only to that portion of such lot that is located within the said zone.
- 3.149 "LOT FRONTAGE"** shall mean the horizontal distance between the side lot lines measured along the front lot line, but where the front lot line is not a straight line or where the side lot lines are not parallel, the lot frontage is to be measured nine (9) metres (29.5 ft.) back from the front lot line and parallel to the chord of the lot frontage. For the purpose of this paragraph the chord of the lot frontage is a straight line joining the two points where the side lot lines intersect the front lot line.
- 3.150 "LOT, INTERIOR"** shall mean a lot other than a corner lot or a through lot.
- 3.151 "LOT LINE"** shall mean any boundary of a lot.
- 3.152 "LOT LINE, EXTERIOR SIDE"** shall mean the longer of the lot lines of a corner lot which abuts a street.
- 3.153 "LOT LINE, FRONT"** shall mean, in the case of an interior lot, the line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting a street shall be deemed the front lot line and the longer lot line abutting a street shall be deemed an exterior side lot line. In the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line. In the case of a lot fronting on a navigable waterway, the shorter lot line directly adjacent to the navigable waterway shall be deemed to be the front lot line. In the case of a lot fronting on a navigable waterway and on a street, the lot line abutting the street shall be deemed the front lot line.

- 3.154 "LOT LINE, REAR"** shall mean the lot line farthest from and opposite to the front lot line and where the side lot lines converge at the rear of the lot to form a triangular shaped parcel of land, the rear lot line shall mean the apex of the triangle formed by the side lot lines. Furthermore, where the rear lot line is situated adjacent to a body of water, such lot line shall be the line formed by the high water mark of a body of water.
- 3.155 "LOT LINE, INTERIOR SIDE"** shall mean any lot line other than the rear front or exterior side lot line.
- 3.156 "LOT, THROUGH"** shall mean a lot bounded on two opposite sides by streets provided however that if any lot qualifies as being both a corner lot and a through lot as herein defined, such lot shall be deemed a corner lot for the purpose of this By-law.
- 3.157 "LUMBER YARD"** shall mean an area where finished and unfinished lumber is stored but does not include an establishment or area otherwise defined in this by-law.
- 3.158 "MANUFACTURING OR PROCESSING PLANT"** shall mean a plant in which the process of producing a product suitable for use by hand and/or mechanical power and machinery is carried on systematically with division of labour.
- 3.159 "MARINA, PUBLIC/PRIVATE"** shall mean a building or structure with access to a body of water, where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale and where facilities for the sale of marine fuels and lubricants may be provided.
- 3.160 "MARINE/SNOWMOBILE DEALER"** shall mean any building or structure used for the purpose of supplying and selling all-terrain (ATV) vehicles, marine and snowmobile products and may include repair facilities for the purpose of repairing only those items either sold by or related to the products supplied by the dealer.
- 3.161 "MARINE FACILITY"** shall mean an accessory building or structure which is used to take a boat into or out of a waterbody to moor, berth or store a boat and includes a boat launching ramp, boat lift, pumping station, dock or boathouse and a water pumphouse but shall not include any building used for human habitation or any boat service, repair or sales facility and shall comply with the minimum side yard requirements of the respective zone.
- 3.162 "MARKET GARDEN"** shall mean the use of land for the intensive commercial cultivation of vegetables, fruits or flowers.
- 3.163 "MERCHANDISE SERVICE SHOP"** shall mean a building or part of a building, whether connected with a retail shop or not, in which persons are employed in furnishing the repair or servicing of articles, machines, goods or materials as opposed to the manufacture of same. Merchandise service shops include such establishments as small engine repair of such items as lawn mowers, chainsaws and snowmobiles.
- 3.164 "MINIMUM DISTANCE SEPARATION"** shall mean a separation requirement as provided for in the Minimum Distance Separation Requirements I & II.
- i) Minimum Distance Separation I provides minimum distance separation for new or expanding development from existing livestock facilities.
 - ii) Minimum Distance Separation II provides minimum distance separation for new or expanding livestock facilities from existing or approved development.

- 3.165** "**MOBILE HOME**" shall mean a transportable, factory-built dwelling designed to be used as a year-round residential dwelling, built in compliance with the Canadian Standards Association (CSA) Standard No. Z240M.H., as amended or replaced from time to time, but does not include a modular home, a park model trailer, camper trailer, tent trailer or trailer otherwise defined in this By-law. For the purposes of the By-law a single section manufactured home shall be deemed to be a "mobile home dwelling house"
- 3.166** "**MOBILE HOME PARK**" shall mean a lot containing two or more mobile home sites and which is under single management and ownership, used for the siting of mobile homes together with commercial-recreational and service uses for Mobile Home Park residents, including any building, structure or enclosure forming a part of such a mobile home park.
- 3.167** "**MOBILE HOME SITE**" means a parcel of land within a mobile home park occupied by or intended for occupancy by one mobile home together with all yards and open space required by this By-law.
- 3.168** "**MODULAR HOME**" shall mean a single detached dwelling that is constructed by assembling at least two factory manufactured modular units each of which comprises at least one room or living area, and has been manufactured to a Canadian Standards Association (CSA) A277 certified factory, in accordance with the *Building Code Act, R.S.O., 1990, c. B.13*, and amendments thereto, and any and all regulations passed pursuant thereto. For the purposes of this By-law a modular home dwelling house shall be considered as a "single detached dwelling house".
- 3.169** "**MOTOR HOME**" shall mean any motor vehicle so constructed as to be a self-contained, self-propelled unit capable of being utilized for the living, sleeping or eating accommodation of persons on a temporary basis but which shall not be permitted to be used for overnight accommodation in any zone other than the Recreational/Resort Commercial Zone, except by permit issued by the municipality.
- 3.170** "**MOTEL**" shall mean an establishment which consists of one or more than one building containing more than one rental unit for the purpose of catering to the traveling public, to whom the automobile is the principal means of transportation, by furnishing sleeping accommodations with or without meals and which may include permanent staff accommodation and may or may not be licensed under the Liquor License Act.
- 3.171** "**MOTORIZED ALL TERRAIN VEHICLES (A.T.V.)**" shall mean a motorized vehicle used for off road purposes, but which is not licensed for use on public roads.
- 3.172** "**MOTORIZED SNOW VEHICLE**" shall mean a motorized snow vehicle within the meaning of The Motorized Snow Vehicle Act.
- 3.173** "**MULTIPLE DWELLING**" see "**DWELLING, MULTIPLE**".
- 3.174** "**MUNICIPAL/PUBLIC UTILITIES YARD**" shall mean a lot which may include a building or structure and also associated storage structures used for the storage, maintenance or repair of supplies, materials, equipment, machinery or motor vehicles used in connection with civil works and shall include a public works yard.
- 3.175** "**MUNICIPALITY**" shall mean the Corporation of the Municipality of Tweed.
- 3.176** "**MUSEUM**" shall mean a building or structure used for the display and or preservation of a collection of paintings, photographs, and/or other works of art, object of natural or cultural history, mechanical, scientific or philosophical inventions, instruments, models, and/or designs, dedicated to

the recreation and education of the public, and may include libraries, reading rooms, laboratories, and/or other offices and premises used in connection therewith.

3.177 "NON-COMPLYING USE" shall mean a permitted land use, building or structure existing at the date of the passing of this By-law which does not fulfill the requirements of the zone provisions (e.g. yard setbacks) for the zone within which it is located.

3.178 "NON-CONFORMING USE" shall mean a lawful and specific use, building, structure or land existing at the date of the passing of this By-law which does not fulfill the requirements of the use provisions for the zone in which it is located.

3.179 "NUISANCE" shall mean any condition existing that is or may become injurious or dangerous to health or that prevents or hinders or may prevent or hinder in any manner the suppression of a disease.

3.180 "NURSERY/GARDEN CENTRE/GREENHOUSE" shall mean:

- i) a place where young trees or other plants are grown for transplanting or for sale, and may also include the sale of related accessory supplies.
- ii) land used for the growing of sod, flowers, bushes, trees or other gardening, landscaping or orchard stock for wholesale or retail sale.
- iii) a building or structure, and lands associated therewith, for the growing of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation together with gardening tools and implements which are sold at retail from such building or lot to the general public.

3.181 "NURSING HOME" shall mean:

- i) a building in which the proprietor supplies for hire or gain, lodging with or without meals and, in addition, provides nursing, medical or similar care and treatment, if required, and includes a rest home, or convalescent home, and any other establishment required to operate under the appropriate statute.
- ii) any premises in which persons are cared for, lodged, either by a charitable institution within the meaning of the appropriate statute or for hire, where, in addition to sleeping accommodation and meals, personal care, nursing services or medical care and treatment are provided or made available, but shall not include a Maternity boarding house. For the purpose of this definition, 'personal care' means personal services such as the provision of aid to residents in walking or climbing or descending stairs, in getting in or out of bed, in feeding, dressing, bathing or in other matters of personal hygiene, and includes the preparation of special diets, the provision of tray service for meals, the supervision of medication and other similar types of personal assistance and 'resident' means a person who is cared for or lodged for hire in such premises.

3.182 "OPEN SPACE/OPEN SPACE USES" shall mean the open, unobstructed space on a lot, including the open, unobstructed space accessible to all occupants of any residential or commercial building or structure, which is suitable and used for the growth of grass, flowers, bushes and other vegetation and may include any surface pedestrian walk, patio, pool, or similar area, but does not include any driveway, ramp or parking spaces, parking aisles, loading spaces, vehicular maneuvering areas or similar areas.

3.183 "ORNAMENTAL STRUCTURE" shall mean any ornamental fountain, statue, monument, cenotaph or other memorial or decorative structure not being part of or accessory to any other structure.

- 3.184 "OUTDOOR FURNACE"** shall mean a building or structure that is used to provide heat or heated water to the main building on a lot but is separate from the main building on the lot.
- 3.185 "OUTSIDE STORAGE"** shall mean an accessory storage area outside of the principal or main building on the lot.
- 3.186 "PARK, PRIVATE"** shall mean a park other than a public park.
- 3.187 "PARK MODEL TRAILER"** shall mean a recreational unit mounted on a single chassis mounted on wheels designed to facilitate relocation from time to time, and designed as living quarters for seasonal camping and may be connected to those utilities necessary to supply those installed facilities, with a gross floor area including lofts not exceeding 50 m sq. (538 sq. ft.) in set up mode, and having a width greater than 2.6 m (8.5 ft.) in the transit mode. Further all Park Model Trailers shall comply with Canadian Standards Association Standard No. Z241.
- 3.188 "PARK, PUBLIC"** shall mean a recreational area owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario or Government of Canada.
- 3.189 "PARKING AISLE"** shall mean an area of land which abuts and provides direct vehicular access to one or more parking spaces.
- 3.190 "PARKING ANGLE"** shall mean the angle, equal to or less than a right angle, formed by the intersection of the side of the parking space and line parallel to the aisle.
- 3.191 "PARKING AREA"** shall mean an area of land which is provided and maintained upon the same lot or lots upon which the principal use is located or upon a privately owned lot situated within 60 metres (196.9 ft.) of the said lot and which areas comprise all parking spaces of at least the minimum number required according to the provisions of this By-law, and all driveways, aisles, vehicular maneuvering areas, entrances, exits and similar areas used for the purpose of gaining access to or egress from the said parking spaces.
- 3.192 "PARKING LOT"** shall mean any parking area other than a parking area accessory to a permitted use.
- 3.193 "PARKING SPACE"** shall mean an area of land having a width of not less than 2.7 metres (8.9 ft.) and a length of not less than 6 metres (19.69 ft.), exclusive of aisles or any other land used for access or vehicular maneuvering, for the temporary parking of one motor vehicle. A parking space may be located in the open or within a private garage, carport, building or other covered area and shall have adequate access to permit ingress and egress of a motor vehicle from a street by means of driveways, aisles or similar areas.
- 3.194 "PERSON(S)"** shall mean any human being, association, firm, partnership, private club, incorporated company, corporation, agent, or trustee and the heirs, executors, or other legal representatives of a person to whom the context can apply according to law.
- 3.195 "PERSONAL SERVICE SHOP"** shall mean a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons. Personal service shops, include such establishments as barber shops, hairdressing salons, shoe repair and shoeshine shops and depots for collecting dry cleaning and laundry.
- 3.196 "PIT"** shall mean land or land under water from which unconsolidated aggregate is being or has

been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site or in relation to which an order has been made under the Aggregate Resources Act.

- 3.197** "PLACE OF ENTERTAINMENT" shall mean an athletic, recreational or social club operated for gain or profit but does not include an adult entertainment parlour or any place of entertainment or recreation otherwise defined or classified in the By-Law.
- 3.198** "PLACE OF WORSHIP" see CHURCH
- 3.199** "PLANTING SCREEN" shall mean a continuous hedgerow of evergreen trees or shrubs, not less than 1.6 metres in height, immediately adjacent to the lot line or portion thereof along which such planting screen is required herein.
- 3.200** "PORTABLE CANTEEN" shall mean a vehicular and mobile facility where light meals and drink are prepared and served to the public and which does not necessarily provide for consumption thereof on the premises and shall include a chip truck or chip wagon.
- 3.201** "PRINTING/PUBLISHING ESTABLISHMENT" shall mean a building or part of a building in which the business of producing books, newspapers or periodicals by mechanical means and reproducing techniques such as photo copying is carried on and may include the sale of newspapers, books, magazines, periodicals or the like to the general public.
- 3.202** "PRIVATE CLUB" shall mean a building or part of a building used as a meeting place for members sharing a common interest and includes a fraternal lodge or organization and a labour union hall. Such private clubs shall not be operated for profit.
- 3.203** "PRIVATE GARAGE" see "GARAGE, PRIVATE".
- 3.204** "PRIVATE PARK" see "PARK, PRIVATE".
- 3.205** "PRIVATE ROAD" shall mean a street other than a "Street" as defined in this By-law, and shall include a right-of-way.
- 3.206** "PROVINCIALY SIGNIFICANT WETLANDS" shall mean an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time.
- 3.207** "PUBLIC USE" shall mean the Corporation of the municipality and any Boards or Commissions thereof: the Bell Telephone Company of Canada, any company supplying natural gas to the municipality, the electric authority, the County of Hastings and any Department of the Government of Ontario and Canada, or other similarly recognized agencies.
- 3.208** "PUBLIC GARAGE" see "GARAGE, PUBLIC".
- 3.209** "PUBLIC PARK" see "PARK, PUBLIC".
- 3.210** "QUARRY" shall mean land or land under water from which consolidated aggregate is being or has been excavated and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site or in relation to which an order has been made under the Aggregate Resources Act.

- 3.211 "RACEWAY"** shall mean a track for the running and/or training of horses which is accessory to the function of a riding stable or farm and which does not operate on a commercial basis.
- 3.212 "RACEWAY, AUTOMOTIVE"** shall mean a track for the running of automobiles, go-karts, motorcycles, snowmobiles, four-wheelers and/or off-road vehicles.
- 3.213 "REAR LOT LINE"** see "LOT LINE, REAR".
- 3.214 "REAR YARD"** see "YARD, REAR".
- 3.215 "RECREATIONAL USE"** shall mean the use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, golf courses, picnic areas, swimming pools, riding clubs, day camps, community centres, snow skiing and all similar uses, together with necessary and accessory buildings and structures, but does not include an arcade or a track for the racing of animals, motor vehicles, snowmobiles or motorcycles.
- 3.216 "RECREATIONAL USE, ACTIVE OUTDOOR"** shall mean uses such as golf courses, lawn bowling greens, tennis courts, outdoor skating rinks and swimming pools, together with necessary and accessory buildings and structures.
- 3.217 "RECREATIONAL USE, PASSIVE OUTDOOR"** shall mean such uses as hiking and ski trails, nature observation locations and open space as opposed to (for example) tennis courts, golf courses and baseball diamonds.
- 3.218 "RECREATIONAL ESTABLISHMENT, COMMERCIAL"** shall mean a building used or intended to be used for a theatre, bowling alley, curling rink, swimming pool, billiard parlour, health club, athletic club or similar uses.
- 3.219 "RELIGIOUS INSTITUTION"** shall mean buildings used as dwellings by religious orders for their own members, such as a convent or monastery.
- 3.220 "RESEARCH FACILITY"** shall mean a building or part of a building or an area of open space in which investigation or inquiry for the purpose of producing new information or products is carried on.
- 3.221 "RESIDENTIAL"** shall mean the use of land, buildings, or structures for human habitation.
- 3.222 "RESTAURANT"** shall mean a building or part of a building where food is prepared and/or cooked and offered for sale or sold to the public and where dining tables and table service are provided.
- 3.223 "RESTAURANT, DRIVE-IN"** shall mean premises consisting of a building or structure, together with a parking lot, where food is prepared and/or cooked and offered for sale or sold to the public for consumption either in a motor vehicle parked on the parking lot or for consumption on the premises and where dining tables may be provided but table service is not provided.
- 3.224 "RESTAURANT, TAKE-OUT"** shall mean a building or part of a building where food is prepared and/or cooked and offered for sale or sold to the public and where neither dining tables nor table service are provided.
- 3.225 "RETAIL STORE"** shall mean a building or part of a building where goods, merchandise, substances, articles or things are offered for retail sale directly to the general public and includes storage on the store premises of such goods, merchandise, substances, articles or things sufficient only to service such store.

- 3.226 "RETAIL STORE, CONVENIENCE"** shall mean a retail store serving the daily or occasional needs of the residents in the immediate area with a variety of goods such as groceries, meats, beverages, dairy products, patent medicines, sundries, tobacco, stationery, hardware, magazines and newspapers.
- 3.227 "RIDING CLUB/BOARDING STABLE"** shall mean a commercial establishment where horses are housed or boarded and are available for riding, riding instruction, agility training or jumping.
- 3.228 "SALVAGE YARD"** shall mean a fenced lot and/or land for the storage and/or handling of scrap material, which without limiting the generality of the foregoing, may include vehicles, metal, used bicycles, waste paper and/or other scrap material and salvage but shall not include the storage of tires.
- 3.229 "SANITARY SEWER"** shall mean a system of underground conduits, operated either by the Corporation or by the Ministry of the Environment, which carries sewage to a place of treatment which meets with the approval of the Ministry of the Environment.
- 3.230 "SAUNA"** shall mean an enclosed structure which does not exceed 10 square metres (107.6 sq. ft.) in area with an approved heating device to produce steam.
- 3.231 "SAW AND/OR PLANING MILL"** shall mean a building, structure or area where timber is cut, sawed or planed, either to finished lumber or as an intermediary step and may include facilities for the kiln drying and storage of lumber and may or may not include the distribution of such products on a wholesale or retail basis.
- 3.232 "SCHOOL"** shall mean a public, separate, or high school under the jurisdiction of the Board of Education or the Roman Catholic Separate School Board, a private school, a continuation school, a technical school, a vocational school, a college, a university or other educational institution, but not a commercial school, conducted for the purposes of gain and includes dancing schools, golf schools, music schools and business schools.
- 3.233 "SEASONAL FARM WORKER"** shall mean one or more persons employed as a farm worker for a period of less than twelve months in any one calendar year.
- 3.234 "SECONDARY FARM OCCUPATION"** shall mean an operation conducted by individuals residing on a farm property that is clearly secondary and incidental to the principal use of farming on the subject property and is intended to provide active farmers with a secondary or supplementary means of income. The types of uses permitted as secondary farm occupations shall be limited to those involved in the manufacture or fabrication of goods (i.e. farm gates, hay bale elevators, animal feeders), uses considered to be trade occupations (i.e. electrician, plumber, carpenter, welder, mechanic), and those occupations which are primarily and directly related to agriculture and farming.
- 3.235 "SELECTIVE CUTTING"** shall mean the harvesting of mature timber without causing undue damage to adjacent standing growth.
- 3.236 "SELF STORAGE BUILDING"** shall mean a building (or part thereof) containing individual doorways each accessing a fully enclosed room that is used for storage of inactive and stable dry goods only.
- 3.237 "SEMI-DETACHED DWELLING"** see "DWELLING, SEMI-DETACHED".
- 3.238 "SENIOR CITIZEN HOUSING"** shall mean housing owned and operated to provide residential

accommodation for senior citizens.

- 3.239 "SERVICE SHOP"** shall mean a building or part of a building, whether connected with a retail shop or not, used for the repair or servicing of articles, machines, goods, or materials as distinguished from manufacturing of same.
- 3.240 "SERVICES APPEALING TO OR DESIGNED TO APPEAL TO EROTIC OR SEXUAL BEHAVIOUR"** shall mean a performance, exhibition or activity of which a principal feature or characteristic is the nudity or partial nudity of any person.
- 3.241 "SETBACK"** shall mean the least horizontal dimension between the centreline of a street allowance, measured at right angles to such centreline, and the nearest part of any building, structure or excavation on the lot, or the nearest open storage use on the lot.
- 3.242 "SHOPPING CENTRE"** shall mean a group of commercial uses which has been designed and developed as a unit by a single owner or group of owners, as distinguished from a business area consisting of unrelated individual commercial uses.
- 3.243 "SHORELINE"** shall mean any lot line or portion thereof that abuts a waterbody.
- 3.244 "SIDE LOT LINE"** see "LOT LINE, SIDE".
- 3.245 "SIDE YARD"** see "YARD, SIDE".
- 3.246 "SINGLE DETACHED DWELLING"** see "DWELLING, SINGLE DETACHED".
- 3.247 "SOLAR COLLECTOR"** shall mean any structure subordinate to a principal structure designed specifically for the collection of solar energy for experimental or ornamental purposes or for the purposes of converting such energy for heating, lighting, water production or any other domestic or commercial use that may be obtained from such source. For the purposes of this by-law, a solar collector shall be considered an accessory structure.
- 3.248 "STORMWATER MANAGEMENT"** shall mean long and short term management of stormwater runoff quality and quantity which may require the construction and installation of permanent stormwater facilities.
- 3.249 "STORMWATER MANAGEMENT FACILITIES"** shall mean a designated area or structural device that would control the quantity or quality or velocity of stormwater runoff leaving a property to achieve specific objectives such as reduce flooding and erosion, remove pollutants and provide other amenities.
- 3.250 "STREET"** shall mean a public highway as defined under the Highway Traffic Act, as amended, from which access may be taken to an abutting lot and which is dedicated, assumed and maintained by a municipality, a county, or the Province of Ontario. A street does not include an unopened road allowance, a lane or an unassumed road on a Registered Plan which has been deemed not to be a Registered Plan under the Planning Act.
- 3.251 "STREET LINE"** shall mean the limit of the street allowance and is the dividing line between a lot and a street.
- 3.252 "STRUCTURE"** shall mean anything constructed or erected, the use of which requires location on the ground, or which is attached to something having location on the ground.
- 3.253 "TAKE-OUT RESTAURANT"** see "RESTAURANT, TAKE-OUT".

- 3.254** "TAVERN" shall mean "a tavern" as defined by the Liquor License Act, as amended from time to time.
- 3.255** "TAXI DEPOT" shall mean a permanent location of a taxi business and the source of dispatch rather than the location of the taxi on its dispatch.
- 3.256** "TEA ROOM" shall mean a public room accommodating no more than 20 persons, where tea and light refreshments, but not complete meals, are served for immediate consumption within the building. A tea room does not include premises licensed under the Liquor License Board of Ontario or any other form of eating establishment as defined herein.
- 3.257** "TENT" shall mean every kind of temporary shelter for sleeping that is not permanently affixed to the site and that is capable of being easily moved.
- 3.258** "THROUGH LOT" see "LOT, THROUGH".
- 3.259** "TOP OF BANK" (Slope) shall mean a point or line which is the beginning of a significant change in the land surface, then from which the land surface slopes downward. When two (2) or more slopes are located together, the slope that is highest and farthest away from the toe of the slope shall be the slope considered for the top of bank.
- 3.260** "TOURIST ESTABLISHMENT" shall mean any premises operated to provide sleeping accommodation for the traveling public or sleeping accommodation for the use of the public engaging in recreational activities and includes the services and facilities in connection with which sleeping accommodation is provided, and without limiting the generality of the term, also includes a tourist cabin and a housekeeping cottage as well as docks, eating establishments and convenience stores but does not include:
- i) a camp operated by a charitable corporation approved under the Charitable Institutions Act;
 - ii) a summer camp within the meanings of the regulations under The Health Promotion and Protection Act; or
 - iii) a club owned by its members and operated without profit or gain.
- 3.261** "TRACTOR TRAILER TRUCK" shall mean a self-propelled motor vehicle designed for the haulage of goods in an attached trailer but not for the carriage of any load when operating independently, and is commonly known as 'the cab' of a tractor trailer.
- 3.262** "TRANSPORTATION TERMINAL" shall mean a building, structure or place where trucks or transports are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or transports, stored or parked on the property are dispatched for hire as common carriers or which is a bonded warehouse.
- 3.263** "TRAVEL TRAILER" shall mean any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and intended for temporary use for living, shelter and sleeping accommodation, with or without cooking facilities and which is licensed and not permanently fixed to the ground but which will not be permitted to be used for overnight accommodation in any zone other than the Recreational/Resort Commercial Zone, except by permit issued by the municipality.
- 3.264** "TRAVEL TRAILER PARK" shall mean a parcel of land maintained for the temporary parking of tents or travel trailers on individual sites, and shall be subject to the provisions of this By-law.

- 3.265 "TRAVEL TRAILER SITE"** shall mean an area of land within a travel trailer park that is or is intended to be occupied by one tent or one trailer or similar vehicle within the meaning of a trailer as defined above with adequate access to a driveway or public street.
- 3.266 "TRANSPORTATION TERMINAL"** shall mean a building, structure or place where trucks or transports are rented, leased, kept for hire, or stand or park for remuneration, or from which trucks or transports, stored or parked on the property are dispatched for hire as common carriers or which is bonded warehouse.
- 3.267 "TRUCK CAMPER"** shall mean any unit so constructed that it may be attached upon a motor vehicle, usually a truck, as a separate unit placed on and fixed to the truck box, and capable of being utilized for the temporary living, sleeping or eating accommodation of persons.
- 3.268 "USE"** shall mean the purpose for which any land, building or structure is arranged, designed, or intended to be used, occupied or maintained.
- 3.269 "USE, ACCESSORY"** shall mean a use customarily incidental and subordinate to the principal use or building located on the same lot.
- 3.270 "VETERINARY CLINIC"** shall mean a building or part of a building in which facilities are provided for the prevention, cure and alleviation of disease and injury to animals and in conjunction with which there may be facilities provided for the sheltering of animals during the treatment period.
- 3.271 "WAREHOUSE"** shall mean a building or part of a building used for the storage and distribution of goods, wares, merchandise, substances, articles or things and may include facilities for a wholesale or retail commercial outlet but shall not include a truck terminal.
- 3.272 "WASTE DISPOSAL SITE"** shall mean any land or land covered by water (such as in the case of a sewage lagoon) upon, into, in or through which a building or structure in which waste, exclusive of liquid industrial waste, is deposited or processed and any machinery or equipment or operation required for the treatment or disposal of waste and shall include a sewage treatment plant or sewage lagoon.
- 3.273 "WASTE MANAGEMENT SYSTEM"** shall mean all facilities, equipment and operations for the complete management of waste including the collection, handling, transportation, storage, processing and disposal thereof and may include one or more waste disposal sites.
- 3.274 "WATER FRONTAGE"** shall mean all property abutting a water body measured along the high water mark.
- 3.275 "WATERBODY"** shall mean any bay, lake, wetland, canal or natural watercourse but excludes a drainage or irrigation channel.
- 3.276 "WATERBODY, NARROW"** shall mean an area where the minimum average distance from shoreline to shoreline is 150 metres (492.1 ft.) for a lake and 50 metres (164.0 ft.) for a river. See Guidelines for Measuring Narrow Waterbodies in Appendix "A".
- 3.277 "WATERCOURSE"** shall mean any surface stream or river and includes a natural channel for an intermittent stream and a municipal drain as defined by "The Drainage Act", as amended.
- 3.278 "WAYSIDE PIT"** shall mean:

- i) a temporary sand or gravel pit opened and used by a governmental authority or authorized contractor for the purpose of a particular public project such as road construction, or
 - ii) a minor sand and gravel pit on a farm unit required only for the use of that farm unit.
- 3.279 "WAYSIDE QUARRY"** shall mean a temporary quarry opened and used by a governmental authority or authorized contractor for the purpose of a particular public project such as road construction.
- 3.280 "WETLANDS"** shall mean lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The four major types of Wetlands are swamps, marshes, bogs and fens.
- 3.281 "WOODLOT"** shall mean a wooded area in which the majority of trees are at least 10.2 centimetres (4.0 inches) in diameter and in which there is a minimum of a fifty (50) percent closed canopy of tree foliage.
- 3.282 "WORKSHOP"** shall mean a building or structure where manufacturing is performed by tradespeople requiring manual or mechanical skills and may include a carpenter's shop, a woodworker's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, an upholsterer's shop, a welder's shop or similar uses.
- 3.283 "YARD"** shall mean the space appurtenant to a building or structure on the same lot which is open, uncovered, and unoccupied except for such accessory buildings, structures, or uses which are specifically permitted by this By-law. In determining yard measurements, the minimum horizontal distance from the respective lot lines and the closest part of a building or structure shall be used.
- 3.284 "YARD, FRONT"** shall mean the yard extending across the full width of the lot between the front lot line of the lot and the nearest part of any buildings or structures on the lot. The "minimum" front yard shall mean the distance between the front lot line and the nearest point of any principal or accessory building on the lot, according to the context in which the term is used.
- 3.285 "YARD, REAR"** shall mean the yard extending across the full width of the lot between the rear lot line of the lot and the nearest point of any principal building or structure on the lot. Where a rear yard is required for an accessory building in this By-law then this definition shall apply except that the words "accessory building" shall be substituted for "principal building". The "minimum" rear yard shall mean the minimum distance between the rear lot line and the nearest point of any principal building or accessory building on the lot, according to the context in which the term is used.
- 3.286 "YARD, SIDE"** shall mean the yard extending from the front yard to the rear yard between the side lot line and the nearest point of any building or structure on the lot.
- 3.287 "YARD, INTERIOR SIDE"** shall mean the side yard extending from the front yard to the rear yard between the side lot line and the nearest point of any building or structure on any lot and excluding any exterior side yard. The "minimum" interior side yard shall mean the minimum distance between an interior side lot line and the nearest point of any principal or accessory building on the lot, according to the context in which the term is used.
- 3.288 "YARD, EXTERIOR SIDE"** shall mean the side yard of a corner lot in which the side yard extends from the front yard to the rear yard between the side street line and the nearest point of any building

or structure on the corner lot. The "minimum" exterior side yard shall mean the distance between the exterior side lot line and the nearest point of any principal or accessory building on the lot, according to the context in which the term is used.

3.289 "ZONE" shall mean a designated area of land use shown on the schedules of this By-law.

SECTION 4 - ADMINISTRATION

4.1 ZONING ADMINISTRATION

This By-law shall be administered by a person appointed by the Council of the Municipality of Tweed.

4.2 ISSUANCE OF BUILDING PERMITS

Where land is proposed to be used or a building or structure is proposed to be erected or used in violation of this By-law, no permit or licence required under any by-law of the Corporation for the use of the land or for the erection or the use of the building or structure shall be issued.

4.3 APPLICATIONS FOR BUILDING PERMITS

In addition to the requirements of the Ontario Building Code, the Corporation's Building By-law or any other by-law of the Corporation, every application for a building permit shall be accompanied by plans (which depending upon the nature and location of the work to be undertaken may be required, by the Corporation, to be based upon an actual survey prepared by an Ontario Land Surveyor) drawn to an appropriate scale and showing the following:

- i) the true shape and dimensions of the lot to be used or upon which it is proposed to erect any building or structure;
- ii) the proposed location, height and dimensions of the building, structure or work in respect of which the permit is being applied for;
- iii) the location of every building or structure already erected or partly erected on such lot;
- iv) the proposed locations and dimensions of yards, landscaped open spaces, parking areas, and loading spaces required by this By-law;
- v) proposed grading or change in elevation or contour of the land and the proposed method for the disposal of storm and surface water from the land and from any building or structures thereon;
- vi) a statement signed by the owner or his or her agent duly authorized there into in writing, filed with the Chief Building Official, which statement shall set forth in detail the intended use of each building and structure or part thereof and giving all information necessary to determine whether or not every such building or structure conforms with the regulations of this By-law.

4.3.1 In addition to the above requirements, every application which involves the installation, enlargement or reconstruction of a well or a sewage disposal system shall be accompanied by:

- i) in the case of a well, a well driller's report demonstrating a minimum water pumping capacity of 3 ½ gpm or alternative method satisfactory to the Chief Building Official;
- ii) in the case of a well, a bacteriological analysis demonstrating a potable water supply; and
- iii) in the case of a well and/or sewage disposal system, approval in writing from the appropriate responsible authority for the proposed well or method of sewage disposal.

4.3.2 In addition to the above, where lands lie within established fill or flood lines, any building permit application in respect of such land shall be accompanied by the written approval and technical recommendations of the Conservation Authority having jurisdiction.

4.4 INSPECTION OF LAND OR BUILDINGS

Where the Chief Building Official has reason to believe that any person has used land or used a building or structure contrary to this By-law, he/she, or an employee of the municipality authorized by him/her, may at any reasonable hour, enter and inspect the land, building or structure.

4.5 VIOLATIONS AND PENALTIES

Any person who contravenes any provisions of the By-law is guilty of an offence, and for the purposes of this By-law, each day that a breach of this By-law continues shall constitute a separate offence and on summary, the offender shall be liable to be fined under the provisions of the Provincial Offences Act.

The conviction of an offender upon the breach of any of the provisions of this By-law shall not operate as a bar to a prosecution against the same offender upon any continued or subsequent breach of any such provision and any court of competent jurisdiction may convict any offender repeatedly for repeated breaches of the By-law.

4.6 VALIDITY, EFFECTIVE DATE AND EXISTING BY-LAWS

4.6.1 Validity

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

4.6.2 Effective Date

This By-law shall come into force and take effect upon being passed by the Council of the Municipality of Tweed.

4.6.3 Existing By-laws

All by-laws in force within the Corporation regulating the use of lands and the character, location, bulk, height and use of buildings and structures are amended insofar only as it is necessary to give effect to the provisions of this By-law and the provisions of this By-law shall govern unless otherwise specified.

4.6.4 Repeal of Existing Zoning By-law

By-law No. 93-19 as amended of the Village of Tweed is hereby repealed in its entirety.

By-law 81-18 of the Township of Hungerford is hereby repealed in its entirety.

By-law 81-7 of the Township of Elzevir and Grimsthorpe is hereby repealed in its entirety.

SECTION 5 - GENERAL PROVISIONS

5.1 APPLICATION

This By-law shall apply to all lands within the municipality, and shall take effect on the day it is enacted.

5.2 INTERPRETATION

Nothing in this By-law shall be construed to exempt any person from complying with the requirement of any by-law of the Municipality or the Corporation of the County of Hastings or from any law of the Province of Ontario or Canada, or any regulations under the provisions of the Conservation Authorities Act of a Conservation Authority having jurisdiction or from any other law in force from time to time.

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

5.3 ZONES

5.3.1 For the purpose of this By-law, the municipality has been divided into zones, the boundaries of which are shown on the attached schedules. The attached schedules form part of this Zoning By-law

5.3.2 The attached schedules are detailed maps for portions of the municipality.

5.3.3 The zones are referred to by the following names or symbols and are identified on the attached schedules by the following symbols:

5.3.4 Where the boundary of any zone is uncertain, and the boundary is shown following a street, lane, railway right-of-way, electric transmission line, right-of-way or watercourse, then the centre line of the street, lane, railway right-of-way, electric transmission line, right-of-way or watercourse is the zone boundary.

5.3.5 Where the boundary line of a zone does not correspond to a property line, to the centre line of a street, highway line, right-of-way or watercourse, the location of said boundary line shall be scaled from the scale shown on the attached schedules.

5.3.6 Where the boundary of any zone is uncertain and notwithstanding the provisions of this subsection, the dimensions contained in any amending by-law shall apply.

5.3.7 Where the regulations of a zone include a requirement that the minimum yard of a lot or parcel of land shall be a specific number of metres, such minimum yard shall be determined by measuring at right angles from either the street line of the public street or the lot line abutting such yard in the direction of such lot or parcel of land a distance equal to the said specific number of metres in the relevant regulation of such zone.

5.3.8 The minimum lot area shall be as contained in the appropriate section of this By-law for the zone in which the lot is located or such larger area as may be required by the appropriate authority pursuant to the provisions of the Health Promotion and Protection Act.

5.3.9 Zones cited using a generic term (and lower case letter) refer to the following:

- i) a residential zone: includes Rural Residential, Waterfront Residential, Mobile Home

- ii) Residential, Residential First Density, Residential Second Density, Multiple Residential; a commercial zone includes: Urban Commercial, Rural Commercial, Recreational/Resort Commercial;
- iii) an industrial zone includes: Urban Industrial, Rural Industrial.

5.3.10 Imperial units are provided for convenience only and should not be used to determine the requirements of this By-Law.

5.3.11 Uses existing prior to the passing of this By-law and accessory uses thereto may be enlarged, reconstructed, renovated or replaced in accordance with the relevant zone regulations where such use is normally permitted.

5.3.12 All special provisions of this Section 5 "General Provisions" shall apply, where applicable to any land, lot, building, structure or use within all zones.

5.3.13 Where a lot is divided into more than one zone on the map schedules attached to and forming part of this By-Law, each such portion of the lot shall be used in accordance with the Zone Provision of this By-Law for that portion of the lot.

5.4 HOLDING ZONES

Where any zone symbol as shown on the attached schedules is followed by the symbol "h", this signifies that no person shall use any land, erect, alter, enlarge, use or maintain any building or structure until such time as the holding symbol has been removed by the municipality in accordance with the provisions of the Planning Act. Upon removal of the holding symbol the permitted use of the subject property and the erection of any buildings or structures thereon shall be undertaken in accordance with the provisions of the underlying zoning category.

5.5 PROHIBITIONS

5.5.1 No person shall use any land or erect any building or structure within a zone except for a permitted use established or erected in accordance with the regulations provided by this By-law for the zone in which it is located.

5.5.2 No person, except a public authority engaged in the implementation of public works or services shall reduce in area or frontage any lot already built upon, either by conveyance or alteration, so that the lot coverage of the building(s) exceeds the maximum permitted by this By-law, or so that the area or frontage of the lot will be less than the minimum permitted by this By-law for the zone in which the lot is located.

5.5.3 Except in a commercial or industrial zone, not more than one permitted use shall be allowed on a lot unless specifically permitted in this By-law. This section shall not prohibit the establishment of a home occupation or home industry in conjunction with a dwelling where such use is permitted.

5.5.4 The purpose for which any land or building is used shall not be changed, no new building or addition to any existing building shall be erected and no land shall be severed from a lot, if such change, erection or severance creates a situation that contravenes any of the provisions of this By-law applicable to each individual remaining building, accessory building or lot.

5.5.5 Except as otherwise provided in this By-law, no building or structure shall be erected, altered, extended or enlarged except upon a lot nor shall any land be used for any permitted use unless it comprises a lot as defined herein; but this provision shall not prevent the use of any parcel or tract of

land for agricultural purposes excluding the erection or enlargement of any building or structure except a fence.

5.5.6 No person shall use or occupy any building for residential purposes:

- i) unless such building has been substantially completed and finished in all respects in accordance with the plans and specifications filed upon application for the building permit, and is serviced to a standard sufficient to meet the approval of the municipality; and
- ii) unless such building is serviced with electricity, a water supply system, and an appropriate sanitary sewage disposal system.

5.5.7 In addition to the uses prohibited in Clause 5.22.1 of this subsection, all uses of land and the erection or use of any building or structure for a purpose not permitted under the "Permitted Use" subsection of one or more zones established by this By-law are and shall be deemed to be prohibited in each such zone, except for those uses of land and the erection or use of any building or structure for a purpose expressly permitted under the applicable provisions of this By-law.

5.6 PLANNED WIDTH OF ROAD

5.6.1 Notwithstanding any other provision contained in this By-law, no building or structure shall be hereafter erected in any zone closer than the sum of the front yard or exterior side yard requirement for such zone and the following where applicable:

- i) 15.25 metres (50.0 ft.) from the centre line of former County roads; and
- ii) 10 metres (32.8 ft.) from the centre of the right-of-way of all other public roads in the municipality.

5.6.2 Notwithstanding the provisions of this by-law to the contrary, where a building, structure or accessory use thereto is to be erected in a built-up area where there is an established building line, such dwelling or accessory use may encroach into the required front yard provided it is not erected closer to the street line or to the centre line of the road or street, as the case may be, than the established building line on the date of passing of this By-law.

5.7 HEALTH APPROVAL

No building permit shall be issued for any building or structure which requires a septic tank unless the building permit application is accompanied by approval in writing from the appropriate responsible authority for the proposed method of sewage disposal.

5.8 ENVIRONMENTAL PROTECTION (EP) ZONES AND ENVIRONMENTALLY SENSITIVE – EVALUATED WETLAND (ES-EW) ZONES

5.8.1 Lands Zoned Environmental Protection

- i) Lands that may pose a threat to life and property because of inherent physiographic characteristics such as floodplains, erosion hazards, poor drainage, organic soil, steep slopes or other similar physical limitations have been zoned Environmental Protection (EP).
- ii) No building or structure shall be erected within 15.0 metres of an Environmental Protection Zone. Prior to considering an application for zoning by-law amendment to permit a building or structure within 15.0 metres of a wetland, the municipality may require technical reports to be submitted in support of any development (i.e. drainage reports, slope stability reports, environmental reports) and may require the written approval of the Conservation Authority.

- iii) Lands zoned as Environmental Protection (EP) may be used in calculating minimum lot area and minimum lot frontage requirements.

5.8.2 Lands Zoned ES-EW-Environmentally Sensitive-Evaluated Wetland

- i) Provincially Significant Wetlands within the municipality have been zoned as ES-EW-Environmentally Sensitive-Evaluated Wetland on the map schedules attached to this By-law.
- ii) Development including new buildings structures or uses, or additions, alterations or replacement of existing buildings or structures adjacent to Provincially Significant Wetlands shall be in accordance with the Zoning Regulations of Section 25.3 ES-EW-Environmentally Sensitive-Evaluated Wetland Zone of this By-law.

5.9 NATURAL HERITATE LANDS

Natural Heritage Lands are those lands identified as natural heritage areas and systems having significant biological, geological, zoological or other unique natural features such as significant wetlands, wildlife habitat, areas of natural and scientific interest, habitat of threatened or endangered species, or woodlands and valley lands.

- i) Significant wetlands within the municipality have been zoned as ES-EW Environmentally Sensitive-Evaluated Wetland on the map schedules attached to this By-law and are regulated under sections 5.8 and 25.0 of this By-law.
- ii) Areas of natural and scientific interest, significant wildlife habitat, habitat for threatened or endangered species and woodland and valley lands are not identified on the map schedules as of the date of passing of this By-law. These natural heritage areas will be incorporated by amendment to this By-law, as additional information becomes available or as part of the review of site specific development applications.
- iii) No buildings or structures shall be permitted within the following measures of adjacency to Natural Heritage Lands:

Fish Habitat	30 metres (98.4 ft.)
Significant Woodlands	50 metres (164.0 ft.)
Significant Valleylands	50 metres (164.0 ft.)
Significant Wildlife Habitat including habitat of endangered/threatened species	50 metres (164.0 ft.)
Areas of Natural and Scientific Interest	50 metres (164.0 ft.)

Prior to considering an application or zoning by-law amendment to permit a building or structure within adjacent lands to Natural Heritage Lands, the municipality shall require a satisfactorily completed Environment Impact Statement is prepared in accordance with the requirements of the Official Plan is submitted and approved by the municipality in consultation with the Ministry of Natural Resources, the Conservation Authority and the Health Unit.

5.10 LANDS ADJACENT TO WATERBODIES, WATERCOURSES, EMBANKMENTS, FLOODPLAINS AND NATURAL HERITAGE LANDS

Notwithstanding any other provision of this By-law to the contrary, no permit shall be issued for any building to be constructed within those areas outlined in subsections 5.8.1, 5.8.2, 5.9, 5.10.1, 5.10.2 and 5.10.3 herein without the prior written approval of the Conservation Authority, the Ministry of Natural Resources and/or the Canadian Parks Service having jurisdiction.

- 5.10.1** No building or structure shall be located within the flood plain of a watercourse, notwithstanding that

such watercourse is not shown on any schedule forming part of this By-law.

5.10.2 Notwithstanding anything in this By-law, no building, structure, or septic tank installation including the weeping tile field ('no development') shall be located:

- i) within 30 metres (98.4 ft.) of the highwater mark of a waterbody or permanent watercourse, notwithstanding that such body of water or watercourse is not shown on any schedule forming part of this By-law; or
- ii) within 15 metres (49.2 ft.) of the top of bank; or
- iii) within 30 metres (98.4 ft.) of an Environmental Protection – Evaluated Wetland (EP-EW) Zone.

5.10.3 The provisions of subsections 5.10.1 and 5.10.2 shall not apply to buildings, structures or services requiring direct access to the water as an operational necessity such as a boathouse, marina, marine facility, or other similar structure.

5.11 NON-CONFORMING USES

5.11.1 Continuation of Existing Uses

The provisions of this By-law shall not apply to 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 day of passing of this By-law, so long as it continues to be used for that purpose.

5.11.2 Building Permit Issued

The provisions of this By-law shall not apply to prevent the erection or use for a purpose prohibited by this By-law of any building or structure, the plans for which have prior to the passing of this By-law been approved and a permit issued by the municipality's Chief Building Official so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided that the erection of such a building or structure is commenced within one year after the day of the passing of this By-law and the building or structure is completed within a reasonable time after the erection thereof is commenced.

5.11.3 Restoration to a Safe Condition

The provisions of this By-law shall not apply to prevent the strengthening to a safe condition of any non-conforming building or structure or part thereof provided such strengthening generally does not increase the height, size or volume, of such building or structure.

5.11.4 Rebuilding or Repair or Strengthen to Safe Condition Permitted on Lands Zoned as Environmental Protection and Environmental Protection Wetland

Nothing in this By-law shall prevent the rebuilding or repair of any legal non-conforming building or structure that is damaged or destroyed by natural causes, or the strengthening to a safe condition of any building or structure which does not conform to the provisions of this By-law, subsequent to the passage of this by-law, provided that the dimensions of the original building or structure are not increased and the use of the building or structure not altered.

5.12 NON-COMPLIANCE OF EXISTING USES

5.12.1 Building on Existing Lots

Where a building has been lawfully erected prior to the date of the passing of this By-law on a lot having less than the minimum frontage and/or area, or having less than the minimum front yard, side yard, rear yard or usable open space required by this By-law, the said building may be enlarged, reconstructed, repaired or renovated provided said enlargement, reconstruction, repair or renovation does not serve to further reduce a required yard or required usable open space and provided all other provisions of this By-law are complied with. For the purposes of section 5.12.1 a further reduction of a minimum required yard shall mean any enlargement, reconstruction, repair or renovation of an existing building or structure which will result in the building or structure being built closer to the lot line of the impacted required yard than the existing building or structure.

5.13 REPLACEMENT OF BUILDINGS OR STRUCTURES

A building or structure, including a legal non-conforming and/or legal non-complying building or structure, may be replaced with a new building or structure in the case of partial or complete destruction caused by fire, lightning, explosion, tempest, flood or act of God, or demolition by order of the municipality, the local Health Unit, or other authority for safety, health or sanitation requirements, providing such building or structure is serviced by potable water and sewage disposal system approved by the appropriate responsible authority. The provisions of Section 5.11 shall apply in the case of the reconstruction of a legal non-complying building or structure.

5.14 EXISTING UNDERSIZED LOTS

Where a lot having a lesser lot area and/or lot frontage than that required herein is held under distinct and separate ownership from abutting lots, as shown by a registered conveyance in the records of the Registry or Land Titles Office on the date of passing of this By-law, or where such a lot is created as a result of an expropriation, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot, provided that the parcel has a minimum frontage of fifty percent (50%) or more of the minimum frontage required by the zone in which the parcel is situated, provided that an adequate supply of potable water is available to service the proposed use, provided such erection, alteration or use does not contravene any other provisions of this by-law and provided that all relevant requirements of the appropriate authority are complied with.

5.15 CELLAR

Notwithstanding anything contained in this By-law, no cellar or part of a cellar of any building shall be used as a whole dwelling unit, and the whole or any part of a cellar shall not be used for calculating the required minimum gross floor area or minimum ground floor area of any dwelling or dwelling unit.

5.16 YARD ENCROACHMENTS PERMITTED

5.16.1 Except as otherwise provided in this By-law, every part of any required yard shall be open and unobstructed by any building or structure from the ground to the sky, except for:

- i) sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters or other ornamental features, provided however that the same shall not project more than .6 metres (2 ft.) into any required yard;
- ii) drop awnings, clothes poles, garden trellises, TV or radio antennae including satellite dish antennae, or similar accessories;
- iii) fences, solar collectors, parking lots, retaining walls, gatehouses in industrial zones, driveways, patios and other such uses as specifically permitted in this By-law;

- iv) a) signs, provided however that the same shall be erected in accordance with the provisions of any Sign By-law of the Municipality, County or the Ministry of Transportation;
- b) in lieu of a municipal sign by-law:
 - in a residential zone, there shall be no display other than a sign of a maximum size of 0.55 square metres (6.0 square feet) to indicate that any part of a dwelling is being used for a purpose other than residential. Furthermore, such a sign shall be set back a minimum of 3 metres (9.8 ft.) from any lot line;
 - in an industrial, marginal agricultural, or rural commercial zone, one temporary, portable roadside sign per lot frontage may be located with the written approval of the property owner and Council. The temporary portable sign shall be located on private property and shall not interfere with parking or traffic circulation on the site or adjoining roadway;
- v) light standards, fuel pump islands and fuel pumps of automobile service stations, provided however that the same shall be erected in accordance with the applicable provisions of this By-law;
- vi) fire escapes, provided however that the same shall project into any required side or rear yard a distance of not more than 1.5 metres (4.9 ft.); and
- vii) accessory buildings, provided however that the same shall be erected in accordance with the applicable provisions of this By-law.

5.16.2 Notwithstanding the yard provisions of this By-law to the contrary, canopies, steps and unenclosed and uncovered decks and porches may project into any required front or rear yard a maximum distance of 1.5 metres (4.9 ft.). This however, does not permit a balcony and/or porch to extend into a required yard if in fact the balcony and/or porch is an addition to the house intended to circumvent the intent of this section. For the purpose of this section, a "deck" shall mean a horizontal surface supported on piers, free of any roof or other covering, and which may be surrounded by a railing, the height of which is governed by the Ontario Building Code.

5.16.3 Notwithstanding any other provisions of this By-law, a railway spur shall be permitted in an Industrial Zone within a required yard. Where such yard abuts a residential zone, the railway spur shall conform to the yard and setback requirements of the zone in which it is located.

5.17 LANDS SEVERED BY PUBLIC UTILITY LINES

Where lands are acquired for the purpose of a public utility line and such acquisition deprives a parcel of land of street frontage, the part of such parcel so deprived of street frontage shall be deemed for the purpose of this By-law to have frontage on such street providing the land has a permanent right of access to such street.

5.18 TEMPORARY USES

Nothing in this By-law shall prevent the use of any land, or the erection or use of any building or structure for a work camp, tool shed, scaffold, or other building or structure including a temporary sales or rental office, which is incidental to and necessary for construction work of the premises, but only for so long as such use, building or structure is necessary for such construction work which has not been finished or abandoned. "Abandoned" in this Section shall mean the failure to proceed expeditiously with the construction of a work, specifically abeyance of construction for six months.

An agreement shall be entered into with the Municipality in such instance as a temporary residential structure is required for habitation while construction of a new residence is taking place.

5.19 PUBLIC USES AND UTILITIES AND COMMUNITY FACILITIES

5.19.1 Notwithstanding anything contained in this By-law, the municipality or any local board thereof, any telephone or telegraph company, any transportation system owned, operated, or authorized by or for the municipality, any Department of the Federal or Provincial Government or any Conservation Authority established by the Government of Ontario, may, for purposes of public service, use any land or erect or use any building or structure in any zone except Environmental Protection or Environmental Protection Wetland provided:

- i) that such use, building or structure, shall be in compliance with the height, coverage, landscaped open space and yard regulations prescribed for such a zone;
- ii) that there shall be no open storage of goods, materials, or equipment in the yards of any residential zone; and
- iii) that any building or structure erected or used in any residential zone shall be of a character and shall be maintained in general harmony with the buildings of the type permitted in the said zone.

5.19.2 Nothing in this By-law shall prevent the use of any land as a public park, a public street or for the location of a properly authorized traffic sign or signal, or any sign or notice of any Municipal, Provincial or Federal government department or authority.

5.19.3 Where in a zone in this by-law under the heading of “Permitted Uses” a public use is specifically permitted within a zone, then such use shall only be permitted within that zone.

5.19.4 Where in this by-law a public use is not specifically referred to in any zone, then such public use shall be permitted in any zone.

5.19.5 A community facility use shall be permitted in all zones other than the Environmental Protection, Environmental Protection Wetland, Prime Agriculture, Mineral Extraction and Mining Zones.

5.20 MULTIPLE USES ON ONE LOT

Notwithstanding anything contained in this By-law, where any land or building is used for more than one purpose, all provisions of this By-law relating to each use shall be complied with, provided that no dwelling shall be located closer than three (3) metres (9.8 ft.) to any other building on the lot except a building accessory to such dwelling. A dwelling or dwelling unit as an accessory use will be allowed where permitted by this By-law in accordance with Section 5.26 below.

5.21 PROHIBITED USES

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

- i) refining coal oil or petroleum products;
- ii) tanning hides or skins;
- iii) manufacturing gas;
- iv) manufacturing glue.

5.21.2 In addition to the uses prohibited in Clause 5.21.1 of this subsection, any use is prohibited which by its nature or the materials used therein is declared under the Health Protection and Promotion Act to be a health hazard.

5.22 OBNOXIOUS USES

Notwithstanding anything contained herein, no land shall be used and no building or structure shall be erected, altered or used for any purpose which is obnoxious, and without limiting the generality of this subsection, for any purpose that creates or is likely to become a nuisance or offensive, or both:

- i) by the creation of noise or vibration in excess of the limits of the Environmental Protection Act;
- ii) by reason of the emission of gas, fumes, smoke, dust or objectionable odour in excess of the limits of the Environmental Protection Act, except in the case of agricultural uses operating in compliance with reasonable agricultural practices;
- iii) by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, motor vehicles, trailers, or parts of vehicles or trailers, machinery or other such material; or
- iv) by any combination of those things described in Clauses 5.22.1(i), 5.22.1(ii) and 5.22.1(iii) and 5.22.1(iv) of this subsection.

5.23 TRUCK, BUS AND COACH BODIES

No truck, bus, coach body, highway trailer or similar structure of any kind, shall be used for human habitation, storage of goods and materials or any other uses within any area affected by this by-law, whether or not the same is mounted on wheels or other form of mounting or foundation.

5.24 SWIMMING POOLS

Notwithstanding any other provisions of this By-law a swimming pool is permitted as an accessory use in any residential, agricultural, commercial, community facility or open space zone provided that it is in compliance with the municipal swimming pool by-law.

5.25 ACCESSORY BUILDINGS

5.25.1 The total lot coverage of accessory buildings and structures including detached private garages shall not exceed five (5) percent of the lot area except where a swimming pool or tennis court is provided, in which case the total lot coverage for accessory uses shall not exceed twenty (20) percent. In no case shall the lot coverage of all buildings on a lot exceed the maximum lot coverage of the principal use set out in the applicable provisions of this By-law.

5.25.2 Any accessory building which is not part of the main building shall be erected to the rear of the projected front or exterior side wall of the main building. Where accessory buildings are located behind the main buildings, they shall be located in accordance with the provisions of the particular zone.

5.25.3 No person shall use an accessory building for human habitation except where a dwelling is permitted as an accessory building.

5.25.4 An accessory building shall not be built closer to any lot line than the minimum distance required by this By-law except that common semi-detached garages may be erected on a mutual side lot line.

5.25.5 Except in accordance with Section 5.16, no accessory building shall be erected prior to the erection of a principal building or structure.

5.25.6 The minimum distance of an accessory building from a principal building shall be 3.0 metres (9.8 ft.).

5.25.7 No person shall use any lot or erect, alter or use any building or structure for the purpose of a dwelling or dwelling unit where the zoning is not residential except in accordance with the following regulations:

- i) A dwelling as a separate structure shall have a minimum gross floor area of 89 square metres (958.0 sq. ft.) and where there is more than one floor, a minimum ground floor area of 44.5 square metres (479.0 sq. ft.). A dwelling unit as an apartment within a non-residential building shall have a minimum gross floor area of 55 square metres (592.0 sq. ft.).
- ii) A dwelling unit shall have separate bathroom and kitchen facilities from those of the non-residential use.
- iii) Each dwelling unit shall have separate parking spaces as required by the parking requirements hereto.
- iv) The dwelling unit shall have a separate building entrance to that provided for the non-residential use.
- v) Separate storage facilities containing a minimum of 2.8 sq. m (30 sq. ft.) shall be provided for each dwelling unit.
- vi) In a commercial zone, one dwelling unit shall be permitted in a non-residential building provided it is located on the second storey of such building, or at the rear of such building if on the main floor.
- vii) Notwithstanding the provisions of clause 5.19(ii) of this subsection, the gross floor area of the residential portion of a non-residential building in a Commercial zone shall not exceed one hundred (100) percent of the non-residential floor area.
- viii) A single detached dwelling as a separate structure shall be permitted if occupied by the owner, caretaker, watchman or similar person, provided that such person is employed on the lot on which such dwelling house is located.
- ix) A dwelling unit shall not be permitted within an automobile service station, automobile sales agency or automobile body shop.

5.26 FRONTAGE ON A STREET

- i) No person shall erect any building or structure in any zone, unless the lot upon which such building or structure is to be erected fronts upon a public street. For the purposes of this By-law a street does not include an unopened road allowance, a lane, or an unassumed road on a Registered Plan which has been deemed not to be a Registered Plan under the Planning Act. The above provisions shall not apply to prohibit the erection of any building on a lot on a registered plan of subdivision where a subdivision agreement has been entered into but in which the streets will not be assumed until the end of the maintenance period.
- ii) Limited Service Dwelling
Notwithstanding the provisions of paragraph (i) of this subsection, a limited service dwelling is permitted and accessory buildings and structures may be erected or used on a lot in a Limited Service Residential (LSR) Zone provided such lot has frontage on a private road which the subject lot and use are legally entitled to use and has access to a year round maintained public road.
- iii) Hunting or Fishing Camp
Notwithstanding the provisions of paragraph (i) of this subsection a hunting or fishing camp may be erected or used on a lot in a Rural (RU) Zone provided such lot has frontage on an access road which the subject lot and use are legally entitled to use.
- iv) Resource Land Uses
Notwithstanding the provisions of paragraph (i) of this subsection a building or structure accessory to a permitted forestry, farm or mineral exploration use may be erected or used

on a lot that frontage on a private road; however, this provision shall not be construed so as to permit any type of residential dwelling.

5.27 SIGHT TRIANGLES

Unless otherwise specified in this By-law, on a corner lot, within the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each point being measured nine (9) metres (29.5 ft.) along the street lines from the point of intersection of the street lines, no building or structure which would obstruct the vision of drivers of motor vehicles shall be erected and no trees, shrubs, hedges, fences or walls shall be planted, erected or maintained of greater height than one (1) metre (3.3 ft.) above the centre line of the adjacent road at the lowest point. Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the tangents to the street lines.

5.28 HOME OCCUPATIONS

Home occupations are categorized as Type 'A' and Type 'B' home occupations. Home occupations Type 'A' and Type 'B' are permitted in the zones as indicated in this By-law in accordance with the following:

- i) there is no display, other than a sign of a maximum size of .55 square metres (6.0 sq. ft.) to indicate to persons outside that any part of the dwelling is being used for a purpose other than residential. Furthermore, such a sign shall be setback a minimum of 3 metres (9.8 ft.) from any lot line;
- ii) such home occupation is clearly secondary to the main residential use and does not change the residential character of the dwelling nor create or become a public nuisance; in particular, in regard to noise, obnoxious odours, emission of smoke, traffic or parking;
- iii) such home occupation does not interfere with television or radio reception;
- iv) not more than 25 percent of the gross floor area of the dwelling is used for the purposes of home occupation uses except in the case of a bed and breakfast establishment in which situation the provisions of subsection 5.28.3 shall apply.

5.28.1 Additional Provisions for Type 'A' Home Occupations

Type 'A' home occupations shall be conducted entirely within the principal residence and shall be limited to administrative office type uses only and may employ one (1) employee other than those residing in the dwelling.

5.28.2 Additional Provisions for Type 'B' Home Occupations

Type 'B' home occupations shall be conducted entirely within the principal residence and shall be limited to personal service and medical occupations such as hairdressers, day nurseries limited to 5 children or less, doctors and dentists offices and may employ one (1) person in addition to persons residing in the residence.

5.28.3 Additional Provisions for Bed and Breakfast as a Home Occupation

Where a bed and breakfast establishment is established as a home occupation, no more than 4 guest rooms shall be maintained for the accommodation of the public.

5.29 HOME INDUSTRY

Home industries are categorized as Type ‘A’ and Type ‘B’ home industries. Home industries Type ‘A’ and Type ‘B’ are permitted in the zones as indicated in this By-law in accordance with the following:

- i) there is no open storage of goods or materials;
- ii) there is no display, other than a sign of a maximum size of .55 square metres (6.0 sq. ft.) to indicate to persons outside, that any part of the dwelling or accessory building is being used for a purpose other than residential. Furthermore, such a sign shall be set back a minimum of 3 metres (9.8 ft.) from any lot line;
- iii) the home industry is clearly secondary to the main residential use and does not change the residential character of the dwelling nor create or become a public nuisance; in particular in regard to noise, noxious odours, emission of smoke, traffic or parking;
- iv) where an interior side yard and/or rear yard abuts a residential zone, then such interior side yard and/or rear yard shall be a minimum of 15 metres (49.2 ft.). This 15 metre (49.2 ft.) area shall be maintained in an open space condition and the open storage of goods or materials shall not be permitted within this 15 metre (49.2 ft.) area;
- v) the home industry does not interfere with television or radio reception;
- vi) there are no goods, wares or merchandise, publicly offered or exposed for sale on the premises outside of any buildings; and
- vii) on-site parking is provided in accordance with Section 5.30.

5.29.1 Additional Provisions for Type ‘A’ Home Industries

Type ‘A’ Home Industries shall include craft shops, woodworking, repair and service shops and similar type uses and associated retail sales in accordance with the following:

- i) any accessory structure used for a Type ‘A’ home industry shall not exceed 39 sq. metres (419.8 sq. ft.);
- ii) not more than one (1) person not residing in the residence on the lot shall be permitted (i.e. one employee who is not a resident).

5.29.2 Additional Provisions for Type ‘B’ Home Industries

Type ‘B’ Home Industries shall include craft shops, woodworking, light manufacturing, repair and service shops and other similar type uses and associated retail sales in accordance with the following:

- i) any accessory structure used for a Type ‘B’ home industry shall not exceed 50 sq. metres (538.2 sq. ft.);
- ii) not more than two (2) persons not residing in the residence on the lot shall be permitted (i.e. two employees who are not residents);
- iii) the minimum lot size for a Type ‘B’ home occupation shall be 2 hectares (4.94 ac.).
- iv) one commercial vehicle associated with the home industry is permitted.

5.30 OFF STREET PARKING PROVISION

For every building or structure to be erected for, altered for, or its use converted to any of the uses specified in the following table, off-street parking facilities shall be provided and maintained either on the same lot on which the principal use is located or, where this is not possible, on a lot within 60 metres (196.9 ft.) of the lot on which the principal use is located and in accordance with the following table and other provisions contained in this subsection unless otherwise specifically provided.

5.30.1 Minimum Parking Space Requirements

- | | | |
|-------|--|--|
| i) | Residential - | Two (2) spaces for every dwelling unit. |
| ii) | Marina - | One (1) space for every 2 docking berths. |
| iii) | Senior Citizen Multiple Dwelling - | Up to 30 dwelling units, parking spaces shall equal 50 percent of the number of dwelling units.
Between 30 and 60 units, parking spaces shall equal 40 percent of the number of dwelling units. |
| iv) | Private or Public Hospital or Nursing Home - | One (1) space for every two (2) beds. |
| v) | Private or Commercial Club, or Commercial Recreational Establishment - | One (1) space for every three (3) persons to be accommodated in the design capacity of the building. |
| vi) | Funeral Home - | One (1) space for every 3 chapel seating spaces or fraction thereof with a minimum of 10 spaces. |
| vii) | Church or Place of Worship, Community Hall, Arena - | One (1) space for every three (3) persons to be accommodated according to maximum permitted capacity. |
| viii) | Schools - | One (1) space per classroom, and one space for each 10 people of maximum design capacity of the assembly hall or auditorium. |
| ix) | Government or Public Utility Building - | One (1) space for every twenty-three (23) square metres (247.6 sq. ft.) of gross floor area. |
| x) | Business or Professional Office - | One (1) space for every twenty-three (23) square metres (247.6 sq. ft.) of gross floor. |
| xi) | Hotel/Motel/Resort - | One (1) space for every guest room and one (1) space for every eight (8) square metres (86.1 sq. ft.) of gross floor area devoted to public use. |
| xii) | Boarding or Rooming House, Bed and Breakfast or Tourist Home - | One (1) space for each bedroom. |
| xiii) | Place of Assembly such as Halls, Fraternal Organizations, Labour Union Halls, Dance Halls, Community Centres, Theatres | One (1) space for every three (3) persons of maximum design capacity. |
| xiv) | Bowling Lanes and Billiard | One (1) space for every two (2) persons of Establishments -design capacity. Design capacity shall mean six (6) persons per bowling lane and two (2) persons per billiard table. |

xv)	Drive-In Restaurant or Take-Out Restaurant -	One (1) space for every two (2) square metres (21.5 sq. ft.) of gross floor area.
xvi)	Restaurant, Tavern, Banquet Hall, Lounges or Meeting Areas, excluding a Drive-In or Take-Out Restaurant -	One (1) space for every four and one half (4.5) square metres (48.4 sq. ft.) of public floor area or one (1) space for every four (4) persons of design capacity, whichever is the greater with a minimum of 10 spaces.
xvii)	Retail, Wholesale Sales, Merchandise Service Shop, or Studio -	One (1) space for every twenty-eight (28) square metres (391.4 sq. ft.) of gross floor area.
xviii)	Retail Lumber and Building Supply Outlet -	One (1) space for every 28 square metres (391.4 sq. ft.) of retail floor space with a minimum of 6 spaces.
xix)	Automotive Sales Establishment, (New and Used) -	A minimum of ten (10) spaces plus (1) space for every employee working on the premises during the peak business period.
xx)	Industrial Establishment -	One (1) space for every thirty-seven (37) square metres (398.3 sq. ft.) of gross floor area.
xxi)	Warehouse or Bulk Storage Yard -	One (1) space for every employee working on the premises during the peak business period.
xxii)	Post Offices, Museums, Art Galleries and Libraries -	One space for every forty-six (46) square metres (495.2 sq. ft.) or fraction thereof of public floor area.
xxiii)	Home Occupation or Home Industry -	One (1) space for every eighteen (18) square metres (193.8 sq. ft.) of floor area devoted to the use.
xxiv)	Uses Permitted by this By-law Other than Those Listed Above but Excluding Accessory Uses to Single Detached Dwellings -	One (1) space for every twenty-eight (28) square metres (301.4 sq. ft.) of gross floor area.

5.30.2 Parking Requirements

- i) Each parking space must be readily accessible at all times and arranged in such a manner to provide access and manoeuvring space for the parking and removal of a motor vehicle without the necessity of moving any other motor vehicle, except that this shall not apply in the case of a single detached dwelling.
- ii) Ingress and egress to and from the parking aisles prescribed by this section shall be provided by a sufficient number of adequate, unobstructed driveways having a minimum width of six (6) metres (19.7 ft.), except that in the case of a single detached dwelling, the width may be reduced to 3.5 metres (11.5 ft.).
- iii) All off-street parking spaces, driveways and aisles required herein shall be constructed and maintained with a stable surface.
- iv) Where a ramp to parking aisles provides access from a street, such a ramp shall not be located closer than seven and one half (7.5) metres (24.6 ft.) from the street line and a level

- stopping space shall be provided between the ramp and the street grade so as to provide adequate vision to the street in both directions.
- v) Where a lot, building or structure accommodates more than one type of use, the parking requirement for the whole building shall be the sum of the requirements for the separate parts of the lot, building or structure occupied by the separate types of uses.
 - vi) The parking requirements referred to herein shall not apply to any building in existence at the date of enactment of this By-law so long as the gross floor area as it existed at that date is not increased or the use changed. If an addition is made or the use is changed, then additional parking spaces shall be provided up to the number required for such addition.
 - vii) Where the application of ratios results in a fraction of a parking space, the required number of spaces shall be increased to the next whole number.
 - viii) In the case of a parking structure completely or partly below finished grade, it shall not be necessary to comply with the setback requirements of the particular zone, except that the minimum distance between such a structure and the street line shall be 7.5 metres (24.6 ft.).
 - ix) Where parking requirements are related to seating capacity and seating is by open benches, each .6 metres (2.0 ft.) of open bench shall be counted as one seat.
 - x) The lights used for illumination of parking spaces, aisles and driveways shall be so arranged as to divert the light down and away from adjacent lots and streets.
 - xi) A structure not more than four and one half (4.5) metres (14.8 ft.) in height and not more than four and one half (4.5) square metres (48.4 sq. ft.) in area may be erected in the parking area for the use of parking attendants.
 - xii) No sign shall be erected in any parking area other than a directional sign, signs necessarily incidental to the efficient operation of a commercial parking lot, and a sign which gives the name of the owner. The maximum size of any such sign shall be one (1) square metre (10.8 sq. ft.).
 - xiii) No gasoline pump or other service station equipment shall be located or maintained on any parking space or aisle.
 - xiv) In a residential zone or in an urban residential zone, not more than 50 percent of the aggregate area of the side yards and rear yard shall be occupied by parking spaces, aisles or driveways.
 - xv) Entrances and exits to parking spaces shall not pass through zones other than the zones requiring the parking spaces.
 - xvi) Where off-street parking abuts a residential zone or urban residential zone, a wooden fence at least 1.5 metres (4.9 ft.) in height shall be erected and maintained and the land within three (3) metres (9.8 ft.) of the residential zone or urban residential zone shall be maintained in an open space condition.
 - xvii) No parking or loading facility or part thereof shall be located and no land shall be used for the parking or storage of any vehicle within 1 metre (3.3 ft.) of any lot line or street line, or within 3 metres (9.8 ft.) of the boundary of any residential zone or urban residential zone.

5.30.3 Handicap Parking

Handicap parking spaces shall be provided for all commercial uses listed in Section 5.30.1 at the rate of 1 space per 500 sq. metres (5,382.0 sq. ft.) with a minimum of 2 spaces. Handicap parking spaces should be a minimum of 3.5 metres (11.5 ft.) wide and be located in close proximity to the commercial establishment.

5.31 LOADING SPACE REQUIREMENTS

- i) No person shall erect or use any building or structure in any zone for any commercial or industrial purpose involving the movement of goods unless loading spaces are provided and maintained in accordance with the following provisions:

- a) 280 sq. gross floor area (3,014 sq. ft.) - 930 sq. m gross floor area (10,010.8 sq. ft.)
1 space
- b) exceeding 930 sq. m gross floor area (10,010.8 sq. ft.)
2 loading spaces plus a minimum of 1 additional loading space for each
1400 sq. m (15,070.0 sq. ft.) or fraction thereof in excess of 930 sq. m
(10,010.8 sq. ft.) .
- ii) Each loading space shall be at least 9.0 metres (29.5 ft.) long, 3.5 metres (11.5 ft.) wide and have a vertical clearance of at least 4.0 metres (13.1 ft.).
- iii) The required loading spaces shall be provided on the lot occupied by the building or structure for which the said loading spaces are required and shall not form a part of any street or lane.
- iv) For any commercial or industrial use, no loading space or part thereof shall be located and no land shall be used for loading purposes within 1.5 metres (4.9 ft.) of any lot line, or within 3 metres (9.8 ft.) of any street line or boundary of any residential zone or urban residential zone, or within 3 metres (9.8 ft.) of the lot line of a residential use.
- v) Access to loading spaces shall be by means of a driveway at least 6 metres (19.7 ft.) wide contained within the lot on which the spaces are located and leading to a street or lane located within or adjoining the zone in which the use is located.
- vi) The driveways and loading spaces shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.
- vii) The loading requirements referred to herein shall not apply to any building in existence at the date of enactment of this By-law so long as the gross floor area as it existed at the date is not increased. If an addition is made, then additional loading spaces shall be provided up to the number required for such addition.

5.32 GARDEN SUITES

Notwithstanding the provisions of Section 5.5.3 of the By-law to the contrary, garden suites shall be permitted subject to the following requirements;

- i) the gross floor area of living space in such dwelling shall consist of a minimum of 49 square metres (527.4 sq. ft.) and a maximum of 65 square metres (699.7 sq. ft.);
- ii) the sanitary sewage disposal, water supply and electrical services for the dwelling unit shall be derived from and connected to the services of the single detached dwelling upon which lot the garden suite is situated, subject to the approval of the authorities responsible for the various services;
- iii) all of the provisions of the respective zones in which the garden suite is situated shall be complied with in addition to the following special criteria:
 - a) Rear Yard (Minimum) 4.5 metres (14.8 ft.)
 - b) Building Height (Maximum) 4.5 metres (14.8 ft.)
 - c) Separation Distance from the
Principal Dwelling (Maximum) 4.5 metres (14.8 ft.)
- iv) a garden suite shall be located behind the principal dwelling house on the property;
- v) a temporary use zoning by-law is passed by Council in accordance with the provisions of the Planning Act. The by-law shall be in place for a period not exceeding ten (10) years.

5.33 AREAS OF INFLUENCE

- i) No dwelling shall be erected within 300 metres from any MX-Mineral Extractive Zone, any MXR-Mineral Extractive Reserve Zone or any existing pit or within 500 metres of an existing quarry.
- ii) Notwithstanding the requirements of subsection 5.34 i) above, on an existing vacant lot of record where a single detached dwelling is a permitted use and where it is not possible to

erect a dwelling that is at least 150 metres from a MXR-Mineral Extractive Reserve Zone, such lot shall be exempt from the requirements of subsection 5.34 i), and a single detached dwelling may be erected on an existing lot of record, provided the minimum setback of 100 metres from the MXR-Mineral Extractive Reserve Zone is provided.

- iii) No gravel pit shall be made or established and no concrete or asphalt manufacturing or extractive industrial facility shall be located within 300 metres of a residential dwelling, senior citizen home, nursing home or school or where the adjacent lot is vacant, within 300 metres of any lot line or portion thereof that abuts a Residential Zone. No quarry shall be made or established within 300 metres of a residential dwelling, senior citizen home, nursing home or school, or where the adjacent lot is vacant, within 500 metres of any lot line or portion thereof which abuts a Residential Zone.
- iv) No person shall erect a residential structure in any zone within 500 m (1,640.4 ft.) of lands zoned WD - Waste Disposal

5.34 AGRICULTURE - MINIMUM DISTANCE SEPARATION

- i) Notwithstanding any other yard or setback provisions of this By-law to the contrary, no development shall be located on a separate lot and permitted by a specific zone, unless it complies with the Minimum Distance Separation (MDS I) calculated using Appendix 1 to this By-law.
- ii) Notwithstanding any other yard or setback provisions of this By-law to the contrary, no livestock facility shall be erected or expanded within a PA and RU zone unless it complies with the Minimum Distance Separation (MDS II) calculated using Appendix 2 to this By-law.

5.35 SECONDARY FARM OCCUPATION

Secondary Farm Operations, as defined herein, are permitted within the PA and RU zoning categories subject to the following provisions:

- i) The secondary farm occupation is clearly secondary and incidental to the principal use of farming on the subject property;
- ii) Not more than one (1) secondary farm occupation use shall be permitted on a farm property;
- iii) The secondary farm occupation operation does not result in the loss of productive farm land;
- iv) The secondary farm occupation shall only be conducted by an individual residing on the farm property and who are physically involved in conducting the farm operation on a day-to-day basis; one full-time equivalent employee shall be permitted in conjunction with the secondary farm occupation;
- v) The types of uses permitted as secondary farm occupations shall be limited to those involved in the manufacture or fabrication of goods, uses considered to be trade occupations, and other occupations which are primarily and directly related to agriculture and farming;
- vi) All secondary farm occupations shall be conducted inside of buildings and/or structures;
- vii) A secondary farm operation shall be operated as part of the farm unit and shall cease if the farm use is discontinued;
- viii) The secondary farm occupation shall not be operated in a manner that will impede or interfere with the ability of the farmer to conduct the farming operation on the subject property;
- ix) A secondary farm occupation shall be conducted wholly within an accessory building or

structure or structures the combined floor area of which shall not exceed 186 sq. metres (2,002.2 sq. ft.). Buildings and structures must be designed in such a manner that they can be converted/reverted to a farming use and must be located in proximity to the principal farm building;

- x) The minimum setback for such building(s) from the rear and side property lines shall be 15.2 metres (50 ft.);
- xi) A separate access driveway serving the secondary farm occupation use shall not be permitted;
- xii) Secondary farm occupations shall not be located in any front yard and shall not be closer to any public road than the principal building on the lot.

5.36 WATERTAKING PERMITS

All lands that are the subject of an application to the Ministry of the Environment for a Permit to Take Water under the Ontario Water Resources Act RSO 1990, Chapter 0.40 and the Environmental Bill of Rights, Statutes of Ontario, 1993, Chapter 28, shall be subject to an amendment to this By-law and shall be zoned to a special Exception (EX) Zone.

5.37 OPEN STORAGE

Open storage of goods or materials shall be permitted in those zones where open storage is a permitted use and only if the goods which are accessory to uses permitted in the zones where it is located and in accordance with other provisions of this By-law.

5.38 EXTERNAL DESIGN

The following building materials shall not be used for more than 5 percent of the exterior vertical facing of any wall of any residential building within the municipality:

- i) building paper;
- ii) asphalt roll-type siding;
- i) insulbrick.

5.39 HEIGHT EXCEPTIONS

Notwithstanding the height provisions herein contained, nothing in this by-law shall apply to prevent the erection, alteration or use of accessory buildings or structures provided the principal use is a use permitted within the zone in which it is located: a church spire, barn, silo, belfry, flag pole, light standard, clock tower, chimney, water tank, windmill, radio or television antenna, telecommunication tower, air conditioner duct, incidental equipment required for processing and external equipment associated with internal building equipment.

5.40 ABANDONED EQUIPMENT

Unused and/or discarded motor vehicles, farm implements and similar abandoned equipment shall not be located or stored in any zone in a location where they will be visible from a street or road or from adjacent lots.

5.41 STORAGE AND PARKING OF MOTOR VEHICLES AND TRACTOR TRAILER TRUCKS

5.41.1 No land in the municipality shall be used for the storage or parking of a derelict vehicle.

- 5.41.2** No land in the municipality shall be used for the parking of a motor vehicle which is undergoing repairs unless such repairs are affected within an enclosed building.
- 5.41.3** No land in the municipality shall be used for the outdoor storage of motor vehicle parts unless such motor vehicle parts are stored in a location such that they are not visible from any adjacent lands which are not occupied by the owner of such parts and is an accessory use within the zone it is located.
- 5.41.4** No tractor trailer trucks or commercial vehicles shall be parked overnight on a single occasion or continuous basis within any urban residential zone as established in this by-law.

5.42 INTERIOR SIDE YARD - MARINE FACILITIES AND COMMUNAL DOCKS

- 5.42.1** Marine facilities shall not be permitted to locate closer than 1.5 metres (4.9 ft.) to any interior side lot line.
- 5.42.2** Communal docks shall not be permitted to locate closer than 60 metres (196.6 ft.) to any interior side lot line adjacent to a residential zone.

5.43 OUTDOOR WOODBURNING FURNACES

An outdoor wood burning furnace shall be permitted and shall comply with the following regulations:

- i) minimum setback from:
 - a) a lot line abutting a residential zone - 100 metres (328.1 ft.)
 - b) any other lot line - 60 metres (196.6 ft.)
- ii) that no outdoor furnace shall be constructed or installed on a lot without the issuance of a building permit for construction from the municipality. For the purposes of this subsection, the term “construction” has the same meaning as set out in Section 1(1) of the Building Code Act, S.O. 1992, c. 23 as amended.

5.44 TRAVEL TRAILERS, MOTOR HOMES, CAMPER TRAILERS, TRUCK CAMPERS

- i) The use of travel trailers, motor homes, truck campers and camper trailers shall be prohibited in all zones except for a Resort/Recreational Commercial Zone.
- ii) The use of any of the above-mentioned or similar vehicles shall not be used for human habitation, except in a Resort/Recreational Commercial Zone.
- iii) A maximum of one motor home, truck camper, travel trailer or camper trailer shall be permitted to be parked or stored where a principal residence has been established.
- iv) The above named vehicles shall not be used in any zone for carrying on business.

5.45 FENCES

No fence exceeding a maximum height of 1.8 metres (5.9 ft.) shall be erected in an urban area. Notwithstanding the above, a fence in excess of 1.8 metres (5.9 ft.) in height may be erected for a public use or where provincial/federal regulations require a fence to be erected in excess of 1.8 metres (5.9 ft.).

5.46 SIGNS

Signs shall only be permitted in accordance with the following:

- i) In “All Zones”, the following signs shall be permitted:
 - a) an authorized traffic sign or signal;
 - b) a public election list or other proclamation by government authority;
 - c) a “No Trespassing” sign or similar announcement or sign other than an advertisement;
 - d) a sign incidental to construction on the premises and a non-illuminated real estate sign not exceeding 0.5 square metres in area, advertising the sale, rental or lease of any lot or premises;
 - e) a nameplate not exceeding 0.2 square metres in area indicating the name of the occupant of a dwelling on a lot;
 - f) in all zones which permit home occupations, a sign not exceeding 0.55 square metres (6 sq. ft.) shall be permitted for purposes of advertising a home occupation;
 - g) in all zones which permit a home industry, a sign not exceeding 0.55 square metres (6 sq. ft.) shall be permitted for the purpose of advertising a home industry.
- ii) In all Industrial zones, the following signs shall be permitted:
 - a) a maximum of two permanent business signs advertising or identifying the industrial firm or uses on the lot, such signs shall be attached to a building or located on a pylon or similar structure situated on the ground. No pylon or similar structure shall be located closer than 2.5 metres to any street line or lot line;
 - b) a non-illuminated sign not exceeding one square metre in area advertising the sale of land.
- i) In a Community Facility (CF), Open Space (OS) and/or Environmental Protection (EP) Zone, one or more signs or bulletin boards identifying the name of the premises and indicating other information concerning the premises such as traffic directional signs and parking area signs shall be permitted. Such signs shall not exceed 0.5 square metres in aggregate area for each metre of street line abutting the lot, and shall be attached to a building, or located on a pylon or similar structure situated on the ground. No pylon or similar structure shall be located closer than 2.5 metres to any street line or lot line.
- iv) In a Permanent Agriculture or Marginal Agriculture zone, the following signs shall be permitted:
 - a) a temporary roadside sign may be located with the written approval of the owner of the property and Council;
 - b) a non-illuminated sign not exceeding one (1) square metre in area advertising the sale of the premises or of agricultural products raised or produced on the premises.
- v) In all Commercial zones, one or more business signs advertising businesses or services lawfully conducted on the lot shall be permitted. Such signs shall not exceed one (1) square metre in aggregate area for each metre of street line abutting the lot. The signs shall be attached to the principal building and shall not project more than two metres therefrom or shall be located on a pylon or similar structure on the ground. No pylon or similar structure shall be located closer than 2.5 metres to any street line. In addition, temporary roadside signs may be located with the written approval of the owner of the property and Council.
- vi) Temporary Signs:
 - a) In addition to the above, one temporary sign shall be permitted on any non-residential lot in the Township. Such sign shall be for the purpose of advertising a special event and shall not be located on the lot for more than 30 consecutive days.

5.47 CROWN LANDS

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

SECTION 6 - PA - PRIME AGRICULTURE ZONE

6.1 PA – PRIME AGRICULTURAL

Within a PA – Prime Agriculture Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

6.2 PERMITTED USES

- i) agricultural uses, including a livestock facility, and intensive agriculture
- ii) conservation uses, including forestry, reforestation and other activities connected with the conservation of soil or wildlife,
- iii) wood lots,
- iv) wayside pit and wayside quarry,
- v) open space uses,
- vi) a kennel,
- vii) an apiary,
- viii) a fur farm,
- ix) a riding club or boarding stable,
- x) a greenhouse,
- xi) passive recreational outdoor uses,
- xii) a warehouse,
- xiii) a grain drying facility,
- xiv) a livestock assembly area or a livestock exchange,
- xv) a single detached dwelling,
- xvi) a bed and breakfast establishment,
- xvii) a research facility,
- xviii) an agricultural produce sales outlet,
- xix) an accessory building or use to the above uses,
- xx) a Type ‘A’ and Type ‘B’ home occupation, in accordance with the provisions of Section 5.28 of this By-law,
- xxi) a Type ‘A’ and Type ‘B’ home industry, in accordance with the provisions of Section 5.29 of this By-law,
- xxii) a secondary farm occupation in accordance with the provisions of Section 5.35 of this By-law,
- xxiii) logging.

6.3 ZONE REGULATIONS

i) For Residential Uses

- | | | |
|------|---|-----------------------------|
| i) | Front Yard (Minimum) | 15 metres (49.2 ft.) |
| ii) | Rear Yard (Minimum) | 7.5 metres (24.6 ft.) |
| iii) | Interior Side yard (Minimum) | 7.5 metres (24.6 ft.) |
| iv) | Exterior Side Yard (Minimum) | 15 metres (49.2 ft.) |
| v) | Gross Floor Area (Minimum) | 89 sq. metres (958 sq. ft.) |
| vi) | Building Height (Maximum) | 11 metres (36.1 ft.) |
| vii) | Off-street parking shall be provided in accordance with Section 5.30. | |

ii) For All Other Uses

- i) Lot Area (Minimum) 20.2 ha (50 acres)
- ii) Lot Frontage (Minimum) 100 metres (328.1 ft.)
- iii) Building Height (Maximum) 45 metres (147.6 ft.)
- iv) Front Yard and Exterior Side Yard (Minimum) 30 metres (98.4 ft.)
- v) Interior Side Yard (Minimum) 15 metres (49.2 ft.)
- vi) Rear Yard (Minimum) 15 metres (49.2 ft.)
- vii) Off-street parking shall be provided in accordance with Section 5.30.

iii) **For Accessory Buildings**

- i) Front Yard (Minimum) See Section 5.25.3
- ii) Rear Yard (Minimum) 3.0 metres (9.8 ft.)
- iii) Interior Side Yard (Minimum) 3.0 metres (9.8 ft.)
- iv) Exterior Side Yard (Minimum) 20 metres (65.6 ft.)
- v) Height (Maximum) 10 metres (32.8 ft.)

iv) **For Kennels**

No building or structure used for the raising and keeping of animals in a kennel as defined in this By-law, shall be located less than 150 metres (492.1 ft.) from any residential zone or a residential use (excluding accessory buildings).

v) **For Logging Operations**

Notwithstanding other provisions of this by-law, no logging operation shall be permitted within:

- i) 600 metres (1,968.5 ft.) of settlement areas or urban areas;
- ii) 120 metres (393.7 ft.) of an area zoned Open Space;
- iii) 120 metres (393.7 ft.) from the highwater mark of any lake, river or stream, except an intermittent stream;
- iv) 120 metres (393.7 ft.) from the boundary of a Provincial Highway;
- v) 23 metres (75.5 ft.) from the boundary of a Township Road;
- vi) 30 metres (98.4 ft.) from a residence on an adjacent property.

but nothing in this by-law shall prevent the selective cutting, as defined in this by-law, of mature timber within such distances.

6.4 **GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the PA - Prime Agriculture Zone.

6.5 **SPECIAL PA - PRIME AGRICULTURE ZONES**

SECTION 7 - RU - RURAL

7.1 RU – RURAL

Within a RU - Rural Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

7.2 PERMITTED USES

- i) agricultural uses, including a livestock facility,
- ii) conservation uses, including forestry, reforestation and other activities connected with the conservation of soil or wildlife,
- iii) wood lots,
- iv) wayside pit and wayside quarry,
- v) open space uses,
- vi) a kennel,
- vii) an apiary,
- viii) a fur farm,
- ix) a riding club or boarding stable,
- x) a greenhouse,
- xi) passive recreational outdoor uses,
- xii) a warehouse,
- xiii) a grain drying facility,
- xiv) a livestock assembly area or a livestock exchange,
- xv) a single detached dwelling,
- xvi) a bed and breakfast establishment,
- xvii) a research facility,
- xviii) an agricultural produce sales outlet,
- xix) a hunt camp and fishing camp,
- xx) an accessory building or use to the above uses,
- xxi) a Type ‘A’ and Type ‘B’ home occupation, in accordance with the provisions of Section 5.28 of this By-law,
- xxii) a Type ‘A’ and Type ‘B’ home industry, in accordance with the provisions of Section 5.29 of this By-law,
- xxiii) a secondary farm occupation in accordance with the provisions of Section 5.35 of this By-law,
- xxiv) logging.

7.3 ZONE REGULATIONS

a) For Residential Uses and Uses Other than Logging Operations, Kennels and Accessory Buildings

i)	Lot Area (Minimum)	6 hectares (15 acres)
ii)	Lot Frontage (Minimum)	57 metres (150 ft.)
iii)	Front Yard (Minimum)	15 metres (49.2 ft.)
iv)	Rear Yard (Minimum)	7.5 metres (24.6 ft.)
v)	Interior Side yard (Minimum)	7.5 metres (24.6 ft.)
vi)	Exterior Side Yard (Minimum)	15 metres (49.2 ft.)
vii)	Gross Floor Area (Minimum)	89 sq. m (958 sq. ft.)
viii)	Lot Coverage (Maximum)	30 percent

- ix) Building Height (Maximum) 11 metres (36.1 ft.)
- x) Off-street parking shall be provided in accordance with Section 5.30.

b) For Accessory Buildings

- i) Front Yard (Minimum) See Section 5.25.3
- ii) Rear Yard (Minimum) 3.0 metres (9.8 ft.)
- iii) Interior Side Yard (Minimum) 3.0 metres (9.8 ft.)
- iv) Exterior Side Yard (Minimum) 20 metres (65.6 ft.)
- v) Height (Maximum) 10 metres (32.8 ft.)

c) For Kennels

No building or structure used for the raising and keeping of animals in a kennel as defined in this By-law, shall be located less than 150 metres (492.1 ft.) from any residential zone or a residential use (excluding accessory buildings).

d) For Logging Operations

Notwithstanding other provisions of this by-law, no logging operation shall be permitted within:

- i) 600 metres (1,968.5 ft.) of settlement areas or urban areas;
- ii) 120 metres (393.7 ft.) of an area zoned Open Space;
- iii) 120 metres (393.7 ft.) from the highwater mark of any lake, river or stream, except an intermittent stream;
- iv) 120 metres (393.7 ft.) from the boundary of a Provincial Highway;
- v) 23 metres (75.5 ft.) from the boundary of a Township Road;
- vi) 30 metres (98.4 ft.) from a residence on an adjacent property.

but nothing in this by-law shall prevent the selective cutting, as defined in this by-law, of mature timber within such distances.

e) For a Hunting and Fishing Camp

- i) lot area (minimum) 40.42 hectares (100 acres)
- ii) lot frontage on a public street (minimum) nil
- iii) gross floor area (maximum) 74.3 sq. metres (900 sq. ft.)
- iv) no. of buildings or structures per lot (max.) 1
- v) distance from a residential zone (minimum) 182.3 metres (600 ft.)
- vi) setback from a public road 182.3 metres (600 ft.)

7.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the RU - Rural Zone.

7.5 SPECIAL RU - RURAL ZONES

7.5.1 RU-1 (Part Lot 12, Concession 2, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RU-1 and shown on

the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) 2 barns for intensive farming uses (as defined below).

Zone Provisions

- i) area (barn) (maximum) one at 112 sq. m (1,200 sq. ft.);
one at 140 sq. m (1,500 sq. ft.)
- ii) height (barn) (maximum) 3.7 m (12 ft.)
- iii) No future expansion to the south or towards the municipal road will be permitted.

Definition:

FARM FACILITIES AND PRACTICES shall mean buildings and structures designed to accommodate 2 or more animal units such as barns, stables, shelters, pens, cages, kennels or other buildings or structures, used in conjunction with poultry farms, pig farms or farms where fur bearing mammals are raised and areas such as cattle feed lots, manure storage areas and other areas where obnoxious operations relating to farming are carried on.

All other provisions of this by-law shall apply.

7.5.2 RU-2 (Lot 17, Concession 8, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RU-2 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) the existing barns shall be used for storage only and shall not be used for the keeping of livestock;
- ii) all other uses in the RU zone shall be permitted.

All other provisions of this by-law shall apply.

7.5.3 RU-3 (Lot 9, Concession 11, Elzevir Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RU-3 and shown on the attached schedules, the following special provisions shall apply:

Special Provisions

The special provision for the RU-3 zone shall mean that no new buildings or structures will be permitted on the property.

All other provisions of this by-law shall apply.

7.5.4 RU-4 (Lot 4, Concession 4, Elzevir Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RU-4 and shown on the attached schedules, the following special provisions shall apply:

Special Provisions

The special provision for the RU-4 zone recognize an existing accessory building located on the retained lands prior to the establishment of a principal use building.

All other provisions of this by-law shall apply.

SECTION 8 - RR - RURAL RESIDENTIAL

8.1 RR – RURAL RESIDENTIAL

Within a RR - Rural Residential Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

8.2 PERMITTED USES

- i) a single detached dwelling,
- ii) an accessory building related to a single detached dwelling
- iii) a Type 'A' or Type 'B' Home Occupation in accordance with the provisions of Section 5.28 of this By-law,
- iv) a Type 'A' Home Industry in accordance with the provisions of Section 5.29 of this By-law,
- v) a bed and breakfast establishment.

8.3 ZONE REGULATIONS

a) For Single Detached Dwellings

i)	Lot Area (Minimum)	4046.7 sq. metres (43,560 sq. ft.)
ii)	Lot Frontage (Minimum)	45.7 metres (150 ft.)
iii)	Front Yard (Minimum)	15 metres (49.2 ft.)
iv)	Rear Yard (Minimum)	7.5 metres (24.6 ft.)
v)	Interior Side Yard (Minimum)	7.5 metres (24.6 ft.)
vi)	Exterior Side Yard (Minimum)	15 metres (49.2 ft.)
vii)	Gross Floor Area (Minimum)	89 sq. metres (958 sq. ft.)
viii)	Lot Coverage (Maximum)	30 percent
ix)	Building Height (Maximum)	11 metres (36.1 ft.)
x)	Off-street parking shall be provided in accordance with Section 5.30.	

b) For Accessory Buildings

i)	Rear Yard (Minimum)	1 metre (3.3 ft.)
ii)	Interior Side Yard (Minimum)	1 metre (3.3 ft.)
iii)	Exterior Side Yard (Minimum)	1 metre (3.3 ft.)
iv)	Building Height (Maximum)	10 metres (32.8 ft.)

8.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the RR - Rural Residential Zone.

8.5 SPECIAL RR - RURAL RESIDENTIAL ZONES

8.5.1 RR-1 (Lots 6 and 7, Concession 2, Township of Elzevir)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-1 and shown on the attached schedules, the following special provisions shall apply:

Zone Provisions

- i) access shall be permitted by private road which is not maintained by the Municipality of Tweed.

All other provisions of this by-law shall apply.

8.5.2 RR-2 (Lot 6, Concession 11, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-2 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) a group home.

All other provisions of this by-law shall apply.

8.5.3 RR-3 (Lot 24, Concession 4, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-3 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) Livestock Facility containing up to a total of four (4) Livestock Units on each individual lot (maximum)

All other provisions of this by-law shall apply.

8.5.4 RR-4 (Lots 20 and 21, Concession 10, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-4 and shown on the attached schedules, the following special provisions shall apply:

Zone Provisions

- i) setback of residential uses from the barn of a feed lot
On the property (minimum) 80.1 m (275.9 ft.)

All other provisions of this by-law shall apply.

8.5.5 RR-5 (Lot 3, Concession 1, Elzevir Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-5 and shown on the attached schedules, the following special provisions shall apply:

Zone Provisions

- i) lot frontage (minimum) 188.9 m (620 ft.)

All other provisions of this by-law shall apply.

8.5.6 RR-6 (Lot 3, Concession 2, Elzevir Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-6 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

In addition to the uses permitted in an RR Zone, the following shall be permitted:

- i) semi-detached dwelling;
ii) a three or four unit residence.

Zone Provisions

- i) lot area (minimum) 0.84 ha (2.1 acres)

All other provisions of this by-law shall apply.

8.5.7 RR-7 (Lot 19, Concession 14, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-7 and shown on the attached schedules, the following special provisions shall apply:

Zone Provisions

- i) setback from any feature of a hydro line (minimum) 4.8 m (15.7 ft.)
ii) setback from inactive gravel pit (minimum) 106.6 m (350 ft.)

All other provisions of this by-law shall apply.

8.5.8 RR-8 (Lot 4, Concession 13, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-8 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

In addition to the uses permitted in the RR Zone, the following use shall be permitted:

- i) keeping of a maximum of two animal units and associated farm practices and facilities.

All other provisions of this by-law shall apply.

8.5.9 RR-9 (Lot 9, Concession 8, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-9 and shown on the attached schedules, the following special provisions shall apply:

Zone Provisions

- i) despite the existence of any aggregate operation to the north and west of the area zoned RR-9, the residential use of the two lots zoned RR-9 shall be permitted, subject to a site-specific zoning by-law which shall recognize the distance from the residential uses to the licensed extractive zone;
- ii) the lands zoned RR-9 shall remain subject to any requirements which must be met in order for a building permit to be issued, such as provision of potable water and sewage disposal services.

All other provisions of this by-law shall apply.

8.5.10 RR-10 (Lot 18, Concession 1, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-10 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

In addition to the uses permitted in the RR Zone, the following use shall be permitted:

- i) a barn and the keeping of a maximum of two horses for recreational purposes.

All other provisions of this by-law shall apply.

8.5.11 RR-11 (Lot 11, Concession 11, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-11 and shown on the attached schedules, the following special provisions shall apply:

Zone Provisions

- i) lot frontage (minimum) 44 m (144.3 ft.)

All other provisions of this by-law shall apply.

8.5.12 RR-12 (Lots 15 and 16, Concession 10, Plan 1111, Back of the Moon Subdivision, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-12 and shown on the attached schedules, the following special provisions shall apply:

Zone Provisions

- i) side yard setback (minimum) 3 m (9.8 ft.)
(not including exterior side yards)

All other provisions of this by-law shall apply.

8.5.13 RR-13 (Lot 5, Concession 12, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-13 and shown on the attached schedules, the following special provisions shall apply:

Zone Provisions

- | | | |
|----|--|------------------|
| i) | side yard setback (north lot line) (minimum) | 1.83 m (6.0 ft.) |
|----|--|------------------|

All other provisions of this by-law shall apply.

8.5.14 RR-14 (Lot 6, Concession 3, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-14 and shown on the attached schedules, the following special provisions shall apply:

Zone Provisions

- | | | |
|----|------------------------------|------------------|
| i) | front yard setback (minimum) | 38.1 m (125 ft.) |
|----|------------------------------|------------------|

All other provisions of this by-law shall apply.

8.5.15 RR-15 Reserved8.5.16 RR-16 (Lot 28, Concession 10, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-16 and shown on the attached schedules, the following special provisions shall apply:

Zone Provisions

- | | | |
|-----|------------------------|--------------------|
| i) | lot area (minimum) | 3.4 ha (8.5 acres) |
| ii) | lot frontage (minimum) | 243.8 m (800 ft.) |

All other provisions of this by-law shall apply.

8.5.17 RR-17 (Lot 13, Concession 10, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-17 and shown on the attached schedules, the following special provisions shall apply:

Zone Provisions

- | | | |
|----|--|------------------|
| i) | separation distance from dwelling unit to barn (minimum) | 61.5 m (202 ft.) |
|----|--|------------------|

All other provisions of this by-law shall apply.

8.5.18 RR-18 (Lot 11, Concession 11, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-18 and shown on the attached schedules, the following special provisions shall apply:

Zone Provisions

- | | | |
|------|--|-------------------|
| i) | side yard setback (west side) (for existing house) (minimum) | 5 m (16.4 ft.) |
| ii) | side yard setback (west side) (for cement porch) | 3.5 m (11.4 ft.) |
| iii) | lot frontage (south lot) (minimum) | 24.3 m (79.7 ft.) |

All other provisions of this by-law shall apply.

8.5.19 RR-19 (Lot 12, Concession 1, Elzevir Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-19 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

In addition to other uses permitted in the RR zone, the following use shall be permitted:

- i) boarding or rooming house as defined in this by-law.

All other provisions of this by-law shall apply

8.5.20 RR-20 (Lot 13, Concession 3, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-20 and shown on the attached schedules, the following special provisions shall apply:

Zone Provisions

- i) the parcel zoned RR-20 as shown on the attached schedules and encompassing 1.6 ha (4 acres) may be used for Rural Residential purposes.
- ii) a lot addition consisting of Lot 13, Concession 3, Parts 6 to 11, Plan 21R-15109 and encompassing .8 ha (2.0 acres), created under consent file B11/02 and added to an existing .8 ha (2 acre) lot to create the 1.6 ha parcel described in i), may be used as part of the Rural Residential parcel to which it has been added, but may not be developed as a separate parcel.

All other provisions of this by-law shall apply.

8.5.21 RR-21 (Lot 3, Concession 2, Elzevir Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-21 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) a single detached, semi-detached, three or four unit row house;
- ii) uses accessory to the above.

Zone Provisions

- | | | |
|----|--------------------|---------------------|
| i) | lot area (minimum) | 0.76 ha (1.9 acres) |
|----|--------------------|---------------------|

All other provisions of this by-law shall apply.

8.5.22 RR-22 (Lot 2, Concession 5, Elzevir Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-22 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) one single detached dwelling;
- ii) private cabins as accessory use to main residential use;
- iii) one guest house
- iv) one tool shed;
- v) sanitary facilities in accordance with Ministry of the Environment requirements.

Zone Provisions

i)	individual gross floor area (cabin) (maximum)	22.9 sq. m (247 sq. ft.)
ii)	gross floor area (guest house) (maximum)	152.4 sq. m (500 sq. ft.)
iii)	gross floor area (tool shed) (maximum)	121.9 sq. m (400 sq. ft.)
iv)	number of private cabins (maximum)	5

All other provisions of this by-law shall apply.

8.5.23 RR-23-h (Lot 3, Concession 2, Elzevir Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-23-h and shown on the attached schedules, the following special provisions shall apply:

Removal of Holding ('h') Symbol

The Holding ('h') symbol may be removed by Council once it is satisfied that there is a potable water supply in conformity with the Official Plan of the County of Hastings.

All other provisions of this by-law shall apply.

8.5.24 RR-24 (Lots 23 and 24, Concession 2, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-24 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

- a) A single detached dwelling unit with accessory structures, pool, garage.

All other provisions of this by-law shall apply.

8.5.25 RR-25 (Lots 15, Concession 14, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-25 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

- a) a single detached dwelling unit with accessory structures, pool and garage

Zone Provisions

- a) The minimum gross floor area for the existing dwelling will be 65 square metres (700 sq. ft.)

All other provisions of this by-law shall apply.

8.5.26 RR-26 (Lots 10, Concession 2, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-26 and shown on the attached schedules, the following special provisions shall apply:

Zone Provisions

Lot Frontage (Minimum) 32.3 metres (106 ft.)

All other provisions of this by-law shall apply.

8.5.27 RR-27 (Lots 22 and 23, Concession 9, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-27 and shown on the attached schedules, the following special provisions shall apply:

Special Provisions

The use of the existing barn on the severed lot for livestock purposes shall be prohibited.

All other provisions of this by-law shall apply

8.5.28 RR-28 (Lot 10, Concession 9, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-28 and shown on the attached schedules, the following special provisions shall apply:

Special Provisions

The existing workshop is recognized as a permitted use and the existing gross floor area shall not be exceeded.

All other provisions of this by-law shall apply

8.5.29 RR-29 (Lots 15, Concession 12, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-29 and shown on the attached schedules, the following special provisions shall apply:

Special Provisions

The use of the existing barn on the severed lot for livestock purposes shall be prohibited.

All other provisions of this by-law shall apply

SECTION 9 - WR - WATERFRONT RESIDENTIAL

9.1 WR – WATERFRONT RESIDENTIAL

Within a WR - Waterfront Residential Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

9.2 PERMITTED USES

- i) a single detached dwelling,
- ii) an accessory building or use,
- iii) a Type ‘A’ and Type ‘B’ home occupation, in accordance with the provisions of Section 5.28 of this By-law,
- iv) a Type ‘A’ home industry, in accordance with the provisions of Section 5.29 of this By-law.

9.3 ZONE REGULATIONS

a) For the Principal Building

- | | | |
|-------|---|------------------------------------|
| i) | Lot Area (Minimum) | 4,046.7sq. metres (43,560 sq. ft.) |
| ii) | Lot Frontage (Minimum) | 45.7 metres (150 ft.) |
| iii) | Water Frontage (Minimum) | 45.7 metres (150 ft.) |
| iv) | Front Yard (Minimum) | 7.5 metres (24.6 ft.) |
| v) | Rear Yard (Minimum) | 20 metres (65.6 ft.) |
| vi) | Interior Side Yard (Minimum) | 7.5 metres (24.6 ft.) |
| vii) | Exterior Side Yard (Minimum) | 15 metres (49.2 ft.) |
| viii) | Gross Floor Area (Minimum) | 89 sq. metres (958 sq. ft.) |
| ix) | Lot Coverage (Maximum) | 30 percent |
| x) | Building Height (Maximum) | 11 metres (36.1 ft.) |
| xi) | Off-street parking shall be provided in accordance with Section 5.30. | |

b) For Accessory Buildings Not Attached To The Principal Building

- | | | |
|------|------------------------------|----------------------|
| i) | Rear Yard (Minimum) | 1 metre (3.3 ft.) |
| ii) | Interior Side Yard (Minimum) | 1 metre (3.3 ft.) |
| iii) | Exterior Side Yard (Minimum) | 1 metre (3.3 ft.) |
| iv) | Building Height (Maximum) | 10 metres (32.8 ft.) |

c) Vegetative Buffer Adjacent To The Shoreline

- i) a natural vegetative buffer strip 15 metres (49.2 ft.) in width shall be maintained.

d) For Lots on a Narrow Water Body

Where a lot (with or without road frontage) fronts on a narrow water body as defined in this by-law, the required water frontage shall be 100 metres (328.1 ft.).

See Guidelines for Measuring Narrow Waterbodies in Appendix “A”.

9.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot building, structure or use within the WR - Waterfront Residential Zone.

9.5 SPECIAL WR - WATERFRONT RESIDENTIAL ZONES

SECTION 10 - LSR - LIMITED SERVICE RESIDENTIAL

10.1 LSR – LIMITED SERVICE RESIDENTIAL

Within a LSR - Limited Service Residential Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

In a Limited Service Residential Zone, there is no commitment or requirement by the municipality to assume responsibility for ownership or maintenance of any private road or any other municipal services. Due to road conditions of privately maintained roads, there is no commitment or requirement by the municipality to ensure that municipal or provincially provided services are able to access privately owned roads. The intent of the Limited Service Residential Zone is to recognize residential development on private roads.

10.2 PERMITTED USES

- i) a limited service dwelling,
- ii) an accessory building or use,
- iii) a Type ‘A’ home occupation, in accordance with the provisions of Section 5.28 of this By-law.

10.3 ZONE REGULATIONS

a) For Residential Uses

- | | | |
|-------|---|------------------------------------|
| i) | Lot Area (Minimum) | 4000 sq. metres (43,057.1 sq. ft.) |
| ii) | Lot Frontage (Minimum) | 45.7 metres (150.0 ft.) |
| iii) | Water Frontage (Minimum) | 45.7 metres (150.0 ft.) |
| vi) | Front Yard (Minimum) | 10 metres (32.8 ft.) |
| v) | Rear Yard (Minimum) | 10 metres (32.8 ft.) |
| vi) | Interior Side Yard (Minimum) | 3 metres (9.8 ft.) |
| vii) | Exterior Side Yard (Minimum) | 3 metres (9.8 ft.) |
| viii) | Gross Floor Area (Minimum) | 58.99 sq. metres (635 sq. ft.) |
| ix) | Lot Coverage (Maximum) | 20 percent |
| x) | Building Height (Maximum) | 11 metres (36.1 ft.) |
| xi) | Off-street parking shall be provided in accordance with Section 5.30. | |

b) For Accessory Buildings

- | | | |
|------|------------------------------|-------------------------------|
| i) | Rear Yard (Minimum) | 3 metres (9.8 ft.) |
| ii) | Interior Side Yard (Minimum) | 3 metres (9.8 ft.) |
| iii) | Exterior Side Yard (Minimum) | 3 metres (9.8 ft.) |
| iv) | Building Height (Maximum) | 4.5 metres (14.8 ft.) |
| v) | Gross Floor Area (Maximum) | 23 sq. metres (247.6 sq. ft.) |

c) Vegetative Buffer Adjacent To The Shoreline

- i) a natural vegetative buffer strip 15 metres (49.2 ft.) in width shall be maintained.

d) For Lots on a Narrow Water Body

Where a lot (with or without road frontage) fronts on a narrow water body as defined in this by-law, the required water frontage shall be 100 metres (328.1 ft.).

Refer to Guidelines for Measuring Narrow Waterbodies in Appendix “A”.

10.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot building, structure or use within the LSR - Limited Service Residential Zone.

10.5 SPECIAL LSR - LIMITED SERVICE RESIDENTIAL ZONES

10.5.1 LSR-1 (Lot 3, Concession 9, Elzevir Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned LSR-1 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) Limited service dwelling.

Zone Provisions

- i) setback from mineral extractive zone (minimum) 304.8 m (1,000 ft.)

All other provisions of this by-law shall apply.

10.5.2 LSR-2 (Lot 9, Concession 14, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned LSR-2 and shown on the attached schedules, the following special provisions shall apply:

Special Provisions

- i) The lands area for this property is accessed by a private right-of-way named the Hawkins Lane. Therefore, it is recognized, the resources of the Municipality will not be used for the maintenance of roadways designated as lanes as per the Municipality of Tweed Lanes Maintenance Policy,
- ii) The minimum lot frontage on a navigable recreation water body is the greater of either 46 metres or the existing water frontage of the parcel,
- iii) a civic address is issued for within the prescribed range of addresses.

All other provisions of this by-law shall apply.

10.5.2 LSR-3 (Part Lot 15, Concession 5, Grimsthorpe Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned LSR-3 and shown on the attached schedules, the following special provisions shall apply:

Special Provisions

- i) Limited service dwelling.

All other provisions of this by-law shall apply.

SECTION 11 - MHR - MOBILE HOME RESIDENTIAL

11.1 MHR – MOBILE HOME RESIDENTIAL

Within a MHR - Mobile Home Residential Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also no person shall within any MHR zone use any lot or install, place, erect, alter or use any building or structure unless such lot is served by a communal water system and a sanitary sewer systems and except in accordance with the regulations contained or referred to in this section.

11.2 PERMITTED USES

- i) mobile home park, including a park model trailer,
- ii) mobile home park management office and/or dwelling as accessory uses, including a park model trailer.

11.3 ZONE REGULATIONS

a) For Mobile Home Parks

i)	Lot Area (Minimum)	3 hectares (7.4 acres)
ii)	Lot Frontage (Minimum)	45.7 metres (150 ft.)
iii)	Front Yard Setback (Minimum)	10 metres (29.7 ft.)
iv)	Interior Side Yard (Minimum)	7.5 metres (24.6 ft.)
v)	Exterior Side Yard (Minimum)	15 metres (49.2 ft.)
vi)	Rear Yard (Minimum)	7.5 metres (24.6 ft.)
vii)	Landscaped Area (Minimum)	30 percent
viii)	Accessory Dwellings per park (Maximum)	1
ix)	Accessory Dwelling Floor Area (Minimum)	89 sq. metres (958 sq. ft.)

b) For Mobile Home Sites (i.e. each site within mobile home park)

i)	Site Area (Minimum)	464.5 sq. metres (5,000 sq. ft.)
ii)	Site Frontage (Minimum)	30 metres (98.4 ft.)
iii)	Front Yard (Minimum)	15 metres (49.2 ft.)
iv)	Setback from Internal Roads	15 metres (49.2 ft.)
v)	Exterior Side Yard (Minimum)	5 metres (16.4 ft.)
vi)	Interior Side Yard (Minimum)	5 metres (16.4 ft.)
vii)	Rear Yard (Minimum)	5 metres (16.4 ft.)
viii)	Site Coverage (Maximum)	30 percent
ix)	Building Height (Maximum)	5 metres (16.4 ft.)

c) For Accessory Buildings

i)	Rear Yard (Minimum)	3 metres (9.8 ft.)
ii)	Interior Side Yard (Minimum)	3 metres (9.8 ft.)
iii)	Exterior Side Yard (Minimum)	3 metres (9.8 ft.)
iv)	Building Height (Maximum)	4.5 metres (14.7 ft.)
v)	Gross floor area (Maximum)	23 sq. metres (274 sq. ft.)

11.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot building, structure or use within the MHR - Mobile Home Residential Zone.

11.5 SPECIAL MHR - MOBILE HOME RESIDENTIAL ZONES

SECTION 12 - R1 - RESIDENTIAL FIRST DENSITY ZONE

12.1 R1 – RESIDENTIAL FIRST DENSITY ZONE

Within a R1 - Residential First Density Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

12.2 PERMITTED USES

- i) a single detached dwelling,
- ii) a converted dwelling
- iii) an accessory building or use to the above uses,
- iv) a Type ‘A’ and Type ‘B’ home occupation, according to the provisions of Section 5.28 of this By-law, including a bed and breakfast establishment,
- v) a Type ‘A’ home industry, according to the provisions of Section 5.29 of this By-law.

12.3 ZONE REGULATIONS

a) For a Single Detached Dwelling

- | | | |
|-------|---|---|
| i) | Lot Area (Minimum) | |
| | - public water and sanitary sewers | 550 sq. metres (5,920.3 sq. ft.) |
| | - public water and private sewage disposal system | 1,110 sq. metres (11,840.7 sq. ft.) |
| | - private water and private sewage disposal system | 4,000 sq. metres (43,057.1 sq. ft.) |
| ii) | Lot Frontage (Minimum) | |
| | - public water and sanitary sewers | 18 metres (59.1 ft.)
(except in the case of a corner lot for which the minimum lot frontage shall be 22 metres (72.2 ft.)) |
| | - public water and private sewage disposal system | 24 metres (78.7 ft.) |
| | - private water and private sewage disposal system | 45 metres (147.6 ft.) |
| iii) | Front or Rear Yard | 7.5 metres (24.6 ft.) |
| iv) | Interior Side Yard (Minimum) | 2 metres (6.7 ft.) |
| v) | Exterior Side Yard (Minimum) | 4.5 metres (14.8 ft.) |
| vi) | Gross Floor Area (Minimum) | 89 sq. metres (958 sq. ft.) |
| vii) | Lot Coverage (Maximum) (all buildings) | 25 percent |
| viii) | Building Height (Maximum) | 11 metres (36.1 ft.) |
| ix) | Landscaped Open Space (Minimum) | 30 percent |
| x) | Number of Dwellings per Lot (Maximum) | 1 |
| xi) | Number of Dwelling Units per Lot (Maximum) | 1 |
| xii) | Off-street parking shall be provided in accordance with Section 5.30. | |

b) For Accessory Buildings

- | | | |
|----|---------------------|-------------------|
| i) | Rear Yard (Minimum) | 1 metre (3.3 ft.) |
|----|---------------------|-------------------|

ii)	Interior Side Yard (Minimum)	1 metre (3.3 ft.)
iii)	Exterior Side Yard (Minimum)	1 metre (3.3 ft.)
iv)	Building Height (Maximum)	4.5 metres (32.8 ft.)

12.4 **GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot building, structure or use within the R1 - Residential First Density Zone.

Where a dwelling which existed at the time of the passing of this by-law is located on a lot in the R1 Zone, such dwelling and lot shall be deemed to comply with all the requirements of the R1 Zone.

Where a dwelling which existed at the time of the passing of this by-law is located on a lot in the R1 Zone, such dwelling may be extended, enlarged or improved provided the yards existing at the time of the passing of this by-law are not reduced in depth and, where any such yards are greater in depth than the minimum required by this by-law, such yards may be reduced to the minimum yards required by this by-law and provided also that such dwelling continues to be used in the same manner and for the same purpose it was used on the date of passing of this by-law.

12.5 **SPECIAL R1 - RESIDENTIAL FIRST DENSITY ZONES**

12.5.1 **R1-1 (Block 39, Plan 284, Village of Tweed)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned R1-1 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) single detached dwelling;
- ii) uses accessory to the above.

Zone Provisions

- i. private well and septic disposal systems shall be permitted to service the residential use, provided servicing meets the requirements of the Health Unit.

All other provisions of this by-law shall apply.

12.5.2 **R1-2 (RP12, Lots 122, 123, East of Metcalf Street, Village of Tweed)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned R1-2 and shown on the attached schedules, the following special provisions shall apply:

Zone Provisions

i)	lot area (minimum)	263 sq. m (2,831 sq. ft.)
ii)	lot frontage (minimum)	15.2 m (163 sq. ft.)
iii)	ground floor area (minimum)	64 sq. m (689 sq. ft.)
iv)	lot coverage (maximum)	24 percent
v)	front yard depth (minimum)	as existed at the date of the

- passing of this by-law
vi) the R2-2 Zone is not required to front on a public street.

Definition

FRONT LOT LINE shall mean the most southerly boundary of the subject lot (being the most southerly boundary of Part 4, Plan 21R-17740, having a length of 15.2 m (50 ft.).

All other provisions of this by-law shall apply.

12.5.3 R1-3 (Lot 23, Plan 284, Part 1, RP 21R-10676, 312 Colbourne Street, Village of Tweed)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned R1-3 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be a permitted use in addition to the uses permitted in the R1 zone:

- i) wholesale bakery in existing accessory building.

Zone Provisions

- | | | |
|-----|-----------------------|---|
| i) | location of use | back portion of lot at 312 Colbourne Street |
| ii) | area of use (maximum) | 46.5 sq. m (500 sq. ft.) |

All other provisions of this by-law shall apply.

12.5.4 R1-4 (37 Metcalfe Street, Village of Tweed)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned R1-4 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) a group home.

All other provisions of this by-law shall apply.

12.5.5 R1-h (Lots 10 and 11, Concession 10, Village of Tweed)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned R1-h and shown on the attached schedules, the following special provisions shall apply:

Removal of Holding ('h') Symbol

The Holding ('h') symbol may be removed by Council once a satisfactory site plan agreement has been executed.

All other provisions of this by-law shall apply.

12.5.6 R1-6 (Lots 53 and 54, Plan 269, Village of Tweed)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned R1-6 and shown on the attached schedules, the following special provisions shall apply:

Special Provisions

- i) commercial uses shall be limited to retail sales of fishing and sporting goods excluding firearms and ammunition
- ii) retail sales shall be limited to maximum gross floor area of 400 sq. ft. in the existing workshop.

All other provisions of this by-law shall apply.

SECTION 13 - R2 - RESIDENTIAL SECOND DENSITY ZONE

13.1 R2 – RESIDENTIAL SECOND DENSITY ZONE

Within a R2 - Residential Second Density Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

13.2 PERMITTED USES

- i) a single detached dwelling,
- ii) a semi-detached dwelling,
- iii) a duplex dwelling,
- iv) a converted dwelling,
- v) a boarding or rooming house,
- vi) a public park,
- vii) an accessory building or use to the above uses,
- viii) a Type 'A' and Type 'B' home occupation, according to the provisions of Section 5.28 of this By-law,
- ix) a Type 'A' home industry, according to the provisions of Section 5.29 and Section 5.29.1 of this By-law.

13.3 ZONE REGULATIONS

a) For a Single Detached Dwelling and Accessory Buildings Not Attached to the Principal Building

According to the provisions of Section 12.3 in the Residential First Density Zone of this by-law.

b) For a Semi-Detached Dwelling, A Duplex Dwelling, A Boarding or Rooming House

- i) Lot Area (Minimum)
 - public water and sanitary sewers 800 sq. metres (8,611.4 sq. ft.)
 - public water and private sewage disposal system 1,600 sq. metres (17,222.8 sq. ft.)
 - private water and private sewage disposal system 6,000 sq. metres (64,585.6 sq. ft.)
- ii) Lot Frontage (Minimum)
 - public water and sanitary sewers 21 m (68.9 ft.)
 - public water and private sewage disposal system 45 m (147.6 ft.)
 - private water and private sewage disposal system 60 m (196.8 ft.)
- iii) Front Yard (Minimum) 10 metres (32.8 ft.)
- iv) Rear Yard (Minimum) 10 metres (32.8 ft.)
- v) Interior Side Yard (Minimum) 3 metres (9.8 ft.)
 - For units with semi-detached dwellings located in separate lots and sharing a wall as a common lot line 0 metres
- vi) Exterior Side Yard (Minimum) 10 metres (32.8 ft.)
- vii) Gross Floor Area (Minimum) 160 sq. metres (1,722 sq. ft.)

- viii) Lot Coverage (Maximum) 30 percent
- ix) Building Height (Maximum) 11 metres (36.1 ft.)
- x) Off-street parking shall be provided in accordance with Section 5.30.

c) For a Converted Dwelling

- i) The minimum gross floor area of a one bedroom dwelling unit shall be 43.1 sq. metres (464 sq. ft.) plus an additional 10 sq. metres (107.6 sq. ft.) for each additional bedroom.
- ii) The minimum lot area per dwelling unit shall be 1,400 sq. metres (15,070.0 sq. ft.)
- iii) No addition or enlargement shall be made to the external walls or roof of the dwelling.
- iv) No external stairway other than an open fire escape shall be provided.
- v) Such dwelling shall be certified by the Chief Building Official to be structurally suitable for such conversion.
- vi) The 3 metre (9.8 ft.) strip immediately adjacent to any lot line shall be landscaped.
- vii) Off-street parking shall be provided in accordance with Section 5.30.
- viii) The sewage disposal system shall be inspected and approved by the appropriate authority.

d) For Accessory Buildings

- i) Rear Yard (Minimum) 1 metre (3.3 ft.)
- ii) Interior Side Yard (Minimum) 1 metre (3.3 ft.)
- iii) Exterior Side Yard (Minimum) 1 metre (3.3 ft.)
- iv) Building Height (Maximum) 10 metres (32.8 ft.)

13.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the R2 - Residential Second Density Zone.

13.5 SPECIAL R2 - RESIDENTIAL SECOND DENSITY ZONES

SECTION 14 - MR - MULTIPLE RESIDENTIAL ZONE

14.1 MR – MULTIPLE RESIDENTIAL ZONE

Within an MR - Multiple Residential Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

14.2 PERMITTED USES

- i) multiple dwelling including triplex, fourplex, townhouse and low-rise apartment complex,
- ii) a Type 'A' home occupation in accordance with Section 5.28 and Section 5.28.1
- iii) an accessory building or use to the above uses.

14.3 ZONE REGULATIONS

a) For the Principal Building

- i) Lot Area (whichever is greater)
 - public water and sanitary sewers only
 - a) Minimum lot area 8000 sq. metres (86,114.1 sq. ft.)
 - b) Minimum Per Dwelling Unit 800 sq. metres (8,611.4 sq. ft.)
- ii) Lot Frontage (Minimum) 60 metres (196.9 ft.)
- iii) Front Yard (Minimum) 10 metres (32.8 ft.)
- iv) Rear Yard (Minimum) 10 metres (32.8 ft.)
- v) Interior Side Yard (Minimum):
 - a) to a wall of a building containing windows to habitable rooms 8 metres (26.2 ft.)
 - b) to a wall of a building containing no windows to habitable rooms 3 metres (9.8 ft.)
 - a) between dwelling units that share a common wall nil
- vi) Exterior Side Yard (Minimum) 10 metres (32.8 ft.)
- vii) Building Height (Maximum) 11 metres (36.1 ft.)
- viii) Lot Coverage (Maximum) 30 percent
- ix) Dwelling Unit Gross Floor Area (Minimum) 74.3 sq. metres (800 sq. ft.)
- x) Minimum Number of Dwelling Units in One Principal Building 3 dwelling units
- xi) Off-street parking shall be provided in accordance with Section 5.30.

b) For Townhouse Units on Separate Lots

- i) Lot Frontage (Minimum) 40 metres (131.23 ft.)
- ii) Lot frontage per unit (Minimum) 6 metres (19.69 ft.)
- iii) Lot area per unit (Minimum) 160 metres squared (1,721 sq. ft.)

All other provisions from Sections 14.3(a)(iii) to 14.3(a)(xiii) apply.

c) For Accessory Buildings

i)	Rear Yard (Minimum)	1 metre (3.3 ft.)
ii)	Interior Side Yard (Minimum)	1 metre (3.3 ft.)
iii)	Exterior Side Yard (Minimum)	1 metre (3.3 ft.)
iv)	Building Height (Maximum)	10 metres (32.8 ft.)

14.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the MR - Multiple Residential Zone.

14.5 SPECIAL MR - MULTIPLE RESIDENTIAL ZONES

14.5.1 MR-1 (Part Lot 80, RP 284, Village of Tweed)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MR-1 and shown on the attached schedules, the following special provisions shall apply:

Zone Provisions

i)	lot area (minimum)	588.1 sq. m (6,331 sq. ft.)
ii)	landscaped open space (minimum)	19%
iii)	front yard depth (minimum)	5.2 m (17 ft.)
iv)	interior side yard depth (minimum) (south side only)	1 m (3.28 ft.)

All other provisions of this by-law shall apply.

14.5.2 MR-2 (Lot 2, Concession 4, Elzevir Township (Actinolite))

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MR-2 and shown on the attached schedules, the following special provisions shall apply:

Zone Provisions

i)	number of apartment units (maximum)	12
----	-------------------------------------	----

All other provisions of this by-law shall apply.

14.5.3 MR-3-h (Plan 284, Part Lot 58, Part 1, Plan 21-9793, Village of Tweed)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MR-3-h and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) multi-unit retirement residence including bed sitting rooms;
- ii) detached buildings accessory to retirement residence.

Removal of Holding ('h') Symbol

Council may remove the Holding ('h') symbol once a site plan acceptable to Council has been executed.

All other provisions of this by-law shall apply.

14.5.4 MR-4 (Plan 157, Part Lots 31, 32 and 34 in the Village of Tweed)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MR-4 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) One duplex dwelling
- ii) Two multiple dwellings

All other provisions of this by-law shall apply.

14.5.5 MR-5-h (Plan 269, Part Lots 73, 74, 75 and 76 in the Village of Tweed)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MR-5-h and shown on the attached schedules, the following special provisions shall apply:

Special Provisions

Within the MR-5 Zone no person shall use any land or use, erect, locate, occupy or alter any building or structure except as permitted by and in compliance with the requirements of this by-law.

Removal of Holding ('h') Symbol

Council may remove the Holding ('h') symbol once a site plan acceptable to Council has been executed.

All other provisions of this by-law shall apply.

SECTION 15 - UC - URBAN COMMERCIAL ZONE

15.1 UC – URBAN COMMERCIAL ZONE

Uses within an UC - Urban Commercial Zone shall only be permitted on full public water and public sewer services, and no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

15.2 PERMITTED USES

- i) a retail store,
- ii) a service shop including a personal and merchandise service shop,
- iii) a farm implement supply dealer,
- iv) a laundry and/or dry cleaning shop,
- v) an eating establishment including a banquet hall and a tea room, take-out restaurant and drive-in restaurant,
- vi) a food market,
- vii) a tavern,
- viii) a Liquor Control Board or Brewer’s Retail Outlet,
- ix) a hotel/motel,
- x) a bank and/or trust company,
- xi) a printing or publishing establishment,
- xii) a business, administrative and/or professional office,
- xiii) a place of entertainment,
- xiv) a taxi depot,
- xv) a commercial recreational establishment,
- xvi) a funeral home,
- xvii) a clinic,
- xviii) a bake shop,
- xix) a private or commercial club,
- xx) a nursery school,
- xxi) a veterinary clinic,
- xxii) a greenhouse, nursery or garden center,
- xxiii) a flea market,
- xxiv) a public or private parking area, including parking facilities associated with the principal use(s) permitted under this section,
- xxv) an automobile service station or sales agency,
- xxvi) dwelling units in the form of apartments as an accessory use in buildings in which commercial uses are permitted, except automobile service stations or other uses involving the sale or gasoline or other similar petroleum products, in accordance with the provisions of Section 5.21.
- xxvii) an accessory building or use to the above uses.

15.3 ZONE REGULATIONS

a) For All Uses Except An Automobile Service Station, Hotel and Motel

i)	Lot Area (Minimum)	185 sq. m (1991 sq. ft.)
ii)	Lot Frontage (Minimum)	18 metres (59 ft.)
iii)	Front Yard (Minimum)	0

- iv) Rear Yard (Minimum) 6 metres (19.7 ft.)
- v) Interior Side Yard (Minimum) 3 metres (9.8 ft.)
- vi) Exterior Side Yard (Minimum) 8 metres (26.2 ft.)
- vii) Lot Coverage (Maximum) 80 percent
- viii) Building Height (Maximum) 11 metres (36.1 ft.)
- ix) Off-street parking and off-street loading facilities shall be provided in accordance with Sections 5.30 and 5.31.
- x) Access to an accessory dwelling unit shall be separate from access to a commercial use.

b) For An Automobile Service Station

- i) Lot Frontage (Minimum) 45 metres (147.6 ft.)
- ii) Front Yard (Minimum) 15 metres (49.2 ft.)
- iii) Rear Yard (Minimum) 7.5 metres (24.6 ft.)
(except where the rear yard abuts a residential zone, the rear yard shall be a minimum of 15 metres (49.2 ft.) of which the 4.5 metres (14.8 ft.) adjacent to the lot line shall be retained in an open space condition).
- iv) Side Yard (Minimum) 7.5 metres (24.6 ft.)
(except where one or both side yards abut a residential zone, the side yard shall be a minimum of 15 metres (49.2 ft.) of which the 4.5 metres (14.8 ft.) adjacent to the lot line shall be retained in an open space condition).
- v) A sight triangle of 15 metres (49.2 ft.) minimum shall be provided on a corner lot.
- vi) Light stands and signs may be located in conformity with the municipality's sign by-law and the requirements of Section 5.46 of this by-law
- vii) Fuel pump islands and fuel pumps may be located in any required minimum yard at a minimum distance of 6 metres (19.7 ft.) from any street line. A sight triangle is not to be construed to be part of the required minimum yard for the purposes of this paragraph. Where a lot is a corner lot, no portion of any pump island or gasoline pump shall be located closer than 3 m to a straight line between a point in the front lot line and a point in the exterior side lot line, each point being distant 15 m from the intersection of such lot lines.
- viii) The distance between means of access or ramps shall be 12 metres (39.4 ft.) and on a corner lot, no ramp may be located within 15 metres (49.2 ft.) of the intersection of the street lines.
- ix) Each ramp shall have a width of 7.5 metres (24.6 ft.) and the interior angle formed between the lot line and the centre line of the ramp shall be between seventy (70) and ninety (90) degrees.
- x) No ramp shall be located within 4.5 metres (14.8 ft.) of a side lot line.
- xi) Off-street parking and off-street loading facilities shall be provided in accordance with Sections 5.30 and 5.31.

c) For Motels and Hotels

- i) Gross Guest Room Area (Minimum) 23 sq. metres (247.6 sq. ft.)
- ii) Lot Area (Minimum):
 - a) public water and sanitary sewers 930 sq. metres (10,010.8 sq. ft.)
 - b) public water and private sewage disposal system
 - 2,780 sq. metres (29,924.7 sq. ft.) or where a dwelling unit is located in a portion of a non-residential building, an additional 370

- square metres (3,982.8 sq. ft.) of lot area shall be provided.
- c) private water and private sewage disposal system
 - 3,700 square metres (29,924.7 sq. ft.) or where a dwelling unit is located in a portion of a non-residential building, an additional 370 square metres (3,982.8 sq. ft.) of lot area shall be provided.
 - iii) Lot Frontage (Minimum)
 - a) public water and sanitary sewers 38 metres (124.7 ft.)
 - b) public water and private waste disposal system 45 metres (147.6 ft.)
 - c) private water and private sewage disposal system 53 metres (173.9 ft.)
 - iv) Front Yard Depth (Minimum) 12 metres (39.4 ft.)
 - v) Exterior Side Yard Width (Minimum) 12 metres (39.4 ft.)
 - vi) Interior Side Yard Width (Minimum):
 - a) 6 metres (19.7 ft.)
 - b) where the interior side lot line abuts a Residential zone 9 metres (29.5 ft.).
 - vii) Rear Yard Depth (Minimum):
 - a) 7.5 metres (24.6 ft.)
 - b) where the rear lot line abuts a Residential zone 9 metres (29.5 ft.).
 - viii) Lot Coverage (All Buildings) (Maximum) 25 percent
 - ix) Landscaped Open Space (Minimum) 20 percent
 - x) Height of Buildings (Maximum) 11 metres (36.1 ft.)
 - xi) Distance Between Buildings:
Where two or more buildings are erected on the same lot, the minimum distance between buildings shall not be less than the minimum distance which would be required if each building were on a separate lot and subject to the minimum yard requirements stated below in Section 15.3.(d).

d) For Accessory Buildings

- i) Rear Yard (Minimum) 1.5 metres (4.9 ft.)
- ii) Interior Side Yard (Minimum) 1.5 metres (4.9 ft.)
- iii) Exterior Side Yard (Minimum) 3 metres (9.8 ft.)
- iv) Building Height (Maximum) 4.5 metres (14.8 ft.)
- v) Minimum distance from any other building on the lot shall be 3 metres (9.8 ft.) provided that in no case shall any overhang, eaves or gutter project into this required minimum area which shall be clear of any obstruction from the ground to the sky.

e) For Lands Abutting A Residential Zone

Notwithstanding the above provisions, where an interior side yard and/or rear yard abuts a residential zone then such interior side yard shall be a minimum of 5 metres (16.4 ft.) and such rear yard shall be a minimum of 9 metres (29.5 ft.). The 1 metre (3.3 ft.) strip immediately adjacent to the rear and/or interior side lot line shall be landscaped.

15.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the UC - Urban Commercial Zone.

15.5 SPECIAL UC - URBAN COMMERCIAL ZONE

15.5.1 UC-1 (Lot 110, RP 12, Lot 111, RP 284 - 45 and 55 Metcalf Street, Village of Tweed)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned UC-1 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) a retail establishment.

Zone Provisions

- i) setback from street centreline (minimum) - 6.5 m (21.5 ft.) from the centreline of the street to the north exterior lot line.

All other provisions of this by-law shall apply.

15.5.2 UC-2 (RP 284, Lots 8 and 9, Village of Tweed)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned UC-2 and shown on the attached schedules, the following special provisions shall apply:

Zone Provisions

- i) side yard setback (east side) (minimum) - 5.401 m (17.74 ft.)

All other provisions of this by-law shall apply.

15.5.3 UC-3 (RP 12, Lot 86, Parts 1 and 2, Plan 21R-17740, Village of Tweed)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned UC-3 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses on Part 1

The following shall be the only permitted uses:

- i) funeral home;
- ii) uses, buildings and structures accessory to the permitted use.

Zone Provisions for Part 1

- i) lot frontage (minimum) 9.2 m (30.2 ft.)
- ii) rear yard (minimum) 1.2 m (3.94 ft.)
- iii) front yard no requirement
- iv) interior side yard (north side) no requirement

Permitted Uses on Part 2

The following shall be the only permitted uses:

- i) commercial establishment;
- ii) uses, buildings and structures accessory to the permitted use.

Zone Provisions for Part 2

- | | | |
|------|---------------------------------|------------------|
| i) | lot frontage (minimum) | 6 m (20 ft.) |
| ii) | rear yard (minimum) | 1.2 m (3.94 ft.) |
| iii) | front yard | no requirement |
| iv) | interior side yard (north side) | no requirement |

The following provisions shall not apply to the UC-3 Zone:

- i) lot coverage (maximum)
- ii) setback from street centreline (minimum)
- iii) buffer strip requirement
- iv) loading space requirement.

Definition**COMMERCIAL ESTABLISHMENT:**

For the purpose of the UC-3 Zone, a commercial establishment shall mean the non-residential uses permitted in the UC Zone as outlined in this Comprehensive Zoning By-law.

All other provisions of this by-law shall apply.

15.5.4 UC-4 (Lot 1, Concession 4, Thomasburg, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned UC-4 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) restaurant;
- ii) one (1) bedroom dwelling unit;
- iii) two (2) bedroom dwelling units.

Zone Provisions

- | | | |
|------|--|--------------------------|
| i) | number of parking spaces (minimum) | 3 |
| ii) | gross floor area (one bedroom unit) (minimum) | 37 sq. m (398.2 sq. ft.) |
| iii) | gross floor area (two bedroom units) (minimum) | 65 sq. m (699.6 sq. ft.) |

All other provisions of this by-law shall apply.

15.5.5 UC-5 (Lots 169 and 170, RP 284, Village of Tweed)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned UC-5 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following use shall be permitted in addition to the permitted uses in a UC Zone:

- i) a three-bay, coin-operated car wash.

All other provisions of this by-law shall apply.

15.5.6 UC-6 (Lot 14, RP 284, Village of Tweed)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned UC-6 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) a bait and tackle retail store located within the existing accessory building on the property zoned UC-6.

All other provisions of this by-law shall apply.

15.5.7 UC-7 (Part of Lot 11, Concession 10, Village of Tweed)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned UC-7 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) convenience store;
- ii) eating establishment, including take-out eating establishment;
- iii) garden centre;
- iv) parking lot;
- v) retail commercial establishment;
- vi) seasonal fruit, vegetable, flower or farm produce outlet;
- vii) tavern;
- viii) tourist establishment;
- ix) tourist home.

All other provisions of this by-law shall apply.

15.5.8 UC-8 (Part of Lots 21,22, Concession 4, Tomasburg)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned UC-8 and shown on the attached schedules, the following special provisions shall apply:

- i) Commercial use for the lands shall be limited to offices with one room maintained for

- residential use.
- ii) Off site parking for the commercial use shall be in accordance with a site plan for parking which is retained on file at the Tweed Municipal Offices
 - iii) Off site parking in accordance with the site plan for parking attached hereto shall be subject to a legal agreement for the parking facilities between the owners of 147 Clare Street and 149/153 Clare Street.
 - iv) The parking lot shall be constructed as a gravel parking lot.

All other provisions of this by-law shall apply.

SECTION 16 - RC - RURAL COMMERCIAL ZONE

16.1 RC – RURAL COMMERCIAL

Within a RC - Rural Commercial Zone, no person shall use any land, erect, alter, enlarge or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

16.2 PERMITTED USES

- i) a retail store,
- ii) a service shop including a personal and merchandise service shop,
- iii) a farm implement supply dealer,
- iv) an eating establishment including a banquet hall and a tea room, take-out restaurant and drive-in restaurant,
- v) a food market including a butchers shop,
- vi) a tavern,
- vii) a Liquor Control Board or Brewer's Retail Outlet,
- viii) a hotel/motel,
- ix) a bank and/or trust company,
- x) a printing or publishing establishment,
- xi) a business, administrative and/or professional office,
- xii) a place of entertainment,
- xiii) a taxi depot,
- xiv) a commercial recreational establishment,
- xv) a funeral home,
- xvi) a clinic,
- xvii) a bake shop,
- xviii) a private or commercial club,
- xix) a nursery school,
- xx) a veterinary clinic,
- xxi) a greenhouse, nursery or garden center,
- xxii) a flea market,
- xxiii) a public or private parking area, including parking facilities associated with the principal use(s) permitted under this section,
- xxiv) an automobile service station or sales agency,
- xxv) dwelling units in the form of apartments as an accessory use in buildings in which commercial uses are permitted, except automobile service stations or other uses involving the sale or gasoline or other similar petroleum products, in accordance with the provisions of Section 5.21.
- xxvi) an accessory building or use to the above uses.

16.3 ZONE REGULATIONS**a) For all Principal Buildings or Uses**

- | | | |
|-------|---|-------------------------------------|
| i) | Lot Area (Minimum) | 4,046.7 sq. metres (43,560 sq. ft.) |
| ii) | Lot Frontage (Minimum) | 45.7 metres (150 ft.) |
| iii) | Front Yard (Minimum) | 15 metres (49.2 ft.) |
| iv) | Rear Yard (Minimum) | 7.5 metres (24.6 ft.) |
| v) | Interior Side Yard (Minimum) | 7.5 metres (24.6 ft.) |
| vi) | Exterior Side Yard (Minimum) | 15 metres (49.2 ft.) |
| vii) | Building Height (Maximum) | 11 metres (36.1 ft.) |
| viii) | Lot Coverage (Maximum) | 50 percent |
| ix) | Access to an accessory dwelling unit shall be separate from access to a rural commercial use. | |
| x) | All means of ingress and egress shall have a minimum width of 6 metres (19.7 ft.) and in the case of a corner lot, no means of ingress or egress shall be located within 15 metres (49.2 ft.) of the intersection of the street lines, or, where a corner is rounded, the points at which the extended street lines meet. | |
| xi) | Off-street parking and off-street loading facilities shall be provided in accordance with Sections 5.30 and 5.31. | |

b) For An Automobile Service Station

As in the Urban Commercial (UC) Zone.

c) For Accessory Buildings

- | | | |
|------|------------------------------|----------------------|
| i) | Rear Yard (Minimum) | 1 metre (3.3 ft.) |
| ii) | Interior Side Yard (Minimum) | 1 metre (3.3 ft.) |
| iii) | Exterior Side Yard (Minimum) | 1 metre (3.3 ft.) |
| iv) | Building Height (Maximum) | 10 metres (32.8 ft.) |

d) For Land Abutting A Residential Zone or Residential Use

Notwithstanding the above provisions, where an interior side yard and/or a rear yard abuts a residential zone or any existing residential use, then such interior side yard shall be a minimum of 5 metres (16.4 ft.) and such rear yard shall be a minimum of 10 metres (32.8 ft.). The 1 metre (3.3 ft.) strip immediately adjacent to the rear and/or interior side lot lines shall be landscaped.

16.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot building, structure or use within the RC - Rural Commercial Zone.

16.5 SPECIAL RC - RURAL COMMERCIAL ZONES

16.5.1 RC-1 (Part Lot 22, Concession 9, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-1 and comprising 0.4 hectares as shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) the storage of heavy equipment, limited to a tandem truck, backhoe, loader, dozer and other equipment normally used for construction, the mechanical repair of motor vehicles and the performance of vehicle safety checks from an existing building.

All other provisions of this by-law shall apply.

16.5.2 RC-2-h (Part Lot 35, Concession 2, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-2-h and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) a residence and guest rooms;
- ii) the service of light meals;
- iii) a yoga centre;
- iv) an animal haven;
- v) a gift shop;
- vi) an assembly area.

Definitions

ANIMAL HAVEN shall be defined, for the purpose of this by-law, as an area where various forms of wild and domestic animals are housed and where sick animals may be treated.

YOGA CENTRE shall be defined, for the purposes of this by-law, as a building where physical education classes and therapy are provided and where educational seminars on health and nutrition are offered and which may include an assembly hall.

Zone Provisions

- i) no new development nor any extension of existing land uses, buildings or structures shall be permitted that do not conform with this by-law;
- ii) the Holding ('h') symbol shall apply to the 12 Unit Communal Residence, including the 9 units for guest accommodations;
- iii) gross floor area (yoga centre/assembly hall) (maximum) 640 sq. m (6,889.1 sq. ft.)
- iv) gross floor area (gift shop) (maximum) 45 sq. m (484.4 sq. ft.)
- v) number of units for guest accommodation (maximum) 9
- vi) number of units in communal residence
- vii) (including 9 for guest accommodation) (maximum) 12

Removal of Holding ('h') Symbol

The Holding ('h') symbol may be removed by Council once it is satisfied that the municipality of Tweed's Fire Chief has approved a commercial alarm system and the system is installed. The nine guest rooms shall not be used for overnight guests until the Holding ('h') symbol is removed by by-law.

All other provisions of this by-law shall apply.

16.5.3 RC-3 (Part Lot 11, Concession 11, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-3 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

- a) The following shall be the only permitted uses:
- i) the preparation of food in a 1950's style soda fountain;
 - ii) flea market;
 - iii) craft and gift shop;
 - iv) retail establishment including the sale of arts and crafts, home prepared foods, agricultural produce, exclusive of meat, poultry and farm produce which has not been reprocessed (no other products shall be offered for sale);
 - v) retail establishment limited to the sale of early lighting products;
 - vi) one or more accessory buildings or uses which are accessory to any of the foregoing permitted uses.
- b) The following use shall not be permitted:
- i) deep fryers or open grills.

Definition

SODA FOUNDATION shall mean a part of a building where snacks, confections and nonalcoholic beverages are offered for sale or sold to the public for immediate consumption and shall include the preparation of food as regulated by the Hastings and Prince Edward Counties Health Unit.

All other provisions of this by-law shall apply.

16.5.4 RC-4 (Part Lot 9, Concession 9, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-4 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) a water bottling plant.

Definition

WATER BOTTLING PLANT shall mean an approved building or structure where water is bottled, stored and retailed. The water supply will be regulated under the Federal Food and Drug Act by Health and Welfare Canada.

All other provisions of this by-law shall apply.

16.5.5 RC-5 (Lot 11 and 12, Concession 13, Plan 21R-18539 Part1, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-5 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) the construction and sale of log homes.

All other provisions of this by-law shall apply.

16.5.6 RC-6 (Lot 30, Concession 4, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-6 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) single detached dwelling;
- ii) accessory buildings to the above use;
- iii) retailing and repair of automobiles but not the wrecking of automobiles.

Zone Provisions

- i) gross floor area of automobile repair and retailing 9.14 m x 12.19m(30ft. x 40 ft.)

All other provisions of this by-law shall apply.

16.5.7 RC-7 (Lot 26, Concession 12, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-7 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) single detached dwelling;
- ii) accessory buildings to the above use;
- iii) retailing and repair of automobiles.

Zone Provisions

- i) gross floor area of automobile repair and retailing 15.2 m 9.14 m (50 ft. x 30 ft.)

All other provisions of this by-law shall apply.

16.5.8 RC-8 (Lot 13, Concession 8, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-8 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) uses shall be limited to the repair and restoration of automobiles from an existing building, repair of travel trailers from an existing building and use of the existing building for an outlet for utility trailers.

Zone Provisions

- i) number of automobiles and/or travel trailers which shall be allowed at any one time for the permitted commercial uses (maximum) 20

All other provisions of this by-law shall apply.

16.5.9 RC-9 (Lot 26, Concession 11, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-9 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

In addition to uses permitted in the RC Zone, the following use shall be permitted:

- i) automobile body shop.

Zone Provisions

- i) gross floor area (maximum) 9.1 m x 12.2 m (1200 sq. ft.)
 ii) number of storeys (maximum) 1
 iii) sideyard setback (north side) (minimum) 3.5 m (11.5 ft.)
 iv) sideyard setback (south and west sides) (minimum) 1 m (3.28 ft.)
 v) no further expansion to the north or east will be permitted
 vi) expansion to the south and west will remain within 1 m (3.28 ft.) of the area zoned RC-9

All other provisions of this by-law shall apply.

16.5.10 RC-10 (Lot 12, Concession 14, Part 1, Plan 21R-15501, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-10 and shown on

the attached schedules, the following special provisions shall apply:

Permitted Uses

In addition to uses permitted in the RC Zone, the following use shall be permitted:

- i) an eating establishment limited to a chip wagon or chip truck.

All other provisions of this by-law shall apply.

16.5.11 RC-11 (Lot 27, Concession 5, Part 3, Plan 21R-4592, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-11 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following are the only purposes for which a person shall use any land or use, erect, locate, occupy or alter any building or structure within the RC-11 Zone:

- i) one two-storey structure to be used as a combined home office/storage area (upper) and two double personal-use garages (lower).

All other provisions of this by-law shall apply.

16.5.12 RC-12 (Lot 3, Concession 4, Township of Elzevir)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-12 and shown on the attached schedules, the following special provisions shall apply:

Special Provisions

Residential portion – three additional residential apartments.

All other provisions of this by-law shall apply.

16.5.13 RC-13 (Lot 17, Concession 10, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-13 and shown on the attached schedules, the following special provisions shall apply:

Special Provisions

The commercial use of the property shall be limited to an auto repair business in the existing detached garage.

All other provisions of this by-law shall apply.

16.5.14 RC-14 (Lot 14, Concession 1, Hamlet of Queensborough, Township of Elzevir, Municipality of Tweed)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-14 and shown on

the attached schedules, the following special provisions shall apply:

Special Provisions

The special provision of the RC-14 zone shall require a fence along the northerly property line located between the severed lot and the retained lot created by Severance B120/08.

All other provisions of this by-law shall apply.

SECTION 17 - RRC - RECREATIONAL/RESORT COMMERCIAL

17.1 RRC – RECREATIONAL/RESORT COMMERCIAL

Within a RRC Recreational/Resort Commercial Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

17.2 PERMITTED USES

- i) a public/private marina,
- ii) a travel trailer park,
- iii) a tourist establishment including hotels, lodges, housekeeping cottages and tourist cabins,
- iv) a gift shop,
- v) an eating establishment,
- vi) a bed and breakfast establishment,
- vii) a convenience retail store,
- viii) a golf course, miniature golf course, driving range or other similar recreationally oriented use,
- ix) a public or private park,
- x) one dwelling or dwelling unit as an accessory use for the owner or operator of a principal use, in accordance with the provisions of Section 5.21, and including a park model trailer,
- xi) Recreational Use; Active Outdoor Recreational Use; Passive Outdoor Recreational Use; and Commercial Recreational Establishment.
- xii) an accessory building or use to the above uses.

17.3 ZONE REGULATIONS

a) For all Principal Buildings or Uses

- | | | |
|-------|---|--|
| i) | Lot Area (Minimum) | 4046.7 sq. metres (43,560 sq. ft.) |
| ii) | Lot Frontage (Minimum) | 45.7 metres (150 ft.) |
| iii) | Front Yard (Minimum) | 15 metres (49.2 ft.) |
| iv) | Rear Yard (Minimum) | 7.5 metres (24.6 ft.) |
| v) | Interior Side Yard (Minimum) | 7.5 metres (24.6 ft.) |
| vi) | Exterior Side Yard (Minimum) | 15 metres (49.2 ft.) |
| vii) | Lot Coverage (maximum) | 50 percent |
| viii) | Building Height (Maximum) | 11 metres (36.1 ft.) |
| ix) | Access to an accessory dwelling unit shall be separate from access to a commercial use. | |
| x) | Travel Trailer Park Water Frontage (Minimum) | 2.0 metres (6.68 ft.) per travel trailer site. |

b) For Accessory Buildings

- | | | |
|------|------------------------------|----------------------|
| i) | Rear Yard (Minimum) | 1 metre (3.3 ft.) |
| ii) | Interior Side Yard (Minimum) | 1 metre (3.3 ft.) |
| iii) | Exterior Side Yard (Minimum) | 1 metre (3.3 ft.) |
| iv) | Building Height (Maximum) | 10 metres (32.8 ft.) |

c) For Lands Abutting a Residential Zone or Residential Use

- i) Notwithstanding the above provisions, where a rear yard and/or an interior side yard abuts a residential zone or any existing residential use, then such interior side yard shall be a minimum of 5 metres (16.4 ft.) and such rear yard shall be a minimum of 10 metres (32.8 ft.). The 3 metre (9.8 ft.) strip immediately adjacent to the rear and/or interior side lot lines shall be landscaped.
- ii) Water oriented commercial uses such as marinas or docks shall be located a minimum of 60 metres (196.9 ft.) from the nearest residential zone or use.

d) Additional Zone Regulations for A Marina

Notwithstanding the above provisions, a marina use shall be subject to the following special provisions in addition to all other applicable provisions of this By-law.

- i) Where a rear yard and interior side yard abuts a navigable body of water, then such rear yard and/or interior side yard may be reduced to zero metres.
- ii) No entrance channel, turning basin, dock or boat mooring area shall be located closer than 60 metres (196.9 ft.) to a residential zone, a residential use or a street line.
- iii) Facilities for the refuelling of marine craft shall be provided at a separate pier or dock area from boat mooring facilities.
- iv) Catwalks shall have a minimum width of .6 metres (2 ft.) and boat mooring docks shall have a minimum width of 1.2 metres (3.9 ft.).

e) Additional Zone Regulations For A Tent and/or Travel Trailer Park

Notwithstanding the above provisions, a tent and/or travel trailer park use shall be subject to the following special provisions in addition to all other applicable provisions of this By-law:

- i) Lot Area (Minimum) 4.0 hectares (9.9 acres)
- ii) The minimum distance of buildings or structures or a tent or travel trailer site from any lot line shall be 15 metres (49.2 ft.)
- iii) The minimum distance of buildings or structures or a tent or travel trailer site from the centre of road allowance shall be 25 metres (82.0 ft.)
- iv) Travel Trailer Park Density (Maximum) 30 trailers per gross hectare to a maximum of 50 sites
- v) Travel Trailer Site Area (Minimum) 200 sq. metres (2,142.8 sq. ft.)
- vi) Travel Trailer Site Frontage (Minimum) 6 metres (19.7 ft.)
- vii) Building Height (Maximum) 4.5 metres (14.8 ft.)
- viii) Maximum Number of Travel Trailers on a Travel Trailer Site 1 travel trailer
- ix) Travel Trailer Park Usable Waterfront 2 m/site (6.68 ft./site) (Minimum)
- x) Lot Coverage (Maximum) 25 percent
- xi) No campsite, building or structure except a marine facility for launching and/or servicing of boats or a water pump house is permitted within 30 metres (98.4 ft.) of the highwater mark of any water body.
- xii) The creation of a new tent and trailer park or the expansion of an existing park shall require an amendment to this by-law.

f) Additional Zone Regulations For Hotels, Lodges, Housekeeping Cottages and Tourist Cabins

Notwithstanding the above provisions, hotels, lodges, housekeeping cottages and tourist cabins shall be subject to the following special provisions in addition to all other applicable provisions of this By-law.

- i) Lot Area (Minimum) 2.0 hectares (4.9 acres)
- ii) Maximum Density 1 unit/4000 sq. metres (43,057.1 sq. ft.) to a maximum of 50 units
- iii) No campsite, building or structure except a marine facility for launching and/or servicing of boats or a water pump house is permitted within 30 metres (98.4 ft.) of the highwater mark of any water body.

17.4 GENERAL PROVISIONS

All other special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land lot, building, structure or use within the RRC - Recreational/Resort Commercial Zone.

17.5 SPECIAL RRC - RECREATIONAL/RESORT COMMERCIAL ZONES

17.5.1 RRC-1 (Part Lot 15, Concession 9, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RRC-1 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) a tourist establishment consisting of a resort complex of a recreation building containing two squash courts, an indoor swimming pool, an assembly hall, an office, a dining room and lounge and 10 rental units;
- ii) a residential unit for the caretaker of the building;
- iii) accessory uses to the above uses.

Zone Provisions

- i) number of residential rental units (maximum) 10
- ii) setback of the recreation building (minimum) 10 m (32.8 ft.)
- iii) no planting strip shall be required between the recreation building and the adjacent Rural Residential Zone.

Definition

RESORT COMPLEX

For the purpose of the RRC-1 Zone, a resort complex shall mean the recreation building permitted in i) in which a maximum of ten (10) guest rooms is provided for transient lodgers without private cooking or housekeeping facilities but with dining or other public rooms provided that each guest room may be entered from the interior of the building.

All other provisions of this by-law shall apply.

17.5.2 RRC-2 (Part Lot 15, Concession 9, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RRC-2 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

- i) a tourist establishment consisting of a maximum of 80 trailer sites.

Zone Provisions

- | | | |
|------|---|---------------------------|
| i) | area (each trailer site) (minimum) | 232 sq. m (2,497 sq. ft.) |
| ii) | number of trailer sites (maximum) | 80 |
| iii) | setback from highwater mark of any water course (each site) (minimum) | 5 m (16.4 ft.) |

All other provisions of this by-law shall apply.

17.5.3 RRC-3 (Lot 15, Concession 9, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RRC-3 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) a campground for tent camping.

Zone Provisions

- | | | |
|------|---|---------------------------|
| i) | area (each camping site) (minimum) | 232 sq. m (2,497 sq. ft.) |
| ii) | number of camping sites (maximum) | 450 |
| iii) | the following types of entertainment shall be the only types permitted: | |
| | a) | sports events |
| | b) | vehicle competitions |
| | c) | circus or carnival rides |
| iv) | entertainment as specified above in iii) shall take place during daylight hours only (i.e. between ½ hour before sunrise to ½ hour after sunset). | |

Zone Provisions

- | | | |
|------|---|-----------------------------|
| i) | area (tent) (minimum) | 232 sq. m (2,497 sq. ft.) |
| ii) | number of parking spaces (maximum) | 600 |
| iii) | number of vehicles permitted to park (maximum) | 600 |
| iv) | gross floor area (accessory building or structures normally and ordinarily ancillary to the permitted uses in the RRC-3 Zone) (maximum) | 185 sq. m (1,991.4 sq. ft.) |

All other provisions of this by-law shall apply.

17.5.4 RRC-4 (Lot 37, Concession 1, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RRC-4 and shown on the attached schedules, the following special provisions shall apply:

Zone Provisions

i)	number of trailer sites (maximum)	10
ii)	area of each trailer site (minimum)	232 sq. m (2,500 sq. ft.)
iii)	number of camping sites (maximum)	20
iv)	area of each camping site (minimum)	232 sq. m (2,500 sq. ft.)

All other provisions of this by-law shall apply.

SECTION 18 - UI - URBAN INDUSTRIAL ZONE**18.1 UI - URBAN INDUSTRIAL ZONE**

Uses within an UI - Urban Industrial Zone shall only be permitted on full public water and public sewer services, and, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

18.2 PERMITTED USES

- i) a manufacturing or, processing plant,
- ii) a warehouse,
- iii) self-storage building(s),
- iv) an automobile body shop,
- v) outside storage,
- vi) a machine or welding shop,
- vii) an automobile service station,
- viii) a lumber yard,
- ix) a research facility,
- x) a merchandise service shop,
- xi) a transport terminal or yard,
- xii) any business, administrative or professional offices accessory to a permitted industrial use, including a union hall,
- xiii) a builder's supply outlet,
- xiv) a contractor's yard,
- xv) a municipal/public utilities yard,
- xvi) a bulk storage yard,
- xvii) an assembly operation,
- xviii) a factory outlet,
- xix) a workshop, including a showroom,
- xx) an accessory dwelling unit for a caretaker or security guard, in accordance with the provisions of Section 5.21,
- xxi) an accessory building or use to the above uses including retail sales for the purpose of selling goods manufactured, stored and/or assembled on the premises, provided such outlet is part of the principal building, and occupies not more than five (5) percent of the gross floor area of the principal building.

18.3 ZONE REGULATIONS**a) For All Principal Buildings or Uses**

i)	Lot Area (Minimum)	4046.7 sq. metres (43,560 sq. ft.)
ii)	Lot Frontage (Minimum)	45.7 metres (150 ft.)
iii)	Front Yard (Minimum)	15 metres (49.2 ft.)
iv)	Rear Yard (Minimum)	7.5 metres (24.6 ft.)
v)	Interior Side Yard (Minimum)	7.5 metres (24.6 ft.)
vi)	Exterior Side Yard (Minimum)	15 metres (49.2 ft.)
vii)	Lot Coverage (Maximum)	50 percent

- viii) Building Height (Maximum) 15 metres (49.2 ft.)
- ix) Off-street parking shall be provided in accordance with Section 5.30.
- x) Off-street loading facilities shall be provided in accordance with Section 5.31.
- xi) All means of ingress and egress shall have a minimum width of 6 metres (19.7 ft.) and in the case of a corner lot, no means of ingress or egress shall be located within 15 metres (49.2 ft.) of the intersection of the street lines, or, where a corner is rounded, the points at which the extended street lines meet.
- xii) A sight triangle of 15 metres (49.2 ft) minimum shall be provided on a corner lot.

b) For Accessory Buildings

- i) Rear Yard (Minimum) 3 metre (10 ft.)
- ii) Interior Side Yard (Minimum) 3 metre (10 ft.)
- iii) Exterior Side Yard (Minimum) 7.5 metre (24 ft.)
- iv) Building Height (Maximum) 10 metres (33 ft.)

c) For Lands Abutting A Residential Zone or Residential Use

Notwithstanding the above provisions, where an interior side yard and/or rear yard abuts a residential zone then such interior side yard and/or rear yard shall be a minimum of 22 metres (72.2 ft.). This 22 metre (72.2 ft.) area shall be maintained in an open space condition and the open storage of goods or materials shall not be permitted within this 22 metre (72.2 ft.) area.

d) For Lands Abutting a Public or Private Road Allowance or Opposite a Residential Zone

Where any lot line in an UI Zone abuts a lot line adjacent to a residential zone, public road allowance or a private road allowance or where the lot on the opposite side of a street or a public or private road allowance is in a residential zone, a buffer planting strip adjoining such abutting lot line shall be provided on the UI Zone lot.

Contents

The buffer/planting strip shall consist of an earth berm and/or a continuous unpierced hedgerow of tree, evergreens or shrubs, not less than 2.0 metres (6.6 ft.) high and 3 metres (9.8 ft.) wide immediately adjoining the lot line or portion thereof along which such planting strip is required. The earth berm shall not be greater than a 3:1 slope.

Maintenance

A buffer/planting strip shall be planted, nurtured and maintained by the owner or owners of the lot on which the strip is located.

Landscaped Open Space

A buffer/planting strip referred to in this subsection may form a part of any landscaped open space required by this By-law.

Parking and Open Storage

No parking area for trucks, commercial vehicles or open storage areas shall be located along a lot line adjacent to a residential zone.

Interruption for Driveways or Pedestrian Walks

In all cases where ingress and egress driveways or walks extend through a buffer/planting strip or it shall be permissible to interrupt the strip within 3 metres (9.8 ft.) of the edge of such driveway or within 1.5 metres (4.9 ft.) of the edge of such walk.

18.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the - UI Urban Industrial Zone.

18.5 SPECIAL UI - URBAN INDUSTRIAL ZONES**18.5.1 UI-1 (Lot 11, Concession 10, River Street, Village of Tweed)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned UI-1 and shown on the attached schedules, the following special provisions shall apply:

The following uses shall be the only permitted uses:

- i) storage and servicing of trucks;
- ii) sale of gasoline;
- iii) automated car wash;
- iv) accessory office.

Zone Provisions

- i) accessory office area (maximum) 530 sq. m (5,705.1 sq. ft.)

All other provisions of this by-law shall apply.

18.5.2 UI-2 (Mill Reserve Plan 12, Village of Tweed)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned UI-2 and shown on the attached schedules, the following special provisions shall apply:

Permitted Use

The following shall be the only permitted use:

- i) a hydro generating station and related facilities.

All other provisions of this by-law shall apply.

18.5.3 UI-h (Lots 10 and 11, Concessions 9 and 10, Village of Tweed)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned UI-h and shown on the attached schedules, the following special provisions shall apply:

Removal of Holding ('h') Symbol

The Holding 'h' symbol may be removed by Council once a site plan acceptable to Council has been executed.

All other provisions of this by-law shall apply.

SECTION 19 - RI - RURAL INDUSTRIAL ZONE**19.1 RI – RURAL INDUSTRIAL ZONE**

Within a RI - Rural Industrial Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

19.2 PERMITTED USES

- i) a manufacturing or, processing plant,
- ii) a warehouse,
- iii) self-storage building(s),
- iv) an automobile body shop,
- v) outside storage,
- vi) a machine or welding shop,
- vii) an automobile service station,
- viii) a lumber yard,
- ix) a research facility,
- x) a merchandise service shop,
- xi) a transport terminal or yard,
- xii) any business, administrative or professional offices accessory to a permitted industrial use, including a union hall,
- xiii) a builder's supply outlet,
- xiv) a contractor's yard,
- xv) a municipal/public utilities yard,
- xvi) a bulk storage yard,
- xvii) an assembly operation,
- xviii) a factory outlet,
- xix) a workshop, including a showroom,
- xx) an accessory dwelling unit for a caretaker or security guard, in accordance with the provisions of Section 5.21,
- xxi) an accessory building or use to the above uses including retail sales for the purpose of selling goods manufactured, stored and/or assembled on the premises, provided such outlet is part of the principal building, and occupies not more than five (5) percent of the gross floor area of the principal building.

19.3 ZONE REGULATIONS**a) For All Principal Buildings or Uses**

- | | | |
|-------|---|----------------------------|
| i) | Lot Area (Minimum) | 4046.7metres (43,560. ft.) |
| ii) | Lot Frontage (Minimum) | 45.7 metres (150.ft) |
| iii) | Front Yard (Minimum) | 15 metres (49.2 ft) |
| iv) | Rear Yard (Minimum) | 7.5 metres (24.6 ft) |
| v) | Interior Side Yard (Minimum) | 7.5 metres (24.6 ft) |
| vi) | Exterior Side Yard (Minimum) | 15 metres (49.2 ft) |
| vii) | Lot Coverage (Maximum) | 50 percent |
| viii) | Building Height (Maximum) | 15 metres (49.2 ft.) |
| ix) | Off-street parking shall be provided in accordance with Section 5.30. | |

- x) Off-street loading facilities shall be provided in accordance with Section 5.31.
- xi) All means of ingress and egress shall have a minimum width of 6 metres (19.7 ft.) and in the case of a corner lot, no means of ingress or egress shall be located within 15 metres (49.2 ft.) of the intersection of the street lines, or, where a corner is rounded, the points at which the extended street lines meet.
- xii) A sight triangle of 15 metres (49.2 ft.) minimum shall be provided on a corner lot.
- xiii) Open Storage uses shall be set back in accordance with the minimum yard provisions set out in this subsection and where accessory to a principal Rural Industrial use, no open storage use shall be permitted in any front or exterior side yard.

b) For Lands Abutting A Residential Zone or A Residential Use

Notwithstanding the above provisions, where an interior side yard and/or rear yard abuts a residential zone then such interior side yard and/or rear yard shall be a minimum of 22 metres (72.2 ft.). This 22 metre (72.2 ft.) area shall be maintained in an open space condition and the open storage of goods or materials shall not be permitted within this 22 metre (72.2 ft.) area.

c) For Lands Abutting A Public or Private Road Allowance or Opposite a Residential Zone

Where any lot line in an RI Zone abuts a lot line adjacent to a residential zone, public road allowance or a private road allowance or where the lot on the opposite side of a street or a public or private road allowance is in a residential zone, a buffer planting strip adjoining such abutting lot line shall be provided on the RI Zone lot.

Contents

The buffer/planting strip shall consist of an earth berm and/or a continuous unpierced hedgerow of tree, evergreens or shrubs, not less than 2.0 metres (6.6 ft.) high and 3 metres (9.8 ft.) wide immediately adjoining the lot line or portion thereof along which such planting strip is required. The earth berm shall not be greater than a 3:1 slope

Maintenance

A buffer/planting strip shall be planted, nurtured and maintained by the owner or owners of the lot on which the strip is located.

Landscaped Open Space

A buffer/planting strip referred to in this subsection may form a part of any landscaped open space required by this By-law.

d) Water Consumption

No Industrial use shall be permitted where ground water consumption requirements exceed 10,000 litres per day.

19.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the RI - Rural Industrial Zone.

19.5 SPECIAL RI - RURAL INDUSTRIAL ZONES

19.5.1 RI-1 (Lot 8, Concession 10, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RI-1 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) television (microwave) tower and tower building.

All other provisions of this by-law shall apply.

19.5.2 RI-2 (Lot 8, Concession 10, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RI-2 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) welding and mechanical repairs to automobiles and farm machinery;
- ii) performance of safety checks in an existing building.

All other provisions of this by-law shall apply.

19.5.3 RI-3 (Lot 1, Concession 10, Elzevir Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RI-3 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) communications tower and related equipment buildings with a fenced compound.

All other provisions of this by-law shall apply.

19.5.4 RI-h (Lot 10, Concession 9, Hungerford Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RI-h and shown on the attached schedules, the following special provisions shall apply:

Removal of Holding ('h') Symbol

The Holding 'h' symbol may be removed by Council once a site plan acceptable to Council has been executed.

All other provisions of this by-law shall apply.

19.5.5 RI-4 (Lot 33-34, Concession 2, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RI-4 and shown on the attached schedules, the following special provisions shall apply:

Special Provisions

The following shall be the permitted uses for the RI-4 zone;

- i) Manufacturing facility for production of bee products, including candles, and production of marl products.
- ii) Retailing of bee and marl products produced at manufacturing facility

Zone Provisions

- i) The gross floor area shall not exceed 1115 sq. metres (12,000 sq. ft.).

All other provisions of this by-law shall apply.

SECTION 20 - MX - MINERAL EXTRACTIVE ZONE

20.1 MX – MINERAL EXTRACTIVE ZONE

Within a MX - Mineral Extractive Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

20.2 PERMITTED USES

- i) a pit or quarry, including drilling and blasting, as licensed,
- ii) open space, conservation, forestry and agricultural uses, excluding dwellings
- iii) an aggregate processing operation,
- iv) asphalt plants, ready-mix concrete plants and aggregate transfer stations,
 - a) accessory buildings to the above uses,
 - b) a wayside pit or quarry.

20.3 ZONE REGULATIONS

a) For Excavation Area and Storage Uses

- | | | |
|------|--|----------------------|
| i) | Setback from rear and interior side lot lines (Minimum) | 15 metres (49.2 ft) |
| ii) | Setback from front and exterior side lot lines (Minimum) | 30 metres (98.4 ft.) |
| iii) | Setback from any road right-of-way (Minimum) | 30 metres (98.4 ft.) |
| iv) | Setback from waterbody or water course | 30 metres (98.4 ft.) |

b) For Open and Enclosed Pit or Quarry Processing Operations

- | | | |
|------|--|----------------------|
| i) | Setback from rear and interior side lot lines (Minimum) | 30 metres (98.4 ft.) |
| ii) | Setback from front and exterior side lot lines (Minimum) | 30 metres (98.4 ft.) |
| iii) | Setback from any road right-of-way (Minimum) | 30 metres (98.4 ft.) |
| iv) | Setback from waterbody or water course | 30 metres (98.4 ft.) |

c) For Accessory Buildings to Pit or Quarry Operations

- | | | |
|-----|---|----------------------|
| i) | All yards (Minimum) | 30 metres (98.4 ft.) |
| ii) | Setback from any road
right-of-way (Minimum) | 30 metres (98.4 ft.) |

d) For Conservation, Forestry, Agricultural, and Open Space

- | | | |
|------|--|---------------------|
| i) | The minimum distance of buildings or structure from any lot line shall be
10 metres (32.8 ft.). | |
| ii) | The minimum distance of buildings or structures from the centre line of any road
shall be 30 metres (98.4 ft.). | |
| iii) | Building Height (Maximum) | 10 metres (32.8 ft) |

e) Landscaping

A strip of land not less than 15 metres (49.2 ft.) in width shall be reserved for landscaping purposes between any MX zone and any adjacent commercial, community facility or industrial zone or use and along any adjacent streetline or lot line. Where an MX zone abuts a residential zone, or a roadway is the only separation between two such areas, then no aggregate extraction use shall be made of any kind within 30 metres (98.4 ft.) of the abutting lot line and no parking use shall be made of any land within 7.5 metres (24.6 ft.) of the abutting lot line. The intervening land shall be kept in an open space condition with grass, trees and shrubs and retained as part of the normal operation of the extraction activity.

20.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply where applicable to any land, lot, building, structure, or use within the MX - Mineral Extractive Zone.

20.5 SPECIAL MX - MINERAL EXTRACTIVE ZONES**20.5.1 MX-1 (Part Lot 9, Concession 8, Township of Hungerford)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MX-1 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- | | |
|------|--|
| i) | a gravel pit or quarry, including the removal of any soil, earth, clay, sand, gravel or rock for commercial or municipal purposes; |
| ii) | open storage of materials accessory to a gravel pit or quarry operation; |
| iii) | a building accessory to the main use above. |

Zone Provisions

- i) setback (from single detached dwelling on
- ii) east side of Highway 37 - Roll No. 15-09200) (minimum) 56 m (183.73 ft.)
- iii) setback (from undeveloped residential lot to the south of the
MX-1 Zone - Roll No. 1509100) (minimum) 56 m (183.73 ft.)
- iv) the elevated lands located on the west side of Highway 37 and which act as a natural
buffer between the existing land on Lot 9, Concession 8, shall not be removed or altered
in any way.

All other provisions of this by-law shall apply.

20.5.2 MX-2 (Lot 9, Concession 9, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MX-2 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) a gravel pit or quarry;
- ii) open storage of materials accessory to a gravel pit or quarry.

Zone Provisions

- i) the gravel pit shall have a setback of 150.4 m (493.6 ft.) from a renovated mobile home located on the west side of the subject property.

All other provisions of this by-law shall apply.

20.5.3 MX-3-h (Lot 9, Concession 3, Elzevir Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MX-3-h and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) a gravel pit or quarry operation;
- ii) processing of aggregate;
- iii) open storage of material accessories to a gravel pit or quarry operation.

Any building located in the MX-3-h zone shall be an accessory to the main use.

Removal of Holding ('h') Symbol

The Holding ('h') symbol may be removed by Council once an approved site plan is accepted by the Council of the Corporation of the Municipality of Tweed, and appropriate Provincial licensing is in place at which time the 'h' symbol shall be removed in accordance with Section 36 of the Planning Act, R.S.O. 1990.

The site plan shall address, but not be limited to, the following provisions: hours of operation; air, water and noise pollution control; transportation related matters; restoration plans; public safety issues.

All other provisions of this by-law shall apply.

SECTION 21 – MXR – MINERAL EXTRACTIVE RESERVE ZONE

21.1 MXR – MINERAL EXTRACTIVE RESERVE ZONE

Within a MXR – Mineral Extractive Reserve Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

21.2 PERMITTED USES

- i) existing uses at the time of passing of this by-law,
- ii) existing farms excluding any additional dwelling associated with the farm use,
- iii) open space, conservation, forestry and agricultural uses, excluding dwellings,
- iv) passive recreation uses,
- v) accessory buildings to the above uses.

21.3 ZONE REGULATIONS

- | | | |
|----|------------------------------------|-------------|
| a) | Front Yard Depth (Minimum) | 10.5 metres |
| b) | Interior Side Yard Width (Minimum) | 3.0 metres |
| c) | Exterior Side Yard Width (Minimum) | 6.0 metres |
| d) | Rear Yard Depth (Minimum) | 15.0 metres |

21.4 GENERAL PROVISION

All special provision of Section 5 “General Provisions: shall apply where applicable to any land, lot, building, structure, or use with the MXR – Mineral Extractive Reserve Zone.

21.5 SPECIAL MX – MINERAL EXTRACTIVE ZONES

SECTION 22 - M - MINING ZONE**22.1 M – MINING ZONE**

Within an M - Mining Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure of any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

22.2 PERMITTED USES

- i) a mine that is approved and operated in accordance with the Mining Act.

22.3 ZONE REGULATIONS

The zone regulations for a mine will be determined through a site specific zoning by-law amendment process and will address, among other things, setbacks from water, access, buffering, conservation of natural environment and setbacks from neighbouring land uses.

22.4 GENERAL PROVISIONS

All special provisions of Section 5 “General Provisions” shall apply where applicable, to any land, lot, building, structure or use within the M - Mining Zone.

22.5 SPECIAL M - MINING ZONES

SECTION 23 - WD - WASTE DISPOSAL ZONE

23.1 WD – WASTE DISPOSAL ZONE

Within a WD - Waste Disposal Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure of any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

23.2 PERMITTED USES

- i) a waste disposal site,
- ii) a waste management system,
- iii) a commercial compost facility,
- iv) a salvage yard,
- v) agricultural, open space, conservation and forestry uses, excluding dwellings,
- vi) accessory buildings or uses to the above uses.

23.3 ZONE REGULATIONS

a) For Agricultural, Conservation and Forestry Uses, and Open Space

- i) The minimum distance of buildings or structure from any lot line shall be 10 metres (32.8 ft)
- ii) The minimum distance of buildings or structures from the centre line of any road shall be 30 metres (98.4 ft.).
- iii) Building Height (Maximum) 10 metres (32.8 ft)

b) For a Salvage Yard

- i) Lot Area (Minimum) 2 ha (4.9 acres)
- ii) Lot Frontage (Minimum) 60 metres (196.6 ft.)
- iii) Yard Requirements:
 - a) All yards (minimum) 15 metres (49.2 ft.)
- iv) A strip of land not less than 15 metres (49.2 ft.) in width shall be reserved for landscaping purposes between any salvage yard site and any adjacent community facility, commercial or industrial zone or use, and along any adjacent street line or adjoining lot line. Where a salvage yard site abuts a residential zone or use or a roadway is the only separation between two such areas, then no salvage yard use of any kind shall be made within 30 metres (98.4 ft.) of the adjacent lot line. The land reserved for landscaping purposes shall be kept in an open space condition with grass, trees and shrubs and maintained as part of the normal operation of the salvage yard activity.
- v) No land shall be used for the storage or mechanized processing of goods, wares, merchandise, articles or things within 300 metres (984.3 ft.) of any residential or commercial zone or use, nor closer than 100 metres (328.1 ft.) to a lot line or a street line. Without limiting the generality of this subsection, mechanized processing includes the use of machinery or equipment to crush, compact, separate, refine, incinerate or similarly treat goods, wares, merchandise, articles or things.
- vi) The salvage yard site shall be sufficiently screened by a fence, a berm or a combination of the two so that waste materials being stored or processed on the site are not visible from adjacent roads. The screening shall extend a minimum of 3

metres (9.8 ft.) above grade or to a height equal to that of the goods, wares, merchandise, articles or things being stored or processed within the salvage yard site, whichever is the greater. All fences shall be constructed of an opaque material and shall be painted or otherwise preserved and kept painted from time to time, so as to maintain the fences in good condition.

- vii) An accessory weighing scale and recording office shall be permitted no closer than 30 metres (98.4 ft.) to a street line.
- viii) Open burning shall be prohibited.
- ix) Storage of tires shall be prohibited.
- x) Prior to the storage or processing of any goods, wares, merchandise, articles or things all fluids shall be drained and disposed of in a manner approved by the Ministry of the Environment if they are not stored for the purposes of resale.

c) For All Other Waste Disposal Uses

- i) A strip of land not less than 15 metres (49.2 ft.) in width shall be reserved for landscaping purposes between any sanitary landfill site, sewage treatment plant, sewage lagoon, transfer station or waste processing facility and any adjacent commercial, community facility or industrial zone or use and along any adjacent street line or adjoining lot line. Where such uses abut a residential zone or an existing residential use or a roadway is the only separation between two such areas, then no waste disposal use shall be made of any kind within 30 metres (98.4 ft.) of the abutting lot line. The land reserved for landscaping purposes shall be kept in an open space condition with grass, trees, and shrubs and maintained as part of the normal operation of the waste disposal activity.

23.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the WD - Waste Disposal Zone.

23.5 **SPECIAL WD - WASTE DISPOSAL ZONES**

23.5.1 **WD-1 (Part Lot 9, Concession 9, Township of Hungerford)**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned WD-1 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) a recycling site consisting of two buildings, one to recycle cardboard, newsprint, glass and metal and a second building for storage (pending shipping of the recycled materials);
- ii) a maximum of two buildings shall be permitted: one for the recycling process and one for storage.

Zone Provisions

- i) area (recycling site) (maximum) 244 m (800.5 ft.) by 107 m (351.1 ft.).
- ii) all materials shall be stored in suitable containers or within a building.

All other provisions of this by-law shall apply.

Definitions

RECYCLING SITE shall mean a facility for the receiving, sorting and contained temporary storage of cardboard, newsprint, glass, aluminum and other recyclable materials approved by the Ontario Ministry of Environment and which have been separated from the domestic and commercial waste streams at source.

SUITABLE CONTAINER shall mean a covered transport trailer or covered roll-off container.

SECTION 24 - CF - COMMUNITY FACILITY ZONE

24.1 CF – COMMUNITY FACILITY ZONE

Within a CF - Community Facility Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

24.2 PERMITTED USES

- i) public use,
- ii) a church,
- iii) a cemetery,
- iv) a school,
- v) a commercial or private club,
- vi) a public or private hospital,
- vii) a community centre,
- viii) a nursing home,
- ix) a nursery school,
- x) a library,
- xi) an elderly person's centre,
- xii) an arena,
- xiii) charitable camp,
- xiv) museum or art gallery,
- xv) a fairground,
- xvi) an accessory building or use to the above uses.

24.3 ZONE REGULATIONS

a) For All Principal Buildings

- | | | |
|-------|---|-------------------------------|
| i) | Lot Area (Minimum) | 4046.7 metres (43,560.sq.ft.) |
| ii) | Lot Frontage (Minimum) | 45.7 metres (150 ft) |
| iii) | Front Yard (Minimum) | 15 metres (49.2 ft) |
| iv) | Rear Yard (Minimum) | 7.5 metres (24.6 ft) |
| v) | Interior Side Yard (Minimum) | 7.5 metres (24.6 ft) |
| vi) | Exterior Side Yard (Minimum) | 15 metres (49.2 ft) |
| vii) | Lot Coverage (Maximum) | 50 percent |
| viii) | Building Height (Maximum) | 15 metres (49.2 ft.) |
| ix) | Off-street parking shall be provided in accordance with Section 5.30. | |

b) For Accessory Buildings

- | | | |
|------|------------------------------|---------------------|
| i) | Rear Yard (Minimum) | 1 metre (3.3 ft) |
| ii) | Interior Side Yard (Minimum) | 1 metre (3.3. ft) |
| iii) | Exterior Side Yard (Minimum) | 1 metre (3.3. ft) |
| iv) | Building Height (Maximum) | 10 metres (32.8 ft) |

c) For Lands Abutting A Residential Zone or Residential Use

Notwithstanding the above provisions, where a rear yard and/or interior side yard abuts a residential zone or existing residential use then such interior side yard shall be a minimum of 10 metres (32.8 ft.) and such rear yard shall be a minimum of 15 metres (49.2 ft.). The 1 metre (3.3 ft.) strip immediately adjacent to the rear yard and/or interior side yard shall be landscaped.

24.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the CF - Community Facility Zone.

24.5 SPECIAL CF - COMMUNITY FACILITY ZONES

24.5.1 CF-1-h (Lot 10, Concession 11, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned CF-1-h and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) health care, health spa, educational and training facility and related health care services including but not limited to a pharmacy, chapel, and health care equipment rental.

Removal of Holding ('h') Symbol

The Holding ('h') symbol may be removed by Council once it is satisfied that a satisfactory site plan has been provided and appropriate permits obtained.

All other provisions of this by-law shall apply.

24.5.2 CF-2 (Lot 31, Concession 4, Elzevir Township)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned CF-2 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) trailer sites for temporary use as an accessory use to the religious and educational functions in the CF-2 zone.

Zone Provisions

- i) area to be occupied by trailer sites (maximum) 4.0 ha (10 acres)
- ii) the provisions of Section 18.3 e) i) to xi) shall apply
- iii) servicing shall be approved by the Health Unit

All other provisions of this by-law shall apply.

24.5.3 CF-3 (Lot 12, Concession 11, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned CF-3 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) a core sample library facility consisting of 6 buildings including a storage building, offices, parking lot and large tower;
- ii) buildings accessory to the above uses;
- iii) open storage of core samples.

Zone Provisions

- i) lot coverage (total of six buildings) (not including open storage) (maximum) 15.2 %

All other provisions of this by-law shall apply.

24.5.4 CF-4 (Lot 1, Concession 4, part of lot 61 and 63, Township of Actinolite)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned CF-4 and shown on the attached schedules, the following special provisions shall apply:

Special Provisions

The following shall be the only permitted uses:

Performing Arts Centre and Community Facility used for the following purposes and for any of which there may be charged an admission, fee, rental and/or other charge:

- i) Venue to accommodate music and dance performance
- ii) Gallery for presentation of visual artists and their work
- iii) Theatre
- iv) Cinema
- v) Hall and meeting facility
- vi) Studio for creation and instruction
- vii) Hall for community and private functions.

24.5.5 CF-5-h (Lot 15, Concession 1, Township of Elzevir)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned CF-5-h and shown on the attached schedules, the following special provisions shall apply:

Special Provisions

The following shall be the only permitted uses:

Buildings relevant to a retreat area including:

- i) Existing residential dwelling

- ii) Chapel
- iii) Workshop
- iv) Gathering hall
- v) Maximum of four (4) cabins

Removal of Holding ('h') Symbol

The Holding ('h') symbol may be removed by Council once it is satisfied that a satisfactory site plan has been provided and appropriate permits obtained.

All other provisions of this by-law shall apply.

24.5.6 CF-6-h (Lot 10, Concession 9, Parts 1 to 3, Plan 21R-18399, Concession, Township of Tweed)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned CF-6-h and shown on the attached schedules, the following special provisions shall apply:

Special Provisions

Within the CF-6-h zone no person shall use any land or use, erect, locate, occupy or alter any building or structure except as permitted by and in compliance with the requirements of this by-law.

Development on the portion of the property adjacent to the extractive industrial use (active gravel pit) existing at the time of the passing of the by-law shall be in accordance with the required setback of 300 metres from the existing extractive use.

Provisions for Holding Symbol

The 'h' shall represent a Holding exception or a deferment of the CF zone. Development of the property and construction on the property shall be prohibited until such time as the following conditions are met to the satisfaction of the Council of the Corporation of the Municipality of Tweed, at which time the 'h' symbol shall be removed in accordance with Section 36 of the Planning Act, R.S.O. 1990 as amended.

Nothing in this by-law shall prohibit the removal of the 'h' symbol for any certain portion of the property subject to the approval of Council. The removal of the 'h' symbol or any portion of the property shall not necessarily constitute the remove of the 'h' symbol for the entire parcel.

Removal of Holding ('h') Symbol

The Holding ('h') symbol may be removed by Council once it is satisfied that a satisfactory site plan has been provided and appropriate permits obtained.

All other provisions of this by-law shall apply.

24.5.7 CF-7-h (Lot 10, Concession 9, Parts 1 to 3, Plan 21R-18399, Township of Tweed)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned CF-7-h and shown on the attached schedules, the following special provisions shall apply:

Removal of Holding ('h') Symbol

The Holding symbol ('h') shall be removed from a certain portion of the lands described as Con 9, N Pt Lot 10 Parts 1 to 3, Plan 21R-18399 in the Village of Tweed. That the certain portion of lands described as Con 9, N Pt Lot 10 Parts 1 to 3, Plan 21R-18399 to which removal of the Holding symbol ('h') applies shall be that certain portion of the property defined by the Site Plan for the Long Term Care Home development as accepted by the Council of the Corporation of the Municipality of Tweed, and including all components of the Site Plan on file at the Municipal Offices.

Development of the portion of the property not included in the Long Term Care Home Site Plan shall be prohibited until such time as a separate Site Plan for additional development is accepted by the Council of the Corporation of the Municipality of Tweed, and that Site Plan shall be in accordance with the Municipality of Tweed site plan policy.

All other provisions of this by-law shall apply.

24.5.8 CF-8 (Lot 15, Concession 1 Township of Elzevir)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned CF-8 and shown on the attached schedules, the following special provisions shall apply:

Special Provisions

The following shall be the only permitted uses:

Buildings relevant to a retreat area including:

- vi) Existing residential dwelling
- vii) Chapel
- viii) Workshop
- ix) Gathering hall
- x) Maximum of four (4) cabins

Removal and Continuation of Holding Symbol

The Holding Symbol 'h' shall remain in place for that portion of the property described as Part of Lot 15, Concession 1, Township of Elzevir not identified in the Site Plan for the chapel. The removal of the Holding symbol for the portion of the property identified in the Site Plan for the chapel does not constitute the removal of the Holding symbol for the entire parcel. Development of the portion of the property not included in the Site Plan for the chapel shall be prohibited until such time as a separate Site Plan for additional development is accepted by the Council of the Corporation of the Municipality of Tweed.

All other provisions of this by-law shall apply.

SECTION 25 - OS - OPEN SPACE ZONE

25.1 OS – OPEN SPACE ZONE

Within an OS - Open Space Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

25.2 PERMITTED USES

- i) open space and conservation uses, including forestry, reforestation and other activities connected with the conservation of soil and wildlife,
- ii) agricultural uses but excluding buildings or structures,
- iii) a woodlot,
- iv) an accessory building or use to the above uses, including an accessory commercial building or use to serve an open space use.
- v) an active or passive recreational use.

25.3 ZONE REGULATIONS

a) For All Uses

- i) The minimum distance of buildings or structure from any lot line shall be 10 metres (32.8 ft.).
- ii) The minimum distance of buildings or structures from the centre line of any road shall be 30 metres (98.4 ft.).
- iii) Building Height (Maximum) 10 metres (32.8 ft)
- iv) Lot coverage (Maximum) 50 percent

25.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the OS - Open Space Zone.

25.5 SPECIAL OS - OPEN SPACE ZONES

25.5.1 OS-1 (Lot 15, Concession 9, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned OS-1 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted use:

- i) conservation uses.

Definition

CONSERVATION

For the purpose of the OS-1 Zone, conservation shall mean the preservation, protection and improvement of the components of the natural environment through a comprehensive management and maintenance program administered by the appropriate authority for individual or public use and may include bird sanctuaries and wildlife preserves.

All other provisions of this by-law shall apply.

25.5.2 OS-2 (Lot 16, Concession 8, Township of Hungerford)

Notwithstanding any provisions of this by-law to the contrary, on lands zoned OS-2 and shown on the attached schedules, the following special provisions shall apply:

Permitted Uses

The following shall be the only permitted uses:

- i) nine hole golf course;
- ii) driving range.

Definition

GOLF COURSE shall mean a public or private area operated for the purpose of playing golf and includes par 3 golf courses but does not include driving ranges, miniature courses and similar uses.

DRIVING RANGE shall mean an area where people practice hitting golf balls.

All other provisions of this by-law shall apply.

SECTION 26 – ES-EW – ENVIRONMENTALLY SENSITIVE-EVALUATED WETLAND ZONES**26.1 ES-EW – ENVIRONMENTALLY SENSITIVE - EVALUATED WETLAND**

Within an ES-EW – Environmentally Sensitive – Evaluated Wetland Zones, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

26.2 PERMITTED USES

- i) existing agricultural uses,
- ii) a public use
- ii) a conservation use excluding any buildings,
- iii) a building or structure required by a public authority for flood or erosion control or for conservation or wildlife management purposes,
- iv) an accessory use to the above uses, excluding any buildings.

26.3 ZONE REGULATIONS

- i) The minimum setback from wetlands shall be 120 metres (393 ft.).
- ii) Development with an ES-EW zone shall be prohibited,
- iii) Development including new buildings structures or uses, or additions, to existing buildings or structures that is proposed on lands adjacent to the ES-EW – Environmentally Sensitive – Evaluated Wetland Zone (and beyond the minimum 30 metres (98.4 ft.) setback but within 120 metres (393.7 ft.) of the Provincially Significant Wetland shall be permitted provided that an Environmental Impact Statement is prepared in accordance with the requirements of the Official Plan, to the satisfaction of the Municipality, in consultation with the Ministry of Natural Resources, Conservation Authority and the Health Unit.

26.4 GENERAL PROVISIONS

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the ES-EW – Environmentally Sensitive – Evaluated Wetland Zone.

26.5 SPECIAL ES-EW - ENVIRONMENTALLY SENSITIVE-EVALUATED WETLAND ZONES

SECTION 27 - EP - ENVIRONMENTAL PROTECTION ZONE**27.1 EP – ENVIRONMENTAL PROTECTION ZONE**

Within an EP Environmental Protection Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

27.2 PERMITTED USES

- i) conservation uses, including forestry, reforestation and other activities connected with the conservation of soil and wildlife,
- ii) agricultural uses,
- iii) passive outdoor recreational uses,
- iv) public and private parks, excluding any buildings,
- v) an accessory use to the above uses, excluding any buildings.

27.3 ZONE REGULATIONS

- i) The minimum setback of buildings or structures from any lot line shall be 10 metres (32.8 ft.).
- ii) The minimum setback of buildings or structures for the centreline of any road shall be 20 metres (65.6 ft.).
- iii) Building Height (Maximum) 6 metres (19.7 ft.).

27.4 GENERAL PROVISIONS

All provisions of Section 5 General Provisions shall apply, where applicable, to any land, lot, building, structure or use within the EP - Environmental Protection Zone.

27.5 SPECIAL EP - ENVIRONMENTAL PROTECTION ZONES

Appendix "A" Guidelines for Measuring Narrow Waterbodies

