

ZONING BY-LAW No. 45-12

TOWNSHIP OF MACHAR

Prepared by



December 10, 2012
Consolidated January, 2021
Consolidated August, 2023

LIST OF PLANNING APPROVALS

- 4.7.4.1 – Backlot Residential Exception (BR*1) Zone (July, 2021)
- 4.8.5.3 – Rural Exception (RU*3) Zone (June 2015)
- 4.8.5.8 -- Rural Exception (RU*8) (H) Zone (May 2013)
- 4.8.5.9 -- Rural Exception (RU*9) (H) Zone (August 2013)
- 4.8.5.10 – Rural Exception (RU*10) Zone (August, 2015)
- 4.8.5.11 – Rural Exception (RU*11) Zone (May, 2016)
- 4.8.5.12 – Rural Exception (RU*12) Zone (July, 2020)
- 4.9.6.5 – Commercial Employment Exception (CE*5) Zone (July, 2020)
- 4.17.4.1 – Institutional Exception (I*1) Zone (September, 2016)

THE CORPORATION OF THE TOWNSHIP OF MACHAR

BY-LAW NO. 45-12

Being a by-law to regulate the use of land and the character,
location and use of buildings or structures
in the Township of Machar.

WHEREAS the Council of the of the Township of Machar passed By-Law 45-12;

AND WHEREAS the Council of the Township of Machar did pass By-Law 43-12 adopting the Official Plan;

AND WHEREAS the Council of the Township of Machar now deems it desirable and in the public interest to rescind By-Law 17-91 and all amendments thereto, and enact a new Comprehensive Zoning By-Law under Section 34 of the Planning Act, R.S.O. 1990, which will serve to regulate the use of the land and the character, location and size of buildings and structures within the boundaries of the Township of Machar;

NOW THEREFORE the Council of the Township of Machar enacts a by-law as follows:

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APPENDICES

MINIMUM DISTANCE SEPARATION FORMULAE
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SECTION 1 ADMINISTRATION

1.1 Title

This By-law may be referred to as "The Zoning By-law for the Township of Machar"

1.2 Area Affected by this By-law

This By-law applies to all lands within the geographic Township of Machar.

1.3 Building Permits

The requirements of the By-law must be met before a Building Permit is issued by the Township for the erection or alteration of any building or structure.

1.4 Enforcement

Any person convicted of a violation of this By-law is liable, at the discretion of the convicting Justice, on first conviction to a fine of not more than \$20,000 and on a subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted.

1.5 Severability Provision

A decision of a Court stating that one or more of the provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the other provisions or parts of the provisions of this By-law.

1.6 Repeal of Existing By-laws

By-law No. 7-84 and all amendments thereto are hereby repealed.

1.7 Effective Date

This By-law shall come into force the day that it was passed in accordance with the provisions of the Planning Act.

1.8 Metric and Imperial Terms

The imperial measurements contained in this By-law are included for convenience only and do not form part of the By-law. The metric measurements contained in this By-law are the only measurements to be used in determining compliance with the By-law.

1.9 Reference to Legislation

Where this Zoning By-law makes reference to legislation, then the references shall be deemed to mean that as presently existing, or as amended, replaced or re-enacted, from time-to-time by the Province, and shall be deemed to include, in addition to the statute itself, all regulations passed thereunder.

SECTION 2 ESTABLISHMENT OF ZONES

2.1 Zones

For the purpose of this By-law the following zones are established and they may be referred to by the name or by the symbol set opposite the name of the zone as indicated below:

R	Residential
RM	Residential Multiple
ER	Estate Residential
SR	Shoreline Residential
LSR	Limited Service Residential
BR	Backlot Residential
RMH	Residential Mobile Home
RU	Rural
CE	Commercial Employment
CT	Commercial Tourist
CTP	Commercial Tourist Park
M1	General Industrial
M2P	Extractive Industrial – Pit
M2Q	Extractive Industrial - Quarry
M3	Disposal Industrial
I	Institutional
OS	Open Space
EP	Environmental Protection

2.2 Zone Schedule

The zones and zone boundaries are shown on Schedule A which forms a part of this By-law.

2.3 Determining Zone Boundaries

- a) A zone boundary which is shown approximately at a lot line, street or lane is considered to be at the boundary of the lot line, street or lane.
- b) A zone boundary shown approximately at the centre line of a street or lane is considered to be the centre line of the street or lane.
- c) Unless the location of a zone boundary is specified by dimensions on the zoning map, a zone boundary which lies within a lot shall be fixed by the scale of the Schedule upon which it is shown.
- d) A zone boundary shown following approximately a shoreline or the centre line of a creek, stream or channel is considered to be the shoreline or centre line and moved with any natural changes to the waterbody or watercourse.
- e) All lands below the surface of a waterbody or watercourse shall be deemed to be in the Environmental Protection (EP) Zone.

- f) All municipally owned road allowances which are not used as improved public streets shall be deemed to be in the Open Space (OS) Zone.

2.4 Compliance with Zoning By-law

No person shall change the use of any building, structure or lot or erect or use any building or structure or use or occupy any lot or building in whole or in part, except in conformity with the provisions of this By-law.

2.5 Holding Provisions

Notwithstanding any other provision in this By-law, where a Zone symbol is followed by the letter (H), no person shall use the land to which the letter (H) applies for any use other than the use which existed on the date this By-law was passed, until the (H) is removed in accordance with the policies of the Official Plan and the provisions of Section 4.19 this By-law and / or the requirements of any amending By-law, and the requirements of the Planning Act, as amended.

SECTION 3 GENERAL PROVISIONS

3.1 Accessory Buildings, Structures and Uses

a) Permitted Uses

Where this By-law provides that a lot may be used and a building or structure may be erected or used for a purpose, that purpose shall include any accessory building or structure or accessory use provided that a valid building permit for the principal use, if required, is issued or that the principal building or structure is already in existence on the lot.

Accessory buildings shall not be used for:

- i) any occupation for gain or profit conducted within or accessory to a dwelling unit or lot except as specifically permitted in accordance with this By-law; or
- ii) any building used for human habitation except where specifically permitted by this By-law.
- iii) food preparation or cooking facilities unless specifically permitted.

Where this By-law permits, a farm, a barn shall be considered as a principal building

b) Setback Requirements

Except as otherwise provided by this By-law, any accessory building or structure shall comply with the yard requirement of the zone within which it is located. This provision shall not apply to prevent the construction of docks, marine facilities, gazebos or pumphouses as may otherwise be permitted in this By-law.

c) Lot Coverage and Height

The total lot coverage of all accessory buildings and structures, except swimming pools, shall not exceed 5 per cent of the lot area nor shall the height of any accessory building or structure exceed 5.5-metres.

Notwithstanding the foregoing, within Commercial Employment Zone, the total lot coverage of all accessory buildings or structures shall not exceed 10 per cent of the lot area, nor shall the height of any accessory building or structure exceed the height restrictions of the respective Industrial Zone. Within the Rural Zone, the height of any accessory building or structure shall not exceed 6.5 metres.

d) Accessory Structure Encroachments

Notwithstanding the yard and setback provisions of this By-law to the contrary, drop awnings, clothes poles, flag poles, garden trellises, retaining walls, fences, signs or similar uses which comply with this By-law

are permitted in any required yard or in the area between the street line and the required yard. Septic systems shall comply with the applicable Setbacks from Watercourses in Section 3.27.

e) Boat Dock or Launching Ramp

Notwithstanding the yard provisions of this By-law to the contrary, a boat launching ramp or a dock may be erected and used in any yard, or pertaining to a lot abutting on a navigable waterway, provided such ancillary structure is located no closer to the side lot line or the 90 degree projection of the side lot line where it meets the tangent of the front lot line at the shoreline than is provided in Table 1 below.

Table 1 – Shoreline Structures and Facilities

Lot Frontage (Metres)	Minimum Side Yard Setback (Metres)
< 31 m	6.0
31 – 60 m	9.0
> 60 – 90 m	15.0
> 90 m	20.0

f) Boathouses

Notwithstanding the yard and setback provisions of this By-law to the contrary, a boathouse may be constructed in the front yard of a lot abutting a navigable waterway subject to the following provisions:

- i) maximum width 4.0 metres or 15 per cent of the lot frontage, whichever is the lesser;
- ii) minimum side yard As in Table 1;
- iii) minimum lot frontage 30 metres;
- iv) maximum height 4 metres.

Boathouses shall not be permitted beyond the limit of the normal high water mark.

v) Number of Boathouses

Where a lot has more than 180 metres of frontage, a second boathouse shall be permitted, provided that the boathouse is located no closer than 100 metres to an existing boathouse.

g) Garages or Other Accessory Buildings or Accessory Structures

Notwithstanding the yard and setback provisions of this By-law to the contrary, an attached or detached private garage or other accessory building or accessory structure may be erected and used in an interior side or rear yard, provided that:

- i) Interior Side Yard

Where such accessory building or accessory structure is located in an interior side yard, it shall not be closer than 2.0 metres to the interior side lot line.

ii) Rear Yard

Where such accessory building or accessory structure is located in a rear yard, it shall not be closer than 2.0 metres to the interior side lot line and 5.0 metres to the rear lot line.

iii) Commercial and Industrial Uses

Notwithstanding the foregoing provisions, no building or structure accessory to a Commercial or Industrial use shall be erected closer than 3 metres to an interior side lot line within an Industrial or Commercial Zone.

h) Decks, Steps, Balconies or Patios

Notwithstanding the yard and setback provisions of this By-law to the contrary, decks, steps, balconies and patios may project into any required yard or setback a maximum distance of 1.5 metres, but not closer than 1.2 metres to any lot line. Where the floor of any porch, balcony or deck is in excess of 1.0 metres above finished grade, the setback requirements for the principle use shall apply. For the purposes of calculating the required yards in any zone, these structures shall not be considered part of the building.

i) Gazebos

Notwithstanding the yard and setback requirements of this By-law to the contrary, a gazebo may be permitted in the front yard of a lot adjacent to a waterbody provided that:

- i) the maximum area is 10.0 square metres;
- ii) it is setback at least 5.0 metres from the normal average or maintained high water mark;
- iii) it is setback at least 2.0 metres from any side lot line;
- iv) the height shall not exceed 3.0 metres; and,
- v) there is no sauna or hot tub in the front yard.

j) Guest Cabins

Notwithstanding any other provision of this By-law to the contrary, one guest cabin is permitted on a lot in the Backlot Residential (BR), Limited Service Residential (LSR) and the Shoreline Residential (SR) Zones provided that:

- i) no cooking facilities are located in the building;

- ii) the building has an area of 24 square metres or less;
 - iii) the building has a height not greater than one storey, unless located within the second storey of a garage;
 - iv) the building complies with all of the setbacks that apply to the principal building on the lot;
 - v) for the purpose of determining the number of Guest Cabins on a lot all habitable accessory structures shall be considered a Guest Cabin;
 - vi) on the lands abutting a navigable waterway, where a lot has at least 45 metres of frontage. An additional Guest Cabin is permitted with each additional 90 metres of lot frontage; and,
 - vii) no deck attached to a guest cabin shall exceed 25% of the Gross Floor Area of the guest cabin.
- k) Fire Escapes
- Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed fire escapes may project into any required setback a maximum distance of 1 metre.
- l) Gate House in Commercial Employment Zone
- Notwithstanding the yard and setback provisions of this By-law to the contrary, in an Employment Zone, a gate house shall be permitted in a required front or side yard or in the area between the street line and the required setback.
- m) Ornamental Structures
- Notwithstanding the yard and setback provisions of this By-law to the contrary, sills, chimneys, cornices, eaves, gutters, parapets, or other ornamental structures may project into any required yard or the area between the street line and the required setback a maximum distance of 0.6 metres.
- n) Saunas
- Notwithstanding any other provision of this By-law to the contrary, no more than one sauna is permitted in a separate building or on a deck attached to the main building between the normal or maintained high water mark of the lake and the main building or structure on a lot in the Shoreline Residential (SR) and Limited Service Residential (LSR) Zones provided that:
- i) it has an area of 10 square metres or less;
 - ii) is set back at least 15.0 metres from the normal or maintained high water mark of the lake;

- iii) is set back at least 2.0 metres from any interior or exterior side lot line;
 - iv) the maximum height of the sauna is not greater than 3.0 metres;
 - v) it has no sanitary and/or shower facilities; and,
 - vi) there is no gazebo or hot tub located within 30.0 metres of the normal or maintained high water mark of the lake.
- o) Hot Tubs

Notwithstanding any other provision of this By-law to the contrary, no more than one hot tub is permitted between the normal or maintained high water mark of the lake and the main building or structure on a lot in the Shoreline Residential (SR) Zone provided that:

- i) it has an area of 10 square metres or less;
- ii) is set back at least 15.0 metres from the normal or maintained high water mark of the lake;
- iii) is set back at least 2.0 metres from any interior or exterior side lot line; and,
- iv) there is no gazebo or sauna located within 30.0 metres of the normal or maintained high water mark of the lake.

3.2 Buffer Strips

Where a buffer strip is required in any zone, it shall be located within that zone and shall be the minimum width as specified in the regulations for that zone. It shall not form part of any required landscaped open space or yard requirement. Within required buffer areas, a solid and continuous landscape screen shall be planted and maintained. The landscaping shall consist of such species so as to continually restrict a clear view beyond such buffer strip.

3.3 Communal Access Waterfront Landing

Where this By-law permits a waterfront landing the following shall apply:

- i) a maximum dockage of 1 slip per 3.8 metres (12.5 feet) of water frontage.
- ii) vehicle parking shall be provided as set out in Section 3.21 of this By-law.

3.4 Construction Uses

A tool shed, not exceeding 20 square metres, construction trailer, scaffold or other building or structure incidental to construction is permitted in all areas within the Township on the lot where it is situated and only for so long as it is necessary for the work in progress and until the work is completed or abandoned. For the

purpose of this Section, abandoned shall mean the discontinuation of work for more than 120 consecutive days or the failure to maintain a current building permit.

3.5 Dwelling Units on a Lot

Unless specified elsewhere in this By-law, no more than one dwelling unit shall be permitted on a lot.

On the lands abutting a navigable waterway, where a lot has at least 180 metres of frontage, a second dwelling unit is permitted provided that there is not more than one guest cabin on the lot.

3.6 Environmental Protection Area

Lands zoned Environmental Protection (EP) may be included in the calculation of lot area and yard requirements except that, lands below the normal or maintained high water mark shall not be included as part of the lot area. Setback requirements in this By-law shall be measured from the limit of the normal or maintained high water mark.

3.7 Established Building Line in Residential Zone

Notwithstanding the yard and setback provisions and any other provision of this By-law to the contrary, where a permitted dwelling house is to be erected in a Residential zone, between permitted dwellings on the same street, such permitted dwelling may be built with a yard and setback equal to the average setback of the adjacent dwellings on the same side of the street, within 100 metres of the lot, but the yard depth shall not be less than 3 metres from the front or exterior side lot line, and need not be more than the minimum yard and setback requirements of this By-law. This provision shall not apply where the setback is measured from the shoreline.

3.8 Frontage on Improved Public Road, Private Road or Navigable Waterway

a) Improved Public Road

No person shall erect any building or structure in any Zone after the date of passing of this By-law, unless the lot upon which such building or structure is to be erected has frontage upon an improved public road.

The above provisions shall not apply to prevent the erection of a permitted building or structure on a lot in registered plan of subdivision where a Subdivision Agreement has been entered into with the Township, notwithstanding that the road or roads will not be assumed by the Township until the end of the maintenance period, nor shall it apply to prevent the enlargement, extension, renovation, reconstruction or other structural alteration of an existing building or structure, which is located on a lot which does not have frontage upon an improved public road, provided the use of such building or structure does not change and is permissible within the Zone in which it is located.

b) Frontage on Private Road

Notwithstanding the provision in 3.8 (a) where a lot fronts upon a private road or private right-of-way, a use, building or structure shall be permitted on such lot, in accordance with the applicable provisions of this By-law provided such private road or private right-of-way existed as of the date of passing of this By-law.

c) Navigable Waterway

Notwithstanding the provisions of 3.8 (a) and (b) where a lot is only accessible by a navigable waterway, such lot may be used for a Seasonal Residential Dwelling and accessory uses only.

d) Hunt Camps

Notwithstanding the provisions of 3.8 (a) and (b) a Hunt Camp shall be permitted if it is located on an existing lot which has access onto an unimproved municipal road allowance, a private road or a maintained municipal road.

3.9 Height Exceptions

Notwithstanding the height provisions of this By-law to the contrary, nothing in this By-law shall apply to prevent the erection, alteration, or use of a barn or silo, a church spire, a belfry, a flag pole, a clock tower, a chimney, a water tank, a windmill less than 10 metres in height, a radio or television tower or antenna, an air conditioner duct, a grain elevator, incidental equipment required for processing, external equipment associated with internal equipment or machinery and conveying equipment, which exceeds the maximum height requirements provided the main or principal use is permitted within the Zone in which it is located and provided all other applicable provisions of this By-law are complied with.

3.10 Home Occupation

Where a Home Occupation is a permitted use the following regulations shall apply:

- a) a maximum of three (3) people may be engaged in the home occupation, one of which must be a resident of the dwelling;
- b) there shall be no display, other than a sign having a maximum area of 0.5 square metres, to indicate to persons outside that any part of the dwelling is being used for a purpose other than residential. In any residential zone, no display or sign to indicate that the dwelling is being used for a purpose other than residential shall be permitted;
- c) there shall be no goods, wares, or merchandise offered for sale or rent from the dwelling which are not manufactured or processed on the premises. The resale of products not manufactured or processed on the property is prohibited;
- d) not more than 30 per cent of the gross floor area of the dwelling shall be used for the purposes of home occupation, and such home occupation shall be conducted entirely within the dwelling house or dwelling unit;

- e) there shall be no outside animal enclosures or external storage of goods or materials in conjunction with the home occupation use; and
- f) a home occupation shall not include a boarding or lodging house, an eating establishment, or a group home, but may include a bed and breakfast establishment.

3.11 Home Industry

Where a Home Industry is a permitted use the following provisions shall apply:

- a) a maximum of four (4) persons may be engaged in the home industry;
- b) such home industry may be located in part of a dwelling, or in any accessory building located on a lot on which a dwelling is in existence, provided the total gross floor area utilized by the home industry does not exceed a maximum of 150 square metres (1615 sq. ft.);
- c) there shall be no outside storage of goods, materials or articles;
- d) only currently licensed motor vehicles, associated with the home industry may be parked or stored on the lot but only within an interior side or rear yard;
- e) there shall be no emission of noise, odour or dust which is not normally attributed to the use of the land for other uses permitted in the zone;
- f) a home industry shall be clearly secondary to the main residential use and shall not change the residential character of the dwelling on the lot; and,
- g) the home industry shall comply with the following minimum lot area, yard and setback provisions:
 - i) minimum lot area 0.8 hectares (2.0 acres)
 - ii) minimum setback from all lot lines 30.0 metres (100 feet)
 - iii) minimum separation from dwelling in existence on another lot 100.0 metres (328 feet)
- h) maximum sign size 1.0 sq m (10.7 sq. ft.)

Existing buildings which do not meet the setback requirements of subsection ii) may be used for home industries provided that all of the other provisions in this section are met.

3.12 Minimum Dwelling Unit Size

No dwelling unit shall have a ground floor area of less than 65m² (700 sq. ft.) unless specifically provided for by this By-law.

3.13 Minimum Distance Separation

No building shall be constructed in the rural and agricultural zoned which does not conform to the MDS1 and MDSII Formulas as determined by Appendix 1 attached to and forming part of this By-law.

Setbacks for new dwellings constructed on lots other than the lot containing the barn from barns containing livestock shall be required in conformity with the MDSI Formula, attached to and forming part of this By-law as Appendix 1.

New barns or expansions to existing barns shall require setbacks in conformity with the MDSII Formula, attached to and forming part of this By-law as Appendix 1.

3.14 Minimum Opening Elevation

On lots abutting Bray Lake, no opening to a dwelling or addition to a dwelling which increases the floor area of the dwelling shall have an opening to such dwelling or addition less than the minimum elevation of 350.1 G.S.D.

3.15 Mobile Homes

- a) the structure must be constructed to C.S.A. Standard Z240 or Z241;
- b) the structure is located on permanent foundations with the running gear and towing equipment removed;
- c) the structure shall have at least 80 square metres (860 sq. ft.) of ground floor area;
- d) the structure shall be completely enclosed from the surface of the finished grade to the roof; and,
- e) the structure shall be fully serviced with running water, electricity and sanitary sewage facilities.

Mobile homes having an area of less than 80 square metres shall be permitted in the Residential Mobile Home (RMH) Zone only.

3.16 Multiple Uses on One Lot

Where any land, building or structure is used for more than one permitted use, the applicable Zone Provisions of this By-law which serve to regulate each such use shall be complied with.

3.17 Multiple Zones on One Lot

Where a lot is divided into more than one Zone under the provisions of this By-law, each such portion of the lot shall be used in accordance with the Zone provisions of this By-law for the applicable Zone as if it were a separate lot.

3.18 Non-Complying Lots, Buildings and Structures

- a) Buildings on Undersized Lots

Where a building or structure is located on a lot having less than the minimum frontage and/or lot area, or where the building or structure having less than the minimum setback, front yard and/or side yard and/or rear yard required by this By-law, the said building or structure may be enlarged, reconstructed, repaired and/or renovated provided that the enlargement, reconstruction or renovation and/ or repair does not further reduce the front yard, and/ or side yard, and/ or rear yard or increase lot coverage beyond the requirements of this By-law except as follows;

b) Reconstruction of Existing Building

Nothing in this By-law shall prevent the enlarged, repaired, replaced, renovated or reconstruction of a legally existing building that does not comply with the provisions in this By-law, provided that no part of the building that is non-complying is increased in volume except as permitted in Table 2.

For the purpose of applying these provisions, the most restrictive regulation shall apply to a non-complying building.

Table 2 - Non-complying Buildings and Structures

Column 1	Column 2	Column 3	Column 4
Existing Dwelling Distance from Shoreline	Maximum Gross Floor Area Increase	Shoreline Width Increase (max) (1)	Maximum Ground Floor Area (2)
Less than 5 m	23 sq. m.	0%	93 sq.m
≥5 m & <10 m	32.5 sq. m.	20%	112 sq.m
≥10 m & <15 m	46 sq. m.	30%	125 sq.m.
≥15 m & < 23 m	56 sq. m.	60%	139 sq.m

Footnotes for Table 1

- (1) Shoreline width of the dwelling shall be measured along the exterior wall of the building that faces the waterbody measured at right angles to the shoreline.
- (2) Notwithstanding the maximum floor area increase of Column 2, a dwelling may be expanded to the maximum floor area set out in Column 4.

- i) the building or structure is being used for a purpose permissible within the Municipality in which it is located; and,
- ii) all other applicable Provisions of this By-law are complied with.

c) Existing Undersized Lots

Where a lot, having a lesser lot area and/or lot frontage than required herein, existed on the date of passing of this By-law, or where such a lot

is created by a public authority or correction of title, such a smaller lot may be used and a permitted building or structure may be erected and/or used on such a smaller lot provided that the lot is at least 930 square metres, all other applicable provisions of this By-law are complied with and provided that a sewage system that complies with the regulations under Building Code can be installed on the lands.

Lots which have been increased in size following adoption of this By-law may also be used in accordance with this provision.

3.19 Non-conforming Uses

a) Continuation of Existing Uses

The provisions of this By-law shall not apply to prevent the use of any existing lot, building or structure for any purpose prohibited by this By-law if such existing lot, building or structure was lawfully used for such purposes, prior to the effective date of this By-law and provided that the lot, building or structure continues to be used for that purpose.

b) Exterior Extension

The exterior of any building or structure which was lawfully used prior to the effective date of this By-law for a purpose not permissible within the Zone in which it is located, shall not be enlarged, extended, reconstructed or otherwise structurally altered, unless such building or structure is thereafter to be used for a purpose permitted within such Zone, and complies with all requirements of this By-law for such Zone unless these changes are necessary to provide for flood proofing or insulation of the building.

c) Interior Alteration

The interior of any building or structure which was lawfully used, prior to the effective date of the By-law, for a purpose not permissible within the Zone in which it is located, may be reconstructed or structurally altered for the existing purpose for which such building or structure was lawfully used.

d) Restoration

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any existing, legal non-conforming building or structure or part thereof, provided that the strengthening or restoration does not increase the building height, size or volume or change the existing, lawful use of such existing building or structure or unless these changes are necessary to provide for flood proofing or insulation of the building.

e) Reconstruction of Existing Dwellings

Nothing in this By-law shall apply to prevent the reconstruction of any permitted building which is damaged or destroyed. Such permitted building may be reconstructed in accordance with the previously existing standards, even if such did not conform with one or more of the provisions of this By-law, but the non-compliance may not be further increased.

Buildings damaged or destroyed as the result of natural flooding shall not be reconstructed except in accordance with the provisions of this By-law.

f) Building Permit Issued

The provisions of this By-law shall not apply to prevent the use of any existing lot, building or structure for any purpose prohibited by this By-law for which the footings or foundations have been constructed prior to the passing of this By-law, so long as the building or structure, is substantially completed within one year after the date of the passing of this By-law and a building permit is issued by the Chief Building Official.

3.20 Outdoor Storage

No portion of a lot shall be used for the storage of goods or materials unless such storage is within a building, or unless the following provisions are complied with, in the event that the storage is in the open:

- a) such open storage is accessory to the use of the main building on the lot;
- b) open storage is behind the front or exterior wall of the main building facing any street, and complies with all yard requirements;
- c) such open storage does not cover more than 15 percent of the lot area; and,
- d) any portion of a lot used for open storage is screened from adjacent uses and streets adjoining the lot, by a building, planting strip, and/or fence. All fences shall extend at least 1.8 metres in height from the ground.

3.21 Parking Area Regulations

a) Parking Space Requirements

Parking spaces and areas are required under this By-law, in accordance with the Parking Space Requirement Table. The owner of every building or structure erected or used for any of the purposes listed shall provide and maintain parking spaces and areas accordingly.

If any computation of parking space requirement as set forth in this section results in a number containing a fraction above 0.25, that remaining fraction shall be counted as one parking space.

b) Parking Area Surface

Parking spaces, areas and driveways connecting the parking space or area with a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust. Such parking spaces or areas shall, before being used, be constructed of crushed stone, gravel, asphalt, concrete or similar material and shall include provisions for drainage facilities.

c) Ingress and Egress Provisions

- i) ingress and egress to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways at least 3.0 metres but not more than 9.0 metres in perpendicular width;
- ii) the maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 9.0 metres;
- iii) the minimum distance between any two driveways on one lot or between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 8.0 metres; and
- iv) the minimum angle of intersection between a driveway and a street line shall be 60 degrees.
- v) Every lot shall be limited to the following number of driveways, namely:
 - a. up to the first 15.0 metres of lot frontage, not more than one driveway;
 - b. greater than 15.0 metres of lot frontage but not more than 30.0 metres of frontage, not more than two driveways with a combined width not exceeding 30 percent of the lot frontage; and,
 - c. for each additional 30.0 metres of lot frontage, not more than one additional driveway.
- d) **More Than One Use on a Lot**

When a building or structure accommodates more than one type of use, the parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate types of use.
- e) **Parking Area Location on Lot**

Notwithstanding the yard and setback provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted in the required yards or in the area between the street line and the required setback.
- f) **Additions To, or Changes In, The Use of Existing Buildings and Structures**

The parking space requirements referred to herein shall not apply to any existing building or structure so long as the gross floor area is not increased. If any addition is made to a building or structure which increases its gross floor area, parking spaces for the addition shall be provided as required by the Parking Space Requirement Table. Where a change in use occurs, parking spaces shall be provided for such new use

in accordance with the requirements of the Parking Space Requirement Table.

The provision of this paragraph shall not apply to require the establishment of parking spaces for a dwelling which existed at the date of passing of this By-law.

g) Use of Parking Spaces and Areas

Parking spaces and areas required in accordance with this By-law shall be used for the parking of operative, currently licensed vehicles only, and for vehicles used in operation incidental to the permitted uses in respect of which such parking spaces and areas are required or permitted.

Notwithstanding the foregoing, the owner or occupant of any lot, building or structure in the Residential (R) Zone, Backlot Residential (BR) Zone or Shoreline Residential (SR) Zone, shall not use any lot, building or structure for the parking, storing or housing of more than one commercial motor vehicle with a base length measured from the front axle to the rear axle, in excess of 5.0 metres. For the purpose of this section, a commercial motor vehicle shall be as defined by the Highway Traffic Act.

h) Winter Use

If the parking area is required to be used in the winter, an area equal to 20% of the required parking area shall be provided for snow storage on the lot.

Table 3 – Parking Space Requirement Table

Type of Use	Minimum Off-street Parking Requirements
Assembly Hall, Auditorium, Arena, Community Centre, Place of Worship, Private Club, Farmers Market or other similar places of assembly	1 parking space for each four persons that may be legally accommodated at any one time.
Business and/or Professional Office, Financial Establishment, Retail Commercial Establishment, Personal Service Shop including a Home Occupation or Home Industry.	1 parking space for each 20 m ² of gross floor area of the building directly related to the specified permitted use.
Camp Site	1 parking space per site.
Curling Rink	4 parking spaces for each curling sheet plus such additional parking as is required for a lounge licensed in accordance with The Liquor License Act of Ontario, R.S.O. 1980, c244, as amended.

Type of Use	Minimum Off-street Parking Requirements
Eating Establishment or Tavern	1 parking space for each 9 m ² fraction thereof, or 1 parking space for each 4 persons or fraction thereof, that may be legally accommodated at any one time, whichever is greater.
Eating Establishment, Drive-In	1 parking space for each 2 square metres or fraction thereof gross floor area.
Golf Course	24 parking spaces for each 9 holes of golfing facilities.
Home for the Aged, Nursing Home	1 parking space for each four beds or fraction thereof.
Hotel, Motel, Resort, College or Cabin Establishment, Tourist Establishment, Camp Site, Camping Establishment	1 parking space for each guest room, cottage, cabin or camp site, plus such or parking facilities as are required for an eating establishment or entertainment lounge licensed in accordance with The Liquor License Act, as amended, should such exist.
Liquor Licensed Premises, exclusive of an eating establishment, but including an entertainment lounge, public house or lounge licensed in accordance with The Liquor License Act as amended, and the Regulations thereunder.	1 parking space for each 4 persons that may be legally accommodated at any one time.
Manufacturing, Processing, Assembling or Fabricating Plant, Wholesale Establishment or Warehouse	1 parking space per 35 square metres of gross floor area or portion thereof.
Marina	2 parking spaces for every 1 boat slip and 1 parking space for every 8 m ² of gross floor area devoted to commercial use, exclusive of storage areas.
Medical, Veterinary or Dental Clinic, or Offices of a Drugless Practitioner	5 parking spaces per practitioner, plus 1 parking space for each examination room exceeding 5 rooms
Residential, Residential Mobile Home	2 parking spaces per dwelling unit.
Waterfront Landing	2 parking spaces for every 1 boat slip.
Uses Permitted by this By-law other than those listed in this Table	1 parking space per 35 m ² of gross floor area.

3.22 Pits, Quarries and Peat Extraction

The making or establishment of pits or quarries and the extraction of peat is prohibited within the area covered by this By-law, except in the locations permitted by this By-law, and in accordance with the express provisions of this By-law. No person shall use or occupy land or erect any building or structure or conduct any activity on land for the purpose of processing, washing, screening, sorting or crushing of rock, sand, gravel, or peat except as expressly provided for in this By-law.

3.23 Public Uses

a) Public Services

The provisions of this By-law shall not apply to prohibit the use of any lot or the erection or use of any building or structure for the purposes of public uses provided by the Township, or any Public Authority including any Department or Ministry of the Government of Canada or Ontario and, for the purposes of this Section, shall include Hydro One, any telephone, telegraph or cable TV company and any natural gas distribution system operated by a Company distributing gas to the residents of the Township, which company possesses all the necessary powers, rights, licenses and franchises.

b) Location Restrictions

Notwithstanding any other provision contained in this By-law to the contrary, where a public use is only permitted within a specific Zone classification, then such public use shall only be permitted within that Zone or Zones and shall comply with the Zone Provisions of the Zone or Zones in which the public use is permitted, save and except that there shall be no minimum lot area or lot frontage requirement. This provision does not apply to Crown Agencies.

c) Provisions

- i) no goods, materials or equipment shall be stored outside the building or structure located on the lot, except as may otherwise be permitted under this By-law;
- ii) the zone provisions of the Zone in which the use is located shall be complied with except as otherwise provided in paragraph d of this By-law;
- iii) no building or structure erected in accordance with the provisions of this Section shall be used for the purposes of an office or maintenance or works depot.; and,
- iv) that such building or structure is designed and maintained in general harmony with the uses permitted within the respective Zone.

d) Streets and Installations

Nothing in this By-law shall prevent land from being used as a street or highway, or prevent the installation of a watermain, sanitary sewer, storm sewer, gas main, pipeline or overhead or underground hydro, or communication line or high voltage and extra high voltage electrical facilities owned and operated and maintained by Hydro One.

3.24 Reduction of Requirements

No person shall change the purpose for which any land, building or structure is used or erect any building, or structure, or construct an addition to any existing building or structure, or sever any lands, if the effect of such action is to cause the original adjoining, remaining or new building, structure or lot to be in contravention with this By-law.

3.25 Restrictions on Dwelling Units in Non-Residential Buildings

Notwithstanding any other provision of this By-law to the contrary, no dwelling unit shall be located within a portion of a non-residential building which has gasoline or other flammable fluids stored in bulk for commercial purposes, in conjunction therewith, and without limiting the generality of the foregoing, a dwelling unit shall not be permitted within a motor vehicle service station, a motor vehicle repair garage, a marina, a motor vehicle body shop or a marine sales and service shop.

3.26 Septic Systems

Septic Systems shall be located a minimum of 30 metres from the shoreline. Where sewage systems cannot be set back 30 metres from the shoreline they shall utilize tertiary treatment systems that reduce or eliminate phosphorus and nitrate from reaching the shoreline.

3.27 Setback from Watercourses

- a) Eagle Lake, King Lake, Bray Lake, Hamilton Lake

No building or structure, except marine facilities, boathouses, gazebos, or buildings and structures used for flood and erosion control shall be located within 23m of the normal or maintained high water mark of Eagle Lake, King Lake, Bray Lake and Hamilton Lake.

- b) All Other Watercourses

No building or structure, except marine facilities, boathouses, gazebos, or buildings and structures used for flood and erosion control shall be located within 30m of the normal or maintained high water mark of any lake, or any river, stream or other watercourse not listed in 3.28 (a).

- c) Vegetative Buffer

Except for buildings and structures otherwise permitted in this By-law the required setbacks in subsections a) and b) shall be maintained as a natural vegetative buffer.

3.28 Setbacks from Waste Disposal Areas

No dwelling shall be located within 500 metres of a licensed Waste Disposal Fill Area or 100 metres from a licensed Sewage Lagoon or Sewage Treatment Facility.

3.29 Setbacks from Railways

No building or structure shall be located closer than 30.0 m to a railway right of way.

3.30 Setbacks from TransCanada Pipelines

No permanent habitable buildings, structures or excavations shall be located closer than 7.0 m to a gas pipeline right of way. Non-habitable accessory buildings and structures shall be setback a minimum of 3.0 metres from the right of way.

3.31 Shipping Container Regulation

Shipping containers may be used within the Rural and Commercial Employment zones as an accessory use to a principal use on the property provided that they meet the zone provisions for accessory buildings.

3.32 Shoreline Structures and Facilities

- a) Where an encroachment onto the bed of the waterbody is proposed, permission to construct or install the in-water and / or shoreline structure or facility shall only be permitted if approval to occupy the area has been obtained from or meets the prescriptive requirements of the authority having jurisdiction.
- b) Where a boathouse or boat port is permitted, the owner shall have acquired the Shoreline Road Allowance, where existing, prior to the construction of the boathouse or boat port.
- c) No more than 10% or a maximum of 15 metres of the shoreline frontage of a lot, whichever is less, of any lot shall be occupied by in-water or shoreline structures and facilities. The remaining 90% of the shoreline area to a depth of 15 metres from the highwater mark shall be maintained as a natural vegetative buffer.
- d) No shoreline structure shall project more than 22.0 metres from the shoreline into the water.

3.33 Sight Triangles

On a corner lot, within the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being 9.0 metres measured along the street line from the point of intersection of the street lines, no motor vehicle, as defined in The Highway Traffic Act, R.S.O., 1980 c.198, as amended, shall be parked, no building or structure which would obstruct the vision of drivers of motor vehicles shall be erected, and no land shall be used for the purposes of growing shrubs or trees in excess of 0.6 metres in height. Such triangular space may hereinafter be referred to as a "sight triangle". Where the two street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

3.34 Signs

The provisions of this By-law shall not apply to prevent the erection, alteration or use of any sign provided such sign complies with the By-laws of the Township including the specific sign provisions for home occupations and home industries as provided in this By-law.

3.35 Temporary Housing

Notwithstanding any other provision of this By-law, to the contrary, where a dwelling is destroyed, and a Building Permit for reconstruction of the dwelling has been issued by the Township for the subject lands, the residents may occupy a travel trailer on a temporary basis but only during the period which the dwelling is being reconstructed to a maximum of one year.

3.36 Through Lots

Where a lot, which is not a corner lot, has a lot frontage on more than one street, the setback and front yard requirements contained herein shall apply on each street in accordance with the provisions of the Zone or Zones in which such lot is located.

3.37 Trailer Park and Private Recreational Uses

The establishment of trailer parks, mobile home parks, summer camps, private clubs, commercial clubs, camping establishments or private recreational parks shall be prohibited within the area covered by this By-law, save and except where such are specifically permitted.

3.38 Trailers, Mobile Homes and Campers

a) Parking and Storage

The parking and storing of trailers, motorized mobile homes, truck campers, tent trailers and travel trailers shall be prohibited in all Zones except where such trailer, motorized mobile home, truck camper, tent trailer or travel trailer is stored on the occupants lot, where a dwelling is in existences on the same lot, but only in the rear or interior side yard or in such areas where such parking and storage is expressly permitted by this By-law.

b) Use

The use of trailers, motorized mobile homes, truck campers, tent trailers and travel trailers shall be prohibited in all Zones except in areas where such use is expressly permitted by this By-law.

c) Temporary Use

Notwithstanding Sections 3.38 (a) and 3.37 (b), a tent trailer, a travel trailer or a truck camper can be located and used on any lot in the Shoreline Residential (SR), Backlot Residential (BR) or Rural (RU) zones for no more than 30 days in a calendar year.

3.39

Source Water Protection Intake Zone

On the lands shown hatched on Schedule "B" identified as Source Water Intake Protection Zone One (SW-IPZ-1) the following activities shall be prohibited specifically including:

- Pesticide storage including the retail sale, manufacturing, processing, and wholesaling;
- Road salt storage greater than 5,000 tonnes;
- Consolidated snow storage facility or snow dump (areas where snow is likely to be transported from offsite);
- The storage of agricultural source material;
- The handling and storage of non-agricultural source material;
- The handling and storage of commercial fertilizer;
- The use of land as livestock grazing or pasturing land;
- An outdoor confinement area or farm-animal yard;
- Storage of tailings from mines or a mine tailings pond;
- An area for land farming of petroleum refining/mining waste;
- The land filling of hazardous or municipal waste; and;
- The land filling of solid non-hazardous industrial or commercial waste

SECTION 4 PROVISIONS FOR SPECIFIC USES

Where this By-law permits specific uses in areas described below, only those uses specifically identified as permitted uses shall be permitted in those described areas. No building, structure or use of land shall be permitted unless specifically permitted.

4.1 RESIDENTIAL ZONE (R)

No person shall within any Residential Zone (R) use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

4.1.1 Permitted Uses

- i) An accessory apartment
- ii) A day nursery
- iii) A group home
- iv) A home occupation in accordance with Section 3.10 of this By-law
- v) A public park
- vi) A single detached dwelling

4.1.2 Regulations for Permitted Uses

		Metric	Imperial
a)	Minimum Lot Area	2,000 sq m	.49 acres
b)	Minimum Lot Frontage	30 m	98.5 ft
c)	Minimum Front Yard	15 m	49.2 ft
d)	Minimum Interior Side Yard	3m	9.8 ft
e)	Minimum Exterior Side Yard	7.5 m	24.6 ft
f)	Minimum Rear Yard	15 m	49.2 ft
g)	Maximum Lot Coverage	15%	15%
h)	Maximum Height	9 m	29.5 ft
i)	Minimum Ground Floor Area	80 sq m	861.2 sq ft
j)	Minimum Dwelling Unit Size	NA	NA

4.1.3 Regulations for Group Homes

Group Homes shall be prohibited within 300 metres of any established Group Home.

4.1.4 Regulations for Accessory Apartments

Accessory Apartments shall meet the requirements of the Ontario Building Code.

4.1.5 Exceptions

4.1.5.1 Residential Exception One (R*1) Zone

Notwithstanding the provisions of Section 4.1.1, Permitted Uses, the lands located on Lot 20, Plan PSR 1069, located within Lot 6, Concession 2 and zoned as R*1 on Schedule A, may only be used for the indoor repair of motor vehicles in a building having an area of no greater than 112 m² (1200 sq ft). The outdoor storage of vehicles requiring repair is permitted on a temporary basis only; while

awaiting parts or customer pick up. In all other respects the provisions of the Residential (R) Zone shall apply.

4.2 SHORELINE RESIDENTIAL ZONE (SR)

No person shall within any Shoreline Residential Zone (SR) use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

4.2.1 Permitted Uses

- i) A single detached dwelling

4.2.2 Regulations for Permitted Uses

	Metric	Imperial
a) Minimum Lot Area	1.0 ha	2.54 acres
b) Minimum Lot Frontage	60 m	197 ft
c) Minimum Front Yard	23 m	75.4 ft
d) Minimum Interior Side Yard	6 m	19.7 ft
e) Minimum Exterior Side Yard	7.5 m	24.6 ft
f) Minimum Rear Yard	10 m	32.8 ft
g) Maximum Lot Coverage		
i) within 60 metres from the shoreline	- 10% of lot area within	60 metres of the shoreline
ii) more than 60 metres from the shoreline	- 15% of the total lot area	
h) Maximum Height	10 m	33 ft
i) Minimum Ground Floor Area	60 sq m	645.8 sq ft
j) Minimum Dwelling Unit Size	NA	NA
k) Maximum Height of Building within the front 23 metres of a lot	7 m	23 ft.

4.2.3 Exceptions

4.2.3.1 Shoreline Residential Exception One (SR-1) Zone

Notwithstanding any other provision in this By-law, the following provisions apply to land zoned Shoreline Residential Exception One (SR*1) as shown on amended Schedule "A".

a) Minimum Lot Area	0.112 ha	0.28 acres
b) Minimum Lot Frontage	21.34 m	70 ft
c) Minimum Front Yard	20.10 m	66 ft
d) Minimum Interior Side Yard	0.91 m	3 ft

4.2.3.2 Shoreline Residential Exception Two (SR-2) Zone

Notwithstanding the regulations of Section 4.2.2 (c) and 3.1 (a), on lands located in the SR-2 Zone, described legally as Lots 2A and 3A, Plan M-177 located in Part of Lot 31, Concession 3, a detached private garage shall be permitted prior to the establishment of a principle dwelling.

Furthermore, a private garage permitted in the SR-2 Zone shall have a maximum floor area of 150 m², and the minimum front yard setback for all buildings and structures in the SR-2 Zone shall be 8 metres.

4.2.3.3 Shoreline Residential Exception (SR-3) Zone

Notwithstanding the regulations of Section 4.2.2 (c) and 3.1 (a), on lands located in the SR-3 Zone, described legally as Parts 1 and 2, Plan 42R-19180, Part B, Plan 42R-2491 and Part A, Plan RD-289 located in Part of Lot 15, Concession 10, the following provisions shall apply:

- a) Minimum Lot Area – 0.5 hectares
- b) Minimum Lot Frontage – 85 metres
- c) Minimum Shoreline Setback – 30 metres

In addition, the following provisions shall apply to the subject lands:

- d) One dock per lot shall be permitted in the area on Schedule A-1 with an asterisk (*) and no other structures or buildings shall be permitted within the Minimum Shoreline Setback.
- e) Tree removal shall not be permitted within the Minimum Shoreline Setback with the exception of a pathway from the dwelling to the dock which shall be no wider than 2 metres in width.
- f) The provisions of this By-law and additional site development matters shall be the subject of a Site Plan and/or Development Agreement with the Township of Machar.

4.2.3.4 Shoreline Residential Exception (SR-4) Zone

Notwithstanding the regulations of Section 4.2.2 (c) and 3.1 (a), on lands located in the SR-4 Zone, described legally as Parts 1 and 4, and Part 6, Plan 42R-19251, located in Part of Lot 12, Concession 12, the following provisions shall apply:

- a) Minimum Lot Area – 3.5 hectares
- b) Minimum Lot Frontage – 45 metres
- c) Minimum Shoreline Setback – 23 metres
- d) Minimum Shoreline Setback for a Septic System – 30 metres

In addition, the following provisions shall apply to the subject lands:

- e) One dock per lot shall be permitted and no other structures or buildings shall be permitted within the Minimum Shoreline Setback.
- f) Tree removal shall not be permitted within the Minimum Shoreline Setback with the exception of a pathway from the dwelling to the dock which shall be no wider than 2 metres in width.
- g) The provisions of this By-law and additional site development matters shall be the subject of a Site Plan and/or Development Agreement with the Township of Machar.

4.2.3.5 Shoreline Residential Exception (SR-5) Zone

Notwithstanding the regulations of Section 4.2.2 (c) and 3.1 (a), on lands located in the EP and SR-5 Zone, described legally as Part 2, Plan 42R-2491, located in Part of Lot 15, Concession 10, the following provisions shall apply:

- a) Minimum Total Lot Area – 1 hectare
- b) Minimum Lot Area Above the Water's Edge – 0.89 hectares
- c) Minimum Lot Frontage – 66 metres
- d) Minimum Shoreline Setback – 30 metres

In addition, the following provisions shall apply to the subject lands:

- e) One dock shall be permitted in the area on Schedule A labeled with an asterisk (*) and no other structures or buildings shall be permitted within the Minimum Shoreline Setback or any land located in the EP Zone.
- f) Tree removal shall not be permitted within the Minimum Shoreline Setback with the exception of a pathway from the dwelling to the dock which shall be no wider than 2 metres in width.
- g) Prior to any site alteration, the provisions of this By-law and additional site development matters shall be the subject of a Site Plan and/or Development Agreement with the Township of Machar.

4.3 LIMITED SERVICE RESIDENTIAL (LSR)

No person shall within any Limited Service Residential Zone (LSR) use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

4.3.1 Permitted Uses

- i) A single detached dwelling

4.3.2 Regulations for Permitted Uses

		Metric	Imperial
a)	Minimum Lot Area	1.0 ha	2.54 acres
b)	Minimum Lot Frontage	60 m	197 ft
c)	Minimum Front Yard	23 m	75.4 ft
d)	Minimum Interior Side Yard	6 m	19.7 ft
e)	Minimum Exterior Side Yard	7.5 m	24.6 ft
f)	Minimum Rear Yard	10 m	32.8 ft
g)	Maximum Lot Coverage		
	i) within 60 metres from the shoreline	- 10% of lot area within	60 metres of the shoreline
	ii) more than 60 metres from the shoreline	- 15% of the total lot area	
h)	Maximum Height	10 m	33 ft
i)	Minimum Ground Floor Area	60 sq m	645.8 sq ft
j)	Minimum Dwelling Unit Size	NA	NA
k)	Maximum Height of Building within the front 23 metres of a lot	7 m	23 ft.

4.3.3 Exceptions

4.4 ESTATE RESIDENTIAL (ER)

No person shall within any Estate Residential Zone (ER) use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

4.4.1 Permitted Uses

- i) an accessory apartment
- ii) a home occupation in accordance with Section 3.11 of this By-law
- iii) a single detached dwelling

4.4.2 Regulations for Permitted Uses

		Metric	Imperial (approx.)
i)	Minimum Lot Area	- 4000 m ²	0.98 acres
ii)	Minimum Lot Frontage	- 60 m	196.8 ft
iii)	Minimum Front Yard	- 30 m	98.5 ft
iv)	Minimum Interior Side Yard	- 7.5 m	25 ft
v)	Minimum Exterior Side Yard	- 6.0 m	19.7 ft
vi)	Minimum Rear Yard	- 7.5 m	25 ft
vii)	Maximum Lot Coverage	- 10%	10%
viii)	Maximum Height	- 9.0 m	30 ft
ix)	Minimum Ground Floor Area	- 93 m ²	1001 sq ft
x)	Minimum Dwelling Unit Size	- NA	NA

4.4.3 Regulations for Accessory Apartments

Accessory Apartments shall meet the requirements of the Ontario Building Code.

4.4.4 Exceptions

4.5 MULTIPLE RESIDENTIAL ZONE (RM)

No person shall within any Multiple Residential Zone (RM) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.5.1 Permitted Uses

- i) an apartment unit
- ii) a duplex dwelling
- iii) a four-plex dwelling
- iv) a nursing home
- v) a retirement home
- vi) a semi-detached dwelling
- vii) a seniors residence
- viii) a six-plex dwelling
- ix) a townhouse dwelling
- x) a triplex dwelling unit

4.5.2 Regulations for Permitted Uses

		Metric	Imperial (approx.)
i)	Minimum Lot Area	- 1000 m ² /unit	0.24 acres / unit
ii)	Minimum Lot Frontage	- 30 m	98.5 ft
iii)	Minimum Front Yard	- 15 m	49 ft
iv)	Minimum Interior Side Yard	- 3 m	10 ft
v)	Minimum Exterior Side Yard	- 7.5 m	25 ft
vi)	Minimum Rear Yard	- 7.5 m	25 ft
vii)	Maximum Lot Coverage	- 30%	30%
viii)	Maximum Height	- 12 m	40 ft
ix)	Minimum Ground Floor Area	NA	NA
x)	Minimum Dwelling Unit Size	60 m ²	646 sq. ft.

4.5.3 Regulations for Retirement Homes

A retirement home, shall be permitted in the Multiple Residential Zone subject to the following provisions:

i)	Minimum Open Space	- 20%	20%
ii)	Maximum unit size	- 150 m ²	1600 sq ft

4.5.4 Exceptions

4.6 RESIDENTIAL MOBILE HOME ZONE (RMH)

No person shall within any Residential Mobile Zone (RMH) use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

4.6.1 Permitted Uses

- i) a mobile home dwelling units

4.6.2 Regulations for Permitted Uses

		Metric	Imperial
i)	Minimum Lot Area	- 2000 m ² /unit	0.49 acres/unit
ii)	Minimum Lot Frontage	- 30 m	98.5 ft
iii)	Minimum Front Yard	- 15 m	49.2 ft
iv)	Minimum Interior Side Yard	- 10 m	32.8 ft
v)	Minimum Exterior Side Yard	- 15. m	50 ft
vi)	Minimum Rear Yard	- 10 m	33 ft
vii)	Maximum Lot Coverage	- 15%	15%
viii)	Maximum Height	- 5 m	16.4 ft
ix)	Minimum Ground Floor Area	- NA	NA
x)	Minimum Mobile Home Site Size	- NA	NA

4.6.3

No less than 10% of the total area of any mobile home community establishment shall be devoted to common recreational areas and facilities, such as playgrounds, swimming pools, community buildings and pathways for pedestrian and cyclists. At least one principal common recreational area shall contain not less than 5% of the total area of the community.

4.6.4

Every mobile home park shall be serviced with an approved gas, water, sewer and electrical distribution system with connections thereto on every mobile home site.

4.6.5 Exceptions

4.7 BACKLOT RESIDENTIAL ZONE (BR)

No person shall, within any Backlot Residential Zone (BR), use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

4.7.1 Permitted Uses

- i) Resource Management uses, excluding buildings or dwellings
- ii) a single detached dwelling

4.7.2 Regulations for Permitted Uses

		Metric	Imperial
i)	Minimum Lot Area	- 1.6 ha	3.9 acres
ii)	Minimum Lot Frontage	- 105 m	344.5 ft
iii)	Minimum Front Yard	- 30 m	98.5 ft
iv)	Minimum Interior Side Yard	- 7.5 m	25 ft
v)	Minimum Exterior Side Yard	- 10 m	33.8 ft
vi)	Minimum Rear Yard	- 7.5 m	25 ft
vii)	Maximum Lot Coverage	- 5%	5%
viii)	Maximum Height	- 9 m	30 ft
ix)	Minimum Ground Floor Area	- 60 m ²	646 ft ²
x)	Minimum Dwelling Unit Site Size	- NA	NA

4.7.3

Where a Backlot Residential lot and a Shoreline Residential lot are held within the same ownership and divided only by a Road, the Backlot Residential lot may be used for a garage and buildings accessory to the primary dwelling on the Shoreline Residential lot. Septic systems for the primary use on the Shoreline Residential lot may be located on the Backlot Residential lot.

4.7.4 Exceptions

4.7.4.1 Backlot Residential One (BR*1) Zone

Notwithstanding the provisions of this By-law to the contrary, a detached garage shall be permitted in the front yard and the following provisions shall apply for the Backlot Residential One (BR*1) Zone:

- a) Minimum Setback from the Front Lot Line for a Detached Garage – 15 metres.

4.8 RURAL ZONE (RU)

No person shall within any Rural (RU) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:.

4.8.1 Permitted Uses"

- i) An accessory apartment
- ii) A farm and a farm house
- iii) A farm produce sales outlet provided such produce is the product of the farm on which the outlet is situated
- iv) Resource management uses
- v) A home occupation or a home industry subject to Sections 3.10 and 3.11 of this By-law
- vi) A hunt camp
- vii) A riding school or boarding stables
- viii) A single detached dwelling
- ix) A specialized farm and a farm house
- x) A veterinary hospital
- xi) A wayside pit or a wayside quarry

4.8.2 Regulations for Permitted Uses unless otherwise specified.

		Metric	Imperial
a)	Minimum Lot Area	10 ha	24.7 acres
b)	Minimum Lot Frontage	135 m	442.9 ft
c)	Minimum Front Yard	40 m	131.2 ft
d)	Minimum Interior Side Yard	15 m	49.2 ft
e)	Minimum Exterior Side Yard	30 m	98.5 ft
f)	Minimum Rear Yard	15 m	49.2 ft
g)	Maximum Lot Coverage	NA	NA
h)	Maximum Height	NA	NA
i)	Minimum Ground Floor Area	NA	NA
j)	Minimum Dwelling Unit Size	NA	NA

4.8.3 Regulations for Single Detached Dwellings.

		Metric	Imperial
a)	Minimum Lot Area	1.0 ha	2.5 acres
b)	Minimum Lot Frontage	90 m	295.2 ft
c)	Minimum Front Yard	15 m	49.2 ft
d)	Minimum Interior Side Yard	6 m	19.7 ft
e)	Minimum Exterior Side Yard	15 m	49.2 ft
f)	Minimum Rear Yard	15 m	49.2 ft
g)	Maximum Lot Coverage	NA	NA
h)	Maximum Height	9 m	29.5 ft
i)	Minimum Ground Floor Area	80 sq m	861.2 sq ft
j)	Minimum Dwelling Unit Size	NA	NA

4.8.4 Regulations for Hobby Farms

		Metric	Imperial
a)	Minimum Lot Area	2.0 ha	5 acres
b)	Minimum Lot Frontage	30 m	98.5 ft
c)	Minimum Front Yard	15 m	49.2
d)	Minimum Interior Side Yard	3m	9.8 ft
e)	Minimum Exterior Side Yard	7.5m	24.6 ft
f)	Minimum Rear Yard	15 m	49.2 ft
g)	Maximum Lot Coverage	15%	15%
h)	Maximum Height	9 m	29.5 ft
i)	Minimum Ground Floor Area	80 sq m	861.2 sq ft
j)	Minimum Dwelling Unit Size	NA	NA
k)	Maximum Number of Animals per Hectare		1 Nutrient Unit

4.8.5 Exceptions

4.8.5.1 Rural Exception One (RU*1) Zone

In addition to the permitted uses listed in Section 4.8.1, a septic disposal site in accordance with the Environmental Protection Act is permitted on those lands zoned Rural Exception One (RU*1) as shown on Schedule "A".

4.8.5.2 Rural Exception Two (RU*2) Zone

Notwithstanding the provisions of Section 4.8.3 to the contrary, the following provisions apply to lands zoned Rural Exception Two (RU*2) as shown on Schedule "A".

- a) The minimum lot frontage of a lot comprised of Part 1, Plan 42R-12498 shall be 32.01 m and the minimum lot area shall be .1651 ha.
- b) The minimum lot frontage of a lot comprised of Parts 2 and 6, Plan 42R-12498 shall be 7.32 m.
- c) The minimum lot frontage of a lot comprised of Parts 3 and 5, Plan 42R-12498 shall be 6.20 m and the minimum lot area shall be .162 ha.
- d) The minimum lot frontage of a lot comprised of Part 4, Plan 42R-12498 shall be 47.45 m and the minimum lot area shall be .20 ha.

4.8.5.3 Rural Exception Three (RU*3) Zone

Notwithstanding the permitted uses and regulations of Sections 3.1 and 4.8.2, on lands located in Part of Lot 17, Concession 5, and located in the RU*3 Zone, in the Township of Machar, a country store forming part of a maple syrup processing building shall be permitted as an accessory use to a farm dwelling.

For the purpose of the RU*3 Zone, a country store shall be permitted to retail farm produce including frozen meats and other produce serving the surrounding rural and recreational markets such as pet food, supplies and crafts, provided the

majority of products offered for sale are produced on the farm. The sale of fireworks or fuel shall not be permitted in the RU*3 Zone.

Furthermore a country store shall be subject to the provisions of Section 3.11 (home industry), with the exception Section 3.11 (home industry) with the exception of Section 3.11 (g) ii), and shall not be connected to running water or a septic system.

The RU*3 Zone recognizes the non-compliant front yard of the existing maple syrup processing structure and will permit the expansion of the structure to accommodate the country store.

4.8.5.4 Rural Exception Four (RU*4) Zone

Notwithstanding anything to the contrary in this By-law, the following additional provisions apply on lands zoned Rural Exception Four (RU*4) as shown on Schedule "A":

- a) In addition to the existing single detached dwelling, a maximum of 18 additional dwelling units are permitted in multiple-unit buildings; and,
- b) The maximum number of dwelling units permitted in a multiple-unit building is 3.

4.8.5.5 Rural Exception Five (RU*5) Zone

Notwithstanding anything to the contrary in this By-law, an accessory dwelling in an accessory detached building are permitted uses on lands zoned RU*5 as shown on amended Schedule "A". The maximum permitted floor area for the accessory dwelling is 720 square feet.

4.8.5.6 Rural Exception Six (RU*6) Zone

Notwithstanding the permitted uses and regulations of Sections 4.8.1 and 4.8.3, on lands located in the RU*6 Zone, described legally as Part 1, Plan 42R19410, located in the East Part of Lot 5, Concession 4, the only permitted use shall be one detached dwelling and the following provisions shall apply:

- a) Minimum Lot Area – 0.656 hectares
- b) Minimum Lot Frontage – 65.35 metres

4.8.5.7 Rural Exception Seven (RU*7) Zone

Notwithstanding the permitted uses and regulations of Sections 4.8.1 and 4.8.3, on the remainder of the lands located in the RU*7 Zone, described legally as Part of Lot 5, Concession 4, Parcel 17412 the only permitted use shall be a detached dwelling and detached accessory garage that existed on the date this By-law was passed and the following provisions shall apply:

- a) Minimum Lot Area – 10 hectares
- b) Minimum Lot Frontage – 139.393 metres

4.8.5.8 Rural Exception (RU*8) (H) Zone

Notwithstanding the permitted uses and regulations of Sections 4.8.2, 4.8.3 and 4.8.4, on lands located in the RU*8 Zone, located in Part of Lot 10, Concession 2, the only permitted use shall be:

- a) One existing detached dwelling with existing Class 4 Private Septic System; and,
- b) One septic effluent bed in association with the Class 4 Private Septic System servicing Mapleton Retirement Village.

For the purpose of the RU*8 Zone, the maximum combined daily effluent rating for the septic system serving the existing detached dwelling and the new septic system serving the Mapleton Retirement Village shall not exceed 10,000 litres/day.

Furthermore the minimum lot area of a parcel located in the RU*8 Zone shall be 6 hectares.

4.8.5.9 Rural Exception (RU*9) (H) Zone

Notwithstanding the permitted uses and regulations of Sections 4.8.1 and 4.8.2, on lands legally described as Con 5, Part Lot 19, Plan PSR-864, Part 8, Pcl 9606 N/S, Plan 42R-3065, Part 1 and located in the RU*9 Zone, in the Township of Machar, the only permitted uses shall be:

- a) A place of worship; or,
- b) A detached residential dwelling.

For the purpose of the RU*9 Zone, the minimum lot area shall be 0.46 hectares.

Lands in the RU*9 are subject to a Holding symbol. Where lands are proposed to be used for use b), the following conditions shall be fulfilled to Council's satisfaction:

- a) A change of use permit shall be obtained;
- b) Confirmation shall be provided that the private septic system is suitable for the proposed use or a permit shall be obtained to ensure the septic system is suitable for the proposed use;
- c) Confirmation that drinking water is compliant with Ontario standards for safe drinking water.

4.8.5.10 Rural Exception (RU*10) Zone (By-law 16-15)

Notwithstanding the provisions of this By-law to the contrary, a hunt camp with a maximum gross floor area of 93m² shall be permitted and the following provision shall apply:

- a) Minimum Front Yard 15.3 metres

In addition, the following provision shall apply to the subject lands:

- b) The owner shall register on title an agreement that acknowledges that the property is located on a road which is not maintained year round by the Township and therefore is not provided municipal services such as snowplowing, road maintenance, emergency services, garbage pick-up and school bussing.

4.8.5.11 Rural Exception (RU*11) Zone

Notwithstanding the provisions of this By-law to the contrary, a hunt camp with a maximum gross floor area of 215.5 m² shall be permitted and the following provisions shall apply:

- a) Minimum Front Yard 30.4 metres

In addition, the following provision shall apply to the subject lands:

- b) The owner shall register on title an agreement that acknowledges that the property is located on a road allowance which is not maintained year round by the Township and therefore is not provided municipal services such as snowplowing, road maintenance, emergency services, garbage pick-up and school bussing.

4.8.5.12 Rural Exception (RU*12) Zone

Notwithstanding the regulations and standards for the permitted uses in the Rural (RU) Zone, the following shall apply for the Rural Exception Twelve (RU*12) Zone:

- a) Minimum Front Yard – 8 metres
- b) Minimum Interior Side Yard (Western Side Yard) – 4 metres
- c) Minimum Exterior Side Yard – 10 metres

4.9 COMMERCIAL EMPLOYMENT ZONE (CE)

No person shall within any Commercial Employment (CE) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.9.1 Permitted Uses

- i) an automobile service station
- ii) a building supply and lumber outlet
- iii) a combination or group of commercial uses within one commercial building convenience store
- iv) a commercial nursery or greenhouse
- v) a dwelling unit in a portion of commercial building except in the case of a parking lot, or motor vehicle service station
- vi) an enclosed manufacturing, processing, assembling and/ or fabricating plant service shop or personal service shop
- vii) an existing retirement home
- viii) a farm produce sales outlet
- ix) a light equipment sales and rental establishment
- x) a marina
- xi) a motel or hotel
- xii) a motor vehicle body shop
- xiii) a motor vehicle licensing dealership
- xiv) an office accessory to the commercial use
- xv) a place of entertainment
- xvi) a professional office
- xvii) a restaurant
- xviii) a retail store
- xix) a warehouse
- xx) a wood products or planing mill
- xxi) a workshop

4.9.2 Regulations for Permitted Uses

		Metric	Imperial (approx.)
a)	Minimum Lot Area	- 3000m ²	0.74 acres
b)	Minimum Lot Frontage	- 45 m	147.6 ft
c)	Minimum Front Yard	- 15 m	49.2 ft
d)	Minimum Interior Side Yard	- 6 m	19.7 ft
e)	Minimum Exterior Side Yard	- 10 m	33 ft
f)	Minimum Rear Yard	- 10.0 m	33 ft
g)	Maximum Lot Coverage	- 40%	40%
h)	Maximum Height	- 9.0 m	30 ft
i)	Maximum Ground Floor Area	NA	NA
j)	Minimum Dwelling Unit Size	NA	NA
k)	Minimum Landscaped Open Space	20%	20%

4.9.3 Regulations for Accessory Dwelling Units

Where a dwelling unit is built on a lot as an accessory lot to a commercial use, the minimum lot area shall be increased by 1,100 m² (0.27 acres)

4.9.4 Setbacks from Residential Zone

Where a commercial employment use abuts a Residential Zone, the minimum yard from the Residential Zone shall be 30 metres (98.5 ft.)

4.9.5 Regulations for Accessory Office Use

Office space that is accessory to the primary use in the Commercial Employment Zone shall not exceed 25% of the Gross Floor Area of the building.

4.9.6 Exceptions

4.9.6.1 Commercial Employment Exception One (CE*1) Zone

Notwithstanding the provisions of Section 4.9.1 to the contrary, an automobile service station which does not sell fuel for motor vehicles is permitted on lands within the Commercial Employment Exception One (CE*1) Zone as shown on Schedule "A".

4.9.6.2 Commercial Employment Exception Two (CE*2) Zone

Notwithstanding the provisions of Section 4.9.1 to the contrary, a camping establishment with a maximum of four campsites and a marina are permitted on lands within the Commercial Employment Exception Two (CE*2) Zone as shown on Schedule "A".

4.9.6.3 Commercial Employment Exception Three (CE*3) Zone

Notwithstanding the provisions of Section 4.9.1 to the contrary, on lands zoned Commercial Employment Exception Three (CE*3) only the following uses shall be permitted:

- i) a convenience retail store;
- ii) one detached residential dwelling;
- iii) a service shop or personal service shop; and
- iv) the storage of boats and boat accessories, tent trailers, travel trailers and truck camper

In all other respects, the provisions of this By-law shall apply.

4.9.6.4 Commercial Employment Exception Four (CE*4) Zone

Notwithstanding the provisions of Section 4.9.1 to the contrary, a camping establishment with a maximum of 14 campsites is permitted on lands within the Commercial Employment Exception Four (CE*4) Zone as shown on Schedule "A".

4.9.6.5 Commercial Employment Exception Five (CE*5) Zone

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned Commercial Employment Exception Five (CE*5) the following uses shall be permitted in addition to the permitted uses of the Commercial Employment (CE) Zone:

- i) A sawmill
- ii) Storage of heavy equipment
- iii) Open storage of goods or materials accessory to the sawmill use

Notwithstanding the regulations for permitted uses in Section 4.9.2 of the Zoning By-law, the following provision shall apply:

- i) Minimum required setback for buildings, structures, sawmill, storage of heavy equipment, and open storage of goods or materials accessory to the sawmill use from mutual lot line shared with CN Rail (eastern lot line) – 15 metres.

4.10 COMMERCIAL TOURIST (CT) ZONE

No person shall within any Tourist Commercial (CT) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.10.1 Permitted Uses

- i) an accessory convenience store or sub-post office
- ii) an accessory marina
- iii) an accessory single detached dwelling
- iv) a cabin establishment
- v) a cottage establishment
- vi) a summer camp
- vii) a tourist establishment

4.10.2 Regulations for Permitted Uses

	Metric	Imperial (approx.)
a) Minimum Lot Area	1.6 ha	4.0 acres
b) Minimum Lot Frontage	60 m	199 ft
c) Minimum Front Yard	23 m	75 ft
d) Minimum Interior Side Yard	6 m	20 ft
e) Minimum Exterior Side Yard	10 m	33 ft
f) Minimum Rear Yard	6 m	20 ft
g) Maximum Lot Coverage	NA	NA
h) Maximum Height	9.0 m	30 ft
i) Minimum Ground Floor Area	NA	NA
j) Minimum Dwelling Unit Size	NA	NA
k) Minimum Frontage on a Lake	6 m/unit or 2 per person whichever is greater	20 ft/unit or 6.6 ft. per person, whichever is greater

4.10.3 Additional Regulations for Rental Cabins or Cottages

Minimum Floor Area 15.5 m² (167 sq. ft) exclusive of closets, bathrooms, porches and verandahs, plus an additional 7.5 m² (81 sq. ft) for every sleeping room.

Each rental cabin or cottage shall be separated from other rental cabins or cottages by a minimum landscaped open space of 6 m (20 ft).

4.10.4 Exceptions

4.10.4.1 Commercial Tourist Exception One (CT*1) Zone

Notwithstanding the provisions of Section 4.10.2(g) to the contrary, a maximum of 365 persons may be accommodated on lands within the Commercial Tourist Exception One (CT*1) Zone as shown on Schedule "A".

4.11 COMMERCIAL TOURIST PARK (CTP) ZONE

No person shall within any Tourist Commercial (CTP) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.11.1 Permitted Uses

- i) an accessory retail store
- ii) a camping establishment
- iii) a tourist establishment

4.11.2 Regulations for Permitted Uses

	Metric	Imperial (approx.)
a) Minimum Lot Area	1.5 ha	3.7 acres
b) Minimum Lot Frontage	120 m	394 ft
c) Minimum Front Yard	23 m	75 ft
d) Minimum Interior Side Yard	15 m	50 ft
e) Minimum Exterior Side Yard	30 m	99 ft
f) Minimum Rear Yard	15 m	50 ft
g) Maximum Lot Coverage	NA	NA
h) Maximum Height	NA	NA
i) Minimum Ground Floor Area	NA	NA
j) Minimum Dwelling Unit Size	NA	NA
k) Minimum Frontage on a Lake	6 m / unit	20 ft / unit

4.11.3 Regulations for Individual Sites within a Tourist Park

a) Minimum Site Area	185 m2	1992 sq. ft.
b) Minimum Open Space per Total Camping Park	50%	50%
c) Maximum Lot Coverage by all Camping Sites and all related and Accessory buildings and structures	50%	50%

4.11.4 Exceptions

4.12 GENERAL INDUSTRIAL ZONE (M1)

No person shall within any General Industrial Zone (M1) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.12.1 Permitted Uses

- i. an accessory single detached dwelling
- ii. a bulk fuel depot
- iii. a cartage, express truck, transport or bus terminal or yard
- iv. a contractor's yard
- v. a lumber yard
- vi. a manufacturing , processing, assembling and / or fabricating plant
- vii. an open storage use of goods or materials if accessory to a use permitted in the zone
- viii. a professional office
- ix. a repair garage
- x. a retail outlet or wholesale outlet or business office accessory to a permitted use provided that it does not exceed 25% of the gross floor area
- xi. a sawmill
- xii. a transmission or radio tower
- xiii. a warehouse
- xiv. a wood products or planing mill
- xv. a workshop

4.12.2 Regulations for Permitted Uses

	Metric	Imperial (approx.)
a) Minimum Lot Area	8000 m ²	2.0 acres
b) Minimum Lot Frontage	90.0 m	300 ft
c) Minimum Front Yard	15.0 m	50 ft
d) Minimum Interior Side Yard	6.0 m	20 ft
e) Minimum Exterior Side Yard	10.0 m	33 ft
f) Minimum Rear Yard	15.0 m	50 ft
g) Maximum Lot Coverage	50%	50%
h) Maximum Height	10.0 m	33 ft
i) Minimum Ground Floor Area	NA	NA
j) Minimum Dwelling Unit Size	NA	NA
l) Minimum Lot Depth	75 m	246 ft

4.12.3 Planting Strips

Where lands used for Industrial purposes abut a Residential lot, a planting strip at least 10.0 metres (33 feet) wide shall be provided and maintained along that lot line so abutting.

Where a salvage or wrecking yard is permitted, a 6.0 metre wide planting strip and a solid fence at least 3.0 metres high shall be provided along that portion of the lot.

4.12.4 Exceptions

4.12.4.1 General Industrial Exception One (M1*1) Zone

Notwithstanding Section 4.12.1, on lands located in Part of Lot 10, Concession 1 in the Township of Machar and zoned (M1*1), the only permitted use shall be a single detached residential dwelling unit. In addition, a home industry or home occupation shall also be permitted as an accessory use to a single detached residential dwelling unit.

For the purpose of the M1*1 Zone, the provisions of Section 3.11 to By-law 45-12 as amended shall apply with the exception of items a), b), and g) and the following additional provisions shall apply with respect to home industries and home occupations:

- a) The landowner or tenant in the dwelling must be the proprietor of the home industry;
- b) In addition to the proprietor, no more than one (1) additional person may be employed in the home industry;
- c) Such home industry may be located in part of a dwelling or in any accessory building located on the lot, provided the total gross floor area utilized by the home industry does not exceed 100 square metres;
- d) Retail sales are permitted provided such sales are limited to goods produced on the premises in conjunction with the home industry
- e) All of the above provisions shall also apply to home occupations including Section 3.11 c), d), e) and f) and the provisions contained in Section 3.10 to By-law 45-12 shall not be applicable in the M1*1 Zone;
- f) For the purpose of the M1*1 Zone, the definition of a home industry under Section 5 to the By-law 45-12 as amended shall apply and further a home industry shall not involve the repair, salvage or storage of boats, engines, recreation equipment, autos, trucks or heavy equipment nor any other use defined by By-law 45-12 as amended;

Furthermore, the following provisions shall apply to the placement and construction of detached dwellings and detached or attached accessory buildings in the M1*1 Zone:

- g) The existing lot area, frontage and depth of lots in the M1*1 Zone shall be the minimum requirement and the minimum interior side yard for residential uses shall be 3.0 metres, the minimum front yard shall be 6 metres, the maximum lot coverage shall be 15% and on Part 4, RP 42R-7449, the minimum exterior side yard shall be 15 metres;
- h) An attached or detached accessory building may be permitted within the minimum required exterior side yard, provided such building or structure maintains a minimum 5 metre setback from the exterior lot line; and,
- i) The maximum height of any detached accessory building shall not exceed 4.5 metres and a gate house shall not be a permitted use in the M1*1 Zone.

4.13 EXTRACTIVE INDUSTRIAL – PIT - ZONE (M2P)

No person shall within any Extractive Industrial Pit (M2P) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.13.1 Permitted Uses

- i Agricultural uses and buildings or structures accessory thereto but excluding dwellings
- ii A contractor's yard
- iii The establishment of pits for the purpose of extracting unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other from the earth
- iv The processing of natural materials including screening, sorting, washing and crushing operations

4.13.2 Regulations for permitted uses

	Metric	Imperial (approx.)
a) Minimum Lot Area	6.0 ha	15 acres
b) Minimum Lot Frontage	190.0 m	625 ft
c) Minimum Front Yard	130.0 m	425 ft
d) Minimum Interior Side Yard	120.0m	400 ft
e) Minimum Exterior Side Yard	130.0m	425 ft
f) Minimum Rear Yard	120.0 m	400 ft
g) Maximum Lot Coverage	NA	NA
h) Maximum Height	NA	NA
i) Maximum Ground Floor Area	NA	NA

4.13.3 Additional regulations for pits

No pit or the processing of sand, gravel or stone at the extraction area shall be located within 215 metres (700 ft) of any abutting lot in a Residential Zone.

No pit shall be located closer than 120 metres (400 ft) to an existing dwelling or 30 metres (100 ft) from a municipal road allowance lot line or watercourse.

4.13.4 Planting Strip Requirements

A planting strip shall be required along each front and exterior side lot line and any lot line that abuts a Residential lot. The planting strip shall have a minimum width of 15 metres (50 ft).

4.13.5 Exceptions

4.14 EXTRACTIVE INDUSTRIAL – QUARRY - ZONE (M2Q)

No person shall within any Extractive Industrial Pit (M2Q) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.14.1 Permitted Uses

- i. Agricultural uses and buildings or structures accessory thereto but excluding dwellings
- ii. A contractor's yard
- iii. The establishment of quarries for the purpose of open excavation extraction of consolidated rock
- iv. The processing of natural materials including screening, sorting, washing and crushing operations

4.14.2 Regulations for permitted uses

	Metric	Imperial (approx.)
a) Minimum Lot Area	6.0 ha	15 acres
b) Minimum Lot Frontage	190.0 m	625 ft
c) Minimum Front Yard	130.0 m	425 ft
d) Minimum Interior Side Yard	120.0m	400 ft
e) Minimum Exterior Side Yard	130.0m	425 ft
f) Minimum Rear Yard	120.0 m	400 ft
g) Maximum Lot Coverage	NA	NA
h) Maximum Height	NA	NA
i) Maximum Ground Floor Area	NA	NA

4.14.3 Additional regulations for quarries

No quarry or the processing of stone at the extraction area shall be located within 215 metres (700 ft) of any abutting lot in a Residential Zone.

No quarry shall be located closer than 120 metres (400 ft) to an existing dwelling or 30 metres (100 ft) from a municipal road allowance lot line or watercourse.

4.14.4 Planting Strip Requirements

A planting strip shall be required along each front and exterior side lot line and any lot line that abuts a Residential lot. The planting strip shall have a minimum width of 15 metres (50 ft).

4.14.5 Exceptions

4.15 DISPOSAL INDUSTRIAL ZONE (M3)

No person shall within any Disposal Industrial (MD) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.15.1 Permitted Uses

- i) an approved solid waste land-fill site or management facility
- ii) a salvage yard
- iii) a wrecking yard

4.15.2 Regulations for permitted uses

	Metric	Imperial (approx.)
a) Minimum Lot Area	10 ha	25 acres
b) Minimum Lot Frontage	30 m	99 ft
c) Minimum Front Yard	30 m	99 ft
d) Minimum Interior Side Yard	30 m	99 ft
e) Minimum Exterior Side Yard	30 m	99 ft
f) Minimum Rear Yard	30 m	99 ft
g) Maximum Lot Coverage (including any open storage use)	35%	35%
h) Maximum Height	NA	NA
i) Minimum Ground Floor Area	NA	NA

4.15.3 Additional Regulations for Salvage or Wrecking Yards

Where a salvage or wrecking yard abuts any Residential or Open Space Zone, a planting strip shall be provided along that portion of the lot.

4.15.4 Additional Setbacks from Residential Zones

Where a Disposal Industrial Zone abuts a Residential or Open Space Zone, the minimum yards shall be increased by 100%.

4.15.5 Exceptions

4.16 ENVIRONMENTAL PROTECTION ZONE (EP)

No person shall within any Environmental Protection Zone (EP) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.16.1 Permitted Uses

- i) Agriculture
- ii) Resource Management Uses
- iii) Marine Facilities and Boathouses subject to Section 3.1

4.16.2 Regulations for Permitted Uses

4.16.2.1 Marine Facilities

Marine facilities and boathouses may be permitted in accordance with Section 3.1 provided that they are accessory to permitted uses on the appertaining lands where such a use is permitted in the appertaining zone.

4.16.2.2 Permitted Buildings and Structures

No buildings or structures including accessory buildings or structures with the exception of marine facilities, boathouses, pumphouses and buildings or structures used for flood and erosion control are permitted in the Environmental Protection (EP) Zone.

4.16.3 Exceptions

4.17 INSTITUTIONAL ZONE (I)

No person shall within any Institutional (I) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.17.1 Permitted Uses

- i an ambulance station
- ii an assembly hall
- iii a cemetery
- iv a fire hall
- v a library
- vi a municipal office, works garage
- vii a post office
- viii a place of worship
- ix a public utility service building
- x a retirement home
- xi a school

4.17.2 Regulations for permitted uses

	Metric	Imperial (approx.)
a) Minimum lot area	3000m ²	0.74 acres
b) Minimum Lot Frontage	45 m	148 ft
c) Minimum Front Yard	10 m	33 ft
d) Minimum Interior Side Yard	10 m	33 ft
e) Minimum Exterior Side Yard	10 m	33 ft
f) Minimum Rear Yard	15 m	49 ft
g) Maximum Lot Coverage	25%	25%
h) Maximum Height-	10 m	33 ft

4.17.3 Minimum Parking Requirements

No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle within 1.5 m (5 ft) of any lot line which does not abut a public street or boundary of any Residential (R) zone.

4.17.4 Exceptions

4.17.4.1 Institutional Exception (I*1) Zone

Notwithstanding the permitted uses and regulations of Sections 4.17.1, 4.17.2, on lands located within the I*1 Zone, described legally as Part 15, 18 and 19, Plan 42R-16737 and located in Part of Lot 11, Concession 1, in the Township of Machar, the only permitted uses shall be:

- a) A place of worship;
- b) An assembly hall;
- c) A library;
- d) A public facility; or,
- e) A private school.

For the purpose of the I*1 Zone, the minimum lot area shall be 0.66 hectares and the maximum height for a place of worship shall be 15 metres. Furthermore, the
Township of Machar Zoning By-law

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December 10, 2012
Consolidated August, 2023

minimum rear yard shall be 14 metres and notwithstanding Section 3.21 the minimum number of parking spaces in the I*1 Zone shall be 67.

4.18 OPEN SPACE ZONE (OS)

No person shall within any Open Space (OS) Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.18.1 Permitted Uses

- i) a non-commercial marine facility
- ii) a public park
- iii) a resource management activities, excluding buildings, structures or dwellings
- iv) a seasonal camping parks under the ownership of a public agency or authority

4.18.2 Regulations for Permitted Uses:

	Metric	Imperial (approx.)
a) Minimum lot area	4 ha	9.8 acres
b) Minimum Lot Frontage	120 m	394 ft
c) Minimum Front Yard	40 m	33 ft
d) Minimum Interior Side Yard	15 m	33 ft
e) Minimum Exterior Side Yard	40 m	33 ft
f) Minimum Rear Yard	15 m	49 ft
g) Maximum Height	10.5 m	34 ft
h) Maximum Lot Coverage	NA	NA
i) Minimum Ground Floor Area	NA	NA
j) Minimum Dwelling Unit Size	NA	NA

4.18.3 Additional Regulations for Public Parks

No buildings or structures associated with a public park with the exception of bathing stations and refreshment stands are permitted in the Open Space (OS) Zone.

4.18.4 Exceptions

4.18.4.1 Open Space Exception One (OS*1) Holding Zone

Notwithstanding the provisions of Section 4.19.1 to the contrary, a golf course, an accessory single detached dwelling and a single detached dwelling or dwelling unit occupied by staff is permitted on lands within the Open space Exception One (OS*1) Zone as shown on Schedule "A".

4.18.4.2 Open Space Exception Two (OS*2) Holding Zone

Notwithstanding the provisions of Section 4.19.1 to the contrary, a golf course and associated facilities accessory to a golf course are permitted with the Open Space Exception Two (OS*2) zone as shown on amended Schedule "A".

4.19 HOLDING PROVISIONS

4.19.1 Unless otherwise provided in this By-law to the contrary, where a *Zone* symbol is preceded by, a letter “H” and a number – for example H1M3 – no *person* shall *use* or permit the *use* of the land to which the letter (H) applies for any *use* other than the *use* which legally existed on the date the By-law applying the Holding provision came into effect or the *use(s)* permitted in the By-law enacting the Hold, or expand or replace an *existing building* or *structure* as the case may be, until the Hold (H) is removed in accordance with the policies of the Official Plan and Section 36 of the Planning Act, R.S.O. 1990, c.P.13, as amended

4.19.2 Council may pass a By-law pursuant to Section 36 of the Planning Act, as amended to remove the Holding (H) Symbol, thereby placing the lands in the *zone* indicated by the *zone* symbol, when all of the applicable *requirements* have been met. For the purposes of this By-law, a number of distinct holding provisions have been applied as set out in Table 4, below:

Table 4 – Holding Provisions

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H1	Multiple Locations		The lifting of the H1 Holding provision permitting the development of any new use or new or enlarged buildings and structures requiring a water supply within the waste disposal assessment area shall not be permitted until Council receives confirmation from the Ministry of the Environment that all of the studies required by the Township have been completed in accordance with Section C2.2 of the Official Plan		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H2	Multiple Locations		The lifting of the H2 Holding provision permitting the development of any new use or new buildings and structures within the Rural Employment Area shall not be permitted until Council is satisfied that an appropriate subdivision agreement and / or site plan agreement and / or development agreement has been executed.		

4.20 TEMPORARY USES

Where on Schedules to this By-law, a symbol “T”, and a number, identify a property that is subject to a temporary use permission one or more additional but temporary uses are permitted on the lands noted until the permission granted by the site specific Temporary Use By-law expires in accordance with the policies of the Official Plan and Section 39 of the Planning Act, R.S.O. 1990, c.P.13, as amended. Table 5, below, identifies the Temporary Use Zones within the Township.

Table 5 – Temporary Uses

Symbol	Zone Designation	Property/Legal Description	Temporary Uses Permitted	Date Enacted	Expiry Date

SECTION 5 DEFINITIONS

5.1 ACCESSORY

A use, separate building or structure, which is incidental, subordinate, exclusively devoted to and located on the same lot as the principal use, building or structure but not including a building or structure which is used as a dwelling unless specifically permitted.

5.2 ACCESSORY APARTMENT

A separate dwelling unit which is contained in a building which was originally designed as a detached dwelling and continues to be occupied by the owner.

5.3 AGGREGATE

Gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock, other than metallic ores, or other prescribed materials under the Aggregate Resource Act.

5.4 AGRICULTURAL BUILDING

Any building or structure customarily used in connection with a farm other than a residence.

5.5 AGRICULTURE, INTENSIVE

Lands on which the predominant economic activity consists of but is not limited to the raising of intensive livestock, chickens or other fowl, the raising of fur bearing animals, the raising of swine, sheep or goats, the raising of cattle or dairying of cattle, in excess of 100 units, as defined by the minimum distances formulae attached to and forming part of this By-law.

5.6 AGRICULTURAL PRODUCE OUTLET

The use of land, buildings or structures for the purposes of buying or selling or the processing, storage and supply of commodities and services that support agricultural operations.

5.6.1 AGRICULTURAL SOURCE MATERIAL

Material used for land application of nutrients that originate from agricultural activities such as livestock operations. May include manure, livestock bedding, runoff water from animal yards or manure storage and compost (See Nutrient Management Act, 2002 for legal description)

5.7 AGRICULTURAL USE

Any agricultural use or uses, structures or buildings accessory thereto, including field crops, animal husbandry, tree nurseries and any other use customarily carried on in the field of general agriculture, including the sale on the premises, of produce grown or raised on the premises.

- 5.8 AIRFIELD, HOBBY**
- Any land, lot or building used for the purpose of landing, storing or flying of model airplanes
- 5.9 AIRPORT HANGER**
- A building or structure designed and used for the shelter of aircrafts.
- 5.10 AIRSTRIP, PRIVATE**
- Lands used for the purpose of landing, storing, taxiing or taking-off of private aircrafts.
- 5.11 AISLE**
- The area used by motor vehicles for access to and from all off-street parking spaces, but does not include an access driveway.
- 5.12 ASSEMBLY HALL**
- A building or part of a building used for the gathering of groups of persons for a specific function. Full kitchen facilities shall not be provided.
- 5.13 ASSISTED LIVING FACILITY**
- A facility where meals, lodging, and continuing nursing care may be provided for compensation, including assisted living facilities, nursing homes, retirement homes, and medical receiving homes.
- 5.14 ATTACHED**
- A building otherwise complete in itself, which depends, for structural support or complete enclosure, upon a division wall or walls shared in common with adjacent building or buildings.
- 5.15 AUTOMOBILE SERVICE STATION**
- A building or place where gasoline, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, sparkplugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased or washed or have their ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed.
- 5.16 BANQUET HALL**
- A building or part thereof, used for the gathering of groups of people for a specific function including the consumption of food and drink and shall include full kitchen facilities
- 5.17 BARN**

A building used for the housing of livestock or agricultural products kept or grown on the lands on which the building is located.

5.18 BASEMENT

That portion of a building partly underground, but having less than one-half of its clear height below the average lot grade.

5.19 BED AND BREAKFAST

A home occupation within a single family dwelling wherein no more than 3 guest rooms are made available for temporary accommodation of the traveling or vacationing public. Such an establishment may offer light meals to those persons temporarily residing at the establishment. A Bed and Breakfast Establishment shall not include a restaurant or a Tourist Establishment.

5.20 BOARD WALK

An elevated public pedestrian walkway constructed over a public street, over a water feature or along a shoreline.

5.21 BOATHOUSE

Any building or enclosure in which one or more boats, ships or float planes and related equipment are stored, kept or repaired, where there is no habitable living quarters included.

5.22 BUILDING

A structure whether temporary or permanent, used or built for the shelter, accommodations or enclosure of persons, animals, materials or equipment. Any tent, awning, bin, bunk, platform, vessel or vehicle used for any of the said purposes shall be deemed a building.

5.23 BUILDING SUPPLY AND LUMBER OUTLET

A building or structure in which building or construction and home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials related to home improvements but does not include any use or activity otherwise defined or classified herein.

5.24 BULK FUEL DEPOT

Lands, buildings and structures for the storage, distribution of fuels and oils but not including retail sales except key lock operations.

5.25 BUSINESS, PROFESSIONAL OFFICE OR ADMINISTRATIVE OFFICE

A building or part of a building in which one or more persons are employed in the management, direction or conducting of a business or where professionally qualified persons and their staff serve clients or patients who seek advice,

consultation or treatment and may include the administrative offices of a non-profit or charitable organization.

5.26 CABIN

A single storey structure or building which is maintained for the accommodation of an individual or individuals where facilities for cooking are not provided.

5.27 CABIN ESTABLISHMENT

A tourist establishment comprised of two (2) or more cabins arranged singled or in pairs and which does not provide cooking facilities.

5.28 CAMP SITE

An area within a camping establishment of at least 186 square metres that is occupied on a temporary basis only, by the trailer, motorized home, truck camper, camper or tent, but not a mobile home.

5.29 CAMPING ESTABLISHMENT

A tourist establishment consisting of at least five (5) camping sites and comprising land used or maintained as grounds for the camping or temporary parking of trailers, motorized mobile homes, truck campers, campers or tents, and licensed under the Tourism Act.

5.30 CEMETERY

The land that is set apart or used as a place for the internment of the dead or in which human bodies have been buried.

5.31 CHIEF BUILDING OFFICIAL

An official employed by the Township appointed under the Building By-law or pursuant to the provisions of The Building Code Act, as amended, and shall include any Inspector likewise employed and appointed.

5.32 CLINIC

An establishment in which medical, dental or other professional healing treatment is given to human beings.

5.33 COMMERCIAL NURSERY AND/OR GREENHOUSE

Any land or building used for the growing of flowers, fruits, vegetables, plants, shrubs, trees and/or similar vegetation, and may include the retail sale of such products and gardening tools and implements.

5.34 COMMUNITY CENTRE

Any track of land, or building, or any part of any building used for community activities without purpose of gain.

5.35 CONTRACTOR'S YARD

A yard of any general contractor or builder where equipment and materials are stored or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.

5.36 CORPORATION

The Corporation of the Township of Machar.

5.37 COTTAGE

A building within a cottage establishment to accommodate one (1) or more guests which contains at least two (2) rooms; which is at least partially furnished; and, which provides facilities to permit the guest to prepare and cook food.

5.38 COTTAGE ESTABLISHMENT

A tourist establishment comprising of two (2) or more cottages owned or leased by the same person.

5.39 COUNCIL

The Council of the Corporation of the Township of Machar.

5.40 COUNTRY MARKET/ FLEA MARKET

A building or track of land used for the temporary exhibit, storage and temporary retail sale of merchandise, goods, wares, produce, crafts and arts for the utilization and consumption of the general public provided that any temporary exhibit, storage and temporary retail sales occurring does not include the sale of livestock and auction sales

5.41 DAY NURSERIES

A day nursery operated for pre-school age children within the meaning of the Day Nurseries Act, as amended.

5.42 DECK

Is an elevated structure attached to a building with no walls or roof or structure serving the same purpose as a wall or roof.

5.43 DOCK

A structure for the mooring of boats, attached to or forming part of the mainland.

5.44 DWELLING

A building or part of a building occupied or capable of being occupied, in whole or in part as the home, residence or sleeping place of one or more persons either continuously, permanently, temporarily or transiently but shall not include a mobile home having less than 65 square metres in area.

5.45 DWELLING, ACCESSORY

A use, separate building, or structure, which is usually incidental, subordinate, exclusively devoted to and located on the same lot as the principal use, building or structure but not including another dwelling.

5.46 DWELLING, APARTMENT

A building containing three or more dwelling units, sharing a common hall and common entrance at grade.

5.47 DWELLING, DETACHED

A detached building containing one dwelling unit only.

5.48 DWELLING, DUPLEX

A building that is divided horizontally into separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.

5.49 DWELLING, SEMI-DETACHED

A building that is divided vertically into two separate dwelling units, each of which has a separate entrance at grade.

5.50 DWELLING, TOWNHOUSE

A dwelling unit in a building divided vertically into no less than three nor more than eight dwelling units attached by common walls extended from the base of the foundation to the roof line, each dwelling unit having a separate entrance at grade.

5.51 DWELLING, FOUR-PLEX

The whole of a building that is divided vertically by common party walls into four separate dwelling units, each of which has two common party walls.

5.52 DWELLING UNIT

A room or rooms in which a kitchen, living quarters and sanitary conveniences are provided for the exclusive use of the residents and with a private entrance from outside the building or from a common hallway or stairway inside.

5.53 ESTABLISHED BUILDING LINE

The average distance from the street line or shoreline to existing buildings in any block where more than half the frontage has been built upon, at the date of passing of this By-law.

5.54

FARM

Any farming or agricultural use and includes apiaries; aviaries; berry or bush crops; breeding, raising, training or boarding of horses or cattle; commercial greenhouses; farms devoted to the hatching, raising and marketing of chickens, turkeys, or other fowl or game birds, animals, fish or frogs; farms for grazing; flower gardening; field crops; goat or cattle dairies; growing, raising, picking, treating and storing of vegetables or fruit produce produced on the premises; nurseries; orchards; riding stables; the raising of sheep or goats; the raising of swine; tree crops; market gardening; bee keeping; wood lots; such uses or enterprises as are customarily carried on in the field of general agriculture. "Farm" includes a single-family dwelling house, and such principal or main buildings and structure as a barn or silo, as well as accessory buildings and structures which are incidental to the operation of the farm.

5.55

FARM, HOBBY

Means an area of land on which a barn, stable or shelter may be erected for animals (as per the farm definition) kept to a maximum of five (5) Nutrient Units, as defined by the Nutrient Management Act and able to meet the Minimum Distance Separation Formula.

5.56

FARM, SPECIALIZED

Any 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, goats, horses, or cattle on feed lots, the raising or boarding of dogs or cats or the growing of mushrooms.

5.57

FARM PRODUCE RETAIL OUTLET

A building, or part of a building, in which farm produce, exclusive of meat or poultry, is offered for sale at retail. But shall not include the sale of farm produce which has been reprocessed not shall it include a slaughter house.

5.58

FINISHED GRADE

The average elevation of the finished surface of the ground at ground level on any one side of a building or structure.

5.59

FLOOD FRINGE

Those lands being part of the flood plain which delineates the area beyond the floodway, which includes the remaining lands susceptible to flooding.

5.60

FLOOD PLAIN

The flood-prone area, usually lowlands, adjoining the channel of a river, stream or watercourse which are susceptible to being inundated by water from any source.

5.61**FLOODWAY**

The channel of a river or other watercourse and the adjacent land areas where the flood waters are in excess of 1.0 metres deep and are moving at greater than 1.0 metres cubed per second.

5.62**FLOOR AREA, GROSS**

The total floor area, as hereinafter defined, exclusive of any portion of the building or structure below finished grade measured between the exterior faces of the exterior walls which is used for heating, the storage of goods or personal effects, laundry facilities, recreational areas, the storage or parking of motor vehicles, exclusive of any private garage, carport, basement, walkout basement, cellar, porch, verandah, deck or sunroom unless such sunroom is habitable during all seasons of the year.

5.63**FLOOR AREA, GROUND**

The maximum ground floor area of a building measured by the outside walls, excluding, in the case of a dwelling house, any private garage, carport, porch, verandah, deck or sunroom (unless such sunroom is habitable at all seasons of the year).

5.64**GARAGE, PRIVATE**

A detached accessory building or portion of a dwelling house which is designed or used for the sheltering of a private motor vehicle and storage of household equipment incidental to the residential occupancy and which is fully enclosed and roofed and excludes a carport or other open shelter.

5.65**GAZEBO**

A freestanding roofed building which is not enclosed, except for screening or glass and which is utilized for the purposes of relaxation in conjunction with a residential dwelling but shall not include any other use or activity otherwise defined or classified in this By-law.

5.66**GOLF COURSE**

A public or private area operated for the purpose of playing golf, and includes a par 3 golf course, club house and recreational facilities, accessory driving ranges and miniature golf courses, and similar uses.

5.67**GRADE, ESTABLISHED**

The average elevation of the finished grade of the ground immediately surrounding a building or structure.

5.68

GROUP HOME

A single-detached dwelling unit in which not more than 10 persons, having physical, social or mental handicaps reside in a household under the appropriate supervision of supervisory personnel, who may also reside in the dwelling unit, and which is licensed and/or approved for funding under provincial statutes and in compliance with municipal by-laws. A dwelling unit occupied for the purpose of providing shelter for persons on parole or released from penal institutions, or for persons ordered to reside there as a result of a conviction of a criminal offence is not a group home.

5.69

GUEST CABIN

A single storey accessory structure which is not attached to the main dwelling on a lot which is maintained for the accommodation of an individual or individuals where facilities for cooking are not provided.

5.70

HEAVY EQUIPMENT SALES AND RENTAL

A building or part of a building or structure in which commercial vehicles, heavy machinery and equipment are offered or kept for sale, rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

5.71

HEIGHT OF BUILDINGS

The vertical distance, measured from the natural or average finished grade to the highest point on the highest part of the building or structure.

5.72

HIGH WATER MARK SETBACK

The setback will be measured from the normal average or maintained water level of the lake or river.

5.73

HOME INDUSTRY

Any occupation of an industrial nature conducted entirely within a building or part of a building accessory to a single-detached dwelling house.

5.74

HOME OCCUPATION

An occupation carried on by the occupant of a dwelling on his premises as a secondary use in connection with which there is no display, no stock in trade nor commodity sold upon the premises and may include a day nursery or a bed and breakfast establishment.

5.75

HOTEL

A part of a building, building or group of buildings where sleeping accommodations (with or without meals) is provided to the public, but where no individual private cooking facilities are provided.

5.76 HUNT CAMP

Shall mean a building or structure having a maximum area of 75 square metres (807 sq ft) consisting of one or more rooms which is at least partially furnished and may include facilities for the preparation of food and overnight accommodation on a temporary basis for use only during the hunting or fishing seasons but shall not include any other establishments or use as may be defined or classified in this By-law.

5.77 IMPROVED PUBLIC ROAD

A street, road or highway under the jurisdiction of the Province of Ontario or the Township which is maintained so as to allow normal vehicular access to adjacent properties and which, in the case of a Township Road, is a road for which the Township receives construction and maintenance subsidies from the Ministry of Transportation and Communications.

5.78 KENNEL

Shall mean a building or structure where domestic household pets are kept, raised and/or boarded for commercial purposes.

5.78.1 LANDFARMING

Means the biodegradation of petroleum refining wastes by naturally occurring soil bacteria by means of controlled application of the wastes to land followed by periodic tilling.

5.79 LANDSCAPED OPEN SPACE

The open unobstructed space from ground to sky at grade on a lot accessible by walking and which is suitable for the growth and maintenance of grass, flowers, trees, bushes and other landscaping and includes any surfaced walk, patio or similar area but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure.

5.80 LAUNDROMAT

A self-serve clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment, and laundry receiving depot.

5.81 LIGHT EQUIPMENT SALES AND RENTAL ESTABLISHMENT

A building or structure or part of a building or structure in which light machinery and equipment such as air compressors and related tools and accessories; augers; automotive tools; cleaning equipment; light compaction equipment; concrete and masonry equipment; electric tools and accessories; fastening devices such as staplers and tackers; floor and carpet tools; gasoline generators; jacks and hydraulic equipment; lawn and garden tools; ladders; moving equipment; painting and decorating equipment; pipe tools and accessories; plumbing tools and accessories; pumps; hoses; scaffolding; welding equipment; and, other similar tools and appurtenances are offered or kept for rent, lease or hire under agreement

for compensation, but shall not include any other establishment defined or classified in this By-law.

5.82 LODGING HOUSE/ BOARDING HOUSE

A dwelling in which the proprietor supplies for a fee, sleeping accommodations with board for at least three people and nor more than 10 people exclusive of the proprietor, members of the proprietors family and employees of the establishment, but does not include a hostel.

5.83 LOGGING

The removal or cutting of logs from harvestable timber for commercial purposes, either by selective, strip or clear-cutting operations.

5.84 LOT

A parcel or tract of land described in a deed or other legal document which is legally capable of being conveyed.

5.85 LOT AREA

The total horizontal area within the lot lines of a lot above the normal or maintained high water mark.

5.86 LOT, CORNER

A lot situated at the intersection of two or more streets, or at the intersection of a street and a railway right-of-way, or a lot abutting on one or more parts of the same street, in which an interior angle of less than one hundred and thirty-five (135) degrees is contained, between the front and side lot lines abutting by the said street or streets.

5.87 LOT COVERAGE

The percent of the lot area covered by buildings or structures, including porches, verandas and any other roofed area but excluding parking areas, driveways and uncovered decks less than 1.0 metres in height, and walkways.

5.88 LOT FRONTAGE

The horizontal distance between side lot lines measured at right angles from the side lot lines. Where the side lot lines are not parallel, the lot frontage shall be measured as a minimum distance between the points at which the side lot lines intersect with the front lot line.”

5.89 LOT LINE, INTERIOR

A lot line which does not abut a street

5.90

LOT LINE

Any boundary of a lot.

5.91

LOT LINE, EXTERIOR SIDE

The side lot line which abuts an improved public street or an unopened road allowance on a corner lot.

5.92

LOT LINE, FRONT

The lot line that abuts the street, but in the case of any lot having water access, the front lot line shall be the lot line abutting the high water mark of the navigable waterway, or the lot line abutting the Crown Shoreline Reserve and:

- a) In the case of a corner lot or through lot, the shorter lot line that abuts a street or navigable waterway shall be deemed to be the front lot line and the longer lot line that abuts a street or navigable waterway shall be deemed the exterior side lot line, but,
- b) In the case of a corner lot or through lot with two lot lines of equal length abutting streets, the lot line that abuts the wider street shall be deemed to be the front lot line, but where the streets are of equal width, the lot line which abuts a Provincial Highway shall be deemed to be the front lot line, and in the case of both streets being under the same jurisdiction and of the same width, the line over which access to the property is gained shall be the front lot line.

5.93

LOT LINE, REAR

The lot line farthest from or opposite to the front lot line.

5.94

LOT, THROUGH

A lot bounded on opposite sides by streets or navigable waterways.

5.95

LUMBER YARD

A building, structure or yard in which building materials are offered or kept for sale at retail and may include the fabrication of lumber products.

5.96

MANUFACTURING, PROCESSING, ASSEMBLY AND/OR FABRICATING PLANT

A building used for the purpose of manufacturing, assembly, making, preparing, inspecting, finishing, treating, altering, repairing, warehousing, or storing or adapting for sale of any goods, substance, article, or product.

5.97

MARINA

An establishment or premises, containing docking facilities, where boats or boat accessories are berthed, stored, serviced, repaired, or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided.

5.98 MARINE FACILITY

An accessory structure which is used to take a boat into or out of a navigable waterway, or to moor a boat. This definition includes a launching ramp, boat lift, or dock but does not include any building or any boat servicing, repair, or sales facility.

5.99 MARINE SALES AND SERVICE ESTABLISHMENT

A building or part of a building and associated lands where a dealer displays new and used boats and boat accessories for sale at retail or for rental, and where marine equipment is services or repaired and may include boat storage facilities.

5.100 MINIMUM OPENING ELEVATION

The lowest elevation on a habitable building that is constructed to withstand flooding.

5.101 MOBILE HOME

Any dwelling that is designed to be mobile, and constructed or manufactured to provide a permanent residence for one or more persons certified in accordance with C.S.A. Standard Z240 or 241, but does not include a travel trailer or tent trailer or trailer otherwise designed.

5.102 MOBILE HOME PARK

A parcel of land which is developed and managed as a unit where individual lots are made available on a rental basis for the placing of a mobile home, where the ownership and responsibility for the maintenance of private internal roads, services, communal areas and buildings, including snow plowing and removal, garbage collection, together with general park management rests with management.

5.103 MOTEL

A structure containing a series of living or sleeping units with individual interior sanitary conveniences, including motor courts or tourist courts. All required parking is at grade and direct access is available from the parking area to the individual units.

5.104 MOTOR VEHICLE

An automobile, truck, motorcycle, and any other vehicle propelled or driven otherwise than by human power, but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of The Highway Traffic Act, as amended.

5.105 MOTOR VEHICLE, COMMERCIAL

Any commercial motor vehicle within the meaning of The Highway Traffic Act, as amended.

5.106 MOTOR VEHICLE BODY SHOP

A building or structure used for the painting or repairing of motor vehicle bodies, exterior and undercarriage, and in conjunction with which there may be towing service and motor vehicle rentals for customers while the motor vehicle is under repair, but shall not include any other establishment otherwise defined or classified in this By-law.

5.107 MOTOR VEHICLE DEALERSHIP

A building or structure where a franchised dealer displays motor vehicles for sale or rent and in conjunction with which there may be used motor vehicle sales or rentals, a motor vehicle repair garage, a motor vehicle service station, a motor vehicle gasoline bar or a motor vehicle body shop, but shall not include any other establishment otherwise defined or classified in this By-law.

5.108 MOTOR VEHICLE REPAIR GARAGE

A building or structure where the exclusive service performed or executed on motor vehicles for compensation shall include the installation of exhaust system, repair of the electrical system, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use and in conjunction with which there may be a towing service, a motor vehicle service station and motor vehicle rentals for the convenience of the customer while the motor vehicle is being repaired, but shall not include any other establishment otherwise defined or classified in this By-law.

5.109 MOTOR VEHICLE SERVICE STATION

A building or structure where gasoline, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, sparkplugs, batteries and automotive accessories for motor vehicles and new retail goods are stored or kept for sale to the general public, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, and where mechanical or running repairs essential to the actual operation of motor vehicles are executed or performed. Such shall require public washrooms.

5.110 MUNICIPAL, PROVINCIAL WORKS GARAGE

Any land, building and/or structure owned by the Corporation of the Township of Machar or the Province of Ontario and used for the storage, maintenance and/or repair of material, equipment, machinery and/or motor vehicle used in connection with civic works.

- 5.111 TOWNSHIP**
- The Corporation of the Township of Machar
- 5.111.1 NON-AGRICULTURAL SOURCE MATERIAL**
- Used to apply to land as nutrients that do not originate from agricultural activities. Includes pulp and paper biosolids, sewage biosolids, non-agricultural compost and any other material capable of being applied to land as a nutrient that is not from an agricultural source (see Nutrient Management Act, 2002 for legal description)
- 5.112 NON-COMPLYING**
- A lot, building or structure on a lot that does not fulfill the requirements of the zone provisions for the zone in which the lot, building or structure is located.
- 5.113 NON-CONFORMING**
- An existing use or activity of any land, building or structure which does not conform with the permitted uses, or activities of this By-law for the Zone in which such existing land, building or structure is located, so long as it continues to be used or enjoyed for that purpose.
- 5.114 NURSERY OR GREENHOUSE, COMMERCIAL**
- A building or structure, and lands associated therewith, for the growing of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation together with gardening tools and implements which are sold at retail from such building or lot to the general public.
- 5.115 NURSING HOME**
- Any premises maintained and operated for persons requiring nursing care.
- 5.116 NUTRIENT MANAGEMENT PLAN**
- A technical document which specifies how an agricultural operation is to store, manage and distribute agricultural nutrients (manure).
- 5.117 OPEN STORAGE**
- Any accessory storage outside of a principal or main building or structure on the lot.
- 5.118 OUTDOOR RECREATION AREA**
- A place designed and/or equipped for the conduct of sports, leisure time activities and other recreational activities, but shall not require buildings. It may include accessory structures to the principle use. It may include such items as signs, benches, and goal posts.

5.119 PARK, PRIVATE RECREATION

An open space or recreational area, other than a public park, operated on a commercial and/or private member basis, and which includes one or more of the following facilities or activities:

- a) Areas for walking, riding and cross-country skiing but does not include the racing of animals, motor vehicles, motor cycles or snowmobiles;
- b) Swimming and wading areas;
- c) Accessory recreational or playground areas such as picnic areas, tennis courts, lawn bowling greens, outdoor skating rinks, athletic fields, swimming pools and similar uses;
- d) Buildings and structures accessory to the foregoing including a refreshment booth or pavilion, and administrative offices; and,
- e) An accessory club house; and
- f) Parking lots accessory to the foregoing.

5.120 PARK, PUBLIC

Any open space or recreational area, owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario and may include therein neighbourhood, community, and special parks or areas and may include one or more athletic fields, field houses, fair grounds or similar uses.

5.121 PARKING AREA

An area or areas of land or a building or part thereof which is provided and maintained upon the same lot or lots upon which the principal use is located for the purpose of parking motor vehicles.

5.122 PARKING LOT

A parking area forming the principal use of a lot.

5.123 PARK MODEL TRAILER

Any vehicle so constructed that is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and capable of being used for living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked up or that its running gear is removed. A Park model trailer shall not include any trailer used primarily for the purpose of sale or storage.

5.124 PARKING SPACE

An area, for the parking or storage of motor vehicles, having a minimum width of 3 metres (10 feet) and a minimum area of 18.5 square metres (200 sq. ft.), exclusive of any aisles, ingress or egress lanes.

- 5.125 PATIO**
- A platform or surfaced area without a roof, the surface of which is not more than 0.3 metres above finished grade.
- 5.126 PERSON**
- Any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executor or other legal representatives of a person to whom the context can apply according to law.
- 5.127 PIT**
- A place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit.
- 5.128 PLACES OF WORSHIP**
- Churches, chapels, temples, parish halls and synagogues including offices for the administration of the religious institution, convents, seminaries, monasteries, rectories, parsonages and parish houses.
- 5.129 PLANTING STRIP**
- An open unobstructed space free of buildings or structures which is used for the growing and maintenance of grass, flowers, shrubs, natural vegetation or other landscaping.
- 5.130 PORCH**
- Is a partially enclosed, or fully enclosed structure attached to and forming part of a building.
- 5.131 PORTABLE PROCESSING PLANT**
- Any equipment for the crushing, screening or washing of sand and gravel aggregate materials, but not including a concrete batching plant or an asphalt plant, of which the equipment is capable of being readily drawn or readily propelled by a motor vehicle and which equipment is not considered permanently affixed to the site.
- 5.132 PRINCIPAL OR MAIN BUILDING**
- Any building which is carried on the principal purpose for which the building lot is used and shall include a barn or silo used in conjunction with a farm.
- 5.133 PRIVATE CLUB**
- A non-profit, non-commercial organization, which carries on social, cultural, athletic and/or recreational activities.
- 5.134 PRIVATE ROAD**

A private right-of-way over private property which affords access to abutting lots.

5.135 PROVINCIAL HIGHWAY

A street under the jurisdiction of the Ministry of Transportation and Communications.

5.136 PUBLIC AUTHORITY

Any Federal, Provincial, County or Municipal agencies, and includes any commission, board, authority or department established by such agency.

5.137 QUARRY

A place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit metal mine.

5.138 RECONSTRUCTION

Shall mean the act of repairing, restoring or renovating more than 50% of the GFA of an existing building to a safe or better condition but shall not constitute the demolition and replacement of a building or structure.

5.139 RECREATIONAL AREA

A place designed and/or equipped for the conduct of sports, leisure time activities and other recreational activities, but shall not include buildings. It may include accessory structures to the principle use. It may include such items as signs, benches and goal posts.

5.140 RECREATIONAL DWELLING

A single detached dwelling that is used for temporary occupation on a seasonal basis by persons who maintain a permanent residence in another location.

5.141 RECREATIONAL VEHICLE

A self propelled vehicle used as a temporary accommodation for seasonal recreational purposes and equipped with sanitary and cooking facilities.

5.142 RESORT

A tourist establishment that operates throughout all or part of the year and that has facilities for serving meals and furnishes equipment, supplies or services to persons in connection with angling, hunting, camping or recreational purposes and may include a Liquor Licensed Premises.

5.143 RESOURCE MANAGEMENT ACTIVITY

The preservation, protection and improvement of the components of the natural environment through a comprehensive management and maintenance program administered by a public authority for individual or public use, including forestry and wildlife management areas.

5.144 RESTAURANT

A building or part of a building where food is offered for sale or sold to the public primarily for immediate consumption.

5.145 RETAIL STORE

A building where goods, wares, merchandise, substances or articles, are offered or kept for sale at retail or rental and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, or articles sufficient only to service such stores but does not include any retail outlet otherwise classified or defined in this By-law.

5.146 RETIREMENT HOME

A residential development consisting of a group of self-care units, either attached or detached, with ancillary facilities that provides social and recreational activities for use by its inhabitants, such facilities and forms of housing being designed for, and offered to persons who are at or near retirement area. Ancillary facilities may include nursing and medical facilities, chapels, meeting rooms, recreational facilities, therapy rooms, kiosk facilities and the like.

5.147 RIDING SCHOOL OR BOARDING STABLE

An area of land which is used as an educational centre for horse training, handling, care, or for the lodging of horses.

5.148 SALVAGE OR WRECKING YARD

A place where motor vehicles and parts are wrecked, disassembled, repaired and resold, where second-hand goods, including waste paper, bottles, automobile tires, clothing, other scrap materials and salvage are collected to be sorted and where used lumber and used building materials are stored for sale or resale.

5.149 SAWMILL

A building, structure or area where timber is cut or sawed, either to finished limber or as an intermediary step.

5.150 SCHOOL

A public school, a separate school, a university, a community college or a private school authorized by the Province of Ontario.

5.151 SERVICE SHOP

A building or part of a building, not otherwise defined or classified in this By-law, for the servicing or repairing of articles, goods or materials, as well as facilities for accessory retail sales, but shall not include the servicing, repairing or sales of motor vehicles.

5.152 SERVICE SHOP, PERSONAL

A building, or part of a building, in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, such as a barber's shop, a ladies hairdressing establishment and a shoe repair shop.

5.153 SETBACK

The horizontal distance from the centre line of the street right-of-way, measured at right angles to such centre line, or in the case of a lot having frontage on a navigable waterway take the horizontal distance from the high water mark to the nearest part of any building or structure or excavation on the lot.

5.154 SHIPPING CONTAINER

An article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use and is designed to facilitate the transportation of goods by one or more means of transportation and includes, but is not limited to, intermodal shipping containers, body of transport trailer or straight truck box

5.155 STREET

A highway as defined under The Highway Traffic Act, or the Municipal Act or a road which has been assumed and is maintained by the Corporation of the Township of Machar.

5.156 STREET LINE

The limit of the street or road allowance and is the dividing line between a lot and street or road.

5.157 STRUCTURE

Anything man-made that is fastened to or into the earth or rests on the earth by its own mass or is attached to something having location on the ground, or is attached to a building including a septic system, holding tanks, satellite receiving dishes, and heat pumps. A floating dock or boardwalk shall be considered a structure.

5.158 SUMMER CAMP

A camp which is privately owned and operated, or a camp which is operated by a charitable corporation approved under The Charitable Institutions Act, as amended, or a camp within the meaning of the regulations made under The Public Health Act, as amended.

5.159 TAVERN

A building or part thereof at which alcoholic beverages may be prepared and served for consumption on the premises with or without food.

5.160 TENT

Any kind of temporary shelter for sleeping that is not permanently affixed to the site and that is capable of being easily moved and is not considered a structure.

5.161 TERTIARY SEWAGE TREATMENT SYSTEM

A system for the purification of wastewater in which nitrates and phosphates, as well as fine particles, are removed; the process follows removal of raw sludge and biological treatment

5.162 TOWNSHIP

The Corporation of the Township of Machar.

5.163 TOURIST ESTABLISHMENT

Any premises operated to provide sleeping accommodation for the traveling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided including a resort and a cottage establishment but does not include:

- a) A camp operated by a charitable corporation approved under The Charitable Institutions Act, as amended;
- b) A summer camp within the meaning of the regulations made under The Health Protection and Promotion Act, as amended; or
- c) A club owned by its own members and operated without profit or gain.

5.164 TRAILER

A vehicle that is at any time drawn upon a highway by a motor vehicle and for the purposes of this By-law does not include a mobile home.

5.165 TRAILER, CONSTRUCTION

Any trailer designed to be temporarily located on a parcel of land during the construction of a building or the development of land utilized for temporary shelter and/or the storage of equipment related to the construction occurring on the land and having the running gear and towing equipment permanently attached.

5.166 TRAILER, TRAVEL OR TENT

Any trailer which is designed to be temporarily utilized for living, shelter and sleeping accommodation, with or without cooking facilities and which has running gear and towing equipment that is permanently attached and is not permanently affixed to the ground.

5.167 TRUCK CAMPER

Any unit so constructed that it may be attached upon a motor vehicle, as a separate unit, and capable of being temporarily utilized for the living, sleeping or eating accommodation of persons.

5.168 USE

- a) Any purpose for which a building or other structure or a parcel of land may be designed, arranged, intended, maintained, or occupied; or,
- b) Any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a parcel of land.

5.169 UTILITY PROVIDER

Any agency, which under public or private ownership, provides the public with electricity, gas, heat, rail, transportation, water, sewage, collection or other public service.

5.170 VERANDA

Is an unenclosed structure attached to a building having a floor and roof.

5.171 VEGETATIVE BUFFER

An area where the land is used only for the growing and maintenance of indigenous natural vegetation.

5.172 VEHICLE

A motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or the cars of electric or steam railways running only upon rails.

5.173 VETERINARY HOSPITAL

The premises of a veterinary surgeon where animals are treated or kept.

- 5.174 WAREHOUSE**
- A building or part of a building used for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for a wholesale or retail commercial outlet, provided that they do not exceed 10 per cent of the gross floor area, but shall not include a truck or transport terminal or yard.
- 5.175 WASTE DISPOSAL AREA**
- A place where garbage, refuse, domestic or industrial waste, exclusive of liquid industrial waste, is disposed of or dumped.
- 5.176 WATERBODY**
- A navigable river or lake have a surface area in excess of 10 hectares (25 acres).
- 5.177 WATERCOURSE**
- The natural channel for a perennial or intermittent stream of water including a river or stream.
- 5.178 WATERFRONT LANDING**
- Means the use of land, parking vehicles and storing boats, which facilitate access by persons to one or more residential properties, to which access is gained by water.
- 5.179 WAREHOUSE**
- A building or part of a building used for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for a wholesale or retail commercial outlet, but shall not include facilities for a truck or transport terminal or yard.
- 5.180 WAYSIDE PIT OR QUARRY**
- A temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.
- 5.181 WRECKING YARD**
- An area outside of an enclosed building where motor vehicles are disassembled, dismantled or junked, or where vehicles not in operable condition, or used parts of motor vehicles, are stored.
- 5.182 WOODCHIPPER**
- A machine that processes logs into wood chips

5.183 WORKSHOP

A building or structure where manufacturing is performed by tradesmen 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.

5.184 YARD

Any open unoccupied space appurtenant to a building measured from the closest supporting structure of the building to the lot line.

5.185 YARD, EXTERIOR SIDE

A yard extending from the front yard to the rear yard between the exterior side lot line and the nearest wall of any building on the lot for which the yard is required.

5.186 YARD, FRONT

A yard extending across the full width of the lot between the front lot line and the nearest wall of any building or structure on the lot for which the yard is required.

5.187 YARD, REAR

A yard extending across the full width of the lot between the rear lot line and the nearest wall of any building on the lot for which the yard is required.

5.188 YARD, REQUIRED

The minimum yard required by the provisions of the By-law.

5.189 YARD, INTERIOR SIDE

A yard extending from the front yard to the rear yard between the interior side lot line and the nearest wall of any building on the lot for which the yard is required.

5.190 ZONE

The category of use or activity of land, buildings, structures or activities permitted by this By-law.

5.191 ZONE PROVISIONS

The permissible uses, the minimum area and dimensions of lots, the minimum dimensions of yards, the maximum lot coverage, the minimum setback, gross floor area, the minimum landscaped open space, the maximum height of buildings, minimum parking requirements, and all other Zone provisions are set out within the By-law for the respective Zones.

**SECTION 6
ENACTMENT**

BY-LAW READ A FIRST AND SECOND TIME THIS 10th DAY OF DECEMBER, 2012.

BY-LAW READ A THIRD AND FINAL TIME AND PASSED THIS 10th DAY OF DECEMBER 2012.

MAYOR

CLERK