

**THE TOWNSHIP OF HAVELOCK-BELMONT-METHUEN
COMPREHENSIVE ZONING BY-LAW**

CONSOLIDATION

This office consolidation of By-law No. 1995-42, incorporates all amendments up to and including By-law No. 2006-47; and has been prepared for convenience purposes only. For accurate reference recourse should be had to the official documents available at the Township office.

July, 2006



EXPLANATORY NOTE

SUBJECT:

By-law No. 1995-42, as amended, of the Township of Havelock-Belmont-Methuen is a Comprehensive Zoning By-law regulating the use of the land and the character, location and use of buildings, structures and pits and quarries for the whole of the Township of Havelock-Belmont-Methuen.

INTRODUCTION:

The material herein includes a copy of By-law No. 1995-42, as amended, together with the land use zoning schedules, which governs land use throughout the Township of Havelock-Belmont-Methuen, being the area to which the By-law applies.

PURPOSE AND EFFECT:

The purpose and effect of Zoning By-law No. 1995-42, as amended, are:

1. To implement the approved policies contained in the Township of Havelock-Belmont-Methuen approved Official Plan.
2. To establish specific zone classifications and regulations enabling the orderly and progressive development of the Township of Havelock-Belmont-Methuen.

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

Note By-law No. 1995-42, as amended was updated to consolidate the former Village of Havelock Comprehensive Zoning By-law into the Townships of Belmont and Methuen Comprehensive By-law, with the passage of By-law No. 2004-28 and 2004-46, on March 16, 2004 and June 8, 2004, respectively.

By-law No. 1995-42, as amended has been further amended by the passage of By-law No. 2006-38 on June 6, 2006, which served to rectify minor textual and mapping discrepancies found within By-law No. 1995-42, as amended.

This By-law is now known as the Township of Havelock Belmont-Methuen Comprehensive Zoning By-law.

THE CORPORATION OF THE TOWNSHIP OF HAVELOCK-BELMONT-METHUEN

BY-LAW NO. 1995-42, AS AMENDED

BEING A BY-LAW TO REGULATE THE USE OF LANDS AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES IN THE TOWNSHIP OF HAVELOCK-BELMONT-METHUEN.

WHEREAS The Planning Act provides that the Council of a municipal corporation may pass by-laws to regulate the use of lands and the character, location and use of buildings and structures;

AND WHEREAS the Council of the Corporation of the Township of Havelock-Belmont-Methuen deems it desirable to repeal, By-law No. 1977-25 in its entirety, together with all amendments thereto;

AND WHEREAS the Council of the Corporation of the Township of Havelock-Belmont-Methuen further deems it necessary and in the public interest to regulate the use of land in the Township;

NOW THEREFORE the Council of the Corporation of the Township of Havelock-Belmont-Methuen hereby repeals By-law No. 1977-25 in its entirety, together with all amendments thereto, and subsequently enacts the By-law set out herein.

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SECTION 1

INTERPRETATION AND ADMINISTRATION

1.1 SHORT TITLE

This By-law is known as “The Township of Havelock-Belmont-Methuen Comprehensive Zoning By-law”.

1.2 APPLICATION CONFORMITY

Except as provided by the Planning Act, no building, structure or land shall be used, and no building or structure shall be hereafter erected, structurally altered or enlarged within the limits of the Municipality as now or hereafter legally constituted except in conformity with the provisions of this By-law. Nothing in this By-law shall prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this By-law, so long as it continues to be used for that purpose.

1.3 MINIMUM AND MAXIMUM REQUIREMENTS

In their interpretation and application, the provisions of this By-law are held to be the minimum and maximum requirements adopted for the promotion of the public health, safety, convenience or general welfare.

1.4 INTERPRETATION

Unless the contrary intention appears in this By-law, words importing the singular number or the masculine gender include more persons, parties or things of the same kind than one, and female as well as male; and the converse. Words used in the present tense include the future; and the word “shall” is mandatory and not discretionary.

“Illustrations” and “Notes” contained in this document are provided for information and convenience, and do not form part of this By-law.

SECTION 1 **INTERPRETATION AND ADMINISTRATION**

1.5 IDEM (REFERENCE)

Where the uses of land, buildings or structures permitted in the By-law are defined in general terms, the Committee of Adjustment may permit the use of any land, building or structure for any purpose that, in the opinion of the Committee, conforms to the uses permitted in this By-law.

1.6 ZONING ADMINISTRATOR

This By-law shall be administered by the By-law Enforcement Officer, as appointed by Council.

1.7 BUILDING PERMITS

Notwithstanding the provisions of the Ontario Building Code or any other By-law of the Corporation, no building permit shall be issued where the proposed building, structure or use would be in violation of any of the provisions of this By-law.

1.8 APPLICATION FOR BUILDING PERMITS

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

- 1.8.1. The true shape and dimension of the lot to be used or upon which it is proposed to erect any building or structure;
- 1.8.2. The proposed location, height and dimensions of any building, structure or use proposed for such lot;
- 1.8.3. Proposed locations and dimensions of any yards, setbacks, landscaping, off-street parking spaces or off-street loading facilities required by this By-law;
- 1.8.4. The location of all existing buildings or structures on the lot; and

SECTION 1 **INTERPRETATION AND ADMINISTRATION**

1.8.5. A statement signed by the owner or his agent duly authorized thereunto in writing, filed with the Chief Building Official, disclosing the current and intended use of each building and structure or part thereof, the sanitary facilities available and all information necessary to determine whether or not such proposed or existing building, structure or use conforms to the requirements of this By-law.

1.9 INSPECTION

(a) Conditions of Entry:

Subject to Clause (b) of this subsection, the By-law Enforcement Officer, Chief Building Official, or any other officer or employee of the Corporation, acting under the direction of Council, is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purposes of carrying out his duties under this By-law.

(b) Restrictions For Entry of Dwelling:

Notwithstanding any provision of clause (a) of this subsection to the contrary, no officer or employee of the Corporation shall enter any room or place being used as a dwelling or part thereof without the consent of the occupant except under the authority of a search warrant issued pursuant to the Summary Convictions Act.

1.10 APPLICATION OF OTHER STATUTES AND BY-LAWS

Nothing in this By-law shall relieve any person from the obligation to comply with the requirements of the Ontario Building Code Act or of any By-law of the Township of Havelock-Belmont-Methuen in force from time to time, or the obligation to obtain any license, permit, authority or approval required under any By-law of the Township of Havelock-Belmont-Methuen.

SECTION 1 **INTERPRETATION AND ADMINISTRATION**

1.11 VALIDITY

If any section, clause or provision of this By-law including any part of the Zone Schedules attached hereto, is for any reason held to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention, that all the remaining sections, clauses and provisions shall remain in full force and effect until repealed.

1.12 INTERPRETATION OF ZONING SCHEDULES

For the purpose of this By-law all land within the Township of Havelock-Belmont-Methuen is hereby divided into use zones as set out in Section 3 and on the Zoning Schedules. The Zone boundaries are:

- 1.12.1. The centre line of any road, right-of-way or watercourse; or,
- 1.12.2. The lot line as indicated on a registered plan of subdivision, or a Township survey plan; except that,
- 1.12.3. In the absence of either of the above, the zone boundary is the distance as scaled from the zoning Schedules.

1.13 ROAD ALLOWANCE AND RIGHTS-OF-WAY

A road allowance, utility transmission right-of-way, or watercourse is, unless otherwise indicated, included within the zone of the adjoining property on either side thereof, and where such road allowance, right-of-way or watercourse serves as a boundary between two or more different zones, a line midway in such road allowance, right-of-way or watercourse and extending in the general direction of the long division thereof is considered the boundary between zones, unless specifically indicated otherwise.

SECTION 1 **INTERPRETATION AND ADMINISTRATION**

1.14 ROAD AND RIGHT-OF-WAY CLOSINGS

In the event a dedicated road or right-of-way shown on the map is closed, the property formerly in said road or right-of-way shall be included within the zone of the adjoining property on either side of the said closed road or right-of-way and the zone boundary shall be the former centre line of said road or right-of-way.

1.15 LITIGATION

This By-law does not affect the rights of any party or any land concerned in any action, litigation or other proceeding pending on the date of the final passage thereof, except to the extent to be determined in the final adjudication of such action, litigation or other proceedings.

SECTION 2

DEFINITIONS

“ABANDON” means the failure to proceed expeditiously with the construction of a work authorized by a valid building permit.

“ACCESSORY BUILDING” means a detached building that is incidental, subordinate and exclusively devoted to a main building or use located within the same lot.

“ACCESSORY USE” means a use that is incidental, subordinate and exclusively devoted to a permitted use and carried on within the same lot.

“AGRICULTURAL BUILDING” means any building or structure, other than a dwelling, customarily used in connection with general agriculture.

“AGRICULTURALLY RELATED COMMERCIAL USE” means a use directly related to agriculture and requiring proximity to farm operations and includes such uses as animal husbandry services, produce or grain storage facilities or farm machinery sales and service outlets.

“AGRICULTURAL USE” means 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.

“AIRSTRIP” means any area of land intended to be used either in whole or in part for the arrival and departure, movement, servicing, parking or storing of aircraft, and includes any buildings, installations and equipment in connection therewith.

“ALTER” when used in reference to a building or part thereof, means to change any one or more of the external dimensions of such building or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word “alter” means to change the area, frontage or depth thereof; to change the width, depth or area of any required yard, landscaped open space or parking area; or to change the location of any boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of such lot, or otherwise. When used in reference to use, the word “alter” means to discontinue and replace the use with a use which is defined herein as being distinct from the discontinued use.

SECTION 2 **DEFINITIONS**

“ALTERED” and **“ALTERATION”** shall have corresponding meanings.

“ANIMAL GROUP” means livestock and poultry grouped according to their manure production.

“ANIMAL HOSPITAL” means a building or structure where one or more licensed veterinarians and any associated staff provide medical, surgical, grooming, boarding or similar services solely for household pets.

“ARENA” means a building, or part of a building, in which the principal facilities are for such recreational activities as curling, skating, hockey, lacrosse, broomball, or similar athletic activity. Facilities may include dressing rooms, concession booths for the provision of food and refreshments to the general public, bleachers, plant equipment for the making of artificial ice and such other facilities as are normally considered incidental and subordinate thereto.

“ARTIST OR CRAFTSPERSON” means a person or persons who practise(s) one of the fine arts or handicrafts, as a means of gainful occupation.

“ARTS AND CRAFTS” means decorative design and handicrafts.

“ASSEMBLY HALL” means a building or part thereof used for gatherings of persons for civic, educational, political, religious, recreational, cultural, social or other purposes, and may include a banquet hall, private club or fraternal organization, but does not include a cinema, theatre or concert hall.

“ATTIC” - See “STOREY”

“BACKLOTING DEVELOPMENT” means tiered development in depth; where such development would be located directly behind existing shoreline development or separate conveyable shoreline lots.

“BARN” means any structure housing or intended to house livestock, fowl or fur-bearing animals or any building or structure which is used or intended to be used to store fodder for the aforementioned or any building which is a combination thereof.

“BASEMENT” - See “STOREY”.

SECTION 2

DEFINITIONS

BED AND BREAKFAST ESTABLISHMENT” means a single detached dwelling in which guest rooms are made available for the temporary accommodation of the public, in which the proprietor supplies lodging, with or without meals, in return for monetary consideration. A Bed and Breakfast Establishment shall not include a Restaurant, Boarding House, or Hotel, Motel, Lodge or Rental Cabins or Cottages as defined herein.

“BEVERAGE ROOM” means a building or premises, other than a restaurant which is licensed under the Liquor License Act.

“BOARDER” means a person other than the lessee, tenant or owner to whom meals may or may not be provided and where lodging is provided for compensation.

“BOARDING HOUSE” means a dwelling in which the proprietor supplies, for a fee, sleeping accommodation with board for not more than two (2) boarders, exclusive of the proprietor, members of the proprietor's family and servants of the establishment. A Boarding House shall not include a Restaurant, Bed and Breakfast Establishment, or a Hotel, Motel, Lodge or Rental Cabins or Cottages as defined herein.

“BOATHOUSE” means a single storey detached accessory building or structure intended to house, shelter or protect a boat or other form of water transportation and may contain equipment incidental to the repair and maintenance of such transportation but shall not contain sleeping, cooking, plumbing or sanitary facilities and in which human habitation is prohibited.

“BUILDABLE AREA” means the portion of a lot remaining after the required yards have been provided.

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

“BUILDING” means:

- (a) a structure occupying an area greater than ten square metres (108 square feet) consisting of a wall, roof and floor or any of them or a structural system serving the function thereof including all plumbing, works, fixtures and service systems appurtenant thereto,

SECTION 2 **DEFINITIONS**

- (b) a structure occupying an area of ten square metres (108 square feet) or less than contains plumbing, including the plumbing appurtenant thereto,
- (c) plumbing not located in a structure, or
- (d) structures designated in the Building Code.

“BUILDING BY-LAW” means any by-law of the Corporation passed pursuant to the Building Code Act.

“BUILDING INSPECTOR” means the officer or employee of the Corporation charged with the duty of enforcing the provisions of the Building Code Act, together with any Regulations made thereunder, and the provisions of the Building By-law of the Corporation.

“BUILDING PERMIT” means a permit issued by the Chief Building Official of the Corporation of the Township of Belmont and Methuen under the Building By-law.

“BUILDING SUPPLY OUTLET” means an establishment engaged in the selling or installing of building supplies including lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning and similar items. This definition shall not include any establishment otherwise defined herein or specifically named elsewhere in this By-law.

“BUSINESS OR PROFESSIONAL OFFICE” means a building or part thereof in which one or more persons are employed in the management, direction or conduction of a business or where professionally qualified or licensed persons and their staff serve clients or patients who seek advice, consultation or treatments and for the purposes of this By-law may include the administrative offices of a non-profit or charitable organization.

“BY-LAW ENFORCEMENT OFFICER” means the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.

“CABIN, SLEEPING” means an accessory and subordinate detached building or structure with a maximum of 29.7 square metres (320 square feet) designed as sleeping accommodations only, to permit the better or more convenient enjoyment of the principal seasonal residential dwelling and shall not contain any cooking facilities. In no case shall the definition of sleeping cabin be deemed to include premises for the temporary accommodation of members of the public for a fee. In the case of a sleeping cabin to be located on a lot with at least two times the minimum lot frontage and lot area required by this By-law, a maximum of 55.7 square metres (600 square feet) may be permitted.

SECTION 2

DEFINITIONS

“CAMPGROUND” means a parcel of land providing overnight or short term accommodation for trailers, motor homes and tents but not mobile homes and includes services and facilities normally incidental and subordinate to such a use including common washroom lavatory and bathing facilities, indoor and/or outdoor recreation areas and an entrance kiosk.

“CAMPSITE” means a parcel of land within a campground intended for occupancy by travel trailers, tent trailers, tents or similar transportable accommodation, excluding mobile homes, together with all yards and open space defined in this By-law.

“CARPORT” means a building or structure or part thereof, which is not wholly enclosed and is used for the temporary parking or storage of private passenger vehicles.

“CARTAGE OR TRANSPORT YARD” means any land, building or structure, or part thereof, where trucks or tractor trailers are rented, leased, kept for hire, or stored, or parking for recuperation, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers.

“CAR WASH” means any land or building or part thereof used only for the washing of motor vehicles.

“CELLAR” - See “STOREY”.

“CEMETERY” means land that is set apart or used as a place of internment of the dead, within the meaning of the Cemeteries Act, as amended from time to time. A Cemetery may include such accessory uses as mausoleums, crematoriums and columbariums.

“CHIEF BUILDING OFFICIAL” means the officer or employee of the Corporation of the Township of Havelock-Belmont-Methuen charged with the duty of enforcing the provisions of the Building Code Act, together with any regulations made thereunder, and the provisions of the Building By-law of the Corporation as is appointed under the Building By-law.

“CLINIC” means an establishment used by two or more qualified medical practitioners including physicians, dentists, chiropractors, physiotherapists and their staff for the purpose of consultation, diagnosis and office treatment.

“CLUB, COMMERCIAL” means an athletic, recreational or social establishment operated for gain or profit.

SECTION 2 DEFINITIONS

“CLUB, PRIVATE” means an athletic, recreational or social establishment located on private lands and not operated for gain or profit. This definition may include the premises of fraternal or sorority organizations.

“COMMERCIAL GARAGE” - See “GARAGE, COMMERCIAL”.

“COMMERCIAL GREENHOUSE” means a building used for the growing of flowers, vegetables, shrubs, trees and similar vegetation for wholesale or retail sale. This definition shall not include any premises used for the growing of mushrooms.

“COMMERCIAL VEHICLE” means a motor vehicle having attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, police patrols, motor buses and tractors. A station wagon that is used for commercial purposes is to be considered a commercial vehicle.

“CONDOMINIUM” means the ownership of individual units in a multiple unit building or multiple unit development with common elements in which:

- (a) the unit comprises not only the space enclosed by the unit boundaries but all material parts of the land within the space;
- (b) the common element means all the property within the development except the units; and
- (c) the common element is owned by all of the owners as tenants in common.

“CONSERVATION USE” means the use of land for a comprehensive management and maintenance program whose goal is the preservation, protection and improvement of the components of the natural environment.

“CONTRACTOR'S YARD” means a yard of any building trade or contractor, and without limiting the generality of the foregoing, shall include excavator's and roofer's yards where equipment and material are stored or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified in this By-law.

“CONVENIENCE STORE” means a retail store serving the daily day to day needs of the immediate area with a variety of goods such as groceries, meats, beverages, dairy products, patent medicines, sundries, tobacco, stationary, hardware, magazines and newspapers.

SECTION 2 DEFINITIONS

“CONVERSION” means alteration and subsequent new use and includes the change of use of a dwelling unit from a single detached vacation dwelling to a single detached dwelling.

“CONVERTED BUILDING” means a building originally constructed as a single detached dwelling of at least 185 square metres (1990 square feet) of gross floor area which, because of size or design, has been converted by partition or the addition of sanitary and cooking facilities or both, into two dwelling units.

“CORNER LOT” - See “LOT”.

“CORPORATION” means the Corporation of the Township of Havelock-Belmont-Methuen.

“COUNCIL” means the Municipal Council of the Corporation of the Township of Havelock-Belmont-Methuen.

“COUNTY” means the Corporation of the County of Peterborough.

“COUNTY ROAD” - See “STREET”.

“DAY CARE CENTRE” means a building or part thereof which receives for temporary custody for a continuous period not exceeding twenty-four hours, more than five children under 10 years of age.

“DAY CARE, PRIVATE-HOME” means the temporary care for reward or compensation of five children or less who are under 10 years of age where such care is provided in a private residence, other than the home of the parent or guardian of any child, for a continuous period not exceeding twenty-four hours.

“DECK” means a horizontal surface supported on pier, free of any roof or other covering and which may be surrounded by a railing, the height of which is governed by the Ontario Building Code.

“DEVELOP” means to build, construct, reconstruct, relocate or place and, without limiting the generality of the word, also includes:

- (a) any preliminary physical operation, such as excavating, filling or draining;
 - (b) altering any existing building or structure by an addition, enlargement, extension or other structural change;
- and

SECTION 2 DEFINITIONS

(c) any work which requires a building permit.

“DEVELOPMENT” shall have a corresponding meaning.

“DRIVE-IN RESTAURANT” - See “RESTAURANT, DRIVE-IN”.

“DWELLING” means a building occupied or capable of being occupied as the home, residence or living quarters of one or more persons, but does not include any vehicle as defined herein.

“DWELLING, ACCESSORY” means a single detached dwelling which is accessory to a permitted non-residential use and is occupied by either the owner or a person employed on the lot where such dwelling is located.

“DWELLING, APARTMENT” means a building containing four or more dwelling units each of which has access to the common corridors and entrances and the occupants have the right to use in common, halls and/or stairs and/or elevators and yards.

“DWELLING, DUPLEX” means the whole of a building that is divided horizontally into two separate dwelling units, each such dwelling unit having an independent entrance, either directly from the outside, or through a common vestibule.

“DWELLING, MODULAR” means a single detached dwelling that is fabricated in more than one section and is designed to be made mobile on a temporary basis, and constructed or manufactured to provide a permanent residence for one or more persons but does not include a mobile home, a travel trailer or a recreational motor home as defined herein.

“DWELLING, ONE AND ONE HALF STOREY” means a dwelling that contains a first storey and a one-half storey.

“DWELLING, ONE STOREY” means a dwelling that contains a first storey but does not contain a one-half storey or a second storey.

“DWELLING, PERMANENT” means a dwelling used or intended to be used for continuous habitation.

“DWELLING, ROW” means a building designed for or occupied as three or more dwelling units side by side, under one roof and each unit has a separate front and rear access.

SECTION 2 DEFINITIONS

“DWELLING, SEMI-DETACHED” means the whole of a building that is divided vertically into two separate dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.

“DWELLING, SINGLE DETACHED” means a building containing only one dwelling unit. This definition shall include a modular dwelling as defined herein.

“DWELLING, TWO STOREY” means a dwelling that contains a first storey and a second storey.

“DWELLING, THREE-UNIT” means a building consisting solely of three dwelling units.

“DWELLING, VACATION” means a separate building used or intended to be used for human habitation primarily used for recreation purposes which is not used for year-round or permanent human habitation notwithstanding that it may be designed and/or constructed for such year-round permanent human habitation.

“DWELLING UNIT” means a suite of two or more habitable rooms in which sanitary conveniences are provided and in which facilities are provided for cooking or the installation of cooking equipment, with an independent entrance from outside the building or from a common hallway or stairway inside the building. This definition shall not include a mobile home, trailer, camper, tent or vehicle.

“DWELLING UNIT, ACCESSORY” means a dwelling unit which is part of and accessory to, a permitted non-residential use, other than a motor vehicle service station or commercial garage. Such dwelling unit shall be occupied by the owner or by a person employed on the lot where such dwelling unit is located.

“DWELLING UNIT, BACHELOR” means a dwelling unit consisting of one bathroom and not more than two habitable rooms designed to provide living, dining, sleeping and kitchen accommodation in appropriate individual or combination of rooms.

“DWELLING UNIT AREA” means the aggregate of the floor areas of all habitable rooms in a dwelling, but excluding the thickness of any exterior walls.

“EQUIPMENT RENTALS” means an establishment for the storage and display of goods or machinery for the purpose of lease or rental directly to the public.

SECTION 2 DEFINITIONS

“ESTABLISHED BUILDING LINE, RURAL” means the average setback from the street line of existing buildings when at least five buildings have been erected on any one side of a continuous 183 metres (600 feet) of land with street frontage prior to the date of the passing of this By-law.

“ESTABLISHED BUILDING LINE, URBAN” means the average setback from the street line of existing buildings on one side of one block where more than one-half of the frontage of the said side of the block has been built upon prior to the date of passing of this By-law.

“EXISTING” means lawfully existing on the date of passing of this By-law.

“FACTORY OUTLET” means a building or part of a building, accessory to a permitted industrial use where the products manufactured by that industry are kept for wholesale or retail sale.

“FARM” means land used for the tillage of soil, the growing of vegetables, fruits, grains and other staple crops and includes livestock and poultry raising, dairying or woodlots. A “farm” shall also include a single detached dwelling and buildings and structures, such as barns and silos, which are incidental to the operation of the farm.

“FARM IMPLEMENT DEALER” means an establishment for the repair or sale of agricultural implements and includes the sale of lubricants for agricultural equipment on the same premises as an accessory use.

“FARM PRODUCE OUTLET” means a use accessory to a permitted farm or agricultural use which consists of the retail sale of locally grown agricultural products.

“FINISHED GRADE” means the median elevation between the highest and lowest points of the finished surface of the ground (measured at the base of a building or structure), but excluding any embankment in lieu of steps.

“FLOOD PLAIN” means the area, usually low lands, adjoining a watercourse which has been or may be covered by flood water.

“FLOOR AREA” means the total number of square metres (square feet) of floor space within the exterior walls of a building, not including space in cellars or basements.

SECTION 2 DEFINITIONS

“FLOOR AREA, GROSS” means in the case of a single detached dwelling, the total area of all habitable rooms measured from the exterior faces of the exterior walls including a maximum of 20% of any part of the building or structure below finished grade, if same is a finished recreational room and or finished laundry room, or 14 square metres (150 square feet) of an attached garage, but excluding any detached accessory buildings. In the case of a building, other than a dwelling, gross floor area means the total area of all floors devoted to retail sales, customer service and/or office use, manufacturing and warehousing measured from the outside face of exterior walls but shall not include mezzanine areas, mechanical rooms, common rooms, stairwells, garbage and electrical rooms, parking structures and similar uses ancillary to the main use.

“FLOOR AREA, GROUND” means the floor area of the first storey of a dwelling, but excluding any portion of such first storey which is not a habitable room and which has no habitable room, or portion thereof, located thereover.

“FORESTRY” means the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection of water supplies and preservation of the recreation resource and shall include reforestation areas owned or managed by the Ministry of Natural Resources, local Conservation Authority, or private landowners.

“FREESTANDING RESTAURANT” - See “RESTAURANT, FREESTANDING”.

“FRONTAGE” - See “LOT FRONTAGE”.

“FRONT LOT LINE” - See “LOT LINE”.

“FRONT YARD” - See “YARD”.

“FUEL STORAGE TANK” means a tank for the bulk storage of petroleum, gasoline, fuel oil, gas, propane, or inflammable liquid or fluid sold at retail or wholesale but does not include a container for inflammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use on the premises where such tank is located.

“GARAGE, COMMERCIAL” means a building, structure or lot where commercial vehicles are stored or where private or commercial vehicles are repaired or maintained.

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“GARAGE, PRIVATE” means 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 excludes a carport or other open shelter.

“GARDEN SUITE” means a manufactured detached dwelling unit consisting of separate modular or panelized sections that are designed to permit easy delivery to and assembly into one integral unit on a specific site, and which are reusable and designed to permit easy disassembly for transport back to the factory or to another site at an appropriate time. Under no circumstance shall a garden suite be defined to include a single wide or double wide mobile home, a motorized mobile home, a travel trailer, tent trailer or trailer otherwise designed.

“GOLF COURSE” means a public or private area operated for the purpose of playing golf, inclusive of club house and recreational facilities, accessory driving ranges and miniature courses and similar uses.

“GRADE” - See “FINISHED GRADE”.

“GROSS FLOOR AREA” - See “FLOOR AREA”.

“GROUND FLOOR AREA” - See “FLOOR AREA”.

“GUEST ROOM” means a room or suite of rooms which contains no facilities for cooking, and which is used or maintained for gain or hire by providing accommodation to the public.

“HABITABLE ROOM” means a room designed to provide living, dining, sleeping, or kitchen accommodation for persons. This definition may include a bathroom, den, library or enclosed sunroom but shall not include any private garage, carport, porch, verandah, unfinished attic, unfinished basement or unfinished cellar.

“HEIGHT” means with reference to a building, the vertical distance measured between the average finished grade level at the front elevation of such building and:

- (1) in the case of a flat roof, the highest point of the roof surface, or the parapet, whichever is the greater;
- (2) in the case of a mansard roof, the deck roof line; and
- (3) in the case of a pitched roof, a point midway between the eaves and the ridge.

SECTION 2 **DEFINITIONS**

In calculating the height of a building, any construction used as ornament or for the mechanical operation of the building such as a mechanical penthouse, or a chimney tower, cupola or steeple is not to be included.

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

“HOBBY FARM” means land used for the tillage of soil, the growing of vegetables, fruits, grains and other staple crops and includes woodlots and the raising of a maximum of two horses, or two cows or six sheep but shall not include the raising of hogs. A "hobby farm" may also include a single detached dwelling.

“HOME INDUSTRY” means a gainful occupation including woodworking, arts and crafts, window repair, welding, plumbing, machine or repair shop, or blacksmith or similar uses conducted in whole or in part in an accessory building to a single detached dwelling, or any occupation conducted for gain or profit as an accessory use on a permitted farm such as a retail outlet for farm supplies or a farm produce outlet, a produce grading station, or an agricultural merchandise service shop in accordance with Section 4.14 of this By-law, but shall not include a motor vehicle repair garage.

“HOME OCCUPATION” means any occupation conducted for gain or profit as an accessory use within a dwelling or a dwelling unit by one or more persons residing in such dwelling or dwelling unit in accordance with Section 4.15 of this By-law but shall not include a manufacturing industry.

“HOTEL” means a tourist establishment containing 3 or more guest rooms served by a common entrance, generally from the street level. Accessory uses may include accommodation for permanent staff, a beverage room, dining room, meeting room or similar use.

“HUNT CAMP” means premises building or structure used for the purpose of accommodation for hunters. A hunt camp may consist 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 during the hunting season only. A hunt camp may not be occupied for more than 90 days in any 12 month period. A hunt camp does not include for profit commercial facilities.

“IMPROVED STREET” - See “STREET”.

SECTION 2 DEFINITIONS

“INFRASTRUCTURE” means physical structures which form the foundation for development and includes sewage and water lines and pumping stations, electric power transmission lines and transformers, communication transmission lines and relay towers, transit or transportation corridors and appurtenant facilities, oil and gas pipelines and appurtenant facilities and recycling drop off or collection sites. Infrastructure does not include any related administrative facility, building or structure, nor does it include land, buildings or structures for treatment of water, sewage or wastes, production of electric power, production of communication transmissions, or the production of oil or gas.

“INSTITUTION” means any land, building or part thereof used for a non-commercial purpose by any organization, group or association for the promotion of charitable, sporting, educational, religious or benevolent objectives but excluding a mental hospital or any place of detention or correction.

“INSTITUTIONAL USE” means facilities serving the community including schools, churches, hospitals, nursing homes and recreation centres.

“ISLAND” means one of the following:

- a) a land area totally surrounded by water; or,
- b) in parking lot design, built-up structures, usually curbed, placed at the end of parking rows as a guide to traffic and also used for landscaping, signing or lighting.

“KENNEL” means an enclosed establishment where animals, birds, or other livestock intended or used as household pets are kept, bred, trained or boarded.

“LANDSCAPED OPEN SPACE” means the open unobstructed space from ground to sky at grade on a lot accessible by walking from the street on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, bushes, trees 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.

“LANE” means a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.

SECTION 2 DEFINITIONS

“LAUNDROMAT” means an establishment containing one or more washers, each having a capacity not exceeding 22.5 kilograms (50 pounds), and drying, ironing, finishing and incidental equipment, provided that only water, soaps and detergents are used and provided that no such operation shall emit any noise or vibrations which cause a nuisance or inconvenience within or without the premises. This definition may include a self-service dry cleaning establishment.

“LEGAL SIGN” - See “SIGN, LEGAL”.

“LIVESTOCK FACILITY” means livestock/poultry barns where agricultural animals are housed and the associated manure storage.

“LIVESTOCK HOUSING CAPACITY” means the total number of livestock/poultry capacity for the facility at any one time.

“LIVESTOCK UNIT” means the equivalent value for various types of animals including poultry, based on manure production and production cycles.

“LODGE” means a tourist establishment containing 3 or more guest rooms served by a common entrance, generally from street level while additional guest rooms may have a separate entrance directly from outside the building. Accessory uses may include accommodation for permanent staff, a beverage room, dining room, meeting room or similar use.

“LOADING SPACE” means an area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area

- (i) is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle and such parking is not for the purpose of offering commodities for sale or display, and
- (ii) is adequate for the temporary parking of one commercial motor vehicle, and
- (iii) is not less than 3.5 metres (11.5 feet) in width, nor less than 9 metres (29.5 feet) in length, nor less than 4.5 metres (14.8 feet) in clear and unobstructed height, exclusive of any land used for access, manoeuvring, driveway or a similar purpose, and

SECTION 2 **DEFINITIONS**

- (iv) is not upon or partly upon any street, lane or alley, and
- (v) has adequate access to permit ingress and egress of a commercial motor vehicle from a street by means of driveways, aisles, manoeuvring areas or similar areas, no part of which access is to be used for the temporary parking or storage of any motor vehicle.

“LOT” means a parcel of land held in distinct and separate ownership from all abutting lands and described in a registered deed(s) or other document(s) legally capable of conveying land or shown as a lot or block on a registered plan of subdivision. A lot must front onto a publicly assumed and year round maintained road and/or a navigable waterway.

“LOT, CORNER” means a lot situated at the intersection of or abutting upon two or more streets provided that the angle of intersection is not more than 135 degrees.

“LOT, INTERIOR” means any lot which has street access, other than a corner lot.

“LOT, STANDARD WATERFRONT” means a lot which may or may not have street access, but has water access on one shoreline. Where a lot has both street and water access, the minimum lot frontage and front yard requirements shall apply for each access.

“LOT, THROUGH WATERFRONT” means a lot which may or may not have street access, but has water access on more than one shoreline. Where a lot has both street and water access, the minimum lot frontage and front yard requirements shall apply for each access.

“LOT, THROUGH” means any lot, which is not a corner lot, that has frontage on more than one street. The minimum lot frontage and front yard requirements shall apply on each street.

“LOT AREA” means the total horizontal area within the boundary lines of a lot.

“LOT COVERAGE” means the percentage of the lot area covered by the area of all buildings, including accessory buildings.

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DEFINITIONS

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

“LOT FRONTAGE” means, in the case of a lot with parallel side lot lines, the distance between the side lot lines measured along the front lot line. If the side lot lines are not parallel then the lot frontage will be measured along a line between the side lot lines 15 metres (50 feet) from and parallel to the front lot line. Where a lot which is not a corner lot has frontage on more than one street or one street and water frontage, the minimum frontage requirement contained herein shall apply on each street or on the street and water frontage. Where a lot is accessed via water only, the lot frontage shall be the water frontage.

“LOT LINE” means any boundary of a lot.

“LOT LINE, FRONT” means in the case of an interior lot, the line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting a street shall be deemed the front lot line and the longer lot line abutting a street shall be deemed an exterior side lot line. In the case of a through lot or a corner lot whose exterior lot lines are the same length, the lot line where the principle access to the lot is provided shall be deemed to be the front lot line. In the case of a standard waterfront lot, the shoreline shall be deemed to be the front lot line. If the standard waterfront lot has both street and water access, both the lot line abutting the street and the shoreline shall be deemed the front lot line. In the case of a through waterfront lot, the longest shoreline shall be deemed to be the front lot line. If the through waterfront lot has both street and water access, both the lot line abutting the street and the longest shoreline shall be deemed the front lot line.

“LOT LINE, REAR” means in the case of a lot having 4 or more lot lines, the lot line farthest from and opposite to the front lot line. If a lot has less than 4 lot lines, there shall be deemed to be no rear lot line.

“LOT LINE, SIDE” means a lot line other than a front or rear lot line.

“MAIN BUILDING” means the building designed or used for the principal use on the lot.

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“MARINA” means a commercial establishment or premises containing docking facilities or mooring facilities where boats and/or boat accessories and snowmobiles and snowmobile accessories are berthed, stored, serviced, repaired or kept for sale or rent and, where facilities for the sale of marine fuels and lubricants accessory retail sales and a taxi and/or barging service are provided and where waste water pumping facilities may be provided.

“MARINE FACILITY” means an accessory building or structure which is used to take a boat into or out of a navigable waterbody, to moor a boat, or to store a boat. This definition shall include a launching ramp, boat lift, or boathouse, but shall not include any building used for human habitation or any boat servicing, repair or sales facility.

“MINIMUM DISTANCE SEPARATION” means the shortest distance between new industrial, commercial, institutional, recreational or residential uses and the livestock occupied portion of the livestock facility, the manure storage or the anaerobic digester system. For the siting of new industrial, commercial, institutional, recreational or residential uses where the lot area is less than one (1) hectare the distance is to be measured from the lot line to the nearest point of the livestock occupied portion of the livestock facility, the manure storage or the anaerobic digester system; and where the lot is larger than one (1) hectare a suitable location must be identified for a building envelope of one (1) hectare outside of the minimum separation distance. For the siting of new or altered livestock facilities, minimum separation distance means the shortest distance between the livestock occupied portion of the new or expanded livestock facility and the dwelling, lot line, road allowance or boundary of the area zoned or designated to permit a specified non-agricultural use.

“MOBILE BUSINESS” means a commercial operation including a refreshment operation which is established at a location on a temporary basis and which may change location from time to time through the use of motorized transportation and which is not located in a permanent building or structure.

“MOBILE HOME” means a factory built or prefabricated single detached dwelling, designed to be towed on its own chassis (notwithstanding that its running gear is or may be removed), designed and equipped for year-round occupancy and containing therein facilities for cooking or for the installation of cooking equipment as well as sanitary facilities, including a flush toilet and a shower or bathtub, but excluding any subsequent exterior additions or alterations to or extensions of that dwelling. This definition shall not include a recreational vehicle or travel trailer as defined herein.

“MOBILE HOME, SINGLE WIDE” means a mobile home having a width greater than 4 metres (13 feet) and less than 6 metres (20 feet) and a length not less than 10 metres (33 feet) and not greater than 21 metres (69 feet).

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“MOBILE HOME, DOUBLE WIDE” means a mobile home which is manufactured in two parts which when assembled on a lot becomes a single structural unit having a width of 6 metres (20 feet) or more and a length of not less than 10 metres (33 feet). This definition does not include a modular home as defined herein.

“MOBILE HOME LOT” means a parcel of land within a mobile home park intended for the exclusive use of a mobile home.

“MOBILE HOME PARK” means a parcel of land under single ownership which has been planned and improved for the placement thereon of 2 or more occupied mobile homes.

“MODULAR DWELLING” - See “DWELLING”.

“MOTEL” means a tourist establishment containing 3 or more guest rooms, each guest room having a separate entrance from outside the building. Accessory uses may include accommodation for permanent staff, a beverage room, dining room, meeting room or similar use.

“MOTOR VEHICLE” means an automobile, truck, motorcycle, motorized snow vehicle and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other vehicles running only upon rails, or traction engine, farm tractor, self propelled implement of husbandry or road building machine within the meaning of the Highway Traffic Act.

“MOTOR VEHICLE BODY SHOP” means a building or structure where 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 a motor vehicle is under repair, but shall not include a salvage yard or any other establishment otherwise defined or classified in this By-law.

“MOTOR VEHICLE DEALERSHIP” means a building or structure where a dealer displays motor vehicles for sale or rent and in conjunction with which there may be 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.

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“MOTOR VEHICLE GASOLINE BAR” means one or more pump islands, each consisting of one or more gasoline pumps, and a shelter having a floor area of not more than 2.25 square metres (24.22 square feet) which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles, but shall not include any other establishment otherwise defined or classified in this By-law.

“MOTOR VEHICLE REPAIR GARAGE” means a building or structure where the exclusive service performed or executed on motor vehicles for compensation shall include the installation of exhaust systems, 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.

“MOTOR VEHICLE SERVICE STATION” means an establishment primarily engaged in the retail sale of fuels or lubricants or the supplying of services for motor vehicles or snowmobiles. Accessory uses may include the sale of motor vehicle or snowmobile accessories and minor maintenance or repair operations for such vehicles other than body work or painting.

If any vehicle, other than a private automobile, a tow truck or similar service vehicle, is kept on the premises of the establishment, except while awaiting repair, maintenance or sale, then such establishment shall be classified as a commercial garage.

“MOTOR VEHICLE STORE” means an establishment primarily engaged in the retail sale of vehicle parts, accessories and tools. Accessory uses may include service bays for performing maintenance and repair operations on motor vehicles. This definition shall not include any establishment otherwise defined herein or specifically named elsewhere in this By-law.

“MULTIPLE RESIDENTIAL” means a residential building or structure containing three or more dwelling units.

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

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“NON-CONFORMING” when applied to a use, building or structure, means a use, building or structure which, on the date of passing of this By-law, does not conform with the permitted uses or activities of this By-law for the zone in which such use, building or structure is located.

“NON PERMANENT BUILDING” means a building that is easily moved from one site to another site without incurring damage to the structure or its integrity.

“NURSERY” means land or building(s) or structure(s) where trees, shrubs and plants are kept, grown and/or sold, and may also include the sale of related accessory supplies.

“NURSING HOME” means a building other than a hospital in which rooms or lodging with or without meals, are provided for hire or pay where personal care, nursing services and medical care and treatment are provided or made available and which is licensed under the appropriate statute.

“OUTDOOR FURNACE” means a building or structure that is used to provide heat or heated water to the main building on lot but is separate from the main building on the lot.

“OUTSIDE STORAGE” means the storage of equipment, goods, chattels, raw or processed materials outside of any building or structure. For the purpose of this By-law, the overnight parking of vehicles shall not be deemed to be outside storage.

“PADDOCK” means a tract of land completely enclosed by a fence in which cattle, horses, sheep, goats and swine are kept.

“PARK” means an area, consisting largely of open space, which may include a recreational area, playground or playfield, or similar use, but shall not include a mobile home park or camping park.

(a) **“PRIVATE PARK”** means a park other than a public park.

(b) **“PUBLIC PARK”** means a park owned or controlled by the Corporation or by a Ministry, Board, Commission or Authority established under any statute of Ontario or Canada.

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“PARKING AREA” means 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 storing motor vehicles.

“PARKING LOT” means an area or structure provided solely for the parking of motor vehicles and includes any related aisles, parking spaces, ingress and egress lanes, but shall not include any part of a public street or lane.

“PARKING SPACE” means an area, useable for the temporary parking or storage of a motor vehicle, exclusive of any aisles, ingress or egress lanes, which consists of an area of not less than 18 square metres (194 square feet) having a minimum width of 3 metres (10 feet) and a minimum length of 6 metres (20 feet).

“PERMITTED” means permitted by this By-law.

“PERSON” means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

“PIT” means land or land under water from which unconsolidated aggregate is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work in the excavation site or in relation to which an order has been made under the Aggregate Resources Act.

“PLACE OF ENTERTAINMENT” means and includes a theatre, auditorium, dance hall, cinema, billiard or pool hall, penny arcade, bowling alley, ice or roller skating rink, curling rink or arena and parks.

“PLACE OF WORSHIP” means a building owned or occupied by a religious congregation or religious organization dedicated exclusively to worship and other religious activities. Accessory uses may include a church hall, church auditorium, Sunday School, parish hall, nursery school or day care centre.

“PLANTING STRIP” means an area which shall be used for no purpose other than planting and maintaining a row of trees or a continuous unpierced hedgerow of evergreens or shrubs, not less than 1.5 metres (5 feet) high, immediately adjacent to the lot line or portion thereof along which such planting strip is required herein. The remainder of such planting strip shall be used for no purpose other than planting and maintaining shrubs, flowers, grass or similar vegetation.

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“PLANTING STRIP WIDTH” means the least horizontal dimension of a planting strip measured perpendicularly to the lot line adjoining such planting strip.

“PORTABLE ASPHALT PLANT” means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material and includes temporary stockpiling and storage of bulk materials used in the process and which is not of permanent construction but is designed to be dismantled and moved to another location as required.

“PORTABLE DWELLING UNIT FOR SENIOR CITIZENS” means a single wide mobile home or a manufactured structure consisting of separate modular or panelized sections which are designed to permit easy delivery to and assembly into one integral unit on a specific site, and which are reusable and designed to permit easy disassembly for transport back to the factory or to another site at an appropriate time. Under no circumstances shall a portable dwelling for senior citizens be defined to include a double wide mobile home, a travel trailer, tent trailer or trailer otherwise designed.

“PRIVATE CLUB” - See “CLUB, PRIVATE”.

“PRIVATE GARAGE” - See “GARAGE, PRIVATE”.

“PRIVATE ROAD” means a thoroughfare on private lands which affords a means of access to abutting lots and is not intended for general traffic circulation.

“PROVINCIAL HIGHWAY” - See “STREET”.

“PUBLIC SERVICE” means the use of land for the health, safety and convenience of the general public. A public service shall include police, ambulance or fire stations, libraries, water treatment plants, community centres, recreational facilities, public administration facilities, public works, depots and yards. A public service shall not include waste disposal sites, waste transfer stations, composting facilities and material recovery facilities.

“PUBLIC USE” means the use of land, buildings or structures for infrastructure or a public service.

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“QUARRY” means land or land under water from which consolidated aggregate is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site or in relation to which an order has been made under the Aggregate Resources Act.

“REAR LOT LINE” - See “LOT LINE”.

“REAR YARD” - See “YARD”.

“RECONSTRUCTION” means the repair, renovation or restoration of any existing building or structure to its original shape, size and/or floor area, but does not include its demolition and/or replacement.

“RECREATIONAL MOTOR HOME” means a self-propelled vehicle designed for temporary or seasonal living, sleeping or eating accommodation, including a truck camper, but does not include a mobile home or recreational travel trailer as defined herein.

“RECREATIONAL USE, ACTIVE” means a recreational use or activity which is conducted within a building or requires alteration of natural, soil or topographical features and includes such activities as golf courses, playing fields, trailer parks, campgrounds and conservation areas involving built structures.

“RECREATIONAL USE, PASSIVE” means an activity or use of land carried out for recreational purposes which does not require the construction of buildings or the alteration of natural, soil or topographical features and includes open space and environmental areas.

“RECREATIONAL VEHICLE” means any small vehicle used primarily for recreation, powered, propelled or driven otherwise than by muscular power. This definition shall include all-terrain vehicles, snowmobiles, hovercraft, amphibious vehicles and vehicles of a similar nature.

“REDEVELOPMENT” means the removal of buildings or structures from land and the construction or erection of other buildings or structures thereon.

“RENOVATION” means the repair, strengthening or restoration of a building to a safe condition but does not include its replacement.

SECTION 2 DEFINITIONS

“RENTAL CABIN” or **“RENTAL COTTAGE”** means a tourist establishment designed to accommodate one family in a detached building.

“RENTAL STORAGE FACILITY” means a building containing separate, individual self-storage units divided from the floor to the ceiling by a wall with an independent entrance from the exterior of the building, designed to be rented or leased on a short-term basis to the general public for private storage of personal goods, materials and equipment.

“REQUIRED YARD” - See “YARD”.

“RESIDENTIAL, NON-FARM” means a dwelling unit not located on the same lot as a farm.

“RESOURCE MANAGEMENT USE” means the preservation, protection and improvement of the natural environment through comprehensive management and maintenance for both the individual and society's use, both in the present and in the future. Resource management use also means the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, the provision of proper environmental conditions for wildlife, the protection against floods, and erosion, the protection and production of water supplies and the preservation of recreational resources.

“RESTAURANT” means a building or part of a building where food is offered for sale or sold to the public for immediate consumption at tables or counters either inside or outside the building on the lot. As an accessory use, take-out service of food and beverages for off-site consumption may be provided.

“RESTAURANT, DRIVE-IN” means an establishment where food is offered for sale or sold to the public for consumption, such establishment being designed for consumption of the food within a motor vehicle parked in a permitted parking space on the premises of the establishment but shall not include a mobile canteen.

“RESTAURANT, TAKE-OUT” means an establishment where food is offered for sale or sold to the public solely for consumption off the premises of the establishment but shall not include a mobile canteen.

“RETAIL POSTAL OUTLET” means an outlet of the Federal Postal Service which is concerned with the retail aspects of the postal service.

SECTION 2 DEFINITIONS

“RETAIL STORE” means a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail, but does not include any establishment otherwise defined herein or specifically listed as a permitted use in a Commercial Zone.

“RETAIL WAREHOUSE” means a building or portion thereof other than part of an industrial mall where the following household or office furniture and furnishings are displayed and offered for sale to the public: furniture, carpets and floor coverings, curtains and drapery, lamps and light fixtures, plumbing fixtures and supplies, pictures, picture frames, mirrors and appliances.

“RIDING SCHOOL/BOARDING STABLE” means an area of land which is used as an educational centre for horse training, handling, care or for the lodging of horses. It may include accessory buildings for human habitation.

“SALVAGE YARD” means an establishment or premises where derelict, discarded, abandoned or inoperable motor vehicles and/or other goods, wares, merchandise, articles or things are stored wholly or partly in the open. This definition shall include a junk yard, a scrapyard or any automobile wrecking yard, but shall not include any landfill site, any establishment or premises wherein open storage is incidental and subordinate to the running, repair or sale in useable or operable condition of any goods, wares, merchandise, articles or things, or any other use that is separately defined by this By-law.

“SCHOOL” means a school under the jurisdiction of a Board, as defined in the Education Act, as amended.

“SEMI-DETACHED DWELLING” - See “DWELLING”.

“SENIOR CITIZENS HOME” means a building in which the proprietor supplies for hire or gain, lodging with or without meals and in addition, may provide nursing, medical or similar care and treatment, if required. A Senior Citizens Home may also include accessory uses such as a club and lounge facilities.

“SERVICE SHOP” shall mean an establishment for the furnishing of personal services such as a barber shop, or beauty parlour or for the servicing or repair of articles, goods or material such as a shoe repair, or appliance repair depot but does not include a service station as defined in this section.

SECTION 2 DEFINITIONS

“SETBACK” means the least horizontal dimension between the lot line and the nearest wall of any building or structure, deck or verandah on the lot, or the nearest open storage use on the lot.

“SHALL” is to be construed as mandatory and not directory or discretionary.

“SHOPPING CENTRE” means a group of non-residential establishments, predominantly retail commercial in nature, designed, developed and managed as a unit by a single owner or tenant, or group of owners or tenants, as opposed to a business area comprising unrelated individual uses, and having an off-street parking area provided on the site.

“SHORELINE” means any lot line or portion thereof which abuts a waterbody.

“SIDE LOT LINE” - See “LOT LINE”.

“SIDE YARD” - See “YARD”.

“SIGHT TRIANGLE” means the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 9 metres (30 feet) from the point of intersection of street lines (measured along the street line). Where two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

“SIGN, LEGAL” means a name, identification, description, device display or illustration which is affixed to or represented directly or indirectly upon a building, structure or lot which directs attention to an object, product, place, activity, person, institute, organization or business and which does not contravene any By-law of the Corporation or the County, or any Regulation of the Government of Ontario or Canada.

“SINGLE-DETACHED DWELLING” - See “DWELLING”.

“STOREY” means that portion of a building or structure between any floor level of such building or structure and the floor, ceiling or roof next above such floor level.

SECTION 2 DEFINITIONS

- (a) **“FIRST STOREY”** means the storey with its floor closest to finished grade and having its ceilings at least 1.5 metres (5 feet) above finished grade.
- (b) **“ONE-HALF STOREY”** means that portion of a building situated wholly or partly within the roof and in which there is a vertical dimension of at least 2.0 metres (6.6 feet) (measured from finished floor to finished ceiling) over a floor area equal to at least one-half, but less than 75 percent, of the floor area of the storey next below.
- (c) **“SECOND STOREY”** means that portion of a building situated above the first storey and in which there is a vertical dimension of at least 2.0 metres (6.6 feet) (measured from finished floor to finished ceiling) over a floor area equal to at least 75 percent of the floor area of the storey next below.
- (d) **“ATTIC”** means that portion of a building situated wholly or partly within the roof, but which is not a one-half storey.
- (e) **“BASEMENT”** means any storey below the first storey which has at least 50 percent of the vertical dimension thereof (measured from finished floor to finished ceiling) above the finished grade.
- (f) **“CELLAR”** means a storey that has more than 50 percent of the vertical dimension thereof (measured from finished floor to finished ceiling) below finished grade.

“STREET” means a public highway or public road which affords the principal means of access to abutting lots which is maintained by either the Province, County or Corporation but does not include a lane or private right-of-way.

“STREET ALLOWANCE” shall have a corresponding meaning.

- (a) **“COUNTY ROAD”** means a street designated as a County Road on the Zoning Schedules attached.
- (b) **“IMPROVED STREET”** means a street, assumed by the Corporation, County or Province, which has been constructed in such a manner so as to permit its use by normal vehicular traffic.
- (c) **“PROVINCIAL HIGHWAY”** means a street designated as a Provincial Highway on the Zoning Schedules attached.

SECTION 2 DEFINITIONS

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

“STREET LINE” means the limit of the road or street allowance, and is the dividing line between a lot and a street.

“STRUCTURE” means anything constructed, built or erected, the use of which requires location on or in the ground, or attached to something having location on or in the ground but does not include a sign, trailer, mobile home or tent.

“SWIMMING POOL” means any body of water, permanently located outdoors, on publicly or privately owned property, contained by artificial means, and used and maintained for the purpose of swimming , wading, diving or bathing.

“TAKE-OUT RESTAURANT” - See “RESTAURANT, TAKE-OUT”.

“TENT” means a portable shelter of canvas, nylon or other fabricated materials which is supported by one or more poles or frame and is not permanently affixed to the site. A tent is not considered a structure within the meaning of this By-law.

“THROUGH LOT” - See “LOT”.

“TILLABLE HECTARES” means the total area of land contained within a lot that can be worked or cultivated.

“TOWNSHIP” means the Corporation of the Township of Havelock-Belmont-Methuen.

“TRAILER” means any vehicle designed to be towed by a motor vehicle.

“TRAVEL TRAILER” means a vehicular portable structure with the running gear intact that is not more than 2.6 metres (8.5 feet) wide and 12.5 metres (41 feet) long and is designed for short-term occupancy to be used for travel, recreation and vacation. This definition shall not include a mobile home or motor home.

“TRAVEL TRAILER PARK” means any parcel of land which is used to provide temporary accommodation for the public, or members of an organization, in tents, travel trailers or tourist vehicles whether or not a fee is charged or paid for such accommodation.

SECTION 2 DEFINITIONS

“TRAVEL TRAILER SITE” means a parcel of land within a travel trailer park, occupied by a tent, travel trailer, or recreational motor home.

“USE” (when used as a noun) means the purpose for which a lot, building or structure, or any combination thereof is designed, arranged, occupied or maintained.

“USES” shall have a corresponding meaning.

“USE” (when used as a verb) or **“TO USE”** shall have corresponding meanings.

“VEHICLES” means 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 the cars of electric or steam railways running only upon rails.

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

“WATER ACCESS” means that any lot having a lot line or portion thereof which is also a shoreline on a navigable waterway, shall be deemed to have water access.

“WATER FRONTAGE” means a straight line horizontal distance between the two most widely separated points on any one shoreline of a lot.

“WATER SETBACK” means a horizontal distance between the normal or controlled high water mark of a navigable waterway and the nearest part of the main wall of a building.

“WAYSIDE PIT OR QUARRY” means a temporary pit or quarry opened under the authority of a wayside permit issued under the Aggregate Resources Act to any public authority or any person who has a contract with a public authority that requires aggregate for temporary projects such as road construction, road maintenance or urgent projects for which no alternative source of aggregate under licence or permit is readily available in the vicinity.

SECTION 2

DEFINITIONS

“WETLAND” means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Lands being used for agricultural purposes, that a periodically "soaked" or "wet" are not considered to be wetlands in this definition. Such lands, whether or not they were wetlands at one time, are considered to have been converted to alternate uses.

“WORKSHOP” means 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.

“YARD” means a space, appurtenant to a building or structure or excavation, located on the same lot as the building or structure or excavation, and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted elsewhere in this By-law.

“YARD, EXTERIOR SIDE” means a side yard immediately adjoining a public road or unopened road allowance.

“YARD, FRONT” means a yard extending across the full width of a lot between the front lot line and the nearest wall of any building or structure, deck or verandah, or the nearest outside storage use on the lot.

“YARD, INTERIOR SIDE” means a side yard other than an exterior side yard.

“YARD, MINIMUM FRONT” means the minimum depth of a front yard on a lot between the front lot line and the nearest wall or any building or structure, deck or verandah, or the nearest outside storage use on the lot.

“YARD, REAR” means a yard extending across the full width of a lot between the rear lot line and the nearest wall of any building or structure, deck or verandah, or the nearest outside storage use on the lot. If there is no rear lot line, then there shall be deemed to be no rear yard.

“YARD, MINIMUM REAR” means the minimum depth of a rear yard on a lot between the rear lot line and the nearest wall of any building or structure, deck or verandah, or the nearest outside storage use on the lot.

SECTION 2 DEFINITIONS

“YARD, SIDE” means a yard extending from the front yard to the rear yard of a lot, and between a side lot line and nearest wall of any building or structure, deck or verandah, or the nearest outside storage use on the lot.

“YARD, MINIMUM SIDE” means the minimum width of a side yard on a lot between a side lot line and the nearest wall of any building or structure, deck or verandah, or the nearest outside storage use on the lot.

“YARD REQUIRED” means a yard with the minimum front yard depth, rear yard depth, or side yard width required by the provisions of this By-law. A required side yard shall extend from the required front yard to the required rear yard or, in the case of a lot which has no rear lot line, the required side yard shall extend from the required front yard to the opposite required side yard.

“ZONE” means an area within which, in accordance with the provisions of this By-law, certain uses of lands, buildings and structures are permitted and certain others are prohibited, where yards and other open spaces are required, where lot areas, building height limits and other requirements are established.

SECTION 3

ZONE PROVISIONS

3.1 SCOPE

The provisions of this By-law shall apply to all lands within the limits of the Corporation of the Township of Havelock-Belmont-Methuen.

3.2 ZONE CLASSIFICATION

For the purposes of this By-law, the whole of the Township of Havelock-Belmont-Methuen is divided into the following zones:

ZONE	SYMBOL
Agricultural Zone	A
Rural Zone	RU
Residential Type 1 Zone	R1
Residential Type 2 Zone	R2
Residential Type 3 Zone	R3
Estate Residential Zone	ER
Seasonal Residential Zone	SR
Island Residential Zone	IR
Residential Mobile Home Park Zone	RMH
Local Commercial Zone	C1
Commercial Tourist Zone	C2
Commercial Trailer Park Zone	C3
Restricted Industrial Zone	M1
Extractive Industrial Zone	M2

SECTION 3 **ZONE PROVISIONS**

ZONE	SYMBOL
Disposal Industrial Zone	M3
Institutional Zone	I
Open Space Zone	OS
Environmental Protection Zone	EP
Development Zone	D
Special District Zone	S.D.

3.3 ZONE SYMBOLS

The zone symbols used on the Zoning Schedules refer to the permitted uses and regulations of the zone category for which that zone symbol applies as specified in Section 3.2 of this By-law.

3.4 ZONE PROVISIONS

The uses permitted, the minimum size and dimensions of lots, the minimum size of yards, the minimum setback, the maximum lot coverage, the maximum height of buildings, and all other zone provisions are set out herein for the respective zones.

SECTION 3 **ZONE PROVISIONS**

3.5 SPECIAL ZONES AND PROVISIONS

Where the zone symbol shown on certain lands on Schedule “A” is S.D. followed by a number, (for example: S.D. 1), then special provisions apply to such lands. The special provisions will be found by reference to subsection 4.41 of the General Provisions Section of the By-law. Lands zoned in this manner shall be subject to all of the restrictions of the By-law except as otherwise provided by the special provisions.

SECTION 4

GENERAL PROVISIONS

4.1 ACCESSORY USES

(a) Uses Permitted:

Where this By-law provides that a lot may be used, or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building or structure or accessory use, but shall not include the following:

- (i) any occupation for gain or profit conducted within a dwelling unit or on the lot except as specifically permitted in this By-law; and
- (ii) any building or structure used for human habitation except as specifically permitted in this By-law.

(b) Lot Coverage:

Except as otherwise permitted herein, the total lot coverage of all accessory buildings or structures on a lot shall not exceed 8% of the lot area.

(c) Height:

Except as otherwise provided herein, no accessory building or structure shall exceed 7.5 metres (25 feet) in the Agricultural (A) and Rural (RU) Zones and 4.5 metres (15 feet) in height in any other zone. Notwithstanding any other provision to the contrary, accessory buildings and structures to residential uses in the Agricultural (A) and Rural (RU) Zones shall not exceed 4.5 metres (15 feet) in height.

(d) Location:

- (i) Notwithstanding the yard provisions of this By-law to the contrary, drop awnings, clothes poles, flag poles, garden trellises, fences, retaining walls, legal signs, marine facilities, or similar accessory uses shall be exempt from the yard provisions of this By-law;

SECTION 4

GENERAL PROVISIONS

- (ii) Except as otherwise provided herein, in a Residential Type 1 Zone (R1), a Residential Type 2 Zone (R2), a Residential Type 3 Zone (R3), an Estate Residential (ER), a Seasonal Residential (SR) Zone or an Island Residential Zone (IR) any accessory building or structure which is not attached to the main building shall not be erected in any yard other than the side yard or rear yard. In all other zones, a permitted accessory building or structure may be located between the principal or main building on the lot and the street line, provided such accessory building or structure complies with the yard and setback requirements of the Zone in which such building or structure is located.
- (iii) The regulations governing the location of any accessory building or structure in relation to a lot line shall not apply to prevent the erection or use of a jointly-owned double garage that services two dwellings, the common lot line of which shall be the dividing line of such garage.

(e) Yards and Setbacks:

Except as otherwise provided herein, in the Residential Type 1 Zone (R1), the Residential Type 2 Zone (R2), the Residential Type 3 Zone (R3), the Estate Residential Zone (ER), and the Seasonal Residential Zone (SR) and where a lot is created in the Rural (RU) or Agricultural (A) Zones for the purpose of constructing a single detached dwelling, any accessory building or structure which is not part of the main building shall be erected:

- (i) to the rear of any required front yard;
- (ii) with a minimum rear yard of 3.0 metres (10 feet);
- (iii) with a minimum side yard of 3.0 metres (10 feet) except in the case of a corner lot, the minimum side yard shall be 6.0 metres (20 feet);
- (iv) with a minimum separation distance of 1.5 metres (5 feet) from any building, structure, or part thereof, and shall not be intruded upon by any awning, canopy, roof, wall or similar structure; and
- (v) notwithstanding any other provision of this section, for lots in the Residential Type 1 Zone (R1) and the Residential Type 2 Zone (R2), serviced with municipal water and sanitary sewers, the minimum interior side yard setback shall be 1 metre (3.3 feet) and the minimum rear yard setback shall be 1.5 metres (5 feet).

- (f) No building permit shall be issued for an accessory building or structure until such time that a permit is issued to establish the principal use.

SECTION 4 **GENERAL PROVISIONS**

- (g) The regulations governing the location of any accessory building or structure in relation to a lot line shall not apply to prevent the erection or use of a jointly-owned double garage that services two dwellings, the common lot line of which shall be the dividing line of such garage.

4.2 BED AND BREAKFAST ESTABLISHMENTS

The following provisions shall apply to the location and operation of bed and breakfast establishments, as defined in this By-law:

- (a) Bed and breakfast establishments shall be permitted only within a single detached dwelling, and shall contain not more than three guest rooms made available for the temporary accommodation of the public;
- (b) A bed and breakfast establishment shall be operated by one or more residents of the single detached dwelling;
- (c) Bed and breakfast establishments shall be permitted in the Residential Type 1 Zone (R1), the Estate Residential Zone (ER), the Commercial Tourist Zone (C2), the Agricultural Zone (A), and the Rural Zone (RU);
- (d) Parking area requirements shall be in accordance with Section 4.26 of this By-law;
- (e) One legal sign shall be permitted for a bed and breakfast establishment provided such sign does not exceed 1 square metre (11 square feet).

4.3 BOARDING HOUSES

Notwithstanding any other provision of this By-law, the keeping of not more than two (2) boarders or lodgers in any dwelling shall be permitted, subject to the following:

- (a) The owner shall occupy not less than 37 square metres (400 square feet) of habitable area as their permanent personal residence plus an additional 7 square metres (75 square feet) for each member of the family in excess of two;

SECTION 4 **GENERAL PROVISIONS**

- (b) The minimum area of a room that may be used for sleeping purposes is 9.3 square metres (100 square feet);
- (c) No sign advertising the existence of the house or the availability of a room shall be displayed so as to be visible from outside the house except one sign attached to the building not exceeding 1 square metres (11 square feet) in area; and,
- (d) No cooking equipment shall be used in a room that is used for sleeping accommodation.

4.4 BUILDING MATERIALS

The following building materials shall not be used for the exterior facing on any wall of any building or structure which is located partly or wholly within 91 metres (300 feet) of any improved public street or waterway:

- (a) Asphalt roll type siding;
- (b) Building paper or tar paper;
- (c) Insul brick siding;
- (d) Roll roofing;
- (e) Mill ends; and,
- (f) Asphalt shingles.

4.5 BUILDINGS TO BE MOVED

No building or structure, regardless of size, may be moved within or into/out of the Municipality unless a permit is first obtained from the Chief Building Official and no building may be moved into any zone where it is not permitted. Notwithstanding the generality of the foregoing, buildings and structures may be moved within lots of record without a permit.

SECTION 4 GENERAL PROVISIONS

4.6 CONSTRUCTION USES

Temporary Uses Permitted:

A construction camp, tool shed, scaffold, sign or other building or structure incidental to and necessary for construction work on the premises, may be permitted in any zone provided that:

- (a) Such uses, buildings or structures are used only as long as same are necessary for work in progress which has neither been finished nor abandoned; and
- (b) Such uses, buildings or structures are removed when the work in connection with which they are constructed is finished or abandoned.

4.7 DWELLING UNITS BELOW GRADE

- (a) Cellar Location:

No dwelling unit, in its entirety, shall be located in a cellar. If any portion of a dwelling unit is located in a cellar, such portion of the dwelling unit shall be used for no purpose other than a furnace room, laundry room, storage room, recreation room or for a similar use.

- (b) Basement Location:

A dwelling unit, in its entirety, may be located in a basement, provided that the finished floor level of such basement is not below the level of the septic system servicing the building or structure in which such basement is located, and further, provided that the floor level of such basement is not more than 1.5 metres (5 feet) below the average adjacent finished grade.

SECTION 4 **GENERAL PROVISIONS**

(c) Energy Efficient Homes:

Notwithstanding subsections (a) and (b) to the contrary, dwellings which are designed to be located below grade either as an earth-banked or earth-covered house for energy efficiency purposes shall be permitted to locate in the municipality if plans for such dwelling units have been approved and certified by a professional engineer's seal or have been approved by a similar accredited body.

4.8 DWELLING UNITS UNDER CONSTRUCTION

Notwithstanding anything contained in this By-law, no person shall use or occupy any building for residential purposes for not more than (12) months unless the exterior of such building has been completed and finished in all respects in accordance with the plans and specifications filed upon application for a building permit, and the approved sanitary facilities have been installed and rendered usable, safe and fit for human habitation.

4.9 ESTABLISHED LOTS - LESSER REQUIREMENTS

A vacant lot, legally registered and existing on the date the By-law was passed, that has less than the minimum frontage, depth or area required by this By-law may be developed for all uses in the appropriate zone provided that:

- (a) All other provisions of this By-law are satisfied;
- (b) Such lots meet the servicing requirements of the authority having jurisdiction; and,
- (c) Such lots have a minimum frontage and area equal to 67% of the required lot frontage and area.

SECTION 4 **GENERAL PROVISIONS**

4.10 EXISTING BUILDINGS, STRUCTURES AND USES

(a) Continuation of Existing Uses:

The provisions of this By-law shall not apply to prevent the use of any lot, building, structure or part thereof, for any purpose prohibited by this By-law, if such use was lawfully existing on the date of the passing of this By-law so long as it continues to be used for that purpose.

(b) Exterior Extension:

A building, structure or part thereof, which at the date of passing of this By-law, was used for a purpose not permissible within the land use zone in which it is located, may be enlarged, extended, redeveloped or reconstructed provided that:

- (i) the enlargement or alteration to the building or structure does not reduce the existing yards except where such yards are greater in size than the minimum required in this By-law, such yards may be reduced to the minimum yards required by this By-law;
- (ii) the enlargement or alteration does not create another deficiency or increase the degree of an existing deficiency with respect to any requirements of this By-law; and
- (iii) all other applicable provisions of this By-law are complied with as they relate to the enlargement, reconstruction, repair and/or renovation.

(c) Interior Alteration:

The interior of any building, structure or part thereof, lawfully used on the date of passing of this By-law for a use that is not permitted within such land use zone as the building or structure or part thereof is located, may be renovated or structurally altered in order to render the same more convenient or commodious for the same purpose for which, at the date of the passing of this By-law such building, structure or part thereof was used.

SECTION 4 **GENERAL PROVISIONS**

(d) Restoration to a Safe Condition:

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any building or structure or part thereof, lawfully used on the date of the passing of this By-law provided that the strengthening or restoration does not change the use, or increase the height, size or volume of the building or structure or part thereof.

(e) Reconstruction:

Nothing in this By-law shall apply to prevent the reconstruction of any lawful non-conforming building or structure or part thereof, which is damaged by causes beyond the control of the owner, but the building or structure or part thereof, shall not be situated closer to the lot line than was the lawful non-conforming building or structure.

(f) Existing Deficient Yards:

Where an existing permitted building or structure or part thereof, is located on a lot having less than the minimum frontage and/or area, and/or having less than the minimum setback 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:

- (i) the enlargement, reconstruction, repair and/or renovation complies with the requirements of the appropriate zone; and
- (ii) all other applicable provisions of this By-law are complied with.

(g) Built Up Area:

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

SECTION 4 **GENERAL PROVISIONS**

(h) Permitted Extension:

Nothing in this By-law shall prevent a dwelling unit that existed at the time of the passing of this By-law and which has a gross floor area or dwelling unit area less than required by this By-law, from being altered, provided such alteration does not contravene any other provisions of this By-law.

(i) Minimum Lot Size:

Except as may be specifically permitted, no part of any existing lot shall be reduced in area or frontage by the conveyance or alienation of any portion of the lot so as to create a situation of non-conformity or increase the degree of non-conformity with this By-law.

4.11 FRONTAGE ON A PUBLIC STREET

No person shall erect any building or structure in any zone unless the lot upon which such building or structure is located, fronts upon an improved public street or a navigable waterway. However, a building permit may be issued and a building or structure erected on an existing lot with a minimum lot area of 10 hectares (25 acres) and a 20 metres (66 feet) wide legal access that runs with the land to an improved public street or navigable waterway. In these circumstances, the minimum lot frontage requirement will be waived.

4.12 HEIGHT EXEMPTIONS

Notwithstanding the height provisions contained herein, nothing in this By-law shall apply to prevent the erection, alteration or use of the following accessory buildings or structures provided the main use is a permitted use within the zone in which it is located:

- a barn;
- a belfry;
- a bridge;
- a bulk storage tank;
- a chimney;

- a church spire;
- a clock tower;
- a communications tower;
- a corn crib;
- a drying elevator; a television antenna;

SECTION 4 GENERAL PROVISIONS

a farm implement shed;
a feed or bedding storage use;
a flag pole;
a hydroelectric transmission tower;
an electric power facility other than a building;

a radio antenna;
a silo;
a water tower;
a windmill.

4.13 HOLDING PROVISIONS

Notwithstanding any other provision of this By-law to the contrary, where a zone symbol is followed by a holding symbol denoted "H", no person shall use such lands except for such purposes existing as of the date of passing of this By-law and, further, no person shall enlarge, extend, reconstruct any existing building or structure except where such building or structure existed as of the date of passing of this By-law and the existing building or structure is a use permitted within the principal zone classification.

4.14 HOME INDUSTRY

A home industry may be conducted in or from a dwelling unit or accessory building provided that it is clearly secondary to the main residential use of the property and provided that:

- (a) No more than one person, other than a person residing in the dwelling unit, shall be employed in the home industry;
- (b) There shall be no outside storage of materials, supplies, tools, equipment or goods which are used for, or result from the home industry;
- (c) There shall be no external advertising other than a sign that shall not exceed 1 square metres (11 square feet) in size and which shall not be erected in a required front, side or rear yard;
- (d) The maximum floor area shall be 74.3 square metres (800 square feet);

SECTION 4 GENERAL PROVISIONS

- (e) Any vehicles associated with such home industry shall be parked in an area other than a street or a required front, side or rear yard; and
- (f) No equipment or process shall be used which creates noise, vibration, glare, fumes, odours or electrical interference in excess of that normally experienced in a residential neighbourhood.

4.15 HOME OCCUPATIONS

No person shall carry on or engage in a home occupation except in accordance with the following regulations:

- (a) No person, other than a resident of the dwelling unit shall be engaged in such occupation;
- (b) No sign or display other than a non-illuminated sign not exceeding 0.5 square metres (5.4 square feet) in area shall indicate that a home occupation is being carried on in the dwelling unit;
- (c) No goods, wares or merchandise, other than arts and crafts, shall be directly offered or exposed for sale or rent in the dwelling unit or on the lot;
- (d) Such home occupation shall be secondary to the main residential use and shall not change the residential use and shall not change the residential character of the dwelling unit nor create or become a public nuisance, in particular, in regard to noise, odour, traffic or parking;
- (e) Such home occupation shall not interfere with television or radio reception of others in adjacent buildings or structures;
- (f) The home occupation may be operated or located in any part of a dwelling or dwelling unit provided that the home occupation located on the lot shall not occupy more than a floor area equivalent to 25% of the building area of a lot, or 25% of the floor area of the dwelling unit, or 37 square metres (400 square feet) of floor area, whichever is the least;
- (g) There shall be no mechanical or other equipment used except that which is customarily employed in a dwelling unit or for domestic or household purposes; and

SECTION 4 GENERAL PROVISIONS

- (h) There shall be no open storage of materials, supplies, tools, equipment or goods which are used for, or result from the home occupation.

4.16 ILLUMINATION

Lighting fixtures designed for exterior illumination, which are not public uses, shall be installed with the light directed and deflected away from adjacent lots and streets. Such lighting fixtures shall not be more than 9 metres (30 feet) above finished grade and no closer than 4.5 metres (15 feet) to any street line.

4.17 KENNELS

Kennels shall not be permitted:

- (a) In the Residential (R), Estate Residential (ER), Seasonal Residential (SR), Island Residential (IR) and Mobile Home Park (MHP), Commercial Tourist (C2) and Commercial Trailer Park (C3) Zones;
- (b) On a lot less than 6 hectares (15 acres) in area;
- (c) Within 61 metres (200 feet) of any streetline; and
- (d) Within 61 metres (200 feet) of any adjacent lot line.

4.18 LIVESTOCK

The keeping of livestock, horses, poultry or any other animals, items or uses customarily and normally related to the field of agriculture shall only be permitted in the Agricultural (A) and Rural (RU) Zones and in accordance with all applicable regulations of this By-law.

SECTION 4 GENERAL PROVISIONS

4.19 LOADING SPACE REGULATIONS

The owner or occupant of any lot, building or structure erected or used for any purpose involving the receiving, shipping, loading or unloading of persons, animals, goods, wares, merchandise or raw materials, shall provide and maintain at the premises, loading and unloading spaces 9 metres long (30 feet), 3.6 metres (12 feet) wide and having a vertical clearance of at least 4.3 metres (14 feet), and in accordance with the following:

TOTAL FLOOR AREA OF BUILDING OR STRUCTURE	NUMBER OF LOADING SPACES REQUIRED
280 square metres (3000 square feet) or less	1
Exceeding 280 square metres (3000 square feet) but not 2322 square metres (25000 square feet)	2
Exceeding 2322 square metres (25000 square feet) but not 7430 square metres (80000 square feet)	3
Exceeding 7430 square metres (80000 square feet)	3 plus 1 additional space for each additional 9000 square metres (100,000 square feet) or fractional part thereof in excess of 7430 square metres (80000 square feet)

Provided, however, that in addition to the above number of loading spaces, one waiting space shall be provided for the parking of vehicles awaiting access to each loading space.

(a) Access:

Access to loading or unloading spaces shall be by means of a driveway at least 6 metres (20 feet) wide, contained within the lot on which the spaces are located and leading to a public street or lane located within or adjoining the zone in which the use is located.

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(b) Location:

The required loading spaces shall be provided on the lot occupied by the building or structure for which the said loading spaces are required and shall not form a part of any street or lane.

(c) Yards Where Provided:

The required loading spaces shall be located only in a side yard or rear yard provided such loading spaces are located no closer than 18 metres (59 feet) to any street line.

(d) Surface:

Each loading space and driveway connecting a loading space with a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles. Before being used, such loading spaces and driveways shall be constructed of crushed stone, slag, gravel, crushed brick or tile, cinders, asphalt, concrete or Portland cement binder and with provisions for drainage.

(e) Addition to Existing Use:

When a building or structure has insufficient loading spaces on the date of the passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition. However, no addition may be built and no change of use may occur, the effect of which would be to increase that deficiency.

4.20 LOTS CONTAINING MORE THAN ONE USE

Where a lot contains or is proposed to contain, more than one use, each use shall conform to the provisions of this By-law for the zone where such use is located provided that no dwelling, as may be permitted, shall be erected closer than 6 metres (20 feet) to any other building or structure on the lot except for an accessory building or structure as may be permitted in accordance with the regulations contained in Section 4.1 of this By-law. Each such use shall be considered to be located on a separate lot for the purpose of determining zone provisions.

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4.21 LOTS DIVIDED INTO MORE THAN ONE ZONE

Where a lot is divided into more than one zone, each such portion of the lot shall be used in accordance with the provisions of this By-law for the zone where such portion of the lot is located. Each such portion of the lot shall be considered as a separate lot for the purpose of determining zone provisions.

4.22 MARINE FACILITIES

Notwithstanding any other provisions of this By-law to the contrary, where ownership of a lot extends to the high water mark, a marine facility or pump house may be erected and used in the yard abutting the high water mark, provided such accessory buildings or structures are located no closer than 3.0 metres (10 feet) to the side lot line.

4.23 MINIMUM DISTANCE SEPARATION

- (a) Notwithstanding any other yard or setback provisions of this By-law to the contrary, no non-farm residential, commercial, industrial, institutional or recreational use, located on a separate lot and permitted by an R1, R2, R3, ER, SR, IR, C1, C2, C3, M1, M2, I, RU or A Zone, shall be erected or altered unless it complies with the minimum distance separation.
- (b) Notwithstanding any other yard or setback provisions of this By-law to the contrary, no livestock facility shall be erected or altered unless it complies with the minimum distance separation.
- (c) The provisions of sub-section 4.23(a) shall apply to those lots existing at the date of the passing of this By-law, which are less than one (1) hectare in size; and the minimum distance separation shall be measured from the lot line to the nearest portion of the livestock facility, the manure storage or the anaerobic digester system.

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4.24 MOBILE HOMES

The following provisions shall apply to the establishment of mobile homes as defined in this By-law:

- (a) Single wide mobile homes and double wide mobile homes shall be permitted only within a Mobile Home Park (RMH) Zone;
- (b) Each mobile home shall be provided with a concrete apron or basement upon which the mobile home will be located;
- (c) Skirtings shall be provided to screen the undercarriages of all mobile homes; and,
- (d) All accessory structures such as patios, porches, additions, skirting and storage facilities shall be factory prefabricated units, or of an equivalent quality so that design and construction will compliment the mobile home.

4.25 NOXIOUS TRADE

No use shall be permitted in any zone from which its nature or the materials therein, is declared to be a noxious trade, business or manufacture under the Public Health Act, as amended, or regulations thereof.

4.26 PARKING AREA REGULATIONS

Parking spaces and areas are required under this By-law in accordance with the following provisions:

- (a) Requirements:

The owner of every building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupant, or other persons entering upon or making use of the said premises from time to time, one or more parking spaces, in accordance with the following requirements.

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The minimum number of off-street parking spaces required for each use shall be calculated to the nearest whole number.

TYPE OF USE	MINIMUM PARKING REQUIREMENTS
Residential Estate Residential, Seasonal Residential, or Residential Mobile Home Park	2 parking spaces per dwelling unit
Bed and Breakfast Establishment	2 parking spaces per dwelling unit plus 1 additional space per guest room
Boarding Houses	2 parking spaces per dwelling unit plus 1 additional space per guest room
Home Occupations or Home Industries	2 parking spaces per dwelling unit plus 2 extra spaces
Farm Produce Sales Outlet	5 parking spaces
Hotels, Motels, Lodges, Rental Cabins and Cottages	1 parking space per bedroom plus the greater of: (a) 1 parking space for each four persons that can be accommodated at any one time in a beverage room, liquor lounge, dining room or meeting room; or (b) 1 parking space per 9.5 square metres (100 square feet) of gross floor area

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TYPE OF USE	MINIMUM PARKING REQUIREMENTS
Nursing Home	3 parking spaces per 4 beds or fraction thereof
Medical or Dental Clinic, Animal Hospital	The greater of: (a) 1 parking space per 18.6 square metres (200 square feet) of gross floor area; or (b) 3 parking spaces per practitioner
Business or Professional Office	1 parking space per 37 square metres (400 square feet) of floor area
Retail Store or Service Shop	1 parking space per 18.6 square metres (200 square feet) of gross floor area
Restaurant	The greater of: (a) 1 parking space per 4 persons design capacity or fraction thereof; or (b) 1 parking space per 9.5 square metres (100 square feet) of gross floor area.
School	The greater of: (a) 2 parking spaces per classroom; or (b) 1 parking space per 3 square metres (32 square feet) of floor area in the gymnasium or auditorium
Place of Worship	1 parking space per 5.6 square metres (60 square feet) of floor area in the nave

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TYPE OF USE

MINIMUM PARKING REQUIREMENTS

Assembly Hall, Community Centre or Theatre

The greater of:

- (a) 1 parking space per 5 fixed seats or fraction thereof; or
- (b) 1 parking space per 9.5 square metres (100 square feet) of gross floor area; or
- (c) 1 parking space for each 4 persons that may be legally accommodated at any one time.

Industrial Establishment

The greater of:

- (a) 1 parking space per 37 square metres (400 square feet) of manufacturing floor area; or
- (b) 1 parking space per 74 square metres (800 square feet) of warehousing space

Car Wash

- (a) a minimum of 3 spaces for motor vehicles shall be located in advance of each washing stall of a self-service car wash
- (b) a minimum of 10 spaces for motor vehicles shall be located in advance of each washing stall of an automatic car wash
- (c) a minimum of 15 spaces for motor vehicles shall be located in advance of each washing stall of a conveyor-type automatic car wash.

Uses Permitted by this By-law other than those listed in this table

The greater of:

- (a) 1 parking space per 2 employees or fraction thereof; or
- (b) 1 parking space per 4 persons design capacity or fraction thereof; or
- (c) 1 parking space per 37 square metres (400 square feet) of gross floor area

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(b) More Than One Use on a Lot:

When a building, structure or lot accommodates more than one type of use, the parking space requirement for such building, structure or lot shall be the sum of the requirements for the separate uses thereof.

(c) Location:

The required parking areas shall not form part of any street or lane and shall be provided on the lot occupied by the building, structure or use for which the said parking area is required, except in the case of a non-residential use, the required parking area may be provided on another lot if such parking area is not more than 91 metres (300 feet) from the lot requiring the parking area.

(d) Yards Where Permitted:

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 an area between the street line and the required setback as follows, provided that such parking areas shall be subject to the provisions of Section 4.35 hereof regarding sight triangles:

ZONE	YARD IN WHICH REQUIRED PARKING AREA PERMITTED
(i) Rural, Agricultural	All yards, provided that no part of any parking area, other than a driveway, is located closer than 3 metres (10 feet) to any street line.
(ii) Residential	All yards provided that no part of any parking area, other than a driveway, is located closer than the minimum required front yard depth to any street line.
(iii) Commercial, Institutional and Environmental Protection	All yards provided that no part of any parking area, other than a driveway, is located closer than 0.9 metres (3 feet) to any street line.

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ZONE	YARD IN WHICH REQUIRED PARKING AREA PERMITTED
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(iv) Industrial and Open Space feet) to any street line.	Interior side and rear yards only, except for visitor parking, provided that no part of any parking area, other than a driveway is located closer than 7.5 metres (25
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(e) Access:

- (i) Access to the required parking spaces and parking areas shall be provided by means of unobstructed driveways or passageways at least 3 metres (10 feet), but not more than 9 metres (30 feet) in width.
- (ii) The aisles between parking space blocks within a parking area shall have a minimum width of 6 metres (20 feet).
- (iii) The maximum width of any combined ingress and egress driveway or any abutting driveways along a common lot line, measured along the street, shall be 9 metres (30 feet).
- (iv) The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 7.5 metres (25 feet) for all residential uses in Residential Zones and shall be 15 metres (50 feet) for all other uses in any zone.
- (v) The minimum angle of intersection between a driveway and a street line shall be 60 degrees.
- (vi) No driveway shall be established closer than 1 metre (3 feet) to a side lot line, but this shall not apply to prevent the establishment of abutting driveways along a common lot line if their combined width does not exceed 9 metres (30 feet).

(f) Surface:

Each parking area and driveway connecting the parking lot with a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles. This provision shall not apply in the Agricultural (A) and Rural (RU) Zones.

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(g) Addition to Existing Use:

When a building or structure has insufficient parking spaces on the date of the passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition. However, no addition may be built and no change of use may occur, the effect of which would be to increase that deficiency.

(h) Use of Parking Areas and Parking Spaces:

Where a parking area or parking space is permitted or required by this By-law, no person shall use such parking area or parking space for parking any motor vehicle unless such vehicle is used in operations incidental to the permitted uses in respect to which such parking area or parking space is provided and bears a motor vehicle license plate or sticker which is valid for part or all of the current calendar year.

(i) Restrictions in Residential Zones:

No person shall use any parking area or parking space in the Estate Residential (ER), Seasonal Residential (SR), and Residential Mobile Home Park (RMH) Zones except in accordance with the following:

- (i) Not more than one (1) vehicle per dwelling unit shall be a commercial motor vehicle with a rated capacity of 1016 kilograms (2240 pounds) or greater;
- (ii) Notwithstanding (i) above to the contrary, a commercial motor vehicle that exceeds the size of a tandem truck shall not be permitted; and
- (iii) For the purpose of (i) and (ii) above, commercial motor vehicles shall be as defined in the Highway Traffic Act.

4.27 PITS AND QUARRIES

- (a) The making and establishment of pits and quarries is prohibited except in the locations and in accordance with the provisions of this By-law, and, no person shall use any land or erect any building or structure for the purpose of processing, washing, sorting, screening or crushing rock, sand or gravel except as provided for in this By-law.

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- (b) Notwithstanding any other provision of this By-law, a wayside pit or wayside quarry shall be considered a permitted use in all Zones except in a Residential Zone, an Institutional Zone, or an Environmental Protection Zone.

4.28 PLANTING STRIPS

Where the main use of a lot is for a Non-Residential purpose, other than an agricultural use or home occupation, and the side or rear lot line, or portion thereof, abuts a Residential use or undeveloped land in a Residential Zone, or where such lot is in an Industrial Zone and the front, side or rear lot line abuts a portion of a street, the opposite side of which portion of the street abuts a Residential use or undeveloped land in a Residential Zone, then a strip of land, located on the said lot, adjoining such abutting lot line, or portion thereof, shall be used for no other purpose than a planting strip in accordance with the provisions of this subsection.

Where a planting strip is required by this By-law, it shall consist of an unpierced and unbroken hedgerow of suitable evergreen or perennial shrub, and shall conform to the following regulations:

- (a) Minimum width of planting strip shall be 3 metres (10 feet);
- (b) Minimum planned height of hedgerow shall be 1.75 metres (6 feet);
- (c) A planting strip may form part of any minimum front, side or rear yard; and
- (d) A planting strip may be interrupted where a driveway or walkway crosses:
 - (i) a maximum of 3 metres (10 feet) from a driveway; and
 - (ii) a maximum of 1.5 metres (5 feet) from a walkway.

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4.29 PORTABLE ASPHALT PLANTS

Portable asphalt plants used by a public road authority or their agent shall be permitted in all zones with the exception of all Residential, Institutional and Environmental Protection Zones. The plants must comply with the Ministry of Environment and Energy's separation distances and prior to the establishment of such a plant, a certificate of approval must be obtained from the Ministry of Environment and Energy.

4.30 PRIVATE-HOME DAY CARE USES

Notwithstanding any other provision to the contrary, a private-home day care may be permitted as an accessory use in any zone which permits a permanent single detached dwelling. Such use may be subject to Fire Department and Building Department inspections and approvals as required.

4.31 PROHIBITED HABITATION AND STORAGE OF GOODS, MATERIALS, ANIMALS OR EQUIPMENT

No truck, bus, coach, cargo or freight container, recreational or any other type of trailer shall be used for either temporary or permanent human habitation, the keeping of animals, storage of goods, materials or equipment, whether or not the same is mounted on wheels.

Human habitation, whether temporary or permanent, shall only be permitted in a dwelling unit located within a zone permitting residential uses; erected and used in accordance with this and all other by-laws of the Corporation.

4.32 PUBLIC ROAD BUILDING REQUIREMENTS

The setback for all new buildings and structures shall be as follows:

- (a) The minimum setback from the centreline of all Provincial Highways, which are hereby designated as Arterial Roads, shall be as required by the Ministry of Transportation;

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- (b) The minimum setback from the centreline of all County Roads, which are hereby designated as Collector Roads, shall be as required by the County of Peterborough Roads Department; and
- (c) The minimum setback from the centreline of all Township and Municipal Roads, which are hereby designated as Local Roads, shall be the distance required in the applicable zone, as measured from the front lot line.

4.33 PUBLIC USES

- (a) Public Utilities:

The provisions of this By-law shall not apply to the use of any land or to the erection of any building or structure for the purpose of providing a public service. However, public buildings shall be prohibited from locating in the Agricultural (A) and Environmental Protection (EP) Zones.

Where such lot, building or structure is located in any zone for a public use, the following provisions shall apply:

- (i) Except as otherwise provided in this By-law, if any public use is located in any Residential Zone, the minimum yard regulations, maximum lot coverage and minimum lot area and frontage regulations shall apply. In addition, any building erected under authority of this section shall be designed and maintained in general harmony with residential buildings of the type permitted in such zone.

If such public use is located in any other zone, then the minimum yard regulations and maximum lot coverage regulations shall apply.

No goods, materials or equipment shall be stored in the open, except as permitted in such zone.

- (b) Streets and Installations:

Nothing in this By-law shall prevent the use of land for streets or infrastructure or prevent the construction, maintenance or repair of such streets or infrastructure.

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(c) Provisions in Residential Zones:

Any above-ground non-recreational public use which is located in a Residential Zone shall be enclosed in a building designed, located and maintained in general harmony with the permitted Residential buildings in such zone.

(d) Setback from Railway Rights-of-Way:

Notwithstanding any provisions of this By-law to the contrary, no residential dwelling shall be located within 15 metres (50 feet) of a railway right-of-way.

(e) Traffic Signs

Nothing in this By-law shall prevent the erection of any properly authorized traffic sign or signal.

4.34 SETBACKS FROM DISPOSAL INDUSTRIAL ZONE USES

Notwithstanding any other provisions of the contrary, no residential or commercial use shall be located within:

- (a) 100 metres (328 feet) of a Disposal Industrial Zone waste transfer station;
- (b) 120 metres (400 feet) of a Disposal Industrial Zone salvage yard;
- (c) 150 metres (492 feet) of a Disposal Industrial Zone sewage treatment plant;
- (d) 250 metres (820 feet) of a Disposal Industrial Zone composting facility or material recover facility;
- (e) 400 metres (1,312 feet) of a Disposal Industrial Zone sewage storage lagoon; or
- (f) 500 metres (1,640 feet) of a Disposal Industrial Zone waste disposal site or solid waste landfill site.”

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The provisions of this section regulating setbacks from a sewage treatment plant or lagoon shall not apply to any lot, building or structure which was lawfully used for such purpose or lots of record created by consent of the Peterborough County Land Division Committee existing on the date of passing of this by-law.

4.35 SETBACK FROM HIGH WATER MARK

Subject to the exceptions contained in the Marine Facility and Yard and Setback Encroachment provisions contained in this By-law, where a lot abuts a waterbody, no building or structure shall be located within 21.34 metres (70 feet) of the existing high water mark.

Notwithstanding the above noted regulation, where a building or structure is to be erected in an existing built-up area of seasonal residential uses, where there is an established building line less than 21.34 metres (70 feet) to the high water mark, such new building or structure may be erected closer to the high water mark than 21.34 metres (70 feet) provided such building or structure is not located closer to the high water mark than 15 metres (50 feet).

4.36 SIGHT TRIANGLES

On a corner lot, a triangular area 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 metres (30 feet) from the point of intersection of the two street lines, as measured along the street lines, shall be known as a sight triangle. Notwithstanding any provisions of this By-law to the contrary, within any area defined as a sight triangle, the following uses shall be prohibited:

- (a) A building, structure or use which would obstruct the vision of drivers of motor vehicles;
- (b) A fence, tree, hedge, bush or other vegetation, the top of which exceeds 1 metre (3.3 feet) in height above the elevation of the centrelines of the abutting streets;
- (c) A parking lot; and

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- (d) A finished grade which exceeds the elevation of the centrelines of the abutting streets by more than 0.6 metres (2 feet).

4.37 SIGNS

The provisions of this By-law shall not apply to prevent the erection, alteration, or use of any legal sign provided such sign complies with the By-laws of the Corporation regulating signs and provided that such sign complies with the provisions for Bed and Breakfast Establishments, Boarding Houses, Home Occupations, Home Industries and Sight Triangles.

4.38 STORAGE OF VEHICLES

In any Agricultural or Rural Zone, save and except sub-sections 5.1.2 and 6.1.6, no more than 3 unlicensed or mechanically inoperable vehicles shall be stored or repaired at any time outside a fully enclosed building on the premises.

In any Residential zone and for those uses permitted in sub-sections 5.1.2 and 6.1.6, no more than 1 unlicensed or mechanically inoperable vehicle shall be stored or repaired at any time outside a fully enclosed building on the premises."

4.39 SWIMMING POOLS

Notwithstanding anything contained in this By-law, a swimming pool is permitted as an accessory use to a permitted residential use:

- (a) In the front or side yard of any lot if:
 - (i) no part of such pool is located closer to any lot line or street line than the minimum distance required for the principal building located on such lot, and
 - (ii) the maximum height of such pool is not more than 1 metre above the average finished grade level of the ground adjoining and within 5 metres of such pool, and

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(iii) any building or structure, other than a dwelling, required for changing clothing or for pumping or filtering facilities, or other similar accessory uses, complies with the previous of this By-law respecting accessory buildings on such lot, or

(b) In the rear yard of any lot if:

- (i) no part of such pool is located closer to any lot line or street line than the maximum distance required for an accessory building on such lot, and
- (ii) the maximum height of such pool is not more than 1 metre above the average finished grade level of the ground adjoining and within 5 metres of such pool, and
- (iii) any building or structure, other than a dwelling, required for changing clothing or for pumping or filtering facilities, or other similar accessory uses, complies with the provisions of this By-law respecting accessory buildings on such lot,

and every swimming pool shall be enclosed by a fence of at least 1.2 metres (4 feet) in height and located at a distance of not less than one metre from the pool. The fence must include a self-closing gate.

4.40 THROUGH LOTS

In the case of a through lot, the front yard requirements of the zone or zones in which such lot is located shall apply to each yard which abuts a street or navigable water.

4.41 USE REGULATIONS

No land, building or structure shall be used for any purpose other than that for which it is being used at the date of passing of this By-law, or in accordance with the provisions of this By-law, except that a lot held in separate and distinct ownership and legally conveyable without consent on the date of the passing of this By-law may be used for Agricultural or Forestry uses, subject to the provisions applying to the Rural Zone (RU) or the Agricultural Zone (A). Permitted uses which are defined for each zone within the provisions of this By-law, shall be the only uses allowed within their respective zones.

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4.42 YARD AND SETBACK ENCROACHMENTS PERMITTED

(a) Ornamental Structures:

Notwithstanding the yard and setback provisions of this By-law to the contrary, sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters or similar ornamental structures may project into any required yard a maximum distance of 0.6 metres (2 feet).

(b) Unattached Decks and Patios:

Notwithstanding the yard provisions of this By-law to the contrary, unattached decks and patios may project into any required front or rear yard provided they are not more than 0.6 metres (2 feet) above finished grade.

(c) Gate House:

Notwithstanding the yard and setback provisions of this By-law to the contrary, in an Industrial Zone a gate house shall be permitted in a front or side yard or in the area between the street line and the required setback.

(d) Building In Built-Up Area:

Notwithstanding any provisions of this By-law to the contrary, except for the provisions of this By-law regarding sight triangles, where a building is to be erected in a built-up area where there is an established building line, such building may be erected closer to the street line, or the centreline of the street, as the case may be, than required by this By-law provided such building is not erected closer to the street line than the established building line on the date of passing of this By-law.

4.43 SPECIAL DISTRICTS

The following regulations shall have effect notwithstanding anything else contained in the By-law. The provisions of this By-law shall be deemed to be amended insofar as is necessary to give effect thereto. (Special Districts, together with the respective numbers, provisions and regulations, are to be added when passed by Council).

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4.43.1 Special District 1 Zone (S.D. 1)

All of the provisions and regulations of Section 6 and Section 18 shall apply to the Special District 1 Zone (S.D. 1) in part of Lot 27, Concession 1, in part of Lots 22 and 23, Concession 6, in Belmont Township, and part of Lots 5 and 6, Concession 1 in the Methuen Ward.

4.43.2 Special District 2 Zone (S.D. 2)

All of the provisions and regulations of Section 7 shall apply to the Special District 2 Zone (S.D. 2) in part of Lot 21, Concession 1 in the Belmont Ward except with regard to lot area, lot frontage and the setbacks of the existing foundation as shown on Plan 45R2894.

4.43.3 Special District 3 Zone (S.D. 3)

All of the provisions and regulations of Section 11 shall apply to the Special District 3 Zone (S.D. 3) in part of Lot 14, Concession 6 in the Belmont Ward except that the requirement for frontage on a public street does not apply.

4.43.4 Special District 4 Zone (S.D. 4)

All of the provisions and regulations of Section 17 shall apply to the Special District 4 Zone (S.D. 4) in part of Lot 4, Concession 1 in the Belmont Ward except that the minimum northerly side yard for all existing buildings and extensions thereto shall be 1.5 metres (5 feet).

4.43.5 Special District 5 Zone (S.D. 5)

All of the provisions and regulations of Section 17 shall apply to the Special District 5 Zone (S.D. 5) in part of Lot 4, Concession 1 in the Belmont Ward except that the minimum rear yard for all existing buildings and extensions thereto shall be 2.4 metres (7.9 feet).

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4.43.6 Special District 6 Zone (S.D. 6)

All of the provisions and regulations of Section 6 and Section 23 shall apply to the Special District 6 Zone (S.D. 6) in Lot 24, Concession 5 in the Belmont Ward except that the existing single detached dwelling shall be permitted subject to the provisions and regulations of the Seasonal Residential Zone (SR). In addition, notwithstanding any provision to the contrary, the requirement for minimum lot frontage for the existing single detached dwelling is waived, the minimum floor area requirement is 52 square metres (560 square feet), and the requirement for frontage on a public street is waived.

4.43.7 Special District 7 Zone (S.D. 7)

All of the provisions and regulations of Section 11 shall apply to the Special District 7 Zone (S.D. 7) in part of Lot 11, Concession 4 in the Methuen Ward except that the minimum lot area shall be 1600 square metres (.4 acre), the minimum lot frontage shall be 21 metres (69 feet) and the minimum side yard on the eastern side shall be 3 metres (10 feet).

4.43.8 Special District 8 Zone (S.D. 8)

All of the provisions and regulations of Section 11 shall apply to the Special District 8 Zone (S.D. 8) in part of Lot 11, Concession 4 in the Methuen Ward except that the minimum lot area shall be 1400 square metres (.35 acre) and the minimum lot frontage shall be 43 metres (141 feet).

4.43.9 Special District 9 Zone (S.D. 9)

All of the provisions and regulations of Section 11 shall apply to the Special District 9 Zone (S.D. 9) in part of Lot 19, Concession 3 in the Belmont Ward except that the minimum lot area shall be 800 square metres (8611 square feet) and the minimum lot frontage shall be 16.5 metres (54 feet).

4.43.10 Special District 10 Zone (S.D. 10)

All of the provisions and regulations of Section 11 shall apply to the Special District 10 Zone (S.D. 10) in part of Lot 31, Concession 9 in the Methuen Ward except that the minimum lot frontage shall be 30 metres (98 feet).

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4.43.11 Special District 11 Zone (S.D. 11)

All of the provisions and regulations of Section 14 shall apply to the Special District 11 Zone (S.D. 11) in part of Lot 8, Concession 8 in the Belmont Ward except that the permitted uses are limited to: a miniature golf course; a golf driving range; a baseball pitching area; and an eating establishment which is accessory to the foregoing. Notwithstanding any other provision to the contrary the following special parking provisions shall also apply:

- (a) Miniature golf course 13 spaces
- (b) Golf driving range 13 spaces
- (c) Baseball pitching area 13 spaces

4.43.12 Special District 12 Zone (S.D. 12)

All of the provisions and regulations of Section 12 shall apply to the Special District 12 Zone (S.D. 12) on part of Big Island in Belmont Lake except that the minimum lot area shall be 3210 square metres (.79 acres), the minimum lot frontage shall be 30 metres (98 feet) and the minimum side yard shall be 10 metres (32 feet).

4.43.13 Special District 13 Zone (S.D. 13)

All of the provisions and regulations of Section 11 shall apply to the Special District 13 Zone (S.D. 13) in part of Lot 26, Concession 10 in the Methuen Ward except that the minimum lot frontage shall be 31 metres (101 feet).

4.43.14 Special District 14 Zone (S.D. 14)

All of the provisions and regulations of Section 11 shall apply to the Special District 14 Zone (S.D. 14) in part of Lot 11, Concession 8 in the Methuen Ward except that the minimum lot area shall be 2000 square metres (.49 acres) and the minimum lot frontage shall be 20 metres (65 feet).

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4.43.15 Special District 15 Zone (S.D. 15)

All of the provisions and regulations of Section 11 shall apply to the Special District 15 Zone (S.D. 15) in part of Lot 11, Concession 8 in the Methuen Ward except that the minimum lot area shall be 2000 square metres (.49 acres) and the minimum lot frontage shall be 35 metres (115 feet).

4.43.16 Special District 16 Zone (S.D. 16)

All of the provisions and regulations of Section 11 shall apply to the Special District 16 Zone (S.D. 16) in part of Lot 12, Concession 8 in the Methuen Ward except that the minimum lot area shall be 1765 square metres (.43 acres) and the minimum lot frontage shall be 23 metres (75 feet).

4.43.17 Special District 17 Zone (S.D. 17)

All of the provisions and regulations of Section 11 shall apply to Special District 17 Zone (S.D. 17) in part of Lot 12, Concession 8 in the Methuen Ward except that the minimum lot frontage shall be 35 metres (115 feet).

4.43.18 Special District 18 Zone (S.D. 18)

All of the provisions and regulations of Section 10 shall apply to the Special District 18 Zone (S.D. 18) in part of Lot 5, Concession 6 in the Belmont Ward except that the minimum lot area shall be 0.3 hectares (.74 acres) and the minimum lot frontage shall be 50 metres (164 feet).

4.43.19 Special District 19 Zone (S.D. 19)

All of the provisions and regulations of Section 10 shall apply to the Special District 19 Zone (S.D. 19) in part of Lot 5, Concession 6 in the Belmont Ward except that the minimum lot frontage shall be 54 metres (177 feet).

4.43.20 Special District 20 Zone (S.D. 20)

All of the provisions and regulations of Section 11 shall apply to the Special District 20 Zone (S.D. 20) in part of Lot 5, Concession 6 in the Methuen Ward except that the minimum lot frontage shall be 40 metres (131 feet).

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4.43.21 Special District 21 Zone (S.D. 21)

All of the provisions and regulations of Section 11 shall apply to the Special District 21 Zone (S.D. 21) in part of Lot 5, Concession 6 in the Methuen Ward except that the minimum lot frontage shall be 33 metres (108 feet).

4.43.22 Special District 22 Zone (S.D. 22)

All of the provisions and regulations of Section 12 shall apply to the Special District 22 Zone (S.D. 22) on Island No. 42, Jack Lake except that the minimum island area shall be 11,250 square metres (2.78 acres) and the minimum yard requirement for all buildings other than a marine facility shall be 11 metres (36 feet).

4.43.23 Special District 23 Zone (S.D. 23)

All of the provisions and regulations of Section 11 shall apply to the Special District 23 Zone (S.D. 23) in part of Lots 9 and 10, Concession 1 in the Belmont Ward. However, notwithstanding any provision of Section 9 to the contrary, no development shall be located below the 183.88 metre GSC (Geodetic Survey of Canada) elevation.

For the purposes of this Zone, development is defined as the construction, erection or placing of a building or structure of any kind or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes such related activities as site grading and the placing or dumping of fill.

4.43.24 Special District 24 Zone (S.D. 24)

All of the provisions and regulations of Section 11 shall apply to the Special District 24 Zone (S.D. 24) in part of Lot 18, Concession 6 in the Belmont Ward. However, notwithstanding any provision of Section 9 to the contrary, no development shall be located within 30 metres (98 feet) of the 200.30 metre GSC (Geodetic Survey of Canada) elevation.

For the purposes of this Zone, development is defined as the construction, erection or placing of a building or structure of any kind or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes such related activities as site grading and the placing or dumping of fill.

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4.43.25 Special District 25 Zone (S.D. 25)

All of the provisions and regulations of Section 11 shall apply to the Special District 25 Zone (S.D. 25) in part of Lot 13, Concession 6 in the Belmont Ward except that the minimum lot area shall be .91 hectares (2.25 acres) and the maximum lot coverage shall be 3%. In addition, notwithstanding the provisions of Section 4.13 to the contrary, access to the subject lands shall be by deeded right-of-way access to Belmont Lake.

4.43.26 Special District 26 Zone (S.D. 26)

The Special District 26 Zone (S.D. 26) in part of Lot 31, Concession 11 in the Methuen Ward shall permit the establishment of a municipal solid waste transfer station thereon in accordance with the following regulations:

- | | | |
|----|----------------------|-------------------------------|
| a) | minimum lot area | 2830 square metres (.7 acres) |
| b) | minimum lot frontage | 58 metres (190 feet) |
| c) | minimum front yard | 10 metres (33 feet) |
| d) | minimum side yard | 7.5 metres (25 feet) |
| e) | minimum rear yard | 7.5 metres (25 feet) |
| f) | maximum lot coverage | 25% |

For the purposes of the Special District 26 Zone (S.D. 26), a municipal solid waste transfer station is defined as “a waste disposal site designed and used for the temporary storage of municipal solid waste”.

4.43.27 Special District 27 Zone (S.D. 27)

All of the provisions and regulations of Section 11 shall apply to the Special District 27 Zone (S.D. 27) in part of Lot 20, Concession 3 in the Belmont Ward. However, notwithstanding any provision of Section 9 to the contrary, no development shall be located below the 189.0 GSC (Geodetic Survey of Canada) elevation.

For the purposes of this Zone, development is defined as the construction, erection or placing of a building or structure of any kind or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes such related activities as site grading and the placing or dumping of fill.

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4.43.28 Special District 28 Zone (S.D. 28)

All of the provisions and regulations of Section 11 shall apply to the Special District 28 Zone (S.D. 28) in part of Lot 20, Concession 3 in the Belmont Ward except that the minimum lot area shall be 1400 square metres (.35 acres) and the minimum lot frontage shall be 27.9 metres (91.5 feet).

4.43.29 Special District 29 Zone (S.D. 29)

All of the provisions and regulations of Section 11 shall apply to the Special District 29 Zone (S.D. 29) in part of Lot 14, Concessions 1 and 2 in the Belmont Ward. However, notwithstanding any provision of Section 9 to the contrary, no development shall be permitted below the 183.88 GSC (Geodetic Survey of Canada) elevation and no development shall be permitted within 30 metres (98 feet) of the high water mark.

For the purposes of this Zone, development is defined as the construction, erection or placing of a building or structure of any kind or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes such related activities as site grading and the placing or dumping of fill.

4.43.30 Special District 30 Zone (S.D. 30)

All of the provisions and regulations of Section 11 shall apply to the Special District 30 Zone (S.D. 30) in part of Lot 15, Concession 7 in the Belmont Ward except that the minimum lot frontage shall be 29 metres (95 feet). In addition, notwithstanding the provisions of Section 4.13 to the contrary, access to a public maintained road will be provided by a private right-of-way.

4.43.31 Special District 31 Zone (S.D. 31)

All of the provisions and regulations of Section 11 shall apply to the Special District 31 Zone (S.D. 31) in part of Lot 4, Concession 11 in the Methuen Ward except that the minimum lot area shall be 2.2 hectares (5.4 acres). In addition, notwithstanding any provision to the contrary, no shoreline alteration shall be permitted without prior written consent of the Ministry of Natural Resources.

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4.43.32 Special District 32 Zone (S.D. 32)

All of the provisions and regulations of Section 11 shall apply to the Special District 32 Zone (S.D. 32) in part of Lot 4, Concession 11 in the Methuen Ward except that the minimum lot area shall be 11.2 hectares (27.7 acres) and the minimum lot frontage shall be 390 metres (1279.5 feet). In addition, notwithstanding any provision to the contrary, no shoreline alteration shall be permitted without prior written consent of the Ministry of Natural Resources.

4.43.33 Special District 33 Zone (S.D. 33)

All of the provisions and regulations of Section 11 shall apply to the Special District 33 Zone (S.D. 33) in part of Lot 13, Concession 7 in the Methuen Ward except that the minimum lot frontage on a water body shall be 34 metres (111.5 feet).

4.43.34 Special District 34 Zone (S.D. 34)

All of the provisions and regulations of Section 6 shall apply to the Special District 34 Zone (S.D. 34) in part of Lot 7, Concession 8 in the Belmont Ward.

In addition to the uses permitted under Section 6, land zoned the Special District 34 Zone (S.D. 34) may be used for any defined special event. Temporary accessory camping and parking uses may also be permitted. A special event shall be subject to the zone provisions of the Rural Zone (RU).

For the purposes of the Special District 34 Zone (S.D. 34), a “special event” means an event, the duration of which is temporary in nature and which is limited to one or more of the following uses: an exhibition, a fair, a carnival, a religious or music festival or a recreational competition.

For the purposes of the Special District 34 Zone (S.D. 34), “temporary” shall mean that each Special Event shall not exceed 5 days duration and the combined total of all Special Events held on the subject lands shall not exceed 30 days in a calendar year.

4.43.35 Special District 35 Zone (S.D. 35)

All of the provisions and regulations of Section 12 shall apply to the Special District 35 Zone (S.D. 35) in part of Lot 30, Concession 1 in the Belmont Ward except that the minimum lot frontage shall be 30 metres (98 feet).

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4.43.36 Special District 36 Zone (S.D. 36)

All of the provisions and regulations of Section 12 shall apply to the Special District 36 Zone (S.D. 36) in part of Lot 30, Concession 1 in the Belmont Ward except that the minimum lot frontage shall be 7 metres (23 feet).

4.43.37 Special District 37 Zone (S.D. 37)

All of the provisions and regulations of Section 12 shall apply to the Special District 37 Zone (S.D. 37) in part of Lot 30, Concession 1 in the Belmont Ward except that the minimum lot frontage shall be 15 metres (49 feet).

4.43.38 Special District 38 Zone (S.D. 38)

All of the provisions and regulations of Section 14 shall apply to the Special District 38 Zone (S.D. 38) in part of Lot 5, Concession 10 in the Belmont Ward except that the minimum lot area shall be 1819.5 square metres (.45 acres), the minimum lot frontage shall be 5.9 metres (19 feet) and the minimum front yard shall be 11.7 metres (38 feet).

4.43.39 Special District 39 Zone (S.D. 39)

All of the provisions and regulations of Section 14 shall apply to the Special District 39 Zone (S.D. 39) in part of Lot 6, Concession 11 in the Belmont Ward except that the only uses permitted are a motel and restaurant.

4.43.40 Special District 40 Zone (S.D. 40)

All of the provisions and regulations of Section 14 shall apply to the Special District 40 Zone (S.D. 40) in part of Lot 5, Concession 1 in the Belmont Ward except that the open storage of goods and materials shall not be permitted.

4.43.41 Special District 41 Zone (S.D. 41)

No person shall within the Special District 41 Zone (S.D. 41) in part of Lot 6, Concession 2 in the Belmont Ward use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

SECTION 4 GENERAL PROVISIONS

4.43.41.1 Permitted Uses

4.43.41.1.1 Mobile Home Park, including mobile homes on individual sites, and private parks, and accessory use or buildings

4.43.41.1.2 An accessory convenience store

4.43.41.2 Regulations for Permitted Uses

4.43.41.2.1 Regulations for Uses Permitted in Section 4.43.41.1.1 Mobile Home Park

Minimum Lot Area	4 hectares (10 acres)
Minimum Lot Frontage	180 metres (590 feet)
Minimum Front Yard	15 metres (50 feet)
Minimum Side Yard	15 metres (50 feet)
Minimum Rear Yard	15 metres (50 feet)

4.43.41.2.2 Regulations for Uses Permitted in Section 4.43.41.1.1 Mobile Homes on Individual Sites

4.43.41.2.2.1 Where central water supply is provided.

Minimum Site Area	1400 square metres (.35 acres)
Minimum Site Frontage	30 metres (98 feet)
Maximum Site Coverage	20%
Maximum Front Yard	15 metres (50 feet)

Minimum Side Yard	3 metres (10 feet)
Minimum Rear Yard	6 metres (20 feet)

SECTION 4 GENERAL PROVISIONS

4.43.41.2.2.2 Where individual water supply and sewage disposal are provided.

Minimum Site Area	2050 square metres (.5 acres)
Minimum Site Frontage	30 metres (98 feet)
Maximum Site Coverage	20%
Minimum Front Yard	15 metres (50 feet)
Minimum Side Yard	5 metres (16 feet)
Minimum Rear Yard	6 metres (20 feet)

4.43.41.2.2.3 Minimum Floor Area 66 square metres (710 square feet)

4.43.41.2.2.4 Maximum Height 9 metres (30 feet)

One off-street parking space shall be required for each individual mobile home site.

4.43.41.2.3 Regulations for Uses Permitted in Section 4.43.41.1.2

Minimum Site Area	1400 square metres (.35 acres)
Minimum Site Frontage	30 metres (98 feet)
Minimum Front Yard	15 metres (50 feet)
Minimum Side Yard	3 metres (10 feet)
Minimum Rear Yard	6 metres (20 feet)
Maximum Floor Area	93 square metres (1000 square feet)

One off-street parking space shall be required for every 18.5 square metres (200 square feet) of gross floor area.

4.43.42 Special District 42 Zone (S.D. 42)

All of the provisions and regulations of Section 11 shall apply to the Special District 42 Zone (S.D. 42) in part of Lot 12, Concession 5 in the Belmont Ward. In addition, notwithstanding any provision of Section 9 to the contrary, no development shall be permitted below the 188.80 metre GSC (Geodetic Survey of Canada) elevation and no development shall be permitted within 30 metres (98 feet) of the high water mark.

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For the purpose of the Special District 42 Zone (S.D. 42), development is defined as the construction, erection, or placing of a building or structure of any kind or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes such related activities as site grading and the placing or dumping of fill.

4.43.43 Special District 43 Zone (S.D. 43)

All of the provisions and regulations of Section 11 shall apply to the Special District 43 Zone (S.D. 43) in part of Lot 12, Concession 5 in the Belmont Ward. However, notwithstanding any provision of Section 9 to the contrary, in the Special District 38 Zone (S.D. 38) no development shall be permitted below the 188.80 metre GSC (Geodetic Survey of Canada) elevation.

4.43.44 Special District 44 Zone (S.D. 44)

Notwithstanding the provisions of Section 11.2.1 (minimum side yard) to the contrary, the lands zoned the Special District 44 Zone (S.D. 44) located in part of Lot 15, Concession 5 in the Belmont Ward may be used in accordance with the provisions of the “Seasonal Residential Zone (SR)” plus the following special provisions:

- a) Minimum Side Yard: 3.0 metres
- b) No shoreline alteration shall be permitted without prior written consent of the Ministry of Natural Resources

4.43.45 Special District 45 Zone (S.D. 45)

Special District 45 (S.D. 45) in part of Lot 3, Concession 10 in the Methuen Ward shall have a lot area of 464.5 square metres (5000 square feet) and shall permit a parking area for seasonal residential consent applications B-391/90 to B-397/90 and the retained parcel. No buildings or structures shall be situated with Special District 45.

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4.43.46 Special District 46 Zone (S.D. 46)

All of the provisions and regulations of Section 9 shall apply to the Special District 46 Zone (S.D. 46) in part of Lot 3, Concession 10 in the Methuen Ward. However, notwithstanding any provision to the contrary, no habitable building shall be permitted within 30 metres (98 feet) of the high water mark and no development shall be permitted within 30 metres (98 feet) of the adjoining wetland. For the purposes of this By-law, a “habitable building” is defined as “a suite of two or more rooms within which cooking, eating, living, sleeping and sanitary facilities are provided” and “development” is defined as the “construction, erection or placing of a building or structure of any kind or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes such activities as site grading and the placing or dumping of fill.”

4.43.47 Special District 47 Zone (S.D. 47)

All of the provisions and regulations of Section 11 shall apply to the Special District 47 Zone (S.D. 47) in part of Lot 11, Concession 6 in the Belmont Ward. However, notwithstanding any provision to the contrary, no development shall be permitted below the 1 in 100 year flood elevation of the 188.80 metre GSC (Geodetic Survey of Canada).

For the purposes of this Zone, development is defined as the construction, erection or placing of a building or structure of any kind or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes such related activities as site grading and the placing or dumping of fill.

4.43.48 Special District 48 Zone (S.D. 48)

No person shall within the Special District 48 Zone (S.D. 48) in part of Lot 12, Concession 10 in the Belmont Ward, use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.43.48.1 Permitted Uses

- 4.43.48.1.1 a single detached dwelling, an accessory tourist home and passive recreational and conservation uses

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4.43.48.2 Regulations for Permitted Uses

Minimum Lot Area	1.5 hectares (3.7 acres)
Minimum Lot Frontage	61 metres (200 feet)
Minimum Front Yard	15 metres (50 feet)
Minimum Side Yard	7.5 metres (25 feet)
Minimum Rear Yard	7.5 metres (25 feet)
Maximum Lot Coverage	25%

4.43.48.3 Special Provisions

- 4.43.48.3.1 For the purposes of this Zone, a tourist home is defined as a building or portion thereof used to provide temporary sleeping accommodation for the travelling public or people engaging in recreational activities and includes such accessory uses as a dining room, lounge and instructional area.
- 4.43.48.3.2 The tourist home shall consist of a maximum of six (6) guest rooms, one (1) accessory dining room and accessory lounge and instruction areas. The dining room shall be used by registered guests only.
- 4.43.48.3.3 There shall be a maximum of two (2) adults per guest room.
- 4.43.48.3.4 The tourist home shall be operated by one (1) or more residents of the single detached dwelling.
- 4.43.48.3.5 No cooking equipment shall be used in a room intended for sleeping accommodation.
- 4.43.48.3.6 A minimum of twelve (12) parking spaces shall be provided.
- 4.43.48.3.7 One legal sign shall be permitted for the establishment provided that such sign does not exceed 2 square metres (21.5 square feet).

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4.43.49 Special District 49 Zone (S.D. 49)

All of the provisions and regulations of Section 11 shall apply to the Special District 49 Zone (S.D. 49) in part of Lot 8, Concession 1 in the Belmont Ward except that the minimum side yard requirement shall be 4.6 metres (15 feet).

4.43.50 Special District 50 Zone (S.D. 50)

No person shall within the Special District 50 Zone (S.D. 50) in part of Lot 15, Concession 7 in the Belmont Ward, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

4.43.50.1 Permitted Uses

- 4.43.50.1.1 a single detached vacation dwelling
- 4.43.50.1.2 a park

4.43.50.2 Regulations for Permitted Uses

4.43.50.2.1 Regulations for Uses Permitted in Section 4.43.50.1.1

Minimum Lot Area	1200 square metres (.30 acres)
Minimum Lot Frontage	18 metres (59 feet)
Minimum Front Yard	7 metres (23 feet)
Minimum Side Yard (west)	.15 metres (.5 feet)
Minimum Side Yard (east)	2 metres (6.5 feet)
Minimum Rear Yard	7.5 metres (25 feet)
Maximum Height	9 metres (30 feet)
Maximum Lot Coverage	15%
Minimum Floor Area	74 square metres (797 square feet)
Maximum Number of Dwellings Per Lot	1

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4.43.50.3 Special Provisions

4.43.50.3.1 Notwithstanding any other provision to the contrary, the maximum floor area of all accessory buildings or structures shall be 50% of the total floor area of the main building.

4.43.50.3.2 Notwithstanding the provisions of Section 4.1 (e) to the contrary, the minimum side yard requirement for the existing accessory storage building is 1.2 metres (3.9 feet).

4.43.51 Special District 51 Zone (S.D. 51)

No person shall within the Special District 51 Zone (S.D. 51) in part of Lot 15, Concession 7 in the Belmont Ward, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

4.43.51.1 Permitted Uses

4.43.51.1.1 a single detached vacation dwelling

4.43.51.1.2 a park

4.43.51.2 Regulations for Permitted Uses

4.43.51.2.1 Regulations for Uses Permitted in Section 4.43.51.1.1

Minimum Lot Area	1500 square metres (.37 acres)
Minimum Lot Frontage	17.5 metres (57 feet)
Minimum Front Yard	15 metres (50 feet)
Minimum Side Yard (west)	6 metres (20 feet)
Minimum Side Yard (east)	1 metres (3.3 feet)
Minimum Rear Yard	7.5 metres (25 feet)
Maximum Height	9 metres (30 feet)
Maximum Lot Coverage	15%

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Minimum Floor Area	74 square metres (797 square feet)
Maximum Number of Dwellings Per Lot	1

4.43.51.3 Special Provisions

4.43.51.3.1 Notwithstanding any other provision to the contrary, the maximum floor area of all accessory buildings or structures shall be 50% of the total floor area of the main building.

4.43.51.3.2 Notwithstanding the provisions of Section 4.1 (e) to the contrary, the minimum side yard requirement for the existing accessory storage building is .365 metres (1.2 feet).

4.43.52 Special District 52 Zone (S.D. 52)

No person shall within the Special District 52 Zone (S.D. 52) in part of Lot 15, Concession 7 in the Belmont Ward, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

4.43.52.1 Permitted Uses

- 4.43.52.1.1 a single detached vacation dwelling
- 4.43.52.1.2 a park

4.43.52.2 Regulations for Permitted Uses

4.43.52.2.1 Regulations for Uses Permitted in Section 4.43.52.1.1

Minimum Lot Area	1400 square metres (.34 acres)
Minimum Lot Frontage	19.8 metres (65 feet)
Minimum Front Yard	10.6 metres (35 feet)
Minimum Side Yard (west)	5.5 metres (18 feet)
Minimum Side Yard (east)	2.5 metres (8.2 feet)
Minimum Rear Yard	7.5 metres (25 feet)

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Maximum Height	9 metres (30 feet)
Maximum Lot Coverage	15%
Minimum Floor Area	74 square metres (797 square feet)
Maximum Number of Dwellings Per Lot	1

4.43.52.3 **Special Provisions**

4.43.52.3.1 Notwithstanding any other provision to the contrary, the maximum floor area of all accessory buildings or structures shall be 50% of the total floor area of the main building.

4.43.52.3.2 Notwithstanding the provisions of Section 4.1 (e) to the contrary, the minimum side yard requirement for the existing marine facility is .6 metres (2 feet).

4.43.53 Special District 53 Zone (S.D. 53)

No person shall within the Special District 53 Zone (S.D. 53) in part of Lot 30, Concession 10 in the Methuen Ward, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

4.43.53.1 **Permitted Uses**

4.43.53.1.1 a single detached vacation dwelling

4.43.53.1.2 a park

4.43.53.2 **Regulations for Permitted Uses**

4.43.53.2.1 **Regulations for Uses Permitted in Section 4.43.53.1.1**

Minimum Lot Area	2300 square metres (.57 acres)
Minimum Lot Frontage	24 metres (78 feet)

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Minimum Front Yard	7.6 metres (25 feet)
Minimum Side Yard (south)	2.8 metres (9.2 feet)
Minimum Side Yard (north)	6 metres (20 feet)
Minimum Rear Yard	7.5 metres (25 feet)
Maximum Height	9 metres (30 feet)
Maximum Lot Coverage	15%
Minimum Floor Area	53.5 square metres (576 square feet)
Maximum Number of Dwellings Per Lot	1

4.43.53.3 Special Provisions

4.43.53.3.1 Notwithstanding any other provision to the contrary, the maximum floor area of all accessory buildings or structures shall be 55% of the total floor area of the main building.

4.43.54 Special District 54 Zone (S.D. 54)

No person shall within the Special District 54 Zone (S.D. 54) in part of Lot 30, Concession 10 in the Methuen Ward, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

4.43.54.1 Permitted Uses

4.43.54.1.1 a single detached vacation dwelling

4.43.54.1.2 a park

4.43.54.2 Regulations for Permitted Uses

4.43.54.2.1 Regulations for Uses Permitted in Section 4.43.54.1.1

Minimum Lot Area	1900 square metres (.47 acres)
Minimum Lot Frontage	21 metres (69 feet)

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Minimum Front Yard	12 metres (40 feet)
Minimum Side Yard (north)	3 metres (10 feet)
Minimum Side Yard (south)	6 metres (20 feet)
Minimum Rear Yard	7.5 metres (25 feet)
Maximum Height	9 metres (30 feet)
Maximum Lot Coverage	15%
Minimum Floor Area	60 square metres (650 square feet)
Maximum Number of Dwellings Per Lot	1

4.43.54.3 Special Provisions

4.43.54.3.1 Notwithstanding any other provision to the contrary, the maximum floor area of all accessory buildings or structures shall be 60% of the total floor area of the main building.

4.43.54.3.2 Notwithstanding any other provision to the contrary, the minimum side yard requirement for the existing frame sheds shall be .07 metres (.24 feet).

4.43.55 Special District 55 (S.D. 55)

No person shall within the Special District 55 Zone (S.D. 55) in part of Lot 25, Concession 2 in the Belmont Ward of the Township of Havelock-Belmont-Methuen use any land, or erect, alter or use and building or structure except in accordance with the following provisions:

4.43.55.1 Permitted Uses

4.43.55.1.1 a maximum of two single detached dwellings, three accessory buildings existing on the date of passing of this By-law, a hobby farm, a home industry, a home occupation

4.43.55.1.2 a park, a conservation use

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4.43.55.2 Regulations for Permitted Uses

Minimum Lot Area	7 hectares (17.3 acres)
Minimum Lot Frontage	76 metres (250 feet)
Minimum Front Yard	15 m (50 feet)
Minimum Side Yard	4.5 m (14.75 feet)
Minimum Rear Yard	15 m (50 feet)
Maximum Lot Coverage	5%
Maximum Height	9 metres (30 feet)

4.43.55.3 Special Provisions

- 4.43.55.3.1 Notwithstanding any provision of By-law No. 1995-42, as amended, to the contrary, all hobby farm paddocks shall be setback a minimum of 30.5 metres (100 feet) from all residential dwellings.
- 4.43.55.3.2 Notwithstanding any provision of By-law No. 1995-42, as amended, to the contrary, in the S.D. 55 Zone, the requirement for frontage along an improved public road or navigable waterway is waived. In the S.D. 55 Zone, the frontage on the Ministry of Natural Resources private road shall be considered the lot frontage.
- 4.43.55.3.3 Notwithstanding any provision of By-law No. 1995-42, as amended, to the contrary, in the S.D. 55 Zone, an existing accessory building (the former fish hatchery office) shall be permitted in the front yard and the minimum setback from the front lot line shall be 4.5 metres (14.75 feet).
- 4.43.55.3.4 Notwithstanding any provision of By-law No. 1995-42, as amended, to the contrary, in the S.D. 55 Zone, the existing accessory building (the former fish hatchery office) may be used as a cabin for a period of two years from the date of passing of this By-law. Two years from the date of passing of this By-law, the accessory building shall not be used for human habitation.

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4.43.56 **Special District 56 (S.D. 56)**

No person shall within the Special District 56 Zone (S.D. 56) in part of Lot 25, Concession 2 in the Belmont Ward of the Township of Havelock-Belmont-Methuen use any land, or erect, alter or use and building or structure except in accordance with the following provisions:

4.43.56.1 Permitted Uses

- 4.43.56.1.1 a single detached vacation dwelling
- 4.43.56.1.2 two accessory buildings existing on the date of passing of this By-law
- 4.43.56.1.3 a park, a conservation use

4.43.56.2 Regulations for Permitted Uses

Minimum Lot Area	3.7 hectares (9 acres)
Minimum Lot Frontage	76 metres (250 feet)
Minimum Front Yard	15 m (50 feet)
Minimum Side Yard	1.5 m (5 feet)
Minimum Rear Yard	15 m (50 feet)
Maximum Lot Coverage	5%
Maximum Height	9 metres (30 feet)

4.43.56.3 Special Provisions

- 4.43.56.3.1 Notwithstanding any provision of By-law No. 1995-42, as amended, to the contrary, the accessory buildings in the S.D. 56 Zone, existing on the date of passing of this By-law, may be a maximum of 7.5 metres (25 feet) in height.
- 4.43.56.3.2 Notwithstanding any provision of By-law No. 1995-42, as amended, to the contrary, the existing accessory building (the former fish hatchery workshop) may be located within 1.5 metres (5 feet) of the Ministry of Natural Resources private road.

SECTION 4 GENERAL PROVISIONS

4.43.56.3.3 Notwithstanding any provision of By-law No. 1995-42, as amended, to the contrary, the existing accessory buildings may continue to be used prior to the establishment of the main use.

4.43.57 Special District 57 Zone (S.D. 57)

All of the provisions and regulations of Section 12 shall apply to the Special District 57 Zone (S.D. 57) on part of Big Island in Belmont Lake except that with the exception of a marine facility and a pump house, no development shall be permitted within 30 metres (100 feet) of the shoreline.

For the purposes of this Zone, development is defined as “the construction, erection or placing of a building or structure of any kind or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes such related activities as site grading and the placing or dumping of fill.”

4.43.58 Special District 58 (S.D. 58)

All of the provisions and regulations of Section 12 shall apply to the Special District 58 Zone (S.D. 58) on part of Big Island in Belmont Lake except that the minimum lot frontage requirement shall be 22 metres (72 feet) and with the exception of a marine facility and a pump house, no development shall be permitted within 30 metres (100 feet) of the shoreline.

For the purposes of this Zone, development is defined as “the construction, erection or placing of a building or structure of any kind or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes such related activities as site grading and the placing or dumping of fill.”

4.43.59 Special District 59 Zone (S.D. 59)

In the Special District 59 Zone (S.D. 59) in part of Lot 13, Concession 4 in the Belmont Ward of the Township of Havelock-Belmont-Methuen, the only permitted use is an owner-in-common accessory parking lot. For the purposes of this Zone, an owner-in-common accessory parking lot means “an open area provided exclusively for the parking of motor vehicles and boat trailers for the owners of and visitors to fourteen (14) seasonal residential lots located on Big Island in Belmont Lake.” The owner-in-common accessory parking lot must have a minimum of 42 parking spaces and shall be maintained to the satisfaction of the Corporation of the Township of Havelock-Belmont-Methuen by and at the expense of the owners thereof.

SECTION 4 GENERAL PROVISIONS

The minimum lot area and lot frontage in the Special District 59 Zone (S.D. 59) shall be 4050 square metres (1 acre) and 45.7 metres (150 feet) respectively.

4.43.60 Special District 60 Zone (S.D. 60)

In the Special District 60 Zone (S.D. 60) in part of Lot 13, Concession 4 in the Belmont Ward of the Township of Havelock-Belmont-Methuen, the only permitted use is a parking lot or a single detached dwelling in accordance with the provisions and regulations of Section 6 of this By-law. Notwithstanding any regulation to the contrary, the minimum lot area and lot frontage in the Special District 60 Zone (S.D. 60) shall be 4050 square metres (1 acre) and 45.7 metres (150 feet) respectively.

4.43.61 Special District 61 Zone (S.D. 61)

All of the provisions and regulations of Section 12 shall apply to the Special District 61 Zone (S.D. 61) on part of Big Island in Belmont Lake except that the minimum lot area regulation shall be 2800 square metres (.69 acres), the minimum lot frontage regulation shall be 95 metres (312 feet), the minimum setback from the high water mark for the existing cottage shall be 9.1 metres (30 feet), the setback from the high water mark for the existing accessory building shall be 6 metres (20 feet) and the minimum floor area requirement for the existing cottage shall be 37 square metres (400 square feet).

4.43.62 Special District 62 Zone (S.D. 62)

All of the provisions and regulations of Section 12 shall apply to the Special District 62 Zone (S.D. 62) on part of Big Island in Belmont Lake except that the minimum lot area regulation shall be 1415 square metres (.35 acres), the minimum lot frontage regulation shall be 69 metres (225 feet), the minimum setback from the high water mark for the existing cottage shall be 3.3 metres (11 feet), and the minimum floor area requirement for the existing cottage shall be 50 square metres (538 square feet). Notwithstanding any provision to the contrary, an existing sleeping cabin is a permitted use in the Special District 62 Zone (S.D. 62).

SECTION 4 GENERAL PROVISIONS

4.43.63 Special District 63 Zone (S.D. 63)

All of the provisions and regulations of Section 11 (Seasonal Residential Zone) shall apply to the Special District 63 Zone (S.D. 63) in part of Lot 2, Registered Plan No. 27 in part of Lot 9, Concession 8 of the Methuen Ward except that the minimum lot frontage regulation shall be 29 metres (95 feet), the minimum front yard setback and the minimum setback from the high water mark for the existing cottage shall be 10.67 metres (35 feet).

4.43.64 Special District 64 Zone (S.D. 64)

All of the provisions and regulations of Section 11 (Seasonal Residential Zone) shall apply to the Special District 64 Zone (S.D. 64) in part of Lot 2, Registered Plan No. 27 in part of Lot 9, Concession 8 of the Methuen Ward except that the minimum lot frontage regulation shall be 27.5 metres (90.22 feet), the minimum front yard setback and the minimum setback from the high water mark for the existing cottage shall be 12.8 metres (42 feet), the minimum floor area requirement for the existing cottage shall be 60 square metres (646 square feet), the minimum front yard setback and the minimum setback from the high water mark for the existing accessory building shall be 0.9 metres (3 feet), and the minimum side yard setback for the existing accessory building shall be 0 metres (0 feet).

4.43.65 Special District 65 Zone (S.D. 65)

Within the Special District 65 Zone (S.D. 65), no person shall use any land, erect, alter or use any building or structure except for a food store together with one accessory dwelling unit situated within one building as it existed on April 6th, 1987, provided that no extension or enlargement is made to said building other than for the purposes of an open or enclosed staircase or new exterior vertical facing on any wall of said building either of which would require approval of the municipality.

4.43.66 Special District 66 Zone (S.D. 66)

All of the provisions and regulations of Section 6 (Rural Zone) shall apply to the Special District 66 Zone (S.D. 66) in part of Lot 9, Concession 9 of the Belmont Ward except that the minimum lot frontage regulation shall be 67.05 metres (220 feet). In addition, no development is permitted within 15 metres (49.2 feet) of the wetland boundary.

SECTION 4 GENERAL PROVISIONS

For the purposes of this Zone, development is defined as the construction, erection or placing of a building or structure of any kind or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes such related activities as site grading and the placing or dumping of fill.

4.43.67 Special District 67 Zone (S.D. 67)

No person shall within the Special District 67 Zone (S.D. 67) in part of Lot 4, Concession 1 of the Methuen Ward use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.43.67.1 Permitted Uses

4.43.67.1.1 a commercial greenhouse or nursery

4.43.67.1.2 a single detached dwelling, a home industry, a home occupation

4.43.67.2 Regulations for Permitted Uses

Minimum Lot Area	0.40 hectares (1 acres)
Minimum Lot Frontage	60 metres (200 feet)
Minimum Front Yard	15 metres (50 feet)
Minimum Side Yard	6 metres (20 feet)
Minimum Rear Yard	7.5 metres (25 feet)
Maximum Height	
Greenhouse	4.6 metres (15 feet)
Single Detached Dwelling	9 metres (30 feet)
Maximum Lot Coverage	20%
Maximum Total Floor Area for Greenhouse/Nursery	604 m ² (6502 feet ²)

4.43.67.3 Special Provisions

4.43.67.3.1 Notwithstanding any other provision of By-law No. 1995-42, as amended, in the S.D. 67 Zone, the lot frontage shall be the frontage on Vansickle Road.

SECTION 4 GENERAL PROVISIONS

4.43.67.3.2 Notwithstanding any other provision to the contrary, the following special parking and loading provisions shall also apply:

- (a) commercial greenhouse or nursery - 6 parking spaces and 1 loading space
- (b) single detached dwelling - 2 parking spaces

The required loading space shall be 6 metres (20 feet) long, 3.6 metres (12 feet) wide and have a vertical clearance of at least 4.3 metres (14 feet). Also, in the S.D. 67 Zone, the residential driveway may be used as the loading space.

4.43.68 Special District 68 Zone (S.D. 68)

All of the provisions and regulations of Section 6 (Rural Zone) shall apply to the Special District 68 Zone (S.D. 68) in part of Lot 17, Concession 9 of the Belmont Ward except that the keeping of livestock is prohibited in the livestock facility (barn) existing as of the date of passing of this by-law. In addition, the establishment of a manure management system is prohibited within the minimum distance separation requirements of the southerly adjacent non-farm residential lot.

4.43.69 Special District 69 Zone (S.D. 69)

No person shall within the Special District 69 Zone (S.D. 69) in part of broken Lot 14, Concession 7 of the Methuen Ward, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

4.43.69.1 Permitted Uses

4.43.69.1.1 a single detached vacation dwelling

4.43.69.2 Regulations for Permitted Uses

4.43.69.2.1 Regulations for Uses Permitted in Section 4.43.69.1.1

Minimum Lot Area	3642 square metres (0.9 acres)
Minimum Lot Frontage	61 metres (200 feet)

SECTION 4 GENERAL PROVISIONS

Minimum Front Yard	12.8 metres (42 feet)
Minimum Side Yard	9.14 metres (30 feet)
Minimum Rear Yard	10.7 metres (35 feet)
Maximum Height	7.5 metres (25 feet)
Maximum Lot Coverage	4%
Minimum Floor Area	74 square metres (797 square feet)
Maximum Number of Dwellings Per Lot	1

4.43.69.3 Special Provisions

4.43.69.3.1 Notwithstanding any other provision to the contrary, the minimum setback from the high water mark for the existing cottage shall be 12.8 metres (42 feet). For the purposes of this zone, “existing cottage” means the cottage existing on the date of passing the by-law”.

4.43.70 Special District 70 Zone (S.D. 70)

No person shall within the Special District 70 Zone (S.D. 70) in part of broken Lot 14, Concession 7 of the Methuen Ward, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

4.43.70.1 Permitted Uses

4.43.70.1.1 a single detached vacation dwelling and an existing accessory cabin

4.43.70.2 Regulations for Permitted Uses

4.43.70.2.1 Regulations for Uses Permitted in Section 4.43.70.1.1

Minimum Lot Area	5575 square metres (1.4 acres)
Minimum Lot Frontage	61 metres (200 feet)
Minimum Front Yard	9.14 metres (30 feet)
Minimum Side Yard	10.7 metres (35 feet)

SECTION 4 **GENERAL PROVISIONS**

Minimum Rear Yard	10.7 metres (35 feet)
Maximum Height	7.5 metres (25 feet)
Maximum Lot Coverage	4%
Minimum Floor Area	74 square metres (797 square feet)
Maximum Number of Dwellings Per Lot	1

4.43.70.3 **Special Provisions**

- 4.43.70.3.1 Notwithstanding any other provision to the contrary, the minimum setback from the high water mark for the existing cottage and accessory cabin shall be 9.14 metres (42 feet). For the purposes of this zone, “existing cottage” means the cottage existing on the date of passing the by-law”.
- 4.43.70.3.2 Notwithstanding any other provision to the contrary, the minimum side yard setback for the existing accessory cabin shall be 4.57 metres (15 feet).

4.43.71 Special District 71 Zone (S.D. 71)

No person shall within the Special District 71 Zone (S.D. 71) in part of Lot 13, Concession 8 of the Methuen Ward, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

4.43.71.1 **Permitted Uses**

- 4.43.71.1.1 an existing single detached vacation dwelling and accessory buildings and structures

4.43.71.2 **Regulations for Permitted Uses**

4.43.71.2.1 **Regulations for Uses Permitted in Section 4.43.71.1.1**

Minimum Lot Area	2350 square metres (0.58 acres)
Minimum Lot Frontage	13.7 metres (45 feet)

SECTION 4 GENERAL PROVISIONS

Minimum Front Yard	15 metres (50 feet)
Minimum Side Yard (north)	0.755 metres (2.48 feet)
Minimum Side Yard (south)	0 metres (0 feet)
Minimum Rear Yard	7.5 metres (25 feet)
Maximum Height	9 metres (30 feet)
Maximum Lot Coverage	15%
Minimum Floor Area	62.4 square metres (672 square feet)
Maximum Number of Dwellings Per Lot	1

4.43.71.3 Special Provisions

4.43.71.3.1 Notwithstanding any other provision to the contrary, any new buildings or structures must satisfy the minimum setback requirements of the Seasonal Residential Zone (SR).

4.43.72 Special District 72 Zone (S.D. 72)

No person shall within the Special District 72 Zone (S.D. 72) in part of Lot 13, Concession 8 of the Methuen Ward, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

4.43.72.1 Permitted Uses

4.43.72.1.1 an existing single detached vacation dwelling and accessory buildings and structures

4.43.72.2 Regulations for Permitted Uses

4.43.72.2.1 Regulations for Uses Permitted in Section 4.43.72.1.1

Minimum Lot Area	2299 square metres (0.56 acres)
Minimum Lot Frontage	19.2 metres (63 feet)
Minimum Front Yard	4.57 metres (15 feet)

SECTION 4 GENERAL PROVISIONS

Minimum Side Yard (north)	2.59 metres (8.5 feet)
Minimum Side Yard (south)	0 metres (0 feet)
Minimum Rear Yard	7.5 metres (25 feet)
Maximum Height	9 metres (30 feet)
Maximum Lot Coverage	15%
Minimum Floor Area	74 square metres (797 square feet)
Maximum Number of Dwellings Per Lot	1

4.43.72.3 Special Provisions

4.43.72.3.1 Notwithstanding any other provision to the contrary, any new buildings or structures must satisfy the minimum setback requirements of the Seasonal Residential Zone (SR).

4.43.73 Special District 73 Zone (S.D. 73)

No person shall within the Special District 73 Zone (S.D. 73) in part of Lot 13, Concession 8 of the Methuen Ward, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

4.43.73.1 Permitted Uses

4.43.73.1.1 an existing single detached vacation dwelling and accessory buildings and structures

4.43.73.2 Regulations for Permitted Uses

4.43.73.2.1 Regulations for Uses Permitted in Section 4.43.73.1.1

Minimum Lot Area	2500 square metres (0.62 acres)
Minimum Lot Frontage	17.7 metres (58 feet)
Minimum Front Yard	6.1 metres (20 feet)
Minimum Side Yard (north)	0.518 metres (1.7 feet)

SECTION 4 GENERAL PROVISIONS

Minimum Side Yard (south)	6.23 metres (20.4 feet)
Minimum Rear Yard	7.5 metres (25 feet)
Maximum Height	9 metres (30 feet)
Maximum Lot Coverage	15%
Minimum Floor Area	41.8 square metres (450 square feet)
Maximum Number of Dwellings Per Lot	1

4.43.73.3 Special Provisions

- 4.43.73.3.1 Notwithstanding any other provision to the contrary, the maximum floor area of the accessory buildings or structures on the property shall be 72 square metres (775 square feet) and notwithstanding the provisions of Section 4.1 (e) to the contrary, the minimum side yard requirement for the existing accessory garage is 4.69 metres (15.4 feet) on the north side and 1.99 metres (6.55 feet) on the south side.
- 4.43.73.3.2 Notwithstanding any other provision to the contrary, the minimum setback from the high water mark for existing buildings and structures shall be 6.1 metres (20 feet).
- 4.43.73.3.3 Notwithstanding any other provision to the contrary, any new buildings or structures must satisfy the minimum setback requirements of the Seasonal Residential Zone (SR).

4.43.74 Special District 74 (S.D. 74)

In addition to the uses permitted in Section 7 (Residential Type 1 Zone (R1)), on lands zoned the Special District 74 Zone (S.D. 74) a woodworking business accessory to the principal residence and contained solely within an accessory structure is a permitted use.

SECTION 4 GENERAL PROVISIONS

For the purposes of the Special District 74 Zone (S.D. 74) a woodworking business is defined as “a building or structure where wood materials are stored and used to manufacture a finished product such as kitchen cabinets, doors, and handmade furniture, but shall not include a sawmill or any activity relating to the processing of raw lumber. Only products produced on the site may be sold on a wholesale or retail basis.”

All of the provisions and regulations of the Residential Type 1 Zone (R1) apply except that the minimum rear yard requirement is 1.4 metres (4.6 feet) and the maximum floor area for the wood working business is 146 square metres (1571.6 square feet). In addition, outside storage or display of products and materials is prohibited. One non-illuminated sign, as existing on the date of passing of the by-law, is permitted.

4.43.75 Special District 75 Zone (S.D. 75)

No person shall within the Special District 75 Zone (S.D. 75) in part of Lot 7, Concession 12 of the Belmont Ward, use any land or erect, alter or use any building or structure except in accordance with the following regulations:

4.43.75.1 Permitted Uses

4.43.75.1.1 a flea market

4.43.75.1.2 a mini golf course, a batting cage

4.43.75.1.3 a remote car track, a wooden cub car track, a power wheels track

4.43.75.1.4 a parking area

4.43.75.1.5 an accessory single detached dwelling

4.43.75.2 Regulations for Permitted Uses

Minimum Lot Area	4 hectares (9.88 acres)
Minimum Lot Frontage	260 metres (853 feet)
Minimum Front Yard	15 metres (49.2 feet)
Minimum Side Yard	6 metres (19.7 feet)

SECTION 4 **GENERAL PROVISIONS**

Minimum Rear Yard	7.5 metres (24.6 feet)
Maximum Height	9 metres (29.5 feet)
Maximum Lot Coverage	25%
Minimum Floor Area	97.5 sq. metres (1049.1 sq. feet)
Maximum Number of Dwellings Per Lot	1

4.43.76 Special District 76 Zone (S.D. 76)

All of the provisions and regulations of Section 7, the Residential Type 1 Zone (R1) shall apply to the lands zoned the Special District 76 Zone (S.D. 76) except that the minimum lot frontage requirement shall be 17.7 metres (58 feet).

4.43.77 Special District 77 Zone (S.D. 77)

Within the Special District 77 Zone (S.D. 77), no person shall use any land, erect, alter or use any building or structure except in accordance with the following provisions:

4.43.77.1 Permitted Uses

4.43.77.1.1 a single detached dwelling and accessory buildings

4.43.77.1.2 a bed and breakfast establishment

For the purposes of the Special District 77 Zone (S.D. 77), a bed and breakfast establishment means “an owner-occupied single detached dwelling in which no more than 2 guest rooms are made available for the temporary accommodations of the travelling 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 boarding house.

SECTION 4 **GENERAL PROVISIONS**

4.43.77.2 **Regulations for the Permitted Uses**

Minimum Lot Frontage	20 metres (65.6 feet)
Minimum Lot Area	1011.6 square metres (10,889 square feet)
Minimum Front Yard	3.6 metres (11.8 feet)
Minimum Side Yard	0.1 metre (0.32 feet)
Minimum Rear Yard	11 metres (36 feet)
Maximum Building Coverage	40%
Maximum Building Height	10.5 metres (34.4 feet)
Total No. Parking Spaces	4

Notwithstanding section 4.1 to the contrary, existing accessory buildings may be permitted to abut the lot line.

4.43.78 Special District 78 Zone (S.D. 78)

Notwithstanding the provisions of Section 17 (Restricted Industrial Zone (M1)) to the contrary, lands shall be serviced with municipally owned piped water and will be permitted to be serviced with private subsurface sewage systems.

All other provisions and regulations of Section 17 shall be complied with.

4.43.79 Special District 79 Zone (S.D. 79)

Notwithstanding the provisions and regulations of Section 8, the Residential Type 2 Zone (R2), on lands zoned the Special District 79 Zone (S.D. 79) the permitted uses shall be restricted to a three-unit dwelling. All of the provisions and regulations of the Residential Type 2 Zone (R2) apply to the S.D. 79 Zone except that the minimum front yard requirement shall be 4 metres (13 feet) and the minimum rear yard requirement shall be 0.2 metres (.66 feet).

SECTION 4 **GENERAL PROVISIONS**

4.43.80 Special District 80 Zone (S.D. 80)

Within the Special District 80 Zone (S.D. 80), no person shall use any land, erect, alter or use any building or structure except in accordance with the following provisions:

4.43.80.1 Permitted Uses

4.43.80.1.1 a park and uses, buildings and structures accessory thereto

4.43.80.1.2 fairgrounds and/or exhibition grounds

4.43.80.1.3 resource management uses

4.43.80.2 Regulations for the Permitted Uses

Minimum Lot Area 2 hectares (5 acres)

Maximum Lot Coverage 5%

Minimum Yard Requirements No building or structure shall be used or erected within 7.5 metres (24.6 feet) of any lot line. No buildings, structures, placement of fill or installation of subsurface sewage facilities shall be permitted within 30 metres of the high water mark of Plato Creek.

4.43.81 Special District Zone 81 (S.D. 81)

No person shall within the Special the Special District Zone 81 (S.D. 81) in part of Lot 7, Concession 9 in the Havelock Ward use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

4.43.81.1 Permitted Uses

4.43.81.1.1 a museum

4.43.81.1.2 a retail store

SECTION 4 GENERAL PROVISIONS

4.43.81.1.3 a restaurant

4.43.81.1.4 uses, buildings and structures accessory to the foregoing permitted uses.

4.43.81.2 Regulations for Permitted Uses

Minimum Lot Frontage	145 metres (475 feet)
Minimum Lot Depth	18 metres (59 feet)
Minimum Lot Area	.25 hectares. (.62 acres)
Minimum Front Yard	2.1 metres (7.0 feet)
Minimum Rear Yard	6.7 metres (22 feet)
Minimum Side Yard	40 metres (131 feet)
Maximum Height	9 metres (30 feet)
Maximum Lot Coverage	16%

4.43.81.3 Special Provisions

4.43.81.3.1 Every part of every yard required to be provided in the S.D. Zone 81 shall be open and unobstructed by any structure from the ground to the sky, except that main building eaves or gutters may project into any required front, side or rear yard a distance of not more than 1.74 metres (5.7 feet).

4.43.81.3.2 Landscaped open space of a minimum width of 2 metres (6.5 feet) shall be provided and maintained along the front lot line and a landscaped open space of a minimum width of 1.5 metres (5 feet) shall be provided and maintained along all other lot lines provided that such open space may be interrupted by driveways and railways.

4.43.81.3.3 For the purposes of this By-law, a restaurant is defined as “an establishment where food is offered for sale or sold to the public for immediate consumption at tables or counters either inside or outside the building on the lot. As an accessory use, take-out service of food and beverages for off-site consumption may be provided. The take-out service shall not include a car oriented curb-service establishment.”

SECTION 4 GENERAL PROVISIONS

4.43.81.3.4 For the purposes of this By-law a retail store is defined as “a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail.

4.43 .82 Special District 82 (S.D. 82) Zone

All provisions and regulations of Section 6 (Rural (RU) Zone) shall apply to the Special District 82 (S.D. 82) Zone in Part of Lot 15, Concession 8 of the Belmont Ward with the following exception:

Minimum Lot Frontage 24 metres (78.75 feet)

4.43.83 Special District 83 (S.D. 83) Zone

All provisions and regulations of Section 11 (Seasonal Residential (SR) Zone) shall apply to the “Special District 83 (S.D. 83) Zones” in Part of Lot 15, Concession 8 of the Belmont Ward with the following exceptions:

Minimum Lot Area 1,990 sq. metres (.49 acres)
Minimum Lot Frontage 31 metres (101.7 feet)
Minimum Setback From
High Water Mark 8 metres (26.2 feet)
Minimum Yard Setbacks The Lesser of The Provisions of Sec. 11.2.1.1 or Setbacks Existing As Of the
Date of Passing of This By-Law.

4.43 .84 Special District 84 (S.D. 84) Zone

All provisions and regulations of Section 11 (Seasonal Residential (SR) Zone) shall apply to the Special District 84 (S.D. 84) Zone in Part of Lot 14, Concession 7 of the Methuen Ward with the following exceptions:

Minimum Lot Area .28 hectares (.69 acres)
Minimum Lot Frontage 38 metres (125 feet)
Minimum Setback From High
Water Mark As Existing On The Date of Passing Of This By-law

SECTION 4 GENERAL PROVISIONS

4.43.85 Special District 85 (S.D. 85) Zone

All provisions and regulations of Section 11 (Seasonal Residential (SR) Zone) shall apply to the “Special District 85 (S.D. 85) Zone” in Part of Lot 14, Concession 7 of the Methuen Ward with the following exceptions:

Minimum Lot Area	.16 hectares (.40 acres)
Minimum Lot Frontage	34 metres (115.5 feet)
Minimum Setback From High Water Mark	As Existing On The Date of Passing Of This By-law
Minimum Easterly Yard Setback Of Existing Dwelling	As Existing On The Date of Passing Of This By-law
Minimum Westerly Yard Setback For Existing Boathouse	As Existing On The Date of Passing Of This By-law

4.43.86 Special District 86 (S.D. 86) Zone

All provisions and regulations of Section 6 (Rural (RU) Zone) shall apply to the Special District 86 (S.D. 86) Zone in Part of Lot 12, Concession 2 of the Belmont Ward except that the construction, erection or placing of any type of dwelling shall not be permitted within 113 metres of a livestock facility.

4.43.87 Special District 87 - Holding (S.D. 87(H)) Zone

All provisions and regulations of By-law No. 1995-42, as amended, as they apply to provisions and regulations of Section 12 (Island Residential (IR) Zone) shall also apply to any Special District 87-Holding (S.D. 87(H)) Zone with the following exceptions:

Minimum Lot Area	2,500.0 square metres
Minimum Setback from Highwater Mark	
- Southeasterly Yard	12.0 metres
- Northwesterly Yard	15.5 metres
Minimum Ground Floor Area	61.0 square metres
Maximum Ground Floor Area	63.0 square metres

SECTION 4 GENERAL PROVISIONS

Permitted accessory structures shall be restricted to those existing as of the date of passage of this by-law.

Notwithstanding any provisions of Section 4.22 (Marine Facilities), as amended; a boathouse shall not be permitted.

Removal of Holding Symbol

Council may consider a by-law to remove the 'H' symbol, in accordance with provisions of Section 36 of The Planning Act, R.S.O. 1990, at such time as the Municipality is satisfied that any travel trailer existing on lands zoned Special District 87 - Holding (S.D. 87 (H)) has been removed."

SECTION 5

AGRICULTURAL ZONE (A)

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

5.1 PERMITTED USES

- 5.1.1 an agricultural use, a farm, a livestock facility, a farm produce outlet provided such produce is a product of the farm on which the outlet is located, a home industry or home occupation
- 5.1.2 a single detached dwelling, a home industry, a home occupation
- 5.1.3 the conversion of a single detached dwelling having a minimum floor area of 185 square metres (1990 square feet) on the date of the passing of this By-law to a duplex or semi-detached dwelling, a home occupation
- 5.1.4 a park, a conservation or forestry use

5.2 REGULATIONS FOR PERMITTED USES

5.2.1 Regulations for Uses Permitted in Section 5.1.1

- | | | |
|----|--|------------------------|
| a) | Minimum Lot Area | 38 hectares (94 acres) |
| b) | Minimum Lot Frontage | 137 metres (450 feet) |
| c) | Minimum Front Yard | 30.5 metres (100 feet) |
| d) | Minimum Side Yard | 15 metres (50 feet) |
| e) | Minimum Rear Yard | 15 metres (50 feet) |
| f) | Minimum Distance Between a
Front Lot Line and Any Parking Lot | 9 metres (30 feet) |

SECTION 5 **AGRICULTURAL ZONE (A)**

5.2.2 Regulations for Uses Permitted in Section 5.1.2

- | | | |
|----|-----------------------------|---------------------------------------|
| a) | Minimum Lot Area | 3035 square metres (.75 acres) |
| b) | Minimum Lot Frontage | 45 metres (150 feet) |
| c) | Minimum Front Yard | 15 metres (50 feet) |
| d) | Minimum Side Yard | 4.5 metres (15 feet)* |
| e) | Minimum Rear Yard | 7.5 metres (25 feet) |
| f) | Minimum Floor Area | |
| | 1 storey | 97.5 square metres (1050 square feet) |
| | 1-1/2 storey or split level | 120 square metres (1300 square feet) |
| | 2 storey | 140 square metres (1500 square feet) |
| g) | Maximum Lot Coverage | 15% |
| h) | Maximum Height | 9 metres (30 feet) |

* The minimum side yard requirement shall be increased to 7.5 metres (25 feet) for corner lots.

5.2.3 Regulations for Uses Permitted in Section 5.1.3

- | | | |
|----|----------------------|------------------------------------|
| a) | Minimum Lot Area | 3035 square metres (.75 acres) |
| b) | Minimum Lot Frontage | 50 metres (165 feet) |
| c) | Minimum Front Yard | 150 metres (50 feet) |
| d) | Minimum Side Yard | 4.5 metres (15 feet) |
| e) | Minimum Rear Yard | 7.5 metres (25 feet) |
| f) | Minimum Floor Area | |
| | Per Dwelling Unit | 84 square metres (900 square feet) |
| g) | Maximum Height | 9 metres (30 feet) |
| h) | Maximum Lot Coverage | 15% |

SECTION 5 **AGRICULTURAL ZONE (A)**

5.2.4 Special Provisions

- 5.2.4.1 All buildings and structures, except a marine facility and unattached decks and patios, shall be located at least 21.34 metres (70 feet) from the high water mark of any body of water which the land abuts.

- 5.2.4.2 Where a new dwelling or dwelling unit is to be erected after the date of this By-law, the new dwelling or dwelling unit shall not be located within 90 metres (295 feet) of the Extractive Industrial (M2) and Extractive Industrial Holding (M2-H) Zones. In the case of a quarry, the setback from the Extractive Industrial (M2) and Extractive Industrial Holding (M2-H) Zones shall be increased to 150 metres (492 feet).

SECTION 6

RURAL ZONE (RU)

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

6.1 PERMITTED USES

- 6.1.1 an agricultural use, a farm, a livestock facility, a farm produce outlet provided such produce is a product of the farm on which the outlet is located, a home industry or home occupation.
- 6.1.2 a hobby farm, a home industry, a home occupation.
- 6.1.3 an animal hospital, a livestock salesbarn, a hunt camp, a riding school or boarding stables
- 6.1.4 a golf course
- 6.1.5 a kennel
- 6.1.6 a single detached dwelling, a home industry, a home occupation
- 6.1.7 the conversion of a single detached dwelling having a minimum floor area of 186 square metres (2000 square feet) on the date of the passing of the By-law to a duplex or semi-detached dwelling, a home occupation
- 6.1.8 a park, a conservation or forestry use

SECTION 6 **RURAL ZONE (RU)**

6.2 REGULATIONS FOR PERMITTED USES

6.2.1 Regulations for Uses Permitted in Section 6.1.1

- a) Minimum Lot Area 10 hectares (25 acres)
- b) Minimum Lot Frontage 137 metres (450 feet)
- c) Minimum Front Yard 15 metres (50 feet)
- d) Minimum Side Yard 15 metres (50 feet)
- e) Minimum Rear Yard 15 metres (50 feet)
- f) Minimum Distance
 Between a Front Lot Line
 and any Parking Lot 9 metres (30 feet)

6.2.2 Regulations for Uses Permitted in Section 6.1.2

- a) Minimum Lot Area 2 hectares (5 acres)
- b) Minimum Lot Frontage 76 metres (250 feet)
- c) Minimum Front Yard 15 metres (50 feet)
- d) Minimum Side Yard 15 metres (50 feet)
- e) Minimum Rear Yard 15 metres (50 feet)

6.2.2.1 **Special Provisions**

6.2.2.1.1 Notwithstanding any other provision of this By-law to the contrary, all hobby farm paddocks shall be setback a minimum of 30.5 metres (100 feet) from all residential dwellings.

6.2.3 Regulations for Uses Permitted in Section 6.1.3

- a) Minimum Front Yard 30.5 metres (100 feet)
- b) Minimum Side Yard 15 metres (50 feet)
- c) Minimum Rear Yard 15 metres (50 feet)

SECTION 6 **RURAL ZONE (RU)**

6.2.3.1 **Special Provisions**

6.2.3.1.1 **An Animal Hospital**

Minimum Lot Area	2 hectares (5 acres)
Minimum Lot Frontage	61 metres (200 feet)

6.2.3.1.2 **A Livestock Sales Barn**

Minimum Lot Area	4 hectares (10 acres)
Minimum Lot Frontage	120 metres (400 feet)

6.2.3.1.3 **A Hunt Camp**

Minimum Lot Area	20 hectares (50 acres)
------------------	------------------------

6.2.3.1.4 **A Riding School or Boarding Stables**

Minimum Lot Area	10 hectares (25 acres)
Minimum Lot Frontage	137 metres (450 feet)

6.2.4 Regulations for Uses Permitted in Section 6.1.4

- | | | |
|----|----------------------|------------------------|
| a) | Minimum Lot Area | 20 hectares (50 acres) |
| b) | Minimum Lot Frontage | 180 metres (590 feet) |
| c) | Minimum Front Yard | 30.5 metres (100 feet) |
| d) | Minimum Side Yard | 15 metres (50 feet) |
| e) | Minimum Rear Yard | 15 metres (50 feet) |

SECTION 6

RURAL ZONE (RU)

6.2.5 Regulations for Uses Permitted in Section 6.1.5

- a) Minimum Lot Area 6 hectares (15 acres)
- b) Minimum Lot Frontage 137 metres (450 feet)
- c) Minimum Front Yard 61 metres (200 feet)
- d) Minimum Side Yard 61 metres (200 feet)
- e) Minimum Rear Yard 61 metres (200 feet)

6.2.6 Regulations for Uses Permitted in Section 6.1.6

- a) Minimum Lot Area 3035 square metres (.75 acres)
- b) Minimum Lot Frontage 45 metres (150 feet)
- c) Minimum Front Yard 15 metres (50 feet)
- d) Minimum Side Yard 4.5 metres (15 feet)*
- e) Minimum Rear Yard 7.5 metres (25 feet)
- f) Minimum Floor Area
 - 1 storey 97.5 square metres (1050 square feet)
 - 1-1/2 storey or Split Level 120 square metres (1300 square feet)
 - 2 storey 140 square metres (1500 square feet)
- g) Maximum Lot Coverage 15%
- h) Maximum Height 9 metres (30 feet)

* The minimum side yard requirement shall be increased to 7.5 metres (25 feet) for corner lots.

6.2.7 Regulations for Uses Permitted in Section 6.1.7

- a) Minimum Lot Area 4000 square metres (1 acres)
- b) Minimum Lot Frontage 50 metres (165 feet)
- c) Minimum Front Yard 15 metres (50 feet)
- d) Minimum Side Yard 4.5 metres (15 feet)
- e) Minimum Rear Yard 7.5 metres (25 feet)

SECTION 6

RURAL ZONE (RU)

- f) Minimum Floor Area
Per Dwelling Unit 84 square metres (900 square feet)
- g) Maximum Height 9 metres (30 feet)
- h) Maximum Lot Coverage 15%

6.2.8 Special Provisions

6.2.8.1 All buildings and structures, except a marine facility and unattached decks and patios, shall be located at least 21.3 metres (70 feet) from the high water mark of any body of water which the land abuts.

Where a new dwelling or dwelling unit is to be erected after the date of this By-law, the new dwelling or dwelling unit shall not be located within 90 metres (295 feet) of the Extractive Industrial (M2) and Extractive Industrial Holding (M2-H) Zones. In the case of a quarry, the setback from the Extractive Industrial (M2) and Extractive Industrial Holding (M2-H) Zones shall be increased to 150 metres (492 feet).

Holding provisions attached to the Rural Holding Zone (RU-H) may be removed when the matters identified in section 3.4.9 of the Township of Havelock-Belmont-Methuen Official Plan have been addressed to the satisfaction of the Township.

Notwithstanding any provision of this section to the contrary, in the Rural Holding Zone (RU-H), for those buildings, structures and uses legally established at the date of passing of the By-law, minor extensions/expansions to the building(s) or use an/or the construction of accessory buildings may be permitted provided that all other regulations of the Rural Zone (RU) can be satisfied.

SECTION 7

RESIDENTIAL TYPE 1 ZONE (R1)

No person shall within any Residential Type 1 Zone (R1) use any land or erect, alter or use any building or structure except in accordance with the following provisions:

7.1 PERMITTED USES

7.1.1 one single detached dwelling, a home occupation

7.1.2 a duplex or semi-detached dwelling

7.1.3 the conversion of a single detached dwelling having a minimum floor area of 186 square metres (2000 square feet) on the date of the passing of this By-law to a duplex or semi-detached dwelling

7.1.4 a park

7.2 REGULATIONS FOR PERMITTED USES

7.2.1 Regulations for Uses Permitted in Section 7.1.1

Individual Water Supply and Sewage Disposal

- | | | |
|----|----------------------------|-------------------------------|
| a) | Minimum Lot Area | 3000 square metres (.74 acre) |
| b) | Minimum Lot Frontage | 45 metres (150 feet) |
| c) | Minimum Front Yard | 15 metres (50 feet) |
| d) | Minimum Interior Side Yard | 4.5 metres (15 feet) |
| e) | Minimum Exterior Side Yard | 15 metres (50 feet) |
| f) | Minimum Rear Yard | 7.5 metres (25 feet) |
| g) | Maximum Height | 9 metres (30 feet) |

SECTION 7

RESIDENTIAL TYPE 1 ZONE (R1)

h)	Maximum Lot Coverage	15%
i)	Minimum Floor Area	
	1 storey	97.5 square metres (1050 square feet)
	1-1/2 storey	120 square metres (1300 square feet)
	2 storey	140 square metres (1500 square feet)

Municipal Water Supply

a)	Minimum Lot Area	700 square metres (.17 acre)
b)	Minimum Lot Frontage	18 metres (59 feet)
c)	Minimum Front Yard	7.5 metres (25 feet)
d)	Minimum Interior Side Yard	1 metre (3.3 feet)
e)	Minimum Exterior Side Yard	7.5 metres (25 feet)
f)	Minimum Rear Yard	7.5 metres (25 feet)
g)	Maximum Height	9 metres (30 feet)
h)	Maximum Lot Coverage	30%
i)	Minimum Floor Area	
	1 storey	97.5 square metres (1050 square feet)
	1-1/2 storey	120 square metres (1300 square feet)
	2 storey	140 square metres (1500 square feet)

Municipal Water and Sanitary Sewers

a)	Minimum Lot Area	460 square metres (.11 acres)
b)	Minimum Lot Frontage	15 metres (50 feet)
c)	Minimum Front Yard	7.5 metres (25 feet)
d)	Minimum Interior Side Yard	1 metre (3.3 feet)
e)	Minimum Exterior Side Yard	7.5 metres (25 feet)
f)	Minimum Rear Yard	7.5 metres (25 feet)
g)	Maximum Height	9 metres (30 feet)
h)	Maximum Lot Coverage	40%

SECTION 7

RESIDENTIAL TYPE 1 ZONE (R1)

c)	Minimum Front Yard	7.5 metres (25 feet)
d)	Minimum Interior Side Yard	1 metre (3.3 feet)
e)	Minimum Exterior Side Yard	7.5 metres (25 feet)
f)	Minimum Rear Yard	7.5 metres (25 feet)
g)	Maximum Height	9 metres (30 feet)
h)	Maximum Lot Coverage	30%
i)	Minimum Floor Area Per Dwelling Unit	93 square metres (1000 square feet)

Municipal Water and Sanitary Sewers

a)	Minimum Lot Area	550 square metres (.14 acres)
b)	Minimum Lot Frontage	18 metres (59 feet)
c)	Minimum Front Yard	7.5 metres (25 feet)
d)	Minimum Interior Side Yard	1 metre (3.3 feet)
e)	Minimum Exterior Side Yard	7.5 metres (25 feet)
f)	Minimum Rear Yard	7.5 metres (25 feet)
g)	Maximum Height	9 metres (30 feet)
h)	Maximum Lot Coverage	40%
i)	Minimum Floor Area Per Dwelling Unit	93 square metres (1000 square feet)

7.2.2.1 Special Provisions

- 7.2.2.1.1 The minimum side yard requirement may be waived for that portion of a semi-detached dwelling that abuts a lot line and is attached to another dwelling unit at that time.
- 7.2.2.1.2 On a corner lot, the minimum side yard requirement shall be 7.5 metres (25 feet) for that portion of the semi-detached dwelling that is closest to the street line.

SECTION 7 **RESIDENTIAL TYPE 1 ZONE (R1)**

7.2.3 Special Provisions

- 7.2.3.1 All buildings and structures, except a marine facility and unattached decks and patios, shall be located at least 21.3 metres (70 feet) from the high water mark of any body of water which the land abuts.

- 7.2.3.2 Where a new dwelling or dwelling unit is to be erected after the date of this By-law, the new dwelling or dwelling unit shall not be located within 90 metres (295 ft) of the Extractive Industrial (M2) and Extractive Industrial Holding (M2-H) Zones. In the case of a quarry, the setback from the Extractive Industrial (M2) and Extractive Industrial Holding (M2-H) Zones shall be increased to 150 metres (492 feet).

SECTION 8

RESIDENTIAL TYPE 2 ZONE (R2)

No person shall within any Residential Type 2 Zone (R2) use any land or erect, alter or use any building or structure except in accordance with the following provisions:

8.1 PERMITTED USES

8.1.1 a three-unit dwelling, a four-unit dwelling, a converted dwelling containing not more than 4 dwelling units, a row dwelling containing not more than 8 dwelling units, a low rise apartment dwelling, a boarding house, a home occupation.

8.1.2 a park

8.2 REGULATIONS FOR PERMITTED USES

8.2.1 Regulations for Uses in Permitted in Section 8.1.1

Municipal Water and Sanitary Sewers

a)	Minimum Lot Area	700 square metres (.17 acres)
b)	Minimum Lot Area Per Dwelling Unit	230 square metres (.057 acres)
c)	Minimum Lot Frontage	22 metres (72 feet)
d)	Minimum Front Yard	7.5 metres (25 feet)
e)	Minimum Interior Side Yard	2.5 metres (8.2 feet)
f)	Minimum Exterior Side Yard	7.5 metres (25 feet)
g)	Maximum Rear Yard	9 metres (30 feet)
h)	Maximum Height	10.5 metres (34 feet)
i)	Maximum Lot Coverage	35%

SECTION 8

RESIDENTIAL TYPE 2 ZONE (R2)

- | | | |
|----|---|--|
| j) | Minimum Floor Area
Bachelor Dwelling Unit | 37 square metres (592 square feet) plus 14 square metres
(151 square feet) of each habitable room in excess of 4. |
| k) | Maximum No. of Boarders
Per Boarding House | 10 |

SECTION 9

RESIDENTIAL TYPE 3 ZONE (R3)

No person shall within any Residential Type 3 Zone (R3) use any land or erect, alter or use any building or structure except in accordance with the following provisions:

9.1 PERMITTED USES

9.1.1 an apartment dwelling containing not more than 20 dwelling units.

9.1.2 a park

9.2 REGULATIONS FOR PERMITTED USES

9.2.1 Regulations for Uses Permitted in Section 9.1.1

Municipal Water and Sanitary Sewers

a)	Minimum Lot Area	750 square metres (.19 acres)
b)	Minimum Lot Area Per Dwelling Unit	185 square metres (.045 acres)
c)	Minimum Lot Frontage	24 metres (79 feet)
d)	Minimum Front Yard	7.5 metres (25 feet)
e)	Minimum Side Yard	3 metres (9.8 feet) or one half the height of the building, whichever is the greater
f)	Minimum Rear Yard	9 metres (30 feet) or the height of the building, whichever is the greater
g)	Maximum Height	11 metres (36 feet)
h)	Maximum Lot Coverage	30%
i)	Maximum Number of Storeys	3
j)	Minimum Floor Area Bachelor Dwelling Unit	37 square metres (398 square feet)

SECTION 9

RESIDENTIAL TYPE 3 ZONE (R3)

- k) Dwelling Unit other than Bachelor Dwelling Unit

55 square metres (592 square feet) plus 14 square metres (151 square feet) of each habitable room in excess of 4

SECTION 10

ESTATE RESIDENTIAL ZONE (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:

10.1 PERMITTED USES

10.1.1 a single detached dwelling, a home occupation

10.1.2 a park

10.2 REGULATIONS FOR PERMITTED USES

10.2.1 Regulations for Uses Permitted in Section 10.1.1

a)	Minimum Lot Area	8090 square metres (2 acres)
b)	Minimum Lot Frontage	61 metres (200 feet)
c)	Minimum Front Yard	15 metres (50 feet)
d)	Minimum Side Yard	9 metres (30 feet)
e)	Minimum Rear Yard	15 metres (50 feet)
f)	Maximum Height	9 metres (30 feet)
g)	Maximum Lot Coverage	10%
h)	Minimum Floor Area	
	1 storey	97.5 square metres (1050 square feet)
	1-1/2 storey or split level	120 square metres (1300 square feet)
	2 storey	140 square metres (1500 square feet)
i)	Maximum Number of Dwellings Per Lot	1

SECTION 10 **ESTATE RESIDENTIAL ZONE (ER)**

10.2.2 Special Provisions

- 10.2.2.1 All buildings and structures, except a marine facility and unattached decks and patios, shall be located at least 21.3 metres (70 feet) from the high water mark of any body of water which the land abuts.

- 10.2.2.2 Where a new dwelling is to be erected after the date of this By-law, the new dwelling shall not be located within 90 metres (295 feet) of the Extractive Industrial Zone (M2) and the Extractive Industrial Holding Zone (M2-H). In the case of a quarry, the setback from the Extractive Industrial Zone (M2) and the Extractive Industrial Holding Zone (M2-H) shall be increased to 150 metres (492 feet).

SECTION 11

SEASONAL RESIDENTIAL ZONE (SR)

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

11.1 PERMITTED USES

11.1.1 a single detached vacation dwelling

11.1.2 a park

11.2 REGULATIONS FOR PERMITTED USES

11.2.1 Regulations for Uses Permitted in Section 11.1.1

a)	Minimum Lot Area	3000 square metres (.74 acres)
b)	Minimum Lot Frontage	46 metres (150 feet)
c)	Minimum Front Yard	21.3 metres (70 feet)
d)	Minimum Side Yard	6 metres (20 feet)
e)	Minimum Rear Yard	7.5 metres (25 feet)
f)	Maximum Height	9 metres (30 feet)
g)	Maximum Lot Coverage	15%
h)	Minimum Floor Area	74 square metres (797 square feet)
i)	Maximum Number of Dwellings Per Lot	1

11.2.2 Special Provisions

11.2.2.1 Notwithstanding any other provision to the contrary, the maximum floor area of all accessory buildings or structures shall be 75% of the total floor area of the main building.

SECTION 11

SEASONAL RESIDENTIAL ZONE (SR)

- 11.2.2.2 All buildings and structures, except a marine facility and unattached decks and patios, shall be located at least 21.3 metres (70 feet) from the high water mark of any body of water which the land abuts.

Where a new dwelling is to be erected after the date of this By-law, the new dwelling shall not be located within 90 metres (295 feet) of the Extractive Industrial Zone (M2) and the Extractive Industrial Holding Zone (M2-H). In the case of a quarry, the setback from the Extractive Industrial Zone (M2) and the Extractive Industrial Holding Zone (M2-H) shall be increased to 150 metres (492 feet).

Holding provisions attached to the Seasonal Residential Holding Zone (SR-H) may be removed when the matters identified in section 3.4.9 of the Township of Havelock-Belmont-Methuen Official Plan have been addressed to the satisfaction of the Township.

Notwithstanding any provision of this section to the contrary, in the Seasonal Residential Holding Zone (SR-H), for those buildings, structures and uses legally established at the date of passing of the By-law, minor extensions/expansions to the building(s) or use and/or the construction of accessory buildings may be permitted provided that all other regulations of the Seasonal Residential Zone (SR) can be satisfied.

SECTION 12

ISLAND RESIDENTIAL ZONE (IR)

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

12.1 PERMITTED USES

12.1.1 a single detached vacation dwelling

12.2 REGULATIONS FOR PERMITTED USES

12.2.1 Regulations for Uses Permitted in Section 12.1.1

a)	Minimum Lot Area	5575 square metres (1.4 acres)
b)	Minimum Lot Frontage	61 metres (200 feet)
c)	Minimum Front Yard	21.3 metres (70 feet)
d)	Minimum Side Yard	10.7 metres (35 feet)
e)	Minimum Rear Yard	10.7 metres (35 feet)
f)	Maximum Height	7.5 metres (25 feet)
g)	Maximum Lot Coverage	4%
h)	Minimum Floor Area	74 square metres (797 square feet)
i)	Maximum Number of Dwellings Per Lot	1

12.2.2 Special Provisions

12.2.2.1 Notwithstanding any other provision to the contrary, the maximum floor area of all accessory buildings or structures shall be 75% of the total floor area of the main building.

12.2.2.2 All buildings and structures, except a marine facility and unattached decks and patios, shall be located at least 21.3 metres (70 feet) from the high water mark of any body of water which the land abuts.

SECTION 13

RESIDENTIAL MOBILE HOME PARK ZONE (RMH)

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

13.1 PERMITTED USES

13.1.1 a mobile home park including mobile homes on individual lots, a mobile home park management office, a recreation facility accessory to a mobile home park

13.1.2 an accessory convenience store

13.1.3 an accessory single detached dwelling if occupied by a proprietor, caretaker or similar person employed on the lot on which such single detached dwelling is located

13.2 REGULATIONS FOR PERMITTED USES

13.2.1 Regulations for Uses Permitted in Section 13.1.1

- | | | |
|----|----------------------|-----------------------|
| a) | Minimum Lot Area | 4 hectares (10 acres) |
| b) | Maximum Lot Area | 8 hectares (20 acres) |
| c) | Minimum Lot Frontage | 183 metres (600 feet) |
| d) | Minimum Front Yard | 15 metres (50 feet) |
| e) | Minimum Side Yard | 15 metres (50 feet) |
| f) | Minimum Rear Yard | 15 metres (50 feet) |

13.2.1.1 Special Provisions

13.2.1.1.1 The maximum density of a mobile home park shall not exceed 15 mobile homes per gross hectare.

RESIDENTIAL MOBILE HOME PARK ZONE (RMH)3.2.1.1.2 Mobile Home LotsIndividual Water Supply and Sewage Disposal

- | | |
|-------------------------|------------------------------------|
| a) Minimum Lot Area | 1400 square metres (.35 acres) |
| b) Minimum Lot Frontage | 30.5 metres (100 feet) |
| c) Minimum Front Yard | 15 metres (50 feet) |
| d) Minimum Side Yard | 4.5 metres (15 feet) |
| e) Minimum Rear Yard | 6 metres (20 feet) |
| f) Minimum Floor Area | 67 square metres (720 square feet) |
| g) Maximum Height | 4.5 metres (15 feet) |
| h) Maximum Lot Coverage | 20% |

Communal Water Supply and Sewage Disposal

- | | |
|-------------------------|--------------------------------------|
| a) Minimum Lot Area | 450 square metres (4844 square feet) |
| b) Minimum Lot Frontage | 30.5 metres (100 feet) |
| c) Minimum Front Yard | 15 metres (50 feet) |
| d) Minimum Side Yard | 3 metres (10 feet) |
| e) Minimum Rear Yard | 6 metres (20 feet) |
| f) Minimum Floor Area | 67 square metres (720 square feet) |
| g) Maximum Height | 4.5 metres (15 feet) |
| h) Maximum Lot Coverage | 20% |

13.2.1.1.3 Tenant and visitor parking facilities shall be provided at a ratio of not less than 1.25 parking spaces per mobile home.

13.2.1.1.4 Each mobile home park and mobile home site shall have a minimum landscaped open space of 30%

13.2.1.1.5 Each street within a mobile home park is assumed to be private street or road. Individual mobile home lots within a mobile home park may front onto a private street or road.

13.2.2 Regulations for Uses Permitted in Section 13.1.2

- | | | |
|----|----------------------|--|
| a) | Minimum Lot Area | 1394 square metres (15000 square feet) |
| b) | Minimum Lot Frontage | 30.5 metres (100 feet) |
| c) | Minimum Front Yard | 15 metres (50 feet) |
| d) | Minimum Side Yard | 3 metres (10 feet) |
| e) | Minimum Rear Yard | 6 metres (20 feet) |
| f) | Maximum Floor Area | 93 square metres (1000 square feet) |

13.2.3 Regulations for Uses Permitted in Section 13.1.3

- | | | |
|----|----------------------|------------------------------------|
| a) | Minimum Lot Area | 4047 square metres (1 acres) |
| b) | Minimum Lot Frontage | 38 metres (125 feet) |
| c) | Minimum Front Yard | 15 metres (50 feet) |
| d) | Minimum Side Yard | 3 metres (10 feet) |
| e) | Minimum Rear Yard | 6 metres (20 feet) |
| f) | Minimum Floor Area | 78 square metres (840 square feet) |

13.2.4 Special Provisions

- 13.2.4.1 All buildings and structures, except a marine facility and unattached decks and patios, shall be located at least 21.3 metres (70 feet) from the high water mark of any body of water which the land abuts.
- 13.2.4.2 Where a new dwelling or dwelling unit is to be erected after the date of this By-law, the new dwelling or dwelling unit shall not be located within 90 metres (295 feet) of the Extractive Industrial (M2) and Extractive Industrial Holding (M2-H) Zones. In the case of a quarry, the setback from the Extractive Holding (M2) and Extractive Industrial Holding (M2-H) Zones shall be increased to 150 metres (492 feet).

SECTION 14

LOCAL COMMERCIAL ZONE (C1)

No person shall within any Local Commercial Zone (C1) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

14.1 PERMITTED USES

14.1.1 an animal hospital, an auction market, a bank, a building supply outlet in a wholly enclosed building, a business or professional office, a car wash, a clinic, a commercial garage, a convenience store, a daycare centre, a driving range, equipment rentals, a farm produce outlet, a farm implement or feed dealer, a hotel or motel, a laundromat, a merchandise service shop, a marina, a miniature golf course, a mobile business, a motor vehicle dealership, a motor vehicle gasoline bar, a motor vehicle repair garage, a motor vehicle service station, a motor vehicle store, a park, a parking area, a personal service shop, a motor vehicle body shop, a place of entertainment, a rental storage facility, a repair shop, a restaurant, a retail store, an undertaking establishment, commercial greenhouses and nurseries, and all other similar uses

14.1.2 an accessory dwelling unit in a portion of a commercial building, except that in the case of a motor vehicle body shop, dealership, gasoline bar, repair garage or service station such dwelling unit shall not be permitted

14.1.3 an accessory single detached dwelling

14.2 REGULATIONS FOR PERMITTED USES

14.2.1 Regulations for Uses Permitted in Section 14.1.1

Municipal Water and Sanitary Sewers

- | | | |
|----|----------------------|---|
| a) | Minimum Lot Area | 750 square metres (.19 acres) |
| b) | Minimum Lot Frontage | 24 metres (79 feet) |
| c) | Minimum Front Yard | 7.5 metres (25 feet) |
| d) | Minimum Side Yard | 3 metres (9.8 feet) or one half of the height of the building, whichever is the greater |

SECTION 14 **LOCAL COMMERCIAL ZONE (C1)**

- e) Minimum Rear Yard 9 metres (30 feet) of the height of the building, whichever is the greater
- f) Maximum Height 11 metres (36 feet)
- g) Maximum Lot Coverage 30%
- h) Maximum Number of Storeys 3

Individual Water Supply and Sewage Disposal

- a) Minimum Lot Area 2787 square metres (30,000 square feet)
- b) Minimum Lot Frontage 61 metres (200 feet)
- c) Minimum Front Yard 15 metres (50 feet)
- d) Minimum Side Yard 6 metres (20 feet)
- e) Minimum Rear Yard 7.5 metres (25 feet)
- f) Maximum Height 9 metres (30 feet)
- g) Maximum Lot Coverage 40%

14.2.1.1 Special Provisions

14.2.1.1.1 Hotels and Motels

- a) Minimum Lot Area 3700 square metres (40000 square feet)
- b) Minimum Lot Frontage 61 metres (200 feet)

The minimum lot area shall be increased by 186 square metres (2000 square feet) for each guest room in excess of four (4).

14.2.1.1.2 Gasoline Pump Island Location

Notwithstanding any other provisions of this By-law to the contrary, a gasoline island may be located within any front yard or exterior side yard provided:

- (i) the minimum distance between any portion of the gasoline pump island and any lot line shall be 4.5 metres (15 feet); and,

SECTION 14

LOCAL COMMERCIAL ZONE (C1)

- (ii) where the lot is a corner lot, no portion of any gasoline pump island shall be located closer than 3 metres (10 feet) to a daylighting triangle.

14.2.1.1.3 Driveways for Motor Vehicle Gasoline Bars and Service Stations

Notwithstanding any provisions of this By-law to the contrary, the location of driveways on any lot used as a motor vehicle gasoline bar and/or service station shall be as per the Ontario Provincial Standard Specifications.

14.2.1.1.4 Open Storage Regulations

Notwithstanding any provision of this By-law to the contrary, no open storage of goods or materials shall be permitted except in accordance with the following provisions:

- (i) Every open storage use shall be accessory to the use of the main building on the lot;
- (ii) An open storage area shall be permitted in the rear yard only; and
- (iii) Notwithstanding paragraph 14.2.1.1.4 (i) above, in the case of a motor vehicle dealership, an open storage area shall be permitted in all yards provided that no such use is located closer than 1 metres (3 feet) to any street line or property line.

14.2.1.1.5 Notwithstanding any provision of this By-law to the contrary, all mobile businesses shall comply with the By-laws of the Corporation regulating mobile businesses.

14.2.1.1.6 Any accessory building shall be located in the rear yard but shall not be located within 3 metres (10 feet) of the rear lot line.

14.2.1.1.7 The maximum height of any accessory building shall be 4.5 metres (15 feet).

14.2.1.1.8 Landscaped open space of a minimum width of 3 metres (10 feet) shall be provided and maintained along all lot lines. Such open space may be interrupted by driveways.

SECTION 14 **LOCAL COMMERCIAL ZONE (C1)**

14.2.2 Regulations for Uses Permitted in Section 14.1.2

- 14.2.2.1 Where an accessory dwelling unit is located in a portion of a commercial building, the minimum lot size shall be increased by 650 square metres (7000 square feet) for lots on individual services.

- 14.2.2.2 The minimum floor area of an accessory dwelling unit shall be 97.5 square metres (1050 square feet) for lots on individual services and 70 square metres (753.5 square feet) for lots on municipal water and sanitary sewers.

14.2.3 Regulations for Uses Permitted in Section 14.1.3

When a single detached accessory dwelling is located on a lot together with a commercial use, and the uses are served by individual water and sewage disposal systems, the following provisions apply:

- a) Minimum Lot Area 2787 square metres (30000 square feet)
- b) Minimum Lot Frontage 61 metres (200 feet)
- c) Minimum Front Yard 15 metres (50 feet)
- d) Minimum Side Yard 6 metres (20 feet) *
- e) Minimum Rear Yard 7.5 metres (25 feet)
- f) Maximum Height 9 metres (30 feet)
- g) Minimum Floor Area 97.5 square metres (1050 square feet)
- h) Maximum Lot Coverage 40%

* The minimum side yard shall be established from any building permitted in Section 14.1.2 or 14.1.3. The opposite minimum side yard shall be 4.5 metres (15 feet) except in the case of a corner lot where the minimum side yard shall be 7.5 metres (25 feet).

14.3.1 Local Commercial Holding Zone (C1-H)

Holding provisions attached to the Local Commercial Holding Zone (C1-H) may be removed when the matters identified in section 3.4.9 of the Township of Havelock-Belmont-Methuen Official Plan have been addressed to the satisfaction of the Township.

SECTION 14 **LOCAL COMMERCIAL ZONE (C1)**

Notwithstanding any provision of this section to the contrary, in the Local Commercial Holding Zone (C1-H), for those buildings, structures and uses legally established at the date of passing of the By-law, minor extensions/expansions to the building(s) or use and/or the construction of accessory buildings may be permitted provided that all other regulations of the Local Commercial Zone (C1) can be satisfied.

14.3.2 Local Commercial Exception Two Zone (C1-2)

All of the provisions and regulations of the Local Commercial Zone (C1) apply to the Local Commercial Exception Two Zone (C1-2). In addition to the uses permitted in the C1 Zone, existing commercial buildings may be converted to multi-unit residential buildings. The following regulations apply to multi-unit residential buildings in the C1-2 Zone:

14.3.2.1 Permitted Uses

14.3.2.1.1 a three-unit dwelling, a four unit dwelling, a converted dwelling containing not more than 4 dwelling units, a row dwelling containing not more than 8 dwelling units, a low rise apartment dwelling, a boarding house, a home occupation.

14.3.2.2 Regulations for Permitted Uses

14.3.2.2.1 Municipal Water and Sanitary Sewers

Minimum Lot Area	Existing as of date of passing of By-law
Minimum Lot Frontage	Existing as of date of passing of By-law
Minimum Front Yard	Existing as of date of passing of By-law
Minimum Side Yard	Existing as of date of passing of By-law
Minimum Rear Yard	Existing as of date of passing of By-law
Maximum Height	11 metres (36 feet)
Minimum Floor Area	
Bachelor dwelling unit	37 square metres (398 square feet)
Dwelling unit other than Bachelor dwelling unit	55 square metres (592 square feet) plus 14 square metres (151 square feet) of each habitable room in excess of 4.

SECTION 14

LOCAL COMMERCIAL ZONE (C1)

Maximum Number of Boarders Per Boarding House	10
---	----

14.3.2.2.2 Special Provisions

Notwithstanding any provision or regulation to the contrary, the minimum parking space requirement for all new residential dwelling units within the C1-2 Zone shall be 1 per dwelling unit.

SECTION 15

COMMERCIAL TOURIST ZONE (C2)

No person shall within any Commercial Tourist Zone (C2) use any land, erect, alter or use any building or structure except in accordance with the following provisions:

15.1 PERMITTED USES

15.1.1 a lodge, rental cottages and cabins, a marina, a convenience store

15.1.2 an accessory single detached dwelling if occupied by a proprietor, caretaker or similar person employed on the lot on which such single detached dwelling is located

15.2 REGULATIONS FOR PERMITTED USES

15.2.1 Regulations for Uses Permitted in Section 15.1.1

- | | | |
|----|----------------------|-----------------------|
| a) | Minimum Lot Area | 4000 metres (1 acre) |
| b) | Minimum Lot Frontage | 61 metres (200 feet) |
| c) | Minimum Front Yard | 21.3 metres (70 feet) |
| d) | Minimum Side Yard | 6 metres (20 feet) |
| e) | Minimum Rear Yard | 7.5 metres (25 feet) |
| f) | Maximum Lot Coverage | 25% |
| g) | Maximum Height | 9 metres (30 feet) |

15.2.1.1 Special Provisions

15.2.1.1.1 Lodges, Rental Cottages and Cabins

The minimum lot area shall be increased by 280 square metres (3000 square feet) for each guest room in excess of ten (10).

SECTION 15

COMMERCIAL TOURIST ZONE (C2)

15.2.1.1.2 Marinas

Yard requirements for that portion of a lot abutting a navigable waterway may be waived in respect of a marine facility, fuel pumps and similar structures associated with a marina.

15.2.2 Regulations for Uses Permitted in Section 15.1.2

The minimum lot area required under subsection 15.2.1 shall be increased by 3035 square metres (.75 acres)

15.2.2.1 Special Provisions

All buildings and structures, except a marine facility and unattached decks and patios, shall be located at least 21.3 metres (70 feet) from the high water mark of any body of water which the land abuts.

SECTION 16

COMMERCIAL TRAILER PARK ZONE (C3)

No person shall within any Commercial Trailer Park Zone (C3) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

16.1 PERMITTED USES

16.1.1 a camping park, a tourist trailer park

16.1.2 a single detached accessory dwelling if occupied by a proprietor, caretaker or similar person employed on the lot on which such single detached dwelling is located

16.2 REGULATIONS FOR PERMITTED USES

16.2.1 Regulations for Uses Permitted in Section 16.1.1

- | | | |
|----|-------------------------------|--------------------------------------|
| a) | Minimum Lot Area | 4 hectares (10 acres) |
| b) | Minimum Lot Frontage | 152 metres (500 feet) |
| c) | Minimum Front Yard | 91 metres (300 feet) |
| d) | Minimum Side Rear | 15 metres (50 feet) |
| e) | Minimum Rear Yard | 15 metres (50 feet) |
| f) | Minimum Camp Site Area | 300 square metres (3200 square feet) |
| g) | Minimum Camp Site
Frontage | 12 metres (40 feet) |

16.2.2 Regulations for Uses Permitted in Section 16.1.2

When a single detached accessory dwelling is located on a lot together with a camping park or tourist trailer park, the following provisions apply:

SECTION 16

COMMERCIAL TRAILER PARK ZONE (C3)

a)	Minimum Lot Area	3000 square metres (.74 acres)
b)	Minimum Lot Frontage	45 metres (150 feet)
c)	Minimum Front Yard	15 metres (50 feet)
d)	Minimum Side Yard	7.5 metres (25 feet)
e)	Minimum Rear Yard	7.5 metres (25 feet)
f)	Maximum Height	9 metres (30 feet)
g)	Maximum Lot Coverage	15%
h)	Minimum Floor Area	97.5 square metres (1050 square feet)
i)	Maximum Number of Dwelling Units Per Lot	1

16.2.3 Special Provisions

- 16.2.3.1 All buildings and structures, except a marine facility and unattached decks and patios, shall be located at least 21.3 metres (70 feet) from the high water mark of any body of water which the land abuts.

SECTION 17

RESTRICTED INDUSTRIAL ZONE (M1)

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

17.1 PERMITTED USES

17.1.1 a bus terminal or yard, a concrete production plant, a contractor's yard, a feed mill, fuel storage tanks or supply yard, open storage, a sawmill, a lumber yard, a cartage, express or truck transport terminal or yard, a warehouse or storage yard, a woodworking shop, a planing mill, a regulating station for petroleum products pipeline or natural gas pipeline, manufacturing uses, and similar uses

a retail outlet, a wholesale outlet or a business office accessory to a permitted use

17.1.2 a single detached dwelling if occupied by a proprietor, caretaker or similar person employed on the lot on which such single detached dwelling is located

17.2 REGULATIONS FOR PERMITTED USES

17.2.1 Regulations for Uses Permitted in Section 17.1.1

Municipal Water and Sanitary Sewers

- | | | |
|----|--|---|
| a) | Minimum Lot Area | 900 square metres (.22 acres) |
| b) | Minimum Lot Frontage | 30 metres (98 feet) |
| c) | Minimum Lot Depth | 30 metres (98 feet) |
| d) | Maximum Building Coverage | 50% |
| e) | Minimum side yard and rear yard where lot abuts any R1, R2, R3, I, D, or OS Zone | 12 metres (39.4 feet) or twice the height of the building, whichever is the greater |

SECTION 17 **RESTRICTED INDUSTRIAL ZONE (M1)**

- f) Minimum side yard and rear yard where lot does not abut any R1, R2, R3, I, D, or OS Zone 3 metres (9.8 feet) or the height of the building, whichever is the greater
- g) Landscaped open space of a minimum width of 9 metres (29.5 feet) shall be provided and maintained along all other lot lines provided that such open space maintained along a lot line abutting any R1, R2, R3, I, D, of OS Zone.
- h) Landscaped open space of a minimum width of 1.5 metres (5 feet) shall be provided and maintained along all other lot lines provided that such open space may be interrupted by driveways and railways.
- i) Planting strips shall be provided and maintained along a lot line abutting any R1, R2, R3, I, D, or OS Zone.
- j) Up to 50% of the area between a building and a street line may be used for the open display of merchandise.

Individual Water Supply and Sewage Disposal

- a) Minimum Lot Area 4050 square metres (1 acre)
- b) Minimum Lot Frontage 61 metres (200 feet)
- c) Minimum Front Yard 15 metres (50 feet)
- d) Minimum Side Yard 7.5 metres (25 feet)
- e) Minimum Rear Yard 15 metres (50 feet)
- f) Maximum Height 11 metres (36 feet)
- g) Maximum Lot Coverage 30%

17.2.2 Regulations for Uses Permitted in Section 17.1.2

Where a single detached dwelling is located on a lot together with any use permitted in Section 17.1.1, it shall comply with the regulations set out in Section 7 in addition to the regulations of this Section.

17.2.3 Special Provisions

Where any Restricted Industrial Zone (M1) abuts any Residential Zone or Open Space Zone, the minimum side yard shall be increased by an additional 15 metres (50 feet) of landscaped open space for that portion of the lot so abutting, but shall not be used for storage or parking.

SECTION 18

EXTRACTIVE INDUSTRIAL ZONE (M2)

No person shall within any Extractive Industrial Zone (M2) use any land or erect, alter or use any building or structure except in accordance with the following provisions:

18.1 PERMITTED USES

18.1.1 pits and quarries for the purpose of extracting natural materials from the earth, the processing of natural materials including screening, sorting, washing and crushing operations carried out on materials extracted from the site

18.1.2 agricultural uses, and buildings or structures accessory thereto but excluding dwellings

18.2 REGULATIONS FOR PERMITTED USES

18.2.1 Regulations for Uses Permitted in Section 18.1.1

- | | | |
|----|----------------------|------------------------|
| a) | Minimum Lot Area | 20 hectares (50 acres) |
| b) | Minimum Lot Frontage | 30.5 metres (100 feet) |

Minimum Yards between any excavation or processing equipment and any lot line:

- | | | |
|----|--------------------|------------------------|
| c) | Minimum Front Yard | 30.5 metres (100 feet) |
| d) | Minimum Side Yard | 15 metres (50 feet) |
| e) | Minimum Rear Yard | 15 metres (50 feet) |

SECTION 18 **EXTRACTIVE INDUSTRIAL ZONE (M2)**

18.2.2 Special Provisions

- 18.2.2.1 No sand or gravel extractive industrial use shall be permitted within 90 metres (295 feet) of the boundary of any type of residential zone in this By-law or amendments thereto.
- 18.2.2.2 No quarry or stone extractive industrial use or the processing of sand, gravel or stone at the extraction area shall be permitted within 150 metres (492 feet) of the boundary of any type of residential zone in this By-law or amendments thereto.
- 18.2.2.3 Holding provisions attached to the Extractive Industrial Holding Zone (M2-H) may be removed when the matters identified in section 3.4.9 of the Township of Havelock-Belmont-Methuen Official Plan have been addressed to the satisfaction of the Township.

Notwithstanding any provision of this section to the contrary, in the Extractive Industrial Holding Zone (M2-H), for those buildings, structures and uses legally established at the date of passing of the By-law, minor extensions/expansions to the building(s) or use and/or the construction of accessory buildings may be permitted provided that all other regulations of the Extractive Industrial Zone (M2) can be satisfied.

SECTION 19

DISPOSAL INDUSTRIAL ZONE (M3)

No person shall within any Disposal Industrial Zone (M3) use any land or erect, alter or use any building or structure except in accordance with the following provisions:

19.1 PERMITTED USES

19.1.1 an approved solid waste landfill site, a waste transfer station, a composting facility, a material recovery facility, a sewage treatment plant or lagoon

19.1.2 an abattoir, a meat packing plant

19.1.3 a trucking terminal

19.1.4 a salvage yard

19.2 REGULATIONS FOR PERMITTED USES

19.2.1 Regulations for Uses Permitted in Section 19.1.1

- 19.2.1.1 Notwithstanding any other provisions of this By-law to the contrary, no solid waste landfill site shall be located within 500 metres (1640 feet) of any Residential or Commercial use.
- 19.2.1.2 Notwithstanding any other provisions of this By-law to the contrary, no waste transfer station shall be located within 100 metres (328 feet) of any Residential or Commercial Zone.
- 19.2.1.3 Notwithstanding any other provisions of this By-law to the contrary, no composting facility or material recovery facility shall be located within 250 metres (820 feet) of any Residential or Commercial Zone.
- 19.2.1.4 Notwithstanding any other provisions of the By-law to the contrary, no sewage treatment plant shall be located within 150 metres (492 feet) of any Residential or Commercial Zone.

SECTION 19

DISPOSAL INDUSTRIAL ZONE (M3)

19.2.1.5 Notwithstanding any other provisions of the By-law to the contrary, no sewage storage lagoon shall be located within 400 metres (1,312 feet) of any Residential or Commercial Zone.

19.2.1.6 Notwithstanding any other provisions of this By-law to the contrary, no salvage yard shall be located within 120 metres (400 feet) of any Residential or Commercial Zone."

19.2.2 Regulations for Uses Permitted in Section 19.1.2

- a) Minimum Lot Area 10 hectares (25 acres)
- b) Minimum Lot Frontage 305 metres (1000 feet)
- c) Minimum Front Yard 61 metres (200 feet)
- d) Minimum Side Yard 107 metres (350 feet)
- e) Minimum Rear Yard 107 metres (350 feet)
- f) Maximum Lot Coverage 20%

19.2.3 Regulations for Uses Permitted in Section 19.1.3

- a) Minimum Lot Area 2 hectares (5 acres)
- b) Minimum Lot Frontage 152 metres (500 feet)
- c) Minimum Front Yard 46 metres (150 feet)
- d) Minimum Side Yard 46 metres (150 feet)
- e) Minimum Rear Yard 46 metres (150 feet)
- f) Maximum Lot Coverage 20%

19.2.4 Regulations for Uses Permitted in Section 19.1.4

- a) Minimum Lot Area 10 hectares (25 acres)
- b) Minimum Lot Frontage 305 metres (1000 feet)
- c) Minimum Front Yard 150 metres (500 feet)
- d) Minimum Side Yard 61 metres (200 feet)
- e) Minimum Rear Yard 61 metres (200 feet)
- f) Maximum Lot Coverage including any open storage 35%

SECTION 19

DISPOSAL INDUSTRIAL ZONE (M3)

19.2.4.1

Special Provisions

- 19.2.4.1.1 That portion of a salvage yard used for the storage of salvage shall be enclosed on all sides by a 2.5 metres (8 feet) high solid board fence.
- 19.2.4.1.2 Notwithstanding any other provisions of this By-law to the contrary, no salvage yard shall be located within 610 metres (2000 feet.) of any Residential or Commercial Zone.

SECTION 20

INSTITUTIONAL ZONE (I)

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

20.1 PERMITTED USES

20.1.1 a place of worship

20.1.2 a school

20.1.3 an assembly hall, a community centre

20.1.4 a police station, a jail, a firehall, a retail postal outlet, a hospital, a nursing home, a senior citizen's home, a daycare centre, a municipal office, a municipal garage, a library or museum, a skating rink, curling rink or arena, a cemetery

20.2 REGULATIONS FOR PERMITTED USES

Municipal Water and Sanitary Sewers

- a) Minimum Lot Frontage 15 metres (50 feet)
- b) Minimum Side Yard 3 metres (9.8 feet) or one half of the height of the building, whichever is the greater
- c) Minimum Rear Yard 9 metres (30 feet) of the height of the building, whichever is the greater
- d) Maximum Height 18 metres (59 feet)
- e) Landscaped open space of a minimum width of 3 metres (10 feet) shall be provided and maintained along all lot lines provided that such open space may be interrupted by driveways.
- f) There shall be no open storage except for recreational equipment.

SECTION 20 **INSTITUTIONAL ZONE (I)**

20.2.1 Regulations for Uses Permitted in Section 20.1.1

a)	Minimum Lot Area	2787 square metres (30,000 square feet)
b)	Minimum Lot Frontage	46 metres (150 feet)
c)	Minimum Front Yard	15 metres (50 feet)
d)	Minimum Interior Side Yard	6 metres (20 feet)
e)	Minimum Exterior Side Yard	7.5 metres (25 feet)
f)	Minimum Rear Yard	7.5 metres (25 feet)
g)	Maximum Height	12 metres (40 feet)
h)	Maximum Lot Coverage	50%

20.2.2 Regulations for Uses Permitted in Section 20.1.2

a)	Minimum Lot Area	1.6 hectares (4 acres)
b)	Minimum Lot Frontage	91 metres (300 feet)
c)	Minimum Front Yard	15 metres (50 feet)
d)	Minimum Side Yard	7.5 metres (25 feet)
e)	Minimum Rear Yard	7.5 metres (25 feet)
f)	Maximum Height	7.5 metres (25 feet)
g)	Maximum Lot Coverage	25%

20.2.3 Regulations for Uses Permitted in Section 20.1.3

a)	Minimum Lot Area	2787 square metres (30,000 square feet)
b)	Minimum Lot Frontage	30.5 metres (100 feet)
c)	Minimum Front Yard	15 metres (50 feet)
d)	Minimum Side Yard	6 metres (20 feet)
e)	Minimum Rear Yard	7.5 metres (25 feet)
f)	Maximum Height	9 metres (30 feet)
g)	Maximum Lot Coverage	40%

SECTION 20 **INSTITUTIONAL ZONE (I)**

20.2.4 Regulations for Uses Permitted in Section 20.1.4

a) Maximum Lot Coverage 50%

20.2.4.1 **Special Provisions**

20.2.4.1.1 No building or structure shall be used or erected within 7.5 metres (25 feet) of any lot line, or within 15 metres (50 feet) of any street line, or within 30.5 metres (100 feet) of the boundary of any Residential Zone.

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

20.2.4.1.3 A landscaping area in the form of planting strip having a minimum width of 3 metres (10 feet) shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts the boundary of any Residential Zone.

20.2.5 Holding provisions attached to the Institutional Holding Zone (I-H) may be removed when the matters identified in section 3.4.9 of the Township of Havelock-Belmont-Methuen Official Plan have been addressed to the satisfaction of the Township.

Notwithstanding any provision of this section to the contrary, in the Institutional Holding Zone (I-H), for those buildings, structures and uses legally established at the date of passing of the By-law, minor extensions/expansions to the building(s) or use and/or the construction of accessory buildings may be permitted provided that all other regulations of the Institutional Zone (I) can be satisfied.

SECTION 21

OPEN SPACE ZONE (OS)

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

21.1 PERMITTED USES

21.1.1 agricultural uses excluding buildings, forestry and conservation uses, a park, picnic grounds, playing fields, an open skating rink and similar uses

21.1.2 a golf course and driving range

21.1.3 a marine facility

21.1.4 a hunting lodge

21.1.5 a race course, fair grounds and/or exhibition grounds.

21.2 REGULATIONS FOR PERMITTED USES

21.2.1 Regulations for Uses Permitted in Section 21.1.2

a)	Minimum Lot Area	20 hectares (50 acres)
b)	Minimum Lot Frontage	180 metres (590 feet)
c)	Minimum Front Yard	30.5 metres (100 feet)
d)	Minimum Side Yard	15 metres (50 feet)
e)	Minimum Rear Yard	15 metres (50 feet)

21.2.2 Regulations for Uses Permitted in Section 21.1.3

The provisions of this By-law shall not prevent the construction of a marine facility provided that the requirements of Section 4.22 are complied with.

SECTION 21 **OPEN SPACE ZONE (OS)**

21.2.3 Regulations for Uses Permitted in Section 21.1.4

- a) Minimum Lot Area 20 hectares (50 acres)

21.2.4 Regulations for Uses Permitted in Section 21.1.5

- a) Minimum Lot Area 4 hectares (10 acres)
- b) Minimum Side Yard 30 metres (100 feet)
- c) Minimum Rear Yard 30 metres (100 feet)
- d) Landscaped open space of a minimum width of 9 metres (30 feet) shall be provided and maintained along all lot lines provided that such open space may be interrupted by driveways.

21.2.5 Holding provisions attached to the Open Space Holding Zone (OS-H) may be removed when the matters identified in section 3.4.9 of the Township of Havelock-Belmont-Methuen Official Plan have been addressed to the satisfaction of the Township.

Notwithstanding any provision of this section to the contrary, in the Open Space Holding Zone (OS-H), for those buildings, structures and uses legally established at the date of passing of the By-law, minor extensions/expansions to the building(s) or use and/or the construction of accessory buildings may be permitted provided that all other regulations of the Open Space Zone (OS) can be satisfied.

SECTION 22

DEVELOPMENT ZONE (D)

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

22.1 PERMITTED USES

22.1 a use existing as of the date of passing of the By-law

22.2 the enlargement or extension of an established use on the date of passing of the By-law

22.2 REGULATIONS FOR PERMITTED USES

The minimum lot area, lot frontage, setbacks and floor area and the maximum height shall be as existing as on the date of passing of the By-law.

SECTION 23

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:

23.1 PERMITTED USES

23.1.1 passive recreational and conservation uses

23.1.2 existing agricultural, recreation, forestry and conservation uses

23.2 REGULATIONS FOR PERMITTED USES

23.2.1 Regulations for Uses Permitted in Sections 23.1.1 and 23.1.2

23.2.1.1 No buildings or structures will be permitted in any portion of the Environmental Protection Zone (EP) if such portion is within a provincially significant wetland as defined by the Ministry of Natural Resources.

In portions of the Environmental Protection Zone (EP) not classified one (1) to three (3) inclusive by the Ministry of Natural Resources, accessory buildings or structures shall be of a non-permanent nature and shall have a maximum floor area of 23 square metres (250 square feet).

23.2.1.2 Holding provisions attached to the Environmental Protection Holding Zone (EP-H) may be removed when the matters identified in section 3.4.9 of the Township of Havelock-Belmont-Methuen Official Plan have been addressed to the satisfaction of the Township.

Notwithstanding any provision of this section to the contrary, in the Environmental Protection Holding Zone (EP-H), for those buildings, structures and uses legally established at the date of passing of the By-law, minor extensions/expansions to the building(s) or use and/or the construction of accessory buildings may be permitted provided that all other regulations of the Environmental Protection Zone (EP) can be satisfied.

SECTION 24

PENALTIES AND ADOPTION

24.1 REMEDIES

Where any building or structure is or is proposed to be erected, altered, reconstructed, extended or enlarged, or any building or structure or part thereof is or is proposed to be used, or any land is or is proposed to be used, in contravention of the provisions of this By-law, the same may be restrained by action at the instance of any ratepayer who files a complaint in writing, or of the Council of the Municipality pursuant to the provisions of the Planning Act.

24.2 VIOLATION AND PENALTY

Every person and/or corporation who uses any lot or erects or uses any building or structure in a manner contrary to any requirement of this By-law, or who causes or permits such use or erection, or who violates any provision of this By-law or causes or permits a violation, is guilty of an offence and upon conviction is liable. When a person is convicted of an offence, the maximum penalty that may be imposed is:

- a) on a first conviction, a fine of not more than \$25,000.00
- b) on a subsequent conviction, a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted.

When a corporation is convicted of an offence, the maximum penalty that may be imposed is:

- a) on a first conviction a fine or not more than \$50,000.00; and
- b) on a subsequent conviction, a fine or not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.

24.3 REPEALS

All Zoning By-laws and amendments thereto, passed pursuant to Section 34 of The Planning Act 1990, as amended, or a predecessor thereto, in force on the date of adoption of this By-law in the Municipality, are hereby repealed.

SECTION 24 **PENALTIES AND ADOPTION**

24.4 EFFECTIVE DATE

If no objection is filed with the Clerk not later than the twentieth day after the day that the giving of written notice of the passing of the By-law is completed this By-law shall become effective on the date of passing.

If an appeal is filed with the Clerk not later than the twentieth day after the day that the giving of written notice of the passing of the By-law is completed this By-law shall become effective on the date of passing hereof subject to receiving the approval of the Ontario Municipal Board.

Read a FIRST, SECOND AND THIRD TIME AND FINALLY passed this 21st. day of December, 1995.

"Original Signed By Donald Clark"
REEVE

"Original Signed By Stephen Kaegi"
CLERK

I, Stephen Kaegi, Clerk of the Corporation of the Township of Havelock-Belmont-Methuen do hereby certify that the foregoing is a true copy of By-law No. 1995-42 passed by Council of the said Corporation on the 21st. day of December, 1995.

"Original Signed By" Stephen Kaegi"
CLERK-TREASURER