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The Corporation of the Township of Augusta Comprehensive Zoning By-law

1.0 Foreword

This Zoning By-law affects all lands within the Township of Augusta. To use this By-law, locate the subject property on the map schedules provided and determine the zone(s) which affect(s) the land. Then review the specific regulations relating to the zone(s) in Section 5: Zones. It is also important to review Section 4: General Provisions and any applicable definitions in Section 3: Definitions.

Amendments to this By-law may be approved by Council subject to the provisions of the Planning Act. Minor changes to zoning standards or permitted uses, known as a Minor Variance or a Permission may granted by the municipality's Committee of Adjustment. Zoning changes and Committee of Adjustment decisions require that formal applications be submitted to the Municipality and also require public notification and consultation.

Should you have any questions about the interpretation of the wording of this by law or the process involved obtaining relief from its provisions, please contact the Clerk of the Township of Augusta.

2.0 By-law

The Corporation of the Township of Augusta
By-law No. 2965

Being a By-law to regulate the use of land, buildings and structures within Township of Augusta;

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

NOW THEREFORE the Council of the Corporation of The Township of Augusta enacts as follows:

(Text of Zoning By-law)

Read a first and second time this ____ day of _____, 2012.

Read a third time and adopted this ____ day of _____, 2012.

Mayor

Clerk

Certified that the above is a true copy of By-law No. _____ as enacted and passed by the Council of the Corporation of the Township of Augusta on the ____ day of _____, 2012.

Clerk

3.0 ADMINISTRATION

3.1 TITLE

This By-law shall be known as the Zoning By-law or By-law No.2965 of the Corporation of the Township of Augusta.

3.2 DEFINED AREA

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

3.3 ADMINISTRATION

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

3.4 APPLICATIONS AND PLANS

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

- The true dimensions and/or legal description of the lot to be built upon or otherwise used;
- The proposed location, height and dimensions of any building, structure or use proposed for such lot;
- The proposed location, height and dimensions of yards, landscaping, parking areas and loading spaces required by this By law;
- The location of all existing buildings or structures on the lot, including the lot area and lot coverage of existing and proposed structures;
- A statement, signed by the owner disclosing all existing and proposed uses of land, buildings or structures and such other information as may be required to determine whether the uses conform to the requirements of this by law.

3.5 INSPECTION OF LAND, BUILDINGS AND STRUCTURES

Subject to Section 49 of the Planning Act, R.S.O. 1990, the Clerk or other such person as may from time to time be designated by Council or any person acting under his or her instructions, and upon producing proper identification, is hereby authorized to enter, at all reasonable times, upon any property or premises for the purpose of carrying out his/her duties under this By law.

Notwithstanding any provisions of Section 3.5 hereof to the contrary, no officer or employee of the Corporation shall enter any room or place actually being used as a dwelling unit without obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused, except under the authority of a search warrant issued under Section 158 of the Provincial Offences Act.

3.6 PENALTY

Every person who contravenes any of the provisions of this by-law is guilty of an offence and on conviction thereof shall forfeit and pay a penalty for each such offence and every such penalty shall be recoverable under the Provincial Offences Act, R.S.O. 1990, c. P.33 and amendments thereto.

When a person has been convicted of an offence under this by-law, any court of competent jurisdiction thereafter, may, in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed towards the continuation or repetition of the offence.

The requirements of this by-law are severable, if any requirements of this by-law are held invalid, the application of such requirements to other circumstances and the remainder of this by-law shall not be affected.

3.7 REPEAL AND RELATIONSHIP TO FORMER BY-LAWS

Insofar as it applies to the lands affected by this By law, By law # 1818 as amended, being the Township of Augusta Restricted Area (Zoning By-Law) By-Law, Zoning By-Law NO. 1818 passed under Section 34 of the Planning Act, 1990, or its predecessor, is hereby repealed.

The adoption of this By-law shall not prevent any pending or future prosecution of, or action to abate any existing violation of the said By laws if the violation is also a violation of any of the provisions of this By law.

3.8 VALIDITY

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

3.9 OTHER BY-LAWS, LICENSES, PERMITS AND REGULATIONS

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

3.10 INTERPRETATION

The Interpretation Act, R.S.O. 1990 applies to this By-law.

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

3.11 EFFECTIVE DATE

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

3.12 TRANSITION

1. Where a decision by the Committee of Adjustment has been issued, or where a complete application for a building permit has been received by the Township prior to the date of adoption of this by-law, development may proceed and a building permit may be issued provided that the proposed development would have been in compliance with By-law 1818.
2. Nothing in this by-law applies so as to continue the exemption provided by this section beyond the issuance of the permit upon which the exemption is founded; and in no case does the exemption mentioned in subsection (1) continue beyond the repeal of this section.
3. Once the permit, agreement or approval under subsection (1) has been granted, the provisions of this by-law apply to the land in question.
4. Section 3.12 is repealed three years from the date of enactment of this By-law.

4.0 CONFORMITY REQUIREMENTS

4.1 CONFORMITY

Save as otherwise provided in this By-law, no land, or building, or structure shall be used for any purpose, and no building, or structure, shall be erected and or altered for any purpose except as hereafter stated in this By-law and in conformity with all of the applicable provisions of this By-law.

Notwithstanding anything in this By-law, no person shall reduce any lot in dimensions, either by conveyance or other means of title of any portion thereof if the effect of such action is to cause the original, adjoining, remaining or new building, structure, lot or use of land to be in contravention of any provision of this By-law. However, no person shall be deemed to have contravened any provision of this By-law by reason of the fact that any part or parts of any lot has or have been conveyed to or acquired by any Public Authority.

Any use or structure established in violation of a predecessor of this By-law shall be deemed to be non-conforming if the violation is also in violation of any of the provisions of this By law.

5.0 DEFINITIONS

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

Abattoir

Means a building or structure specifically designed to accommodate the penning and slaughtering of live animals and the preliminary processing of animal carcasses and may include the packing, treating, storing and sale of the product on the premises.

Accessory

When used to describe a use, building or structure means a use, building or structure naturally or normally incidental, subordinate and exclusively devoted to a main use, building or structure and located on the same lot therewith. For an accessory building or structure, it shall also be uninhabited and detached from the main building.

Adventure Game

Means an outdoor sport or recreational activity operated commercially where participants attempt to capture a flag or to achieve other pre-determined objectives and require the use of one or more of the following equipment: gas-operated markers that shoot biodegradable gelatine capsules filled with a water-soluble, non-toxic paint, paint pellets, safety equipment including goggles and armbands to identify team participants.

Adverse Effects

Means one or more of:

- Impairment of the quality of the natural environment for any use that can be made of it;
- Injury or damage to property or plant and animal life;
- Harm or material discomfort to any person;
- An adverse effect on the health of any person;
- Impairment of the safety of any person;
- Rendering any property or plant or animal life unfit for use by humans;
- Loss of enjoyment of normal use of property; and
- Interference with normal conduct of business.

Aggregate

Means gravel, sand, clay, earth, shale, limestone, dolostone, sandstone, marble, granite, rock other than metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act.

Agricultural Use

Shall mean the use of land, building(s) or structure(s) for:

- The growing of crops, including all related activities such as soil preparation, manure or fertilizer storage and application, planting, spraying, grain drying, irrigating, harvesting and also including the storage and sale of the crops;
- Animal husbandry including the raising, boarding, and keeping of all forms of livestock and fish, and all related activities such as breeding, training, feeding, manure storage and grazing;
- The production of animal products including but not limited to milk, eggs, wool, fur, or honey, including related activities such as the collection, storage and sale of the products;
- The use and storage of all forms of equipment or machinery needed to accomplish the foregoing activities.

Agricultural use shall not be construed to include commercial activities related to agriculture such as abattoirs, tanneries and retail sales outlets, or manufacturing and processing activities involving farm crops or animal products such as cheese factories, wineries, grain mills or retail seed sales.

Agricultural Machinery Sales and Service

Means a building and/or lot used principally for the display and sale of new and/or used agricultural machinery, accessories and related products and may include the servicing and repair of such products.

Agriculturally Related Commercial Uses

Means the use of land, buildings or structures related to agriculture and necessary in close proximity to farm operations, such as animal husbandry services, produce or grain storage facilities, grain drying and or cleaning operations, seed, feed and other farm supply sales and services, farm machinery outlets, but does not include any large manufacturing, assembling, processing, warehousing or construction uses.

Alter

When used in reference to a building, structure or part thereof, means:

- To change any one or more of the external dimensions of such building or structure; or
- To change the type of construction of the exterior walls or roof of such building or structures; or
- To change the use of such building or structure or the number or types of uses or dwelling units contained therein.

When used in reference to a lot means:

- To change the boundary of such lot with respect to a street or lane; or
- To change any dimension or area, relating to such lot; or
- To change the grade and drainage pattern of such lot; or
- To change the use of such lot or the number of uses located thereon.

When used in reference to a shoreline means to change, straighten, divert or interfere in any way with the channel of any watercourse.

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Attached

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

Attic

Means that portion of a building immediately below the roof and wholly or partly within the roof framing and which is not a one-half story.

Auction House

Means premises used for the storage and/or display of goods or materials which are to be sold on the premises by auction.

Auditorium

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

Auto Body Shop

Means a building with a service bay, where painting, refinishing, restoration or repairs to the coachwork of motor vehicles are performed, but shall not include an automobile wrecking yard or salvage yard

Auto Repair Garage

Means a building used for the storage repair and servicing of motor vehicles, having at least one (1) service bay where repairs essential to the actual operation of a motor vehicle are performed.

Auto Rental Agency

See Car Rental Agency

Auto Service Station

Means a building and/or lot used for the sale of fuels for vehicles and may include the renting, servicing, repairing, lubrication, cleaning and polishing of vehicles and the sale of automotive accessories and related products, but shall not include any other automotive use defined in this by-law.

Automotive Sales Establishment

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

Automobile Washing Establishment

See Car Washing Establishment

Automobile Wrecking Yard

See Salvage Yard

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Bachelor Suite

Means a self-contained unit in an apartment building, consisting of a bed / sitting room combination, a kitchen, a bathroom and spaces normally accessory thereto.

Bake Shop

Means a shop where products of a bakery are sold or offered for sale by retail, including incidental baking of products for retail sale on the premises only.

Bakery

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

Bank

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

Basement

Means that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above adjacent finished grade.

Batching Plant, Asphalt or Cement

Means an industrial facility used for the production of asphalt or cement, or asphalt or cement products, used in building or construction, and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises and the storage and maintenance or required equipment, but does not include the retail sale of finished asphalt or cement products.

Bed and Breakfast Establishment

Means a private dwelling designed to be used in part for the accommodation of the travelling or vacationing public, containing therein six (6) or fewer suites or guest rooms.

Bingo Hall

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

Boarding or Lodging House

Means a dwelling or portion thereof containing 5 or fewer rooms in which the proprietor supplies for gain, lodging with or without meals, but does not include a bed and breakfast establishment, a hotel, a hospital or other establishment otherwise classified or defined in this By law.

Boat House

Means a marine building or structure or part thereof not over 4.8 m (15.7 ft.) in height, used for the storage of private boats and equipment accessory to their use, as an accessory use to a residential use, no part of which shall be used for any residential or commercial purpose. Despite anything in the foregoing to the contrary, rooftop decks or patios and screened enclosures shall be allowed provided

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that the total aggregate height of all boat house structures does not exceed the maximum height limit by more than 1.2 m (4.0 ft.).

Building

Means any structure used or intended for sheltering any use or occupancy. The word "building" shall include the whole of such structure or part thereof and shall include any building types as regulated by the Ontario Building Code Act.

Building Area

Means the maximum projected horizontal area of a building at established grade measured to the centre of party walls and to the outside of other walls including air wells, and all other spaces within the building, but excluding open air porches, verandas, steps, cornices, chimney breasts, fire escapes, exterior stairways, breezeways, accessory buildings, ramps and open loading platforms, balconies and garages.

Building By-law

Means any By-law of the Corporation passed pursuant to the Building Code Act, R.S.O. 1992 c.23.

Building Contractor's Shop

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

Building Height

Means the vertical distance measured between the average finished grade at the base of the building:

- the highest point of the roof surface or parapet wall in the case of a flat roof, whichever is the highest, or of all other types of roofs;
- the mean height level between the base of the roof and highest point of any other type of roof.

Building Line

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

Building, Main

Means a building in which is conducted the principle uses of the lot on which it is situated.

Building Separation

Means the least horizontal distance permitted between the nearest portions of the walls of any buildings on a lot.

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Building Supply Store

Means a building where building supplies such as lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning, home improvement and similar goods are stored, displayed, or kept for retail sale. This definition shall not include a lumber yard or a salvage yard.

Building, Temporary

Means a building or structure intended for removal or demolition within a prescribed time not exceeding six months or as set out in a building permit or conditional building permit.

Business Office

Means a building or part of a building where one or more persons are employed in administering, directing, managing or conducting the affairs of a private enterprise. This definition shall not include any manufacturing operation or any premises used for repairing equipment, goods, materials or vehicles.

Campground

Means an area of land, managed as a unit, providing short term accommodation for non-permanent tents, recreational vehicles or campers but shall not include mobile homes, park model trailers or a mobile home park. A campground may include accessory uses such as a laundromat, convenience store, sale of propane fuels and recreational uses for persons using the campground where a fee is charged or paid for such accommodation.

Campground – Recreational

Means an area of land containing sleeping accommodations and facilities which are used to provide short term accommodation for persons engaged in passive or active recreation or leisure, which without limiting the generality of the foregoing, shall include, but shall not be limited to the following: children's camp or establishment, scout camp, religious camp, institutional camp, or other like or similar camp or establishment, but shall not include a tourist establishment.

Canopy

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

Car Port

Means a structure open on at least two sides and intended to be used for the sheltering of one or more motor vehicles. Where a roofed enclosure used for the storage or parking of motor vehicles has more than 60 per cent of the total perimeter enclosed by walls, doors or windows, the enclosure shall be considered a garage.

Car Rental Agency

Means the use of land, building or structure where motor vehicles are kept for lease and where such vehicles may be dropped off or picked up.

Car Washing Establishment

Means a building or portion thereof used for washing or cleaning of motor vehicles for gain.

Casino

A building or room licensed by the province of Ontario in which legal gaming and/or gambling occurs.

Catalogue Store

Means a retail commercial establishment in which orders are accepted for the purchase of goods listed in a catalogue provided by the establishment and in which some or all of the goods so listed may also be available within the establishment for sale at retail.

Catering Establishment

Means an establishment in which meals and beverages are prepared to be served for consumption off the premises.

Cellar

Means that portion of a building between two floor levels which is partly or wholly underground but which has more than one-half of its height from finished floor to finished ceiling below the finished grade.

Cemetery

Means a cemetery within the meaning and as regulated by the Cemeteries Act.

Cheese Factory

Means the use of land, buildings or structures for the purpose of producing, assembly, making, preparing, inspecting, finishing, treating, altering, warehousing or storing cheese and related products and may include a retail outlet for the sale of goods produced on site.

Chief Building Official

Means an officer or employee of the Corporation of the Township of Augusta charged with the duty of enforcing the provisions of the Building Code Act.

Church

See Place of Worship

Clinic

Means a building used solely for the purpose of consultations, diagnosis and treatment of patients, by two (2) or more legally qualified physicians, dentists, optometrists, chiropodists, chiropractors or drugless practitioners, together with their qualified assistants and without limiting the generality of the foregoing, the building may include administrative offices, waiting rooms, laboratories, pharmacies or dispensaries directly associated with the clinic, but shall not include accommodation for in-patient care or operating rooms for major surgery.

Commercial Club

Mean a building or premises used as an athletic recreational or social club operated for gain or profit.

Commercial Greenhouse

Means a building used for the growing of flowers, vegetables, shrubs, trees, and similar vegetation for wholesale or retail sale.

Commercial Vehicle

Means a motor vehicle used for commercial trade or government services and without limiting the foregoing includes delivery vehicles, emergency vehicles, motor buses, tractors and tractor trailers and single or multiple axle trucks.

Communications Facility

Means an installation which transmits, receives and/or relays communications such as a microwave relay tower, telephone or telegraph line, cellular telephone tower, radio or television broadcast tower, fibre optic communication infrastructure or similar facility.

Community Centre

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

Compliance Report

Means a permit issued under the authority of the Planning Act by the Clerk or such other person as may from time to time be designated by Council which indicates that the proposed use of land or any building or structure on any such land is in conformity with this By-law.

Condominium

Means a building in which each individual unit is held in separate private ownership and all floor space, facilities and outdoor areas used in common by all tenants are owned, administered and maintained by a corporation created pursuant to the provisions of the Condominium Act.

Conservation Use

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

Conservation Authority

Means the South Nation Conservation or Rideau Valley Conservation Authorities.

Construction Yard or Contractor's Yard

Means the yard of a building contractor or company used as a depot for the storage and maintenance of equipment used by the contractor or company, and may include facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business, but does not include the crushing of virgin or recyclable aggregates or materials and the wholesale or retail sale of building supplies or home improvement supplies.

Convenience Store

Means a building or part of a building used primarily for the sale of grocery and confectionery items and incidentally for the sale of such other merchandise as is required to fulfil the day-to-day needs of a surrounding community.

Corporation

Means the Corporation of the Township of Augusta.

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Council

Means the Council of the Corporation of the Township of Augusta.

Country Style Dining Establishment

Means a private dwelling or part of a private dwelling which is occasionally used as an eating establishment for transient guests and where the primary attraction consists in serving meals which are prepared with home grown or local produce and livestock for gastronomic purposes.

County

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

Coverage

Means the percentage of lot area covered by all buildings.

Crematorium

Means a building or structure used for the cremation of human or animal remains and may include accessory administration and temporary storage facilities.

Cultural Heritage Features

Means an area which represents past human activities, events or achievements which is determined to have cultural heritage value under the *Ontario Heritage Act and can include* buildings, structures and districts of historical significance, archaeological sites and significant natural, cultural and human-made landscapes.

Custom Workshop

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

Day Nursery – Licensed

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

Day Nursery – Private Home

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

Deck

Means a structure with no roof or walls except for visual partitions and railings which is constructed on piers or a foundation above-grade for use as an outdoor living area.

Density

Means the maximum number of dwelling units allowed by this by law based on lot area. A fraction of one-half or more in value shall be counted as one dwelling unit.

Detached

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

Development

Means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act; but does not include activities that create or maintain infrastructure authorized under an environmental assessment process; or works subject to the Drainage Act.

Dock, Floating

Means an accessory structure used for the mooring of marine vessels which is designed to float freely on the surface of the water body and which may be secured to the shoreline.

Dock, Permanent

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

Drainage

Means the movement of water, whether by way of the natural characteristics of the ground surface or by an artificial method.

Drive-In or Drive-Through Facility

Means an establishment providing attendant services at drive-up windows for patrons in motor vehicles.

Driveway

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

Drug Store

Means a building or structure or portion thereof wherein prescription medicines, patent medicines, sundry household items and similar merchandise are kept and offered for sale to the public.

Dry Cleaning Outlet

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

Dry Cleaning Establishment

Means a building or part of a building where dry cleaning, dry dyeing, cleaning or pressing of articles or goods of fabric may be performed. This definition may include a dry cleaning outlet.

Dwelling

Means a detached building occupied or capable of being occupied as the home and/or residence by one or more persons, and containing one or more dwelling units but shall not include a trailer or motor home.

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Dwelling - Accessory

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

Dwelling - Apartment

Means the whole of a building that contains three (3) or more dwelling units, which units are served by a common entrance from street level and by a common corridor and the occupants of which units have the right to use in common the corridors, stairs, yards, or one or more of them. An “Apartment Dwelling” includes a garden suite, but does not include a group of row dwellings, or a pair or group of semi-detached duplex or triplex dwellings, or any other dwelling otherwise defined herein.

Dwelling - Converted

Means a dwelling altered to contain a greater number of dwelling units, with each self-contained dwelling unit having a floor space of not less than 55 m² (592.0 sq.ft.).

Dwelling - Duplex

Means a building divided horizontally into two (2) dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.

Dwelling, Mobile Home - See Mobile Home

Dwelling, Park Model Trailer

Means a manufactured building designed and constructed in conformance with CAN/CSA-Z241 Series M “Park Model Trailer, as set out in the Building Code, and is used or intended to be used as a dwelling or seasonal dwelling.

Dwelling - Row

Means a building consisting of a series of three (3) or more dwelling units but not more than eight (8) units in a continuous row divided vertically into separate units by a common wall above grade.

Dwelling - Semi-detached

Means a building on a single foundation divided vertically into two (2) separate dwelling units by a common wall.

Dwelling – Single detached

Means a detached building containing one (1) dwelling unit, and shall include a modular home.

Dwelling – Townhouse

Means a building divided vertically into three or more dwelling units attached by common walls extending from the base of the foundation to the roof line, each dwelling unit having a separate entrance at grade.

Dwelling Unit

Means a building occupied or capable of being occupied as the home or residence of one or more persons, where food preparation and sanitary facilities are provided, but shall not include a boarding house, hotel, motel, rental cottage or cabin or similar commercial use of a private or semi-private institution.

Dwelling Unit - Accessory

Means a dwelling unit which is part of, and accessory to, a permitted non-residential building.

Easement

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

Egg Grading Station

Means one or more rooms or buildings where eggs are prepared and graded in accordance with the egg regulations of the Canada Agricultural Products Act.

Equestrian Establishment

Means an establishment engaged in the operation of a horse riding academy or horse riding stables which can include the boarding, caring and feeding of horses on a fee for service basis.

Equipment Rental Establishment - Domestic

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

Equipment Rental Establishment – Agricultural or Industrial

Means a building or part of a building wherein the primary use is the rental of machinery, equipment, furniture, fixtures and other goods, of a size and type which would be used for agricultural, business, industrial and major construction undertakings or which may involve bulk shipping of such goods, large catering undertakings, or similar non-household oriented rental functions.

Equipment Sales Establishment – Agricultural or Industrial

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

Equipment Service and Repair Establishment – Agricultural or Industrial

Means a building or part of a building where any equipment, vehicle, including agricultural or commercial vehicles, and/or tractors or trailers may be serviced, washed or repaired and may include an auto body shop.

Equipment Storage Establishment

Means a building wholly enclosed used for the storage of machinery and equipment for use in a commercial or industrial business and does not include outdoor storage or display.

Equipment and Vehicle Storage Yard - Industrial

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

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Erect

Means to build, construct, reconstruct, alter or relocate and without limiting the generality of the foregoing shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension. Any work for the doing of which a building permit is required under the Ontario Building Code Act.

Established Building Line

Means the average setback from the street line of existing buildings on one side of a continuous 100 m (324 ft) strip of land where 3 or more of the lots having street frontage upon the said side of the street have been built upon.

Established Grade

Means the average elevation of the finished level of the ground adjoining all of the walls of the building exclusive of any artificial embankments or berms.

Estate Winery

Means a use on an agricultural operation on which buildings and structures are used for the making of wine produced from locally grown fruits or a blend of local and imported fruit and may include wholesale or retail sale of wine and related products.

Existing

Means existing as of the date of the passing of this By-law.

Factory Outlet

Means a building or part of a building where products or goods are manufactured or produced on site for wholesale or retail sale or are manufactured off-site for wholesale or retail sale.

Farm

Means land used for the tillage of soil or the growing of vegetables, fruits, grains, or other crops. This definition may also apply to land used for apiaries, livestock raising, dairy farming or woodlots.

Specialized Farm means land on which the predominant economic activity consists of raising chickens, turkeys or other fowl; the raising of fur bearing animals; the raising of swine, sheep, fish, goats or cattle on feed lots, the growing of mushroom, aquaculture, orchards, maple syrup production, nurseries and non-traditional livestock such as deer, bison, emu, pheasant, etc.

Farm Produce Outlet

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

Farmer's Market

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

Fence

Means any barrier or structure constructed of chain link metal, wood, stone, metal, brick or dense vegetative materials or other similar materials or combinations of such materials which is erected for the purpose of screening, safeguarding, retaining or enclosing property or delineating property lines.

Finished Grade

See Grade, Established Grade

Fire Hall

Means a building or structure used for the purposes of supporting the provision of municipal fire protection services and which can include sleeping and dining facilities for firefighting personnel, vehicle storage, maintenance and repair facilities and office space.

Fish Habitat

Means the spawning grounds and nursery, rearing, food supply, and migration areas which fish depend directly or indirectly in order to carry out their life processes.

Flea Market

Means a street market composed of a series of individual retailer's booths or tables where sundry, new or second-hand articles, fresh produce or preserves are offered for sale.

Floodline or Flood Elevation

Means a line established by a one in one hundred year storm as established by flood plain mapping or by the appropriate Conservation Authority.

Flood Plain

Means the area, usually low lands, adjoining a watercourse which has been, or may be covered by flood water.

Flood Proofing

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

Floor Area - Gross

Means the total area of each floor measured between the exterior faces of the exterior walls of the building and where there are no walls the total area of a floor within the outer perimeter of the floor.

Floor Area - Net

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

- Any private garage, porch, veranda, and unfinished basement, cellar or attic;
- Any part of the building or structure below grade which is used for building services, storage or laundry facilities;

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- Any part of the building or structure used for the storage or parking of motor vehicles.

Forestry Use

Means the general raising, management and harvesting of wood and shall include the raising and cutting of fuel wood, pulpwood, lumber, Christmas trees, other forestry products and silvaculture practices.

Fuel Depot

Means land, building or structures used for the bulk storage, distribution and sale of gasoline, diesel fuel, ethanol and biofuels, propane, heating oil or motor oil.

Fueling Card Lock Facility

Means one or more pump islands designed for the retail sale of fuel using pumps which are operated automatically by credit or debit cards.

Funeral Establishment

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

Garage – Attached

Means a private garage, accessory to a dwelling on the same lot and attached by a common wall and/or common roof structure and, for the purpose of determining lines of setback and side yard, and attached garage shall be considered part of the main building. Also for the purpose of definition, a wall between a house and an attached garage may be considered “common” as long as at least forty percent (40%) of the length of the attached garage wall is common with the dwelling wall.

Garage – Commercial

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

Garage – Municipal

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

Garage – Parking

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

Garage – Private

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

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Garden Centre

Means an outdoor area primarily used for the retail of gardening equipment, products and planting materials.

Garden Suite

Means a one-unit detached residential structure other than a mobile home or recreational vehicle as defined, containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

Gasoline Bar

Means one or more pump islands, each consisting of one or more gasoline pumps, a shelter and which may also include a convenience store.

Gasoline Pump Island

Means a structure which is intended to provide for the dispensing of gasoline for vehicles, the storage of oil, windshield wash and other sundry items for vehicles, and which may contain a kiosk for the attendant.

Golf Course

Means a public or private area operated for the purpose of playing golf and includes a par golf course, a driving range but does not include a miniature course and similar use operated for commercial purposes.

Go-kart Track

Means a paved or hard surfaced track for the racing of low horsepower vehicles with four wheels and an open framework.

Grade

Means when used with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior at the base of a building and when used with reference to a structure shall mean the average elevation of the finished surface of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment, and when used with reference to a street, road or highway means the highest elevation of the street, road or highway by the Township or other designated authority.

Ground source heat pump

Means a central heating and/or cooling system that pumps products of heat transfer to or from the ground.

Group Home

Means a single housekeeping unit in a residential dwelling, which is registered with the Municipality, in which three (3) to ten (10) persons (excluding supervisory or operating staff) live together under responsible supervision consistent with the requirements of its residents for a group living arrangement and which is licensed and/or approved under Provincial Statutes and in compliance with municipal by laws.

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Guest Room

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

Habitable Room

Means a room in a dwelling used or intended to be used primarily for human occupancy.

Health Retreat

Means a building or part thereof wherein the business of a health retreat is carried on. Without limiting the generality of this type of use, such services as a business office, therapeutic massage, health and food counselling and therapy, may be located therein.

Hereafter

Means after the date of the passing of this By-law.

Herein

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

High Water Mark

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

Hobby Farm

Means a lot where the primary use is residential but where limited agricultural uses as an accessory use, including the raising of crops and livestock, are permitted provided that the agricultural activities are limited in scale and scope to the needs and enjoyment of the occupants of the primary residential use.

Home for the Aged (see Nursing Home)

Home Industry

Means an occupation or enterprise, including an electrical, woodworking, window frame, welding, plumbing, machine repair shop or other similar trade conducted in whole within a building accessory to the main residential use of a property, which occupation or enterprise is owned and operated by the residents of the main residential use.

Home Occupation

Means a use which clearly is incidental or secondary to the residential use of a dwelling and is conducted entirely within such a dwelling by an inhabitant thereof, such as a real estate agent, hairdresser, dressmaker, dentist, doctor, chiropractor, physiotherapist, licensed masseuse or osteopath.

Hospital

Means a hospital as defined by the Private Hospitals Act or a hospital as defined by the Public Hospitals Act.

Hotel

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

Industry - Light Industrial Uses - Class 1

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

Industry - Medium Industrial Uses – Class 2

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

Industry - Heavy Industrial Uses – Class 3

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

Infrastructure

Means physical structures that form the foundation for development including sewage and water works, waste management systems, electric power, communications, transit and transportation corridors and facilities, and oil and gas pipelines and associated facilities.

Institutional Use

Means land, building, structure or part thereof used by any government agency, organization, group or association, for the promotion of religious, charitable, educational, medical, benevolent objectives or public service and which is not operated for profit gain.

Kennel

See by-law for the Control, Protection and Identification of Dogs.

Land

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

Landscaped Open Space

Means a combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity of a property and/or to provide a screen to mitigate any objectionable adjacent land use. This does not include parking areas, traffic aisles or driveways or ramps for vehicles.

Lane

Means a subsidiary thoroughfare providing vehicular and/or pedestrian access to a lot, principally from parking or loading areas or providing access from a lot to a public street.

Laundromat

Means a building or structure where coin-operated laundry machines are made available to the public for the purpose of laundry cleaning.

Library

Means a public building or structure where books and other audio-visual or information resources may be read, consulted or borrowed.

Livestock Assembly Yard

Means an outdoor area where livestock such as cattle, goats, sheep, horses or the young thereof are temporarily held prior to transfer to a sales outlet or prior to transportation to other livestock facilities or farms.

Livestock Sales Outlet

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

Loading Space

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

Lot

Means a parcel of land which is capable of being legally conveyed in accordance with Section 50 of the Planning Act.

Lot Area

Means the total horizontal area measured within the limits of the lot lines of the lot.

Lot, Corner

Means a lot situated at an intersection of two or more streets, or at the intersection of two parts of the same street which have an interior angle or intersection of not more than one hundred and thirty-five (135) degrees.

Where such street lines are curved, the angle of intersection of the street lines shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities

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of the side lot lines. In the latter case, the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents.

Lot Coverage

Means the percentage of the lot area covered by the ground floor area of all buildings located on the lot excluding decks, canopies, balconies, overhanging eaves and private open air swimming pools.

Lot Depth

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

Lot Frontage

Means the horizontal distance between the side lot lines. Where such side lot lines are not parallel, it shall be the width of a lot measured between the intersections of the side lot lines with a line 7.5 m (24.6 ft.) back from and parallel or concentric to the front lot line. Arc distances shall apply on curved lines.

Lot Interior

Means a lot other than a corner or a through lot which has frontage on a public street.

Lot Line

Means a boundary line of a lot.

Lot Line - Exterior Side

Means a lot line located between the front and rear lot lines and dividing the lot from a street.

Lot Line, Front

Means:

- In the case of an interior lot, the line dividing the lot from the street line.
- In the case of a corner lot, the shorter lot line abutting a street shall be deemed to be the front lot line.
- In the case of a corner lot with two street lines of equal lengths, the lot line that abuts the wider street, or abuts a Provincial highway shall be deemed to be in the front line, and in the case of both streets being under the same jurisdiction and of the same width, 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 with water access only, the front lot line shall be on the water side. In the case of a through waterfront lot with water access only, the longest shoreline shall be deemed to be the front lot line.
- In case of a lot with frontage on a public street or private road and on a water body, the front lot line shall be measured both on the street line and on the water side.

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Lot Line, Rear

Means the lot line furthest from, and opposite to, the front lot line.

Lot Line, Side Interior

Means a lot line other than a front, rear or side exterior lot line.

Lot, Through

Means a lot having a frontage on two parallel or approximately parallel streets. Lots with both water frontage and road frontage are not considered through lots.

Lot, Width

Means the average horizontal dimension between the two longest opposite sides.

Lumber Yard

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

Main Wall

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

Manufacturing

Means the use of land, buildings or structures for the purpose of producing, assembling, making, preparing, inspecting, finishing, treating, altering, warehousing or storing or adopting for sale of any goods, substance, article or service.

Manoeuvring Aisle

Means a space which services two or more parking spaces in a parking lot, such as the area between two rows of parking spaces.

Marina

Means a lot, building, structure on a waterfront with docking facilities where boats and boat accessories are berthed, constructed, stored, serviced, repaired or kept for sale or rent and where the facilities for the sale of marine fuels, marine equipment, lubricants, bait as well as the sale of foods, provisions or supplies as an accessory use may be provided.

Marine Facility

Means a non-commercial building or structure which is used to moor, berth, or store a boat. This definition may include a boat launching ramp, a boat lift, marine railway, dock or boathouse, but does not include any building used for human habitation or a marina. A marine facility shall also include a water intake facility and any flood or erosion control structure.

Medical Practitioner

Means a doctor, dentist, chiropractor, chiropodist, optometrist, oculist but shall not include a veterinarian.

Mini Warehouse and Public Storage

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

Miniature Golf Course

Means an area of land, building or structure or premises or part thereof operated for profit or gain as a commercial place of amusement in which facilities are provided to simulate the game of golf or any aspect of the game on a small scale, and may include a golf driving range.

Minimum Distance Separation

Shall mean the "Minimum Distance Separation I and II" of the Ontario Ministry of The Environment and the Ontario Ministry of Agriculture and Food (March 1995 and any subsequent amendments thereto).

Minor Variance

Means a variance from any provision of this By-law in respect to the land, building or structure or the use thereof, which is desirable for the appropriate development of the land, building or structure and which maintains the general intent and purpose of the By-law and of the public policies implemented by the By-law.

Mobile Business

A commercial operation including a refreshment operation which is established at a location on a temporary basis and which may change locations from time to time through the use of motorized transportation and which is not located in a permanent building or structure. Mobile businesses do not include the delivery of goods and services which have been pre-arranged.

Mobile Home

Means any dwelling that is designed and constructed in compliance with CSA Z 240 to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer or trailer otherwise designed.

Mobile Home Park

Means land which has been provided and designed for the location thereon of two (2) or more occupied mobile homes.

Mobile Home Park Equipment and Vehicle Storage Area

Means an area used for storage of equipment and vehicles for use in the Mobile Home Park.

Mobile Home Site

Means the space for the placement of one mobile home and for the exclusive use of its occupants.

Modular Home

Means a single detached dwelling consisting of one or more modules which has been prefabricated or manufactured in compliance with CSA A 277 in a factory remote from the site where it is intended to be used and transported to the site for installation on a permanent foundation, but does not include a Mobile Home or Park Model Trailer as otherwise defined.

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Motel

Means a building or buildings designed or used for the accommodation of the travelling or vacationing public, containing therein three (3) or more guest rooms, each guest room having a separate entrance directly from outside and may include an accessory eating establishment.

Municipality

Means the Municipality of the Township of Augusta.

Municipal Garage – See Garage-Municipal

Municipal Office

Means an Office occupied and or owned by the municipality and used for municipal purposes.

Museum

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

Natural Heritage Features

Means features and areas, such as significant wetlands, significant woodlands, fish habitat, significant portions of the habitat of endangered and threatened species, significant wildlife habitat and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Non-Conforming or Non-Complying

Means any existing use, building, structure or lot which does not conform to the zone requirements and standards of this By-law.

Noxious

When used with reference to any use or activity in respect of any land, building or structure or a use or activity which, from its nature or from the manner of carrying on same, creates or is liable to create, by reason of destructive gas or fumes, dust, objectionable odour, noise or vibration or unsightly storage of goods, wares, merchandise, salvage machinery parts, junk, waste or other material, a condition which may become hazardous or injurious as regards to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use of activity in respect of any land, building or structure.

Nursery

Means land and structures used for the growing of sod, flowers, bushes, trees, or other gardening, landscaping, or orchard stock for wholesale or retail sale. (See also Commercial Greenhouse)

Nursing Home, Home for the Aged, or a Long Term Care Facility

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

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Office

Means a building, structure or part thereof used for the purpose of providing accommodation for the performance and transaction of business including administrative, clerical and professional activities.

Official Plan

Means the Official Plan of the Township of Augusta or parts thereof and amendments thereto which may be adopted the municipality under the Planning Act.

One Hundred Year Flood

Means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

Open Space

Means the open, unobstructed space on a lot including landscaped areas, pedestrian walkways, patios, pools or similar areas but not including any driveway, ramp, parking spaces or aisles, loading spaces or manoeuvring areas and similar areas.

Open Storage

Means storage or display of goods, merchandise or equipment outside of a building or structure on a lot or portion thereof. This definition shall not include the open storage of goods or equipment incidental to a residential occupancy of a lot, a parking area or parking space or the outdoor display of a limited number of samples of goods, merchandise or equipment for the purpose of sales and advertisement.

Open Storage Area

Means an area within or outside of a building used or intended for use for the open storage of goods, merchandise or equipment which may or may not be intended for immediate sale.

Outdoor Café

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

Outdoor Display Area

Means a portion of a lot used for exhibiting in an orderly manner, completely assembled or finished merchandise, equipment, goods or products sold by a retail or wholesale business on the same lot.

Outdoor Furnace

Shall mean an outdoor appliance designed to heat a principle or accessory structure by burning wood or other fuels and conducting the heat through an underground or insulated transmission system.

Outdoor Recreational Facility

Shall mean an establishment which provides recreational activities primarily located outside of a building such as a golf driving range, miniature golf, lawn bowling, tennis court, model airplane flying or similar activities. A Go Cart Track is not included within this definition.

Park - Private (see Recreational Commercial Establishment)

Park – Public

Means an area of land, whether enclosed or not, maintained by the Municipality or other public authority for the enjoyment, health and well-being of people and open to the public with or without charge and, for the purposes of this definition, includes a Provincial Park with tourist campground facilities.

Parking Area

Means a lot or portion thereof required in accordance with the provisions of this By-law for the temporary storage or parking of motor vehicles accessory or incidental to uses in all zones, and shall not include the storage or parking of four (4) or more motor vehicles for hire and gain, display or for sale.

Parking Lot

Means any parking area other than a parking area which is accessory to a permitted use and located on the same lot.

Parking Lot - Commercial

Means a lot or portion thereof used for the temporary storage or parking of four (4) or more vehicles for hire and gain but does not include the sale of new or used vehicles or the storing of impounded or wrecked vehicles.

Parking Space

Means an area used for the temporary parking of one motor vehicle and includes spaces for the handicapped.

Permitted

Means permitted by this By-law.

Permitted Uses

Means a use which is listed under the heading “Permitted Uses” in the zone where such use is located.

Person

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

Personal Service Establishment

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

Pet Shop

Means a shop or place where animals or birds for use as pets are sold, kept for sale or groomed, where pet supplies and pet foods are sold but does not include a kennel..

Pit (see Quarry)

Place of Amusement

Means an establishment operated for commercial gain or profit wherein amusement facilities are provided such as a video arcade or arcade, billiard or pool room, pinball machines and video games but does not include a casino or bingo hall.

Place of Assembly

Means a building specifically set aside for and primarily engaged in the operation of arts and craft shows, trade fairs, fashion show, public meetings, banquets, conference meetings and similar activities.

Place of Worship

Means a building or an open area dedicated to religious worship.

Playground

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

Police Station

Means a building or structure used for the purposes of supporting the provision of public police protection services and which can include sleeping and dining facilities for police personnel, vehicle storage, maintenance and repair facilities, temporary detention facilities and office space.

Portable Asphalt/Concrete Plant

Means a Ministry of the Environment certified facility which complies with minimum separation distances having equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt/concrete paving material and which includes stockpiling and storage of bulk materials used in the process, and which facility is not of permanent construction but is designed to be dismantled and moved to another location as required.

Printing and Publishing Establishment

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

Private Club

Means a building or part of a building used as a meeting place by an association of persons who are bona fide members, which owns, hires or leases the building or part thereof, the use of such premises being restricted to members and their guests for social, cultural, recreational, business or athletic purposes.

Private Road

Means a private right-of-way over private property which affords access to at least two (2) lots and which is not maintained by a Public Authority.

Public Access Point

Means public land designated by the appropriate authority and developed and maintained by the authority as a public access to a navigable water body. (See also Marine Facility)

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Public Authority

Means the Township of Augusta and any Boards or Commissions thereof, the United Counties of Leeds and Grenville and any Ministry or Department of the Governments of Ontario or Canada, or other similarly recognized public utility or agencies established or exercising any power or authority under any special or general statute and includes any committee or local authority established by By-law of Council.

Public Market

Means the use of a building, structure or lot for the purpose of selling any or all of produce, fish, seafood, fruits, meats and poultry, dairy products, plants and crafts, but does not include a flea market.

Public Street

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

Public Service Use

Means a building, structure or lot used for public services by the Township of Augusta or the United Counties of Leeds and Grenville and any Boards or Commissions thereof, and any Ministry or Commission of the Governments of Ontario and Canada, any telephone, telegraph or railway company, any company supplying natural gas, Ontario Hydro, any Conservation Authority, Public Utilities Company or similarly recognized agencies.

Public Utility

Means a water works or water supply system, sewage works, electrical power or energy generating transmission or distribution system, street lighting system, natural or artificial gas works or supply system, a transportation system, a telephone, communication and/or data transfer system, scientific research system, and includes any lands, buildings or equipment required for the administration or operation of any such system and which is operated by a public authority or a publicly governed company.

Quarry or Pit

Means land or land under water from which unconsolidated aggregate such as soil, earth, clay, marl, sand, gravel or consolidated rock or mineral is being or has been excavated in order to supply material for construction, manufacturing or industrial purposes but shall not include rehabilitated land or an excavation incidental to the erection of a building or a structure for which a building permit has been granted by the Corporation, or an excavation incidental to the construction of any public works.

Recreational Commercial Establishment

Means an establishment, premises, or building where any recreational, social or cultural uses are operated commercially for profit on lands in private ownership, such as health clubs, golf courses and mini-putt, driving ranges, open or enclosed skating or curling rinks, open or enclosed pools, open or enclosed badminton or tennis courts, squash courts, bowling alleys, gymnasium, band shell or open theatre, and other similar uses but does not include a casino or bingo hall.

Recreational Vehicle

Shall mean any vehicle so constructed that is suitable for being attached to a motor vehicle for the purpose of being drawn or is self-propelled, and is capable of being used on a short term basis for living,

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sleeping or eating accommodation of persons. The term recreational vehicle includes the following: motor homes, travel trailers, tent trailers, campers, motor homes but does not include a mobile home, recreational equipment such as boats, snowmobiles, personal water craft, all-terrain vehicles or other equipment used for recreational purposes.

Recreational Vehicle Sales and Storage

Means a building and/or lot which is used for the display, storage and/or sale of boats, trailers, campers and other recreational vehicles or recreational equipment.

Recycling Depot or Transfer Station

Means a special waste management facility which serves as a temporary storage site for clean materials such as glass, paper, cardboard, plastic, metal and other similar products which will be transferred to another location for reuse. This definition does not include any other type of waste management system. (See also Waste Disposal Site)

Redevelopment

Means the removal or rehabilitation of buildings or structures and the construction, reconstruction or erection of other buildings or structures in their place and includes a change of use with or without construction or site alteration.

Restaurant

Means a building or structure where food is prepared and offered for sale to the public for consumption within or outside the building or structure or off the premises.

Retail Grocery Store

Means a building or part of a building in which food stuffs such as baking, dairy, fruit or vegetables and meat and poultry are offered or kept for sale at retail prices and includes a limited variety of goods, merchandise, articles or things, usually associated with drug and cosmetic stores as well as smoker's supplies.

Retail Store

Means a building wherein goods, wares, merchandise, substances or articles are offered for sale to the general public, and may include the limited storage and display of goods, wares, merchandise, substances or articles, and shall not include any other use defined herein.

Retail Outlet

Means a building or part of a building accessory to a permitted use, in which goods, wares, merchandise, substances, articles or things are offered or kept for retail sale to the public

Road (See Public Street)

Salvage Yard

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

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Satellite Dish/Receiver

Means a structure designed, used or intended to be used to send or receive signals to or from a satellite.

Sawmill or Planing Mill

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

Sauna

Means an accessory building or structure not exceeding 10 m² (107.6 ft.²) wherein facilities are provided for the purpose of a steam bath and may include a change room and shower and may be constructed as part of a boat house.

School

Shall mean a public educational establishment operated by a School Board.

School, Commercial

Means a commercial establishment which offers instruction in a specialized field including, but not limited to, computer training, music, sports, arts and crafts.

School, Private

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

Seasonal Special Events Park

Means events of limited duration which may include but are not limited to festivals, flea markets, cultural events, automobile shows, motorsport racing, which are organized by a community, service, cultural, religious, family, corporate, political, ethnic or other similar organizations or the owner of the lands on which the event is taking place, excluding an event held by a group promoting religious or racial hatred.

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Seat

Means a place on or in which one sits. Where provided by benches, forms or pews, each 0.6 linear metre (2.0 ft.) of seating space shall be the equivalent of one (1) seat.

Seating Capacity

Means the number of persons which can be accommodated in a building or structure or part thereof in a seated position on chairs, benches, forms or pews.

Secondary Suite

Means a separate dwelling unit that is located in a single-detached, semi-detached or townhouse dwelling that does not occupy the whole of a storey within the dwelling, and that shares the dwelling's entrance, parking area and private amenity area.

Secondhand Shop

Means a building or part of a building in which used goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail and may include such uses as a pawnshop, an antique store, an opportunity shop or similar use but no open storage is permitted other than during regular business hours.

Sensitive Land Use

Means buildings, amenity areas or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby facility and includes a dwelling, day care centre and an educational or health facility.

Service Outlet

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

Setback

Shall mean:

- With reference to a road or street, the least horizontal distance between the front lot line and the nearest building line.
- With reference to a water body, the least horizontal distance between the high water mark of the water body and the nearest building line.
- With reference to an interior lot or a through lot, the space between the front lot line and the nearest portion of the main wall of a building.
- With reference to a corner lot, the space between the nearest portion of the main wall of a building and the street line, and the space between the side lot line abutting the flanking street, and the nearest portion of the main wall of a building.
- With reference to a slope, means the minimum distance required between the top of the slope and the nearest part of any building or structure on the lot. In the event that there are two or more slopes on a lot, then the minimum distance shall be measured from the top of that slope which is highest in elevation.

Sewage and Water Systems

Full Municipal Sewage and Water Services:

- Means piped sewage and water services that are connected to a centralized water and waste water treatment facility.

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Communal Services:

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

Individual On-Site Systems:

- Means individual autonomous water supply and sewage disposal systems, that are owned, operated and managed by the owner of the property upon which the system is located and which do not serve more than five residential units/lots.

Partial Services:

- Means connection to one communal service or full municipal service where the other connection will be to an individual on-site system.

Shooting or Archery Range or Rifle Club

Means land, buildings, structures or premises used for target practice, skeet shooting, gun, archery or hunter safety instruction.

Shopping Centre

Means a group of restricted business uses designated, developed and managed as a unit, having the off-street parking provided on the site.

Shoreline

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

Shoreline Structure

Means a boat house (wet or dry), a boat port, a float plane hangar, a sauna or steam bath, a dock or wharf, a gazebo, a utility or storage shed or a viewing deck.

Sight Triangle

Means a triangular space, free of buildings, structures and obstructions, formed by the street lines abutting a corner lot and a third line drawn from a point on a street line to another point on a street

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line, each such point being the required sight distance from the point of intersection of the street lines as specified in this by-law.

Sign

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

- Is a structure, or part of a structure, or which is attached thereto or mounted thereon; and
- Which is used to advertise, inform, announce, claim, give publicity or attract attention.

Site Alteration

Means activities, such as fill, grading and excavation that would change the landform and natural drainage and or vegetative characteristics of a site.

Snack Bar or Coffee Shop

Means` a public eating place where snacks or a light meal are served and may include take-out foods and chip stands.

Solid Waste Disposal Site (see Waste Disposal Site)

Special Support Home

Means a group home as defined and administered by the Ministry of Community and Social Services.

Stable

Means a detached building where horses are boarded and receive care and feeding and where these services are not offered on a fee for service basis.

Storage Shed

Means an accessory building used for the storage of items and equipment incidental to a permitted use.

Storage / Shipping Container

Means large, usually rectangular-shaped, units that are used or are capable of being used to carry goods for transport by sea, road, rail or air.

Storey

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

- First Storey means the storey with its floor closest to finished grade and having its ceiling at least 1.5 m (4.92 ft.) above finished grade.
- One-half Storey means that portion of a building situated wholly or partly within the roof and in which there is a vertical dimension of at least 2.0 m (6.56 ft.) (measured from finished floor to finished ceiling) over a floor area equal to at least 50% of the floor area of the storey next below.
- Attic means that portion of a building situated wholly or partly within the roof but which is not a one-half storey.

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

Street Allowance

Shall have a corresponding meaning to that of Public Street or Private Road

Street or Road

Means a public or common highway affording principal means of access to abutting properties. This definition shall not include a private lane or private right-of-way.

Street - Public

Shall mean a Municipal Road which has been assumed by the Corporation and is maintained on a regular year-round basis or a Provincial Highway or a County Road.

Street Line

Means the limit of the road or street allowance and is the dividing line between a lot and a Public Street or Private Road.

Structure

Means anything constructed or erected, the use of which requires location on the ground or attached to something having location on the ground.

Studio

Means a building or part thereof used, as the workplace of a photographer, artist, or artisan or for the instruction of art, music, languages or similar disciplines.

Supermarket (see Retail Grocery Store)

Swimming Pool

Means an outdoor or indoor pool used for swimming, wading, diving or recreational bathing which is at least 34 cm (12 inches) in depth.

Tavern

Shall mean a “tavern” as defined by the Liquor License Act.

Temporary Use

Means a use established for a fixed period of time by By-law under Section 38 of the Planning Act, R.S.O. 1990, as amended, with the intent to discontinue such use upon the expiration of the time period.

Tent and Trailer Park

Shall mean a parcel of land which is used to provide temporary accommodation for the public in tents or recreational vehicles.

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Theatre, Cinema

Means a building or part of a building which is used for the presentation of live, dramatic or musical performances or entertainment or motion pictures.

Top of Slope

Means the point of line which is the beginning of a significant change in the elevation of the land surface, and from which the land surface slopes downward toward an existing (or abandoned) watercourse.

Tot Lots

Means a public park which is generally limited in size and which is equipped with amenities designed for recreational use by small children.

Tourist Establishment

Means premises or buildings to be used for the purpose of sleeping accommodation on a temporary basis by tourists or vacationers, including a hotel, motel, lodge or bed and breakfast, and rental cottage or cabin where more than 3 such rental units occupy the same property, including accessory uses such as dining, meeting and beverage rooms and similar uses.

Tourist Lodge

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

Tourist Outfitters Establishment

Means an establishment which operates throughout all or part of a year which may or may not furnish overnight accommodation and facilities for serving meals and furnishes equipment, supplies or services to persons in connection with angling, hunting, camping or other similar recreational purposes.

Tourist Trailer

Means a trailer capable of being used for the temporary living, sleeping or eating accommodation of persons (despite that its running gear is or may be removed), but does not include a mobile home.

Township

Means the Corporation of the Township of Augusta.

Trailer (See Recreational Vehicle)

Transportation Depot

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

Transport Trailer

Means any vehicle so constructed that it is suitable for being attached to a motor vehicle or tractor and capable of being used for transporting goods, materials or livestock, despite that such vehicle is jacked up or its running gear is removed.

Transportation Terminal

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

Truck Stop

Means any building, premises or land in which or upon which a business, service or industry involving the maintenance, servicing, storage or repair of commercial vehicles is conducted or rendered including the dispensing of motor fuel or petroleum products directly into motor vehicles, the sale of accessories or equipment for trucks and similar commercial vehicles. A truck stop also may include overnight accommodation and restaurant facilities.

Use

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

Utility

Means a public utility as defined in the Highway Traffic Act, the Public Utilities Act or this By-law.

Vehicle

Means a motor vehicle, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power.

Vehicle Agency

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

Veterinary Establishment

Means a building or part of a building used by a veterinary surgeon where animals, birds or other livestock are treated and where domestic animals and/or birds may be kept for treatment.

Video Rental Outlet

Means a building or part of a building wherein the primary use is the rental of video media and may include the rental of video recorders, video cameras and video games.

Warehouse

Means a building or structure or portion thereof used or intended to be used for the bulk storage of goods, merchandise, or material.

Waste Disposal Site

Means a site which is licensed or approved by the Ministry of the Environment and/or its agents where garbage, refuse, domestic or industrial waste, excluding radioactive or toxic chemical wastes is disposed

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of or dumped. This definition shall include waste transfer stations and recycling depots. (See also Recycling Depot)

Waste Disposal Site Influence Area

Means the area where the possible effects of a Waste Disposal Site, including landfill-generated gases, ground and surface water contamination by leachate, odour, litter, contaminant discharges from associated vehicular traffic, visual impact, dust, noise, other air emissions, fires, surface runoff, and vectors and vermin, are most likely to occur.

Watercourse

Means any surface stream or river and includes a natural channel, an intermittent stream and a municipal drain.

Water Frontage

Means a lot which has one or more lot lines abutting a navigable watercourse, bay or lake.

Water Body

Means any bay, lake, river, natural watercourse or canal but excluding a drainage or irrigation channel.

Water Works System

Means the supply and distribution system of underground or aboveground piping and related storage or reservoir, including pumping and purification appurtenances and water filtration plant which is owned and operated by the Corporation or by its designate.

Wayside Pit

Means land from which unconsolidated aggregate is removed by means of open excavation for use in a public undertaking.

Wayside Quarry

Means a place from which consolidated aggregate is removed by means of open excavation for use in a public undertaking.

Welding Shop

Means the use of land, building, or structure where pieces of metal are welded, fabricated or repaired.

Wetland

Means 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.

Lands being used for agricultural purposes, that are periodically "soaked" or "wet", or which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wetlands that meet Ministry of Natural Resources criteria are classified as provincially significant.

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Wildlife Habitat

Means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual life cycle; and areas which are important to migratory or non-migratory species.

Wholesale Establishment

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

Woodlands

Means treed areas that provide environmental and economic benefits such as erosion prevention, water retention, provision of habitat, recreation and the sustainable harvest of woodland products. Woodlands also include treed areas, woodlots or forested areas and vary in their level of significance.

Workshop

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

Yard

Means the area between a main wall of a building and a lot line that, except for landscaping or accessory buildings and projections specifically permitted elsewhere in this by-law, is unobstructed above grade.

Yard, Front

Means a yard extending across the full width of the lot between the front lot line and a line drawn parallel or concentric thereto and through the point of the main wall of a main building closest to the front lot line.

Yard, Rear

Means a yard extending across the full width of the lot between the rear lot line and a line drawn parallel or concentric thereto and through the point of the main wall of the main building closest to the rear lot line. Where there is no rear lot line, the Yard, Rear shall be measured from the intersection of the side lot lines to the closest point of the main wall of the main building.

Yard, Side

Means a yard extending from the front yard to the rear yard between the side lot line and a line drawn parallel or concentric thereto and through the point of the main wall of a building closest to the side lot line.

Yard, Side Exterior

Means a side yard adjacent to a public street.

Yard, Side – Interior

Means a side yard other than an exterior side yard.

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Yard for Livestock Assembly or Sale

See Livestock Sales Outlet

Zone

Means a designated area of land use demarcated on the Schedules attached hereto.

Zone Requirements

Means any provision of this By-law which is listed under the heading “Zone Requirements” and includes anything which is applicable to the zone or special zone or use.

Zoning Administrator

Means the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.

6.0 GENERAL PROVISIONS

6.1 ACCESSORY BUILDINGS, STRUCTURES AND USES

6.1.1 Where a lot is devoted to a permitted use, customary accessory uses, buildings and structures are authorized provided that:

- All accessory uses, buildings and structures to a permitted principal use shall be located on the same lot and in the same zone as the principal use.
- The use of any accessory building for human habitation is not permitted except where specifically listed as a permitted use.
- No accessory Buildings, Structures and Uses shall be located closer to the front line or the exterior side lot line than the minimum front yard and external side yard setbacks required for the main building.
- Except where specified otherwise, no accessory Buildings, Structures and Uses shall be located closer than 1.2 m (4ft.) to any interior side lot line, rear lot line or the main building.
- Any building or structure which is attached to the main building shall not be considered an accessory building or structure.
- Accessory uses, excluding outdoor swimming pools, shall not cover more than 10% in any residential zone or more than 20% of the total lot area in any non-residential zone.
- The maximum gross floor area of any accessory building may not exceed 100m² (1,076 ft²) in a residential zone or 300 m² (3230 sq. ft.) in any non-residential zone. This shall be calculated as part of the maximum lot coverage permitted in any zone.

6.1.2 Air conditioners, heat pumps and pool filtration and pumping equipment shall not be permitted within a minimum interior side yard. Despite Section 6.1.1 above, a boat house, dock or wharf may be located in the front yard, side yard or rear yard where a lot abuts a navigable waterway, provided that the approval of any governmental authority having jurisdiction has been obtained and provided that the boat house, dock or wharf is located not closer than 3.0m (9.8 ft.) to the nearest adjacent lot line and does not encroach on adjacent frontage when the lot boundaries are extended into the water.

6.1.3 The maximum height of accessory buildings shall be as provided in the individual zone provisions.

6.2 AUTO SERVICE STATION, COMMERCIAL GARAGE, GASOLINE BAR, CAR WASHING ESTABLISHMENT

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

6.2.1 Gasoline Pump Island Location

The minimum distance between the gasoline pump island, pumps and their related overhead canopies and any pump shall be 6.0 m (19.7 ft.) from any lot and street line.

Where the lot is a corner lot, no portion of any gasoline pump island shall be located closer than 3 m (9.8 ft.) to a sight triangle.

6.2.2 Separation of Natural Gas or Propane Tanks

No person shall erect or use a tank for the storage of natural gas or propane for sale at an automobile service station or gas bar or on any other property where vehicle fuel may be dispensed unless a license has been obtained from the Ministry of Consumer and Commercial Relations and the location is in compliance with the requirements under the Ontario Propane Code.

6.2.3 Access and Egress

The width of any entrance or exit, combined entrance or exit measured at the front lot line or exterior side lot line shall be in accordance with the Township of Augusta By-law to regulate the installation of entranceways.

6.3 BUILDINGS TO BE MOVED

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

6.4 CEMETERY

Cemeteries shall solely conform to the Cemeteries Act.

6.5 CHANGE OF USE

A use of lot, building or structure or the redevelopment of a lot, building or structure which, under the provisions hereof is not permissible within the zone in which such lot, building or structure is located, shall not be changed except to a use which is permissible within such zone or through an amendment to this By-law.

6.6 CONFLICTING STANDARD

Where there are any other conflicting requirements in this By-law, the more restrictive standards shall apply unless specifically stated otherwise.

Where any provision of this By-law conflicts with the provisions of any regulation, By-law or statute of any other government authority, the higher or more stringent standard shall prevail.

6.7 CORNER LOT SIGHT LINES

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

- A building, structure or use which would obstruct the vision of drivers of motor vehicles.
- A fence or tree, hedge, bush or other vegetation, other than agricultural crops, the top of which exceeds 1.0 metre in height above the elevation of the centrelines of abutting streets.
- A parking area.
- A finished grade which exceeds the elevation of the centrelines of abutting streets by more than 0.5 metres.

6.8 CUMULATIVE STANDARDS

Despite anything contained in this By-law, where any land, building or structure is used for more than one purpose, all provisions of this By-law relating to each use shall be complied with.

6.9 DANGEROUS SUBSTANCES

No use shall be permitted which, from its nature or the materials used therein, is declared to be a noxious trade, business or manufacture under The Health, Protection and Promotion Act or regulations there under.

6.10 DAY NURSERIES

Private home day nurseries are permitted in all zones where residential uses are permitted as a principal use. Such day nurseries shall comply with the provisions of the Day Nurseries Act.

6.11 DRIVE THROUGH FACILITY

A drive through facility may be provided in conjunction with any restaurant, bank or bank machine, a gasoline pump at a gas bar or service station, a pharmacy or drug store or with any use that is associated with a shopping centre.

6.12 DWELLING UNITS

6.12.1 Location

No dwelling unit shall in its entirety be located in a cellar. However, a portion of a dwelling unit may be located in a cellar provided such portion of the dwelling unit shall be used only as a furnace room, laundry room, storage room, recreation room, office or for similar use only and shall not be used for sleeping accommodations.

A dwelling unit, in its entirety, may be located in a basement provided that the finished floor level of such basement is located above the level of the sanitary or storm sewer serving the buildings or structure in which such basement is located or provided that the dwelling unit is serviced by an appropriate sewage pumping facility.

No more than one single dwelling unit may be located on a separate lot of record.

6.12.2 Yard Provisions

Where a dwelling unit is located in a non-residential building, such dwelling unit shall comply with the yard provisions of this By-law which apply to the non-residential building.

6.12.3 Established Building Line in Built-Up Area

Notwithstanding the yard setback provisions of the By-law to the contrary, where a permitted building is to be erected on a lot in a built-up area, such permitted building may be erected closer to the street line or the centreline of the street as the case may be if the existing buildings(s) on the adjacent lot(s) is (are) closer to the street line or centreline than the By law provisions permit.

For a proposed building where buildings on both adjacent lots are closer than By-law provisions would permit, setback and yard provisions are calculated as follows: the total of the sum of the two existing adjacent setbacks or yard with the sum divided by two;

For a proposed building where building on one adjacent lot is closer than By-law provisions would permit, setback and yard provisions are calculated as follows: the sum of the existing adjacent setback or yard plus the adjacent By-law requirement, with the sum divided by two;

For a proposed building where buildings on both adjacent lots meet By-law requirement, normal By-law requirements shall apply.

6.13 EXCEPTION ZONE

Where a zone symbol is followed by the suffix "X" this shall mean that a specific exception is being made to one or more of the standards of that zone for a specific area governed by the By-law. All other provisions of the By-law shall continue to apply. A number after the "X" (eg. RX-1) indicates the order of the various exception zones.

6.14 FENCES

Any fence erected hereafter within the municipality shall conform to the provisions of any Fence By-Law as may from time-to-time be enacted under the Municipal Act or the provisions of the Line Fences Act.

Notwithstanding the foregoing all fences erected on properties with frontage along County Road 2 and within the Waterfront Residential Zone shall be subject to a maximum height of 1.8 metres (6 feet).

6.15 FRONTAGE ON A PUBLIC STREET OR ROAD

No person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected has sufficient frontage on a public road or street maintained year round, as per the requirements of the applicable zone except for the following:

- A resource related use on Crown Land;
- A communications facility;
- A public utility;
- A wayside pit or quarry
- An existing use located on a resource access road.

6.15.1 Exception for Existing Agreements

Despite Section 6.15, where a maintenance agreement exists between the municipality and a land owner and is registered on title, frontage on an unassumed, unopened or unmaintained public right-of-way shall be deemed to conform to the provisions of this section, provided that such frontage is in conformity with the standards set out in the corresponding zone or any exception thereto.

Despite Section 6.15, where an access agreement registered on title between or amongst landowners that provides for a right-of-way to an existing lot which is developed for a single detached dwelling or seasonal dwelling as of the date of the passing of this By Law, such uses shall be deemed to conform with the provisions of this By-Law for access.

6.15.2 Ministry of Transportation Access Requirements

In addition to all the requirements of the Corporation, all development adjacent to any Provincial Highway is also subject to the requirements and permits of the Ministry of Transportation.

6.15.3 Frontage on More Than One Street

Where a lot fronts on more than one street and is not a corner lot, the requirement for front yards contained in this By-law shall apply to each yard abutting the street in accordance with the provisions of the zone or zones in which such lot is located.

6.15.4 Frontage on Water

Where a lot fronts on a watercourse or waterbody and a street, the requirement for front yards contained in this By-law shall apply to both the water frontage and the street frontage.

6.16 GARDEN SUITES

Subject to the passing of a site specific Temporary Use By law under Section 39 of the Planning Act, a Garden Suite shall be permitted as a separate dwelling unit to a permitted main residential use provided that:

- The minimum lot area is 450 m² (4,844 ft²)
- The maximum net floor area of the garden suite is 50 m² (538 ft.²)
- The maximum height of the Garden Suite is 6 m (19.7 ft.) or the average height of the main buildings on the subject and abutting lots, whichever is the lesser
- The Garden Suite is located in a rear or interior side yard
- Meets the minimum yard and lot coverage requirements set out in the corresponding zone
- The Garden Suite is set back a minimum of 3 m (9.8 ft.) from any rear or side lot line.
- The Garden Suite can be appropriately serviced with water and waste water services.

6.17 GROUP HOMES

Group Homes shall be permitted in all zones that allow residential uses provided that they are licensed by the Province.

6.18 HEIGHT EXCEPTIONS

Where height limitations are set forth in this By-law, such limitations shall not apply to water tanks, flag poles, lightning rods, lighting standards, ventilators, skylights, mechanical equipment penthouses, air

conditioning ducts, antennae, satellite dishes, church steeples, belfries, clock tower, chimneys, electrical supply facilities, an ornamental roof structure that contains no floor area, silos, wind generated pumps and communications towers. Notwithstanding the foregoing, limitations prescribed by the Federal Ministry of Transport or practices recommended by the Ministry with respect to height limitations shall prevail.

6.19 HOLDING ZONES

Any parcel or area of land in any zone on Map Schedules of this By law may be further classified as a holding zone with the addition of the suffix “h”. The intent is to signify Council’s approval in principle to future development of the land for the purposes indicated by the symbol. The holding classification added to a given zone shall restrict development of the land until such time as the demand for the development of the land is sufficient to warrant immediate development.

Where a holding zone applies, no lands shall be used and no buildings or structures shall be erected or used for any purpose other than uses existing on the date of passing of this By-law. Any change from the holding status shall require an amendment to this By-law as per regulation 199/96 of the Planning Act R.S.O.1990 and the Corporation may require that the applicant enter into an agreement for the development of the land prior to the amendment being adopted.

6.20 HOME OCCUPATIONS AND HOME INDUSTRIES

6.20.1 Home occupation

Home occupation shall be permitted as an accessory use in residential zones in accordance with the following provisions:

- Such home occupation shall be clearly secondary to the main residential use and shall not change the residential character of the dwelling or the dwelling unit.
- Not more than twenty-five percent (25%) of the dwelling or dwelling unit area or a maximum of fifty-five (55) square metres, whichever is the lesser, shall be used for the purpose of the home occupation.
- Other than members of the family, not more than two additional persons shall be engaged in the home occupation.
- There shall be no external display or advertising other than a legal sign, not larger than 0.5 square metres, to indicate to persons outside that any part of the dwelling, dwelling unit or lot is being used for a purpose other than residential.
- There shall be no open storage of materials, products or equipment.
- The home occupation shall not create or become a public nuisance, in particular with regard to noise, traffic or parking, nor shall the home occupation interfere with television or radio reception.

6.20.2 Home Industries

Home occupation shall be permitted as an accessory use in non-residential zones in accordance with the following provisions:

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- The accessory building being used by the home industry shall be located on the lot at a setback from the abutting road or street which is fifteen (15) metres greater than the setback required by this By-Law for the main building on the lot.
- Such home industry shall be clearly secondary to the main residential use and shall not change the residential character of the dwelling.
- Such home industry shall not be an obnoxious trade, business or manufacture.
- Other than members of the family, not more than two additional persons shall be employed by the home industry.
- There shall be no external display or advertising other than a legal sign, not larger than 1 square metre, to indicate to persons outside that any part of the lot is being used for a purpose other than residential.
- There shall be no open storage of materials, products or equipment.
- The home industry shall not create or become a public nuisance, in particular with regard to noise, traffic or parking, nor shall the home industry interfere with television or radio reception.

6.21 ILLUMINATION

Illumination of buildings and grounds shall be permitted provided that:

- Illumination shall not cause direct or indirect glare on a street that may interfere with traffic or pedestrian safety.
- Illumination shall not consist of a colour or be so designed or located that it may be confused with traffic signals.
- Illumination shall not cause direct or indirect glare on adjacent properties.

6.22 LANDSCAPED OPEN SPACE

In any Residential, Commercial or Industrial Zone, any portion of any front yard which is not used for any other permitted purpose shall be devoted to landscaped open space.

Provisions for landscaped open space as buffering are included under the specific zones in this By-law.

Where landscaped open space is required as a buffer, such landscaping shall be continuous except for lanes, driveways, aisles or walkways which provide access to the lot.

6.23 LAND SUITABILITY FOR USE AND ORGANIC SOILS

Despite any other provision of this By-Law, no habitable building or structure shall be constructed, erected, altered or used on land which, by reason of its rocky, low lying, marshy, unstable character or which is located or may be located on organic soil as shown on Schedule B of the Augusta Township Official Plan unless the proponent or applicant for development can demonstrate conclusively using scientific approaches that the physical constraint can be mitigated or overcome and that the requirements of the Ontario Building Code with respect to construction and the requirements of the Ontario Water Resources Act and the Environmental Protection Act with respect to the installation of an individual on-site sewage and water system can be met.

6.24 LOADING REQUIREMENTS

The owner or occupant of any lot, building or structure located in an Industrial or Commercial Zone which involves the frequent receiving, shipping, loading or unloading of animals, goods, wares,

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merchandise or raw materials shall provide and maintain on the lot occupied by the building or structure, loading spaces in accordance with the following regulations:

6.24.1 Number of Spaces Required

The number of loading spaces provided shall be in accordance with the floor area of the building or structure as follows:

Floor Area of Building	Number of Loading Spaces
250 m ² or less	0
Exceeding 250 m ² but not 1,000 m ²	1
Exceeding 1,000 m ² but not 7,500 m ²	2
Exceeding 7,500 m ²	2 plus 1 additional space for each additional 7,500 m ² of floor area or fraction thereof in excess of 7,500 m ²

6.24.2 Size of Loading Space

Each loading space shall be at least 14 m long, 4.0 m wide and have a vertical clearance of 4.5 m.

6.24.3 Location

The required loading spaces shall be provided on the lot occupied by the building or structure for which the spaces are required and such spaces shall not form part of any street or required parking area, and shall not be located within a required front yard or exterior side yard.

6.24.4 Access

Access to loading spaces shall be by means of a driveway at least 4.0 m wide for one way traffic and 6.0 m wide for two way traffic and located within the lot on which the loading spaces are located.

6.24.5 Cumulative Standards

Where there are two or more uses located on the same lot, the loading space requirements shall be the sum of the requirement for each use.

6.24.6 Additions to Buildings

The loading space requirements shall not apply to any building or structure in existence at the date of passing this By-law so long as the floor area, as it existed at such date, is not increased. If an addition is made to the building or structure which increases the floor area, then additional loading space shall be provided as required in Section 6.24.1 for such addition.

6.25 LOTS DIVIDED INTO MORE THAN ONE ZONE

Where a lot is divided into more than one zone, each such portion of the lot shall be used in accordance with the provisions of this By-law for the zone where such portion of the lot is located. Each such portion of the lot shall be considered as a separate lot for the purpose of determining zone provisions. Notwithstanding the foregoing, for lots which are partially in a holding zone of the “h” type, the entire lot shall be used to determine zone requirements such as area, frontage, coverage, and setbacks.

6.26 NON-CONFORMING AND NON-COMPLYING USES

6.26.1 Continuance of Existing Uses

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

6.26.2 Prior Building Permits

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

6.26.3 Road Widening

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

6.26.4 Reconstruction or Repair of Existing Building

A building or structure being used for a legal non-conforming use may be reconstructed, renovated, repaired or strengthened to a safer condition where such building or structure was lawfully used for such purpose on the day of the passing of this by-law and continues to be used for such purpose, provided that the building or structure is constructed in conformity with the requirements of this by-law. Where such building or structure is also an existing legal non-conforming building or structure, the building or structure may be reconstructed, renovated, repaired or strengthened to a safer condition provided that the building or structure does not further reduce any zoning requirements.

If a non-conforming building located in a flood plain area is damaged or destroyed by flooding, it may be reconstructed in accordance with the requirements of the South Nation or Rideau Valley Conservation Authorities or the Ministry of Natural Resources.

6.26.5 Addition to Existing Building or Structure

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

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the requirements of this By-law and does not contravene any other requirements of this By-law or any requirements of Ministries and agencies.

6.26.6 Existing Undersized Lots

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

6.26.7 Accessory Buildings

Nothing in this By-law shall prevent the erection of a building accessory to an existing non-conforming use provided that such accessory building complies with all relevant provisions of this By-law.

6.26.8 Change of Use

The non-conforming use of any land, building or structure shall not be changed except to a use which is in conformity with the provisions of the zone in which the land, building or structure is located, without permission from the Committee of Adjustment pursuant to the Planning Act, R.S.O., 1990.

6.26.9 Non-conforming by Reason of Metric Conversion

Existing lots, buildings and uses which cannot meet one or more metric standards in this By-law but which can meet the approximate value of the imperial equivalent standard shall not be deemed non-conforming for this reason only.

6.27 NOXIOUS USES

No use shall be permitted which from its nature or the materials used therein, is declared to be a noxious trade, business or manufacture by the Public Health Act or any regulations made there under.

6.28 OCCUPANCY RESTRICTIONS

Human habitation shall not be permitted in any of the following buildings, structures, or parts thereof unless the building, structure, or parts thereof meet all requirements of the Fire Code, the Ontario Building Code and any other applicable regulations, policies, or Acts:

- Any private garage or other building which is accessory to a residential use;
- Any truck, bus, recreational vehicle, coach or streetcar body whether or not it is mounted on wheels.

6.29 OUTDOOR FURNACES

Outdoor furnaces shall not be permitted in any residential zone. In other zones outdoor furnaces shall only be permitted in rear yards and shall be located a minimum of 30 metres (98.4 feet) from any lot line.

6.30 OUTDOOR ILLUMINATION

Outdoor illumination of buildings, structures or yards including parking areas shall be permitted provided the fixtures are so designed and installed that the light is directed downward and deflected away from adjacent lots and public streets.

6.31 OUTSIDE STORAGE, SALES AND DISPLAY

No person shall use any lot or part thereof for outside storage, sales or display except as permitted by this By-law and as an area which has been specifically designed and set aside for such purpose, is fully integrated with the main use of the lot and is in accordance with the following:

- Outside storage shall not be permitted within any required front yard and no closer than 5.0 m (16.4 ft.) to any side or rear lot line.
- Where outside storage areas abut a zone in which residential uses are permitted, the required setback of the outside storage area shall be increased to 10.0 m (32.8 ft.) and must also be visually screened from any zone in which residential uses are permitted.
- Any areas used for outside storage shall be in addition to any minimum off-street parking or loading areas required by this By-law.
- The above provisions do not apply to the outside storage for Home Occupation in non-residential zones (see Section 6.20).

6.32 PARKING AND STORAGE OF VEHICLES

6.32.1 General

Except as provided herein, no vehicles shall be parked or stored in a zone in which residential uses are permitted unless the vehicle is located within a garage, carport, driveway, designated parking area or on a street as permitted by Municipal By-law.

No parking space in a zone in which residential uses are permitted shall be used for the outdoor parking or storage of a motor vehicle unless such vehicle is used in operations incidental to the main permitted use of the lot on which it is parked or stored.

Each standard parking space shall have a minimum width of 3.0 m (9.8 ft.) and a minimum length of 6.0 m (19.7 ft.). Each barrier-free parking space shall have a minimum width of 3.7 m (12.1 ft.) and a minimum length of 6.0 m (19.7 ft.).

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

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

6.32.2 Parking area for more than four vehicles, supplementary regulations:

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

Ingress and egress directly to and from every parking space shall be by means of a driveway, lane or aisle having a width of at least 6.0 m (19.7 ft.) for two-way traffic and 3.5 m (11.5 ft.) for one-way traffic where parking is angled.

A driveway or lane which does not provide ingress and egress directly to a parking space, shall have a minimum width of 3.5 m (11.5 ft.) where designed for one-way vehicular circulation or 6.0 m (19.7 ft.) where designed for two-way vehicular circulation.

6.32.3 Barrier Free Parking

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

6.32.4 Location and Number of Spaces

The required parking for residential uses of land shall be provided on the same lot as the dwelling unit. In all other zones, parking shall be provided within 100 m (328 ft.) of the building or lot it is intended to serve, subject to an agreement, deed or renewable lease which provides for same.

Despite Section 6.30.5, if the calculation of the minimum parking space requirement results in a fraction, the minimum requirement shall be the next higher whole number.

6.32.5 Schedule for Parking Requirements

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

USE	MINIMUM NUMBER OF REQUIRED PARKING SPACES
Residential:	2 spaces per dwelling unit Row and Apartment dwellings require 1.25 spaces per dwelling unit
Auto body shop, auto repair shop, auto service station, gas bar	3 spaces per service bay plus 1 space per employee
Assembly hall, auditorium, dance hall, stadium,	1 space for every 4 seats, fixed or otherwise and

theatre and similar places of public assembly	where there are no seats, 1 space for every 10m ² (107.6 sq. ft.) assembly space
Building supply store, lumber yard, garden centre, nursery	1 space for each 20m ² (215.2 sq. ft.) of gross floor area and 1 space for each 35m ² (376.2 sq. ft.) of open storage
Clinic	6 spaces per doctor
Day nursery – licensed	1 space per employee and 1 space per 5 children
General business, retail store, convenience store, grocery store, commercial and personal service establishment, bank, office, meeting rooms, professional office or Funeral Establishment	1 space per 20m ² (215.2 sq. ft.) of Gross Floor Area, minimum 5 spaces
Home Occupations	As per section 6.19
Hotel, motel, tourist outfitters (with road access)	1 space per guest unit, plus 1 space for each 6 persons of designated seating capacity of any accessory eating establishment
Manufacturing, industrial storage or wholesale, warehouse	1 space per 95m ² (1022.6 sq. ft.) of Gross Floor Area plus 1 space per every 3 employees per shift
Nursing home, home for the aged, long-term care facility	1 space for every 6 patient beds plus 1 space for every 4 employees
Place of worship	1 space for every 5 seats, fixed or otherwise
Restaurant, restaurant-drive-in, beverage establishment, tavern, road house	1 space per 10m ² (107.6 sq. ft.) of Gross Floor Area
School	2 spaces per classroom
All other uses not listed above	1 space per 30m ² of Gross Floor Area

6.33 PERMITTED PROJECTIONS

Every part of any yard required by this By-law shall be open and unobstructed by any structure from the ground to the sky except that those structures listed in the following table shall be permitted to project into the minimum yards required by this By-law for the following specified distances:



STRUCTURE	MAXIMUM PROJECTION INTO REQUIRED YARD
Chimney breasts, cornices, sills, bay windows, pilasters, eaves or gutters	0.75 m (2.46 ft.) into any required front, rear or side yard
Canopies which are at least 2.13 m (7 ft.) in vertical clearance above the established grade, with or without supporting posts	2.0 m (6.5 ft.) into any required yard
Canopies for entrances to apartment buildings and commercial buildings	Despite any other provisions in this By-law, a canopy or portico over a major entrance to an apartment building or commercial building may project into the required yard a distance equal to one-half (1/2) the setback of the building from the street line
Air conditioners / Heat Pumps	1.0 m (3.28 ft.) into any rear yard or exterior side yard
Window awnings	1.2 m (3.9 ft.) into any required yard
Steps, ramps for use by handicapped, and walkways	No maximum into any required yard
Unenclosed porch, patio, balconies or steps	1.5 m (4.9 ft.) into any required front or rear yard
Deck	Setbacks from side or rear lot lines shall be equal or less than the height of the top of deck or 1.5 metres whichever is the greatest.

6.34 PORTABLE ASPHALT / CEMENT PLANT

Portable asphalt/cement plant will be permitted without the need for rezoning, in all zones except in any Residential Zones, Environmental Constraint Zone (EC) and the Wetland Zone (W).

6.35 PRIVATE SWIMMING POOLS

Private swimming pools, both above-ground and in-ground, outdoor and indoor, shall be permitted subject to any By-law of the Township regarding swimming pools and the following requirements:

6.35.1 Outdoor Pools

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

No part of an outdoor pool including an associated apron or platform which is in a front or side yard shall be constructed closer to a street line than the requirements for a main building in the zone within

which it is located nor closer to the lot line in a rear yard than the minimum distance required for an accessory use or structure.

6.35.2 Indoor Pools

Indoor pools which are not an integral part of a dwelling unit or part of a municipal or private recreational facility shall conform with the accessory building requirements contained in subsection 6.1.

6.36 PROHIBITED USES

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

6.36.1 Kennels

The establishment or operation of a kennel is prohibited in any residential zone. In zones where Kennels are permitted, all structures and/or enclosures associated with the kennel's operation shall be set back in accordance with By-law 2724 a By-law for the Control, Protection and Identification of Dogs as may be amended from time to time. The establishment of new kennels shall be subject to site plan control.

6.36.2 Mobile Homes

The placement or use of mobile homes is prohibited except on lands which are zoned to specifically permit a mobile home.

6.37 PUBLIC USES

Any land may be used and any building or structure may be erected or used for the purpose of a public service by the Corporation or by local Boards, Commissions or Committees thereof, any department or agent of the United Counties of Leeds and Grenville or the Government of Ontario or Canada, including Hydro One Networks Inc., provided that:

- The lot coverage, setback and yard requirements prescribed for the zone in which such land, building or structure is located shall be complied with, except for transmission facilities for gas, telephone, cable and electric power (i.e. poles, towers, lines and similar elements);
- No goods, material, or equipment shall be stored in the open except in accordance with the provisions of section 6.29;
- Any building or structure erected in a Residential Zone shall be designed and maintained in general harmony with the residential buildings of the type permitted in the zone.

6.38 RAILWAY CROSSINGS AND SIGHT DISTANCE

Where any road or street crosses a railway at the same grade, no building or structure or other visual obstruction shall hereafter be erected within the sight triangle established by measuring from the point of intersection of the centrelines of the road and the railway right-of-way, 45 m along the centreline of the road and 215 m along the centreline of the railway right-of-way.

6.39 SECONDARY SUITES

Secondary Suites may be permitted subject to the following provisions:

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A secondary suite shall be capable of integration into the principal dwelling once the secondary suite use is no longer required.

A Secondary Suite shall only be permitted in a single dwelling unit, a semi-detached or duplex dwelling unit and in a row dwelling. Where provided in a single detached or semi-detached dwelling the entrance provided to the secondary suite shall not be located on the same street elevation as the principle entrance to the primary dwelling. At no time shall there be more than one (1) additional bedroom created by the provision of the secondary suite. The secondary suite may not be larger than twenty-five (25) percent of the gross floor area of the primary dwelling.

All secondary suites will be required to submit documentation that demonstrates Ontario Building Code compliancy.

6.40 SIGHT TRIANGLES

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

- A building, structure, or use which would obstruct the vision of drivers of motor vehicles;
- A fence, tree, hedge, bush or other vegetation, other than agricultural crops;
- Any portion of a delivery space, loading space, driveway or parking space;
- A berm or other ground surface which exceeds the elevation of the street by more than 0.6 metre.

For the purpose of this By-Law, the following sight distances shall apply:

- fifteen (15) metres (49.2 ft.) in all commercial and industrial zones and rural zones;
- ten (10) metres (32.8 ft.) in all other zones.

6.41 SIGNS

Except as otherwise permitted in this By-law, commercial or advertising signs shall not be permitted on a residential lot or in a residential zone. Where permitted the use of signs shall be in accordance with the following provisions:

- No sign, whether temporary or permanent, shall be located within 3m (9.84 feet) of any lot line. Notwithstanding the above, no sign in a commercial or industrial zone shall be located within 15 m (49.21 feet) of a lot line abutting a residential or public use or a residential zone.

6.42 SPECIAL SETBACKS

No person shall use any land, building or structure for a sensitive use (e.g. residential use, daycare centre, educational or health facility) unless it complies with the following minimum distance separations, influence areas or special setbacks distances, influences areas or setbacks shall be measured as set out for the respective requirement.

6.42.1 Setback from CN Rail Line

The setback shall be as determined by a noise and/or vibration study if such is required by Council and shall be generally measured from the point source of the emission to the property line of the receptor land use.

6.42.2 Minimum Distance Separation I and II (MDS)

All development must be in accordance with the MDS formulae as defined in the Implementation Guidelines as documented by the Ministry of Agriculture, Food and Rural Affairs.

6.42.3 Setbacks from Existing Agricultural Operations and Livestock Buildings

New residential development shall be setback a minimum distance in accordance with MDS calculations.

6.42.4 Waste Disposal Zone

The influence area shall be 500 m (1,640 ft.) for a sensitive land use (e.g. residential use, daycare centre, educational or health facility) measured from the boundary of the (licensed) fill area to the nearest property line of the sensitive use. Within the influence area, no sensitive land use shall be permitted unless an Environmental Impact Assessment is undertaken, to the satisfaction of the approval authority, to demonstrate that the proposed development will not negatively be impacted by the waste disposal zone (e.g. leachate migration, methane gas, rodents, vectors, vermin, odour, litter, noise, etc.)

No development shall be permitted within 50 m (164.0 ft.) of the (licensed) fill area of an active waste disposal zone;

6.42.5 Pits and Quarries

The influence area shall be 300 m (984 ft.) for a pit or 500 m (1,640 ft.) for a quarry for a sensitive land use (e.g. residential use, daycare centre, educational or health facility) measured from the boundary of a Mineral Aggregate Resource Area. Within these influence areas, no sensitive land uses including the creation of new lots for such uses shall be permitted unless appropriate measures have been undertaken to mitigate adverse or potential adverse impacts in accordance with section 5.2.5 of the Augusta Township Official Plan.

6.42.6 Industrial Uses

Class I Industrial: The minimum separation distance from a sensitive land use (e.g. residential use, daycare centre, educational or health facility) shall be 20 m (65.6 ft.) and shall be measured in accordance with MOE Guideline D-6.

Class II Industrial: The minimum separation distance for this industrial classification from a sensitive land use (e.g. residential use, daycare centre, educational or health facility) shall be 70 m (229.6 ft.) and shall be measured in accordance with MOE Guideline D-6.

Class III Industrial: The minimum separation distance for this industrial classification from a sensitive land use (e.g. residential use, daycare centre, educational or health facility) shall be 300 m (984.2 ft.) and shall be measured in accordance with MOE Guideline D-6.

6.43 STORAGE / SHIPPING CONTAINERS

The use of a Storage / Shipping Container as an accessory use on a lot zoned for residential purposes is prohibited.

The use of a Storage / Shipping Container as an accessory use in a commercial or industrial zone may be permitted subject to the following provisions:

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- the container shall be located in a rear yard or side yard in accordance with the setbacks for an accessory building;
- A building permit is required prior to the installation of the container
- The use of a cube van box, a trailer or part of a vehicle as a storage container is prohibited.
- The temporary use of a storage container on a residential lot is permitted where such container is required for temporary storage during construction or renovation.

6.44 STREETS AND PARKS

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

6.45 TEMPORARY BUILDINGS OR STRUCTURES DURING CONSTRUCTION

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

In addition, temporary accommodation for a business or other use which is intended to occupy a building which is under construction with the work in progress on such building, may be temporarily permitted on the same lot in the form of a mobile, relocatable, portable or transportable building provided that:

- Approval is obtained pursuant to the matters contained herein; and
- Such temporary accommodation is removed from the lot immediately upon completion of construction, abandonment of construction or at such time as in the opinion of the Corporation it is no longer required.

6.46 USE BY PUBLIC AUTHORITY OR PUBLIC UTILITY

The provisions of this By-law shall not apply to the use of any land or to the erection or use of any utility installation for the purpose of public service by the Township of Augusta, the United Counties of Leeds and Grenville and/or any public authority, any department of the Government of Ontario or Canada, including any Hydro One Networks Inc. facilities pursuant to the Planning Act, provided that where such land, building or structure is located in or abutting a zone in which residential uses of land are permitted:

- No goods, materials or equipment shall be stored in the open;
- The lot coverage and setback regulations of the zone in which such land, building or above ground structure is located shall be complied with;
- Any building erected under the authority of this section shall not be used for the purpose of an office;
- Parking and loading requirements as contained in this By-law shall be complied with.

6.47 WATER AND SEWAGE DISPOSAL SYSTEMS

No person shall hereafter erect or use in whole or in part, any building or structure for any residential, commercial or industrial use with the exception of warehousing or storage facilities, on any land unless

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the use, building or structure is properly connected to an approved water supply and sewage disposal system.

7.0 ZONES

7.1.1 ZONE CLASSIFICATION

For the purposes of this By-law, The Township of Augusta is divided into the following zones as named and described in the following sections, the boundaries of which are shown on Map Schedules "A" to "H" which are attached and form part of this By-law.

ZONE NAME	ZONE SYMBOL
Residential Zones	
Village Residential	RV
Estate Residential	RE
Waterfront Residential	RW
Mobile Residential	RM
Commercial Zones	
Village Commercial	CV
Highway Commercial	CH
Agricultural Commercial	CA
Rural Commercial	CR
Institutional	I
Industrial Zones	
Village Industrial	MV
Industrial	M
Industrial Park	MP
Mineral Aggregate Resource	MX
Waste Disposal Zone	WD
Rural Zones	
Agricultural	A
Rural	RU
Floodplain	FP
Open Space	OS
Wetlands	W

7.1.2 INTERPRETATION OF ZONE BOUNDARIES

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

1. A boundary indicated as following a highway, street or lane shall be the centre line of such highway, street or lane;
2. A boundary indicated as following a watercourse, creek, stream or the right-of-way of a railway or an electrical, gas or oil transmission line shall be the centre line of such watercourse, creek, stream or right-of-way;
3. A boundary indicated as following the shoreline shall follow such shoreline, and in the event of a change in the shoreline, the boundary shall be construed as moving with the actual shoreline;
4. A boundary indicated as approximately following lot lines shown on a Registered Plan of Subdivision, or Reference Plan, or Township lot lines shall follow such lot lines;
5. Where a boundary is indicated as approximately parallel to a street line or other feature, indicated in clause (a), (b), and (c) above, and the distance from such street line or other feature is not indicated, and clause (d) above is not applicable, such boundary shall be construed as being parallel to such street line or other feature, and the distance there from shall be determined according to the scale shown on the appropriate Schedule;
6. A boundary indicated as following the limits of the Municipality shall follow such limits.
7. In the event a dedicated street, lane or right-of-way shown on any Schedule forming part of this By-law is closed, the property formerly in such street, lane or right-of-way shall be included within the zone of the adjoining property on either side of such closed street, lane or right-of-way. If a closed street, lane or right-of-way is the boundary between two or more different zones the new zone boundaries shall be the former centre line of the closed street, lane or right-of-way.

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7.2 RESIDENTIAL VILLAGE – RV

No person shall use any land or erect, alter or use any building or structure in the “Village Residential - VR” zone except in accordance with the following provisions of this Section and of any other relevant Sections of this By-law.

7.2.1 Permitted Uses

- Bed and Breakfast Establishment
- Converted Dwelling
- Day Nursery- Private
- Dwelling Apartment
- Dwelling - Duplex
- Dwelling Row
- Dwelling - Semi-Detached
- Dwelling - Single Detached
- Garden Suite (Subject to a Temporary Use By law)
- Group Home
- Home Occupation
- Park
- Parking Area
- Public Service Use
- Public Utility
- Secondary Suite in accordance with 6.39
- Accessory uses to the foregoing

7.2.2 Zone Requirements

Zone Requirements	<i>Single Detached Dwelling</i>	<i>Semi Detached Dwelling</i>	<i>Duplex/Converted Dwelling</i>
Minimum Lot Area	0.4 ha (1 acre)	0.4 ha (1 acre)	0.4 ha (1 acre)
Minimum Lot Frontage	30 m (98.4 ft)	45 m (147.6 ft)	45 m (147.6 ft)
Minimum Yard Requirements – Main Building			
Front Yard	6 m (19.7 ft)	6 m (19.7 ft)	6 m (19.7 ft)
Rear Yard	10 m (32.8 ft)	10 m (32.8 ft)	10 m (32.8 ft)
Interior Side Yard	3 m (9.8 ft)	3 m (9.8 ft)	3 m (9.8 ft)
Exterior Side yard	6 m (19.7 ft)	6 m (19.7 ft)	6 m (19.7 ft)
Maximum Building Height			
Main Building	11 m (36.0 ft)	11 m (36.0 ft)	11 m (36.0 ft)
Accessory Building	6.5 m (21.3 ft)	6.5 m (21.3 ft)	6.5m (21.3 ft)
Minimum Building Separation	1.2 m (3.9 ft)	1.2 m (3.9 ft)	1.2 m (3.9 ft)
Maximum Lot Coverage	30%	30%	30%

Maximum Number of Dwelling Units per Lot (excluding a Garden Suite)	1	2	2
Minimum Net Floor Area – Garden Suite	50 m ² (538.2 ft ²)	50 m ² (538.2 ft ²)	50 m ² (538.2 ft ²)
Minimum Setback from Rear or Interior Side – Garden Suite	3 m (9.8 ft)	3 m (9.8 ft)	3 m (9.8 ft)

7.2.3 Additional Provisions

- Row houses and apartment dwellings are permitted subject to the provision of water and waste water services in accordance with the requirements of the Ministry of the Environment, site plan control approval and the entering into any other required agreements with the municipality or other public authority.
- Communal services are permitted in accordance with the requirements of the Ministry of the Environment or its delegate, and the entering into any required agreements with the municipality or other public authority.
- The zone requirements for a group home shall be those applicable to the particular dwelling type in which the group home is located i.e. semi-detached, duplex or converted dwelling.
- Other general provisions shall be in accordance with Section 6 of this By-Law.
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7.2.4 Exception Zones

7.3 ESTATE RESIDENTIAL - RE

No person shall use any land or erect, alter or use any building or structure in the Estate Residential “RE” zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

7.3.1 Permitted Uses

- Bed and Breakfast Establishment
- Day Nursery- Private
- Dwelling - Semi-Detached
- Dwelling - Single Detached
- Garden Suite (Subject to a Temporary Use By law)
- Group Home
- Home Occupation or Home Based Business
- Park
- Parking Area
- Public Service Use
- Public Utility
- Secondary Suite in accordance with 6.39
- Accessory uses to the foregoing

7.3.2 Zone Requirements

Minimum Lot Area	0.8 ha (2 acres)
Minimum Lot Frontage	46 m (150.9 ft)

Minimum Yard Requirements

Front Yard	10 m (32.8 ft)
Rear Yard	10 m (32.8 ft)
Interior Side Yard	5 m (16.4 ft.)
Exterior Side Yard	10 m (32.8 ft)

Maximum Building Height

Main Building	10.6 m (34.8 ft.)
Accessory Building	6 m (19.7 ft.)

Maximum Lot Coverage	20%
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Maximum No. of Dwelling Units per Lot	1
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7.3.3 Additional Provisions

1. Other general provisions shall be in accordance with Section 6 of this By Law.

7.3.4 Exception Zones

7.4 WATERFRONT RESIDENTIAL - RW

No person shall use any land or erect, alter or use any building or structure in the “Waterfront Residential – “RW” zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

7.4.1 Permitted Uses

- Dwelling - Single Detached
- Secondary Suite in accordance with 6.39
- Home Occupation or Home Based Business
- Accessory uses to the foregoing

7.4.2 Zone Requirements

Minimum Lot Frontage	30 m (98.4 ft.)
Minimum Lot Area	4000 m2 (0.98ac)

Minimum Yard Requirements – Main Building

Front Yard	20 m (65.6 ft.)
Rear Yard	10 m (32.8 ft.)
Interior Side Yard	3 m (9.8 ft.)
Exterior Side Yard	6 m (19.7 ft.)

Minimum Yard Requirements – Accessory Building

Front Yard	20 m (65.6 ft.)
Rear Yard	7 m (22.9 ft.)
Interior Side Yard	3 m (9.8 ft.)
Exterior Side Yard	6 m (19.7 ft.)

Maximum Building Height

Main Building.	11 m (36 ft.)
Accessory Building	5 m (16.4 ft.)

Maximum Lot Coverage	20%
Maximum No. of Dwelling Units per Lot	1

7.4.3 Additional Provisions

1. Other general provisions shall be in accordance with Section 6 of this By Law.

7.4.4 Exception Zones

7.5 MOBILE HOME PARK RESIDENTIAL– RM

No person shall use any land or erect, alter or use any building or structure in the “Mobile Home Residential – MR” zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

7.5.1 Permitted Uses

- Accessory Single Dwelling Unit
- Administrative or rental office
- Community centre
- Convenience store
- General storage compound
- Laundromat
- Mobile Home Dwelling
- Mobile Home Park
- Park
- Playground
- Accessory uses to the foregoing

7.5.2 Zone Requirements

Mobile Home Park

Minimum Lot Area	4 ha (9.9 acres)
Minimum Lot Frontage	90 m (295.2 ft)
Minimum Yard Setbacks	
Front Yard	15 m (49.2 ft)
All other Yards	9 m (29.5 ft)
Minimum Building Separation	1.2 m (3.9 ft)
Maximum Lot Coverage	50%

Mobile Home Site

Minimum Lot Area	375 m ² (4036 sq ft)
Minimum Lot Frontage	12 m (39.3 ft)
Minimum Yard Setbacks	
Front Yard	9 m (29.5 ft)
Interior Side Yard	3 m (9.8 ft)
Exterior Side Yard	9 m (29.5 ft)
Rear Yard	5 m (16.4 ft)
Minimum Building Separation	1.2 m (3.9 ft)
Maximum Lot Coverage	60%
Maximum Mobile Homes per Site	1
Minimum Floor Area	55 m ² (592 sq ft)
Maximum Building Height	11 m (36.8 ft)

All Other Uses

Minimum Lot Area	4 ha (9.9 acres)
Minimum Lot Frontage	90 m (295.2 ft)

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Minimum Yard Setbacks

Front Yard	15 m (49.2 ft)
All other Yards	9 m (29.5 ft)
Minimum Building Separation	1.2 m (3.9 ft)
Maximum Lot Coverage	50%
Maximum Building Height	11 m (36.8 ft)

7.5.3 Additional Provisions

1. No Mobile Home Park shall be established unless it is in accordance with a site plan approved by the Municipality. The site plan shall be based on the following provisions:
 - Every Mobile Home Park shall have, immediately within its boundaries, a buffer of at least nine (9) metres in depth, in which no lots, buildings or structures shall be permitted, and such areas shall be suitably landscaped.
 - There shall be no outside storage of any furniture, domestic equipment or seasonally used equipment. Adequately covered storage shall be provided and located within a special storage area provided within the Mobile Home Park where it can be communally used.
 - Buildings containing accessory storage facilities shall be located and designed so that each building provides storage space for a minimum of eight (8) mobile homes and no mobile home lot is more than thirty (30) metres from its storage facilities. Accessory storage facilities shall be based on a minimum of three and one-half (3.5) cubic metres of storage space for each mobile home.
 - All areas of a Mobile Home Park not occupied by mobile homes and their additions, storage buildings, internal roads, footpaths, permanent buildings or any other development facility shall be landscaped.
 - Only one mobile home will be permitted on each mobile home site.
 - The maximum permitted density will be ten (10) sites per hectare of Mobile Home Park.
 - All mobile homes shall be provided with durable skirtings to screen the view of the under-carriage or foundation supports and any accessory structure shall be so designed to harmonize with the mobile home.
 - Each mobile home lot and accessory use shall be accessible by means of an internal Mobile Home Park road which shall be hard-surfaced and constructed in accordance with the applicable Township engineering standards.
 - A minimum of five percent (5%) of the Mobile Home Park area shall be used for open space and recreational uses.
 - Accessory commercial uses shall conform to the parking and loading provisions of Section 6.
 - Each mobile home site shall have water and waste water services provided through communal systems.
 - Other general provisions shall be in accordance with Section 6 of this By-law.

7.5.4 Exception Zones

7.6 VILLAGE COMMERCIAL - CV

No person shall use any land or erect, alter or use any building or structure in the “Village Commercial – VC” zone except in accordance with the following provisions of this Section and of any other relevant Sections of this By law.

7.6.1 Permitted Uses

- Accessory Dwelling
- Auto Service Station
- Bake Shop
- Bank
- Business Office
- Car Rental Agency
- Car Washing Establishment
- Catalogue Store
- Clinic
- Commercial Club
- Convenience Store
- Custom Workshop
- Drug Store
- Dry Cleaning Outlet
- Equipment Rental Establishment-Domestic
- Farmer’s Market
- Flea Market
- Funeral Establishment
- Garage Commercial
- Garden Centre
- Gasoline Bar
- Hotel
- Laundromat
- Library
- Motel
- Museum
- Office
- Outdoor Cafe
- Parking Lot - Commercial
- Personal Service Establishment
- Pet Shop
- Place of Amusement
- Place of Assembly
- Place of Worship
- Private Club
- Public Market
- Public Service Use
- Public Utility
- Recreational Commercial Establishment
- Restaurant

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- Retail Grocery Store
- Retail Outlet
- Retail Store
- Second Hand Shop
- Service Outlet
- Snack Bar or Coffee Shop
- Studio
- Tavern
- Theatre, Cinema
- Tourist Establishment
- Veterinary Establishment
- Video Rental Outlet
- Workshop or Custom Workshop
- Accessory uses to the foregoing

7.6.2 Zone Requirements

Minimum Lot Area	4000 m ² (0.98 ac)
Minimum Lot Frontage	46 m (150.9 ft)

Minimum Yard Requirements

Front Yard	6 m (19.7 ft.)
Rear Yard	7.5 m (24.6 ft.)
Interior Side Yard	1.2 m (3.9 ft.)
Exterior Side Yard	6 m (19.7 ft.)

Maximum Building Height

Main Building	10.6 m (35 ft.)
Accessory Building	6 m (19.7 ft.)

Maximum Lot Coverage	50%
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Maximum No. of Dwelling Units per Lot	1
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7.6.3 Additional Provisions

1. An accessory dwelling is permitted within a building occupied by any commercial use except an automotive use. Alternatively the accessory dwelling may be detached provided that the minimum lot area is equal or greater than the combined minimum lot area standards of the VR zone and the CG zone. The minimum Separation distance between the main wall of the detached accessory dwelling unit and the main commercial use shall be 6.0 m (19.7 ft.).
2. Where a commercial zone abuts a residential zone or a residential use or a sensitive land use on an adjacent lot, a landscaped strip of not less than 1.5 m (4.92 ft.) in width shall be provided along the abutting lot line(s).

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3. Where a commercial zone abuts a residential zone or a residential use or a sensitive land use on an adjacent lot, the setback on the abutting yard shall be a minimum of 7.5 m (24.6 ft.)
4. Other general provision shall be in accordance with Section 6 of this By-Law.

7.6.4 Exception Zones

7.7 HIGHWAY COMMERCIAL – CH

No person shall use any land or erect, alter or use any building or structure in the “Highway Commercial – CH” zone except in accordance with the following provisions of this Section and of any other relevant Sections of this By law.

7.7.1 Permitted Uses

- Accessory Dwelling
- Automotive Sales Establishment
- Auto Rental Agency
- Auto Repair Garage
- Auto Service Station
- Auction Hall
- Bake Shop
- Bed and Breakfast Establishment
- Bingo Hall
- Building Supply Store
- Car Washing Establishment
- Catering Establishment
- Cheese Factory
- Convenience Store
- Country Style Dining Establishment
- Equipment Rental Establishment – Domestic
- Factory Outlet
- Farm Produce Outlet
- Flea Market
- Fuel Depot
- Garden Centre
- Gasoline Bar
- Gasoline Card Lock Facility
- Hotel
- Kennel (subject to 6.36.1)
- Mini-Warehouse and Public Storage
- Motel
- Office
- Parking Lot - Commercial
- Personal Service Establishment
- Pet Shop
- Place of Amusement
- Place of Assembly
- Place of Worship
- Private Club
- Public or Private Park
- Public Service Use
- Public Utility
- Recreational Commercial Establishment
- Recreational Vehicle Sales and Storage

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- Restaurant
- Retail Store
- Service Outlet
- Shopping Centre
- Studio
- Tavern
- Tourist Outfitters Establishment
- Veterinary Establishment
- Video Rental Outlet
- Warehouse
- Welding Shop
- Workshop or Custom Workshop
- Accessory uses to the foregoing

7.7.2 Zone Requirements

Minimum Lot Area	4000 m ² (0.98 ac)
Minimum Lot Frontage	46 m (150.9 ft.)

Minimum Yard Requirements

Front Yard	10 m (32.8 ft.)
Rear Yard	7 m (23 ft.)
Interior Side Yard	7 m (23 ft.)
Exterior Side Yard	10 m (32.8 ft.)

Maximum Building Height

Main Building	10.6 m (34.8 ft)
Accessory Building	6.0m (19.7 ft.)

Maximum Lot Coverage	50%
Maximum No. of Dwelling Units per Lot	1

7.7.3 Additional Provisions

1. Where a commercial zone abuts a residential zone or a residential use or a sensitive land use on an adjacent lot, a landscaped strip of not less than 1.5 m (4.9 ft.) in width shall be required.
2. Where a commercial zone abuts a residential zone or a residential use or a sensitive land use on an adjacent lot, the setback on the abutting yard shall be a minimum of 7.5 m (24.6 ft.).
3. A highway commercial use shall have frontage on, and direct access to, a major street utilized for through traffic and not on a local residential street.
4. Other general provisions shall be in accordance with Section 6 of this By Law.

7.7.4 Exception Zones

7.8 AGRICULTURAL COMMERCIAL - CA

No person shall use any land or erect, alter or use any building or structure in the “Agricultural Commercial - CA” zone except in accordance with the following provisions of this Section and of any other relevant Sections of this By law.

7.8.1 Permitted Uses

- Accessory Dwelling
- Agricultural Coop
- Agricultural Machinery Sales and Services
- Agriculture Related Commercial Use
- Commercial Greenhouse
- Custom Workshop
- Equestrian Establishment subject to 7.9.2
- Estate Winery
- Kennel subject to 6.35.1
- Livestock Sales Outlet
- Veterinary Establishment
- Yard for Livestock Assembly or Sale
- Accessory uses to the foregoing

7.8.2 Zone Requirements

Minimum Lot Area	2 ha (4.9 ac.)
Minimum Lot Frontage	50 m (164.0 ft)
<u>Minimum Yard Requirements</u>	
Front Yard	20 m (65.6 ft.)
Rear Yard	10 m (32.8 ft.)
Interior Side Yard	10 m (32.8 ft.)
Exterior Side Yard	20 m (65.6 ft.)
Minimum Building Separation	1.2 m (3.9 ft.)
<u>Maximum Building Height</u>	
Main Building	11 m (36.0 ft.)
Accessory Building	10 m (32.8 ft.)
Maximum Lot Coverage	40%
Maximum No. of Accessory Dwelling Units per Lot	1

7.8.3 Additional Provisions

1. Where a commercial zone abuts a residential zone or a residential use or a sensitive land use on an adjacent lot, a landscaped strip of not less than 1.5 m (4.9 ft.) in width shall be provided along the abutting lot line(s).

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2. Where a commercial zone abuts a residential zone or a residential use or a sensitive land use on an adjacent lot, the setback on the abutting yard shall be a minimum of 7.5 m (24.6 ft.)
3. The zone requirements of section 7.16 Agricultural (A) Zone, shall apply to Equestrian Establishments. Equestrian Establishments shall be subject to the Minimum Distance Separation Formulae.
4. Other general provisions shall be in accordance with Section 6 of this By Law.

7.8.4 Exception Zones

7.9 RURAL COMMERCIAL – CR

No person shall use any land or erect, alter or use any building or structure in the “Rural Commercial RC” zone except in accordance with the following provisions of this Section and any other relevant Sections of this By Law.

7.9.1 Permitted Uses

- Adventure Game Use
- Bed and Breakfast Establishment
- Boarding or Lodging House
- Campground – Private, Recreational or Tourist
- Cemetery
- Club- Private
- Communications Facility
- Community Centre
- Country Style Dining Establishment
- Equestrian Establishment
- Farm Produce Outlet
- Kennel subject to 6.35.1
- Nursery or Greenhouse
- One Accessory Dwelling
- Public Stable
- Veterinary Establishment

7.9.2 Zone Requirements

Agricultural, Equestrian Establishment Use

Minimum Lot Area	20 ha (49.42 ac.)
Minimum Lot Frontage	100 m (328.08 ft.)

Minimum Yard Requirements

Front Yard	20 m (65.6 ft.)
Rear Yard	10 m (32.8 ft.)
Interior Side Yard	10 m (32.8 ft.)
Exterior Site Yard	12 m (39.4 ft.)

Maximum Lot Coverage	25%
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Maximum Building Height

Main Building	11 m (36.0 ft.)
Maximum No. of Dwelling Units per Lot	1

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Kennel, Public Stable, Veterinary Establishment

Minimum Lot Area	2 ha (4.94 ac.)
Minimum Lot Frontage	45 m (147.6 ft.)

Minimum Yard Requirements

Front Yard	20 m (65.6 ft.)
Rear Yard	10 m (32.8 ft.)
Interior Side Yard	10 m (32.8 ft.)
Exterior Site Yard	12 m (39.4 ft.)

Maximum Lot Coverage	25%
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Maximum Building Height

Main Building	11 m (36 ft.)
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All Other Uses

Minimum Lot Frontage	30 m (98.4 ft.)
Minimum Lot Area	8000 m ² (1.97 ac)

Minimum Yard Requirements

Front Yard	20 m (65.6 ft.)
Rear Yard	10 m (32.8 ft.)
Interior Side Yard	3 m (9.8 ft.)
Exterior Side Yard	6 m (19.7 ft.)

Maximum Lot Coverage	20%
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Maximum Building Height

Main Building.	11 m (36 ft.)
Accessory Building	5 m (16.4 ft.)

7.9.3 Additional Provisions

1. In the case of specialized agricultural operations such as apiaries, fruit farms, horticulture etc., the minimum lot area may be reduced to 5 ha (12.3 acres).
2. Notwithstanding any other provision to the contrary, where an accessory building in the RU1 zone exceeds 4 m (13.1 ft.) in height, the minimum interior side yard shall be 3 m (9.8 ft.).
3. Other general provisions shall be in accordance with Section 6 of this By Law.

7.9.4 Exception Zones

7.10 INSTITUTIONAL – I

No person shall use any lands or erect, alter, or use any building or structure in the “Institutional Zone – I” zone except in accordance with the following provisions of this Section and of any other relevant Sections of this By law.

7.10.1 Permitted Uses

- Accessory Dwelling
- Auditorium
- Cemetery
- Church/Place of Worship
- Clinic
- Community Centre
- Crematorium
- Day Nursery
- Fire Hall
- Funeral Establishment
- Library
- Municipal Garage
- Municipal Office
- Municipal Service Facility
- Museum
- Nursing Home
- Park
- Police Station
- Private Club
- Public Utility
- Public Service Use
- School, Commercial or Private
- Accessory uses to the foregoing

7.10.2 Zone Requirements

Minimum Lot Area	4000 m ² (0.98 ac.)
Minimum Lot Frontage	30 m (98.4 ft.)

Minimum Yard Requirements

Front Yard	9 m (29.5 ft.)
Rear Yard	9 m (29.5 ft.)
Interior Side Yard	4.5 m (14.7 ft.)
Exterior Side Yard	9 m (29.5 ft.)

Minimum Building Separation	1.2 m(3.9 ft.)
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Maximum Building Height

Main Building	15 m (49.2 ft.)
Accessory Building	11 m (36.1 ft.)

Maximum Lot Coverage	50%
Maximum No. of Dwelling Units per Lot	1

7.10.3 Additional Provisions

1. Communal services are permitted in accordance with the requirements of the Ministry of the Environment and the entering into any required agreements with the municipality or other public authority.
2. An accessory dwelling is permitted within a building occupied by any institutional use. Alternatively the accessory dwelling may be detached provided that the minimum lot area is equal or greater than the combined minimum lot area standards of the VR zone and the I zone. The minimum Separation distance between the main wall of the detached accessory dwelling unit and the main institutional use shall be 6.0 m (19.7 ft.).
3. Cemeteries shall not be governed by the foregoing standards but shall conform with the Cemeteries Act.
4. Other general provisions shall be in accordance with Section 6 of this By law.

7.10.4 Exception Zones

7.11 VILLAGE INDUSTRIAL - MV

No person shall use any lands or erect, alter or use any building or structure in the “Village Industrial Zone – VI” zone except in accordance with the following provisions of this Section and of any other relevant Sections of this By law.

7.11.1 Permitted Uses

- Auto Service Station
- Class I Industrial Uses
- Commercial Garage
- Custom Workshop
- Mini Warehouse and Public Storage
- Printing and Publishing Establishment
- Restaurant
- Service Outlet
- Veterinary Establishment
- Accessory uses to the foregoing

7.11.2 Zone Requirements

Minimum Lot Area	4000 m ² (0.98 ac)
Minimum Lot Frontage	18.0 m (59.0 ft)

Minimum Yard Requirements – Main Building

Front Yard	12 m (39.4 ft)
Rear Yard	12 m (39.4 ft)
Interior Side Yard	12 m (39.4 ft)
Exterior Side Yard	12 m (39.4 ft)

Minimum Yard Requirement – Accessory Building

Front Yard	12 m (39.4 ft.)
Rear Yard	6 m (19.7 ft.)
Interior Side Yard	6 m (19.7 ft.)
Exterior Side Yard	12 m (39.4 ft.)

Maximum Building Height

Main Building	15 m (49.2 ft)
Accessory Building	14 m (45.9 ft.)

Maximum Lot Coverage	50 %
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7.11.3 Additional Provisions

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1. Auto service stations and commercial garages shall also conform to the provisions set out in Section 6.2 of this By-law.
2. Where a Village Industrial Zone abuts any Residential or Institutional Zone, the minimum yard requirement for any yard so abutting shall be increased to 15 m (49.2 ft).
3. Where a lot line or part of a lot line in a Village Industrial Zone abuts a railway right-of-way, no minimum yard shall be required on that part of the lot abutting the railway provided that any permitted use is located in accordance with the sight distances set out in Section 6.39.
4. The requirement of Section 6.41.7 of this By-Law for influence areas and separation distances for industries applies.
5. Other general provisions shall be in accordance with Section 6 of this By Law.

7.11.4 Exception Zones

7.12 INDUSTRIAL - M

No person shall use any lands or erect, alter or use any building or structure in the “Village Industrial Zone – VI” zone except in accordance with the following provisions of this Section and of any other relevant Sections of this By law.

7.12.1 Permitted Uses

- Abattoir
- Accessory Retail Use
- Assembly Plant
- Auction House
- Auto Body Shop
- Automobile Wrecking Yard
- Building Supply
- Contractor’s Shop and Yard
- Custom Workshop
- Equipment Storage Establishment
- Garage Commercial
- Garage Municipal
- Open Storage
- Outdoor Display Area
- Printing and Publishing Establishment
- Recycling Depot or Transfer Station
- Salvage Yard
- Sawmill
- Transportation Terminal
- Welding Shop
- Accessory uses to the foregoing

7.12.2 Zone Requirements

Minimum Lot Area	8000 m ² (2ac)
Minimum Lot Frontage	18.0 m (59.0 ft)

Minimum Yard Requirements – Main Building

Front Yard	12 m (39.4 ft)
Rear Yard	12 m (39.4 ft)
Interior Side Yard	12 m (39.4 ft)
Exterior Side Yard	12 m (39.4 ft)

Minimum Yard Requirement – Accessory Building

Front Yard	12 m (39.4 ft.)
Rear Yard	6 m (19.7 ft.)
Interior Side Yard	6 m (19.7 ft.)
Exterior Side Yard	12 m (39.4 ft.)

Maximum Building Height

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Main Building	15 m (49.2 ft)
Accessory Building	12 m (39.4 ft.)
Maximum Lot Coverage	50 %

7.12.3 Additional Provisions

1. Auto service stations and commercial garages shall also conform to the provisions set out in Section 6.2 of this By-law.
2. Where a Village Industrial Zone abuts any Residential or Institutional Zone, the minimum yard requirement for any yard so abutting shall be increased to 15 m (49.2 ft).
3. Where a lot line or part of a lot line in a Village Industrial Zone abuts a railway right-of-way, no minimum yard shall be required on that part of the lot abutting the railway provided that any permitted use is located in accordance with the sight distances set out in Section 6.39.
4. The requirement of Section 6.41.7 of this By-Law for influence areas and separation distances for industries applies.
5. Other general provisions shall be in accordance with Section 6 of this By Law.

7.12.4 Exception Zones

7.13 INDUSTRIAL PARK – MP

No person shall use any lands or erect, alter or use any building or structure in the “Industrial – M” except in accordance with the following provisions of this Section and of any other relevant sections of this By-law.

7.13.1 Permitted Uses

- Abattoir
- Accessory Retail Use
- Auction House
- Auto Body Shop
- Automobile Wrecking Yard
- Bakery
- Building Supply
- Catering Establishment
- Contractor’s Shop and Yard
- Custom Workshop
- Dry Cleaning Establishment
- Egg Grading Station
- Equipment Rental Establishment – Agricultural or Industrial
- Equipment Service and Repair Establishment – Agricultural or Industrial
- Equipment Storage Establishment
- Equipment and Vehicle Storage Yard - Industrial
- Equipment Sales Establishment – Agricultural or Industrial
- Feed Mill
- Fuel Depot
- Fuel Storage Area or Depot
- Garage Commercial
- Garage Municipal
- Gasoline Card Lock Facility
- Lumber Yard
- Manufacturing
- Mini Warehousing and Public Storage
- Open Storage
- Outdoor Display Area
- Printing and Publishing Establishment
- Recreational Vehicle Sales and Storage
- Recycling Depot or Transfer Station
- Salvage Yard
- Sawmill
- Transportation Depot
- Transportation Terminal
- Truck Stop
- Vehicle Agency
- Warehouse
- Welding Shop
- Wholesale Establishment

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- Accessory uses to the foregoing

7.13.2 Zone Requirements

Minimum Lot Area	4,000 m ² (.98 ac)
Minimum Lot Frontage	45 m (147.6 ft.)

Minimum Yard Requirement – Main Building

Front Yard	15 m (49.2 ft.)
Rear Yard	15 m (49.2 ft.)
Interior Side Yard	12 m (39.4 ft.)
Exterior Side Yard	15 m (49.2 ft.)

Minimum Yard Requirement – Accessory Building

Front Yard	15 m (49.2 ft.)
Rear Yard	5 m (16.4 ft.)
Interior Side Yard	5 m (16.4 ft.)
Exterior Side Yard	15 m (49.2 ft.)

Maximum Building Height

Main Building	12 m (39.4 ft.)
Accessory Building	8 m (26.2 ft.)

Maximum Lot Coverage	20%
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7.13.3 Additional Provisions

1. Where a lot line or part of a lot line in an Industrial Zone abuts a railway right-of-way, no minimum yard shall be required on that part of the lot abutting the railway provided that any permitted use is located in accordance with the sight distances set out in Section 6.39
2. Other general provisions shall be in accordance with Section 6 of this By-Law.

7.13.4 Exception Zones

7.14 MINERAL AGGREGATE RESOURCE ZONE - MX

No person shall use any land or erect, alter or use any building or structure in the “Mineral Aggregate Resource – MX” zone except in accordance with the following provisions of this Section and of any other relevant Sections of this By law.

7.14.1 Permitted Uses

- Agriculture Use (not including buildings and structures)
- Batching, Asphalt or Cement Plant
- Conservation Use
- Forestry Use (not including buildings and structures)
- Portable Asphalt Plant
- Public Service Use
- Public Utility
- Quarry or Pit
- Wayside Pit
- Wayside Quarry
- Accessory uses to the foregoing

7.14.2 Zone Requirements

Minimum Yard Requirements

All Yards	15 m (49.2 ft.)
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Maximum Building Height

Main Building	15 m (49.2 ft.)
Accessory Building	8 m (26.2 ft.)

7.14.3 Additional Provisions

1. Despite the yard requirements stated above, a minimum of 30 m (98.4 ft.) setback will be required from lot lines adjacent to public roads.
2. The setback requirements of Section 6.41 shall apply.
3. Other general provisions shall be in accordance with Section 6 of this By Law.

7.14.4 Exception Zones

7.15 WASTE DISPOSAL ZONE – WD

No person shall use any land or erect, alter or use any building or structure in the “Waste Disposal Zone – WD” zone except in accordance with the following provisions of this Section and of any other relevant Sections of this By law.

7.15.1 Permitted Uses

- Agricultural Use (not including buildings and structures)
- Composting Facilities
- Forestry Use (not including buildings and structures)
- Recycling Depot or Transfer Station
- Waste Disposal Site
- Sewage and Water Systems
- Salvage or Wrecking Yard

7.15.2 Zone Requirements

Minimum Yard Requirements

All Yard	30 m (98.4 ft.)
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7.15.3 Additional Provisions

1. Influence areas shall be as required in Section 6.41.
2. Waste to energy facilities shall be permitted subject to any required Provincial permit or authorization.
3. Other general provisions shall be in accordance with Section 6 of this By Law.

7.15.4 Exception Zones

7.16 AGRICULTURAL A

No person shall use any land or erect, alter or use any building or structure in the “Agricultural – A” zone except in accordance with the following provisions of this Section and any other relevant Sections of this By Law.

7.16.1 Permitted Uses

- Accessory Dwelling Unit
- Agricultural Use
- Bed and Breakfast Establishment
- Cemetery
- Conservation
- Country Style Dining Establishment
- Equestrian Establishment
- Farm Produce Outlet
- Forestry Use
- Hobby Farm subject to 7.16.3
- Home Industry
- Home Occupation
- Intensive Livestock Operation
- Kennels subject to 6.36.1
- Nursery
- Open Space
- Place of Worship
- Private Stable
- Public Stables and Veterinary Establishment
- Single Detached Dwelling
- Wayside Pit or Quarry

7.16.2 Zone Requirements

Agricultural Use, Equestrian Establishment

Minimum Lot Area	20 ha (49.42 acres)
Minimum Lot Frontage	100 m (328.08 ft.)

Minimum Yard Requirements

Front Yard	20 m (65.6 ft.)
Rear Yard	10 m (32.8 ft.)
Interior Side Yard	10 m (32.8 ft.)
Exterior Site Yard	12 m (39.4 ft.)

Maximum Building Height

Main Building - Agricultural	15 m (49.2 ft.)
Main Building – Equestrian	11 m (36.0 ft.)
Maximum Lot Coverage	25%

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Maximum No. of Dwelling Units per Lot	1
Minimum Building Separation	1.2 m (3.9 ft.)
Kennel, Veterinary Establishment	
Minimum Lot Area	2 ha (4.94 ac.)
Minimum Lot Frontage	45 m (147.6 ft.)
<u>Minimum Yard Requirements</u>	
Front Yard	20 m (65.6 ft.)
Rear Yard	10 m (32.8 ft.)
Interior Side Yard	10 m (32.8 ft.)
Exterior Site Yard	12 m (39.4 ft.)
Maximum Lot Coverage.	25%
<u>Maximum Building Height</u>	
Main Building	11 m (36 ft.)
All Other Uses	
Minimum Lot Area / Dwelling Unit.	8000 m ² (43,057 sq.ft.)
Minimum Lot Frontage	30 m (98.4 ft.)
<u>Minimum Yard Requirement – Main Building</u>	
Front Yard	10 m (32.8 ft.)
Rear Yard	3 m (9.8 ft.)
Exterior Side Yard	6 m (19.7 ft.)
<u>Minimum Yard Requirement – Accessory Building</u>	
Front Yard	10 m (32.8 ft.)
Rear Yard	7 m (23 ft.)
Interior Side Yard	3 m (9.8 ft.)
Exterior Side Yard	6 m (19.7 ft.)
<u>Maximum Building Height</u>	
Main Building.	11 m (36 ft.)
Accessory Building	5 m (16.4 ft.)
Maximum Lot Coverage	20%
Maximum No. of Dwelling Units per Lot	1
Minimum Building Separation	1.2 m (3.9 ft.)

7.16.3 Additional Provisions

1. All development in the Agricultural (A) Zone must be in accordance with the Minimum Distance Separation Formulae.
2. Structures housing livestock, additions to such structures and manure storage facilities must conform to the Minimum Distance Separation Formulae. Notwithstanding the above, in the event that the minimum separation distance cannot be met due to constraints such as lot size or configuration, site topography, interference with good farming practice or environmental constraints, the setback may be reduced to 75 m (246 ft.) for livestock buildings. Any further reduction shall be subject to the granting of a minor variance or an amendment to this by law.
3. In the case of specialized agricultural operations such as apiaries, fruit farms, horticulture etc., the minimum lot area may be reduced to 5 ha (12.3 acres) with a minimum lot frontage of 40 m (131.2 ft.).
4. A hobby farm is permitted accessory to a single family dwelling provided that the buildings, cages, or compounds in which animals are kept are at least 10 m (32.8 ft.) from all lot lines. The minimum lot area shall be no less than 2 ha (4.94 ac.) and the minimum lot frontage shall be no less than 38 m (124. 7 ft.). Hobby farms shall be subject to MDS requirements.
5. Other general provisions shall be in accordance with Section 6 of this By Law.

7.16.4 Exception Zones

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7.17 RURAL – RU

No person shall use any land or erect, alter or use any building or structure in the “ Rural RU” zone except in accordance with the following provisions of this Section and any other relevant Sections of this By Law.

7.17.1 Permitted Uses

- Agricultural Use
- Bed and Breakfast Establishment
- Cemetery
- Communications Facility
- Converted Dwelling
- Forestry Use
- Hobby Farm subject to 7.17.3
- Home Industry
- Home Occupation
- Kennel subject to 6.36.1
- One Accessory Dwelling Unit
- Open Space
- Place of Worship
- Private Stable
- Public Park
- Public Use
- Recreational Commercial Establishment
- School
- Single Detached Dwelling

7.17.2 Zone Requirements

Agricultural, Equestrian Establishment Use, Recreational Commercial Establishment

Minimum Lot Area	20 ha (49.42 ac.)
Minimum Lot Frontage	100 m (328.08 ft.)

Minimum Yard Requirements

Front Yard	20 m (65.6 ft.)
Rear Yard	10 m (32.8 ft.)
Interior Side Yard	10 m (32.8 ft.)
Exterior Site Yard	12 m (39.4 ft.)

Maximum Lot Coverage	25%
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Maximum Building Height

Main Building - Agricultural	15 m (49.2 ft.)
Main Building – Others	11 m (36.0 ft.)

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Main Building	11 m (36.0 ft.)
Maximum No. of Dwelling Units per Lot	1

Kennel, Public Stable, Veterinary Establishment

Minimum Lot Area	2 ha (4.94 ac.)
Minimum Lot Frontage	45 m (147.6 ft.)

Minimum Yard Requirements

Front Yard	20 m (65.6 ft.)
Rear Yard	10 m (32.8 ft.)
Interior Side Yard	10 m (32.8 ft.)
Exterior Site Yard	12 m (39.4 ft.)

Maximum Lot Coverage	25%
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Maximum Building Height

Main Building	11 m (36 ft.)
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All Other Uses

Minimum Lot Frontage	30 m (98.4 ft.)
Minimum Lot Area	8000 m ² (2ac)

Minimum Yard Requirements – Main Building

Front Yard	10 m (32.8 ft.)
Rear Yard	10 m (32.8 ft.)
Interior Side Yard	3 m (9.8 ft.)
Exterior Side Yard	6 m (19.7 ft.)

Minimum Yard Requirements – Accessory Building

Front Yard	10 m (32.8ft.)
Rear Yard	7 m (22.9 ft.)
Interior Side Yard	3 m (9.8 ft.)
Exterior Side Yard	6 m (19.7 ft.)

Maximum Lot Coverage	20%
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Maximum Building Height

Main Building.	11 m (36 ft.)
Accessory Building	5 m (16.4 ft.)

7.17.3 Additional Provisions

1. In the case of specialized agricultural operations such as apiaries, fruit farms, horticulture etc., the minimum lot area may be reduced to 5 ha (12.3 acres).
2. Notwithstanding any other provision to the contrary, where an accessory building in the RU zone exceeds 4 m (13.12 ft.) in height, the minimum interior side yard shall be 3 m (9.84 ft.).
3. A hobby farm is permitted accessory to a single family dwelling provided that the buildings, cages, or compounds in which animals are kept are at least 10 m (32.8 ft.) from all lot lines. The minimum lot area shall be no less than 2 ha (4.94 ac.) and the minimum lot frontage shall be no less than 38 m (124. 7 ft.). Hobby farms shall be subject to MDS requirements.
4. Other general provisions shall be in accordance with Section 6 of this By Law.

7.17.4 Exception Zones

1. RUX-1: On the lands zoned RUX-1 a Hockey School is permitted in addition to all other permitted uses of the Rural Zone.
2. RUX-2: On the lands zoned RUX-2 The maximum square footage for a Garden Suite is 1,400 square feet.
3. RUX-3: On the lands zoned RUX-3 respite care is a permitted use
4. RUX-4: Notwithstanding any provisions in section 7.17 to the contrary, on lands zoned RUX-4 the following additional provisions shall apply:
 - Permitted uses shall only include a Seasonal Special Events Park
 - Accessory uses, buildings or structures to the foregoing
 - No outside storage is permitted outside of the zone boundaries
 - That the use and storage thereof are confined to the boundaries of the zone
 - That parking will be occupied on-site and at a sufficient distance from the travelled road so as not to be visible by neighbouring properties.
5. RUX-5: On lands zoned RUX-5 the storage and resale of recycled construction materials shall be permitted in addition to all other permitted uses in the Rural Zone.
6. RUX-6: Notwithstanding the permitted uses in section 7.17.1, on lands zoned RUX-6, residential uses shall not be permitted.
7. RUX-7: Notwithstanding the permitted uses in section 7.17.1, on lands zoned RUX-7 a vehicle towing facility and impound yard shall also be permitted.
8. RUX-8: Notwithstanding the permitted uses in section 7.17.1, on lands zoned RUX-8 a day nursery shall also be permitted.
9. RUX-9: Notwithstanding the permitted uses in section 7.17.1, on lands zoned RUX-9, three existing single dwelling units in their existing locations shall be permitted on a single lot.

7.18 FLOODPLAIN - FP

No person shall use any land or erect, alter or use any building or structure in the “ Floodplain - FP” zone except in accordance with the following provisions of this Section and of any other relevant Sections of this By law.

7.18.1 Permitted Uses

- Agricultural Uses in accordance with the Minimum Distance Separation Formulae
- All Buildings and Structures in Existence on the Day of the passing of this By-Law.
- Buildings or Structures Intended for Flood or Erosion Control or Slope Stabilisation
- Conservation Use
- Existing Forestry Use
- Forestry Use

7.18.2 Zone Requirements

Agricultural Use

In accordance with section 7.16.

All Other Uses

Not applicable

7.18.3 Additional Provisions

1. Any new building or structure or any expansion of or addition to any buildings or structures permitted in the flood plain after the day of the passing of this By-law must incorporate appropriate engineered construction techniques which reduce or eliminate the risks of flood damage or damage from unstable slopes. The specific approval of the appropriate Conservation Authority must be obtained prior to the issuance of a building permit.
2. Modification of the flood plain through filling, excavation of by other means is prohibited unless otherwise permitted by the appropriate Conservation Authority and the Ministry of Natural Resources.
3. All land under water is within the Environmental Constraint – EC zone and uses of such land shall be limited to only those specifically approved by the Ministry of Natural Resources and/or the appropriate Conservation Authority.
4. Notwithstanding the above, buildings or structures intended for flood or erosion control are exempt from minimum setback requirements.
5. Council shall confer with the Rideau Valley Conservation Authority and South Nation River Conservation Authority as appropriate on all development proposals within the Environmental Constraint Zone.
6. In addition to the setback provisions of the zone in which such lands are located, all buildings or structures shall be set back 30 metres (98 feet) from the shore of the St. Lawrence River, the South Nation River and the Kemptville Creek. For the purposes of this By-Law, the shore of the river shall be defined as the shoreline of the St. Lawrence River, the South Nation River and the Kemptville Creek during average normal water levels observed outside of the spring thaw or storm events.

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7. Other general provisions shall be in accordance with Section 6 of this By law.

7.18.4 Exception Zones

7.19 OPEN SPACE - OS

No person shall use any land or erect, alter or use any building or structure in the “Open Space - OS” zone except in accordance with the following provisions of this Section and of any other relevant Sections of this By law.

7.19.1 Permitted Uses

- Conservation Use
- Forestry Use
- Public Park
- Buildings or Uses Accessory to the Foregoing

7.19.2 Zone Requirements

Minimum Lot Frontage	No minimum
Minimum Lot Area	No minimum
<u>Minimum Yard Requirements</u>	
All Yards	10 m (32.8 ft.)
Maximum Lot Coverage	10%

7.19.3 Additional Provisions

1. Other general provisions shall be in accordance with Section 6 of this By Law.

7.19.4 Exception Zones

7.20 WETLANDS - W

No person shall use any land or erect, alter or use any building or structure in the “Wetlands – W” zone except in accordance with the following provisions of this Section and of any other relevant Sections of this By law.

7.20.1 Permitted Uses

- Existing Agricultural Use excluding Buildings
- Existing Forestry Use

7.20.2 Zone Requirements

No buildings or structures shall be located closer than 15 m (49.2 ft.) to any lot line.

The placing of fill or drainage improvements within the Wetlands Zone are prohibited unless written approval is received from the Corporation and the Conservation Authority.

7.20.3 Additional Provisions

1. Other general provisions shall be in accordance with Section 6 of this By law.
2. Development or site alteration which has negative impacts on the natural features and/or the ecological function of a wetland is not permitted. Development on a lot which includes a wetland or part of a wetland must take place outside of the wetland area and such development shall be subject to an Environmental Impact Statement.
3. The placing of fill or drainage improvements or peat extraction within the wetlands identified under the Wetland – W zone are prohibited unless written approval is received from the Conservation Authority and the Ministry of Natural Resources.
4. Development or site alteration within 120 metres of a designated wetland may be permitted, if it can be demonstrated that there will be no negative impacts on the wetland’s natural features or ecological functions. An Environmental Impact Statement will be required except for agricultural uses.
5. Boardwalks may be established in consultation with the Conservation Authority on publicly owned lands. Public Parking Areas to service the park will be required to be located outside of the wetland zone.

7.20.4 Exception Zones

8 SCHEDULES
